

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585 - 1800



Filed: 10/25/02  
49th Day: 12/13/02  
180th Day: 4/23/02  
Staff: K. Kemmler  
Staff Report: 11/21/02  
Hearing Date: 12/10-13/02  
Commission Action:

### RECORD PACKET COPY

## STAFF REPORT: CONSENT CALENDAR

**APPLICATION NO.:** 4-01-157  
**APPLICANT:** Jean M. Perramon  
**AGENTS:** Samara Engineering, Attn: M.A. Samara  
**PROJECT LOCATION:** 2736 Rambla Pacifico, unincorporated Malibu (Los Angeles County)  
**APN NO.:** 4453-009-009

**PROJECT DESCRIPTION:** Construction of a 6 ft. high, approx. 120 ft. long retaining wall and concrete swale adjacent to an existing residence and removal of landslide debris on the slope including 94 cu. yds. of grading (20 cu. yds. excavation and 74 cu. yds. fill) to stabilize existing residence and building pad area.

**Lot area** 0.6 acres  
**Height Above Finished Grade** 6 ft.

**LOCAL APPROVALS RECEIVED:** County of Los Angeles Department of Regional Planning, Approval in Concept, July 13, 2000.

**SUBSTANTIVE FILE DOCUMENTS:** "Limited Geotechnical Engineering Investigation Report, Update Report No. 2," Coastline Geotechnical Consultants, Inc., September 18, 2000.

### Summary of Staff Recommendation

Staff recommends **APPROVAL** of the proposed project with **TWO (2) SPECIAL CONDITIONS** regarding (1) drainage plans and (2) landscaping and erosion control plans.

## **I. STAFF RECOMMENDATION**

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 4-01-157 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 on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. 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. *Drainage Plans*

Prior to the Issuance of the Coastal Development Permit, the applicant shall submit to the Executive Director for review and written approval, two sets of final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume and velocity of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with geologist's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Runoff shall be conveyed off site in a non-erosive manner.
- (b) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (c) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

#### 2. *Landscaping and Erosion Control Plans*

Prior to issuance of a coastal development permit, the applicants shall submit two sets of landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the geotechnical engineering and geologic consultant to ensure that the plans are in conformance with the consultant's recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

##### A. *Landscaping Plan*

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant 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. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.

- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Plantings should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
- (3) 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.
- (4) The Permittee shall undertake development in accordance with the final approved 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 Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

#### **B. Interim Erosion Control Plan**

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct 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. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (3) 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, silt fencing; temporary drains and swales and sediment basins. The plans 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.

#### **C. Monitoring**

Five years from the date of issuance of the permit the applicants 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.

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

The Commission hereby finds and declares:

##### **A. PROJECT DESCRIPTION AND BACKGROUND**

The applicant is proposing to construct a 6 ft. high, approx. 120 ft. long retaining wall and concrete swale adjacent to an existing residence and removal of landslide debris on the slope including 94 cu. yds. of grading (20 cu. yds. excavation and 74 cu. yds. fill) to stabilize existing residence and building pad area (Exhibits 3-5).

The project site is located on Rambla Pacifico approximately 1 mile north of PCH (Exhibit 1). The subject lot is an irregular shaped parcel nestled between Rambla Pacifico and Azurlee Drive in the unincorporated area of Malibu, Los Angeles County (Exhibit 2). The parcel is located on a steeply sloping hillside that has sustained damage from a landslide, which presently threatens the stability of the existing residence and building pad. The proposed retaining wall and removal of landslide debris on the slope will serve to stabilize the site and avoid further damage to the residence. There is no mapped environmentally sensitive habitat area onsite. The project site is not visible from any public viewing areas.

##### **B. GEOLOGY AND WILDFIRE HAZARD**

The proposed development is located in the Santa Monica Mountains area, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

Section 30253 of the Coastal Act states in pertinent part that 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, 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.*

Section 30253 of the Coastal Act mandates that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The Commission notes that the purpose of the proposed development is to enhance geologic stability at the site.

