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05 2505444

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RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA

8:41 AM OCT 18 2005

TITLE(S) : _____



LEAD SHEET

FEE

D.T.T.

FEE \$ 55 LL 17

CODE
20

D.A. FEE Code 20

\$ 2.00

CODE
19

CODE
9

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

THIS FORM IS NOT TO BE DUPLICATED

1 RECORDING REQUESTED BY:

2 WHEN RECORDED MAIL TO
3 California Coastal Commission
4 89 South California Street, Suite 200
5 Ventura, CA 93001-2801
6 Attn: Legal Division

7
8
9 DEED RESTRICTION

10
11 I. WHEREAS, ROBERT WAGNER

12 _____ (hereinafter referred to as "Owner(s)") is/are the record owner(s) of
13 the real property described in Exhibit A, attached hereto and incorporated herein by reference
14 (hereinafter referred to as the "Property"); and

15 II. WHEREAS, the California Coastal Commission (hereinafter referred to as the
16 "Commission") is a public agency created and existing under the authority of section 30300 of the
17 California Public Resources Code (hereinafter referred to as the "PRC"), a section of the California
18 Coastal Act of 1976 (Division 20 of the PRC; hereinafter referred to as the "Act"); and

19 III. WHEREAS, the Property is located within the coastal zone as defined in the Act (PRC
20 § 30103); and

21 IV. WHEREAS, pursuant to section 30600(a) of the PRC, Owner(s) applied to the
22 Commission for a coastal development permit to undertake development, as defined in the Act (PRC
23 § 30106), on the Property; and

24 V. WHEREAS, on JULY 13TH, 2005, the Commission conditionally approved
25 coastal development permit number 4-04-106 (hereinafter referred to as the "Permit"),
26 subject to, among other conditions, the conditions listed under the heading "Special Conditions" in the
27 Notice of Intent to Issue Permit dated JULY 28TH, 2005, attached hereto as EXHIBIT B

3
1 and incorporated herein by reference (hereinafter referred to as the "Special Conditions"), for the
2 reasons stated in the "Findings and Declarations" adopted by the Commission in support of its action,
3 which findings and declarations are available from the Commission upon request; and

4 VI. WHEREAS, the Commission found that, but for the imposition of the Special
5 Conditions, the proposed development could not be found consistent with the provisions of the Act and
6 that a permit could therefore not have been granted; and

7 VII. WHEREAS, Owner(s) has/ve elected to comply with the Special Conditions, which
8 require, among other things, execution and recordation of this Deed Restriction, so as to enable
9 Owner(s) to undertake the development authorized by the Permit;

10 NOW, THEREFORE, in consideration of the issuance of the Permit to Owner(s) by the
11 Commission, the undersigned Owner(s), for himself/herself/themselves and for his/her/their heirs,
12 assigns, and successors-in-interest, hereby irrevocably covenant(s) with the Commission that the Special
13 Conditions (shown in Exhibit B hereto) shall at all times on and after the date on which this Deed
14 Restriction is recorded constitute for all purposes covenants, conditions and restrictions on the use and
15 enjoyment of the Property that are hereby attached to the deed to the Property as fully effective
16 components thereof.

17 1. DURATION. (a) This Deed Restriction shall remain in full force and effect and shall
18 bind Owner(s) and all his/her/their assigns or successors-in-interest during the period that either the
19 development authorized by the Permit, or any part or modification thereof, or the Permit, or any
20 modification or amendment thereof, remains in existence on or with respect to, and thereby confers
21 benefit upon, the Property.

22 (b) Furthermore, in the event of a termination or extinguishment of this Deed Restriction
23 other than pursuant to a Commission-approved amendment to the Permit, the Special Conditions shall,
24 notwithstanding any such termination or extinguishment, continue to restrict the use and enjoyment of
25 the Property as they did prior to that termination or extinguishment and to bind Owner(s) and
26 his/her/their successors-in-interest, so long as either or both of the conditions described in paragraph (a)
27 continue to exist on or with respect to the Property.

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2. TAXES AND ASSESSMENTS. It is intended that this Deed Restriction is irrevocable and shall constitute an enforceable restriction within the meaning of a) Article XIII, section 8, of the California Constitution; and b) section 402.1 of the California Revenue and Taxation Code or successor statute. Furthermore, this Deed Restriction shall be deemed to constitute a servitude upon and burden to the Property within the meaning of section 3712(d) of the California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded property.

