

CALIFORNIA COASTAL COMMISSION

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

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Staff Report: May 24, 2001
Hearing Date: June 14, 2001
Commission Action:

**Item Th-19d****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: After-the-fact approval for 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, on an 18,118 square foot lot adjacent to Potrero Canyon.

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 six (6) special conditions as shown on page 3-9 of this staff report. The staff is recommending that the applicant assume the risks associated with 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 coastal sage scrub and fire resistant, drought tolerant vegetation and a fuel modification/fire safety plan; and require a deed restriction for future development in the area between the western wall of the home and the westerly property line. The Commission requires the conditions to ensure that the proposed project is consistent with Sections 30230, 30231, 30240, 30251, and 30253 of the Coastal Act.

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
- 3) City of Los Angeles Planning Department, Exemption #ZA 2001-472-CEX, January 31, 2001

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)
- 10) Coastal Development Permit A-5-PDR-00-077/5-99-329 (Catellus)
- 11) Geotechnical Comments, Site Irrigation letter, Grover Hollingsworth and Associates, Inc., May 4, 2001
- 12) Letter from Paul Nota, Landscape Architect, concerning site irrigation at 341 Alma Real Drive, April 30, 2001

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:

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

MOTION:

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

STAFF RECOMMENDATION OF APPROVAL:

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 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. 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 (including the City of Los Angeles approved retaining wall) as shown in Exhibit #4. Accordingly, any future improvements located on the subject portion of the parcel, including but not limited to repair and maintenance identified as not 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, walkways, and non-combustible decks at grade, on the flat portion of the lot.

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.

2. Assumption of Risk, Waiver of Liability and Indemnity

A. 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 applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

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.

3. **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 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.

4. **Erosion and Drainage Control**

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

1) **Erosion and Drainage Control Plan**

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

- During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties, public streets, and Potrero Canyon.
- 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.

- 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 flat portion of 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) 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 above pre-development levels.
- Run-off from all roofs, patios, driveways and other impervious surfaces on the site shall be collected and discharged to avoid ponding and/or erosion either on or off the site.

(d) The drainage control 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.

(e) These erosion and drainage control measures shall be required to be in place and operational on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction. All sediment shall be retained on-site unless removed to an

appropriately approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.

- (f) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils, and cut and fill slopes with geotextiles and/or mats, sand bag barriers, 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.

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 resource specialist, for review and approval by the Executive Director. Prior to this submittal, the plan shall be reviewed by Los Angeles City Fire Department for compliance with fuel load standards. 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. The plan shall incorporate the following criteria:

- (a) The subject site shall be planted and maintained for slope stability, erosion control, native habitat enhancement purposes, and screening of the City of Los Angeles approved retaining wall. The landscaping shall be planted within sixty (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent, existing native plant areas, landscaping on the entire lot shall consist of drought tolerant, non-invasive plant species (see exhibit #10 for a list of non-invasive plant species).
- (b) Landscaped areas in the rear sloped (canyon side) portion of the yard shall consist of 100 percent native, drought tolerant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in

✓ their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996. The landscaping shall be planted using accepted planting procedures required by a professionally licensed landscape architect. To alleviate fire hazard risks the commission requires the use of native grasses and low canopy, native/fire resistant species near the canyon edge, gradually increasing the percentage of larger, coastal sage scrub species at the outer edge of the property.

- (c) The landscaping on the flat portion of the lot shall not include volatile plant species, such as eucalyptus, pine, and other introduced species, which increase the fuel load to the area. A majority of the landscaping on the flat portion of the lot shall consist of native plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996.
- (d) The applicant shall provide, for the review and approval of the Executive Director, a fuel modification and fire safety plan for the development. The fuel modification plan shall include the permittee's landscaping plan, details regarding the types, sizes and location of plant materials, how often thinning is to occur, and the location of all combustible structures located between the westerly wall of the home and the canyon-side property line. Highly volatile plants that increase the fuel load, such as eucalyptus, conifers, and other introduced plants that add to the fuel load shall not be used on the flat portion of the lot. The applicant shall not construct or otherwise incorporate "vulnerable" structures such as elevated or cantilevered wooden decks and unenclosed eaves because of the increased risk of spreading fire. 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 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 Potrero Canyon and is consistent with the visual quality and habitat resources of the 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.
- (e) No permanent irrigation system shall be allowed within the property. Any existing in-ground irrigation systems shall be removed. Temporary aboveground irrigation (such as low-flow sprinklers and drip irrigation) to allow the establishment of the plantings is allowed. The system shall

provide for the establishment of the landscaping for a time period of 1 to 3 years. After three (3) years from the time of planting or after the establishment of the landscaping, whichever occurs first, the permittee shall submit evidence to the Executive Director that the irrigation system has been removed. If, after three years, landscaping has not been established, the permittee shall submit an amendment to this coastal development permit 5-00-476 to continue the use of the temporary irrigation system until the landscaping is established.

- (f) Plantings will be maintained in good growing condition throughout the life of the project and whenever necessary shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements in the landscaping plan.

B. Monitoring

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

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the 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 or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

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.

6. 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 and above 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 (as further discussed in Section C). 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 after the fact approval for the demolition of an existing single family home; and construction of a two-level over basement, 29-foot high at its highest level (over average grade), 5,665 square foot single family home with an attached two-car garage (Exhibit #4 & #8). The proposed project is located on an 18,118 square foot lot adjacent to the east side of Potrero Canyon and will be supported by conventional spread footings into competent soil.

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 #5). 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 existing edge of the slope. Therefore, the applicant has proposed to support the house with conventional footings. The applicant's geologist and the City's geologist and geological engineer have approved the applicant's proposed project.

Currently, the applicant is constructing a 125-foot long, 13-foot high retaining wall, supported by 10, 24-inch in diameter concrete piles. The toe of the retaining wall is located 14 feet downslope of the canyon edge and fill will be placed in front of the wall to extend the yard approximately 20 feet west of the canyon edge (at its widest part) (Exhibit #5). The applicant received an Exemption from the City of Los Angeles Planning Department for the retaining wall as discussed further in the following section.

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 will be required. Section 30602 states that any action taken by a local government on a coastal development permit application 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 issue its own coastal development permits. The Commission staff prepared maps that indicate the area in which Coastal Development Permits from both the Commission and the City are required. This area is commonly known as the "Dual Permit 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 (5-00-476) is located within the "Single Permit Jurisdiction". In certain instances, when the City determines that the project conforms with City land use regulations, an Approval In Concept is issued and the City directs the applicant to apply for a permit from the Coastal Commission. The City, therefore, relinquishes its permit issuing authority to the Commission.

The applicant received an Approval in Concept letter from the City of Los Angeles Planning Department on November 15, 2000 for "a new single family home". The applicant submitted application #5-00-476 on December 1, 2000 to the South Coast District office of the Coastal Commission, and the application was deemed complete and filed on February 13, 2001. The proposed project was for the demolition of the existing home and construction of a new home with a 125-foot long, 13-foot high retaining wall. The toe of the wall would be 14 feet downslope of the existing canyon edge and would extend approximately 20 feet west of the canyon edge (at its widest part). Ten 24-inch concrete piles, would support the retaining wall.

On December 26, 2000 the applicant applied for and the City Department of Building and Safety issued demolition permit #00019-30000-01655 to demolish the existing single family home. Neither the City nor the Coastal Commission issued a coastal development permit or exemption for the demolition. The applicant demolished the home some time following the issuance of the demolition permit.

On January 31, 2001, the City of Los Angeles Planning Department issued Coastal Exemption Notice #2001-472-CEX covering the construction of the retaining wall. The City issues a "Coastal Exemption" when it determines that a project is exempt from the permit requirements under the Coastal Act. The City sends a copy of the coastal exemption to the Coastal Commission staff. The City issued the exemption to Mr. Kirkwood based on the project location within the single permit jurisdiction area and on the belief that the exemption criteria were met (Section 30610 of the Coastal Act). The Notice was received by the Commission's South Coast District office on February 6, 2001 (Exhibit #15). Because the Exemption Notice "project description section" was left completely

blank, Commission staff did not know what type of development the Exemption Notice purported to allow. On February 8, 2001, staff of the South Coast District office contacted the City Planning Supervisor concerning the exemption notice. Commission staff was told that Exemption Notice #2001-472-CEX was for a retaining wall, however, the Planning Supervisor could not determine the physical description of the wall in terms of the height and amount of grading needed. At this time, Commission staff verbally informed the Planning Supervisor that construction of a retaining wall and grading does not come within the exemption criteria as established in Section 30610 of the Coastal Act because they are not activities normally associated with a single family structure and because of the adverse impacts that such a project could have on Potrero Canyon. The Planning Supervisor agreed that the Coastal Exemption was improper and assured Commission staff that building permits would not be issued for the retaining wall and that Exemption Notice #2001-472-CEX would be revoked.

The City's certified coastal permit ordinance provides that the Coastal Commission may, within 20 days, appeal any City action on a coastal development permit, which is defined to include a determination that no permit is required. However, in this case, based on the City's assurance that the exemption would be revoked and building permits would not be issued, Commission staff did not file a written appeal or objection to the City's Exemption Notice. For reasons unclear to staff, the City did not revoke the Exemption, and on February 26, 2001, the City issued Building Permit #01020-30000-00033 for a 125-foot long, 15-foot high retaining wall supported with piles and grade beams.

Not until March 22, 2001, did Commission staff learn that building permits were issued and construction had begun on the retaining wall. By this time, the 20-day period to appeal the Coastal Exemption had ended. The Commission staff notified the applicant that the Coastal Exemption had been issued erroneously and that the retaining wall is not consistent with the policies of the Coastal Act because it will adversely impact views from Potrero Canyon. The applicant asserted that he had begun construction of the retaining wall, and incurred considerable expense, in reliance on the Exemption Notice and building permits issued by the City. He had already graded the canyon edge and drilled and filled ten 24-inch holes with concrete for the caisson support system. The applicant further asserted that the Coastal Commission failed to appeal the City's Exemption and that he therefore had a right to complete the work authorized in the City building permit. The Commission also contacted the City to discuss this situation, but ultimately the City decided not to revoke the Coastal Exemption and building permit for the retaining wall.

In short, the City erroneously granted authorization under the Coastal Act for the retaining wall and, for the reasons explained above, the Commission did not file a timely appeal of the City's action. In addition, removal of the concrete, caisson support system that the applicant installed in reliance on the building permit issued by the City would require substantial canyon slope excavation and potentially increase the instability of the canyon slope. Therefore, the Commission staff has determined that, in the unique facts presented in this case, the Commission should not require the applicant to remove the retaining wall and restore the area.

However, the applicant has indicated that he is willing to take steps to reduce the visual impacts of the retaining wall. To screen the wall from the park property in the canyon below, the applicant agreed to paint the wall a natural color and plant native trees in front of the wall. At a meeting with the City and the applicant, the City indicated that it would revise its building permit to identify these as required actions. The City amended the building permit to require that prior to the City's final inspection, the applicant must submit design plans that demonstrate 1) the retaining wall was painted with a natural color to minimize visual impact and 2) native vegetation was planted in front of the retaining wall. The applicant has not agreed to include the planting of native vegetation or painting of the wall to shield its visual impacts to the canyon floor as part of this permit application, however. As required in the recommended landscaping condition (discussed further in Section F of this staff report) native habitat planted on the canyon slope will screen the applicant's retaining wall.

C. 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 Potrero Canyon (Exhibit #3). 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 and amendments). 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. At the present time, the City has acquired 31 lots along both sides of the canyon.

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 four streets that were parallel to the rim: De Pauw Street, Friends Street, Earlham 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 with riparian habitat 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. There was a parallel CA Department of Fish and Game agreement regarding the alteration of the streambed in the bottom of Potrero Canyon.