Furthermore, the applicant has submitted a Limited Geotechnical Engineering Investigation Report, Update Report No. 2 dated September 18, 2000 prepared by Coastline Geotechnical Consultants, Inc., which evaluates the geologic stability of the subject site in relation to the existing and proposed development. Based on their evaluation of the site's geology and the proposed development the consultants have found that the proposed project will enhance stability at the project site. The project's consulting geotechnical engineer states, in the Limited Geotechnical Engineering Investigation Report, Update Report No. 2 dated September 18, 2000 prepared by Coastline Geotechnical Consultants, Inc., that the property has been previously calculated to be marginally unstable, therefore, the retaining wall would be considered remedial, and would not meet County Code requirements (Section 111). However, the proposed construction is remedial, intended to stabilize the existing development. In addition, the consulting geotechnical engineer has certified the project plans as conforming to all structural and site stability recommendations for the proposed project. Staff notes that any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultant shall require an amendment to the permit or a new coastal development permit.

The Commission finds that controlling and diverting run-off in a non-erosive manner from the proposed structures, impervious surfaces, and building pad will also add to the geologic stability of the project site. Therefore, in order to minimize erosion and ensure stability of the project site, and to ensure that adequate drainage and erosion control is included in the proposed development, the Commission requires the applicants to submit drainage and erosion control plans certified by the geotechnical engineer, as specified in **Special Conditions No. One and Two (1 & 2)**.

Furthermore, the Commission finds that landscaping of graded and disturbed areas on the subject site will serve to stabilize disturbed soils, reduce erosion and thus enhance and maintain the geologic stability of the site. Therefore, **Special Condition No. Two (2)** requires the applicant to submit landscaping plans certified by the consulting geotechnical engineer as in conformance with their recommendations for landscaping of the project site. Special Condition No. Two also requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foliage weight. The Commission notes that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native and invasive species, and once established aid in preventing erosion. Therefore, the Commission finds that in order to ensure site stability, all slopes and disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in Special Condition No. Two.

For the reasons set forth above, the Commission finds that, as proposed, the project will serve to minimize potential geologic hazards of the project site and adjacent properties and is consistent with §30253 of the Coastal Act.

### **C. VISUAL RESOURCES**

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 surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline reservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

To assess potential visual impacts of projects to the public, the Commission typically investigates publicly accessible locations from which the proposed development is visible, such as beaches, parks, trails, and scenic highways. Staff notes that the proposed project is not in a visually sensitive area. Further, it is noted that the applicant presented three project alternatives in response to Staff's concerns about landform alteration. The original proposal involved a 10 ft. high retaining wall much further from the existing residence along the road, which resulted in a substantially greater amount of backfill behind the wall, altering the natural slope significantly. The current proposal is the most preferable alternative between the three options as it minimizes landform alteration onsite and reduces the wall elevation to the greatest extent feasible.

Finally, Special Condition No. Two (2), the landscaping plan, requires the applicant to prepare a landscape plan relying mostly on native, noninvasive plant species to ensure that the vegetation on site remains visually compatible with the native flora of surrounding areas. The implementation of Special Condition No. Two, therefore, will help to partially screen the proposed wall and soften the visual impacts of the project. In order to ensure that the final approved landscaping plans are successfully implemented, Special Condition No. Two also requires the applicant to revegetate all disturbed areas in a timely manner, and includes a monitoring component, to ensure the successful establishment of all newly planted and landscaped areas over time.

Therefore the Commission finds that, as conditioned, the proposed development will minimize adverse impacts to scenic public views in this area of the Santa Monica Mountains, and is consistent with §30251 of the Coastal Act.

### **D. LOCAL COASTAL PROGRAM**

Section 30604(a) of the Coastal Act states:

*Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted*

*development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).*

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed project will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County's ability to prepare a Local Coastal Program for the Malibu/Santa Monica Mountains area which is consistent with the policies of Chapter 3 of the Coastal Act as required by §30604(a).

