

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



Filed: 12/3//04  
49th Day: 1/21/05  
180th Day: 6/01/05  
Staff: AJP-LB  
Staff Report: 3/22/05  
Hearing Date: 4/13-15/05  
Commission Action:

# **W 8b**

## **RECORD PACKET COPY**

### **STAFF REPORT: PERMIT AMENDMENT**

#### **AMENDMENT**

**APPLICATION NUMBER:** 5-97-030-A2

**APPLICANT:** Andrew Miller

**AGENT:** James Van Meter, GeoSoils Consultants Inc.

**PROJECT LOCATION:** 17455 Tramonto Drive (Lot A, Tract 5938), Pacific Palisades, City of Los Angeles

#### **DESCRIPTION OF PROJECT PREVIOUSLY APPROVED (5-97-030):**

Subdivision of a 4.53-acre lot into 4 single family parcels and approximately 7,000 cubic yards of remedial grading (removal and recompaction of soil).

#### **DESCRIPTION OF FIRST AMENDMENT (5-97-030-A1):**

After the Fact approval of 2,825 cubic yards of grading (cut and fill) and 4 to 18-foot high retaining walls. The project also includes an additional 545 cubic yards of cut material per City of Los Angeles Recorded Map Modification requirements to reconfigure the landscaping area to a more natural state. The project is located on a 38,500 square foot vacant lot (Lot C of Tract 5938).

#### **DESCRIPTION OF PROPOSED AMENDMENT (5-97-030-A2):**

Modify Special Condition Number 1 of the original Coastal Development Permit regarding compliance with geologic recommendations made in earlier geologic reports and substitute updated report and recommendations addressing geologic stability.

---

#### **SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending approval of the proposed coastal development permit amendment. The amendment would remove the building area restriction recommended by the applicant's geologist in 1997 for the subdivision. As a result of the amendment, Special Condition number 1 of underlying permit No. 5-97-30, which restricts development on part of one lot (Lot A) through compliance with the geologist recommendations made in the referenced geologic/soils reports, would be modified to remove the building restriction

recommendation on Lot A. As amended, the project will be consistent with the Chapter 3 policies of the Coastal Act.

---

#### **LOCAL APPROVALS:**

1. City of Los Angeles Recorded Parcel Map 5938
2. City of Los Angeles Coastal Development Permit 86-043
3. City of Los Angeles Coastal Development Permit 97-014
4. Recorded Map Modification No. 5938, February 24, 1997 and March 6, 2001
5. City of Los Angeles, Department of Building and Safety, Geology and Soils Review, Log #24419
6. City of Los Angeles, Department of Building and Safety, building permit #98010-30000-00241, 11/24/98; 4/21/99; 11/01/99
7. City of Los Angeles, Department of Building and Safety, grading permit, 11/24/98
8. City of Los Angeles, Department of Building and Safety, Geology/Soil Report Approval Letter , 11/3/04

#### **SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit #5-89-729 (Runka)
  2. Coastal Development Permit # 5-97-030 (Santa Monica Bank)
  3. Coastal Development Permit # 5-98-083 (Coleman)
  4. Geologic Review Memorandum by Commission staff geologist Dr. Mark Johnsson,
  5. Final EIR 86-0789, October 1988
  6. Geology and Soils Report by Geosoils, Inc., 4/1/98
- 

#### **PROCEDURAL NOTE**

##### **A. Coastal Development Permit Amendments**

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

The subject application is being forwarded to the Commission because the Executive Director has determined that the proposed amendment is a material change and affects conditions required for the purposes of protecting coastal resources or coastal access.

---

### **STAFF NOTE:**

#### **Dual permit**

Section 30600(b) of the Coastal Act allows local government to assume permit authority prior to certification of a Local Coastal Program. Under that section, local government must agree to issue all permits within its jurisdiction. Section 30601 establishes that in certain areas, and in the case of certain projects, a permit from both the Commission and local government will be required. Section 30601 states:

#### **Section 30601.**

*Prior to certification of the local coastal program and, where applicable, in addition to a permit from local government pursuant to subdivision (b) or (d) of Section 30600, a coastal development permit shall be obtained from the commission for any of the following:*

*(1) Developments between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.*

*(2) Developments not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.*

*(3) Any development which constitutes a major public works project or a major energy facility.*

Section 30602 establishes that all local actions on coastal development permits are appealable by any person, by the executive director or by any two commissioners. In 1978, the City of Los Angeles opted to issue its own coastal development permits. The Commission staff prepared maps that indicate the area in which Coastal Development Permits from both the Commission and the City are required. This area is commonly known as the "Dual Permit Area."

The original subdivision (CDP No. 5-97-030) required a coastal development permit from both the City and the Commission because the Dual Permit Line crossed a portion of the

subdivision property (along the southern portion of the lot between what is now Lot C and Lot D). Lot A is outside of the Dual Permit area. However, the proposed amendment affects only the Coastal Development Permit issued by the Commission. The applicant is not required to obtain a coastal development permit or amendment from the City for modification to a condition applied only in the Commission's permit.

## **I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:**

Staff recommends that the Commission make the following motion and adopt the following resolution:

**MOTION:**     *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 5-97-030 pursuant to the staff recommendation.*

## **STAFF RECOMMENDATION OF APPROVAL:**

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

## **RESOLUTION TO APPROVE A PERMIT AMENDMENT:**

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, 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 amendment 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 amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended 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 this permit is reported to the Commission. 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. Modify Existing Condition No. 1 of Coastal Development Permit No. 5-97-030 as follows (additions shown as bold, underlined text, and deletions shown as struck out text):

1. **Geologic Recommendations**

- A. The applicant shall ~~incorporate~~ **comply with** all conditions **and recommendations listed in the following documents:**

1. City of Los Angeles Planning Department approval of Parcel map 5938 (local CDP #97-014)
2. ~~the recommendations of the reports by the consulting geologists, GeoSoils, dated November 21, 1986; August 5, 1987; February 2, 1987; September 15, 1987; December 30, 1987; February 17, 1988; and April 7, 1988,~~ **as modified by recommendations made in the GeoSoils letter, dated August 31, 2004 (Exhibit No. 5), as they pertain to Lot A,**
3. **the City's Geology/Soil Report Approval Letter, dated November 3, 2004 (Exhibit No. 7), including the requirements to maintain drainage devices.**

Any revisions in the project which are not in keeping with these recommendations shall be submitted to the Executive Director for his determination on whether the changes necessitate an amendment this permit.

- B. Any grading conducted during the rainy season, November 15 to March 15, shall be conducted according to methods specified by the City of Los Angeles for grading and siltation control during the rainy season. No fewer than ten days before the beginning of any such grading, the applicant shall submit to the Executive Director, for his review and approval, a copy of the grading schedule,

the methods proposed to avoid mudflow and siltation during grading operations and other precautionary methods suggested by the applicant's engineer or required by the City of Los Angeles.

