

CALIFORNIA COASTAL COMMISSION

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Staff Report: 3/22/01
Hearing Date: April 10-13, 2001
Commission Action:

Item Tu 10d**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-00-476**APPLICANT:** R. Carter and Jessica Kirkwood**PROJECT LOCATION:** 341 Alma Real Drive, Pacific Palisades, City and County of Los Angeles

PROJECT DESCRIPTION: Demolition of an existing single family home and construction of a two-level over basement, 29-foot high (over average grade), 5,665 square foot single family home with an attached two-car garage, on a 18,118 square foot lot adjacent to Potrero Canyon. The project includes a 125 foot long, 13-foot high retaining wall extending 20 feet beyond the canyon edge, supported by 10, 24-inch concrete piles, 40 cubic yards of cut, and 356 cubic yards of fill, and a rear yard gazebo.

Lot Area	18,118 square feet
Building Coverage	3,235 square feet
Pavement Coverage	1,000 square feet
Landscape Coverage	8,305 square feet
Zoning	RE15-1
Plan Designation	Low Density Residential
Max Ht.	29 feet above average grade
Parking Spaces	2

SUMMARY OF STAFF RECOMMENDATIONS

Staff is recommending approval with eight (8) special conditions as shown on page 3-9 of this staff report. The applicant shall provide revised plans deleting the retaining wall, the fill proposed to extend over the canyon wall, and gazebo proposed on the fill extension from the project. The staff is also recommending that the applicant shall assume the risk of the proposed development, conform to the geotechnical consultant's and City of Los Angeles, Department of Building and Safety's recommendations, prepare and carry out drainage and erosion control plans, provide a landscaping plan with fire resistant, drought tolerant vegetation, and require a deed restriction for future development in the area between the western wall of the property and the edge of Potrero Canyon. The applicant does not agree with conditions #1 and #2 of this staff report.

LOCAL APPROVALS RECEIVED:

- 1) City of Los Angeles Department of Building and Safety, Soils/Geology review letter, Log #32260, December 8, 2000 and Log #32829, January 30, 2001
- 2) City of Los Angeles Planning Department, Approval In Concept #ZA 2000-9941 (AIC), November 15, 2000

SUBSTANTIVE FILE DOCUMENTS:

- 1) Geology and Soils Engineering Exploration # GH9269-G by Grover/Hollingsworth and Associates, Inc., October 25, 2000
- 2) Addendum to Geology and Soils Engineering Exploration # GH9269-G by Grover/Hollingsworth and Associates, Inc., January 30, 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) FEIR Potrero Canyon Park development project, City of Los Angeles, Department of Recreation and Parks, June 1995
- 5) Final Potrero Canyon Riparian Mitigation Proposal by ERCE, August 1991
- 6) Grading Plan and Vegetation Map, Potrero Canyon stage 3, by William Conn, January 21, 1991
- 7) Geologic and Soils Engineering Exploration, Potrero Canyon Park, by Kovacs Byer, and Associates, 6/3/86; 5/27/87; 7/1/87; 8/12/87; 3/14/87; 4/27/88; 5/23/88; 8/8/88
- 8) Coastal Development Permit 5-91-286 (City of Los Angeles Recs. And Parks) as amended
- 9) Coastal Development Permit 5-99-409 (Bagnard)

STAFF RECOMMENDATION OF APPROVAL:

MOTION:

I move that the Commission approve CDP #5-00-476 pursuant to the staff recommendation.

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

RESOLUTION:

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. Revised Plans

A. **Prior to Issuance of the Coastal Development Permit**, the applicant shall submit revised plans (three copies) for the review and approval of the Executive Director demonstrating that the proposed retaining wall, fill, and gazebo at the

rear of the yard are deleted from the site plans. The plans shall depict the topography of the surface of the lot and of the canyon area 50 feet west of the lot. The plans shall show the location of the house and the garage approved in this permit 5-00-476, the natural rim of the canyon, and all proposed development, with the exception of the retaining wall, fill, and gazebo at the rear yard area. No permanent structures shall be placed between the westerly wall of the house approved in permit 5-00-476 and the canyon property line unless approved by an amendment to this permit, with the exception of property line fencing, walkways, and wooden decks at grade.

B. The permittee shall undertake development in accordance with the approved final plans. 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.

2. Future Development Deed Restriction

A. This permit is only for the development approved in Coastal Development Permit 5-00-476. Pursuant to Title 14 California Code of Regulations, section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the portions of the parcel located between the westerly wall of the single family house approved in this permit 5-00-476 and the westerly property line as shown in Exhibit #2. Accordingly, any future improvements to the permitted structure, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), which are proposed within the restricted area shall require an amendment to Permit 5-00-476 from the Commission or shall require an additional coastal development permit from the Commission or from the City of Los Angeles, with the exception of property line fencing on the flat portion of the lot, walkways, and wooden decks at grade.

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, reflecting the above restrictions on development in the restricted area. The deed restriction shall include legal descriptions of both the applicant's entire parcel and the restricted area. 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. **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 brush fire, landslide activity, erosion, and/or earth movement, (ii) to assume the risks to the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

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.

4. **Conformance of Design and Construction Plans to Geotechnical Reports**

A. Except for removal of the fill and retaining wall on the canyon wall which shall be deleted, all final design and construction plans, grading and drainage plans, and foundation plans shall be consistent with all recommendations contained in Geology and Soils Engineering Exploration # GH9269-G by Grover Hollingsworth and Associates, Inc., October 25, 2000 and January 30, 2001 and the requirements of the City of Los Angeles Department of Building and Safety, Soils/Geologic review letter Log #32260, December 8, 2000 and Log #32829, January 30, 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. 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 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 on adjacent properties and 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.
- Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets.
- Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets.
- All drainage from the lot shall be directed toward the street and away from the canyon slope into suitable collection and discharge facilities.

(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.
- (c) These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from 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.

2) Drainage Control Plan

- (a) The drainage control plan shall demonstrate that:
 - Run-off from the project shall not increase the sediment or pollutant load in the storm drain system.
 - Run-off from all roofs, patios, driveways and other impervious surfaces on the site shall be collected, filtered and discharged to avoid ponding or erosion either on or off the site.
- (b) The plan shall include, at a minimum, the following components:
 - 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.

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.

6. Fuel Modification Plan

Prior to Issuance of the Coastal Development Permit, the applicant shall provide for the review and approval of the Executive Director, a fuel modification and fire safety plan for the development. The plan shall minimize impacts to natural vegetation and public views and must have been reviewed and approved by the Los Angeles City Fire Department. If the Fuel Modification/Fire Safety plan

anticipates any removal of vegetation, including thinning, on City Department of Recreation and Parks lands, the applicant shall provide a signed agreement with the City of Los Angeles Department of Recreation and Parks acknowledging that the property is adjacent to the Potrero Canyon Park. The agreement shall specify the location and methods of fuel modification (if any) on City of Los Angeles Department of Recreation and Parks land, and shall specify the amount of any fees or indemnification required for the use of City Property for such fire buffer. If the fuel modification plans show vegetation removal or alteration of City Park Land more than 100 feet from the proposed residential structure, an amendment to this permit shall be required.

7. Landscape Plan

A. Prior to Issuance of the Coastal Development Permit, the applicant shall submit, for the review and written approval of the Executive Director, a plan for landscaping to assure compliance with the project description, terms and conditions of this permit and Coastal Development Permit 5-91-286 and compatibility with the revegetation measures required in that permit. The plan shall be prepared by a licensed landscape architect.

1. The plan shall demonstrate that:

- (a) To minimize the need for irrigation the majority of vegetation planted on the site shall consist of drought-tolerant plants,
- (b) The applicant shall not employ invasive, non-indigenous plant species, which tend to supplant native species. Such plants are listed in Exhibit #9.
- (c) All vegetation placed on the canyon side slope shall consist of native, drought and fire resistant plants of the coastal sage scrub community.
- (d) The plantings established shall provide 90% coverage in 90 days.
- (g) The applicant is encouraged to use native plant species as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996.
- (e) All required plantings shall be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan.
- (f) No permanent irrigation system shall be allowed within the property. Any existing in-ground irrigation systems shall be removed. Temporary above ground irrigation to allow the establishment of the plantings is allowed.
- (g) The landscaping plan shall show all the existing vegetation.

2. The plan shall include, at a minimum, the following components:
 - (a) 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, and all other landscape features, and
 - (b) A schedule for installation of plants.

B. Monitoring

Five years from the date of the implementation of the landscaping plan the applicant shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect, that certifies the on-site landscaping is in conformance with the landscaping plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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

C. 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.

8. Removal of Unpermitted Development

The applicant shall remove all portions of the retaining wall constructed prior to the approval of Coastal Development Permit #5-00-476, backfill all drilled holes for the piles system, and rehabilitate all graded areas on the sloped portion of the canyon on the applicant's property with coastal sage scrub (as described in Special Condition #7) within 60 days of the issuance of this permit unless an amendment to this permit or a separate coastal permit which allows for the retention of such development is issued. The Executive Director may grant additional time for good cause.