D. Access and Recreation

The Coastal Act provides for the protection of public access to the coastline, the preservation of prescriptive rights when such rights are proven and encourages the use of private lands for recreation. The lot subject to this application 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 to 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 visible from part of the recreational area. Section 30251 of the Coastal Act requires that: "Scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance." The landscaping choices, retaining walls, decks, 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. As further conditioned in the Environmentally Sensitive Habitat section below, the siting and designing of development on the canyon walls is conditioned to be visually compatible with the recreational use of the park. Therefore, as conditioned, the proposed project is found consistent with Section 30240, 30251, and the access policies of the Coastal Act

E. 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. 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 (Exhibit #3). 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 property 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.

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 approximately 50 to 60 feet below the level of this lot. Formerly the slope fell to the streamline (Exhibit #7). 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. 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 lot is located across the canyon and southeast of slide 2, a major landslide (Exhibit #3). The slope on this lot has been stable, with the exception of one slump area directly below the subject property (Exhibit #5). While the greatest portion of the lot appears flat (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 & #6)), a small portion of the property (approximately 30 feet) is on the canyon wall. The applicant is proposing to construct the house approximately 35 to 50 feet away from the canyon edge (Exhibit #5).

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 can 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.

1. Conformance with Geotechnical Recommendations

Recommendations regarding the design and installation of the single family home, foundation system, 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 #3 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.

2. 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 located on the edge of Potrero Canyon. The canyon walls are vegetated with a mixture of native plant species, predominately coastal sage scrub, and introduced ornamental plant species (See photos at the end of the Exhibits). The subject property extends approximately 30 feet down the side of the canyon (Exhibit #4). The City of Los Angeles, Department of Recreation and Parks owns the remainder of the canyon wall. 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 #5, in part, requires the applicant to provide a fuel modification plan approved by the City of Los Angeles, Fire Department (as further discussed further in Section E and in Section F below). In building in this location, the applicant is acknowledging that the site may be subject to the risk of fire and the responsibility of constructing in the location is his or her own.

The proposed single family home lies near the edge of a steep canyon with past geologic instability (Exhibit #3). 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 #2 which requires recordation of a deed restriction whereby the land

owner assumes the risk of extraordinary erosion, geologic, and/or fire hazards on 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 to potential buyers of the property, lending institutions, and insurance agencies.

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 applicant's assumption of the risks of the 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

Protection of water quality is required by Coastal Act Section 30230 and 30231

Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 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, and minimizing alteration of natural streams.

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 #4 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 stated in the geology report, a slump has occurred below the subject lot. The applicant has stated that runoff water will be directed to the street via swales and roof gutters.

Although the applicant has proposed a drainage plan to remove water from the site, the Commission finds that a complete erosion control plan for both permanent and temporary measures is necessary to protect water quality during and after construction of the project. 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 #4).

4. Development between Western Wall and Westerly Property Line

As discussed in Section C of this staff report, nine major slides and a number of surficial slumps occurred as a result of erosion from the stream that was located in the bottom of the Potrero Canyon (Exhibit #3). The subject site was not affected 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 conventional footings can be used for structures so long as they are set back a minimum of 30 feet from the canyon edge.

The Geotechnical reports have indicated that the proposed home can be built using conventional spread footings into compacted soils and 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. Future development in the area between the current home in this application and the westerly property line on the canyon slope may require additional geology reports and would require the review by the Commission to ensure the continued compliance with Section 30253 of the Coastal Act. Therefore, Special Condition #1 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 #4 shall require an amendment to Permit No. 5-00-476 from the Commission or shall require an additional coastal development permit from the Commission, with the exception of property line fences, decks at grade, and walkways, on the flat portion of the lot. Any addition to or maintenance of the City of Los Angeles approved retaining wall is included in the future development deed restriction.

5. Irrigation

Native and 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. It has been found by staff ecologist Jon Allen and the California Native Plant Society, that a permanent irrigation system is not required once the plant material is established with native and drought tolerant landscaping. The requirement of a temporary irrigation system for the establishment of the vegetation does not imply that irrigation should not be used subsequent to the removal of that system. Hand watering or the use of a temporary hose with sprinkler head attachment could be used during extreme drought conditions.

As exhibited in previous sections, this area of the Pacific Palisades has undergone major landslide events. Such hazards led to the fill of the canyon with 2 million cubic yards of earth to stabilize further slope retreat. One of the reasons behind the slope failures in this region was the increase in nuisance flow into the stream from surrounding homes. Although the fill project has greatly enhanced the stability of the canyon and the lots upon the canyon edge, there is still risk of land movement created from the saturation of the canyon walls.

The applicant has submitted a letter from Grover Hollingsworth and Associates, Inc. concerning geotechnical comments about site irrigation and a letter from Paul Nota, the applicant's landscape architect (Exhibit #13 & #14). The letter states that the slope exceeds a factor of safety of 1.5 under assumed saturated soil conditions. The letter continues to state that the planned site drainage system will direct surface water to the street once the infiltration capacity of the soil is exceeded. Also, "the orientation of the terrace/bedrock contact and folds within the bedrock dip or plunge to the east which would direct any excess water which infiltrates below the root zone away from the descending west-facing slope. Therefore, the potential adverse impact of the planned irrigation system on the stability of the site is considered nil."

The applicant's landscape architect has indicated that the project would incorporate a low flow system with moisture sensors, flow meter sensors, and automatic shutdown systems (Exhibit #14). However, there is always the possibility of leaks, failure of the automatic shutdown system, and/or owner misuse that would lead to overwatering.

Commission staff geologist has indicated that, in his opinion, irrigation water in sloped areas poses a potential for increased earth movement.

Due to the nature of Potrero Canyon and its history of catastrophic landslides, the Commission finds that approval of a permanent irrigation system in this area would not be consistent with Section 30253, which requires the Commission to use all means to "minimize risks" in areas of high geologic hazard. There are additional habitat protection

reasons why the Commission cannot approve permanent irrigation that are discussed in Section F below.

As required in Special Condition #5, and further discussed in Section F of this staff report, the applicant can use a temporary (above ground) irrigation system, such as low flow sprinklers and/or drip irrigation to establish the landscaping. The temporary system must be removed within three years or after the establishment of the landscaping, whichever occurs first. If, after the three-year time limit, the landscaping has not established itself, the applicant can apply for an amendment to this coastal development permit for the continued use of the temporary irrigation system until which time the landscaping becomes established. This allowance is given to the applicant in this case due, in part, to the nature of continued erosion across the canyon slope if landscaping has not become established.

6. Fuel Modification/Fire Safety Plan

As previously mentioned, the canyon walls are currently vegetated with a mixture of native and introduced ornamental plant species, some of which could contain a high fuel load. The City of Los Angeles brush clearance ordinance (Section 57.21.07) requires clearance of vegetation to three inches of the ground within 100 feet of any structure and selective clearing within the next 100 feet of any structure for a total of 200 feet. This requirement would not only require the homeowners of lots along the canyon to clear their property but would also require the clearance of City Park property as well. For most of the homes along the canyon, 200 feet from any structure on the property extends to the canyon floor. Therefore, according to the City Ordinance, even the area comprising mitigation measure for the fill project (the riparian vegetation on the canyon floor and the coastal sage scrub on the canyon slopes) would require, at a minimum, selective clearing. Thus, the 2 to 1 revegetation ratio would be voided.

In response to the potential conflict between the City Fire Department, the City revegetation plan as mitigation for the fill, and native landscaping requirements, Commission staff met with Battalion Chief Alfred Hernandez of the Los Angeles City Fire Department and representatives with both Councilwoman Miscikowski's office and Los Angeles Department of Recreation and Parks. Chief Hernandez stated that the 100 and 200 foot clearance requirement is the standard at which they issue brush clearance notices. However, he added that there are exceptions to this requirement if there is a threat of landslide activity on the site. In such cases the City Fire Department could review fuel modification/fire safety plans, which would include types, sizes, and spacing of vegetation. This would allow for the coverage of vegetation so as not to cause further landslide/erosion problems.

California natives are often the first plants to be removed from at-risk landscape. Yet, the assumption that natives should be excluded from hillside plantings is an erroneous and potentially costly one. Though many plants from Southern California's chaparral and coastal sage scrub communities rely upon fire for continuance of their life cycles, they are not entirely to blame for autumn's fires.

Other Mediterranean-climate plants, such as eucalyptus and Cistus, evolved in similar ways and require the same fire cycles; these introduced species are often the first to burn and can produce the fiercest and most persistent heat.

California natives can be used safely in hillside gardens and, necessarily, should be included for the critical purposes of erosion control. It is not difficult to design an attractive, fire-safe, slope-stable, native garden. Keep in mind that a plant's species is not as important as its placement and maintenance.¹ (Exhibit #11).

To ensure the compatibility with landscaping requirements (as further discussed in Section F below) and for the project's consistency with Section 30253 of the Coastal Act, Special condition #5 is required. This condition will allow the City of Los Angeles Fire Department to have the opportunity to review the applicant's landscaping and fuel modification plan. The City Fire Department has done this in past coastal development permits, such as the Catellus development project in Playa del Rey (A-5-PDR-00-077/5-99-329 (Catellus)). In that project, Battalion Chief Alfred Hernandez and LAFD staff reviewed the landscaping and fuel modification plan, working with the applicant and the Commission to resolve potential conflicts between brush clearance and native landscaping conditions on the project. The fuel modification plan shall specify the types, sizes, and locations of all landscaping material on the subject site. The fuel modification plan will review the total fuel load on the entire lot. The applicant shall incorporate the most fire resistant plant types (as described on Exhibit #9) near the home on the flat portion of the lot. As plantings are placed further from the proposed home, on the sloped portion of the lot, native plant species shall be used. The fuel modification plan shall discuss the control of these plant species using appropriate measures so as not to affect the native habitat planted pursuant to this Special Condition. The applicant shall also not construct cantilevered wooden decks or eaves (or other combustible structures) on the canyon edge, as this supplies an added fuel supply if a fire were to travel up the canyon slope.

Only as conditioned can the Commission find that the proposed development is consistent with Section 30230, 30231, and 30253 of the Coastal Act.

F. 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 and recreation requirements within Section 30240 of the Coastal Act, which 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.*

¹ Natives in the Landscape, Fire-safe and slope-stable Landscaping; The Southern California Gardener; Sept/Oct 1993

- (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 riparian habitat in this area is protected by Section 30240 of the Coastal Act. 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. This habitat was extirpated as a result of construction. 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 (Exhibit #2). 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. As a result of the conditions imposed on the fill project and at the completion of mitigation measures there will be an assemblage of environmentally sensitive habitat present in the form of riparian vegetation. The City will also plant the slopes of the canyon (on City property) with coastal sage scrub plant species. In addition, the City of Los Angeles Recreation and Parks is creating a park and recreational area, adjacent to the project site, at the completion of the Potrero Canyon fill project. The Final Potrero Canyon Riparian Mitigation Proposal, August 1991 states:

Coastal sage scrub habitat while not yet protected by law, is a rapidly declining plant community in Southern California. It is estimated that up to 90 per cent of the historic distribution of coastal sage scrub has been lost. The remainder is becoming increasingly isolated and fragmented. Development in the next decade threatens most of the remaining habitat (Atwood 1990). Therefore, it is highly desirable to replace any lost coastal sage scrub cover in the reconstructed Potrero Canyon.

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 to and overlooks Potrero Canyon (a recreational park site as well as an area of environmentally sensitive riparian habitat). Section 30240 requires that development adjacent to such an area be sited and designed to prevent impacts that significantly degrade such areas or are incompatible with the continuance of this installed habitat or the future canyon park.

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, 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 Condition #5 and attached as Exhibit #10. 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.

Introduced plants from homes on the rim could invade these revegetated areas and undermine the City's efforts to re-establish riparian vegetation and coastal sage scrub as required by CDP No. 5-91-286 (L.A. City Rec. and Parks). Although the City initiated the fill to repair Potrero Canyon, 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.