NOTE: Unless specifically altered by this amendment, all conditions attached to the previously approved permit and amendment remain in effect (see Exhibit No. 8 and 9 for list of special conditions from Coastal Development Permit No. 5-97-030 and amendment No. 5-97-030A1).

#### **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

##### **A. Project Description and Location**

The applicant is proposing to amend the underlying Coastal Development Permit (No. 5-97-30) by modifying special condition No. 1 (see Exhibit No. 7) requiring compliance with all geologic recommendations made by the applicant's geologist, to remove a specific recommendation made in the previous geologic reports regarding building area restrictions within a possible ancient landslide.

On March 10, 1998, the California Coastal Commission approved Coastal Development Permit 5-97-030 for the Subdivision of a 4.53-acre lot into 4 single-family parcels and approximately 7,000 cubic yards of remedial grading (removal and recompaction of soil). The permit was issued on September 11, 1998. No construction of the homes were proposed or approved under this subdivision permit. The original permit contained two Special Conditions (Exhibit No. 7). Special Condition No. 1 required the applicant to incorporate all conditions of the City of Los Angeles Planning Department approval of Parcel Map 5938, and the recommendations by the applicant's geotechnical consultant, GeoSoils, Inc. One of the recommendations made by the applicant's geologist included a residential structure building restriction due to a possible ancient landslide. Special Condition No. 2 required the applicant to record a deed restriction assuming the risk of development on Lot 'A' because of the possible ancient landslide on this lot.

The project site located on Tramonto Drive in the Castellammare area of Pacific Palisades (see Exhibit No. 1 and 2). The project is on a gently sloping parcel with a descending slope along the north to northeast side of the plateau. The building area restriction recommendation made by the applicant's geologist (GeoSoils Inc.) pertained only to Lot A of the four lot subdivision. The suggested modification will only affect Lot A.

This particular lot faces away from the Pacific Ocean and toward Los Liones Canyon. The northwestern portion of the subject property borders a "finger" of Topanga State Park. This area is described as a "finger" because it is a small sloped area of the Park bordered on the east side by Los Liones Drive and the west side by a row of single family home along Quadro Vecchio (Exhibit No. 2 and 3). The homes along Quadro Vecchio overlook

the downsloping "finger" of the park. However, the park is shielded by an upward sloping area on the northern edge of the subject property.

## **B. Project History**

Prior to the submittal of the coastal development permit application the City of Los Angeles, Environmental Review Section finalized and circulated Environmental Impact Report # 86-0789 for the subdivision of 4.53 acres into four parcels for single-family homes, in October 1988. The proposed subdivision involved 300 cubic yards of graded cut required to provide four driveways and approximately 4,000 cubic yards of removal and recompaction to stabilize a slump feature along the northwest property line. The EIR addressed potential impacts from the implementation of the project due to: grading and geologic hazards, water runoff and hydrology, plant and animal life, land use, fire protection, energy conservation, and cultural resources.

In 1989, the Coastal Commission approved Coastal Development Permit No. 5-89-729 for the subdivision of the 4.53 acre parcel into 4 lots for single family homes, construction of street improvements, utilities, drainage, and slope repair. The slope repair consisted of the removal and recompaction of a shallow surficial slope failure located on Lot A. 950 cubic yards of graded cut and export was proposed in addition to the remedial grading. One of the conditions required for the project was the recordation of an assumption of risk deed restriction on the property because of a possible ancient landslide that existed on one of the lots (lot A).

Subsequent to the Commission's approval, the applicant recorded the Parcel Map and the City permitted the applicant to do street and infrastructure improvements, install dewatering wells, and three horizontal drains, as required remedial measures for the possible on-site ancient landslide. However, the Commission permit was never issued because the applicant failed to record the assumption of risk deed restriction, per Special Condition #2 of the 1989 permit.

Sometime after the Commission approval in 1989, the property changed ownership (Santa Monica Bank acquired the property). When the new owner became aware that the CDP was never issued, the permit had already expired. Since the permit was never issued, the work performed on the site and undertaken in reliance of a permit did not vest the permit. Therefore, the permit expired and the applicant was required to apply for a new coastal development permit from both the City and the Coastal Commission.

On November 18, 1997, the City of Los Angeles approved local CDP # 97-014 to allow "the construction, use, and maintenance of four single-family dwellings in the dual permit jurisdiction of the California Coastal Zone" (Exhibit No. 7). The City permit included 11 conditions and incorporated the conditions of Modified Recorded Parcel Map No. 5938. Following the City approval, the Commission approved, on March 10, 1998, Coastal Development Permit #5-97-030 with two additional conditions (Exhibit No. 8) regarding compliance with geologic recommendations and an assumption of risk. Coastal Development Permit #5-97-030, as approved by the Commission, did not include the

construction of homes on the four individual lots. Santa Monica Bank has since sold Lots A, C, and D. Commission staff is unaware whether or not Santa Monica Bank has sold Lot B.

In August 2001, the Commission approved, with conditions, an amendment to CDP 5-97-030A1 for approximately 3,370 cubic yards of additional grading on Lot C (see Exhibit No. 9 for special conditions).

### **C. Geologic Stability**

Section 30253 states in part:

*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, geologic 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 project is located in the Castellammare area of Pacific Palisades. This area has a long history of natural disasters, some of which have caused catastrophic damages. Such hazards common to this area include landslides, erosion, flooding, and wildfires. The subject property is located on a gently to moderately sloping vacant lot facing Los Lions Canyon (Exhibit No. 3). The subject property does not face Pacific Coast Highway, which has been the site of most of the landslide activity. Rather, the property faces Los Lions Canyon and other subdivided tracts located above Sunset Boulevard.

The project site is located on an inland, level portion of a larger, bowl-shaped area that lies on the west side of Los Lions Canyon. This bowl-shaped feature has been the subject of many debates by geologists, the City, and the Commission. The debate centered on the geologic origin of this feature. Conflicting reports have indicated that an ancient landslide created the bowl-shaped landform, approximately 5,000 years ago. The possible ancient landslide was said to be the result of either a landslide scarp or the actual head scarp of a landslide. Other reports have held that although this feature may have the topographical expression of a landslide scarp, there is no subsurface evidence to support that claim and that because the area is underlain with stream alluvial deposits another conclusion is that the feature is the result of an uplifted stream meander.

In the original permit approved in 1989, the applicant submitted seven geologic investigations that were conducted for the subdivision. These reports discussed, in detail, the bowl-shaped feature, located in the southern portion of lot A. GeoSoils, Inc. reviewed studies that had been conducted over the past several years for the area, including 30 test borings and numerous trenches that were excavated on Parcel #5938.