9. 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 under the provisions of Chapter 9 of the Coastal Act.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Location

The subject site is located on lot 23, block 1 in the Huntington Palisades area of Pacific Palisades in the Brentwood-Pacific Palisades Planning Area (Exhibit #1). This lot is located adjacent to Potrero Canyon and will overlook the new Potrero Canyon Park recreational area when the Potrero Canyon fill project reaches completion. The Potrero Canyon fill project was developed to stabilize the canyon sides and protect the existing single-family homes on the canyon edge. After extensive discussion with the Commission and the residents of the surrounding community regarding the protection of natural features, the canyon, and the liability that the City was facing due to landslides on the canyon walls, the Commission approved fill of the canyon up to a fill line 75 feet above the former flow line of the stream (known as the 75-foot fill line). The compromise allowed protection of the view of the canyon's walls and a separation between the public trail along the new canyon bottom and the yards of the adjacent residential lots. The surrounding area is comprised of one to three-level single family homes. The property is located approximately one-half mile inland of Pacific Coast Highway and Will Rodgers State Beach (Exhibit #1).

The proposed project is the demolition of an existing single family home and construction of a two-level over basement, 29-foot high (over average grade), 5,665 square foot single family home with an attached two-car garage (Exhibit #2). The proposed project is located on an 18,118 square foot lot adjacent to Potrero Canyon and will be supported by conventional spread footing into competent soil. The project includes a 125 foot long, 13-foot high retaining wall supported by 10, 24-inch concrete piles, 40 cubic yards of cut, and 356 cubic yards of fill, and a rear yard gazebo (Exhibit #3 & #6). The retaining wall will extend the rear yard approximately 20 feet (at its widest point) west of the canyon edge. The toe of the retaining wall, as proposed, will be located 14 feet downslope of the canyon edge (Exhibit #3). The purpose of the retaining wall and associated fill is to extend the applicant's rear yard.

The wall is not necessary for the stability of the proposed house, as indicated in the applicant's geology report.

Fill is proposed between the retaining wall and the existing canyon edge. The fill and retaining wall will create a 20-foot extension (at the widest section) to the rear yard (Exhibit #3). A gazebo is proposed in portions of this fill material at the southwestern corner of the property.

As proposed without the retaining wall, the applicant's rear yard is 56 feet by 96 feet (minus a 28-foot by 20-foot extension of the home) (Exhibit #7). This equates to an approximately 4,700 square foot rear yard. The retaining wall is not indicated in the geotechnical recommendations as necessary for the support of the proposed home. The geotechnical reports have indicated that the subject site has a factor of safety in excess of 1.5 on the flat portion of the lot and along the canyon slope. The retaining wall is, therefore, used for the sole purpose of extending the applicant's rear yard.

A portion of the applicant's proposed house is located 35 feet east of the canyon edge, with a majority of the home set back approximately 45 to 50 feet east of the canyon edge (Exhibit #2). The applicant's geologist recommends that the applicant support the house with conventional footings into the compacted fill provided the footings are set back 30 feet from the top of the slope. If the footings encroach beyond this point, the project will require deepened friction piles. Therefore, the applicant has proposed to support the house with conventional footings. The proposed project also includes a retaining wall on the upper sloped portion of the applicant's lot. The toe of the retaining wall will be 45 feet above the 75-foot fill line. The applicant's geologist, the City's geologist and geological engineer have approved the applicant's proposed project.

B. Potrero Canyon Fill Project

In the late 1970's and early 1980's, nine major slides and a number of surficial slumps occurred as a result of erosion from the stream that is located in the bottom of the Potrero Canyon (Exhibit #10). As a result of the slides a number of residential structures were damaged and demolished by their owners. In 1984, the City determined that the only way to protect the houses that were still intact on the rim of the Canyon was to fill the canyon and install a subdrain to reduce saturation of the sediments (Coastal Development Permits #5-86-958 and #5-91-286). By 1986, the City of Los Angeles had acquired 20 homes on the canyon rim, some of which were later demolished. The Commission approved a project with 25 feet of fill and a subdrain system throughout the canyon. The slides however, continued. By 1991 the City had acquired one additional lot and was considering the acquisition of 7 additional lots on the west canyon rim.

In 1991, after the expiration of its original action, the Commission re-approved an expanded project in three phases, subject to conditions. In its approval of the revised project, the Commission reviewed evidence that the headscarps were moving inland, potentially threatening additional houses along at least three streets that were parallel to the rim: De Pauw Street, Friends Street, and Alma Real Drive. The third phase of the fill of the revised project extended about 75 feet above the flow line of the stream. Above that level, the City proposed to place buttress fills extending twenty-five to thirty feet up the canyon sides, in some instances onto privately owned residential lots. These buttress fills were designed to slow down the incremental failure of the lots. The material would then be compacted to 90%. The Commission approved the fill with conditions that required the City to create an artificial stream on top of the fill, build a public park and trails in the canyon, and revegetate the upper canyon sides and buttress fills with coastal sage scrub.

C. Access and Recreation

The Coastal Act protects public access where it has occurred in the past and encourages the use of private lands for recreation. In this project, the lot itself has been a private, subdivided residential lot for many years. The lot has not been used for recreation. In approving the project that protects this lot from landslides (Coastal Development Permit 5-91-286), the Commission required the City to construct and maintain a public park in the canyon adjacent to this lot. The park includes a 7.9 acre reconstructed riparian habitat and additional acreage of coastal sage scrub. The City proposed and the Commission approved a public trail to link the Pacific Palisades recreation center with the coastline. The recreational experience proposed by the City is a mountain trail along an artificial mountain stream. The slopes and the stream will be revegetated with local native habitat.

The use of this lot for residential purposes is consistent with that approval. However, the canyon wall, including the canyon wall portions of the lots adjacent to the park, will be visually part of the recreational area. The landscaping choices, retaining walls, and grading choices of the adjacent lot owners will affect the City's efforts to create a replacement for the stream and creation of a mountain hiking experience in the park. Therefore, as further conditioned below, the siting and designing of development on the canyon walls is conditioned to be visually compatible with the recreational use of the park.

D. 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.

The Coastal Act protects public views. In this case the public views are the views from the bottom of Potrero Canyon to the surrounding canyon walls and the newly created riparian areas. The fill project is nearing completion, with the canyon floor and walls establishing the area of the Potrero Canyon Recreational Park.

The project site is located in an established residential community and will be visible from the Potrero Canyon Recreational Area. The height of the proposed house is consistent with the Hill Side Ordinance that was established by the City of Los Angeles Planning Department and is set back 36 feet from the canyon edge (at its narrowest point) with most of the residence set back approximately 45 feet (Exhibit #2). While the applicant's property is visible from the bottom of the canyon (the property line extends approximately 30 feet below the canyon edge and 30 feet above the final "fill" line), the proposed house setback and height limit prevent any impacts to the park from the house. However, the applicant has proposed a 13-foot high retaining wall (at its highest point) across the entire width of the Canyon facing side of the property. 10, 24-inch concrete piles, would support the wall. The project includes 40 cubic yards of cut, 356 cubic yards of fill, and a rear yard gazebo. The toe of the retaining wall would be located 14 feet below the canyon edge (at its furthest downslope location). In plan view, the retaining wall will extend the rear yard 20 feet west of the existing canyon edge. The wall would be highly visible from the canyon floor and recreational area.

Section 30251 also requires all permitted development to minimize alteration of natural landforms. The project site is at the edge of Potrero Canyon and will overlook the newly created Potrero Canyon Recreational Area. The canyon has been significantly altered since the fill project was approved in 1991. The reason for the fill was to protect the existing residences from the continued threat of landslides. The project would also allow property owners to rebuild on lots that were destroyed in the landslides. The Commission approved the project to protect existing property from landslides. However, in doing so, the project would destroy 3.95 acres of existing riparian habitat and create massive amounts of landform alteration. To mitigate for this, the Commission conditioned the project to create a 7.9 acre riparian habitat and a recreational park.

As mention above, a 13-foot high retaining wall (at its highest point) is proposed along the entire width of the property. The entire area between the canyon edge and the retaining wall will be backfilled, creating an extension to the rear yard up to 20 feet deep (Exhibit #7). Although this canyon has been altered during the extensive fill project, mitigation measures were established to create an artificially natural setting. A stream and riparian habitat is planned for the canyon bottom (Potrero Canyon

Recreational Park) and the sides of the canyon will be planted with coastal sage scrub. All together, the mitigation measures for the stabilization of the entire canyon will create a natural canyon setting for public enjoyment. By creating an extension of the rear yard with a 13-foot high retaining wall, 20 feet west of the existing canyon edge, the view of the canyon side will be of an unnatural cement wall.

Construction of a retaining wall to extend the applicant's rear yard 20 feet west of the existing canyon edge is not consistent with the Coastal Act policies relating to the alteration of natural landforms and development in highly scenic areas. The proposed retaining wall would be placed 45 feet above the finished fill line. A pedestrian walkway is proposed at this fill line, taking park users from the Palisades Recreational Center to Pacific Coast Highway (Exhibit #1). The intent of the mitigation measures, as mentioned above, was to create a mountain trail recreational experience. The proposed retaining wall jeopardizes that experience by creating an impediment to the visual quality of the area and altering the natural edge of the canyon. Therefore, Special Condition #1 requires the applicant to submit revised plans deleting the retaining wall, fill, and gazebo from the project plans. Only after the applicant removes the retaining wall, graded fill, and gazebo from the project plans is the proposed project consistent with Section 30252 of the Coastal Act that protects the visual quality of the area, and minimizes the alteration of natural landforms.

