#### CALIFORNIA COASTAL COMMISSION

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# RECORD PACKET COPY

## Item Th-19k

Filed: 4/12/01 49th Day: 5/31/01

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Staff:

10/9/01 AM-LB

Staff Report: 5/18/01

Hearing Date: June 14, 2001

Commission Action:

### REPORT: STAFF REGULAR CALENDAR

**APPLICATION NUMBER: 5-01-103** 

**APPLICANT:** 

Mark and Ellen Lipson

AGENT:

Knickerbocker and Associates

PROJECT LOCATION:

15070 Corona del Mar, Pacific Palisades, City and County of

Los Angeles

PROJECT DESCRIPTION: Remodel and addition to an existing two-story over basement, 28-foot high, 6,784 square foot, single family home, with an attached 412 square foot garage, on a 36,679 square foot lot. The proposed addition will create a 10,317 square foot single family home with an attached 452 square foot garage. The project does not increase the height of the existing structure or require grading.

Lot Area

36,679 square feet

**Building Coverage** 

4.686 square feet

Pavement Coverage 6,200 square feet

Landscape Coverage **Unimproved Area** 

21,000 square feet

4,793 square feet

Zoning

**RE20-1** 

Plan Designation

Very Low Density Residential

Max Ht.

28 feet above frontage road

Parking Spaces

10 (2 in enclosed garage)

## SUMMARY OF STAFF RECOMMENDATIONS

Staff is recommending approval with conditions to assume the risk of the proposed development, prepare and carry out drainage and erosion control plans, and require an amendment to this Coastal Development Permit or a new Coastal Development Permit for future development on the site. The applicant agrees with the recommended conditions.

#### LOCAL APPROVALS RECEIVED:

1) City of Los Angeles Planning Department, Approval In Concept #2001-1711, April 11, 2001



#### SUBSTANTIVE FILE DOCUMENTS:

- 1) Coastal Development Permit 5-00-224 (Tobalina)
- 2) Coastal Development Permit 5-00-217 (Tobalina)
- 3) Coastal Development Permit 5-96-185 (CA Dept of Transportation)
- 4) Report On Landslide Study Pacific Palisades Area, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey
- 5) Preliminary Geologic Investigation, Paul M. Merifield, Ph.D., 9/13/00

## **STAFF RECOMMENDATION OF APPROVAL:**

#### **MOTION:**

I move that the Commission approve CDP #5-01-103 pursuant to the staff recommendation.

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

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

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

#### II. STANDARD CONDITIONS:

- 1. <u>Notice of Receipt and Acknowledgment.</u> 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. <u>Expiration.</u> 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. <u>Interpretation.</u> Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
- 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. <u>Terms and Conditions Run with the Land.</u> These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

#### III. SPECIAL CONDITIONS

#### 1. Assumption of Risk, Waiver of Liability and Indemnity

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

## 2. <u>Erosion and Drainage Control</u>

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.

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- (a) The erosion and drainage control plan shall demonstrate that:
  - 1) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets. 2) The following temporary erosion control measures shall be used during construction: temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible. 3) Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets. 4) All drainage from the bluff-top portion of the lot shall be directed toward the street and away from the bluff edge into suitable collection and discharge facilities.
- (b) The plan shall include, at a minimum, the following components:
  - 1) A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control. 2) A site plan showing the location of all temporary erosion control measures. 3) A schedule for installation and removal of the temporary erosion control measures. 4) 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 all roofs, patios, driveways and other impervious surfaces on the site shall be collected and discharged away from the bluff edge to avoid ponding and/or erosion either on or off the site.

- (d) The plan shall include, at a minimum, the following components:
  - 1) The location, types and capacity of pipes drains and/or filters proposed; 2) a schedule for installation and maintenance of the devices; 3) a site plan showing finished grades at two foot contour intervals and drainage improvements.
- (e) These erosion and drainage control measures shall be required on the project site prior to or concurrent with the initial construction operations and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction. All sediment shall be retained on-site unless removed to an appropriately approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (f) The plan shall also include temporary erosion control measures should construction or site preparation cease for a period of more than 30 days,

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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.