The Geotechnical consultant's exploration revealed a sheared contact between two different formations, which GeoSoils found to be indicative of either landsliding or fault displacement. They concluded that based on the information they could not disprove that a large landslide may exist under a portion of Lot A and offsite. However, they stated that no evidence exists of historic or recent movement. The GeoSoils report cited an earlier report by Geolabs which states:

*...the landslide has attained a high degree of stabilization. At the time of principal movement the slide was probably the result of undercutting by the stream of ancient Los Lions Canyon, groundwater, and possibly a strong earthquake.*

The Geolabs report found that the Factor of Safety of the slope between Parcel Map #5938 and Los Lions Canyon is in excess of 1.5. Based on the information that was available, GeoSoils recommended that the area of lot A, over which the bowl-shaped feature exists, not be utilized for residential structures. The City's Department of Building and Safety concurred and required a sworn affidavit by the applicant that no habitable structures be constructed within the area of the possible landslide (on Lot A).

Because of the potential natural hazards created by the possible ancient landslide which may have existed on the site, the Commission found that they could only approve the project on the basis of the recommendations made in the applicant's geologic report and if the applicant assumed the liability from the risk.

According to the applicant's geologist, the possible ancient landslide area on Lot A was thoroughly investigated as well as the adjoining properties south of this lot by Pacific Geology. Since the review and approval of the underlying permit in 1998, the applicant's geologist, GeoSoils, conducted additional tests and reviewed other geologic investigations that were conducted for adjacent development that has recently been constructed. Additional geologic investigation of the soil slump determined that bedrock was at a shallower depth than previous investigations had shown. In addition, slope indicators (tilt-meters) that were previously installed in two locations along the top of the slope within the possible ancient landslide area showed no evidence of movement. Moreover, slope stability analyses by GeoSoils and Pacific Geology indicated that this possible ancient landslide feature is stable.

Based on the additional investigation on this site and the adjoining sites, the applicant's geologist recommended to the City that the restriction on habitable structures could be removed, as long as geologic recommendations made in previous reports and the recent letter (August 31, 2004), including maintaining the hydrauges, are followed. The City reviewed the new geologic information and recommendations and concurred with the applicant's geologist. The City removed the building restriction affidavit requirement from the Department of Building and Safety approval, with two conditions requiring a geologic and soil engineering report for any future development, and that the drainage devices be maintained (See City's Geology/Soil Report Approval Letter, Exhibit No. 7).

Since the City's Department of Building and Safety has removed the restriction from their approval, and there is evidence submitted by the geologist, indicating that the area is stable, the Commission's condition requiring that the applicant incorporate all recommendations of the consulting geologists should be modified to include language adopting the removal of the habitable structures restriction and incorporate the recommendations made in the GeoSoils Inc. letter dated August 31, 2004, and the City's conditions in the Geology/Soil Report Approval Letter, dated November 3, 2004.

This permit does not include the construction of any residential structures on the site. A separate permit will be required for any future residential construction and will require the review and approval of the siting and construction of any residential structure to ensure that future development complies with all geologic recommends of this permit and any future geologic reports. Furthermore, in previous actions in geologically hazardous areas, the Commission has found that there are certain risks that can never be entirely eliminated. In addition, the Commission notes that the applicant has no control over off-site or on-site conditions that may change and adversely affect the property. Therefore, as previously recorded on Lot A, the assumption of risk condition will remain. Moreover, the removal of the restriction affects the southern portion of Lot A and would not place any future development closer to the eastern property line and adjacent parkland than approved under the original subdivision permit. The Commission, therefore, finds that the proposed amendment is consistent with the provisions of Section 30253 of the Coastal Act.

**D. Local Coastal Program**

Section 30604 (a) of the Coastal Act states:

*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).*

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, and grading and geologic stability.

The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been completed. When the City began the LUP process in 1978, with the exception of two tracts (a 1200-acre and 300-acre tract of land) which were then undergoing subdivision approval, all private lands in the community were

subdivided and built out. The Commission's approval of those tracts in 1980 meant that no major planning decision remained in the Pacific Palisades. The tracts were A-381-78 (Headlands) and A-390-78 (AMH). Consequently, the City concentrated its efforts on communities that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey.

As conditioned to address the geologic stability, approval of the proposed amendment will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed amendment is consistent with the provisions of Section 30604 (a) of the Coastal Act.

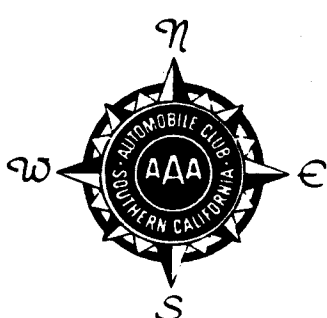
**E. California Environmental Quality Act**

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

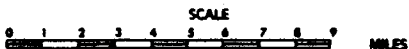
The proposed project as conditioned is found to be consistent with the Chapter 3 policies of the Coastal Act. As explained above and incorporated herein, all adverse impacts have been minimized and the project, as proposed, will avoid potentially significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed amendment is consistent with the requirements of the Coastal Act and CEQA.