E. Environmentally Sensitive Habitat Area

The Coastal Act requires that development adjacent to environmentally sensitive habitat areas and public parks be developed in a manner that is consistent with the habitat protection recreation requirements within Section 30240 of the Coastal Act states:

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*

- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

The habitat in this area is protected by Section 30240 of the Coastal Act because at the completion of mitigation measures for the fill project there will be environmentally sensitive habitat present. In addition, the area is a park and recreational area. The Commission approved grading and fill in this canyon in order to protect this and other residential lots along the canyon rim. Before grading for the fill occurred, the canyon

sides supported coastal sage scrub and the stream supported willows and other riparian vegetation. As a result of construction this habitat was extirpated. The Commission approved the fill of a stream and the grading subject to a number of special conditions. These included the reconstruction of the stream and its associated riparian habitat at a 2:1 ratio as required by the Department of Fish and Game and as proposed by the City. The City proposed construction of a 7.9 acre riparian area and stream. The Commission also required interim mitigation in a nearby State Park. In addition, the City proposed and the Commission approved a plan to revegetate the buttress fill slopes with coastal sage scrub, a sensitive assemblage of plants that is threatened with loss statewide.

At the fill project's completion, the canyon will become a recreational area, with pedestrian walkways, riparian habitat, and coastal sage scrub. The project site is adjacent and overlooks Potrero Canyon (a recreational park site as well as an area of environmentally sensitive habitat). Section 30240 requires that development adjacent to such an area be sited and designed to prevent impacts to environmentally sensitive habitat that is installed.

The applicant has proposed to extend his yard 20 feet west of the existing canyon edge by constructing a 13-foot high (at its highest point) retaining wall across the width of the canyon facing property. The retaining wall will further prevent the establishment of native habitat along the canyon walls. As indicated below and required in Special Condition #7, only vegetation of the coastal sage scrub community can be established on the sloped portion of the lot. Therefore, prior to issuance of the permit, the applicant shall delete the retaining wall, fill and gazebo from the project plans. Only as conditioned is the project consistent with Section 30240 of the Coastal Act.

The park and trail system is not yet installed, but the City is currently seeking grant money for the final improvements. During the first month of its installation and thereafter, introduced plants can easily overwhelm artificially constructed systems. 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 natural stream and associated upland. 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, 1994, 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 Condition 6 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 an attempt to revegetate with coastal sage scrub.

The Commission found that the revegetation would mitigate for the loss of the habitat. However, introduced plants from homes on the rim could invade these revegetated areas and undermine the City's efforts. It is quite clear that the owners of the residential lots benefited from the project. The project was approved in order to protect existing residential structures from collapse and to allow the subject lot to be developed safely. Because measures were required to mitigate the damage to habitat caused by the grading, the redevelopment of the residential lots on the canyon rim must be conditioned to assure that the landscaping of these lots is compatible with the adjacent revegetation effort. The condition should assure that only coastal sage scrub is planted on the slopes and that no invasive plants are used elsewhere on the property.

The applicant has proposed to landscape approximately 8,000 square feet of his property. The applicant has not, however, stated what plant species he intends to use in the landscaping plan. The installation of in-ground irrigation systems, inadequate drainage, and landscaping that requires intensive watering are major contributors to accelerated slope erosion, landslides, and sloughing, which could necessitate protective devices. Also, invasive plant material can supplant the native revegetation project as part of the Potrero Fill mitigation.

To ensure that the project maintains drought tolerant vegetation, adequate drainage, and no in-ground irrigation systems, Special Condition #7 is required by the Commission. Special Condition #7 requires the applicant to incorporate predominately fire resistant and drought tolerant vegetation on the flat portion of the lot, provide for the planting of coastal sage scrub on the sloped portion of the lot, no invasive plant species, and no permanent irrigation systems. 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 plan shall allow for the temporary use of aboveground irrigation to allow time to establish the plantings. The plantings shall provide 90% coverage within 90 days and the plantings shall be maintained in a good growing condition for the prevention of exposed soil which could lead to erosion and possible landslides. Special Condition #7 also requires a five-year monitoring program to ensure the proper growth and coverage of the landscaping. Five years from the implementation of the landscaping plan, the applicant shall submit a monitoring report that certifies the on-site landscaping is in conformance with the landscaping plan approved pursuant to this Special Condition. As conditioned, the proposed project is consistent with the Commission action on 5-91-286 as amended and with section 30240 of the Coastal Act.

F. 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 damages. Such hazards common to this area include landslides, erosion, flooding, and wildfires. As mentioned above, Potrero Canyon is the site of nine disastrous landslides and several areas of slumping. This landslide activity was attributed to the build-out of the subdivision (specifically along the canyon edge), which increased the nuisance flow into the stream below.

The City filled the canyon to an average 75 feet above the flow line, and in several locations, placed an additional buttress next to the canyon walls. The City's project is nearing completion, and this present applicant is one of a growing number of owners who are now proposing to rebuild on the canyon rim. The previous house on the applicant's lot did not suffer slide damage. The present applicant has provided a geology report from the firm of Grover Hollingsworth and a geologic approval from the City of Los Angeles grading division indicating that the development will be safe, if carried out according to their recommendations.

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.

1. Development between Western Wall and Canyon Edge

As discussed in Section B of this staff report, nine major slides and a number of surficial slumps occurred as a result of erosion from the stream that is located in the bottom of the Potrero Canyon. The subject site was not affect by the landslide activity but does lie in close proximity to two of the nine major landslides and one surficial slump area. The applicant's geotechnical consultant states that any development within 30 feet of the canyon edge would require deepened friction piles for support.

The applicant has proposed a 13-foot high retaining wall supported by 10, 24-inch concrete piles. The retaining wall is proposed at an elevation 14 feet below the edge of the canyon. Fill is proposed between the retaining wall and the existing canyon

edge. The fill and retaining wall will create a 20-foot extension (at the widest section) to the rear yard (Exhibit #3). A gazebo is proposed in portions of this fill material at the southwestern corner of the property.

As proposed without the retaining wall, the applicant's rear yard is 56 feet by 96 feet (minus a 28-foot by 20-foot extension of the home) (Exhibit #7). This equates to an approximately 4,700 square foot rear yard. The Geotechnical reports have indicated that the proposed home can be built using conventional spread footings into compacted soils. The retaining wall is not indicated in the geotechnical recommendations as necessary for the support of the proposed home. The geotechnical reports have indicated that the subject site has a factor of safety in excess of 1.5 on the flat portion of the lot and along the canyon slope. The retaining wall is, therefore, used for the sole purpose of extending the applicant's rear yard. Allowing a retaining wall with backfill to extend the rear yard over the edge of the canyon is not consistent with the requirements of Section 30253 of the Coastal Act. Extending the rear yard with backfill does require the construction of protective devices that would substantially alter natural landforms along the cliff of Potrero Canyon by means of a 13-foot high retaining wall.

Therefore, for the project to be found consistent with Section 30253 of the Coastal Act, Special Condition #1 requires the applicant to submit revised plans that delete the retaining wall, fill, and gazebo from the project plans. Also, Special Condition #2 requires the applicant to record a deed restriction limiting future improvements to the permitted structure. Future improvements located between the westerly wall of the single family home approved in this permit 5-00-476 and the westerly property line as shown in Exhibit #2 shall require an amendment to Permit No.5-00-476 from the Commission or shall require an additional coastal development permit from the Commission or from the City of Los Angeles, with the exception of property line fences on the flat portion of the lot, wood decks at grade, and walkways.

The applicant has provided a geology and soils report from the consulting firm of Grover Hollingsworth, Inc. The applicant received a geologic approval letter from the Grading Division of the City of Los Angeles, Department of Building and Safety indicating that the geotechnical reports are acceptable provided that the City's recommendations are complied with during site development.

The proposed project is located on a lot in the upper canyon but does not propose any work on a canyon fill area. The main canyon fill was designed to slow down the failure of the material on the canyon walls and to prevent the slides from expanding. The top of the main canyon fill is currently 50 to 60 feet below the level of this lot. Because the portion of the lots adjacent to the canyon walls may still be subject to creep or sloughing, individual owners are required to demonstrate that their development is sited and designed so that settlement of the main canyon fill or sloughing of the walls will not damage the structures.

The level portion of the lot is located at approximately elevation 250, 190 feet above the natural flow line of the stream in this part of the canyon (Exhibit #4 & #5). The canyon is now filled to elevation 170 in this location, with another, approximately 30 feet of fill yet to be compacted. Near the west (canyon) end of the lot, the slope falls at 3/2:1 to 7/4:1 in gradient to the current fill location (Exhibit #3 & #5). Formerly the slope fell to the streamline. Now it slopes approximately 50 feet down to the top of the canyon fill. The lot is located across the canyon and southeast of slide 2, a major landslide (Exhibit #10). The slope on this lot has been stable, with the exception one slump directly below the subject property (Exhibit #6). The slump was thought to be caused by a drain pipe exit on the face of the canyon slope. While the greatest portion of the lot appears flat, a small portion of the property is on the canyon wall. The applicant is proposing to construct the house approximately 35 to 50 feet back from the canyon edge (Exhibit #6).

The applicant's geology report (Grover Hollingsworth, Geologic and Soils Engineering Exploration, dated October 25, 2000) requires the applicant to remove and recompact a minimum of five feet of soils under the proposed home. Conventional footings shall then be founded into the compacted fill to support the proposed single family home. The applicant's geologist asserts that the house site has a factor of safety of 1.5 or greater, as does the lower slope.

