

**CALIFORNIA COASTAL COMMISSION**

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Hearing Date: 12/11/01  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-01-415**APPLICANT:** Edwin and Christine Amos**AGENT:** Mark Hudson Design**PROJECT LOCATION:** 15263 Via De Las Olas, Pacific Palisades, City and County of Los Angeles,

**PROJECT DESCRIPTION:** Demolition of an existing 2-story, 1,918 single family home and construction of a 2-story over basement, 26½-foot high, 3,465 square foot single family home with an 832 square foot basement/garage, on a 8,212 square foot lot. The project includes 625 cubic yards of graded cut.

Lot Area (combined)	8,212 square feet
Building Coverage	1,988 square feet
Pavement Coverage	2,087 square feet
Landscape Coverage	4,137 square feet
Zoning	R1-1
Plan Designation	Low Density Residential
Max Ht.	26½ feet above existing grade
Parking Spaces	2 in attached garage

**SUMMARY OF STAFF RECOMMENDATIONS**

Staff is recommending approval with conditions to assume the risk of the proposed development, prepare and carry out drainage and polluted runoff control plans, submit a landscaping plan incorporating non-invasive, drought tolerant vegetation, and conform to the recommendations in the applicant's geotechnical reports. Such conditions are required by the Commission to ensure the project's consistency with Section 30253 and 30231 of the Coastal Act. Projects consistent with Section 30253 and 30231 of the Coastal Act must limit the risk of development from hazards, not contribute to erosion or instability that would require the construction of protective devices, and minimize wastewater discharges and its affect on the biological productivity of coastal waters.

**LOCAL APPROVALS RECEIVED:**

- 1) City of Los Angeles Coastal Development Permit 2001-1604, 8/9/01

**SUBSTANTIVE FILE DOCUMENTS:**

- 1) Geotechnical and Geologic Engineering Investigation and Report, File No. 4943, by Ralph Stone and Company, Inc., October 31, 2000
- 2) City of Los Angeles, Department of Building and Safety Geology and Soils Review Letter, Log No. 33065, April 13, 2001
- 3) Report On Landslide Study Pacific Palisades Area, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey
- 4) City of Los Angeles Coastal Development Permit 2001-1604, August 9, 2001

**STAFF RECOMMENDATION OF APPROVAL:**

**MOTION:**

*I move that the Commission approve Coastal Development Permit #5-01-415 pursuant to the staff recommendation.*

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

**I. RESOLUTION TO APPROVE THE PERMIT:**

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

**II. STANDARD CONDITIONS:**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date 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 term or 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. Assumption of Risk, Waiver of Liability and Indemnity

A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from landslide activity, erosion and/or earth movement, (ii) to assume the risks to the properties that are 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.

B. **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 incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

#### 2. Permanent Drainage Control Plan

A. **Prior to the Issuance of the Coastal Development Permit**, the applicant shall submit to the Executive Director for review and written approval, three sets of final

permanent drainage and runoff control plans. The plan shall be reviewed and approved by the consulting geotechnical engineer and geologist to ensure the plan is in conformance with the consultant's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Run-off from all roofs, patios, driveways and other impervious surfaces and slopes on the site shall be collected and discharged via pipe or other non-erosive conveyance to the frontage street or designated outlet point to avoid ponding or erosion either on- or off-site.
- (b) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (c) Run-off shall not be allowed to pond adjacent to the structure or sheet flow directly over the sloping surface;
- (d) The plan shall include provisions for maintaining the drainage system, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) the drainage system shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage structures fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage system and restoration of the eroded area.

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

### 3. **Temporary Erosion and Drainage Control**

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

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

- 1) During construction, erosion on the site shall be controlled to avoid adverse impacts to adjacent properties, public streets, and the integrity of the coastal bluff.
- 2) 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.

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

1) A narrative report describing all temporary run-off and erosion control measures to be used during construction. 2) A site plan showing the location of all temporary erosion control measures. 3) A schedule for installation and removal of the temporary erosion control measures.

(c) These erosion and drainage control measures shall be required on the project site prior to or concurrent with the initial construction 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 construction 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. Conformance of Design and Construction Plans to Geotechnical Reports**

A. All final design and construction plans, grading and drainage plans, and foundation plans shall be consistent with all recommendations contained in Geotechnical and Geologic Engineering Investigation and Report, File No. 4943, by Ralph Stone and Company, Inc., October 31, 2000 and the requirements of the City of Los Angeles, Department of Building and Safety, Soils/Geology review letter Log No. 33065, April 13, 2001. Such recommendations shall be incorporated into all final design and construction plans.

**B. Prior to Issuance of the Coastal Development Permit**, the applicant shall submit evidence to the Executive Director of the consultants' review and approval of all final design and construction plans. The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal development permit.

**C.** 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.

## **5. Landscape Plan**

**A. Prior to issuance of a Coastal Development Permit**, the applicant shall submit a landscaping plan prepared by a professionally licensed landscape architect or resources specialist, for review and approval by the Executive Director. The plan shall include, at a minimum, the following components: a map showing the type, size, and location of all plant materials that will be on the developed site, the topography of the developed site, all other landscape features, and a schedule for installation of plants. The landscaping plan shall show all existing vegetation to remain. The plan shall incorporate the following criteria:

(a) The subject site shall be planted and maintained to limit the water usage on the property for slope stability and erosion control purposes. The landscaping shall be planted within sixty (60) days of receipt of the certificate of occupancy for the residence.

(b) The applicant shall not employ invasive plant species, which tend to supplant native plant species anywhere on the lot (see Exhibit #9 for a list of invasive plant species).

(c) Landscaped areas shall consist of a majority of native and/or drought tolerant plant species. The landscaping shall be planted using accepted planting procedures required by a professionally licensed landscape architect. The plantings shall provide 90 % coverage within two years. During this two year interim period temporary erosion control measures shall be used, such as mulching or matting all exposed earth.

(d) No permanent irrigation system shall be allowed in the front yard area (between the building façade and Via de las Olas). Any existing in-ground irrigation systems shall be removed. Temporary above ground irrigation to provide for the establishment of the plantings is allowed for a maximum of three years or until the landscaping has become established. As an

alternative the applicant shall provide in-ground moisture sensors and flow meter sensors to alleviate the potential impacts from irrigation system malfunction, pipe breakage, and/or excessive watering. The applicant shall also incorporate an automatic irrigation system shutdown in case of a power failure during irrigation operation. This alternative shall be included in the landscaping plan for the review and approval of the Executive Director. The applicant shall further supply the Executive Director with information concerning the required moisture sensors and shut off systems (if this alternative is used) and the past reliability of such technologies.

(d) Plantings shall 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 in the landscaping plan.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

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

The proposed project is the demolition of an existing two-story, 1,918 square foot single family home and construction of a 26½-foot high, two-story over garage/basement, 3,465 square foot single family home (See Exhibits). The construction of the proposed project will require 625 cubic yards of cut that will be exported offsite.

The subject property is located in the Huntington Palisades area of Pacific Palisades, a planning subarea within the City of Los Angeles (Exhibit #1). The proposed project is situated on a level pad that slopes 5 feet to street level, approximately one-quarter mile from Pacific Coast Highway and Will Rodgers State Beach (Exhibit #1). The site is separated from the coastal bluff by a residential street, Via De Las Olas. Across from this residential street the slope descends southwest, approximately 250 feet to Pacific Coast highway at gradients of up to 40° to 50° (Exhibit #5 & #6). As discussed in Section C below, the surrounding coastal bluffs and canyons have experienced slope instability and landslides, some of which causing extensive damage.

##### **B. Project History**

Section 30600(b)(1) of the Coastal Act allows local government to assume permit authority prior to certification of a Local Coastal Program. Under this section, local government may establish procedures for the filing, processing, review, modification, approval, or denial of coastal development permits within its area of jurisdiction in the coastal zone. Section 30601 establishes that in certain areas, and in the case of certain projects, a permit from both the Commission and local government is required. Section 30602 states that any action taken by a local government on a coastal development permit application prior to

the certification of a Local Coastal Program can be appealed by the Executive Director of the Commission, any person, or any two members of the Commission to the Commission within 20 working days from the receipt of the notice of City action.

In 1978, the City of Los Angeles opted to take its own action on 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 Jurisdiction." Areas in the coastal zone outside the dual permit jurisdiction are known as the "Single Permit Jurisdiction". The City assumes permit jurisdiction for projects located in the single permit jurisdiction. This project (5-01-415) is located within the "Dual Permit Jurisdiction." Therefore, a coastal development permit must be issued from both the City of Los Angeles and the Coastal Commission prior to development.