Site Location



LOS ANGELES AREA



RECEIVED  
South Coast Region  
CALIFORNIA  
COASTAL COMMISSION

HUNTINGTON BI

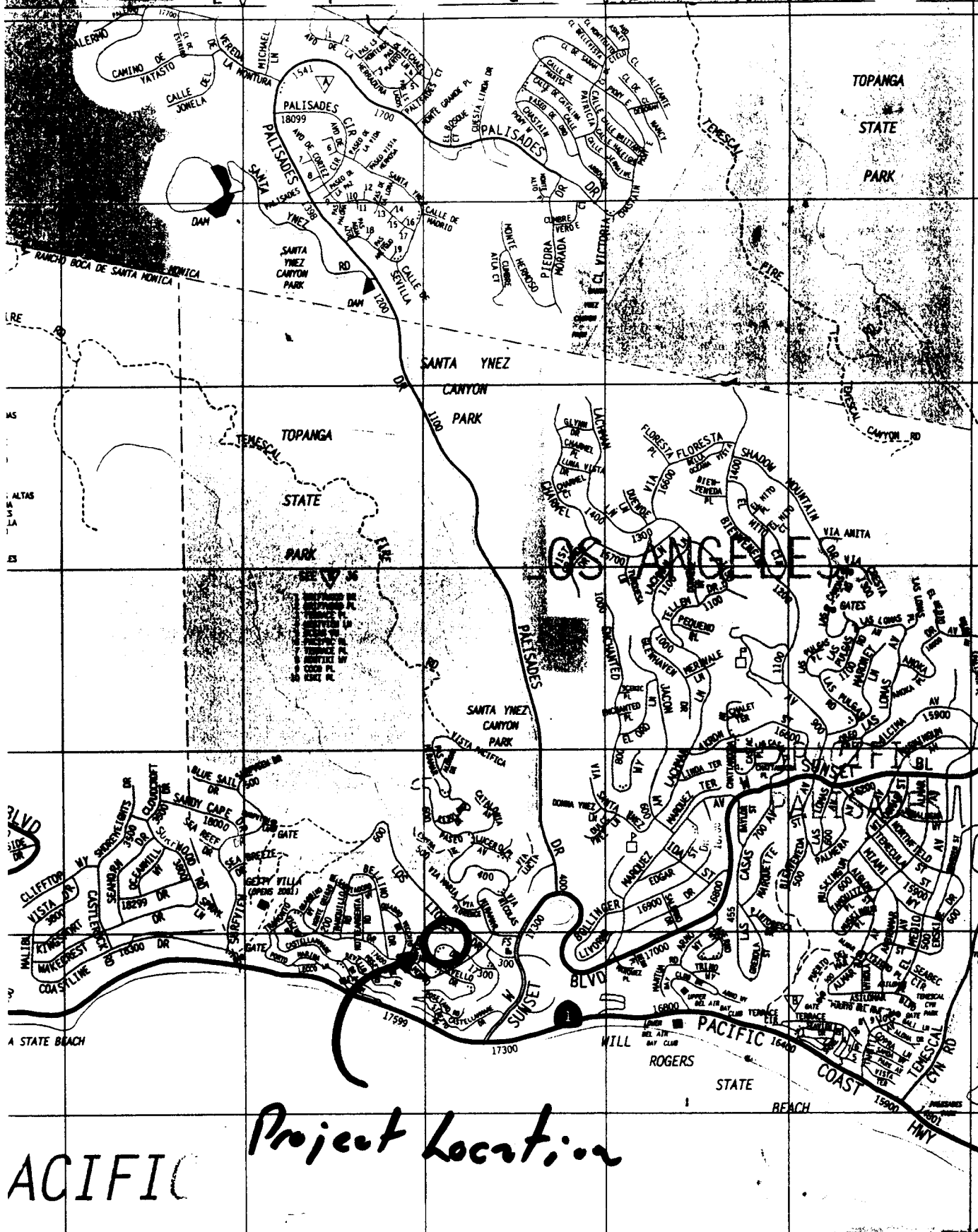
EXHIBIT NO. 2

APPLICATION NO.

5-97-030A2

Regime/Map

California Coastal Commission



SEE 631 MAP

PACIFIC Project Location

EXHIBIT NO. 2  
APPLICATION NO  
5-07-090A2  
Vicinity Map  
California Coastal Commission