### 3. Future Improvements

This coastal development permit (5-00-103) is only for the development, located at 15070 Corona del Mar, Pacific Palisades, City and County of Los Angeles, as expressly described and conditioned herein. Any future improvements or development as defined in Section 30106 of the Coastal Act, including but not limited to, an increase in square footage, associated structures in the rear yard area, or any other change in the intensity of use of the property, shall require an amendment to this permit or a new coastal development permit from the Coastal Commission or its successor agency.

#### IV. Findings and Declarations

The Commission hereby finds and declares:

### A. Project Description and Location

The proposed project is a remodel and addition to an existing two-story over basement 6,784 square foot single family home on a 36,679 square foot lot (Exhibit #3). The addition will consist of 1,873 square feet to the first floor, 1,660 square feet to the second floor, and 40 square feet within the garage (see Exhibits). The interior of the existing home will be remodeled. The project will not affect the existing height (28 feet) or the basement level (Exhibit #5). The addition and remodel to the existing home does not require grading of the subject property. After construction, the property will consist of a 28-foot high, two-story over basement, 10,317 square foot single family home with an attached 452 square foot garage.

The subject property is located in the Huntington Palisades area of Pacific Palisades, a planning subarea within the City of Los Angeles. The proposed project is situated on a relatively flat coastal bluff top, approximately 170 feet above Pacific Coast Highway and Will Rodgers State Beach (Exhibit #1). The existing structure is currently set back 150 feet (at its closest point) away from the bluff edge. The addition would create an

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extension of approximately 30 feet of the home (toward the bluff edge) at its widest point, with a majority of the addition extending only 10 feet (Exhibit #2). The structure would then be set back approximately 120 feet from the edge of the bluff (at its closest point). The existing structure, as well as the proposed addition, is not visible from either Coast Highway or the state beach.

#### B. Hazards to Development

The proposed project is located in an area subject to natural hazards. The Pacific Palisades area has a long history of natural disasters, some of which have caused catastrophic damage. Hazards common to this area include landslides, erosion, flooding, and wildfires. The subject property is located on a gently sloping to near vertical lot atop a coastal bluff (Exhibit #1). The lot extends approximately 315 feet from Corona del Mar Street seaward. 300 feet of the lot extends to the bluff edge, with the remaining 15 feet located on a near vertical (½:1 horizontal to vertical) bluff face. The proposed project is located approximately 120 feet away from the bluff edge (at its closest point). A majority of the proposed single family home addition is set back between 140 and 160 feet from the bluff edge (Exhibit #3).

Section 30253 states in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

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

The subject lot is located in an area of active and historic landslides (Exhibit #6). As demonstrated in a Report On Landslide Study Pacific Palisades Area, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey, historic landslide have occurred near the subject site. The report includes the following description of the landslide map shown on Exhibit #6. The following is a summary of that report.

Slide #7: (staff note: this slide area is located at the opposite end of Corona del Mar, approximately 1,300 feet southeast of the subject site) There have been several prehistoric and historic locations of landsliding with exact amounts and locations unknown. Between 1940 and 1969 there were several severe recorded landslide events. In 1941, 14954 Corona del Mar lost 50 feet of its rear yard. The debris blocked 5 lanes of PCH. In 1942 at 14930 Corona del Mar, several thousand cy of debris slid from the property completely closing PCH. Between

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14954 and 14930 Corona del Mar, 7,000 cy of material extended across PCH to the beach in 1943. In both 1944 and 1955, more extensive landsliding occurred at the previously mentioned properties. In one slide, PCH was covered to a depth of 20 feet with landslide material and another slide covered PCH to 6 feet in thickness. The report indicates that such landslides continued until 1969 (the reports completion).

Slide # 8 and #9 consisted of prehistoric to historic landslides. Shallow failures and scars were observed in this area.