Native Plant Species of the Santa Monica Mountains

The subject property is located adjacent and above Potrero Canyon, site of a 2 million cubic yard fill project to stabilize the canyon edges. As a requirement of approval for the fill project, the City was required to revegetate the canyon slopes with coastal sage scrub, create a riparian habitat in the canyon floor, and establish a public park with associated walking trails. Coastal Sage Scrub has incurred tremendous losses statewide. Native plants common to this community are highly adapted to the temperate climate of Southern California and provide habitat for the endangered California gnatcatcher, cactus wren, and orange-throated whiptail lizard, among a list of approximately 100 potentially threatened or endangered species².

Non-invasive and Drought Tolerant Plant Species

As stated above, invasive, non-native plant species can easily overcome and eradicate established native plant species. If new development on the edge of Potrero Canyon were to incorporate invasive plant material in its landscaping, the mitigation measures required for the fill of the canyon could be overwhelmed. 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.

² Premises on Coastal Sage Scrub Ecology, CA Department of Fish and Game

Irrigation

Native and 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. In reviewing the issue of permanent versus temporary irrigation for native vegetation, Commission staff ecologist, Jon Allen, has stated that many unnatural conditions can result from overwatering. Too much artificial irrigation can kill native plant species. Diseases created by artificial watering are soil pathogenic fungi, nematodes, and other detrimental conditions such as improper soil pH. Also, unnatural mineral deposits, salts, and other damaging material can accumulate in the soil from artificial irrigation. Regular rain on a normal pattern is what native plants are best adapted to. Mr. Allen recommends that the applicant use a temporary irrigation approach.

Native plants are adapted to the unique climatic conditions of their growing area and once established they require little or no supplemental irrigation. When we grow plants found in our resident plant community, we use far less water than traditional garden landscapes. Using drought tolerant natives in our California gardens conserves a scarce natural resource and saves money on water costs (from the California Native Plant Society web page).

Over-watered or over-saturated plants can result in runoff into the canyon, which could damage the native habitat along the canyon slope. The installation of permanent irrigation systems, which facilitates supplemental irrigation; inadequate drainage; and landscaping that requires intensive watering are also major contributors to accelerated slope erosion, landslides, and sloughing, which could necessitate protective devices (as discussed in more detail in Section E of this staff report). It has been found that a permanent irrigation system is not required once the plant material is established with native and drought tolerant landscaping. The requirement of a temporary irrigation system for the establishment of the vegetation does not imply that irrigation should not be used. Hand watering or the use of a temporary hose with sprinkler head attachments could be used during extreme drought conditions.

Fire Hazard/Brush Clearance

As mentioned in the Hazards Section of this staff report, the canyon walls contain a mixture of native and ornamental vegetation, some of which could lead to brush fires. By planting native habitat on the canyon sides, a conflict could arise between the applicant, the City of Los Angeles Fire Department, the City of Los Angeles, Department of Recreation and Parks, and the Coastal Commission. The threat of wildfires is a concern to all four (4) parties above. The entire area of Potrero Canyon was planned as a unit in response to the fill project and its subsequent mitigation measures. The canyon will eventually contain riparian habitat supported by a canyon stream. Also, the sides of the canyon will be planted with coastal sage scrub. This will enhance the future Potrero Canyon Park by adding a "natural" coastal mountain setting for the public to enjoy. However, as part of the planning of the park, the property owners and surrounding community must be taken into account. While planting native habitat leads to

reintroduction of threatened or endangered species, the enjoyment of the public, and increased aesthetic beauty to the area, many native plant species are highly combustible and could lead to the spread of wildfire.

To find a compromise on the planning of Potrero Canyon, Commission staff met with Battalion Chief Alfred Hernandez of the Los Angeles City Fire Department and representatives with both Councilwoman Miscikowski's office and Los Angeles Department of Recreation and Parks. Chief Hernandez stated that the 100 and 200 foot clearance requirement is the standard at which they issue brush clearance notices. However, he added that there are exceptions to this requirement if there is a threat of landslide activity on the site. In such cases the City Fire Department could review fuel modification/fire safety plans, which would include types, sizes, and spacing of vegetation. This would allow for the coverage of vegetation so as not to cause further landslide/erosion problems. In doing so the native habitat areas are maintained and enhanced while maintaining a low fuel supply on a property owner's lot, by reviewing the landscaping plan prior to its submittal to the Commission.

Potrero Canyon has been the site of numerous devastating landslides and, even with the fill of the canyon, could be the site of more. To alleviate the conflict and concern of native landscaping, fire hazards, and landslide activity, the Commission requires Special Condition #5 (as previously discussed in Section E). This condition will allow the City of Los Angeles Fire Department to have the opportunity to review the applicant's landscaping and fuel modification plan.

The applicant has proposed to landscape approximately 8,305 square feet of his property. The applicant has submitted a list of plants he intends to use in the landscaping plan, but has not submitted a landscaping plan that exhibits the location, size, and exact type of plant material (Exhibit #12). Therefore, the Commission requires Special Condition #5. This landscaping condition requires that the entire property be landscaped with drought tolerant, non-invasive plant species, with the sloped portion of the lot planted with 100 percent and the flat portion of the lot planted with a majority of native vegetation of the Santa Monica Mountains. The area around the proposed home on the flat portion of the lot shall be planted with the most fire resistant plant species as described in Exhibit #9. The applicant shall choose from the most fire resistant natives available and should plant the upper edges of the canyon with low-lying shrubs and grasses for fire safety measures. An assemblage of coastal sage scrub shall be used as landscaping spreads further down the canyon slope. The Commission has further conditioned the project to allow for the temporary use of aboveground irrigation systems to establish the landscaping. The temporary irrigation system can be used for up to three years or until the landscaping has become established, whichever occurs first. After this time the temporary irrigation system shall be removed. Owing to the possible erosion and landslide problems in the past, as well as the possibility of fire hazard, the applicant can apply for an amendment to this coastal development permit for the continued use of the temporary irrigation system if the vegetation has not been established by the three-year time period. The applicant must demonstrate that the landscaping has not become established.

Only as conditioned, to submit a landscaping plan and a fuel modification plan is the proposed project found consistent with section 30240 of the Coastal Act.

G. 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 (soon to be a public park with walking trails) 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 height limits 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 #5). 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. Therefore the proposed single family home is consistent with Section 30251 of the Coastal Act.

As stated previously, the proposed home is set back, at a minimum, 36 feet from the canyon edge. If the applicant were to extend the proposed home toward the canyon edge or construct additions to either the retaining wall or in the rear yard, public views may be impacted. For the commission to ensure the continued conformance to Section 30251 Special Condition #1 is required. Special Condition #1 states that 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 (including the City of Los Angeles approved retaining wall) as shown in Exhibit #2. Any future improvements to the permitted structure, including but not limited to repair and maintenance identified as not 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, with the exception of property line fencing on the flat portion of the lot, walkways, and non-combustible decks at grade.

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 proposed project will require a small amount of grading to create a building pad for the proposed home. As proposed, the project will not significantly alter natural landforms.

H. Unpermitted Development

Development has occurred on the subject site that includes 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 #6 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.

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.

I. 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 and fire hazards, 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.

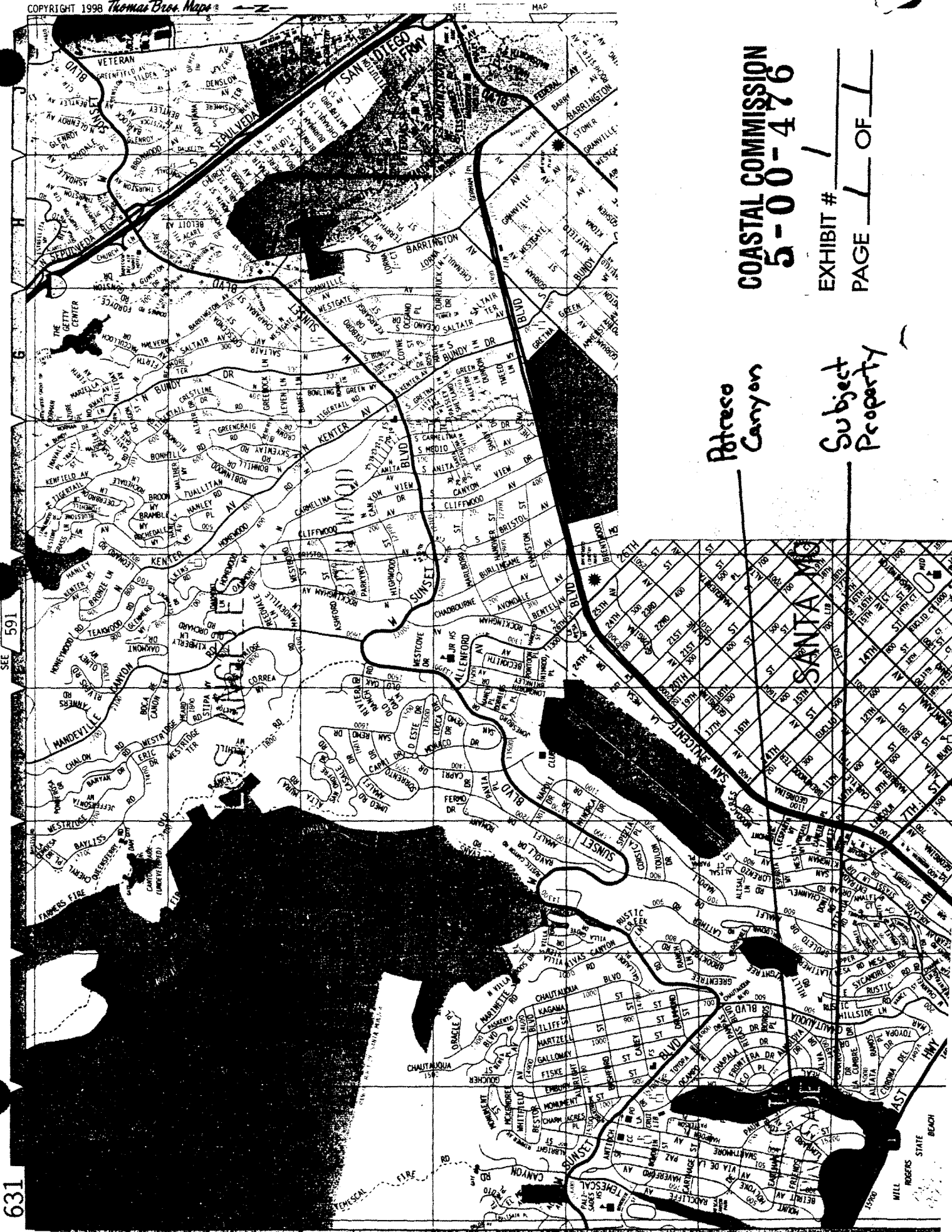
J. California Environmental Quality Act

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, provide a landscaping plan with drought tolerant and native plant species, require only temporary irrigation to establish the landscaping, and provide a fuel modification plan, is the project 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