SEE vi MAP

SEE MAP

*See other side for changes*

**PRELIMINARY PARCEL MAP NO. 5938**

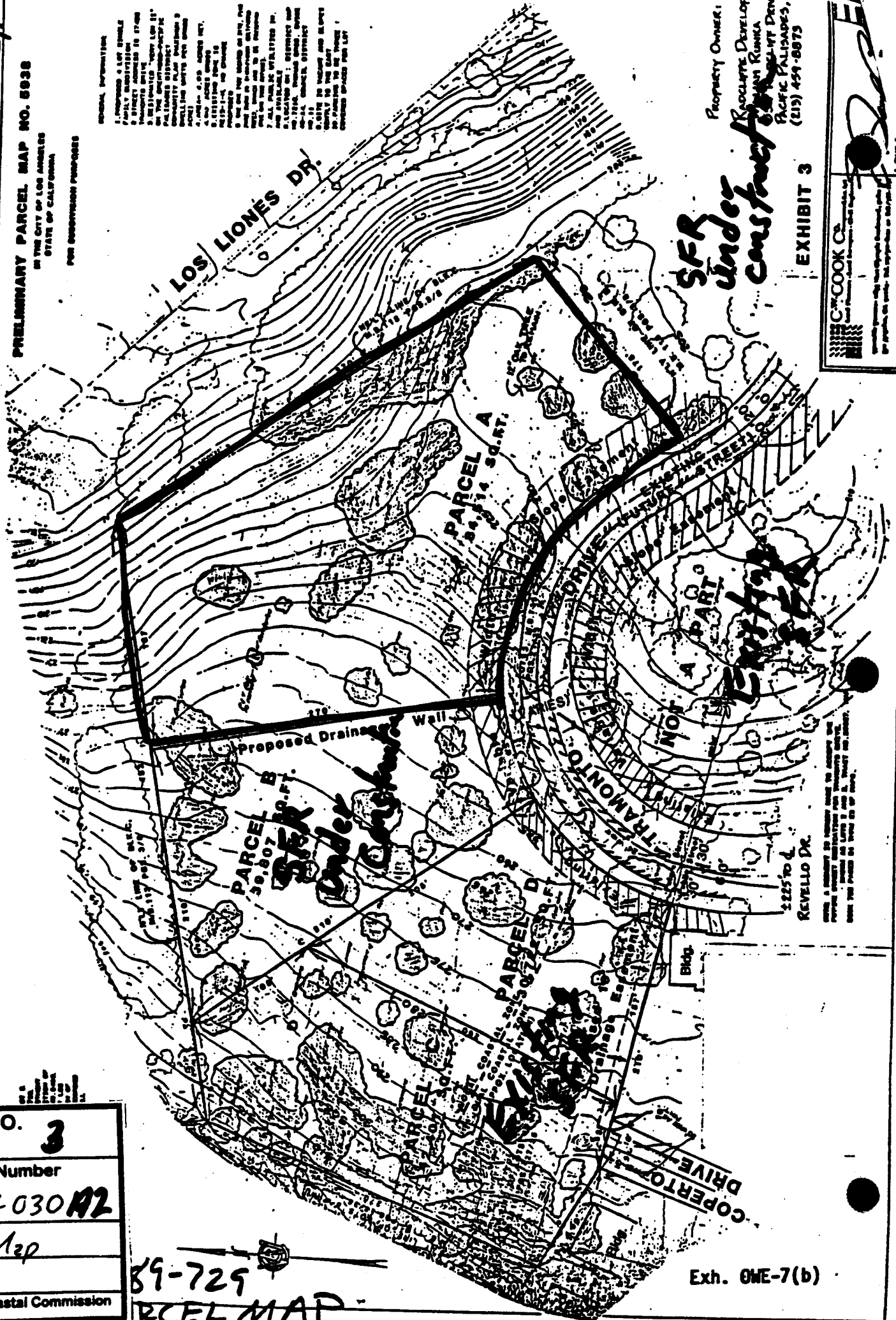
IN THE CITY OF LOS ANGELES  
STATE OF CALIFORNIA  
FOR CONVEYANCE PURPOSES

**GENERAL INFORMATION**  
 1. PARCELS A LOT 2000  
 2. DIVISION  
 3. STREET ADDRESS TO 1700  
 4. TRACT ADDRESS  
 5. RESIDENTIAL "LOT 100" 1700  
 6. THE DEVELOPER'S OFFICE  
 7. THE DEVELOPER'S OFFICE  
 8. THE DEVELOPER'S OFFICE  
 9. THE DEVELOPER'S OFFICE  
 10. THE DEVELOPER'S OFFICE  
 11. THE DEVELOPER'S OFFICE  
 12. THE DEVELOPER'S OFFICE  
 13. THE DEVELOPER'S OFFICE  
 14. THE DEVELOPER'S OFFICE  
 15. THE DEVELOPER'S OFFICE  
 16. THE DEVELOPER'S OFFICE  
 17. THE DEVELOPER'S OFFICE  
 18. THE DEVELOPER'S OFFICE  
 19. THE DEVELOPER'S OFFICE  
 20. THE DEVELOPER'S OFFICE  
 21. THE DEVELOPER'S OFFICE  
 22. THE DEVELOPER'S OFFICE  
 23. THE DEVELOPER'S OFFICE  
 24. THE DEVELOPER'S OFFICE  
 25. THE DEVELOPER'S OFFICE  
 26. THE DEVELOPER'S OFFICE  
 27. THE DEVELOPER'S OFFICE  
 28. THE DEVELOPER'S OFFICE  
 29. THE DEVELOPER'S OFFICE  
 30. THE DEVELOPER'S OFFICE  
 31. THE DEVELOPER'S OFFICE  
 32. THE DEVELOPER'S OFFICE  
 33. THE DEVELOPER'S OFFICE  
 34. THE DEVELOPER'S OFFICE  
 35. THE DEVELOPER'S OFFICE  
 36. THE DEVELOPER'S OFFICE  
 37. THE DEVELOPER'S OFFICE  
 38. THE DEVELOPER'S OFFICE  
 39. THE DEVELOPER'S OFFICE  
 40. THE DEVELOPER'S OFFICE  
 41. THE DEVELOPER'S OFFICE  
 42. THE DEVELOPER'S OFFICE  
 43. THE DEVELOPER'S OFFICE  
 44. THE DEVELOPER'S OFFICE  
 45. THE DEVELOPER'S OFFICE  
 46. THE DEVELOPER'S OFFICE  
 47. THE DEVELOPER'S OFFICE  
 48. THE DEVELOPER'S OFFICE  
 49. THE DEVELOPER'S OFFICE  
 50. THE DEVELOPER'S OFFICE  
 51. THE DEVELOPER'S OFFICE  
 52. THE DEVELOPER'S OFFICE  
 53. THE DEVELOPER'S OFFICE  
 54. THE DEVELOPER'S OFFICE  
 55. THE DEVELOPER'S OFFICE  
 56. THE DEVELOPER'S OFFICE  
 57. THE DEVELOPER'S OFFICE  
 58. THE DEVELOPER'S OFFICE  
 59. THE DEVELOPER'S OFFICE  
 60. THE DEVELOPER'S OFFICE  
 61. THE DEVELOPER'S OFFICE  
 62. THE DEVELOPER'S OFFICE  
 63. THE DEVELOPER'S OFFICE  
 64. THE DEVELOPER'S OFFICE  
 65. THE DEVELOPER'S OFFICE  
 66. THE DEVELOPER'S OFFICE  
 67. THE DEVELOPER'S OFFICE  
 68. THE DEVELOPER'S OFFICE  
 69. THE DEVELOPER'S OFFICE  
 70. THE DEVELOPER'S OFFICE  
 71. THE DEVELOPER'S OFFICE  
 72. THE DEVELOPER'S OFFICE  
 73. THE DEVELOPER'S OFFICE  
 74. THE DEVELOPER'S OFFICE  
 75. THE DEVELOPER'S OFFICE  
 76. THE DEVELOPER'S OFFICE  
 77. THE DEVELOPER'S OFFICE  
 78. THE DEVELOPER'S OFFICE  
 79. THE DEVELOPER'S OFFICE  
 80. THE DEVELOPER'S OFFICE  
 81. THE DEVELOPER'S OFFICE  
 82. THE DEVELOPER'S OFFICE  
 83. THE DEVELOPER'S OFFICE  
 84. THE DEVELOPER'S OFFICE  
 85. THE DEVELOPER'S OFFICE  
 86. THE DEVELOPER'S OFFICE  
 87. THE DEVELOPER'S OFFICE  
 88. THE DEVELOPER'S OFFICE  
 89. THE DEVELOPER'S OFFICE  
 90. THE DEVELOPER'S OFFICE  
 91. THE DEVELOPER'S OFFICE  
 92. THE DEVELOPER'S OFFICE  
 93. THE DEVELOPER'S OFFICE  
 94. THE DEVELOPER'S OFFICE  
 95. THE DEVELOPER'S OFFICE  
 96. THE DEVELOPER'S OFFICE  
 97. THE DEVELOPER'S OFFICE  
 98. THE DEVELOPER'S OFFICE  
 99. THE DEVELOPER'S OFFICE  
 100. THE DEVELOPER'S OFFICE

**SFR**  
*under construction*  
 Property Owner:  
 RACELAPPE DEVELOP  
 10000 WILSON BLVD  
 PACIFIC PALISADES,  
 (213) 459-8873