The applicant received Coastal Development Permit 2001-1604 from the City of Los Angeles on August 9, 2001. The South Coast District office received a complete notice of final action from the City on October 1, 2001. Upon receipt of the "notice", the South Coast District office established the 20 working day appeal period, which expired on October 23, 2001. Neither the Executive Director, nor two Commissioners, nor any member of the public appealed the City's approval of Coastal Development Permit 2001-1604. The subject application, 5-01-415, is the dual Coastal Development Permit from the Commission.

### **C. Hazards to Development**

The proposed project is located in an area subject to natural hazards. The Pacific Palisades area has a long history of natural disasters, some of which have caused catastrophic damage. Hazards common to this area include landslides, erosion, flooding, and wildfires. The proposed project is located on a flat building pad with a gently sloping front yard area adjacent to Via De Las Olas, a public residential street. This street separates the subject property from an approximately 250-foot high coastal bluff above Pacific Coast Highway (Exhibit #5 & #6).

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.*



### Project's Relation to Active and Historic Landslide

The subject lot is located in an area of historic and prehistoric landslides, as demonstrated in a Report On Landslide Study Pacific Palisades Area, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey. The report includes an analysis of the landslide map shown on Exhibit #8.

According to the report, slide #24 formed in late February 1956 when a north-trending crack formed about 10 feet back from the bluff edge, across a sewer and storm drain easement. During the spring of 1956, a sewer line broke and the scarp increased to 15 feet. Street runoff was directed onto the head of the landslide due to a broken storm drain. On January 1957, a catch basin was undermined and collapsed along with an adjacent section of Via de las Olas pavement.<sup>1</sup> This slide is located approximately 300 feet south of the subject property and across Via de las Olas.

The largest slide system in this area is slide #26. The report describes slide #26 (as shown on exhibit #8) in five different sections: Yg, Yg<sub>1</sub>, Y<sub>2</sub>, Y<sub>3</sub>, and Y<sub>4</sub>. Section Y<sub>3</sub> of slide #26, which is the largest slide of the five sections, is located approximately 400 feet west of the subject property and across Via de las Olas. Four subordinate slides, sections Yg, Yg<sub>1</sub>, Y<sub>2</sub> and Y<sub>4</sub> are located approximately 1200 to 1800 feet from the subject property. Sections Yg, Yg<sub>1</sub>, Y<sub>2</sub> and Y<sub>4</sub> were described beginning in the late 1920's. Each of these slides contained thousands to hundreds of thousands of cubic yards of debris. On February 3, 1956, the areas of Yg<sub>1</sub>, Y<sub>2</sub>, Y<sub>4</sub>, and a portion of Y<sub>3</sub> slid across PCH, with the toe of the landslide reaching the beach. 150,000 cubic yards of debris was removed. The following year, in approximately the same location as above, 65,000 cubic yards of landslide mass covered a 400-foot stretch of PCH to a depth of 20 feet. The toe of the slide extended across the beach (*Ibid.*).

The most severe landslide is located at Section Y<sub>3</sub> of slide #26. The report describes this slide as the largest historical landslide in the Pacific Palisades area, which occurred on March 31, 1958. The failure surface was a deep circular arc with a thickness of 120 feet. The west and south part of the landslide mass moved 200 feet, with the toe of the slide crossing the beach and reaching the ocean. PCH was buried with 100 feet of debris over a length of 700 feet. New fissures formed on Via de las Olas for approximately 600 feet. The landslide debris was not removed but left as a buttress. PCH was rerouted around the toe of the landslide. By January 1959, a 0.6 mile permanent realignment of PCH was completed as much as 300 feet seaward of the former location of the highway (*Ibid.*).

As noted above, slide #24 is located approximately 300 feet south of the subject property and slide 26 is located from 400 to 1800 feet west and south of the subject property. No landslides were identified in the report on the subject property. As discussed below, the applicant's geotechnical consultant acknowledged these slides and indicated that they did not affect the stability of the subject property.

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<sup>1</sup>Report On Landslide Study Pacific Palisades Area, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey, pg. 20-27

## Geotechnical Review

The applicant has submitted copies of Geotechnical and Geologic Engineering reports by Ralph Stone and Company, Inc., as well as a geology and soils review letter from the City of Los Angeles, Department of Building and Safety. The geotechnical consultant described the site as a level, graded pad with a five-foot slope to the street with vegetation consisting of landscaping and mature trees. The consultant further stated that the current drainage of the site is by sheet flow runoff across the surface of the property.

The geotechnical consultant reviewed test borings, the underlying earth material, the history of offsite landslides, faulting, groundwater, and the overall deep-seated slope stability. The test borings revealed that a thin layer of artificial fill covered the site. Under this material the analysis found non-marine and marine terrace deposits. Bedrock, of the Modelo formation underlies the terrace deposits located at a depth of 26 feet. The reports also found that no active or historic landslides, as well as landslide material, are located on the site. The report, however, did take into account the landslide that occurred in 1958 (see above, Project's Relation to Active and Historic Landslide) and referenced a previous report conducted for lots 6 and 7, located three lots south of the subject site. The referenced report states that the landslide located at the southerly end of Via de la Paz did not affect the stability in the vicinity of lots 6 and 7.<sup>2</sup>

The geotechnical consultant conducted a deep-seated slope stability analysis. The analysis concluded that the subject site possesses a factor of safety in excess of the Building Code minimum 1.5. The 1.5 factor of safety is the generally accepted factor of safety among geotechnical engineers and the Department of Building and Safety as the minimum value required to sufficiently ensure slope stability and structural integrity of the project site and the proposed structure. The City of Los Angeles, Department of Building and Safety approved of the report and imposed 26 conditions for compliance during site development.

### 1. Conformance with Geotechnical Recommendations

Recommendations regarding the design and installation of the single family home, foundation system, and slope stability have been provided in reports and letters submitted by the applicant, as referenced in the above noted final reports. Adherence to the recommendations contained in these reports is necessary to ensure that the proposed single family home and foundation system assures stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way requires the construction of protective devices that would substantially alter natural landforms.

Therefore, Special Condition #4 requires the applicant to conform to the geotechnical recommendations contained in Geotechnical and Geologic Engineering Investigation and Report, File No. 4943, by Ralph Stone and Company, Inc., October 31, 2000 and the

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<sup>2</sup> Geologic Map of Potrero Canyon Park, in Selected Landslides and Stabilization Projects, Santa Monica Mountains, Field Trip Guidebook, 90 Calif. Sec., AEG 20, June 1987

requirements of the City of Los Angeles, Department of Building and Safety, Soils/Geology review letter Log No. 33065, April 13, 2001.

2. Assumption of Risk Deed Restriction

Under Section 30253 of the Coastal Act, new development in areas of high geologic hazard may occur so long as risks to life and property are minimized and the other policies of Chapter 3 are met. The Coastal Act recognizes that new development may involve the taking of some risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his/her property.

The proposed construction of the single-family home lies above and across a residential street from a steep coastal bluff. As mentioned in the previous section several landslides, some of which consisting of several hundreds of thousands of cubic yards of earth, occurred along this stretch of coastal bluff. The submitted geotechnical report indicates that the landslides that occurred on the bluff did not affect the stability of the subject property. It further stated that the deep-seated slope stability of the site possessed a factor of safety in excess of the Building Code standard of 1.5 and the home could be supported on continuous spread footings founded into terrace deposits. The factor of safety in excess of 1.5 demonstrates that, by a geotechnical standpoint, the proposed project can sufficiently assure geologic stability on the subject site. The City of Los Angeles, Department of Building and Safety concurred with the submitted reports and issued its approval letter on April 13, 2001. However, the decision to construct the project relying on the geotechnical reports and the Department of Building and Safety is the responsibility of the applicant. The proposed project may still be subject to natural hazards such as slope failure and erosion. The geotechnical evaluations do not guarantee that future erosion, landslide activity, or land movement will not affect the stability of the proposed project. Because of the inherent risks to development in areas near mapped landslides, the Commission cannot absolutely acknowledge that the design of the single family home will protect the subject property during future storms, erosion, and/or landslides. Therefore, the Commission finds that the proposed project is subject to risk from landslides and/or erosion and that the applicant should assume the liability of such risk.