The report concludes:

The area of the proposed project and the subject property are underlain by minor fill and soil, alluvial and marine terrace deposits, and sedimentary bedrock at depth. Our calculations indicate that the descending slope below the property is grossly stable with the canyon fill at its current elevation. The upper portion of the slope which is underlain by the terrace deposits is also grossly stable. However, construction on or at the top of the slope will require deep foundations to achieve the required foundation setback.

The factor of safety in excess of 1.5 demonstrates that, by a geotechnical standpoint, the subject site, supported by conventional footings, is geologically stable. The 1.5 factor of safety is the generally accepted factor of safety among geotechnical engineers as the minimum value required to ensure slope stability. The geotechnical report states that the proposed development is considered feasible from a geotechnical engineering standpoint provided their recommendations are incorporated into the development plans. Therefore, the foundation system should assure stability of the site consistent with Section 30253 of the Coastal Act if the project is carried out in accordance with the recommendations set forth in the geotechnical reports and the City of Los Angeles, Department of Building and Safety.

2. Conformance with Geotechnical Recommendations

Recommendations regarding the design and installation of the single family home, foundation system, retaining walls, and grading 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 by Geology and Soils Engineering Exploration # GH9269-G by Grover/Hollingsworth and Associates, Inc., October 25, 2000 and January 30, 2001. The applicant shall also comply with the recommendations by the City of Los Angeles Department of Building and Safety, Geologic/Soils Review Letter Log #32260, December 8, 2000 and Log #32829, January 30, 2001.

3. Assumption of Risk Deed Restriction

Under Section 30253 of the Coastal Act new development in areas of high geologic, flood, and fire 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 development is surrounded by coastal sage scrub on several sides, some of which is located on public property. One of the many risks in developing in this area is the potential for brush fires. There is a potential conflict between the needs of a homeowner for fire safety and the responsibility of the park agency, which owns the adjacent canyon, to maintain watershed cover and habitat on parkland. To prevent escalating conflict between the homeowner, the park agency, and fire department, special condition #6 requires the applicant to provide a fuel modification plan approved by both the City of Los Angeles, Fire Department and the City of Los Angeles, Department of Recreation and Parks. In building in this location, the applicants are acknowledging that the site may be subject to the risk of fire and the responsibility of constructing in the location is their own.

The proposed single family home lies near the edge of a steep canyon with past geologic instability (Exhibit #10). The Geotechnical analysis reports by Grover Hollingsworth, Inc. have stated that the subject property is well suited for the proposed development. However, this report is commissioned by the applicant and ultimately the conclusion of the report and the decision to construct the project relying on the report is the responsibility of the applicant. The proposed project may still be

subject to natural hazards such as slope failure, erosion, and wild fire. The geotechnical evaluations do not guarantee that future erosion, landslide activity, land movement, or wild fire will not affect the stability of the proposed project. Because of the inherent risks to development situated on a canyon edge, surrounded by coastal sage scrub and brush, 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 nor will it prevent the possibility of brush fires. Therefore, the Commission finds that the proposed project is subject to risk from landslides, erosion and/or wild fire 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 #3 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 accepts 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 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.

4. Erosion Control Measures

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 #5 requires the applicant to dispose

of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. The applicant shall follow both temporary and permanent erosion control measures to ensure that the project area is not susceptible to excessive erosion.

Currently, runoff flows over and across the subject property to the bottom of Potrero Canyon and to the adjacent street. This has created cuts in the existing slope and has contributed to an increase in erosion across the subject site. As previously mentioned, a slump has occurred below the subject lot, adjacent to a drain outlet. The applicant has submitted a drainage plan that demonstrates that runoff water is directed to the street via swales, subdrains, and concrete drainpipes (Exhibit #2). Although the applicant has proposed a drainage plan to remove water from the site, the Commission requires a complete erosion control plan for both permanent and temporary measures. Therefore, prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, a temporary and permanent erosion control plan that includes a written report describing all temporary and permanent erosion control and run-off measures to be installed and a site plan and schedule showing the location and time of all temporary and permanent erosion control measures (more specifically defined in special condition #5).

Only as conditioned, to submit evidence that 1) that the applicant submit revised plans deleting the retaining wall, fill, and gazebo from the project plans, 2) that future development between the line of the approved house and the canyon property line shall require a coastal development permit or an amendment to this permit, with the exception of fences on the flat portion of the property, wood decks at grade, and walkways, 3) that the applicant has recorded a statement that assumes all risks of the development, 4) the proposed plans conform with the recommendations of the City geologist and the consultant, and 5) the applicant submit a drainage and erosion control plan, can the Commission find that the proposed development consistent with Section 30253 of the Coastal Act.

G. Unpermitted Development

Development has occurred on the subject site including demolition to the existing single family home and grading of the property without the required coastal development permit. The applicant is proposing to construct a single family home on the subject property.

To ensure that the unpermitted development component of this application is resolved in a timely manner, Special Condition #9 requires that the applicant satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 90 days of Commission action. The Executive Director may grant additional time for

good cause. In addition, in order to ensure the removal of the unpermitted retaining wall foundation and/or any portion of the retaining wall that was constructed prior to the approval of this coastal development permit, Special Condition #8 requires the applicant to remove such portions of the retaining wall, backfill all drilled holes for the piles, and rehabilitate the sloped portion of the canyon on the applicant's property with coastal sage scrub (as indicated in Special Condition #7) within 60 days of the issuance of this permit unless an amendment to this permit or a separate coastal permit which allows for the retention of such development is issued. The Executive Director may grant additional time for good cause.

Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to any alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

H. 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.

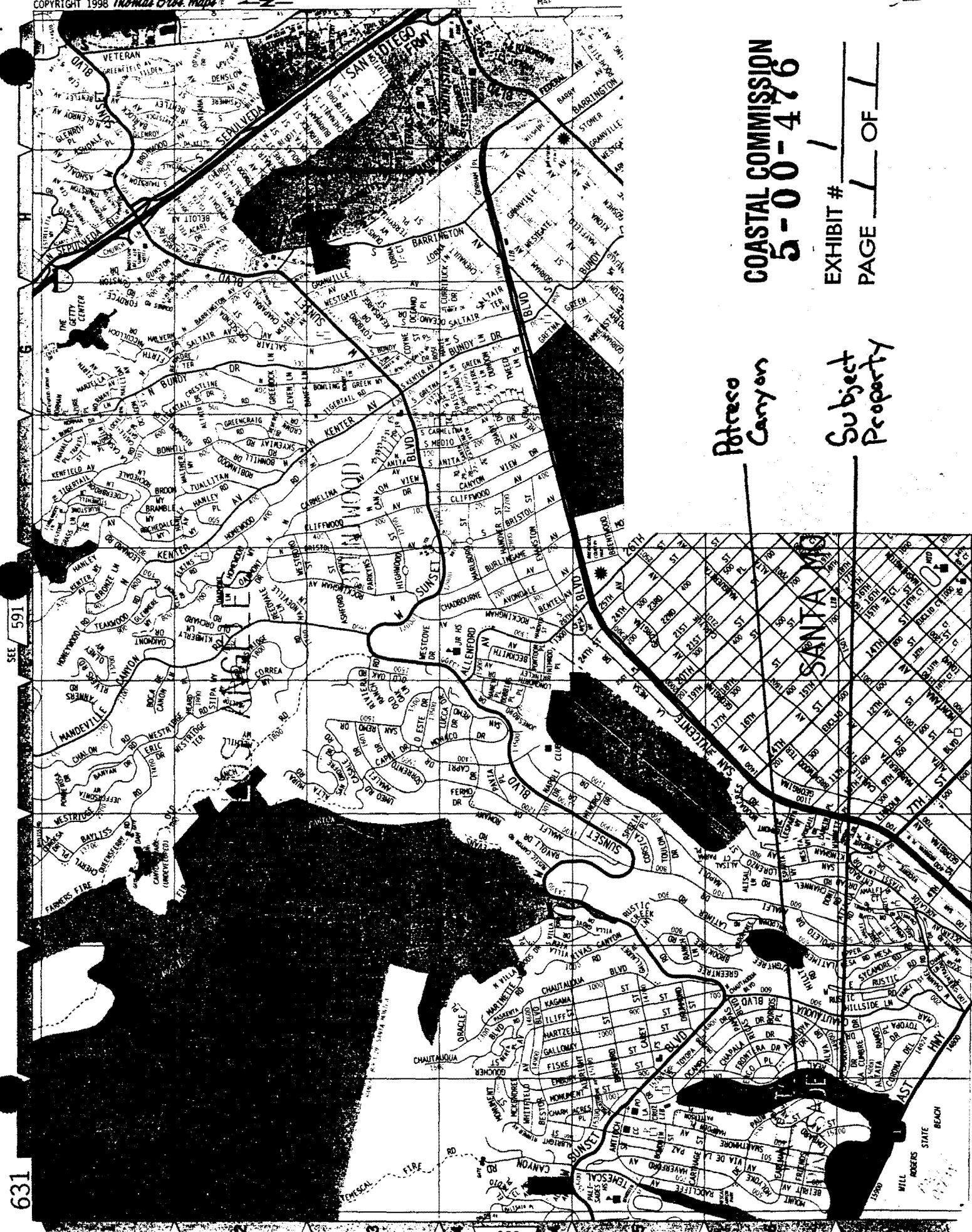
As conditioned, to address the geologic stability, landscaping, community character, and sensitive habitat issues related to the project, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

I. 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 to assume the risk of the development, supply and implement an erosion control plan, to provide a landscaping plan with drought tolerant plant species, and remove the retaining wall, fill, and gazebo from the proposed project, 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 conditioned, 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.