**EXHIBIT 3**

**C-COOK CO.**  
 10000 WILSON BLVD  
 PACIFIC PALISADES, CA 91368  
 (213) 459-8873

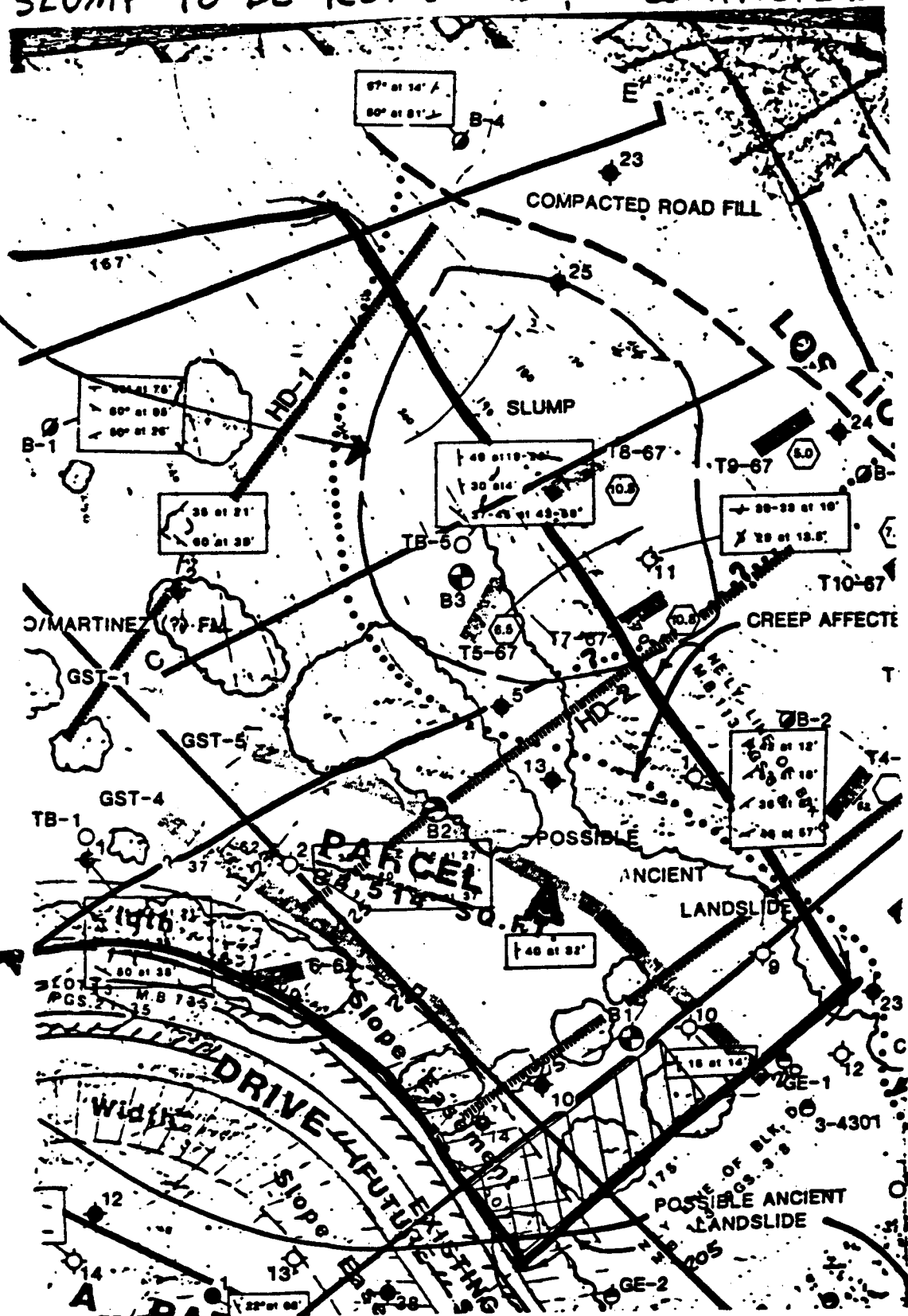


<b>EXHIBIT NO.</b>	<b>3</b>
<b>Application Number</b>	<b>5-97-030 A2</b>
<b>Parcel Map</b>	
<b>California Coastal Commission</b>	

**89-729**  
**RCEL MAP**

Exh. ONE-7(b)

# SLUMP TO BE REMOVED & RECOMPACTED



LIMIT OF POSSIBLE ANCIENT LANDSLIDE

EXHIBIT NO. 4

APPLICATION NO.

5-97-30A2

Parcel A Slump +  
Landslide

August 31, 2004  
W.O. 2275D-2

MR. ANDREW MILLER  
12840 Hanover Street  
Los Angeles, California 90049

**Subject: Removal of Building Restrictions, Parcel A of PM 5938,  
17433 Tramonto Drive, Pacific Palisades, California**

Dear Mr. Miller:

As requested, GeoSoils Consultants Inc. (GSC) has prepared this letter to address the building restrictions at 17433 Tramonto Drive in Pacific Palisades.

Currently, the subject site has a building restriction imposed on the southern portion of the lot due to a possible ancient landslide. This possible ancient landslide area was thoroughly investigated by GSC and was also investigated at the adjoining properties south of this lot by Pacific Geology for Tract 50232. The borings indicated that there is no true slide plane with a possible depth imposed for the possible ancient landslide feature. Slope stability analyses by GSC and Pacific Geology indicated that this possible ancient landslide feature is stable.

EXHIBIT NO. <b>5</b>
Application Number <b>5-97-30 M2</b>
<b>GeoSoils Lett</b>
<b>8/3/04</b>
California Coastal Commission

MDN 6898

Nuys, California 91406 Phone: (818) 785-2158 Fax: (818) 785-1548



The lots on Tract 50232 were permitted for single-family residential use with two conditions: 1) maintain a dewatering well placed on each lot, and 2) sign an affidavit regarding maintenance of dewatering wells for the continued stability of the site. This affidavit indicates that they are fully aware that a "possible prehistoric landslide may exist beneath the dwellings and agree to take responsibility for maintenance of the dewatering wells, which are important to the stability of the site". Note: The subject property already has an affidavit signed by the prior owner, presently which transfers with the land and acknowledges that the southeast portion of the site may be underlain by a prehistoric landslide (03-3027796)

The slope stability calculations for the subject lot were reviewed under the City of Los Angeles Log No. 35339 and the calculations indicate that the possible prehistoric landslide is stable. Please refer to the references provided.

Based on GSC's review of our own data, and the documents and borings by Pacific Geology, it is our professional opinion that the possible prehistoric landslide is considered to be stable, and that the four hydraugers currently in-place at 17433 Tramonto Drive are adequate for continued site stability and should be maintained with a maintenance program. This maintenance program was addressed in our response reports for the subject lot and affidavits regarding the maintenance of the hydrauger have been filed with the City of Los Angeles.

Copies of the City of Los Angeles approval letters and two of the filed affidavits for Tract 50232, and the City of Los Angeles approval letters for the preliminary reports, slope repair and the installation of the last hydrauger for 17433 Tramonto Drive, are included in Appendix A. Also included in Appendix A are past affidavits for the subject property.

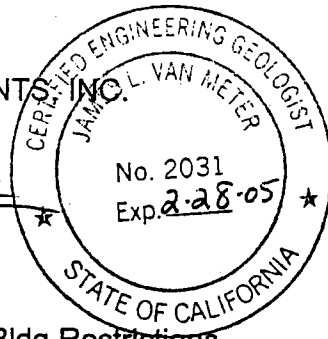
It is our professional opinion that the restriction on habitable structures (southern half of 17433 Tramonto Drive) may be removed providing that the hydraugers are maintained, as required by the affidavit filed by the prior owner, Pransky, which affidavit transfers with the land (03-3027698).

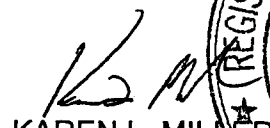
We appreciate this opportunity to be of service. If you have any questions about this letter, please do not hesitate to contact us.

Very truly yours,

GEOISOILS CONSULTANTS INC.