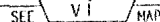
### **E. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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

The Commission finds that, the proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



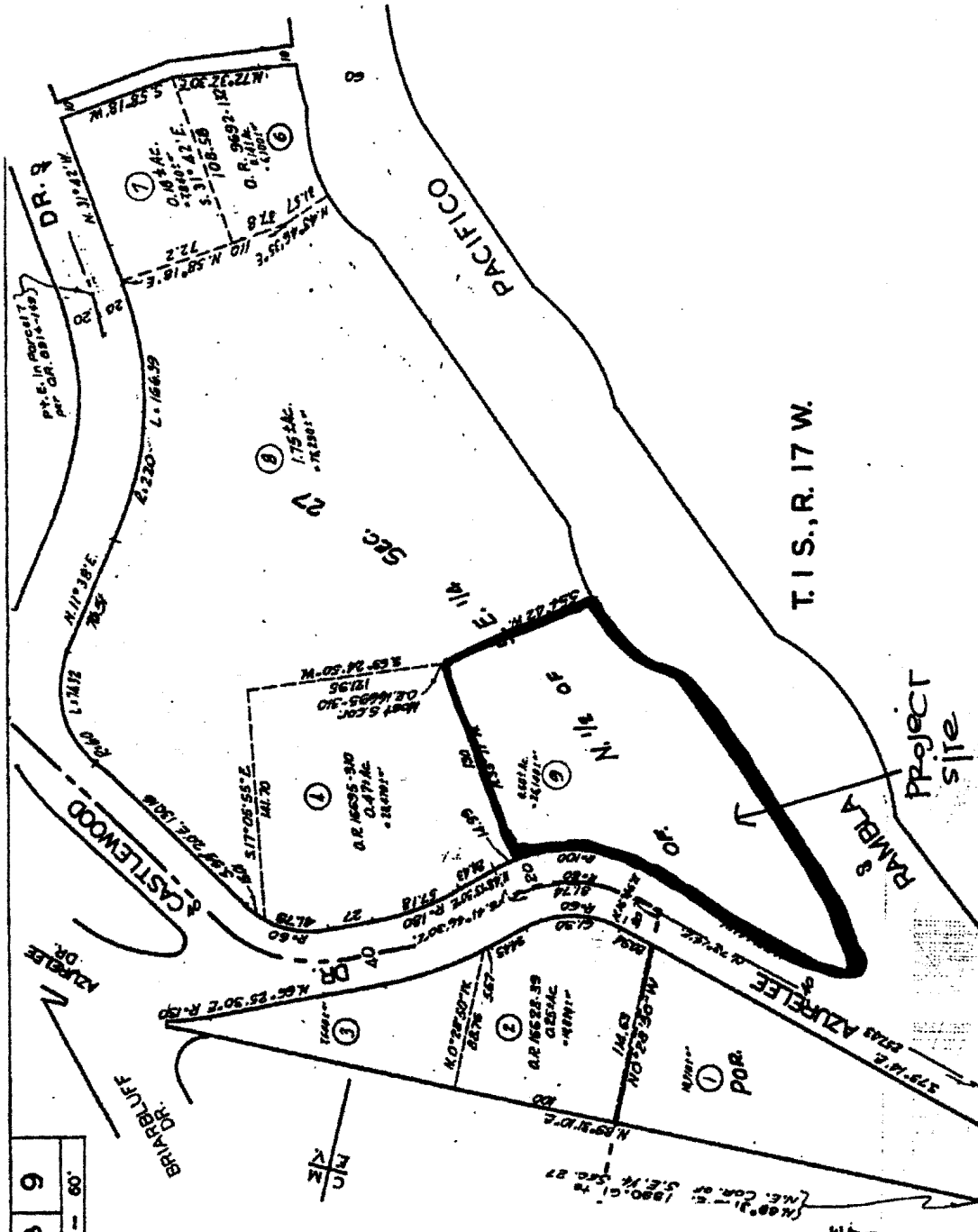
MAP.