The applicant may decide that the economic benefits of development outweigh the risk of harm, which may occur from the identified hazards. However, neither the Commission nor any other public agency that permits development should be held liable for the applicant's decision to develop. Therefore, the applicant is required to expressly waive any potential claim of liability against the Commission for any damage or economic harm suffered as a result of the decision to develop. The assumption of risk, when recorded against the property as a deed restriction, will show that the applicant is aware of and appreciates the nature of the hazards which may exist on the site and which may adversely affect the stability or safety of the proposed development.

In case an unexpected event occurs on the subject property, the Commission attaches Special Condition #1 which requires recordation of a deed restriction whereby the land owner assumes the risk of extraordinary erosion and/or geologic hazards of the property and excepts sole responsibility for the removal of any structural or other debris resulting from landslides, slope failures, or erosion on and from the site. The deed restriction will provide notice of potential hazards of the property and help eliminate false expectations on the part of potential buyers of the property, lending institutions, and insurance agencies that the property is safe for an indefinite period of time and for further development indefinitely in the future.

Therefore, 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 reflects the above restriction on development. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

### 3. Erosion Control Measures - Permanent

Currently, water runoff drains by sheet flow across the surface of the property. Allowing water runoff to flow uncontrolled across a property creates higher water flow during storm events as well as during regular irrigation of the yard area. Increased runoff across the property can lead to a higher probability of erosion and landslide occurrence. The applicant's geotechnical consultant states in his report that the control of soil moisture is essential for the long-term performance of the proposed project. The report recommends:

*All roof and surface drainage should be conducted away from the development in engineered nonerosive devices to a safe point of discharge to the street. No site runoff drainage should be allowed to cross over the tops of slopes except in nonerosive engineered devices.... All slabs and planted areas should be sloped to drain to a safe point of collection.... All roof drainage should be collected in eave gutters that discharge directly into engineered nonerosive drainage devices.*

The applicant has not submitted information regarding the control of water runoff across the site. As previously discussed, allowing water runoff to flow uncontrolled across the surface of a property can lead to increased erosion and slope instability. It is clear from the submitted geotechnical report and recommendations by the applicant's geotechnical consultant that the control of water runoff is essential for the integrity of the subject property. To be found consistent with Section 30253 of the Coastal Act, the Commission imposes Special Condition #2, which requires the applicant to submit a permanent drainage control plan. The plan shall demonstrate that water runoff from the site is collected, controlled, and discharged via a non-erosive conveyance system to the frontage street or other designated outlet point. To further ensure that the proposed project does not contribute to increased erosion or slope instability both on or off site, Special Condition

#2 requires provisions for maintaining the drainage system in a functional condition throughout the life of the approved development.

4. Erosion Control Measures - Temporary

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain or wind could result in possible acceleration of slope erosion and landslide activity. Special Condition #3 requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone or in an approved location within the coastal zone. Special Condition #3 also requires the applicant to use construction related Best Management Practices. Such procedures include sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilization of any stockpiled fill with geofabric covers or other appropriate cover, installation of geotextiles or mats on all cut or fill slopes, and the closure and stabilization of open trenches as soon as possible. The condition requires that such measures be installed prior to or concurrent with the initial construction operations and maintained throughout the development process. This will ensure that sediment is retained on-site and will not lead to increased erosion or instability across the site or on adjacent properties. The applicant shall follow the temporary erosion control measures throughout the project duration to ensure that the project area is not susceptible to excessive erosion.

Finally, Special Condition #3 requires the applicant, prior to issuance of the Coastal Development Permit, to submit a temporary erosion control plan that includes a written report describing all temporary erosion control and run-off measures to be installed and a site plan and schedule showing the location and time of all temporary erosion control measures (more specifically defined in Special Condition #3).

5. Landscaping Plan

Drought tolerant plant species require one to three years of artificial watering. Once the plant material has been established a slow weaning of artificial watering should occur. The installation of permanent irrigation systems, inadequate drainage, and landscaping that requires intensive watering are also major contributors to accelerated slope erosion, landslides, and sloughing, which could necessitate protective devices.

The subject property is currently landscaped with ornamental vegetation and mature trees. The existing landscaping will be removed with the exception of some mature trees. The applicant has proposed to landscape 4,137 square feet of the 8,212 square foot lot. The landscaping is proposed in the rear and front yard portions of the subject property (Exhibit #4). The applicant has submitted a landscaping plan with the proposed project. The plan demonstrates that the rear yard area will be planted with a lawn and the front yard area will be planted with a mixture of low-lying ground cover, small plants and shrubs and existing mature trees. As previously mentioned, landscaping with plant species that require constant watering and the inclusion of a permanent irrigation system can lead to slope erosion and could create a potential for earth movement.

To ensure that the project maintains native and/or drought tolerant vegetation for erosion control and slope stability purposes, Special Condition #5 is required by the Commission. Special Condition #5 requires the applicant to submit a landscaping plan for the review and approval of the Executive Director. The plan requires the applicant to plant drought tolerant vegetation on all portions of the site. Drought tolerant plants are used because they require little to no watering once they are established (1-3 years), they have deep root systems that tend to stabilize the soil, and are spreading plants that tend to minimize erosion impacts of rain and water run-off. The plantings shall provide 90% coverage within two years. Native and drought tolerant plant species are slow growing and require some time to become established. While the plantings become established landscaped areas will expose large portions of earth. Therefore, during this two year interim period temporary erosion control measures shall be used for the prevention of exposed soil which could lead to erosion and possible earth movement. Such measures include, but are not limited to, mulching or matting all exposed earth.

As noted above, permanent irrigation can lead to possible erosion and slope instability. It is evident, through landslide analysis by the U.S. Army Corps and U.S. Geologic Survey, as well as the applicant's geotechnical consultant, that there have been considerable landslide events in close proximity to the subject site. The requirement of drought tolerant plant species in the landscaping plan limits the amount of water necessary for the continued growth of the vegetation. To further curtail the water usage on the site, Special condition #5, requires the applicant to not incorporate a permanent irrigation system in the project. A temporary aboveground irrigation system for the establishment of the vegetation is authorized for up to three years or until the plantings are established, whichever occurs first. The restriction of a permanent irrigation system does not imply that irrigation should not be used subsequent to the removal of the temporary system. Hand watering or the use of a temporary hose with sprinkler head attachment could be used during extreme drought conditions.

As an alternative to this restriction, the applicant can incorporate in-ground moisture sensors and flow meter sensors to alleviate the potential impacts from irrigation system malfunction, pipe breakage, and/or excessive watering. If the applicant decides to use such technology they shall also incorporate an automatic irrigation system shutdown in case of a power failure during irrigation operation. The applicant shall further supply the Executive Director with information concerning the required moisture sensors and shut off systems (if this alternative is used) and on the past reliability of such technologies.

The coastal bluff below the proposed project and across Via de las Olas does contain native grasses and brush. During the first month of landscaping installation and thereafter, introduced plants can easily overwhelm natural systems. Ornamental and invasive plants grow rapidly and use several different methods of spreading. Such plants include pepper trees and honeysuckle, plumbago, morning glories, German ivy, eucalyptus, ornamental grasses and other plants that are attracted to moisture and which can overtake a newly planted landscaped or native area. The Native Plant Society has prepared a list of invasive plants. In recent years, the Commission has referenced the list, Recommended List of Plants for Landscaping in the Wildland Corridors of the Santa

Monica Mountains, 1996, in its conditions, giving guidance to applicants. In one project, A-5-RPV-93-005 (Ocean Trails), the Commission required the use of the list in a condition, and required the applicant to supplement the list to be consistent with the Habitat Conservation Plan prepared for the project. The Habitat Conservation Plan was developed under the supervision of the Department of Fish and Game and the Fish and Wildlife Service. As a result of the Resources Agencies' comments, an expanded list was prepared. That list is referred to in Special Condition #5 and attached as Exhibit #9. The list includes all invasive plants listed by the California Native Plant society and additional plants that, in the view of the Resources Agencies, might jeopardize a newly planted area. Therefore, to further ensure the continued viability of the landscaping plan and the native plant assemblage on the bluff face, Special Condition #5 restricts the landscaping plan from incorporating invasive plant species. A list of invasive plant species is included in this staff report as Exhibit #9.