Slide #10: (staff note: this slide area is approximately 800 feet south of the subject site) Landsliding from 1900 to 1931 due, in part, from heavy wave erosion at the toe of the slope. In 1932, a 40-foot wide landslide occurred during the grading of the toe of the slope for PCH improvements. In September 1932, 40,000 cy strip of the mesa slid onto PCH and three days later an additional 60,000 cy further covered PCH.

Since the report conducted by the U.S. Army Corps, extensive landslides have occurred, predominately at the opposite end of Corona del Mar (in the area of slide #7-see exhibit #6). These occurred in 1974, 1978, 1984, 1989, and 1995. Each of these slide events, with the exception of the slides in 1989, was associated with heavy rainfall much higher than average seasonal amounts. Between 1995 and 1996, the California Department of Transportation (CalTrans) acquired two properties located at 15040 and 15054 Corona del Mar. The acquisition was due to landslides below the properties and subsequent evacuation orders for the residents. CalTrans applied for a Coastal Development Permit (5-96-185 and amendments) to remove two residences, stabilize the bluff by removing 53,000 cy of soil, contour grading and slope reconfiguration, landscape with native vegetation, and install drainage pipes. The subject property is 500 feet northwest of the slope stabilization project commissioned by CalTrans. An existing single family home, owned by a private landowner, separates the subject property from this landslide.

The applicant's grading pre-inspection conducted by the City of Los Angeles, Department of Building and Safety states that the proposed addition to the existing single family home and the current site conditions do not warrant a review of geologic or soils reports. The applicant has, however, supplied a copy of a preliminary geotechnical analysis of the site conducted by their consulting geologist, Paul M. Merifield. The report analyzed past geologic reports, historic and recent aerial photographs, and a recent site investigation. The report states:

Comparisons of U.S. Geological Survey landslide maps published in 1959 and 1982 shows no significant change in the distribution of landslides along the steep bluff on the subject property, and comparison of the distance between the house and the top of the slope measured during the present investigation with the L.A. City topographical map shows no measurable retreat of the slope at the rear of the subject property since 1960.

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Based upon my investigation, there is no visible evidence that the house has been damaged by down slope movement, ground settlement, expansive soil conditions, or earthquake-induced ground failure.

Based upon the history of past slides, the most likely types of failure are those that have occurred most frequently, involving several tens of cubic yards. The present setback of the house constitutes a significant margin of safety.

#### 1. 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 proposed remodel and addition to the existing single family home lie atop a steep coastal bluff (Exhibit #1, #3, & #6). The preliminary geotechnical review along with the Grading Pre-inspection by the City of Los Angeles Department of Building and Safety have found that the site of the proposed addition along with the distance of the proposed setback from the bluff edge constitutes a significant margin of safety. However, the decision to construct the project relying on the preliminary geotechnical review and the Department of Building and Safety is the responsibility of the applicant. The proposed project may still be subject to natural hazards such as slope failure and erosion. The geotechnical evaluations do not guarantee that future erosion, landslide activity, or land movement will not affect the stability of the proposed project. Because of the inherent risks to development situated on top of a steeply sloping bluff, the Commission cannot absolutely acknowledge that the design of the single family home will protect the subject property during future storms, erosion, and/or landslides. Therefore, the Commission finds that the proposed project is subject to risk from landslides and/or erosion and that the applicant should assume the liability of such risk.

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

In case an unexpected event occurs on the subject property, the Commission attaches Special Condition #1 which requires recordation of a deed restriction whereby the land

owner assumes the risk of extraordinary erosion and/or geologic hazards of the property and excepts sole responsibility for the removal of any structural or other debris resulting from landslides, slope failures, or erosion on and from the site. The deed restriction will provide notice of potential hazards of the property and help eliminate false expectations on the part of potential buyers of the property, lending institutions, and insurance agencies that the property is safe for an indefinite period of time and for further development indefinitely in the future.