3. RIGHT OF ENTRY. The Commission or its agent may enter onto the Property at times reasonably acceptable to Owner(s) to ascertain whether the use restrictions set forth above are being observed.

4. REMEDIES. Any act, conveyance, contract, or authorization by Owner(s) whether written or oral which uses or would cause to be used or would permit use of the Property contrary to the terms of this Deed Restriction will be deemed a violation and a breach hereof. The Commission and Owner(s) may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Deed Restriction. In the event of a breach, any forbearance on the part of either party to enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding any subsequent breach.

5. SEVERABILITY. If any provision of these restrictions is held to be invalid, or for any reason becomes unenforceable, no other provision shall be affected or impaired.

Dated: October 11, 2005

Signed: 

ROBERT WAGNER, PROPERTY OWNER
PRINT/TYPE NAME & CAPACITY OF ABOVE

Signed: _____

PRINT/TYPE NAME & CAPACITY OF ABOVE

** NOTARY ACKNOWLEDGMENT ON THE NEXT PAGE **

05 2505444

1 STATE OF CALIFORNIA

2
3 COUNTY OF Los Angeles

4
5 On October 11, 2005, before me, Patricia C. Buono, a Notary Public
6 personally appeared Robert J. Wagner, personally known to me (or
7 proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed
8 to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
9 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the
10 entity upon behalf of which the person(s) acted, executed the instrument.

11
12 WITNESS my hand and official seal.

13
14 Signature Patricia C. Buono



15
16 STATE OF CALIFORNIA

17 COUNTY OF _____

18
19 On _____, before me, _____, a Notary Public
20 personally appeared _____, personally known to me (or
21 proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed
22 to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
23 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the
24 entity upon behalf of which the person(s) acted, executed the instrument

25
26 WITNESS my hand and official seal.

27
Signature _____

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EXHIBIT A

(Legal Description of Property)

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Exhibit "A"

Parcel A.

7

Parcel 1, as shown on parcel map no 7079, in the County of Los Angeles, State of California, as per map filed in book 75 pages 15 to 17 inclusive of parcel maps, records of Los Angeles County.

Parcel B

An appurtenant non-exclusive easement for ingress, egress, public utility, emergency vehicle use and incidental purposes to be used in common with others, over two strips of land 30.00 feet wide, as shown on parcel map 7079, filed in book 75 pages 15 to 17 inclusive of parcel maps, records of Los Angeles County. The center line of said strips of land are described as follows:

Strip no. 1:

Beginning at a point in the North line of parcel 1 of said parcel map 7079, distant thereof South 89° 51' 20" East 508.01 feet from the Northwest corner of parcel 1 of said parcel map 7079, thence South 31° 33' 13" West 30.14 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 100.00 feet; thence Southwesterly along said curve an arc distance of 19.66 feet; thence tangent to said curve South 20° 17' 14" West 72.91 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 100.00 feet; thence Southwesterly along said curve in an arc distance of 95.95 feet, thence tangent to said curve South 75° 15' 44" West 45.95 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 40.00 feet, thence Southwesterly along said curve an arc distance of 52.81 feet, thence tangent to said curve South 00° 22' 42" East 36.01 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 70.00 feet; thence Southwesterly along said curve an arc distance of 69.54 feet, thence tangent to said curve South 56° 32' 29" East 20.27 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 90.00 feet, thence Southwesterly along said curve an arc distance of 35.74 feet; thence tangent to said curve South 79° 17' 32" West 132.54 feet to the beginning of a tangent curve concave to the Northeast and having a radius of 55.00 feet; thence Northwesterly along said curve an arc distance of 64.52 feet, thence tangent to said curve North 33° 29' 33" West 270.70 feet to a point which shall hereinafter be referred to as point "A", thence North 33° 29' 33" West 144.73 feet to a point in the North line of parcel 2 of said parcel map 7079, distant thereon North 89° 51' 20" West 180.76 feet from the Northeast corner of parcel 2 of said parcel map 7079.

The side lines of the above described 30.00 foot wide strip of land to be prolonged or shortened so as to terminate Northerly (at the beginning of said strip of land) in the North line of parcel 1 of said parcel map 7079, and to terminate Northerly (at the end of said strip of land) in the North line of parcel 2 of said parcel map 7079.