Only as conditioned to submit evidence that the applicant has recorded an assumption of risk deed restriction on the development, to ensure that adequate temporary and permanent erosion control measures are used during and after construction, to follow all recommendations of the applicant's geotechnical consultant and the recommendations of the City of Los Angeles, Department of Building and Safety, and to provide a landscaping plan incorporating non-invasive, drought tolerant plant species can the Commission find that the proposed development is consistent with Section 30253 of the Coastal Act.

#### **D. Water Quality**

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the increase of impervious surfaces, increase of runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, fertilizers, and other pollutant sources. Section 30231 of the Coastal Act states:

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

As described, the proposed project includes the demolition of an existing 2-story, 1,918 single family home and construction of a 2-story over basement, 3,465 square foot single family home located on an 8,212 square foot lot. While the total square footage of the home is increasing beyond the existing home, the applicant has proposed to increase landscaped area by 321 square feet and reduce paved area by 545 square feet. Therefore, the proposed development will not result in a net increase in impervious surface. Since there is no loss of pervious surface (in fact an increase of pervious



surface) the Commission finds that the proposed project is consistent with Section 30231 of the Coastal Act because the project minimizes adverse effects of waste water discharges by retaining and increasing pervious surfaces on the property.

**E. Visual Impacts/Landform Alteration**

Section 30251 of the Coastal Act states:

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

The Coastal Act protects public views. In this case the public views are the views from the public streets to the Pacific Ocean and beaches and from Pacific Coast Highway and Will Rodgers State Beach to the Santa Monica Mountains.

The proposed project is the demolition of an existing two-story single family home and construction of a two-story over basement/garage, 26½-foot high single family home. The proposed project requires 625 cubic yards of graded cut that will be removed from the project site. This grading is required for the construction of the subterranean basement/garage. The project is located atop a 250-foot high coastal bluff that rises above Pacific Coast Highway (Exhibit #1). Separating this bluff from the subject property is a public residential street, Via de las Olas. The proposed project would not be visible from the beach or PCH because of the height differentiation between the property and the highway and the separation of the property from the bluff by Via de las Olas. The proposed project site is located in an established residential community. The neighboring homes in this area consist of predominately two-level single family homes. The proposed single family home is consistent with the existing homes in this area. The project will not impact any public views to or from the Pacific Ocean, Will Rodgers State Beach or Pacific Coast Highway and is found consistent with the character of the surrounding community. Therefore, the proposed project is found consistent with Section 30251 of the Coastal Act. The proposed project is also consistent and in scale with the surrounding neighborhood.

**F. 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.

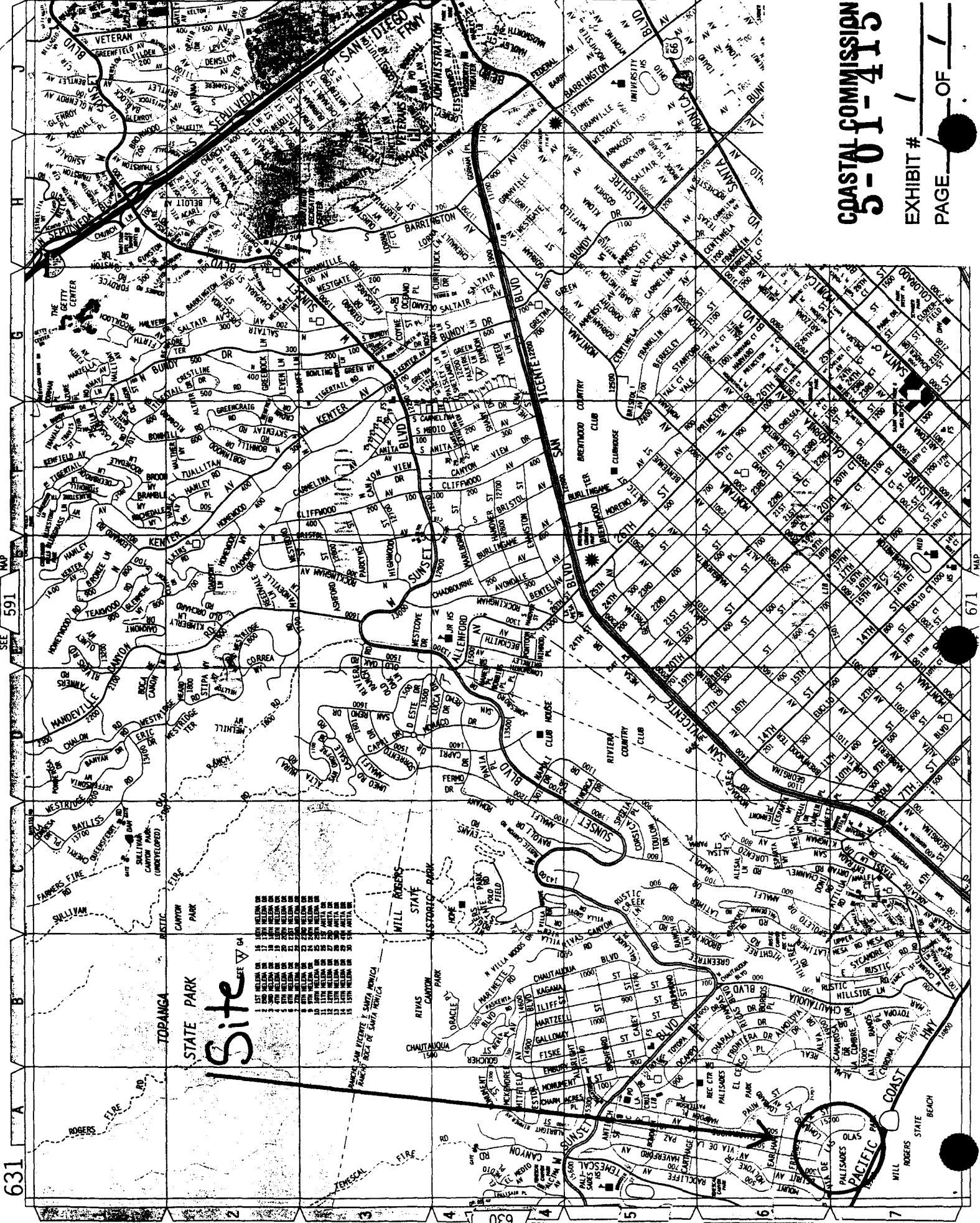
The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been 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, most 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, water quality, and community character issues related to the project, approval of the proposed development 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 project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

#### **G. California Environmental Quality Act**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications 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 project is consistent with the requirements of the Coastal Act and CEQA.



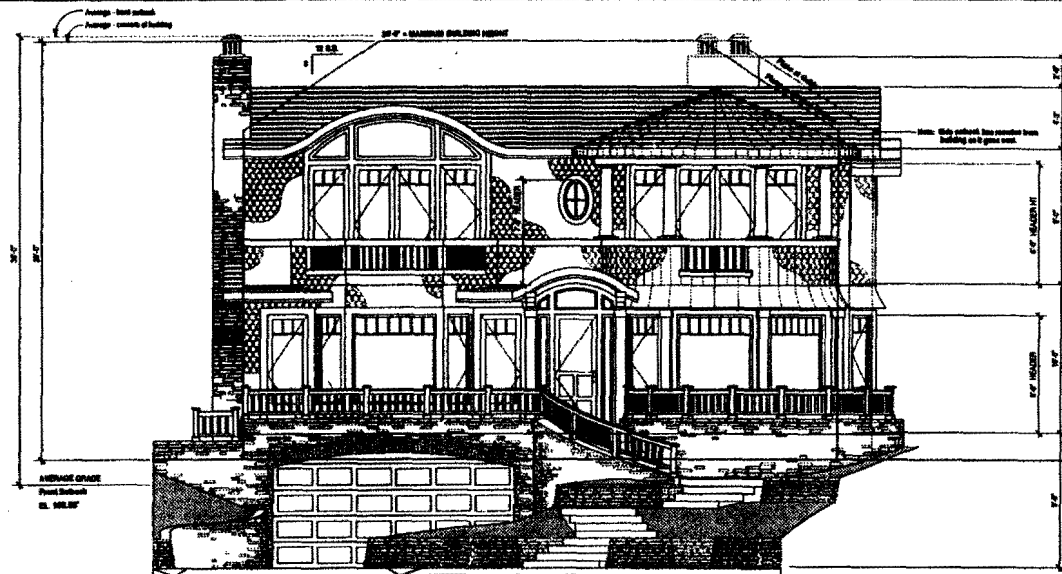
Site

COASTAL COMMISSION  
5-01-415

EXHIBIT # 1

PAGE 1 OF 1



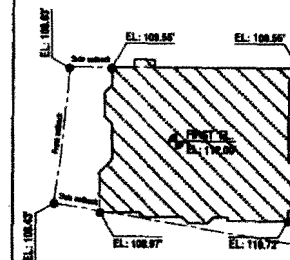


WEST ELEVATION (STREET ELEVATION)  
1/4" = 1' - 0"