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

### 2. <u>Erosion Control Measures</u>

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 #2 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 from rain gutters and downspouts to paved surfaces surrounding the existing home. It is then collected in several drains and curb inlets. A 15-inch drain collects water runoff from the southern rear corner of the house and a 12-inch drain collects runoff from the northern side of the house. Currently the rear yard contains mostly permeable surfaces. A large grass lawn, trees and small shrubs exist on the rear of the property. This area filters most of the rear yard area. There are five existing box drains and basins that collect surface runoff located in the rear yard (Exhibit #2). An existing curb located at the top of the slope prevents water from flowing directly over the bluff. The applicant has not proposed to significantly alter the rear yard landscaping or the drainage system.

The geotechnical advisor consulting the applicant observed possible clogged outlets and did not observe the outlet point for the drains on the property. The consultant further states:

The potential for failures on the bluff can be reduced by collecting runoff before it infiltrates the building pad. Additional drains in the rear yard – for example, in the orchard and on the lawn – should be considered. All drainage devices should be

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kept free of debris and in good working order, and the outlets for the drains should be determined for the purpose of maintenance.

The applicant has submitted information about the current drainage plan demonstrating the existing erosion control measures. However, since the project will decrease the permeable surface area on the lot and, thus, increase water runoff across the property, the applicant is required to submit a permanent drainage and runoff plan that illustrate the drainage system on the subject property, shows the location of the drainage outlets, and demonstrates that runoff is directed to Corona del Mar and away from the bluff edge.

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 #2).

#### 3. Future Development

As discussed previously in this section, several major landslides have occurred along this stretch of coastal bluff. The subject site was not affected by the landslide activity but does lie in close proximity to them (Exhibit #6). The preliminary geologic investigation by the applicant's geotechnical consultant found that failures in the future could affect the rear yard area on the subject property. The proposed addition will allow for a 120 to 160 foot setback from the bluff edge. This, as the geotechnical consultant has stated, allows for a "significant margin of safety". However, possible geologic hazards could arise if, at a later time, the applicant decides to expand the home toward the bluff edge or construct amenities in the rear yard.

Therefore, Special Condition #3 is required to allow the Commission to further review future improvements or developments on the subject property, which would ensure the projects consistency with Section 30253 of the Coastal Act. If the applicant decides to undertake further development on the subject property he/she are required to apply for an amendment to this Coastal Development Permit (5-01-103) or a new Coastal Development Permit.

Only as conditioned to submit evidence that the applicant has recorded an assumption of risk deed restriction on the development, to ensure that adequate temporary and permanent erosion control measures are used during and after construction and a plan is submitted that describes the location, type, and schedule of installation of such measures, and that the applicant is aware that future improvements on the subject property will require an amendment or new Coastal Development Permit can the Commission find that the proposed development is consistent with Section 30253 of the Coastal Act.

### D. <u>Visual Impacts/Landform Alteration</u>

Section 30251 of the Coastal Act states:

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

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

The project is located atop a 170-foot high coastal bluff that rises above Pacific Coast Highway (Exhibit #1). The proposed addition is set back 120 to 160 feet inland of the bluff edge (Exhibit #2). The project site is located in an established residential community and is not visible from the State Beach or Pacific Coast Highway. The height of the proposed structure (which is not increasing from the existing 28-foot high structure) is consistent with the Hillside Ordinance that was established by the City of Los Angeles Planning Department. The neighboring homes in this area consist of predominately two-level single family homes. The proposed single family home is consistent with the existing homes in this area. The project will not impact any public views to or from the Pacific Ocean, Will Rodgers State Beach or Pacific Coast Highway and is found consistent with the character of the surrounding community.

Therefore, the proposed project is found consistent with Section 30251 of the Coastal Act. The proposed project is also consistent and in scale with the surrounding neighborhood.

### F. Local Coastal Program

Section 30604 (a) of the Coastal Act states:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

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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.