End/am



COASTAL COMMISSION
5-00-476

EXHIBIT # 1
PAGE 1 OF 1

Potres
Canyon

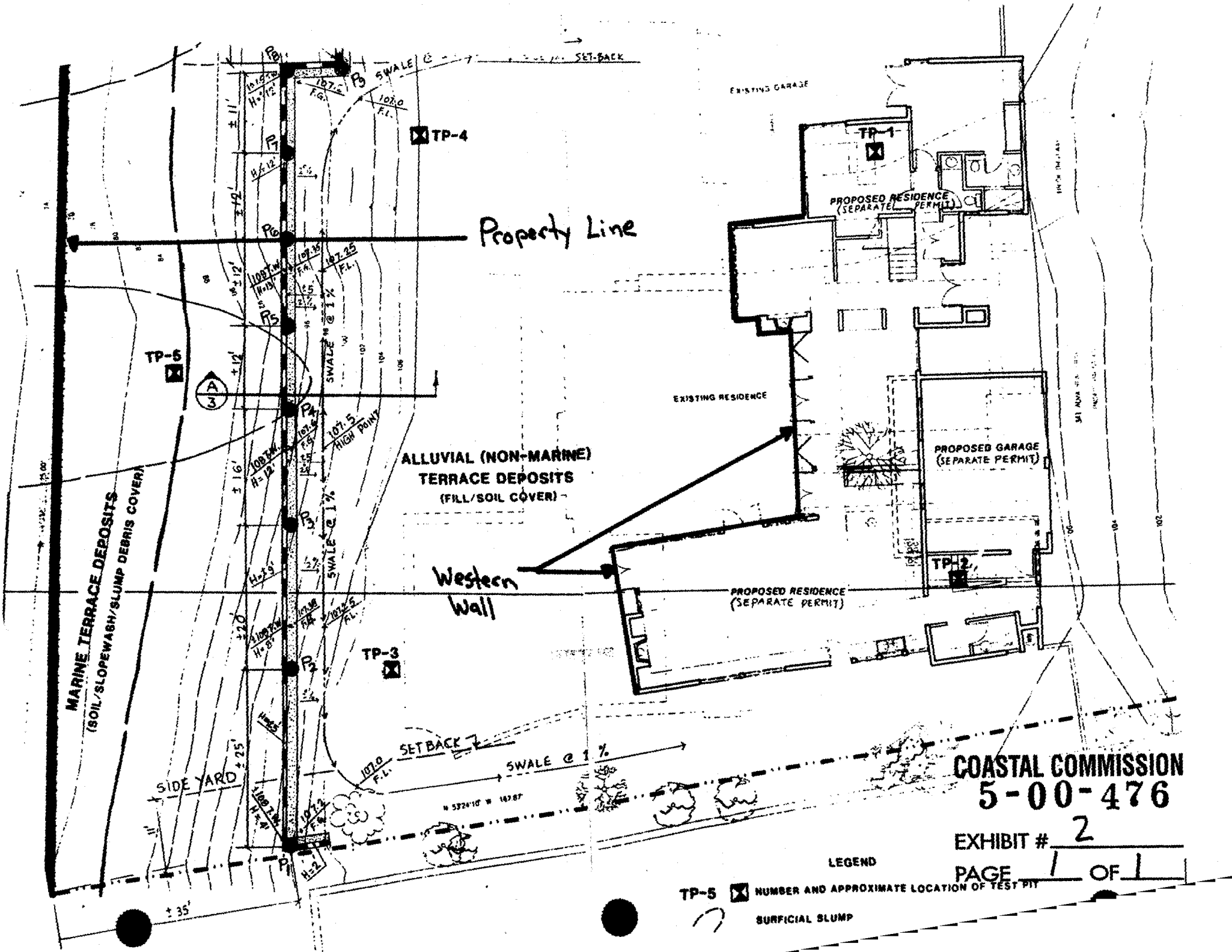
Subject
Property

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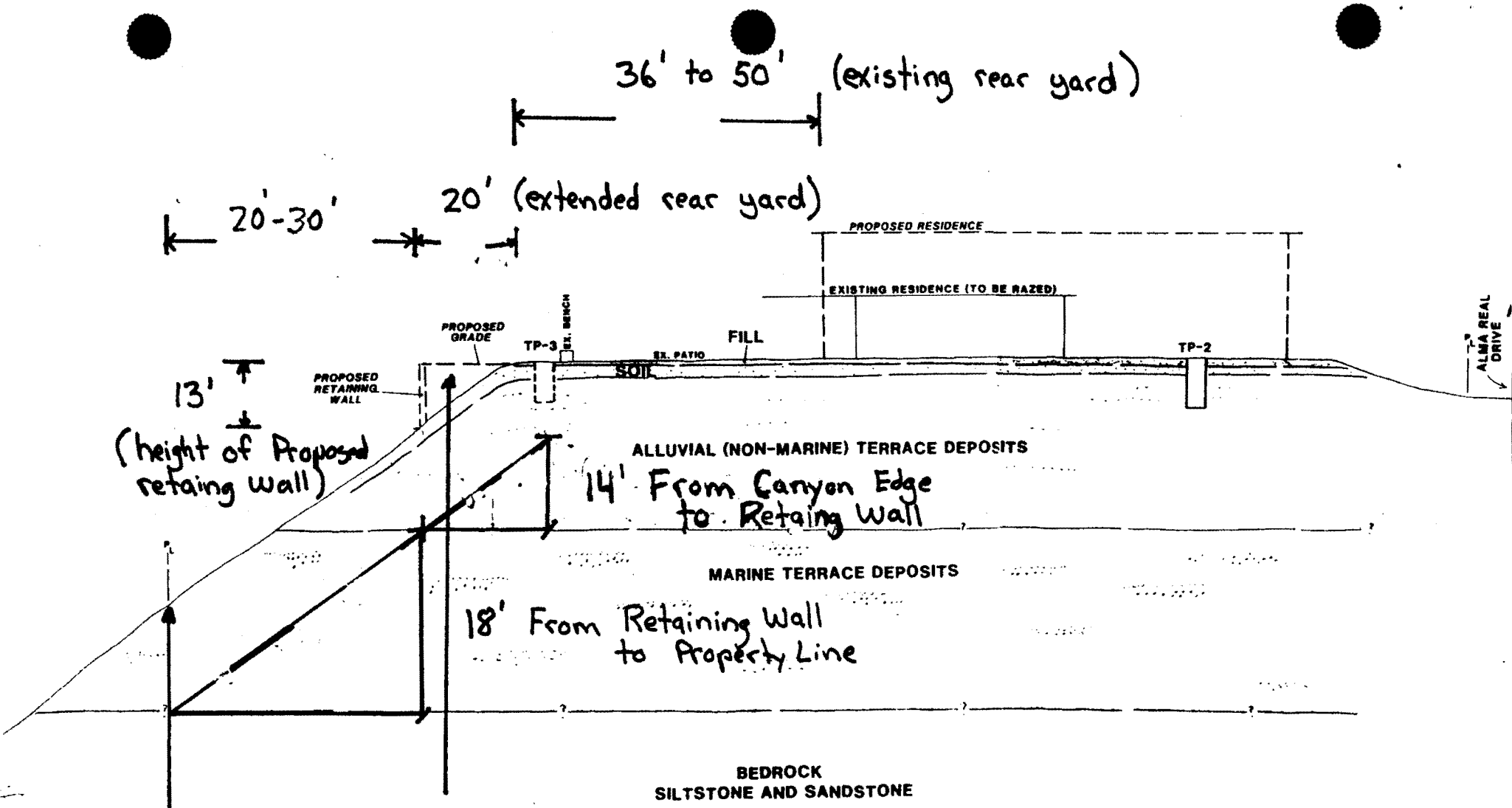
WILL ROBERTS STATE BEACH