# AVERAGE GRADE

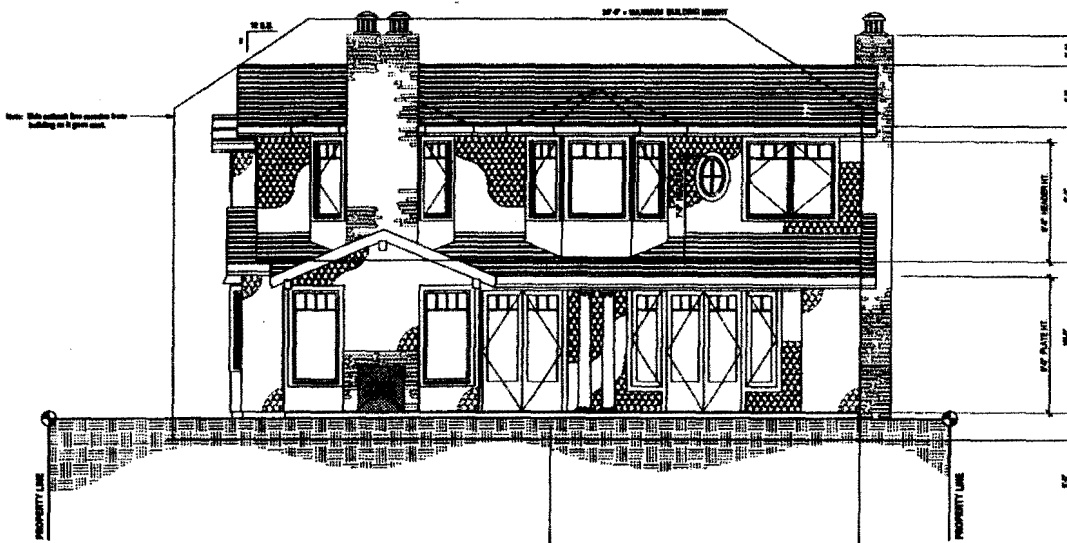
## AVERAGE NATURAL GRADE DIAGRAM

NOTE: MAXIMUM BUILDING HEIGHT SHALL BE:  
 • 25 FEET FROM BUILDING CORNER AVERAGE GRADE  
 (108.55 + 108.97 + 111.47 + 110.72) ÷ 4 = 109.93  
 OR  
 • 30 FEET FROM FRONT SETBACK AVERAGE GRADE  
 (108.42 + 109.40 + 217.08 ÷ 2 = 108.42  
 WHICHEVER IS LESS.



## 1 MATERIALS LEGEND

- **ROOF**  
COMPOSITE ASPHALT SHINGLES  
COLOR: CHARCOAL GREY
- **SIDING**  
CEDAR SHINGLES  
COLOR: NATURAL
- **WINDOWS**  
WOOD CASEMENT / FIXED  
COLOR: WHITE
- **DOORS**  
WOOD  
COLOR: WHITE
- **RAILINGS, EAVES & TRIM**  
WOOD  
COLOR: WHITE
- **STONE**  
BOUQUET CANYON  
(HORIZONTALLY STACKED)



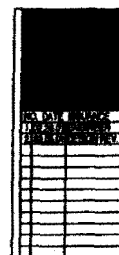
EAST ELEVATION  
1/4" = 1' - 0"

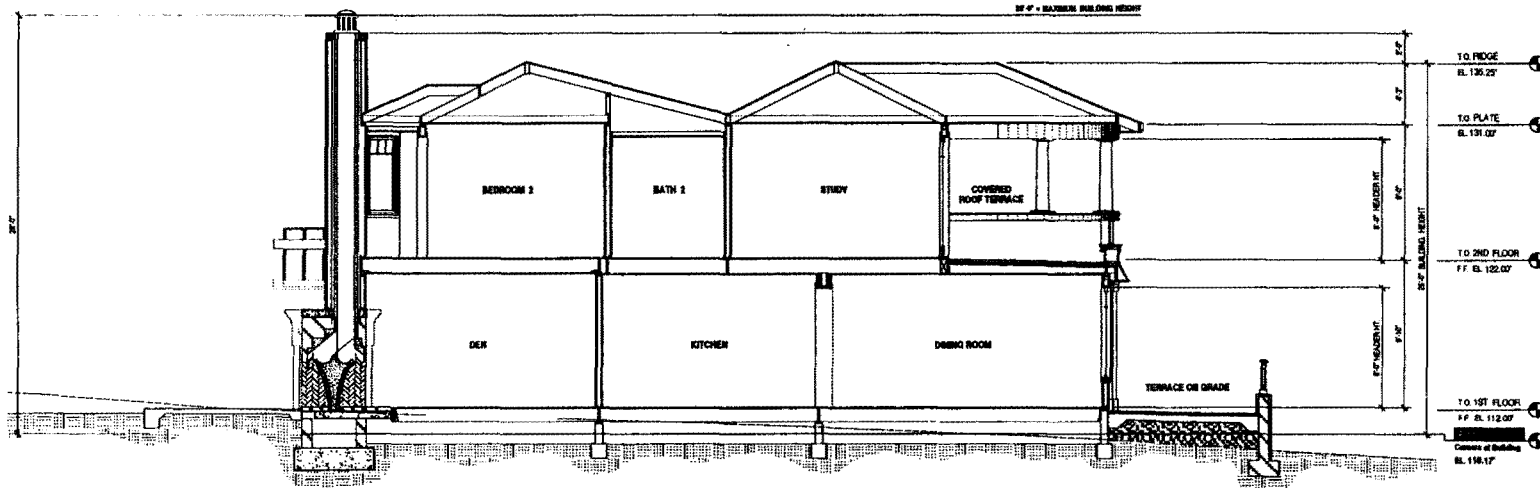
COASTAL COMMISSION  
5-01-415

EXHIBIT # 3

PAGE 1 OF 1

PROJECT  
The AMOS RESIDENCE  
15243 VIA DE LAS OLAS PACIFIC PALISADES, CA.  
DRAWING TITLE  
EAST & WEST ELEVATIONS  
SCALE  
1/4" = 1' - 0"