  
JAMES L. VAN METER  
CEG 2031



  
KAREN L. MILLER  
GE 2257



JLV.KLM.W:Removal of Bldg Restrictions

Encl: References  
Appendix A, City of Los Angeles Documents

cc: (2) Addressee  
(3) City of Los Angeles

REFERENCES

1. GeoSoils Consultants, Inc. dated October 4, 2001, "Geologic and Geotechnical Engineering Investigation of Proposed Single-Family Residence, Parcel map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
2. GeoSoils Consultants, Inc. dated November 5, 2001, "Geologic and Geotechnical Engineering Investigation of proposed Single-Family Residence, Parcel Map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
3. GeoSoils Consultants, Inc. dated February 19, 2002, "Response to City of Los Angeles Review Letter dated December 28, 2001, Parcel Map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
4. GeoSoils Consultants, Inc. dated April 23, 2002, "Response to City of Los Angeles Review letter dated March 29, 2002, Parcel Map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
5. GeoSoils Consultants, Inc. dated June 13, 2002, "Response to City of Los Angeles Review Letter dated May 29, 2002, Parcel Map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
6. GeoSoils Consultants, Inc. dated October 9, 2002, "Response to City of Los Angeles Review Letter dated September 20, 2002, Parcel Map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
7. GeoSoils Consultants, Inc. dated December 19, 2002, "Response to City of Los Angeles Review Letter dated November 15, 2002, Parcel Map 5938, Lot A, 17433 Tramonto Drive, Pacific Palisades, California".
8. GeoSoils Consultants, Inc. dated December 17, 2003, "Compaction and Geologic Report for Slump Failure Slope Repair and Shear Key Construction, 17433 Tramonto Drive, Lot A, Parcel Map 5938, Pacific Palisades, California".
9. GeoSoils Consultants, Inc. dated January 21, 2004, "Hydrauger Horizontal Drain Installation Observation Slump Failure Slope Repair and Shear Key Construction, 17433 Tramonto Drive, Lot A, Parcel Map 5938, Pacific Palisades, California".

**COASTAL COMMISSION**

5-97-030-A2

**CITY OF LOS ANGELES**

CALIFORNIA



RICHARD J. RIORDAN  
MAYOR

EXHIBIT #

6

PAGE

DEPARTMENT OF

CITY PLANNING

CON HOWE

DIRECTOR

OF 2

FRANKLIN P. EBERHARD  
DEPUTY DIRECTOR

OFFICE OF  
ZONING ADMINISTRATION

221 NORTH FIGUEROA STREET  
ROOM 1900  
LOS ANGELES, CA 90012-2801  
TEL (213) 860-5485  
FAX (213) 860-5569

213 860 5480

RECEIVED  
MAR 1 9 1998  
CALIFORNIA  
COASTAL COMMISSION

ROBERT JANOVICI  
CHIEF ZONING ADMINISTRATOR  
ASSOCIATE ZONING ADMINISTRATORS  
EMILY J. GABEL-LUDDY  
DANIEL GREEN  
LOURDES GREEN  
ALBERT LANDINI  
LEONARD S. LEVINE  
JON PERICA  
SARAH A. RODGERS  
MORACE E. TRAMEL, JR.

November 18, 1997

Lee Feinstein (A)  
Santa Monica Bank  
1324 5th Street  
Santa Monica, CA 90401

Harvey A. Goodman (R)  
834 17th Street  
Santa Monica, CA 90403

Department of Building and Safety

CASE NO. CDP 97-014  
COASTAL DEVELOPMENT PERMIT

17455 Tramonto Drive  
Brentwood-Pacific Palisades  
Planning Area

Zone : RE15-1-H  
D. M. : 126B117  
C. D. : 11

CEQA : EIR 88-0789(PM)  
Fish and Game: Exempt

Legal Description: Parcels A, B, C,  
and D, PM 5938

RECEIVED

South Coast Region

FEB 2 2001

CALIFORNIA  
COASTAL COMMISSION

Pursuant to the provisions of the Los Angeles Municipal Code Section 12.20.2, I hereby  
**APPROVE:**

a coastal development permit to allow the construction, use and maintenance of  
four single-family dwellings in the dual-permit area of the California Coastal Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

COASTAL COMMISSION-

5-97-030-A2

EXHIBIT # 6

PAGE 2 OF 2

PAGE 2

CASE NO. CDP 97-014

4. Any graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. The grant clause and the conditions of approval shall be included in the "Notes" section of the plans submitted to the Zoning Administrator and other public agencies for sign-off and approval.
6. The applicant shall obtain the approval of the Fire Department prior to the issuance of building permits.
7. Grading and site preparation shall be to the satisfaction of the Department of Building and Safety consistent with applicable provisions of the Municipal Code including any necessary geologic and soils reports.
8. Except as herein specifically varied or required, all conditions of Modified Recorded Parcel Map No. 5938 shall be strictly complied with.
9. Prior to the issuance of any Certificates of Occupancy for the herein authorized use, a 5-foot walk adjacent to the curb along Tramonto Drive be improved to the satisfaction of the Bureau of Engineering.
10. The height of the proposed structures shall be limited to 33 feet above the building pad finished grade level, except for chimneys. The 33-foot height limit shall apply to a unit of building mass, defined as a portion of a structure from the finished grade adjacent to the structure to the highest point of the roof mass directly above it, but in no event shall the structures exceed the maximum height limit for hillside development as provided in Section 12.21-A.17 of the Los Angeles Municipal Code.
11. Three covered parking spaces per dwelling unit shall be provided.

**OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within one year after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for two consecutive additional periods not to exceed one year each, prior to the termination date of each period, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

CITY OF LOS ANGELES  
CALIFORNIA

BOARD OF  
BUILDING AND SAFETY  
COMMISSIONERS

WILLIAM J. ROUSE  
PRESIDENT

EFREN ABRATIQUE, P.E.  
VICE-PRESIDENT

MARSHA L. BROWN  
ILAN ISRAELY  
JAVIER NUÑEZ



JAMES K. HAHN  
MAYOR

EXHIBIT NO.

7

Application Number

5-97-03042

Letter From  
City (11/3/04)  
California Coastal Commission

GEOLOGY/SOIL REPORT APPROVAL LETTER

November 3, 2004

Log # 45302

SOILS/GEOLOGY FILE - 2

Andrew Miller  
12840 Nanover St  
Los Angeles, CA 90049

TRACT: PM 5938

LOT: A

LOCATION: 17433 Tramonto Dr

<u>CURRENT REFERENCE</u> <u>REPORT/LETTER(S)</u> Geology/Soil Report	<u>REPORT</u> <u>NO.</u> 2275D-2	<u>DATE(S) OF</u> <u>DOCUMENT</u> 08/31/04	<u>PREPARED BY</u> Geosoils
<u>PREVIOUS REFERENCED</u> <u>REPORT/LETTER(S)</u> Dept Approval letter Inter-Departmental letter	<u>REPORT</u> <u>NO.</u> 35339-05 3600	<u>DATE(S) OF</u> <u>DOCUMENT</u> 01/21/03 05/04/88	<u>PREPARED BY</u> LADBS LADBS

The referenced report concerning the removal of a building restriction on the southeast portion of the subject lot has been reviewed by the Grading Division of the Department of Building and Safety. The site investigations for Parcel Map 5938 determined that a possible prehistoric landslide exists on the southern portion of lot A. The approval letter dated 05/04/88 for the geologic and soil engineering reports contained a condition that habitable structures were restricted from the possible landslide area.