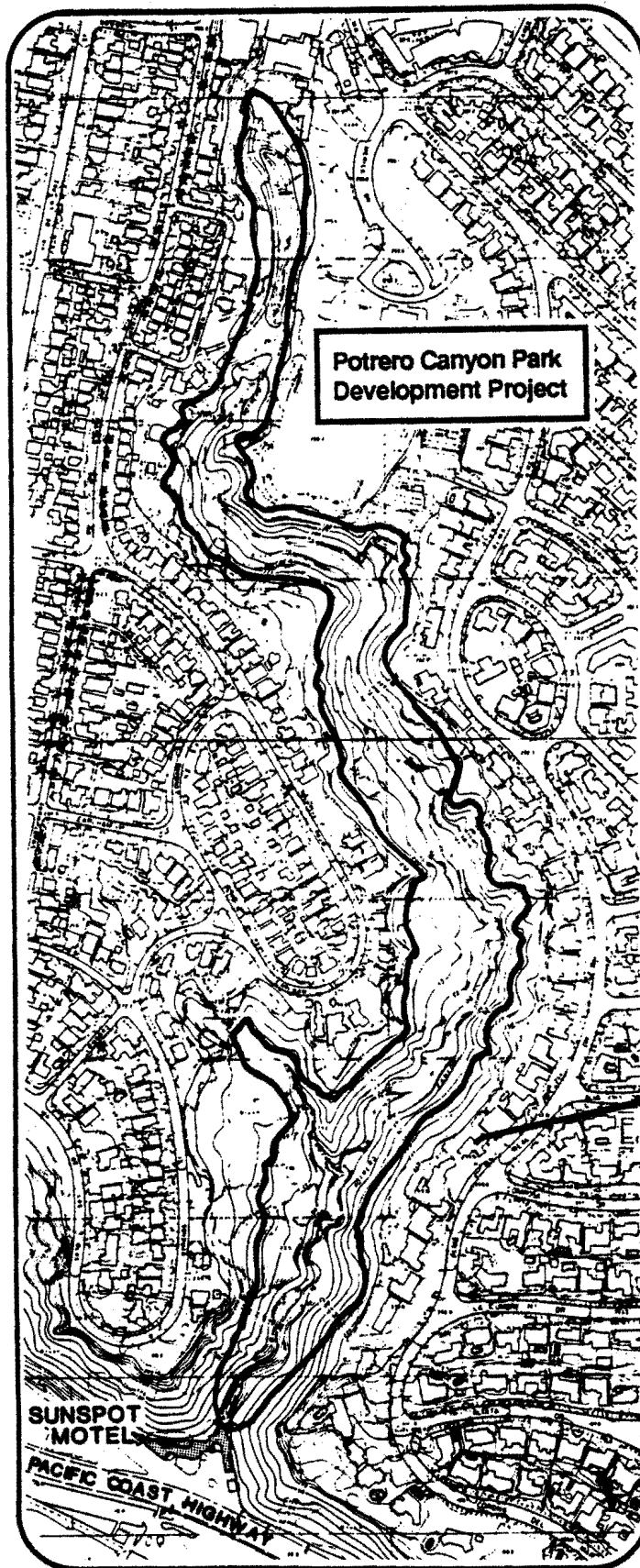
Pittsco Canyon

Subject Property

SANTA M

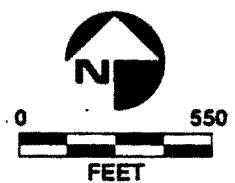
SEE 591

631



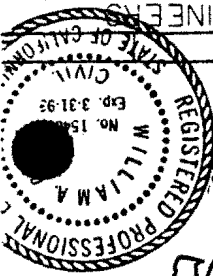
SOURCE: EnviroSphere, 1985.

Site
COASTAL COMMISSION
5-00-476
EXHIBIT # 2
PAGE 1 OF 1



FIGURE

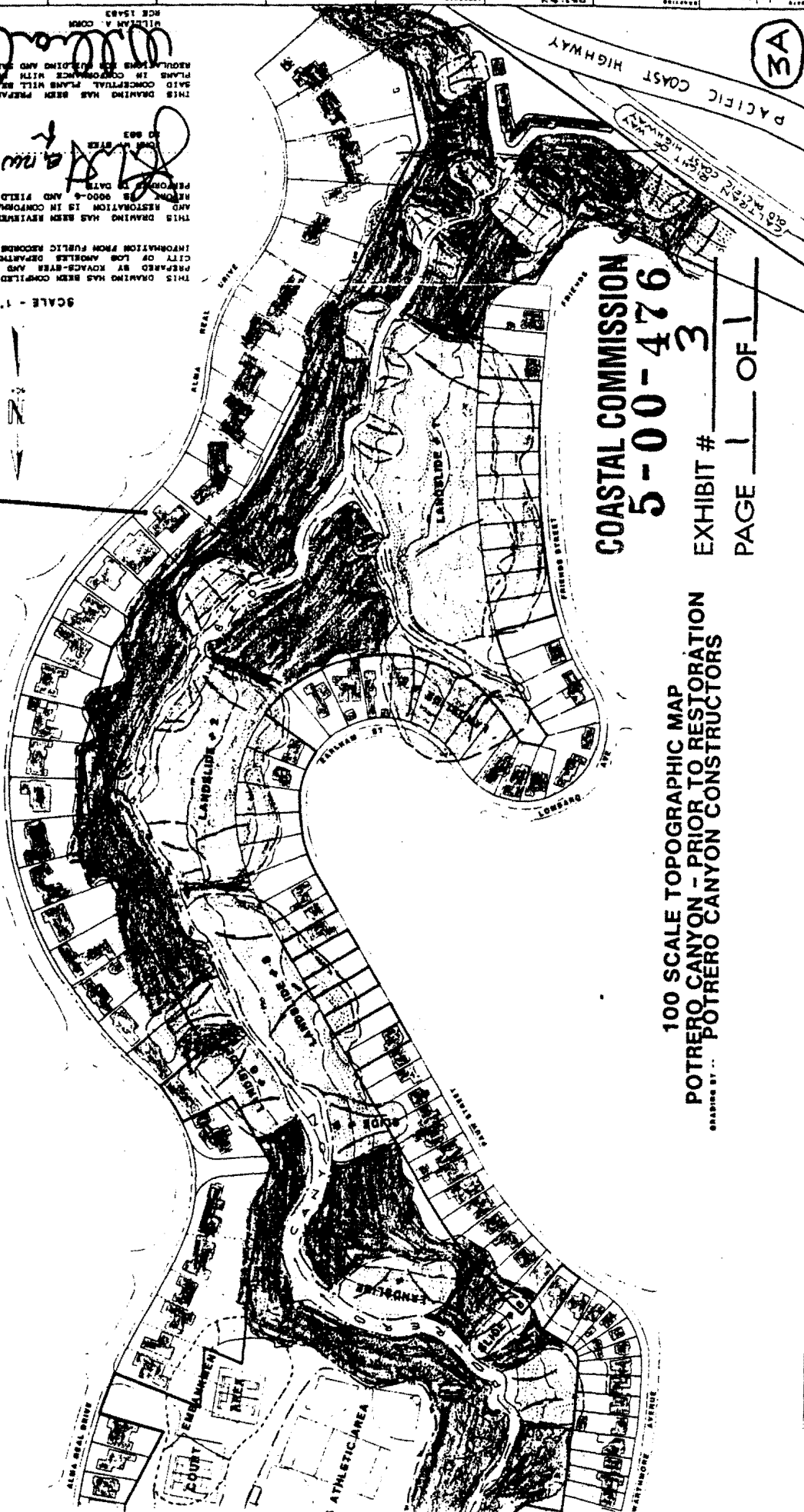
2



THIS DRAWING HAS BEEN REVIEWED BY KOVACS-BYER AND ASSOCIATES INC. AND RESTORATION IS IN CONFORMANCE WITH RECOMMENDATIONS FROM SOILS INFORMATION FROM PUBLIC RECORDS.
 PREPARED BY KOVACS-BYER AND ASSOCIATES INC. (KS 9000-2) FOR THE CITY OF LOS ANGELES DEPARTMENT OF RECREATION AND PARKS.
 DATE: 10/1/90
 PROJECT: 5-00-476
 SHEET: 1 OF 1

SCALE - 1"=100'