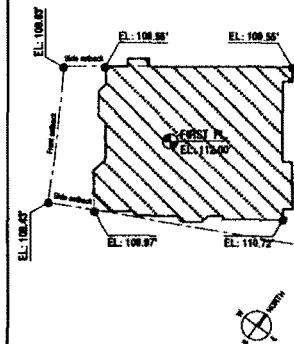




## AVERAGE GRADE

### AVERAGE NATURAL GRADE DIAGRAM

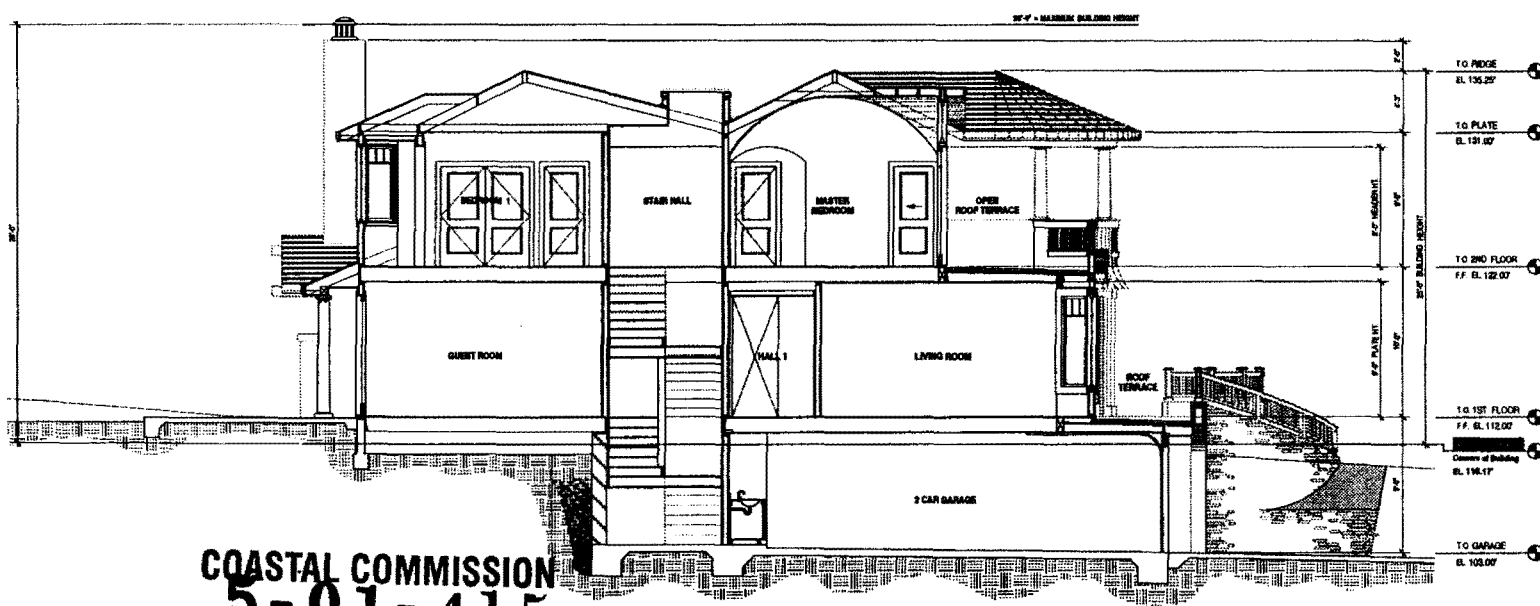
NOTE: MAXIMUM BUILDING HEIGHT SHALL BE:  
 - 35 FEET FROM BUILDING CORNER AVERAGE GRADE  
 $(108.50 + 109.97 + 111.47 + 110.72) \div 4 = 110.41'$   
 OR  
 - 35 FEET FROM FRONT SETBACK AVERAGE GRADE  
 $(108.03 + 108.43) \div 2 = 108.23'$   
 WHICHEVER IS LESS.



BUILDING SECTION  
1/4"=1'-0"

## 1 MATERIALS LEGEND

- **ROOF**  
COMPOSITE ASPHALT SHINGLES  
COLOR: CHARCOAL GREY
- **SIDING**  
CEDAR SHINGLES  
COLOR: NATURAL
- **WINDOWS**  
WOOD CASEMENT / FIXED  
COLOR: WHITE
- **DOORS**  
WOOD  
COLOR: WHITE
- **RAILINGS, EAVES & TRIM**  
WOOD  
COLOR: WHITE
- **STONE**  
BOUQUET CANYON  
(HORIZONTALLY STACKED)



COASTAL COMMISSION  
5-01-415

BUILDING SECTION  
1/4"=1'-0"

EXHIBIT # 4

PAGE 1 OF 1

PROJECT  
**The AMOS RESIDENCE**  
15263 VIA DE LAS OLAS PACIFIC PALISADES, CA.  
DRAWING TITLE  
BUILDING SECTIONS  
SCALE  
1/4" = 1'-0"