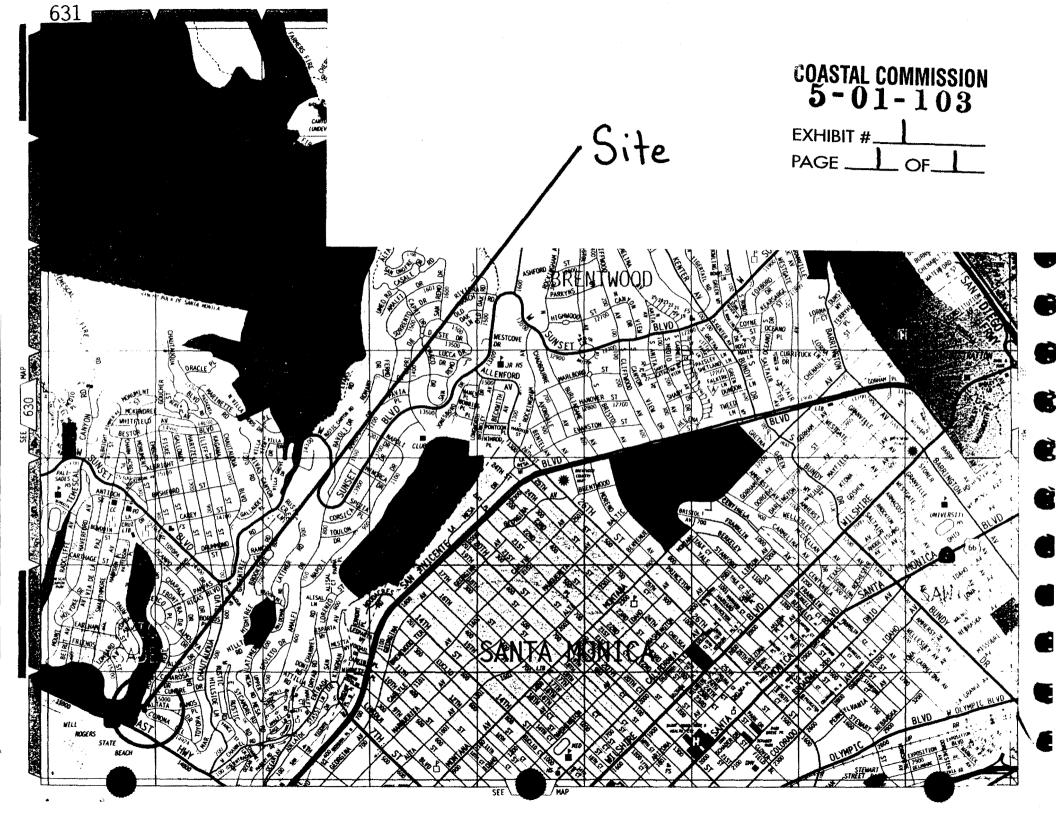
The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been 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.

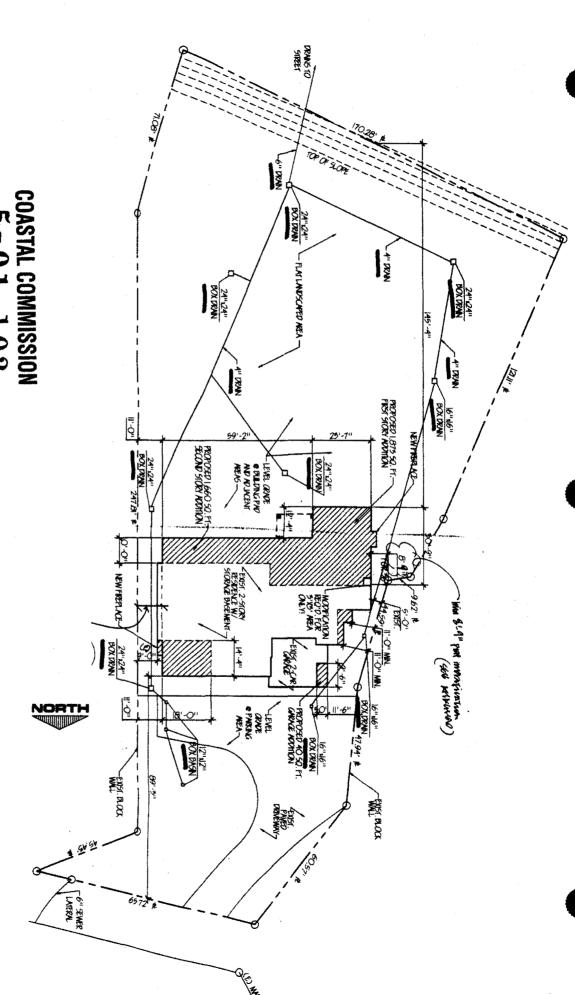
As conditioned, to address the geologic stability and community character issues related to the project, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that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