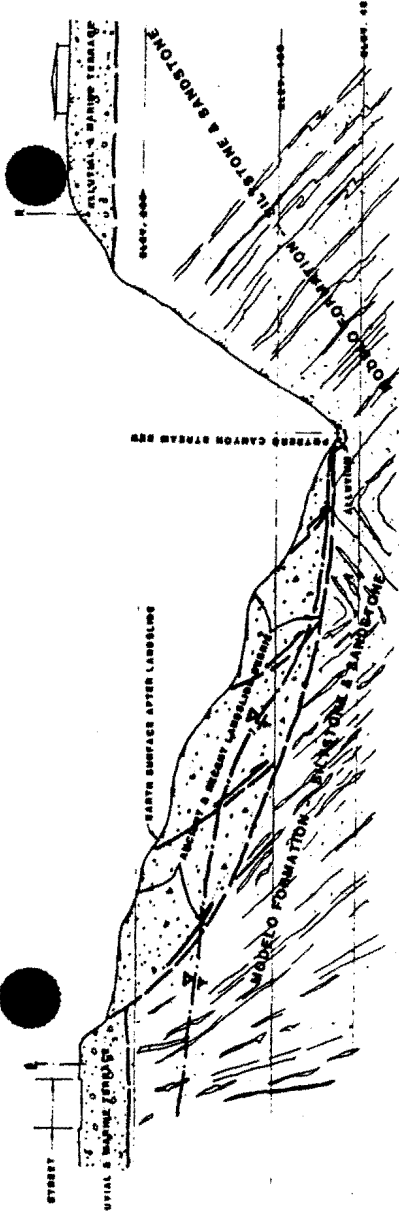
Site

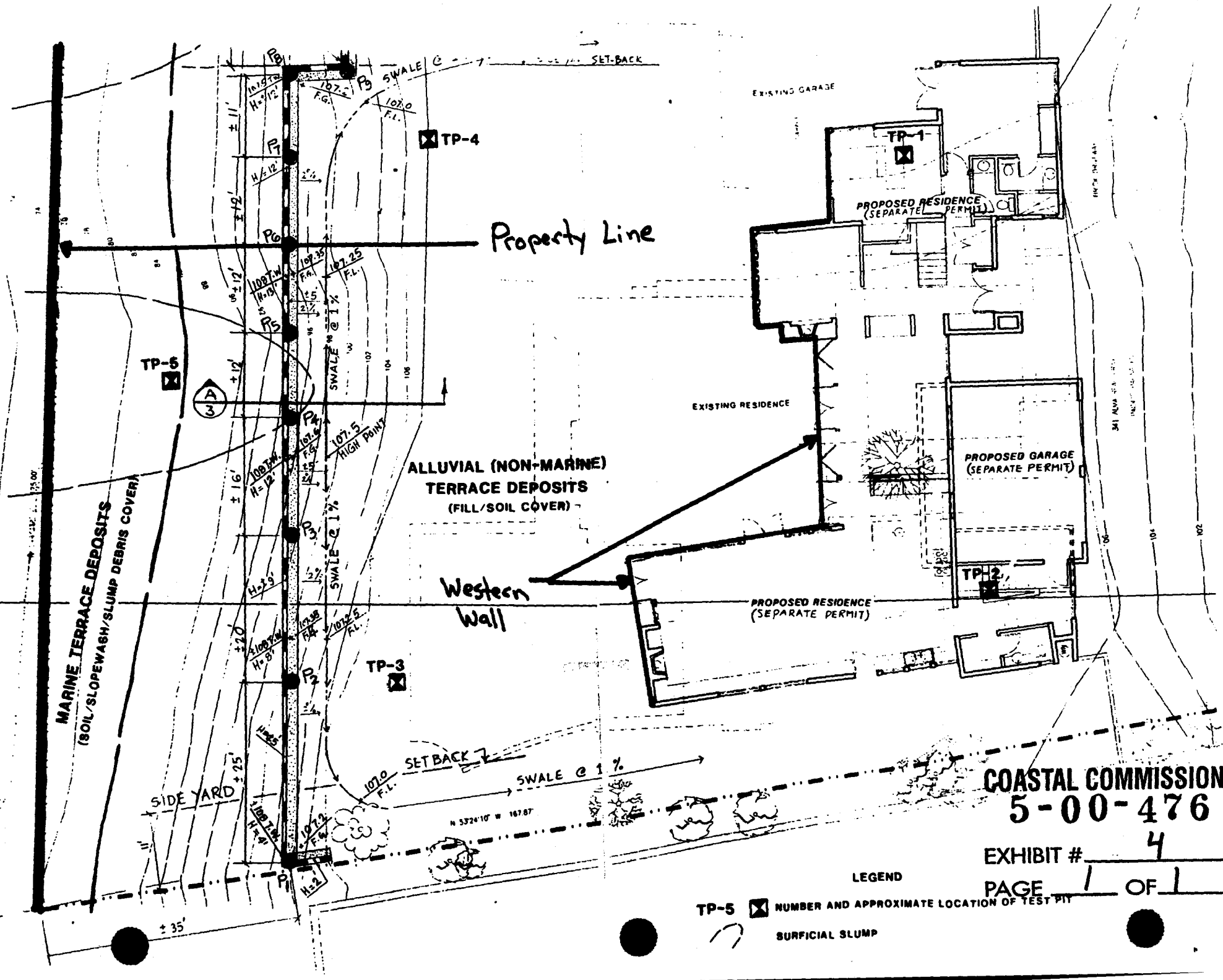


COASTAL COMMISSION
 5-00-476
 EXHIBIT # 3
 PAGE 1 OF 1

100 SCALE TOPOGRAPHIC MAP
 POTRERO CANYON - PRIOR TO RESTORATION
 GRADING BY... POTRERO CANYON CONSTRUCTORS

CROSS-SECTION -- LANDSLIDE # 1
 SCALE 1"=20 FEET

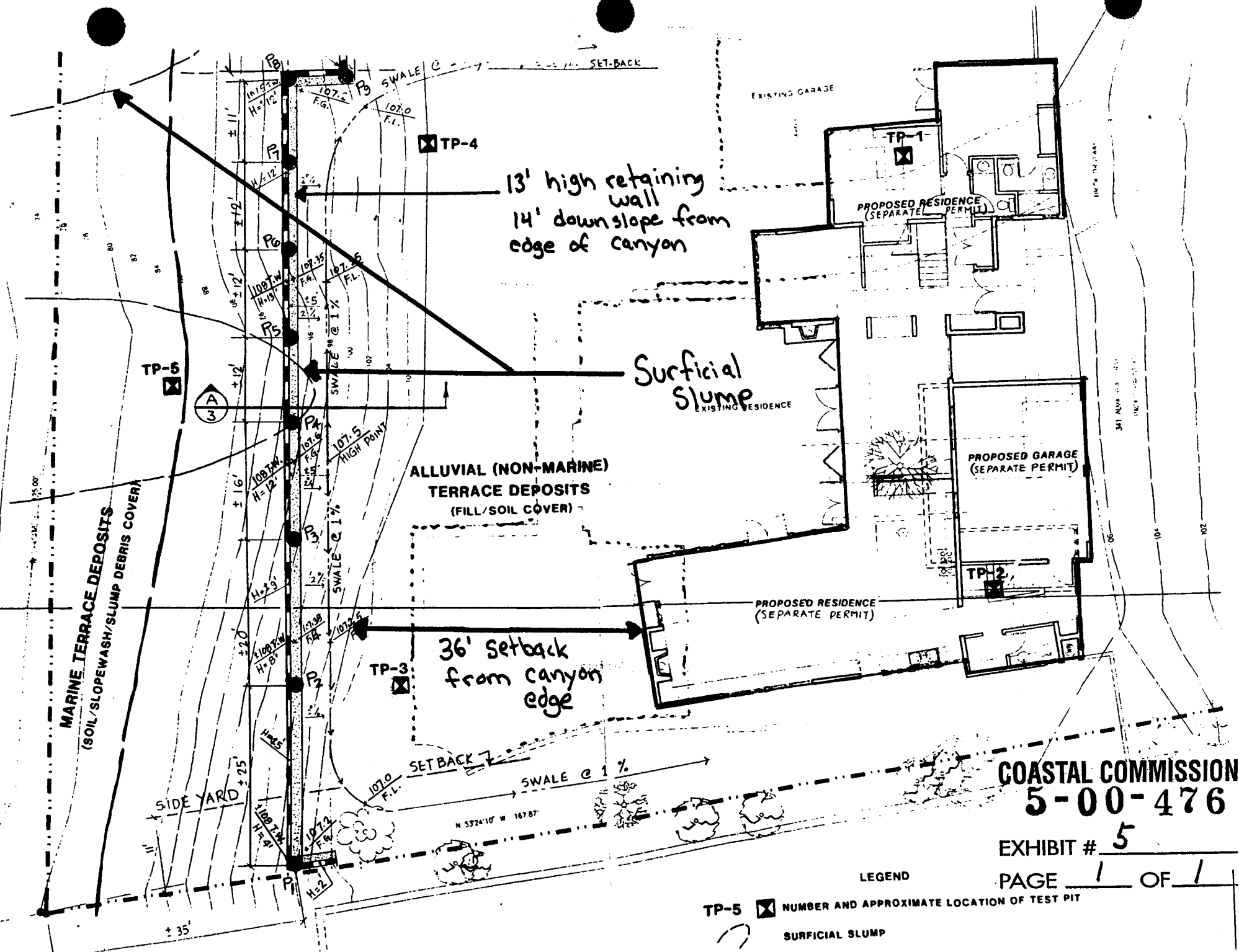




COASTAL COMMISSION
5-00-476

EXHIBIT # 4
PAGE 1 OF 1

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



COASTAL COMMISSION
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EXHIBIT # 5

PAGE 1 OF 1

COASTAL COMMISSION
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EXHIBIT # 6