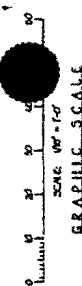


200. 1101ms 1 wt. million

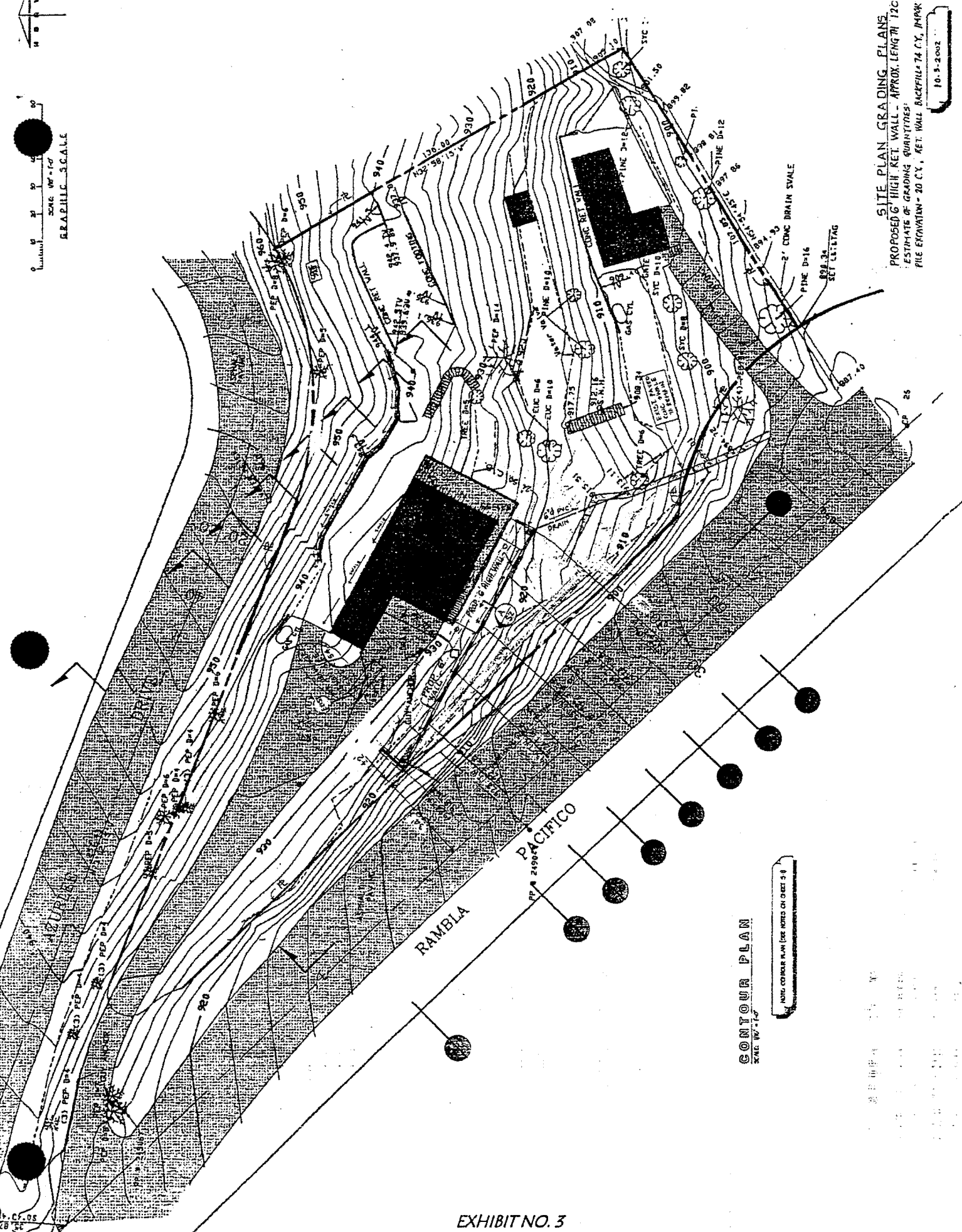
REVISED  
 2-18-55  
 5-5-58  
 11-23-58  
 11-18-59  
 3-9-65  
 12-7-66

ASSESSOR'S MAP  
 COUNTY OF LOS ANGELES, CALIF.