Strip no. 2:

Beginning at the hereinabove mentioned point "A", said point being the beginning of a curve concave to the Southwest and having a radius of 55.00 feet, a radial line to said point "A" bears North 56° 30' 27" East, thence Northwesterly along said curve an arc distance of 51.40 feet; thence tangent to said curve North 87° 01' 59" West 21.65 feet to the beginning of a tangent curve concave to the North and having radius of 130.00 feet, thence Westerly along said curve an arc distance of 82.75 feet, thence tangent to said curve North 50° 33' 44" West 80.08 feet, thence North 89° 58' 49" West 79.00 feet, thence South 14° 09' 32" West 139.25 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 100.00 feet, thence Southwesterly.

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Exhibit "A"

Legal description Continued

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along said curve an arc distance of 87.62 feet; thence tangent to said curve South $64^{\circ} 21' 47''$ West 29.94 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 60.00 feet, thence Southwesterly along said curve an arc distance of 64.77 feet; thence tangent to said curve South $02^{\circ} 30' 50''$ West 41.91 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 60.00 feet; thence Southwesterly along said curve an arc distance of 80.34 feet; thence tangent to said curve South $79^{\circ} 14' 01''$ West 89.14 feet to a point in the Southwesterly line of parcel 3 of said parcel map no 7079 distant thereon North $51^{\circ} 55' 29''$ West 172.36 feet from the Southwest corner of parcel 3 of said parcel map 7079

The sidelines of the above described 30.00 foot wide strip of land to be prolonged or shortened so as to terminate Easterly in the Northwesterly line of the hereinabove described "strip no 1" and so as to terminate Westerly in the Southwesterly line of parcel 3 of said parcel map no 7079

Parcel C:

An appurtenant non-exclusive easement for public utility purposes to be used in common with others, over the North 15 feet of parcels 2, 3 and 4 of said parcel map 7079.

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EXHIBIT B
(Notice of Intent to Issue Permit)

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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
100 SOUTH CALIFORNIA ST., SUITE 200
JRA, CA 93001
(bws) 585-1800



Page 1 of 9

Date July 28, 2005

Permit Application No. 4-04-106

NOTICE OF INTENT TO ISSUE PERMIT

(Upon satisfaction of special conditions)

THIS IS NOT A COASTAL DEVELOPMENT PERMIT

THE SOLE PURPOSE OF THIS NOTICE IS TO INFORM THE APPLICANT OF THE STEPS NECESSARY TO OBTAIN A VALID AND EFFECTIVE COASTAL DEVELOPMENT PERMIT ("CDP"). A Coastal Development Permit for the development described below has been approved but is not yet effective. Development on the site cannot commence until the CDP is effective. In order for the CDP to be effective, Commission staff must issue the CDP to the applicant, and the applicant must sign and return the CDP. **Commission staff cannot issue the CDP until the applicant has fulfilled each of the "prior to issuance" Special Conditions.** A list of all of the Special Conditions for this permit is attached.

The Commission's approval of the CDP is valid for two years from the date of approval. To prevent expiration of the CDP, you must fulfill the "prior to issuance" Special Conditions, obtain and sign the CDP, and commence development within two years of the approval date specified on the next page. You may apply for an extension of the permit pursuant to the Commission's regulations at Cal Code Regs. title 14, section 13169

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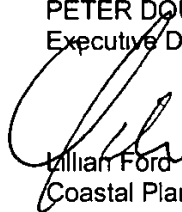
NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

On July 13, 2005, the California Coastal Commission approved Coastal Development Permit No 4-04-106, requested by Robert Wagner, subject to the attached conditions, for development consisting of. Construction of a two story, 28 foot high, 4,685 sq. ft. single family residence, detached 865 sq. ft. three car garage with second story 749 sq. ft. guest house, swimming pool and spa, patio, septic system, driveway, guest parking area, retaining walls, access road improvements, and approximately 3,300 cu. yds. of grading (1,900 cu. yds. cut, 1,400 cu. yds. fill) and 1,200 cu. yds. of removal and recompaction. This permit is more specifically described in the application on file in the Commission offices. Commission staff will not issue the CDP until the "prior to issuance" special conditions have been satisfied.

The development is within the coastal zone in Los Angeles County at 2826 Coral Glen Drive, Santa Monica Mountains

If you have any questions regarding how to fulfill the "prior to issuance" Special Conditions for CDP No. 4-04-106, please contact the Coastal Program Analyst identified below.

Sincerely,
PETER DOUGLAS
Executive Director


William Ford
Coastal Planner

ACKNOWLEDGMENT:

The undersigned permittee acknowledges receipt of this Notice and fully understands its contents, including all conditions imposed.

Date

Permittee

Please sign and return one copy of this form to the Commission office at the above address.