### G. California Environmental Quality Act

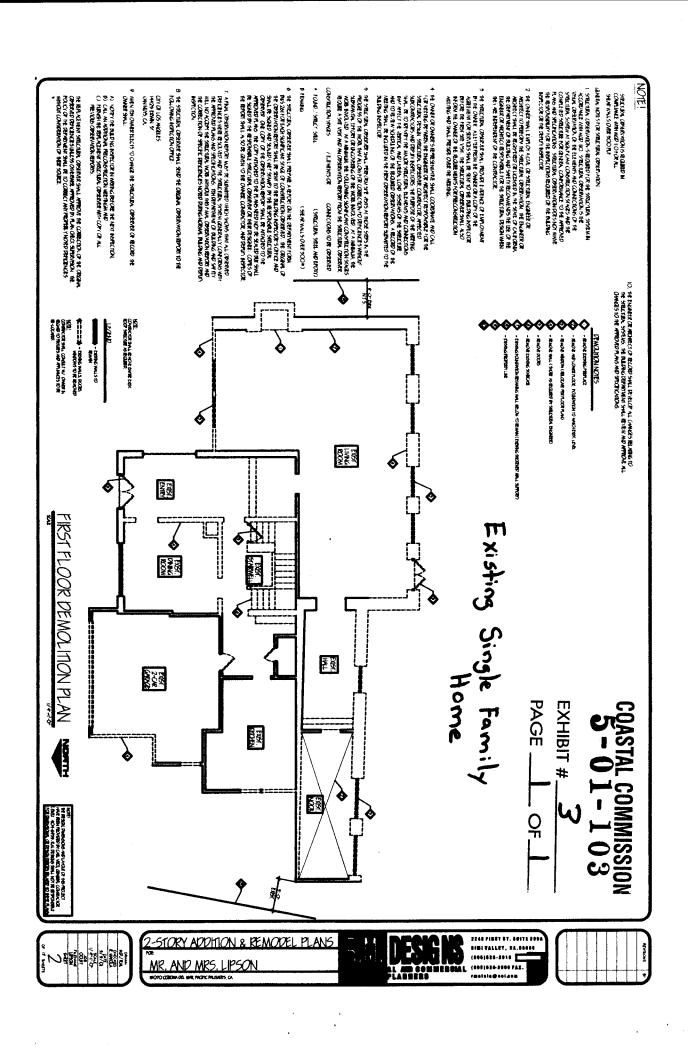
Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality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