COASTAL COMMISSION
5-00-476

EXHIBIT # 2
 PAGE 1 OF 1

LEGEND
 TP-5 X NUMBER AND APPROXIMATE LOCATION OF TEST PIT
 SURFICIAL SLUMP



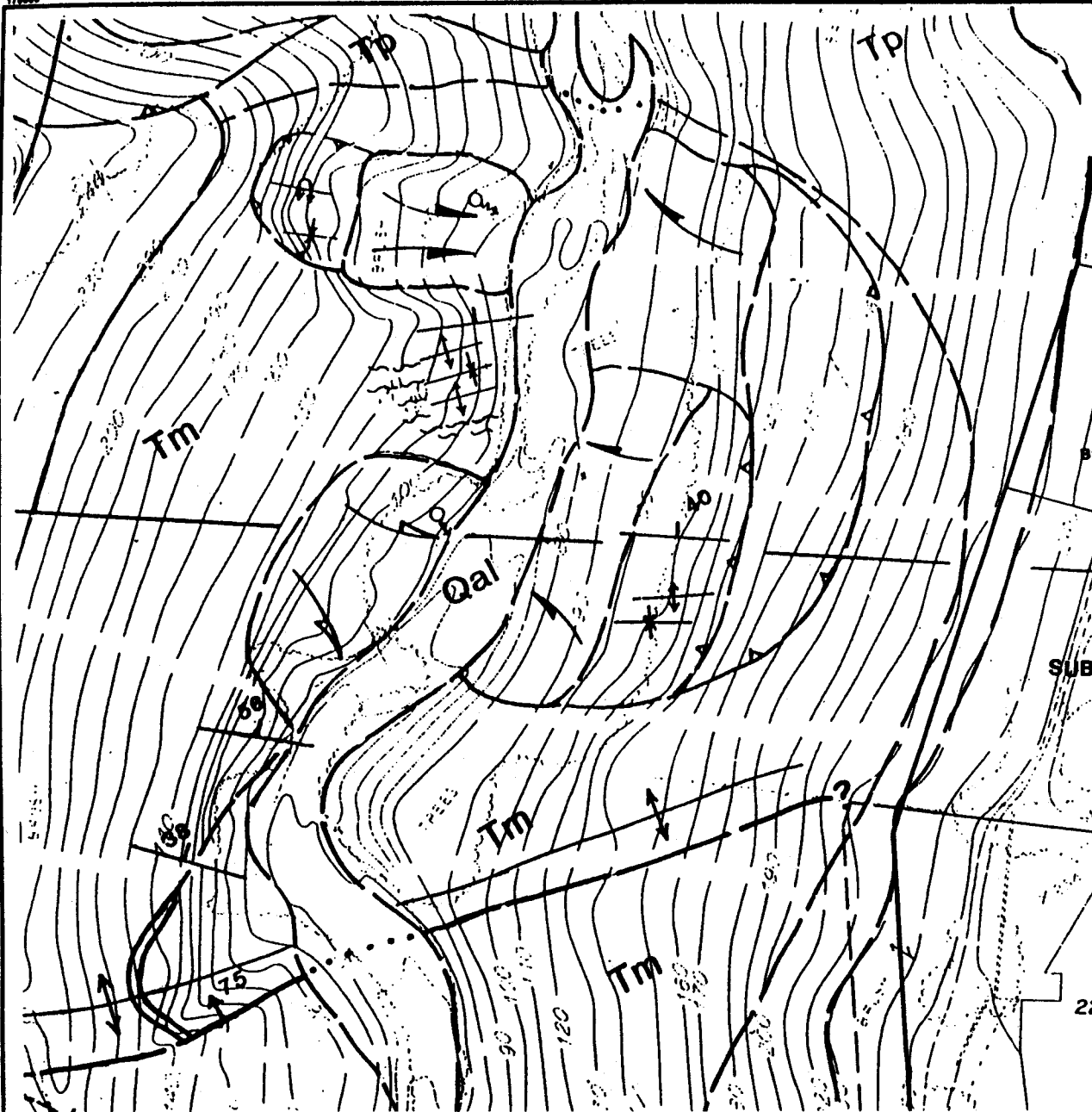
COASTAL COMMISSION
5-00-476

EXHIBIT # 3

PAGE 1 OF 1

- * Measurements taken from
 - Geologic and Soils Report by Grover Hollingsworth
 - Retaining Wall Plan, page 2 by M.A. Samara
- * Reduced Plan above not to scale.