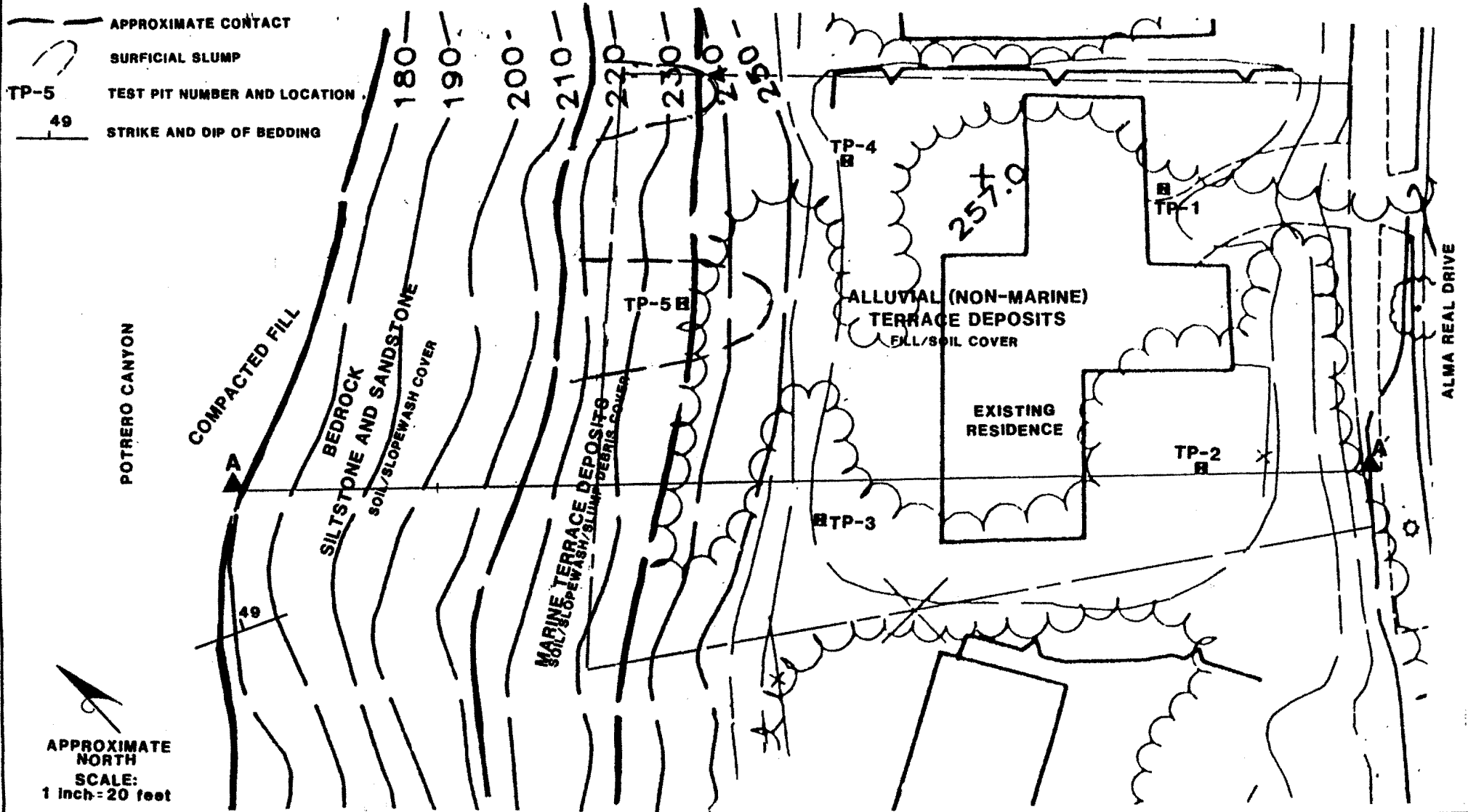
GEOLOGIC MAP NO. 1

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, OH 9269-0
1995 AND FIELD SKETCH GEOLOGIC MAP NO. 1
SUBJECT



BY DRB DATE 10/2000

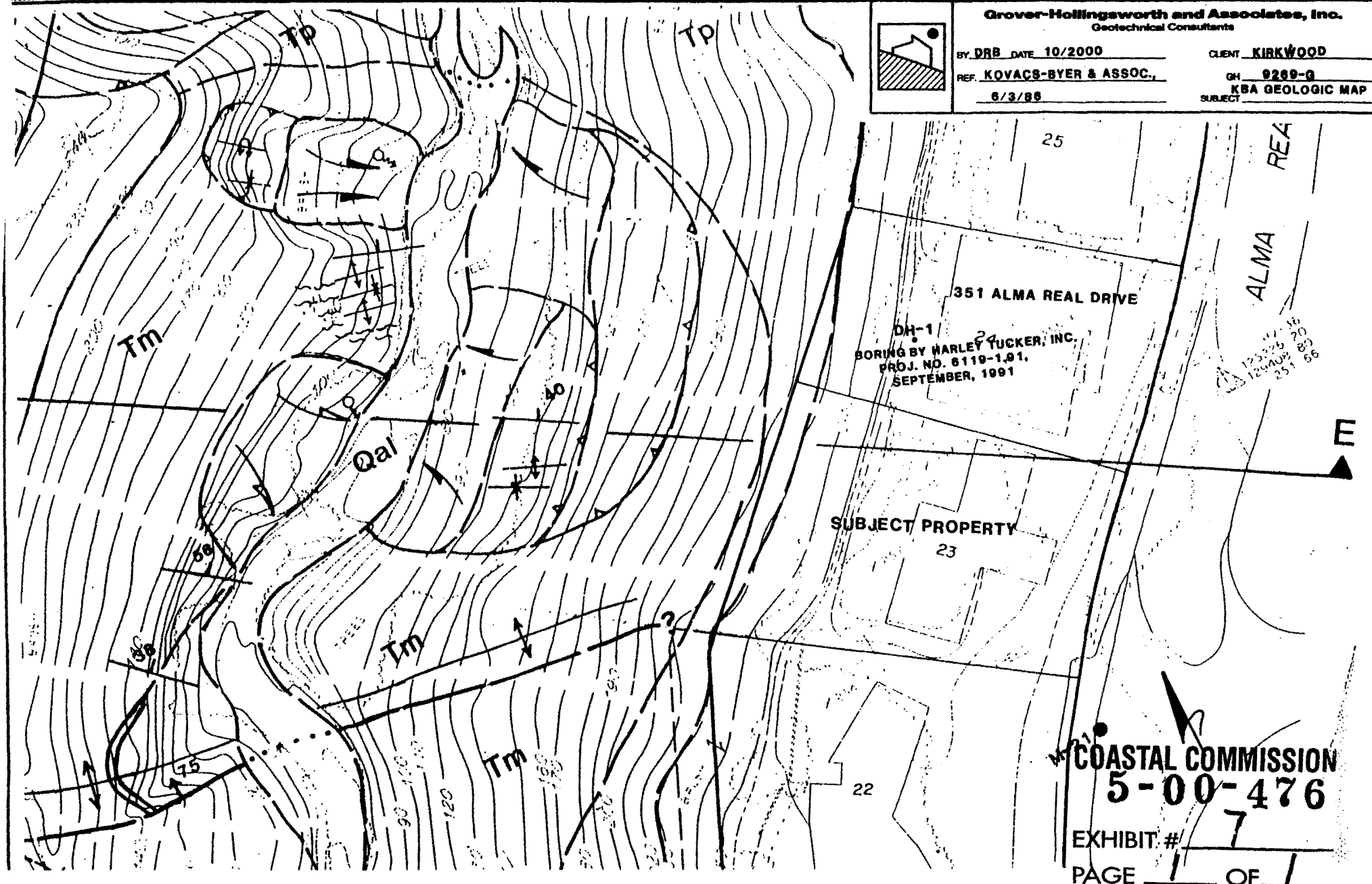
CLIENT KIRKWOOD

REF. KOVACS-BYER & ASSOC.,

GH 9269-G

6/3/88

SUBJECT KBA GEOLOGIC MAP



COASTAL COMMISSION
5-00-476

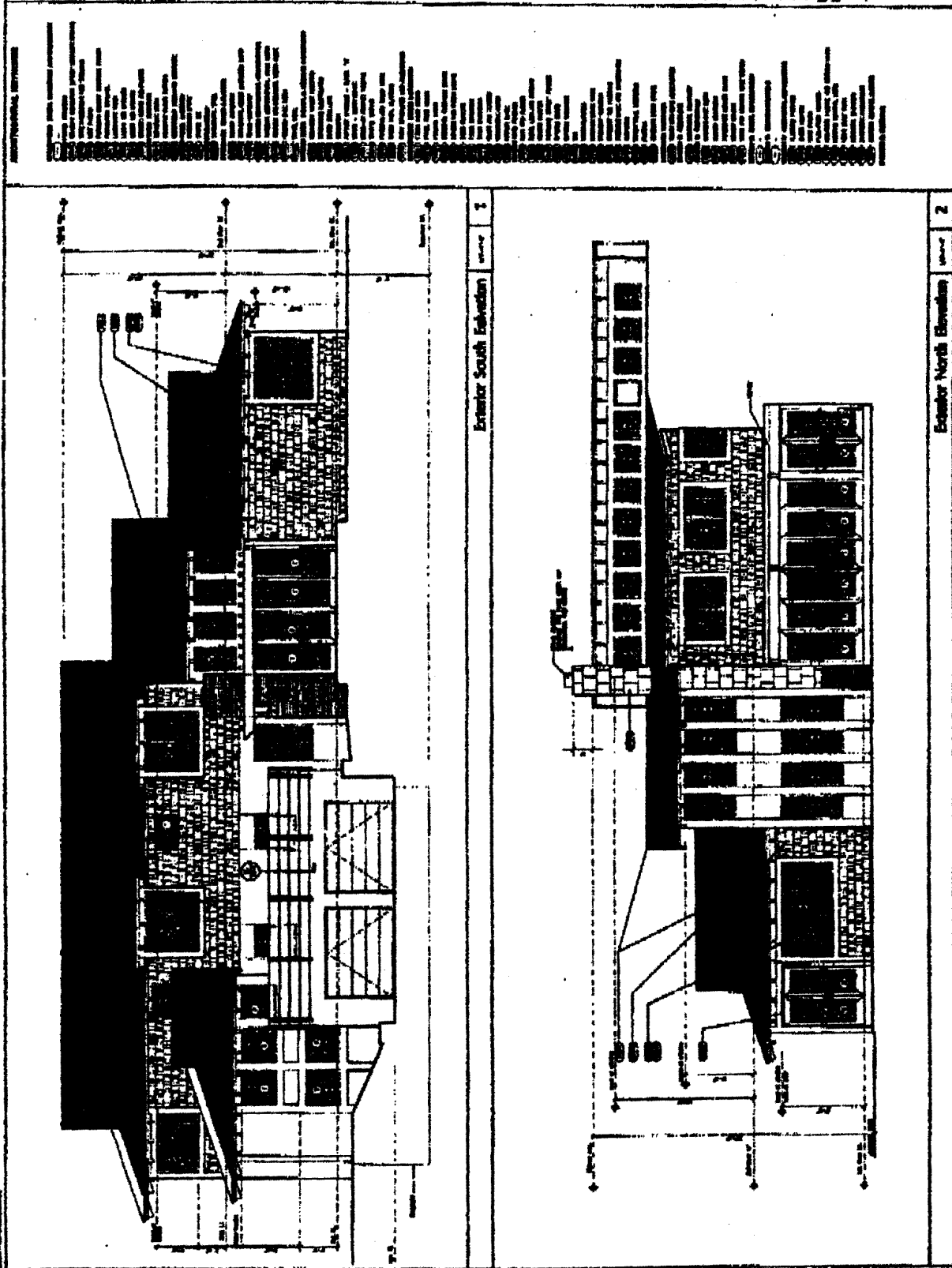
EXHIBIT #

PAGE 1 OF 1

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EXHIBIT # 8

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ADDISON SCHIERBEEK
3107379628

ADDISON SCHIERBEEK
3107379628

ADDISON SCHIERBEEK
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ADDISON SCHIERBEEK
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A3-1

FIRE RESISTANT PLANTS

These plants are considered fire resistant by virtue of the fact that they are under 18" tall, succulent (S) or of known fire retardance (FR). Other, taller plants may be used in the landscape if properly spaced and maintained.

Achillea millefolium

Agave sp. (S)

Anemopsis californica

Antirrhinum multiflorum

Aquilegia formosa

Aquilegia pubescens

Arctostaphylos edmundsii

Arctostaphylos edmundsii parvifolia

Arctostaphylos uva-ursi

Arctostaphylos 'Anchor Bay'

Arctostaphylos 'Carmel Sur'

Arctostaphylos 'Emerald Carpet'

Arctostaphylos 'Indian Hill'

Arctostaphylos 'Pacific Mist'

Arctostaphylos 'Sandsprite'

Arctostaphylos 'Williams'

Armeria maritima

Artemesia californica 'Canyon Gray'

Artemesia pycnocephala

Artemesia pycnocephala 'Compacta'

Asarum caudatum

Asclepias fascicularis

Aster chilensis

Astragalus coccineus

Atriplex canescens (FR)

Atriplex hymenelytra (FR)

Atriplex lentiformis (FR)

Baccharis pilularis 'Twin Peaks'

Beloperone californica (S)

Camissonia cheiranthifolia
suffruticosa

"Yarrow"

"Century Plant"

"Yerba Mansa"

"Snapdragon"

"Scarlet Columbine"

"Sierra Columbine"

"Little Sur Manzanita"

"Bronze Mat Manzanita"

"Red Bearberry"

COASTAL COMMISSION
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EXHIBIT # 9

PAGE 1 OF 4

"Sea Thrift"

"Prostrate Sagebrush"

"Sandhill Sagebrush"

"Compact Sandhill Sagebrush"

"Wild Ginger"

"Butterfly Bush"

"Wild Aster"

"Scarlet Locoweed"

"Four-winged Salt Bush"

"Desert Holly"

"Quail Bush"

"Dwarf Coyote Brush"

"Chuparosa"

"Beach Suncups"

Ceanothus hearstiorum
Ceanothus maritimus
Ceanothus griseus horizontalis
 'Yankee Point'
Cirsium proteanum
Coreopsis gigantea (S)
Coreopsis maritima
Delphinium cardinale
Delphinium parryi
Dicentra formosa
Diplacus longiflorus
Diplacus puniceus
Diplacus hybrids
Dudleya sp. (S)
Echinocereus engelmannii (S)
Epipactis gigantea
Erigeron glaucus
Eriogonum crocatum
Eriogonum fasciculatum 'Theodore
 'Payne'
Eriogonum fasciculatum 'Warriner
 'Lytle'
Eriogonum grande rubescens
Eriogonum parvifolium
Eriogonum parvifolium paynei
Eriogonum umbellatum
Eriophyllum confertiflorum
Eriophyllum nevinii (FR)
Erysimum capitatum
Erysimum concinnum
Euphorbia misera (S)
Ferocactus acanthodes (S)
Ferocactus viridescens (S)
Fouquieria splendens (S)
Fragaria californica
Fragaria chiloensis
Grindelia stricta venulosa
Helianthemum scoparium

"San Simeon Ceanothus"
 "Maritime Ceanothus"
 "Yankee Point California Lilac"
 "Red Thistle"
 "Giant Coreopsis"
 "Sea Dahlia"
 "Scarlet Larkspur"
 "Parry's Larkspur"
 "Western Bleeding Heart"
 "Bush Monkey-Flower"
 "Red Bush Monkey-Flower"
 "Hybrid Monkey-Flower"
 "Live-forever"
 "Hedgehog Cactus"
 "Stream Orchid"
 "Beach Aster"
 "Conejo Buckwheat"
 "Dwarf Buckwheat"
 "Prostrate Buckwheat"
 "Red Buckwheat"
 "Coast Buckwheat"
 "Santa Paula Buckwheat"
 "Sulphur Buckwheat"
 "Golden Yarrow"
 "Catalina Dusty Miller"
 "Orange Wallflower"
 "Fragrant Wallflower"
 "Golden Spurge"
 "California Barrel Cactus"
 "San Diego Barrel Cactus"
 "Ocotillo"
 "Wood Strawberry"
 "Beach Strawberry"
 "Coastal Wild Gum"
 "Rock Rose"

Heuchera sp.

Iris douglasiana

Iris hybrids

Isomeris arborea (FR)

Iva hayesiana

Juncus oxymeris

Juncus patens

Lavatera assurgentiflora (FR)

Lavatera 'Purissima' (FR)

Leptodactylon californicum

Lewisia cotyledon

Linum lewisii

Lobelia dunnei serrata

Lonicera hispidula

Lupinus sp.

Mahonia repens

Mimulus cardinalis

Mimulus guttatus

Monardella macrantha

Monardella odoratissima

Nolina sp. (S)

Oenothera deltoides

Opuntia basilaris (S)

Penstemon azureus angustissimus

Penstemon bridgesii

Penstemon centranthifolius

Penstemon cordifolius

Penstemon heterophyllus

Penstemon labrosus

Penstemon parvulus

Penstemon spectabilis

Perityle incana (FR)

Polystichum munitum

Pteridium aquilinum

Ranunculus californica

Rhus trilobata

"Alum Root"

"Douglas Iris"

"Pacific Coast Hybrid Iris"

"Bladderpod"

"Iva"

"Rush"

"Rush"

"Malva Rose"

"Hybrid Tree Mallow"

"Prickly Phlox"

"Cliff Maidens"

"Blue Flax"

"Trailing Lobelia"

"Pink Honeysuckle"

"Lupines"

"Creeping Barberry"

"Scarlet Monkey-flower"

"Yellow Stream Monkey-flower"

"Scarlet Pennyroyal"

"Coyote Mint"

"Nolina"

"Dune Primrose"

"Beavertail Cactus"

"Azure Penstemon"

"Mountain Bugler"

"Scarlet Bugler"

"Heart-leaf Penstemon"

"Foothill Penstemon"

"Rabbit Ears"

"Showy Penstemon"

"Guadalupe Island Rock Daisy"

"Western Sword Fern"

"Bracken Fern"

"Buttercup"

"Squaw Bush"

COASTAL COMMISSION

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EXHIBIT #

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PAGE

3

OF

4

Ribes viburnifolium
Romneya coulteri (FR)
Rosa nutkana (FR)
Rosa woodsii ultramontana (FR)
Salvia sonomensis
Salvia spathacea
Salvia 'Dara's Choice'
Salvia mellifera 'Pt. Mugu'
Salvia mellifera 'Terra Seca'
Satureja chandleri
Satureja douglasii
Scutellaria austinae
Sedum purdyi (S)
Sidalcea malvaeflora sparsifolia
Silene laciniata major
Silene verecunda
Sisyrinchium bellum
Sisyrinchium californicum
Sisyrinchium elmeri 'Lilian'
Solanum wallacei wallacei (S)
Solanum xanti (S)
Sphaeralcea ambigua
Stanleya pinnata
Symphoricarpos mollis
Thalictrum sp.
Tolmiea menziesii
Vaccinium ovatum
Viguiera deltoidea
Yucca sp. (S)
Zauschneria sp.