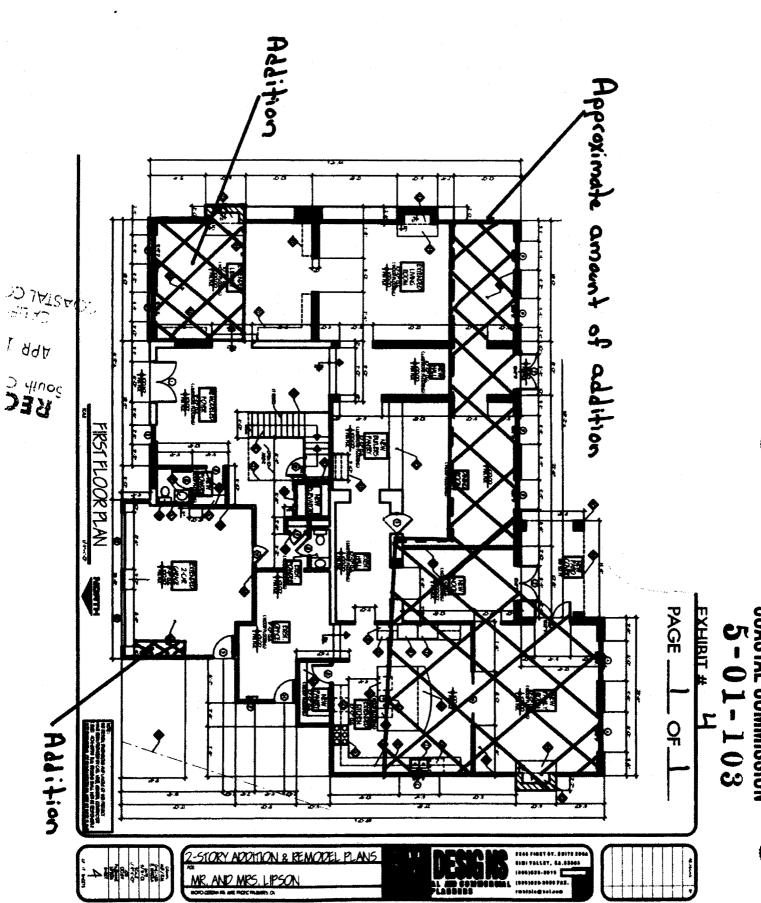
The proposed project, as conditioned to assume the risk of the development, supply and implement an erosion and drainage control plan, and require an amendment to this Coastal Development Permit or new Coastal Development Permit for future improvements or development, is found to be consistent with the Chapter 3 policies of the Coastal Act. As explained above and incorporated herein, all adverse impacts have been minimized and the project, as proposed, will avoid potentially significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project is consistent with the requirements of the Coastal Act and CEQA.



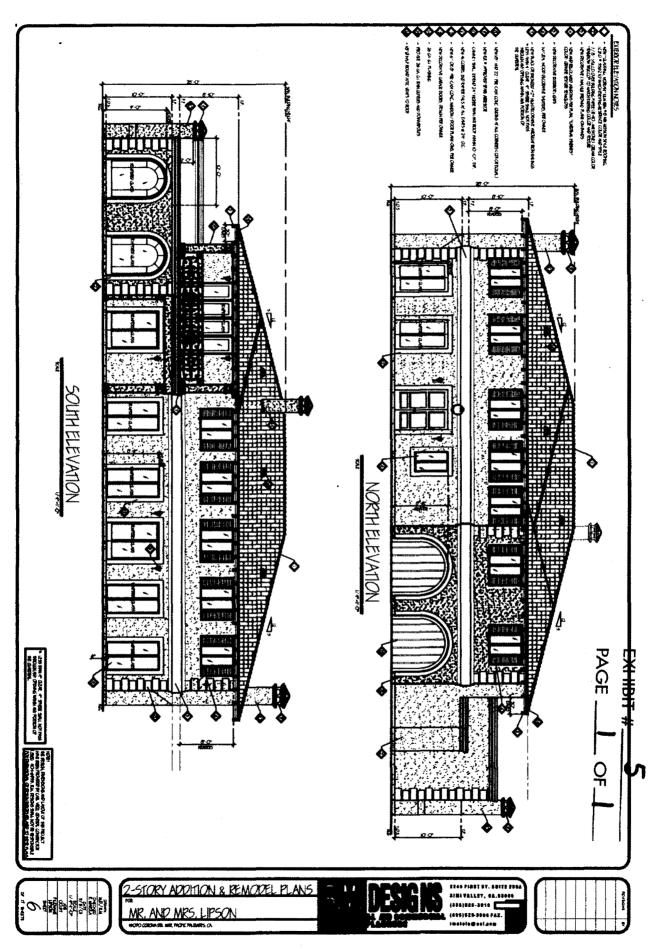


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EXHIBIT # 2
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COASTAL COMMISSION