GRAPHIC SCALE



**SITE PLAN GRADING PLANS**  
 PROPOSED 6' HIGH RET. WALL - APPROX. LENGTH 172'  
 ESTIMATE OF GRADING QUANTITIES:  
 FILL EXCAVATION - 20 CY, RET. WALL BACKFILL 74 CY, IMPAR

10-5-2002

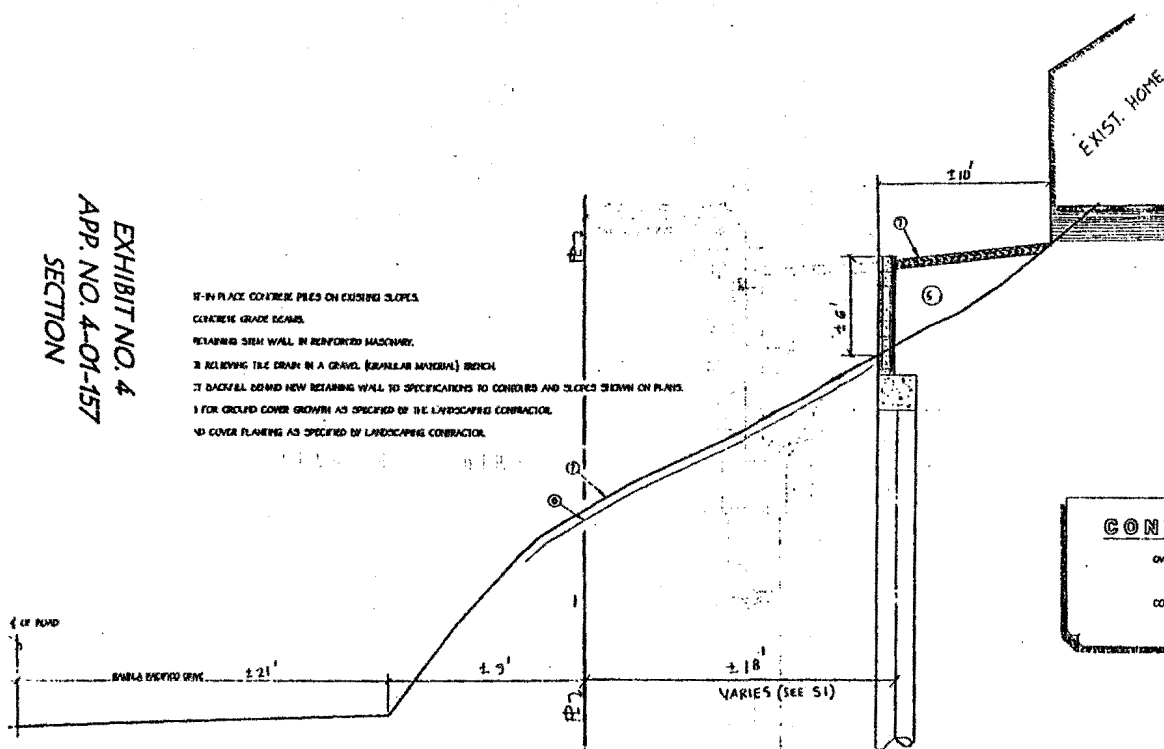
CONTOUR PLAN

NOTE: CONTOUR PLAN FOR NOTES ON SHEET 3 & 4

EXHIBIT NO. 3  
 APP. NO. 4-01-157  
 SITE AND GRADING PLAN

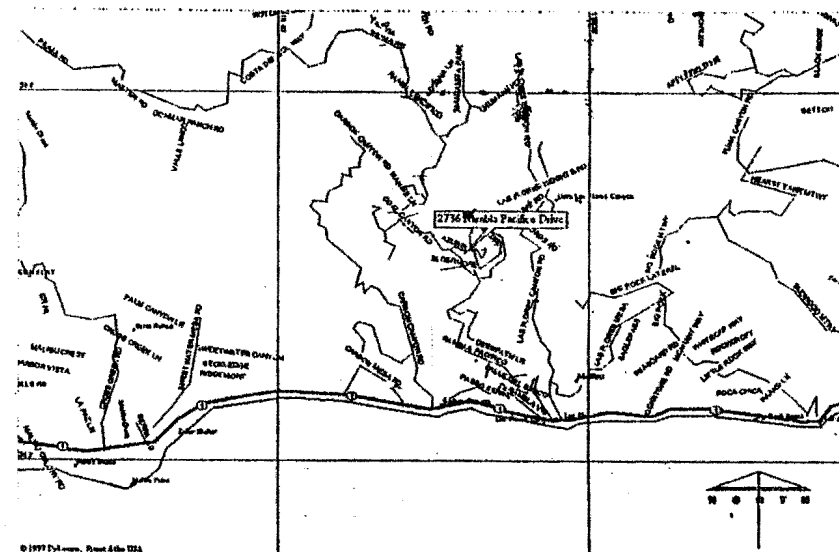
EXHIBIT NO. 4  
APP. NO. 4-01-157  
SECTION