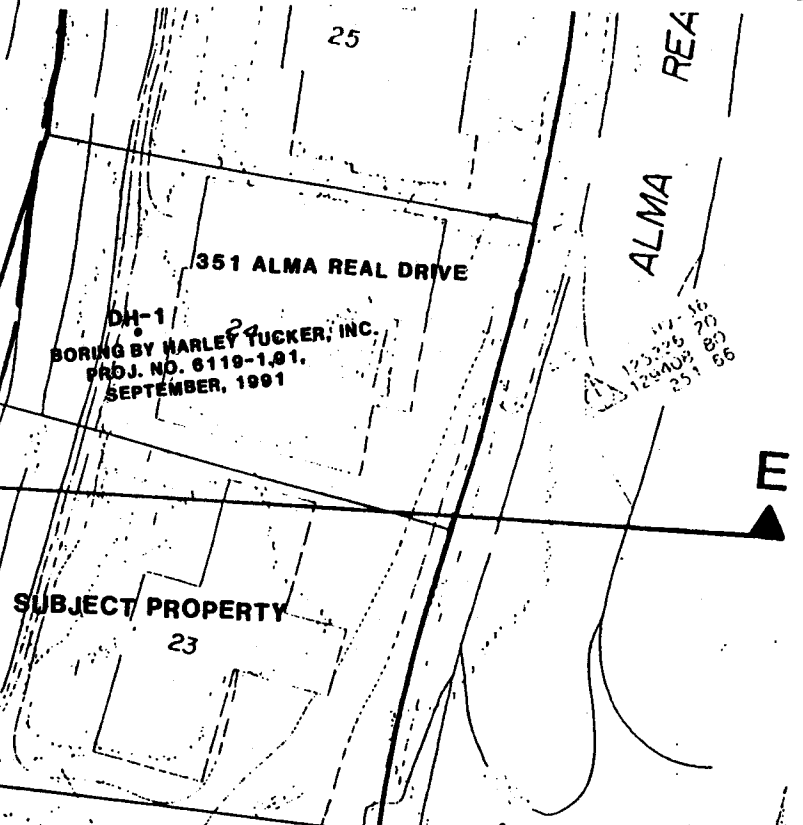
170200



Grover-Hollingsworth and Associates, Inc.
Geotechnical Consultants

BY DRB DATE 10/2000
REF. KOVACS-BYER & ASSOC.,
6/3/86

CLIENT KIRKWOOD
OH 9289-G
SUBJECT KBA GEOLOGIC MAP



COASTAL COMMISSION
5-00-476

EXHIBIT # 4
PAGE 1 OF 1

COASTAL COMMISSION
5-00-476

EXHIBIT # 5



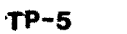

GEOLOGIC MAP NO. 1

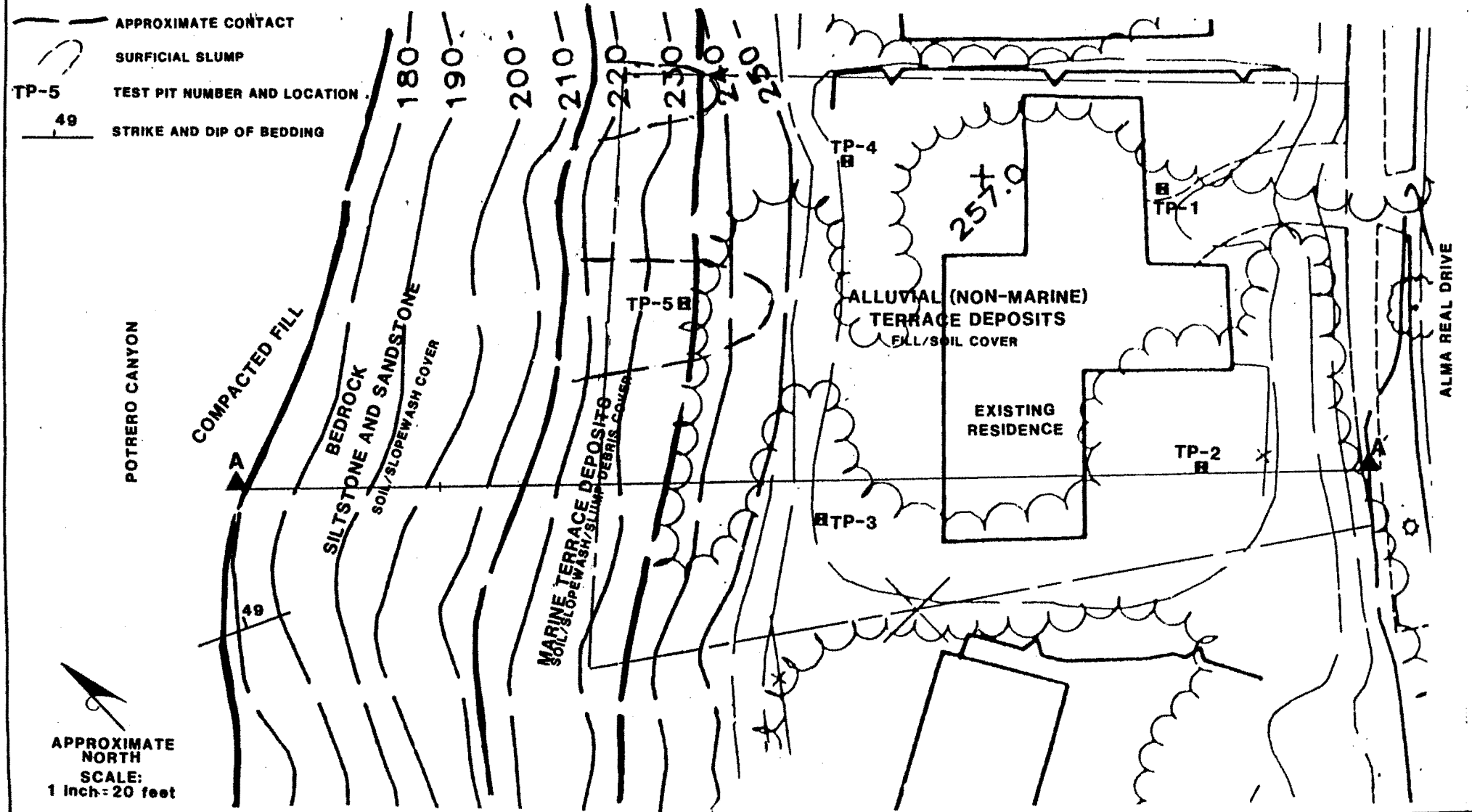
LEGEND PAGE 1 OF 1



Grover-Hollingsworth and Associates, Inc.
 Geotechnical Consultants

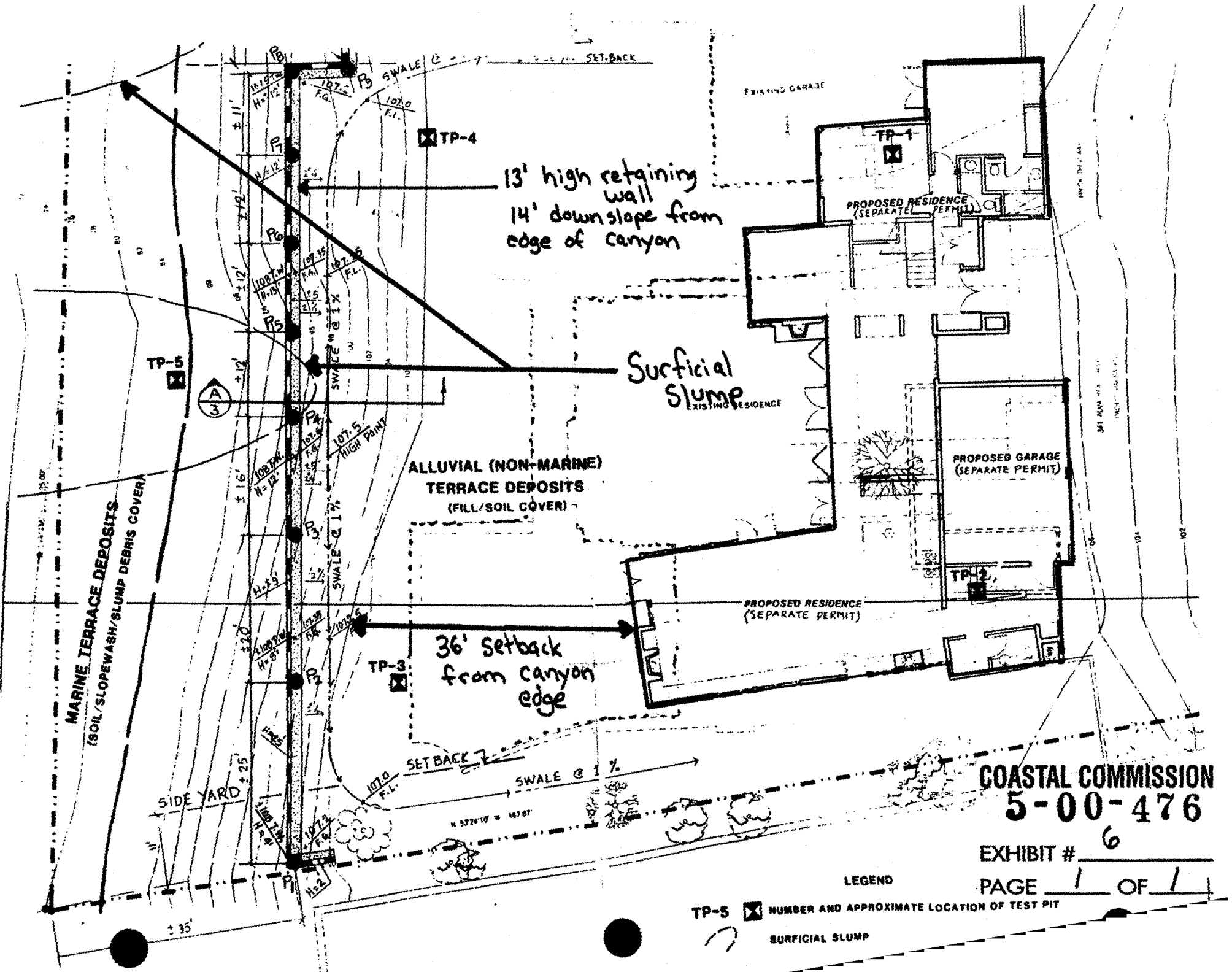
BY DRB DATE 10/2000 CLIENT KIRKWOOD
 REF. J. BYER GROUP COMPACTION MAP, CH 0269-0
 1996 AND FIELD SKETCH SUBJECT GEOLOGIC MAP NO. 1

-  APPROXIMATE CONTACT
-  SURFICIAL SLUMP
-  TEST PIT NUMBER AND LOCATION
-  STRIKE AND DIP OF BEDDING



APPROXIMATE NORTH
 SCALE:
 1 inch = 20 feet

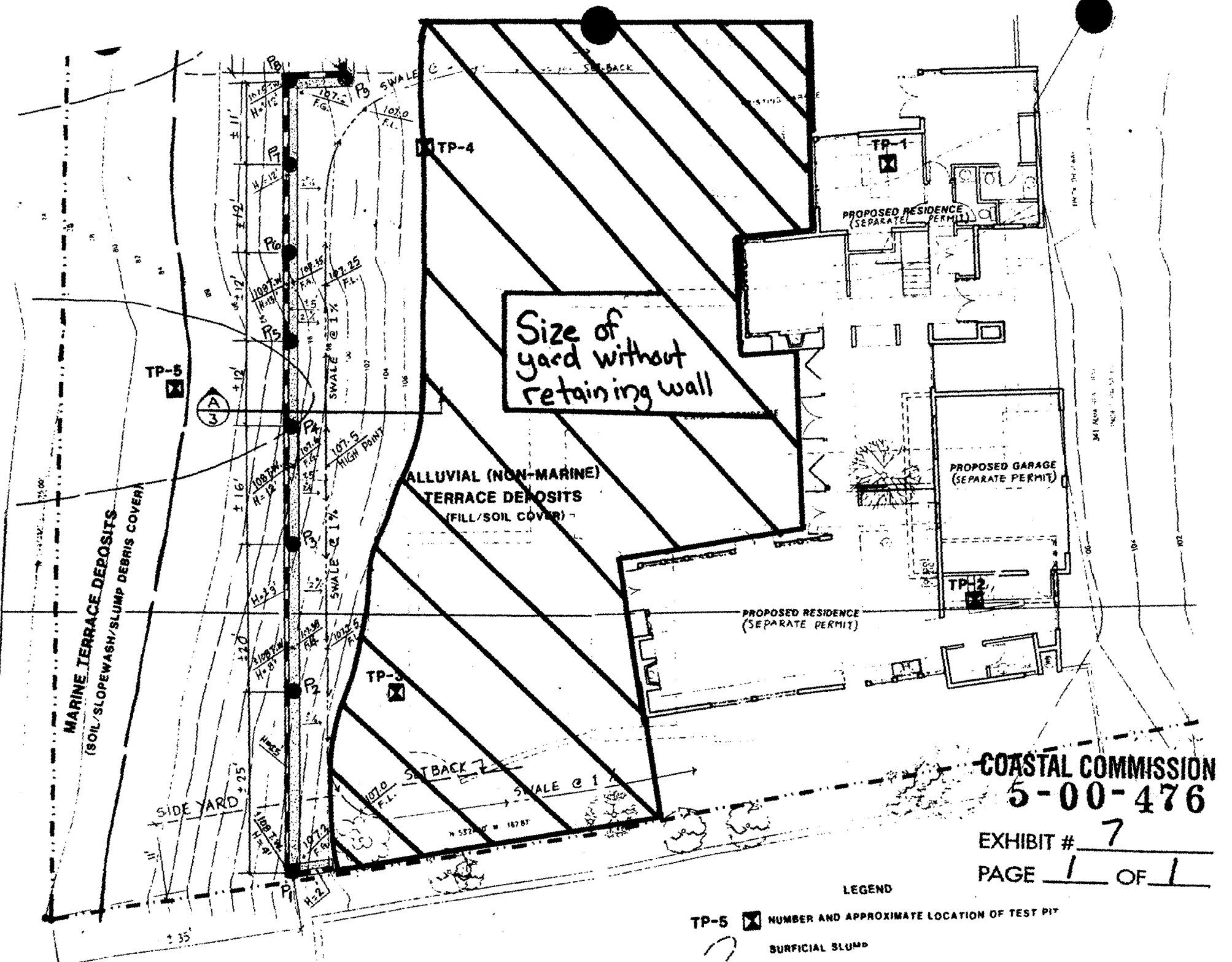
ALMA REAL DRIVE



COASTAL COMMISSION
5-00-476

EXHIBIT # 6
 PAGE 1 OF 1

LEGEND
 TP-5 NUMBER AND APPROXIMATE LOCATION OF TEST PIT
 SURFICIAL SLUMP



Size of yard without retaining wall

ALLUVIAL (NON-MARINE) TERRACE DEPOSITS (FILL/SOIL COVER)