5-01-103



31				
IADORESS		tment of Building and Safety	Permit Application:	
	DGL MAP GRADING PRE-INS	PECTION REPORT	Plan Tag No.	L10829 C.D. [1]
TRACT 9377		Purpose:	2m FLOOR	Property Posted Yes No No
BLOCK ) LOT(S) 13 CC	OUNTY REF. NO.	Apor by		Fees paid GPI Yes No Posting Yes No
INSPECTORS REPORT OF FIELD CONDITIONS				ubmit two copies, with appropriate fees, to the
Approved Graded Lot Yes No Bearing Value		Grading Section for review and approval. Owner notified by postcard on Reports submitted with plans. Yes No		
Fill over 100 Feet Yes No Bu	uttress Fill Yes No 💟	Department letters of	mmendations of the approv	ed geological and/or soils reports and into the plans. Soils engineer
Slope of Surface Ascending Descending	Natural Soil Classification Per Table 18.1.A	and/or Geologist to a  9. Site is subject to mu	sign plans.	•
Cut • Height	SILTY- CLAY	10. Buildings shall be lo	cated clear of the toe of all	slopes which exceed a gradient of 3 horizontal
Fill • Height Ex	xpansive Soil Yes No	to 1 vertical as per \$ 11.  Footings shall be se		slope surface exceeding 3 horizontal to 1
Natural PAo Z' Height 2' SI	lide Area Yes 🔲 No 🔃	vertical as per Secti	on 91.1806.4.3.	· · ·
	SDS Sized Per Code Yes No	Section 91.1806.4.4	l. İ	m descending and ascending slopes as per
Site Above Below Street R	toof Gutters Yes No 🗌	13. Department approva	al is required for construction is a serie.	on or over
	tecommended Termination of Drainage	14. Provide complete de Call for inspection b	etails of engineered tempor efore excavation begins.	ary shoring or slot cutting procedures on plans.
PAVEDTREET		15. All concentrated dra	inage, including roof water,	, shall be conducted, via gravity, to the street or
Driveway Grade % Existing ✓ Proposed Maximum Rough Grade Allowed		an approved location		
GRADING APPROVAL TO ISSUE PERMT(S)		16. A Registered Deput	•	
OK TO ISSUE. SEE BELOW FOR COMMENTS		17. All fill or backfill shall be compacted by mechanical means to a minimum 90% relative compaction as determined by ASTM method D-1557. Subdrains shall be provided where		
DO NOT ISSUE UNTIL BELOW REQUIREMENTS HAVE BEEN SATISFIED		required by Code.	The eatle engineer is to annu	roug the key or bottom and looks a cartificate on
CONDITIONS & REQUIREMENTS PRECEDENT TO ISSUING PERMIT		<ul> <li>Specify on plans: "The soils engineer is to approve the key or bottom and leave a certificate on the site for the grading inspector. The grading inspector is to be notified before any grading begins and, for bottom inspection, before fill is placed. Fill may not be placed without approva of the grading inspector."</li> </ul>		
1. A grading permit is required for				
2. A retaining wall permit is required.		19. Existing non-conforming slopes shall be cut back at 2:1 (26*) or retained.  20. All cut or fill slopes shall be no steeper than 2:1 (26*).		
3. CSHA permit required for			*	
4. All footings shall be founded in undisturbed natural soil per Code.		•		e attached to and made a part of the plans.
5. Comply with provisions of Section 91.1804.4 for expansive soil condition.		22. Stake and flag the p	$\circ$	
<ol> <li>In the event excavations reveal unfavorable conditions, the services of a soils engineer and/or geologist may be required.</li> </ol>		23. Approval required by	y the Departmen	COASTAL COMMISSION
ADDITIONAL REQUIREMENTS:			<u>₹</u>	5-01-103
	<u> </u>	1-103	<u> </u>	0 01-103
			<u> </u>	EXHIBIT #_7
-		<u> </u>		
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Inspector 7- Stulin 7- Stulin 3-16-01 2-8-01				
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