1. THE PROPOSED SCOPE OF WORK FOR SOIL REMEDIAL WORK AT THE REFERENCED SITE IS DETAILED ON THESE PLANS.
2. THE PROSPECTIVE CONTRACTORS SHALL BE FAMILIAR WITH THE EXISTING CONDITIONS AT THE SITE AND SHALL REVIEW THESE PLANS AND SPECIFICATIONS FOR THE PROPOSED SCOPE OF WORK.
3. THE CONTRACTORS SHALL CO-ORDINATE WITH THE OWNERS, THE ENGINEER, AND ALL JURISDICTIONS HAVING AUTHORITY OVER THE PROJECT FOR AND NOT LIMITED TO:
  - SITE STRAYS AHEAD FOR EQUIPMENT AND MATERIAL STORAGE
  - SIGNAGE
  - EQUIPMENT EXTRACTIONS OUT SITE, ON AND FROM PUBLIC RIGHT-OF-WAYS
4. CO-ORDINATE WITH THE OWNERS ON REMOVAL, STORAGE, AND RE-USE OF EXISTING STRUCTS AND TREES AFFECTED BY THE NEW WORK, AND BY CONSTRUCTION OPERATIONS.
5. FOUNDATION DESIGN AND SOIL CRITERIA IS BASED ON SOIL INVESTIGATION REPORT PREPARED BY CONSULTING GEOTECHNICAL ENGINEERS INC., DATED OCT. 27 1991. THE SOIL REPORT IS A BASIS FOR THE PROPOSED SCOPE OF WORK AND IS AVAILABLE FOR EXAMINATION FROM THE OWNER.
6. THE SITE PLAN ON SHEET 5-1 AND ACCOMPANYING TOPOGRAPHIC SURVEY IS PRODUCED FROM AVAILABLE DOCUMENTS. ACCURACY OF THIS GIVEN INFORMATION HAS NOT BEEN



## SEC. A-A

SCALE 1 1/4" = 1'



VICINITY PLAN

I HEREBY CERTIFY THAT I AM THE ENGINEER FOR THIS PROJECT & THIS PROJECT WAS DESIGNED IN ACCORDANCE WITH SECTION 110.2.3.6 PARAGRAPH 2 OF THE LOS ANGELES COUNTY BUILDING CODE. THIS SECTION WAS PREVIOUSLY KNOWN AS 308(L) 3F(2)

M. A. SAMARA, R.C.E. #26015 DATE

## INDEX OF DRAWINGS

4-1	NOTES, VICINITY MAP, & PROPOSED SECTION OF WORK
5-1	LOCATION OF NEW RETAINING WALL
5-2	CROSS SECTIONS
5-3	RETAINING WALL DETAIL & MATERIAL NOTES
5-4	DRIVE LAYING & DRAINAGE PLAN
5-5	PILE SPECIFICATIONS

### CONTACT DETAILS

OWNER: JEAN PRODRONCH  
2736 BALBLA PACIFIC DRIVE  
MALIBU, CA 90265

CONTACT: CLAUDE VIGLERIE  
PHONE: (30) 458-5040  
FAX: (36) 280-7457

## ESTIMATE OF GRADING QUANTITIES

PILE EXCAVATION	:	± 20 C.Y.
RET. WALL BACKFILL	:	± 74 C.Y.
IMPORT	:	± 54 C.Y.

DRIVE PAVING & DRAINAGE PLAN