NO.	DATE	REVISION

A6.0

# COASTAL COMMISSION 5-01-415

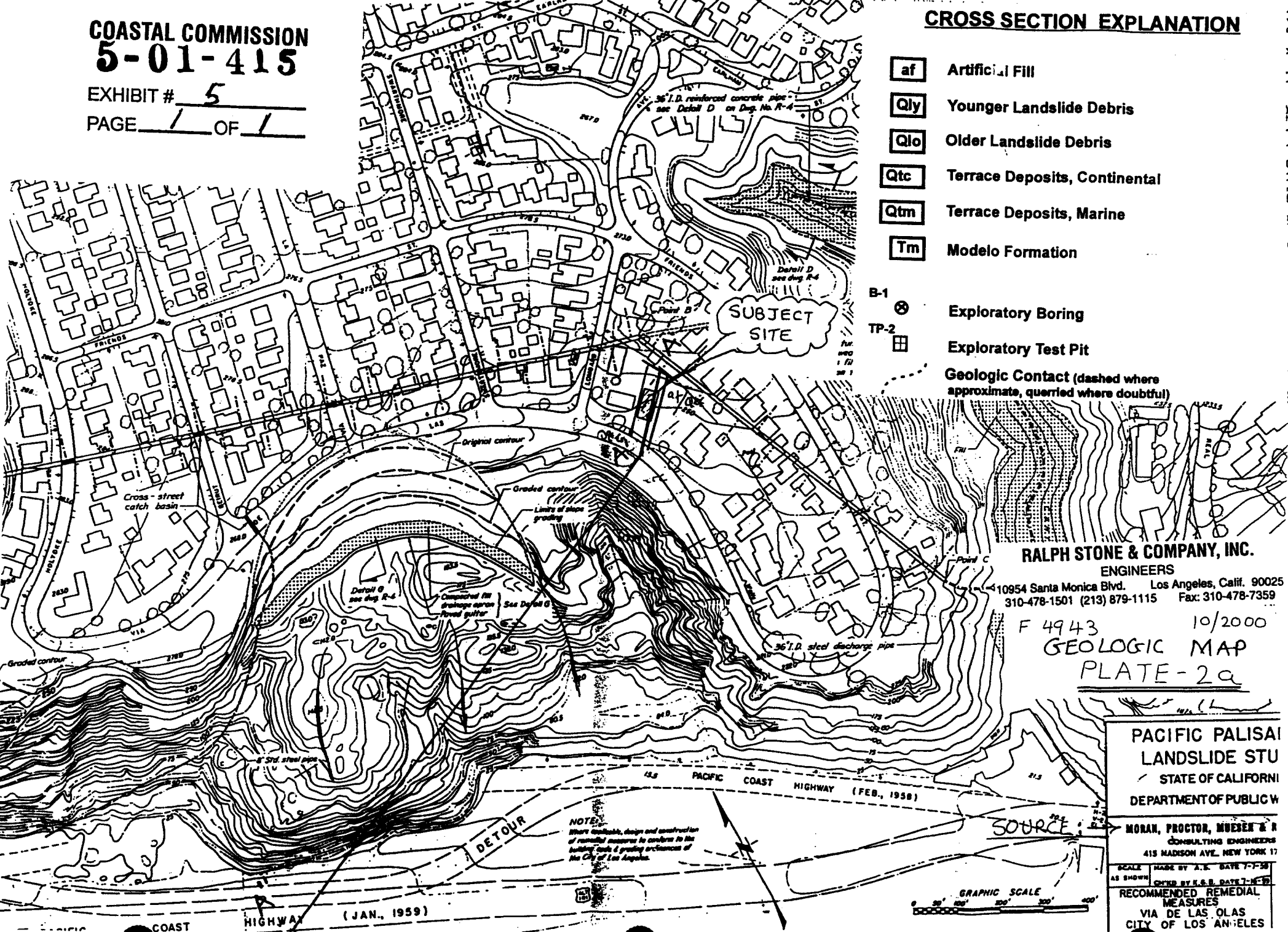
EXHIBIT # 5  
PAGE 1 OF 1

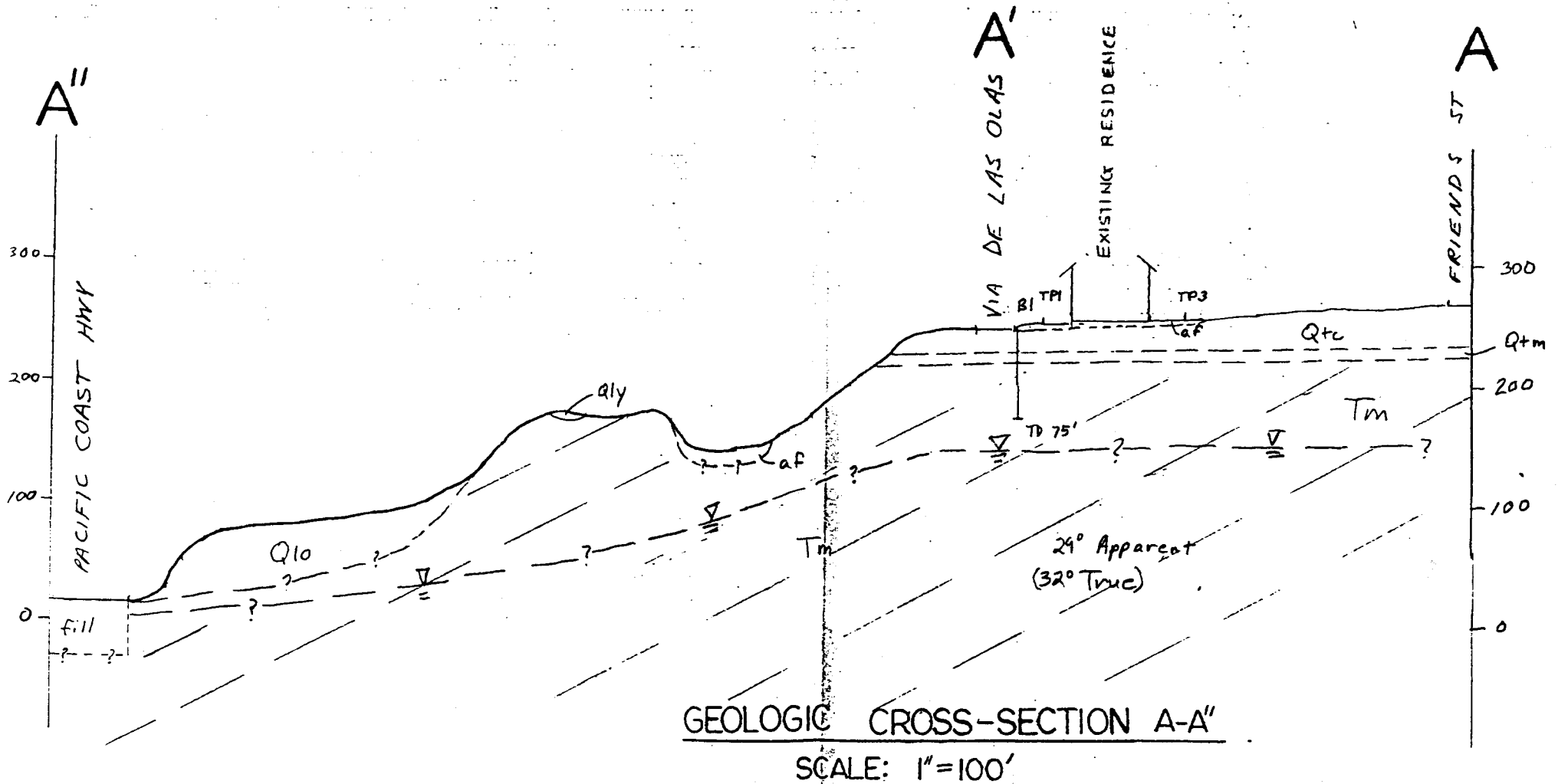
## CROSS SECTION EXPLANATION

- af** Artificial Fill
- Qly** Younger Landslide Debris
- Qlo** Older Landslide Debris
- Qtc** Terrace Deposits, Continental
- Qtm** Terrace Deposits, Marine
- Tm** Modelo Formation

- B-1** Exploratory Boring
- TP-2** Exploratory Test Pit

Geologic Contact (dashed where approximate, queried where doubtful)





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EXHIBIT # 6  
PAGE 1 OF 1

RALPH STONE AND COMPANY, INC.  
10954 SANTA MONICA BOULEVARD - LOS ANGELES, CALIFORNIA 90025

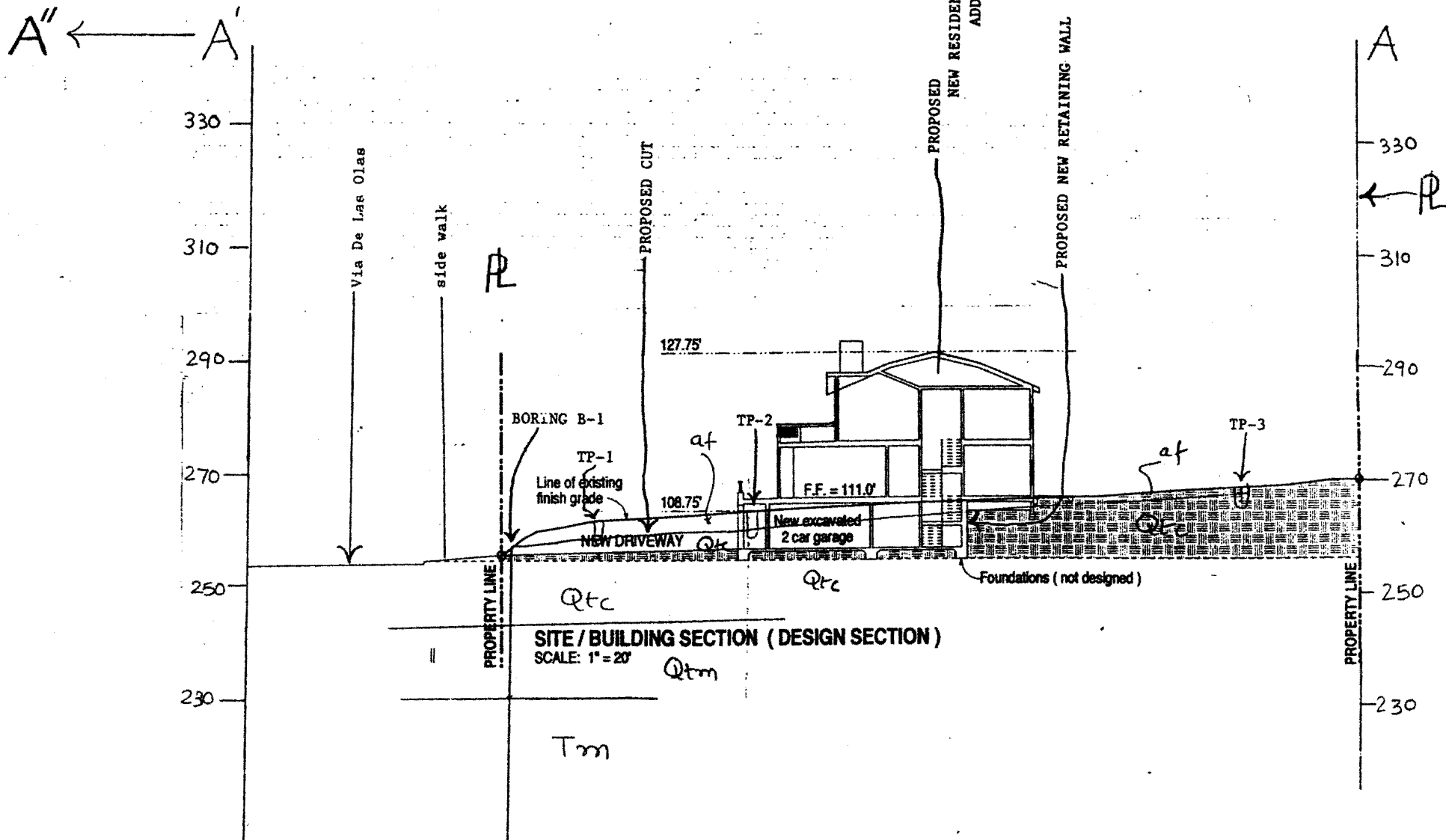
Mr. and Mrs. Amos  
15263 Via De Las Olas  
Pacific Palisades, CA

478-1501  
879-1115

GEOLOGIC CROSS-SECTION A-A''