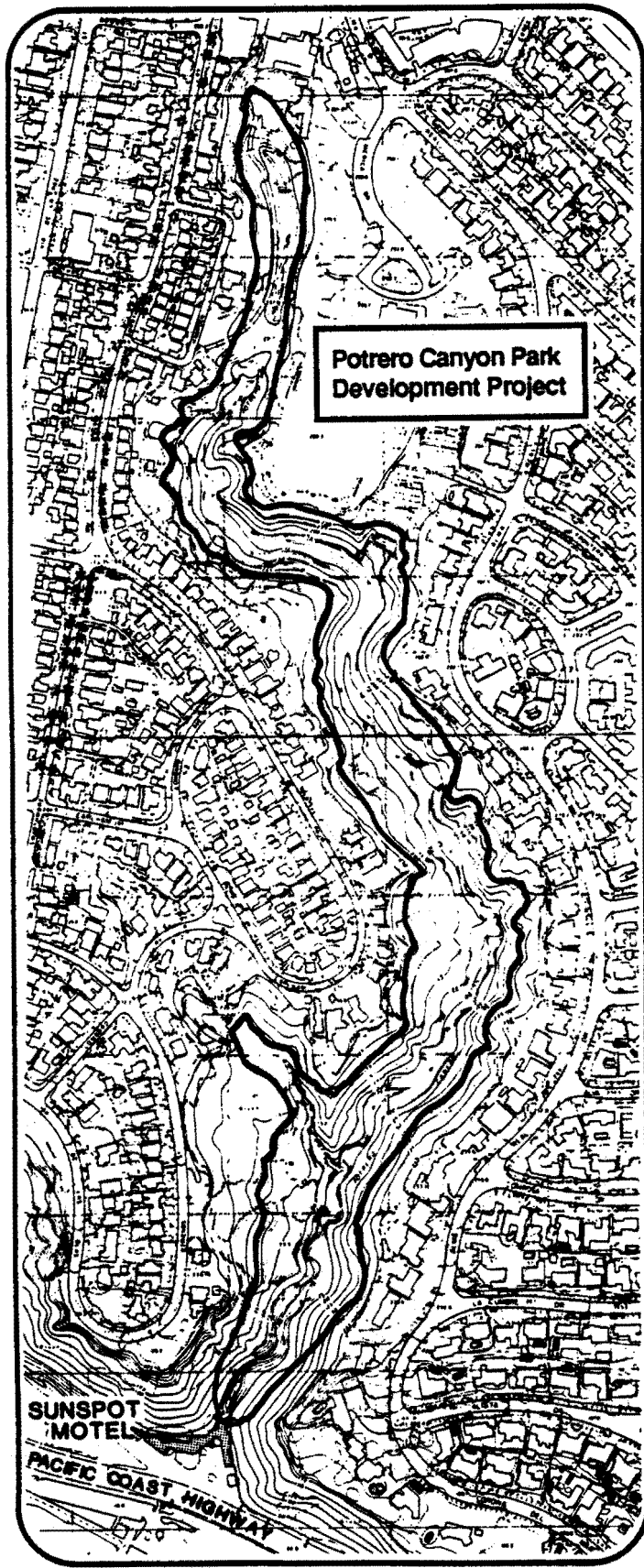
MARINE TERRACE DEPOSITS (SOIL/SLOPEWASH/SLUMP DEBRIS COVER)

LEGEND

- TP-5 NUMBER AND APPROXIMATE LOCATION OF TEST PIT
- SURFICIAL SLUMP

COASTAL COMMISSION
5-00-476

EXHIBIT # 7
PAGE 1 OF 1

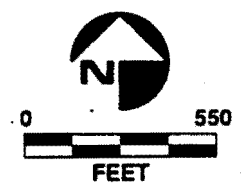


SOURCE: EnviroSphere, 1985.

COASTAL COMMISSION
5-00-476

EXHIBIT # 8

PAGE 1 OF 1



FIGURE

2



Potrero Canyon Park Development Project - Local Detail

11

OCEAN TRAILS PROHIBITED INVASIVE ORNAMENTAL PLANTS

The species listed below are prohibited from use in landscaping on residential lots, parks, at the golf course clubhouse, and within the golf course proper. In addition to this list, all commercially available seed mixes are prohibited from use at Ocean Trails (variously called "grass mix", "turf mix", "wildflower mix", "meadow seed mix", and "pasture seed mix" mixes). Whenever a prohibited species is detected, the responsible party will be required to immediately remove the plant(s) and take appropriate measures to ensure non-recurrence of the plant species.

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>
<i>Acacia</i> sp. (all species)	Acacia
<i>Acacia cyclops</i>	Acacia
<i>Acacia dealbata</i>	Acacia
<i>Acacia decurrens</i>	Green Wattle
<i>Acacia longifolia</i>	Sidney Golden Wattle
<i>Acacia melanoxylon</i>	Blackwood Acacia
<i>Acacia redolens</i>	a.k.a. <i>A. Ongerup</i>
<i>Achillea millefolium</i> var. <i>millefolium</i>	Common Yarrow
<i>Agave americana</i>	Century plant
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Aptenia cordifolia</i>	Red Apple
<i>Arctotheca calendula</i>	Cape Weed
<i>Arctotis</i> sp. (all species & hybrids)	African daisy
<i>Arundo donax</i>	Giant Reed or Arundo Grass
<i>Asphodelus fistulosus</i>	Asphodie
<i>Atriplex glauca</i>	White Saltbush
<i>Atriplex semibaccata</i>	Australian Saltbush
<i>Carpobrotus chilensis</i>	Ice Plant
<i>Carpobrotus edulis</i>	Hottentot Fig
<i>Centranthus ruber</i>	Red Valerian
<i>Chenopodium album</i>	Pigweed, Lamb's Quarters
<i>Chrysanthemum coronarium</i>	Annual chrysanthemum
<i>Cistus</i> sp. (all species)	Rockrose
<i>Cortaderia jubata</i> [<i>C. Atacamensis</i>]	Atacama Pampas Grass
<i>Cortaderia dioica</i> [<i>C. sellowana</i>]	Selloa Pampas Grass
<i>Cotoneaster</i> sp. (all species)	Cotoneaster
<i>Cynodon dactylon</i>	Bermuda Grass
<i>Cytisus</i> sp. (all species)	Broom
<i>Delosperma 'Alba'</i>	White Trailing Ice Plant
<i>Dimorphotheca</i> sp. (all species)	African daisy, Cape marigold, Freeway daisy
<i>Drosanthemum floribundum</i>	Rosea Ice Plant
<i>Drosanthemum hispidum</i>	Purple Ice Plant
<i>Eucalyptus</i> (all species)	Eucalyptus
<i>Eupatorium coelestinum</i> [<i>Ageratina</i> sp.]	Mist Flower
<i>Foeniculum vulgare</i>	Sweet Fennel
<i>Gazania</i> sp. (all species & hybrids)	Gazania
<i>Genista</i> sp. (all species)	Broom
<i>Hedera cananensis</i>	Algerian Ivy
<i>Hedera helix</i>	English Ivy

COASTAL COMMISSION

5-00-476

EXHIBIT # 9

PAGE 1 OF 2

<i>Ipomoea acuminata</i>	Blue dawn flower,
<i>Lampranthus spectabilis</i>	Mexican morning glory
<i>Lantana camara</i>	Trailing Ice Plant
<i>Limonium perezii</i>	Common garden lantana
<i>Linaria bipartita</i>	Sea Lavender
<i>Lobularia maritima</i>	Toadflax
<i>Lonicera japonica</i> 'Halliana'	Sweet Alyssum
<i>Lotus corniculatus</i>	Hall's Honeysuckle
<i>Lupinus</i> sp. (all non-native species)	Birdsfoot trefoil
<i>Lupinus arboreus</i>	Lupine
<i>Lupinus texanus</i>	Yellow bush lupine
<i>Malephora crocea</i>	Texas blue bonnets
<i>Malephora luteola</i>	Ice Plant
<i>Mesembryanthemum crystallinum</i>	Ice Plant
<i>Mesembryanthemum nodiflorum</i>	Crystal Ice Plant
<i>Myoporum laetum</i>	Little Ice Plant
<i>Nicotiana glauca</i>	Myoporum
<i>Oenothera berlandieri</i>	Tree Tobacco
<i>Olea europea</i>	Mexican Evening Primrose
<i>Opuntia ficus-indica</i>	Olive tree
<i>Osteospermum</i> sp. (all species)	Indian fig
<i>Oxalis pes-caprae</i>	Trailing African daisy, African daisy,
<i>Pennisetum clandestinum</i>	Cape marigold, Freeway daisy
<i>Pennisetum setaceum</i>	Bermuda Buttercup
<i>Phoenix canariensis</i>	Kikuyu Grass
<i>Phoenix dactylifera</i>	Fountain Grass
<i>Plumbago auriculata</i>	Canary Island date palm
<i>Ricinus communis</i>	Date palm
<i>Rubus procerus</i>	Cape leadwort
<i>Schinus molle</i>	Castorbean
<i>Schinus terebinthifolius</i>	Himalayan blackberry
<i>Senecio mikanioides</i>	California Pepper Tree
<i>Spartium junceum</i>	Florida Pepper Tree
<i>Tamarix chinensis</i>	German Ivy
<i>Trifolium tragiferum</i>	Spanish Broom
<i>Tropaelolum majus</i>	Tamarisk
<i>Ulex europaeus</i>	Strawberry clover
<i>Vinca major</i>	Nasturtium
	Prickley Broom
	Periwinkle

COASTAL COMMISSION

5-00-476

EXHIBIT # 9

PAGE 2 OF 2