COASTAL COMMISSION
 "Evergreen Currant" 5-00-476
 "Matilija Poppy" EXHIBIT # 9
 "Nootka Rose" PAGE 4 OF 4
 "Wild Rose"
 "Creeping Sage"
 "Hummingbird Sage"
 "Dwarf Black Sage"
 "Prostrate Black Sage"
 "Mountain Savory"
 "Yerba Buena"
 "Austin's Skullcap"
 "Stonecrop"
 "Checkerbloom"
 "Indian Pink"
 "Campion"
 "Blue-eyed Grass"
 "Golden-eyed Grass"
 "Catalina Island Nightshade"
 "Purple Nightshade"
 "Apricot Mallow"
 "Prince's Plume"
 "Trailing Snowberry"
 "Meadow Rue"
 "Piggyback Plant"
 "Evergreen Huckleberry"
 "Parish Viguiera"
 "California Fuchsia"

This list compiled by The Theodore Payne Foundation for Wild Flowers
 and Native Plants, Inc., a non-profit foundation. For further
 information, contact us at (818) 768-1802.

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.

SCIENTIFIC NAME

COMMON NAME

<i>Acacia</i> sp. (all species)	Acacia
<i>Acacia cyclopis</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

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EXHIBIT # 10

PAGE 1 OF 2

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

COASTAL COMMISSION

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EXHIBIT # 10

PAGE 2 OF 2

Natives in the Landscape

Fire-safe and Slope-stable Landscaping

by Melanie Baer-Keeley

Fall's hot, Santa Ana winds – and the accompanying threats of fire and subsequent soil erosion – can produce great anxiety for hillside residents. For those with such concerns, the first line of defense is a well-planned and properly-tended landscape.

California natives are often the first plants to be removed from an at-risk landscape. Yet, the assumption that natives should be excluded from hillside plantings is an erroneous and potentially costly one. Though many plants from Southern California's chaparral and coastal sage scrub communities rely upon fire for continuation of their life cycles, they are not entirely to blame for autumn's fires. Other Mediterranean-climate plants, such as *Eucalyptus* and *Cistus*, evolved in similar ways and require the same fire cycles; these introduced species are often the first to burn and can produce the fiercest and most-persistent heat.

California natives can be used safely in hillside gardens and, necessarily, *should* be included for the critical purpose of erosion control. It is not difficult to design an attractive, fire-safe, slope-stable, native garden. Keep in mind that a plant's species is not nearly as important as its placement and maintenance.

Planting for Fire Safety

1) Perennial groundcovers, regardless of species, that reach less than two feet in height are considered fire-retardant for the following reasons: a) they will not "throw a flame", b) they will retain moisture at soil level and c) they produce a minimum of dead, burnable material. Good choices include *Artemisia californica* 'Canyon Gray', *Arctostaphylos uva-ursi* (bearberry), A. 'Emerald Carpet', *Ceanothus hearstiorum* (San Simeon California lilac), *Eriogonum fasciculatum* 'Dana Point', *Fragaria chiloensis* (beach strawberry) and *Zauschneria californica* (California fuchsia).

2) Larger, native species may be planted, but they should be spaced at least 15' from any other large specimens. Groundcovers may be planted between them.

3) Plant only the most fire-resistant species within 30' of any structure.

4) Plants that grow naturally in saline soils retain more moisture within their leaves, making them less inflammable. Examples include: *Isomeris arborea* (bladderpod), *Baccharis* spp. and hybrids (coyote brush) or *Atriplex* spp. (saltbush).

5) Succulents also retain moisture and are, therefore, less inclined to burn. Various species of *Dudleya*, *Sedum*, *Bursera* and cacti are appropriate choices.

6) Such trees as *Quercus agrifolia* (coast live oak) and *Sequoia sempervirens* (coast redwood) have been shown to suppress fire, due to their high internal and external moisture levels.

7) A few natives – *Malosma laurina* (laurel sumac) is one – are reputed to have high oil contents and are considered, by some, to be extreme fire hazards. However, they have much higher incineration points and are often among the last plants to burn – or they may escape burning entirely. While not suggesting that such plants be planted *en masse*, it is crucial to point out that the complete removal of established, deep-rooted, native shrubs on hillsides could result in potentially-dangerous slope slippage.

Planting for Slope Stabilization

The best way to ensure the stability of any hillside is to plant or seed a broad range of vegetation. While a combination of native annuals, herbaceous perennials, shrubs and trees is imperative for various depths of erosion control, an emphasis should be placed upon more deeply-rooted, shrubby species that naturally dominate our local plant communities. The most effective slope-stabilizers: *Rhus ovata* (sugarbush), *R. integrifolia* (lemonade berry), *Malosma laurina* (laurel sumac), *Baccharis pilularis* (coyote brush) and *Eriogonum* spp. (buckwheat).

Plant Maintenance

1) Prune all dead wood from all plants; keep dry leaves and herbaceous material picked up. Compost this greenwaste, or remove it from the property.

2) Prune larger plants so that the bottom third of each is completely free of branches and foliage. Open up the central branches, by removing all twiggy material. Thin out the upper canopy, reducing its volume by one-half.

3) Trees should never overhang the roof of a building. (Coniferous trees and *Eucalyptus* are dangerously-flammable.)

4) Cut all dry, annual vegetation to the ground before fire season.

6) Water landscape vegetation regularly; this will decrease its probability of burning.

Melanie is a horticultural consultant, specializing in California native plants.

COASTAL COMMISSION
5-00-476

EXHIBIT # 11
PAGE 1 OF 1

LOST WEST

LANDSCAPE ARCHITECTURE
AND CONSTRUCTION

A CALIFORNIA CORPORATION
2973 595215 3183

COASTAL COMMISSION
5-00-476

EXHIBIT # 12
PAGE 1 OF 2

April 16, 2001

Pam Emerson
California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802

Dear Pam,

This is a follow-up of our phone conversation last Friday. What follows is a rundown of the plantings we are proposing for the Kirkwood residence at 341 Alma Real Dr. Please don't hesitate to call me should you have any questions.

Slope Below Retaining Wall:

*Trees/Large Shrubs - *Quercus agrifolia* (Coast Live Oak), *Lynothamnus floribundus* (Catalina Ironwood), *Juglans californica* (Southern California Walnut), *Dendromecon harfordii* (Bush Poppy), *Rhus integrifolia* (Lemonade Berry)

*As we discussed on the phone, the Coast Live Oak would do quite well here as it commonly occurs on north-facing slopes (even 1:1) in this region. In fact, a sloping aspect for a Live Oak would be advantageous as it would help drain away any excess moisture around its trunk during the summer months when these Oaks are susceptible to Oak Root Fungus disease.

*Low Shrubs/Groundcover - *Baccharis 'Pigeon Point'* (Coyote Brush), *Iva hayesiana* (Iva), *Diplicus aurentiacus* (Monkey Flower), *Ribes viburnifolium* (Catalina Currant)

**Salvia apiana*, *S. leucophylla*, *S. mellifera*, *Artemisia californica*, etc. are excluded because they are deemed to be "Hazardous Native Brush" by the Los Angeles City Fire Dept. and would be cited by the Brush Clearance Unit for removal each year. The *Baccharis* and *Iva* are both excellent native groundcovers that are both fire-resistant and deep rooted as well as relatively resistant to deer (which might be a problem in this area). In addition, we propose using erosion control blankets between planting to ensure protection from surface erosion until the plants become established.

Pad Landscaping Area:

Trees/Large Shrubs - *Quercus agrifolia* (Coast Live Oak), *Lynothamnus floribundus* (Catalina Ironwood), *Geijera parviflora* (Australian Willow), *Cercis occidentalis* (Western Redbud), *Chitalpa tashkentensis* (Chitalpa), *Alyogone huegelii* (Blue Hibiscus), *Arctostaphylos 'Sunset'* (Manzanita), *Ceanothus 'Dark Star'* (Ceanothus), *Ceanothus 'Snow Flurry'* (Ceanothus), *Cotinus coggygria* (Smoke Tree), *Lavatera bicolor* (French Mallow), *Mahonia 'Golden Abundance'* (Oregon Grape), *Rhamnus c. 'Mound San Bruno'* (Coffeeberry), *Rosmarinus 'Tuscan Blue'* (Rosemary), *Tagetes lemmonii* (Mountain Marigold)

5238 Townsend Avenue
LOS ANGELES CA 90041

323.258.8214
fax 323.258.8216

Post Office Box 4548
CARLSBAD CA 92018

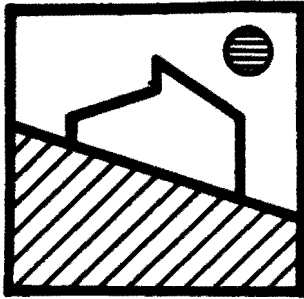
Low Shrubs/Groundcover -Baccharis 'Pigeon Point' (Coyote Brush), Diplicus aurentiacus (Monkey Flower), Ribes viburnifolium (Catalina Currant), Mimulus cardinalis (Monkey Flower), Scaevola 'Mauve Clusters' (Scaevola), Achillea millefolium (Achillea), Arctostaphylos 'Williams' (Manzanita), Ceanothus hearstiorum (Ceanothus), Iris douglasiana (Pacific Coast Iris), Heuchera maxima (Alum Root), Penstemon heterophyllus (Foothill Penstemon), Salvia sonomensis (Sage), Salvia spathacea (Sage), Erigeron karvinskianus (Mexican Daisy), Sisyrinchium bellum (Blue-Eyed Grass), Stachys byzantina (Lamb's Ear), Teucrium c. majoricum (Creeping Germander), Monardella liniodes (California Mint), Nassella pulchra (Purple Needlegrass), Zauschneria californica (California Fuschia)

Sincerely,
Lost West

Paul Nota
Sec/CFO
Registered Landscape Architect No. 2973

COASTAL COMMISSION
5-00-476

EXHIBIT # 12
PAGE 2 OF 2



**Grover
Hollingsworth
and Associates, Inc.**

COASTAL COMMISSION
5-00-476

EXHIBIT # 13

PAGE 1 OF 3

May 4, 2001
GH9269-G

Mr. Carter Kirkwood
15559 Hamner Avenue
Los Angeles, California 90077

Subject: Geotechnical Comments, Site Irrigation, Single-Family Dwelling and Rear Yard Retaining Wall, Lot 23, Tract 9277, 341 Alma Real, Pacific Palisades, California.

Reference: Reports by Grover-Hollingsworth and Associates, Inc.; Geologic and Soils Engineering Exploration, Proposed Residence and Retaining Wall, dated October 25, 2000; and Plan Review, Proposed Single-Family Dwelling, dated January 4, 2001.

City of Los Angeles Review Letter, dated December 8, 2000.

Dear Mr. Kirkwood:

As requested, we are providing the following comments regarding the potential impacts of a site irrigation system on the geotechnical stability of the property. It is our understanding that the California Coastal Commission has expressed concerns regarding the impact of site irrigation on the stability of the west-facing, descending slope.