DR JO	JOB 4943	DWG NO
CH JR	SCALE 1"=100'	PLATE 3a
APP JR	DATE 10/2000	





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5-01-415

EXHIBIT # 7

PAGE 1 OF 1

RALPH STONE AND COMPANY, INC.  
10954 SANTA MONICA BOULEVARD - LOS ANGELES, CALIFORNIA 90025

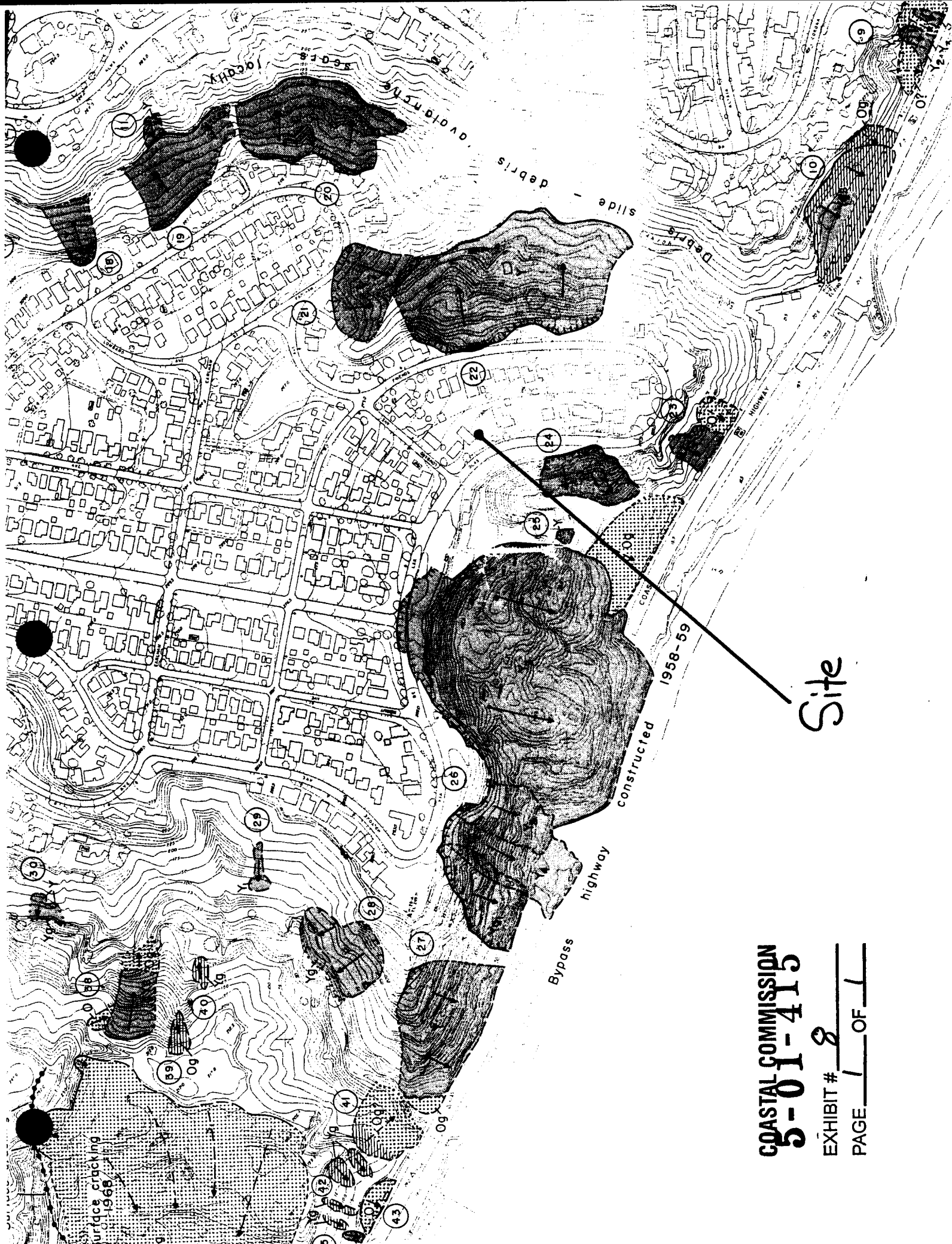
Mr. and Mrs. Amos  
15263 Via-De Las Olas  
Pacific Palisades, CA

478-1501  
878-1115

SITE  
GEOLOGIC CROSS-SECTION A-A'

DR JO	JOB 4943	DWG NO
CH JR	SCALE 1"=20'	PLATE 3b
APP JR	DATE 10/2000	





Site

COASTAL COMMISSION  
**5-01-415**

EXHIBIT # 8  
PAGE 1 OF 1

# Prohibited Invasive Ornamental Plants

## SCIENTIFIC NAME

*Acacia* sp. (all species)  
*Acacia cyclops*  
*Acacia dealbata*  
*Acacia decurrens*  
*Acacia longifolia*  
*Acacia melanoxylon*  
*Acacia redolens*  
*Achillea millefolium* var. *millefolium*  
*Agave americana*  
*Ailanthus altissima*  
*Aptenia cordifolia*  
*Arctotheca calendula*  
*Arctotis* sp. (all species & hybrids)  
*Arundo donax*  
*Asphodelus fistulosus*  
*Atriplex glauca*  
*Atriplex semibaccata*  
*Carpobrotus chilensis*  
*Carpobrotus edulis*  
*Centranthus ruber*  
*Chenopodium album*  
*Chrysanthemum coronarium*  
*Cistus* sp. (all species)  
*Cortaderia jubata* [*C. Atacamenensis*]  
*Cortaderia dioica* [*C. sellowiana*]  
*Cotoneaster* sp. (all species)  
*Cynodon dactylon*  
*Cytisus* sp. (all species)  
*Delosperma 'Alba'*  
*Dimorphotheca* sp. (all species)  
  
*Drosanthemum floribundum*  
*Drosanthemum hispidum*  
*Eucalyptus* (all species)  
*Eupatorium coelestinum* [*Ageratina* sp.]  
*Foeniculum vulgare*  
*Gazania* sp. (all species & hybrids)  
*Genista* sp. (all species)  
*Hedera canariensis*  
*Hedera helix*

## COMMON NAME

Acacia  
 Acacia  
 Acacia  
 Green Wattle  
 Sidney Golden Wattle  
 Blackwood Acacia  
 a.k.a. *A. Ongerup*  
 Common Yarrow  
 Century plant  
 Tree of Heaven  
 Red Apple  
 Cape Weed  
 African daisy  
 Giant Reed or Arundo Grass  
 Asphodie  
 White Saltbush  
 Australian Saltbush  
 Ice Plant  
 Hottentot Fig  
 Red Valerian  
 Pigweed, Lamb's Quarters  
 Annual chrysanthemum  
 Rockrose  
 Atacama Pampas Grass  
 Sellos Pampas Grass  
 Cotoneaster  
 Bermuda Grass  
 Broom  
 White Trailing Ice Plant  
 African daisy, Cape marigold,  
 Freeway daisy  
 Roses Ice Plant  
 Purple Ice Plant  
 Eucalyptus  
 Mist Flower  
 Sweet Fennel  
 Gazania  
 Broom  
 Algerian Ivy  
 English Ivy

COASTAL COMMISSION

EXHIBIT # 9  
 PAGE 1 OF 2

# Prohibited Invasive Ornamental Plants

*Ipomoea acuminata*

*Lampranthus spectabilis*

*Lantana camara*

*Limonium perazii*

*Linaria bipartita*

*Lobularia maritima*

*Lonicera japonica* 'Halliana'

*Lotus corniculatus*

*Lupinus* sp. (all non-native species)

*Lupinus arboreus*

*Lupinus texanus*

*Malephora crocea*

*Malephora luteola*

*Mesembryanthemum crystallinum*

*Mesembryanthemum nodiflorum*

*Myoporum laetum*

*Nicotiana glauca*

*Oenothera berlandieri*

*Olea europea*

*Opuntia ficus-indica*

*Osteospermum* sp. (all species)

*Oxalis pes-caprae*

*Pennisetum clandestinum*

*Pennisetum setaceum*

*Phoenix canariensis*

*Phoenix dactylifera*

*Plumbago auriculata*

*Ricinus communis*

*Rubus procerus*

*Schinus molle*

*Schinus terebinthifolius*

*Senecio mikanioides*

*Spartium junceum*

*Tamarix chinensis*

*Trifolium fragiferum*

*Tropaeolum majus*

*Ulex europaeus*

*Vinca major*

Blue dawn flower,

Mexican morning glory

Trailing Ice Plant

Common garden lantana

Sea Lavender

Toadflax

Sweet Alyssum

Hall's Honeysuckle

Birdsfoot trefoil

Lupine

Yellow bush lupine

Texas blue bonnets

Ice Plant

Ice Plant

Crystal Ice Plant

Little Ice Plant

Myoporum

Tree Tobacco

Mexican Evening Primrose

Olive tree

Indian fig

Trailing African daisy, African daisy,

Cape marigold, Freeway daisy

Bermuda Buttercup

Kikuyu Grass

Fountain Grass

Canary Island date palm

Date palm

Cape leadwort

Castorbean

Himalayan blackberry

California Pepper Tree

Florida Pepper Tree

German Ivy

Spanish Broom

Tamarisk

Strawberry clover

Nasturtium

Prickly Broom

Periwinkle

COASTAL COMMISSION

EXHIBIT # 9

PAGE 2 OF 2

15.1

15.1

15.1