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NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

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.

SPECIAL CONDITIONS:

NOTE: IF THE **SPECIAL CONDITIONS** REQUIRE THAT DOCUMENT(S) BE RECORDED WITH THE COUNTY RECORDER, YOU WILL RECEIVE THE LEGAL FORMS TO COMPLETE (WITH INSTRUCTIONS) FROM THE VENTURA OFFICE, AFTER YOU HAVE SIGNED AND RETURNED THE DUPLICATE COPY OF THIS FORM WHEN YOU RECEIVE THE DOCUMENTS, IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE SOUTH CENTRAL COAST OFFICE AT (805) 585-1800.

1. Plans Conforming to Geologic Recommendations

By acceptance of this permit, the applicant agrees to comply with the recommendations contained in the submitted geologic report ("Preliminary Geologic & Soils Engineering Investigation – Proposed Single-Family Residence, Guesthouse and Swimming Pool," Subsurface Designs, Inc., July 16, 2004). These recommendations, including those concerning construction, grading and earthwork, foundations, floor slabs, excavations, erosion control, retaining walls, sewage disposal, and drainage, shall be incorporated into all final design and construction, and 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 earthwork, foundations, floor slabs, excavations, erosion control, retaining walls, sewage disposal, and drainage. Any substantial changes in the proposed development approved by the Commission that may be

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NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

required by the consultant shall require amendment(s) to the permit(s) or new Coastal Development Permit(s).

2. *Drainage and Polluted Runoff Control Plans*

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

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

3. *Landscaping and Erosion Control Plans*

Prior to issuance of a coastal development permit, the applicants shall submit two sets of landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the geotechnical engineering and geologic consultant to ensure that the plans are in conformance with the consultant's recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

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A. Landscaping Plan

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled *Recommended List of Plants for Landscaping in the Santa Monica Mountains*, dated February 5, 1996. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, 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. Plantings should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- (5) Vegetation within 20 feet of the proposed house may be removed to mineral earth, vegetation within a 200-foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. Fuel modification and brush clearance shall be minimized to the maximum extent feasible, consistent with minimum vegetation clearance requirements of the Forestry Department of Los Angeles County. The applicants shall submit evidence that the final fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the 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.
- (6) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

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- (7) Protective fencing shall be used around the protected zones of all oak trees within 50 feet of construction and grading areas.

B. Interim Erosion Control Plan

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

C. Monitoring

Five (5) years from the date of completion of the proposed development, the applicant shall submit for the review and approval of the Executive Director a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that assesses the on-site landscaping and certifies whether it is in conformance with the landscape plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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

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4. Assumption of Risk

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from landslide, erosion, flooding, earth movement, and wildfire; (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.

5. Structural Appearance

Prior to the issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director, a color palette and material specifications for the outer surface of all structures authorized by the approval of Coastal Development Permit No. 4-04-106. 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 Coastal Development Permit No. 4-04-106 if such changes are specifically authorized by the Executive Director as complying with this special condition.

6. Future Development

This permit is only for the development described in Coastal Development Permit No. 4-04-106. Pursuant to Title 14 California Code of Regulations §13250(b)(6) and 13253(b)(6), the exemptions otherwise provided in Public Resources Code §30610(a) and (b) shall not apply to the entire parcel. Accordingly, any future improvements to the entire property, including but not limited to the residence, garage, guest unit, swimming pool, patios, septic system, access road, driveway, guest parking area, retaining walls, grading, landscaping, and clearing of vegetation other than as provided for in the approved fuel modification/landscape plan prepared pursuant to **Special Condition No. Three (3)**, shall require an amendment to Coastal Development Permit No. 4-04-106 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

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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. 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

9. Removal of Excess Graded 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 the material.

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(Upon satisfaction of special conditions)

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10. Removal of Natural Vegetation

Removal of natural vegetation for the purpose of fuel modification for the development approved pursuant to these permits shall not commence until the local government has issued a building or grading permit(s) for the development approved pursuant to Coastal Development Permit No. 4-04-106.

11. Environmental Health Department Approval

Prior to issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, plans for the proposed on-site sewage disposal system that are stamped as approved in concept by the Los Angeles County Environmental Health Department. All components of the septic system must be designed and located as shown on the submitted septic system plan (**Exhibit 13**). Should the plans submitted pursuant to this special condition include substantial changes to the design or location of the septic system shown in **Exhibit 13**, an amendment to this permit or a new coastal development permit shall be required.

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