Two distinct portions of the site will be irrigated. The first is the pad area surrounding the residence and extending to the eastern face of the retaining wall which is situated at the top of the descending slope. The second area is the upper portion of the descending natural slope west of the retaining wall. It is our understanding that the first area will be landscaped primarily

Engineering Geology

Geotechnical Engineering

31129 Via Colinas, Suite 707, Westlake Village, California 91362 • (818) 889-0844 • (FAX) 889-4170

with native plants, although some lawn will also be used, while the second area will be landscaped exclusively with native plants. Your landscape architect, Paul Nota with Lost West Landscaped Architecture and Constructors indicates that irrigation systems will be required to establish and maintain the planned vegetation.

Lost West proposes using low-flow rotor spray heads to irrigate the slope area and drip irrigation elsewhere. Both systems apply irrigation water at rates less than 1/8 inch per hour (refer to attached April 19, 2001, letter from Lost West). Lost West also proposes to provide in-ground moisture sensors which inform the irrigation controller to curtail irrigation when the ground is moist, such as during or following periods of rainfall. In addition, Lost West proposes installation of a flow meter sensor which will terminate flow to the irrigation system if the volume of flow through the sensor exceeds a pre-set threshold.

Site irrigation can potentially have an adverse affect on site/slope stability if it is excessively applied. Excessive application can occur through the use of heads which apply water in excess of that needed for plant growth, the operation of one or multiple sprinkler circuits for an excessive length of time or breakage of a low or high pressure sprinkler pipe. The risk of instability of the pad east of the retaining wall and/or the descending natural slope due to any of these factors is very low for the reasons discussed below.

The deep-seated stability of the pad and slope exceeds the minimum City of Los Angeles requirements (factor of safety >1.5) under assumed saturated soil conditions. The pile-supported retaining wall which is currently under construction at the top of the slope will also retain the near-surface soils upslope of the wall which could be subject to a shallow, surficial slump or failure if they were to become saturated. In addition, the planned site drainage system which will direct surface water to the street once the infiltration capacity of the soil is exceeded. Finally, the subsurface geologic structure including the orientation of the terrace/bedrock contact and folds within the bedrock dip or plunge to the east which would direct any excess water which infiltrates below the root zone away from the descending west-facing slope. Therefore, the potential adverse impact of the planned irrigation system on the stability of the site is considered nil.

COASTAL COMMISSION
5-00-476

EXHIBIT # 13

May 4, 2001

GH9269-G

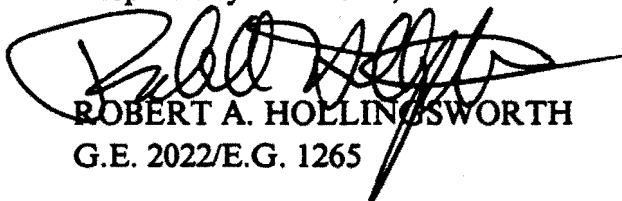
Page 3

The stability issue with respect to the descending natural slope posed by site irrigation pertains to the surficial or shallow stability of the near surface soils. The spray heads proposed for the descending slope apply water at a rate which is less than the minimum rainfall intensity of 1/4 inch per hour determined by Campbell (1975) to be necessary for the initiation of surficial failures on natural slopes in the Santa Monica Mountain. In addition, the continuous operation of the irrigation system for over three days would be necessary to provide the 10 inches of antecedent rainfall which Campbell (1975) determined was necessary in addition to a rainfall intensity of 1/4 inch per hour to initial surficial failures. The proposed moisture sensors and flow meter sensor will serve to prevent excessive application of water to the slope. The stability of natural surficial soils is enhanced by the growth of deep rooted plants on slopes. Shrubs with roots which penetrate 3 to 6 feet below grade are particularly beneficial. The use of a slope irrigation system will allow growth of deep rooted shrubs varieties which do not need to be cut down every spring to comply with fire clearance regulations. Therefore, we believe that the use of the proposed slope irrigation will not only not have an adverse affect on the surficial stability but will actually promote the growth of beneficial vegetation.

It is our opinion, based on these seven factors, that installation of an irrigation system which utilizes the sprinkler heads, drip lines, controller and sensors suggested by Lost West is safe and should not cause future instability of the pad or the descending slope.

Should you have any questions, please feel free to call.

Respectfully submitted,


ROBERT A. HOLLINGSWORTH
G.E. 2022/E.G. 1265



RAH:dl:ms

Enc: Lost West Letter, dated April 30, 2001

xc: (1) Addressee
(1) Addressee, by FAX
(1) Lost West

COASTAL COMMISSION
5-00-476

EXHIBIT # 13
PAGE 3 OF 3

LOST WEST

LANDSCAPE ARCHITECTURE
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A CALIFORNIA CORPORATION
2973 595215 3183

April 30, 2001

Bob Hollingsworth
Grover Hollingsworth and Associates
31129 Via Colinas, Suite 707
Westlake Village, CA 91362

Dear Bob,

This is a follow-up to our phone conversation the other day regarding irrigation systems for Carter Kirkwood's proposed residence at 341 Alma Real Dr.

As we discussed the other day, I believe a permanent irrigation system can be installed at this project than can safely coexist with the potential problems of slope destabilization. This can be achieved through the use of irrigation sensing equipment linked to an automatic irrigation controller.

Several types of sensing devices, manufactured by "Calsense" (800-572-8608), can be used to provide data to the main controller. The most important sensor to be used is the flow meter sensor, (FM-1.25). This sensor is installed on the pressurized mainline just after the water meter, before the irrigation valves. What this sensor does is constantly monitor the flow of water through the mainline. It would then alert the irrigation controller of any flows exceeding the adjustable allowed amount, effectively detecting any loss of water outside the norm, from broken heads to a break in the mainline. The controller would then activate a master valve at the water meter, shutting down the whole system in a matter of seconds.

Another device that can be installed is a soil moisture sensor. This is installed in the ground, at various critical points, such as the slope area, to provide soil moisture data to the controller. This allows the controller to prevent irrigation to soil areas already moist or saturated, as they are during rainy times.

In-addition, if there were a power failure during irrigation operation, the system would automatically shut-down by itself due to the nature of how a typical automatic irrigation valve works. These valves open and close by the use of a plunger operated by a electric solenoid. If power went out, the electric solenoid would de-energize allowing the plunger to re-seat, closing the valve.

The use of these sensors, the "Calsense" ET Controller, and the inherent nature of automatic valves will ensure an irrigation system fully compatible with exiting conditions at the proposed project.

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EXHIBIT # 14
PAGE 1 OF 2

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323.258.8214
fax 323.258.8216

Post Office Box 4548

Also, you were wondering about the amounts of watering anticipated on the sloped and pad areas of the project. We propose using low-flow rotor spray heads for the sloped areas (our experience has proven that drip irrigation systems on natural sloped areas are often chewed up by endemic rodent populations). These spray heads provide 1/8" of water per hour and would operate for a period of one to two hours. The rest of the project will be on a drip irrigation system. These systems are very low-flow, typically providing 1/16" of water per hour operating for a period of four to five hours.

I hope this helps. Please give me a call if you have any questions.

Sincerely, Paul Nota
Lost West, Registered Landscape Architect No. 2973

COASTAL COMMISSION
5-00-476

EXHIBIT # 14
PAGE 2 OF 2

DATE:

COASTAL EXEMPTION NO.

FROM:

City of Los Angeles
City Planning Department
201 North Figueroa Street
Los Angeles, CA 90012

TO:

California Coastal Commission
South Coast District
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

COASTAL COMMISSION

5-00-476

EXHIBIT # 15

PAGE 1 OF 2

RECEIVED
SOUTH COAST REGION

FEB 6 2001

CALIFORNIA
COASTAL COMMISSIONEXEMPTION - COASTAL ZONE
SINGLE JURISDICTION AREA

This coastal exemption from the Department of City Planning for minor repairs and/or improvements in the California Coastal Zone must be submitted with necessary plans to the City of Los Angeles Department of Building and Safety as a coastal clearance to obtain a building permit. (It is only applicable in single jurisdiction areas, otherwise Coastal Commission issues exemption.)

PLEASE TYPE OR PRINT

PROPERTY ADDRESS: 341 N. Alma Real

LEGAL DESCRIPTION: TR 9377 Block 1 lot 23

DISTRICT MAP NO. (S) 123B129 COMMUNITY Pacific Palisades

ZONE: RE 15-1

PROPOSED DEVELOPMENT:

APPLICANT

Jefferson Schierbeck

PHONE NO. (310) 737-9618

APPLICANT'S ADDRESS:

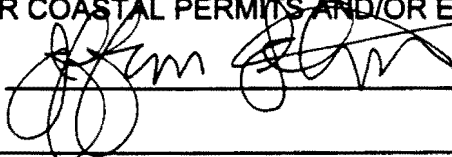
3456 Ashwood Ave

CITY, STATE, ZIP

Los Angeles, CA 90066

I CERTIFY THAT ALL PRIOR COASTAL PERMITS AND/OR EXEMPTIONS ARE ATTACHED.

APPLICANT'S SIGNATURE



FOR OFFICE USE ONLY

In accordance with the provisions of Section 30610 of the California Coastal Act (as amended January 1980), a determination has been made that the above-described project does not: (1) involve a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use contrary to any policy of this division pursuant to Title 14, of the California Administrative Code, and qualifies for an exemption under the category checked below, and a Coastal Development Permit is not required.

X) IMPROVEMENTS TO EXISTING SINGLE-FAMILY RESIDENCES. This includes all fixtures and other structures part of a residence—garages, swimming pools, fences, storage sheds but not including reduction of or addition of guest houses, self-contained residential units, or retaining walls that have a potential significant impact on coastal resources.

- () IMPROVEMENTS TO ANY EXISTING STRUCTURE OTHER THAN A SINGLE-FAMILY RESIDENCE. This includes landscaping on the lot and additions; all fixtures and other structures part of the structure, and does not involve reduction of or additional residential dwelling units.
- () REPAIR OR MAINTENANCE. These activities do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities.
- () DEMOLITIONS. Demolitions required by the Department of Building and Safety. Attach notice of Building and Safety requiring demolition.

This exemption in no way excuses the applicant from complying with all applicable policies, ordinances, codes and regulations of the City of Los Angeles. This exemption shall not apply if the project is not consistent with local land use regulations. If it is found that the project description is not in conformance with the actual project to be constructed or is not in conformance with Section 30610 of the California Coastal Act (as amended January 1980), this exemption is null and void.

Robert Janovici
Chief Zoning Administrator

By:

ARTS RHODES

Print name and title of individual signing.

Application Fee 68 Total Fee 76 Receipt No. 226745

NOTE: If filed in Valley Office, originals returned to Downtown Office.

cc: California Coastal Commission
South Coast Area Office
200 OceanGate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

CP-1608.3 (9/99)

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COASTAL COMMISSION
5-00-476

EXHIBIT # 15
PAGE 2 OF 2



Project site, 341 Alma Real Drive; mixture of native and ornamental vegetation on and below the property. Cut of the canyon edge on the subject property for the applicant's (City exempted) retaining wall. Graded area below the property is a portion of the Potrero Canyon fill project (nearing completion). Taken from De Pauw St.





Subject property at 341 Alma Real; shows existing vegetation. Applicant's property extends approximately 30 feet below the canyon edge. Graded piles in the foreground from the Potrero Canyon fill project. The bottom of Potrero Canyon is not located in this picture. Taken from De Pauw St. looking east.





Subject property is located in the Upper right hand corner. Neighboring homes are located to the left. Below the homes are graded areas along the slope for the Potrero Canyon fill project. Foreground is grading along De Pauw St. properties. The bottom of Potrero Canyon is not located in this picture. Taken from De Pauw St.





Property to the north (left) of the subject property. Slope is a mixture of native and introduced ornamental plant species. The bottom of the canyon is not seen in this picture. Taken from De Pauw St.