Since 1988, additional subsurface investigations and analyses by Geosoils, Pacific Geology and Coastline Geotechnical have been reviewed and approved by LADBS. Based upon the results of the investigations and analyses, done to date, for this lot and the adjacent lots to the south, It is the opinion of Geosoils Consultants that the restriction regarding habitable structures may be removed from lot A provided that the hydraugers for groundwater removal are maintained. The report is acceptable and the restriction on habitable structures may be considered removed, provided the following conditions are complied with during any site development:

- I. In the event that a new building, either habitable or non-habitable, is proposed on the possible prehistoric landslide area of lot A, a geologic and soil engineering report addressing the stability and foundation design of the building shall be submitted to the Department of Building and Safety for approval.

2/2

2. All drainage devices on the site shall be maintained in accordance with the conditions of the above referenced Department letters.



DANA PREVOST  
Engineering Geologist II

45302  
(213) 482-0480

cc: Geosoils Consultants  
WLA District Office

CC COASTAL DEVELOPMENT PERMIT

No. 5-97-030

Page 2 of 3

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. Compliance. All development must occur in strict compliance with the proposal set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and bind all future owners and possessors of the subject property and conditions.

SPECIAL CONDITIONS:

1. Geologic Recommendations

A. The applicant shall incorporate all conditions of the City of Los Angeles Planning Department approval of Parcel Map 5938 (local CDP #97-014), as well as the recommendations of the reports by the consulting geologists, GeoSoils, dated November 21, 1986; August 5, 1987; February 2, 1987; September 15, 1987;

EXHIBIT NO. <b>8</b>
Application Number <b>5-97-30172</b>
<b>Spec. / Cond. / Fee</b>
<b>5-97-30</b>
California Coastal Commission

1/2



**COASTAL DEVELOPMENT PERMIT****No. 5-97-030****Page 3 of 3**

December 30, 1987; February 17, 1988; and April 7, 1988. Any revisions in the project which are not in keeping with these recommendations shall be submitted to the Executive Director for his determination on whether the changes necessitate an amendment to this permit

B. Any grading conducted during the rainy season, November 15 to March 15, shall be conducted according to methods specified by the City of Los Angeles for grading and siltation control during the rainy season. No fewer than ten days before the beginning of any such grading, the applicant shall submit to the Executive Director, for his review and approval, a copy of the grading schedule, the methods proposed to avoid mudflow and siltation during grading operations and other precautionary methods suggested by the applicant's engineer or required by the City of Los Angeles.

2. **Assumption of Risk for Lot "A" of Parcel Map 5938**

Prior to issuance of the Coastal Development Permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site (Lot "A" of Parcel Map No. 5938) may be subject to extraordinary hazards from landslides and the applicant assumes the liability from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the Commission, its officers, agents, and employees relative to the Commission's approval of the project for any damage due to natural hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

Ap/lm  
5-97-030cdp

c:\me\office\winword\template\permit\lot Printed on October 22, 1998

**COASTAL COMMISSION****5-97-030-A2**EXHIBIT # **8**PAGE **2** OF **2**

## **RESOLUTION TO APPROVE A PERMIT AMENDMENT:**

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, 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 amendment 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 amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended 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 this permit is reported to the Commission. 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 assignee files with the Commission an affidavit accepting all terms of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions are perpetual, and it is the intention of the Commission and the permittee that the terms and conditions shall run with the land and bind all future owners and possessors of the subject property to the terms and conditions of the permit.

EXHIBIT NO.	9
Application Number	5-97-30A2
Special Conditions	For 5-97-30A1
California Coastal Commission	

1/4

### **III. SPECIAL CONDITIONS**

#### **1. Prior Conditions**

Unless specifically altered by this amendment, all Regular and Special Conditions attached to coastal development permit 5-97-030 remain in effect (Exhibit #3).

2. **Conformance of Design and Construction Plans to Geotechnical Reports and Recorded Map Modification #5938**

A. All final design and construction plans and grading and drainage plans shall be consistent with all recommendations contained in Geology and Soils Report by Geosoils, Inc., 4/1/98, Letter in response to grading on Lot C by Geosoils, Inc., 2/28/00, the requirements of the City of Los Angeles Department of Building and Safety, Soils/Geologic review letter Log #24419, May 28, 1998 and all conditions within the City of Los Angeles Recorded Map Modification #5938, March 6, 2001. Such recommendations shall be incorporated into all final design and construction plans.

B. The permittee shall undertake development in accordance with the approved final 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 Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. **Erosion and Drainage Control**

A. **Prior to Issuance of the Coastal Development Permit**, the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and drainage control.

1) **Erosion and Drainage Control Plan**

(a) The erosion and drainage control plan shall demonstrate that:

- During construction, erosion on the site shall be controlled to avoid adverse impacts across the site, adjacent properties, and the public streets.
- The following temporary erosion control measures shall be used during construction: 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.
- All drainage from the lot shall be directed toward the street and away from the sloped areas and other properties into suitable collection and discharge facilities.
- Run-off from the project shall not increase the sediment or pollutant load in the storm drain system above pre-development levels.

(b) The plan shall include, at a minimum, the following components:

- A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
- A site plan showing the location of all temporary erosion control measures.
- A schedule for installation and removal of the temporary erosion control measures.
- A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist.
- A written agreement indicating where all excavated material will be disposed and acknowledgement that any construction debris disposed within the coastal zone requires a separate coastal development permit.
- The location, types and capacity of pipes drains and/or filters proposed.
- A schedule for installation and maintenance of the devices.
- A site plan showing finished grades at two-foot contour intervals and drainage improvements.

(c) These erosion and drainage control measures are required to be in place and operational 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 the runoff waters during construction. All sediment shall be retained on-site unless removed to an appropriately approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.

(d) 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, and/or silt fencing; and include temporary drains and swales and sediment basins. The plan 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.

B. The permittee shall undertake development in accordance with the approved final 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 Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### **4. Invasive Plant Removal**

Prior to any grading or construction activity the applicant shall completely remove all invasive plant material, such as castor bean, Russian thistle, tree tobacco, and mustard, located on the previously graded portions of Lot C. The applicant shall

4/4

dispose of all plant material in an appropriate disposal site outside of the Coastal Zone. The applicant shall not remove any plant species native to the Santa Monica Mountains without submittal of a written document for the review and approval of the Executive Director.

5. **Condition Compliance**

Within 90 days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action related to the unpermitted grading and construction that has occurred, pursuant to the provisions of Chapter 9 of the Coastal Act.

---

