

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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 Staff: MS-LB
 Staff Report: June 18, 2003
 Hearing Date: July 8, 2003
 Commission Action:



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STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-03-219

RECORD PACKET COPY

APPLICANT: Mark and Debbie Ebert

AGENT: Mark Hudson

PROJECT LOCATION: 677 Via De La Paz, Pacific Palisades (Los Angeles County)

PROJECT DESCRIPTION: Partial demolition and construction of a 3,528 square foot addition to an existing one-story single family residence resulting in a 4,232 square foot, 2-story, 27-foot, 6-inch high single family residence with an attached 2-car garage. The proposed project includes the construction of a swimming pool

Lot Area	7,840 square feet
Building Coverage	2,822 square feet
Pavement Coverage	1,937 square feet
Landscape Coverage	2,520 square feet
Parking Spaces	2
Zoning	R1-1
Plan Designation	Low Density Residential
Ht from existing grade	27 feet 6 inches

LOCAL APPROVAL: City of Los Angeles AIC No. ZA -2003-3495

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission grant a coastal development permit (5-03-219) for the proposed development with special conditions relating to conformance to geotechnical consultant's and City of Los Angeles Department of Building and Safety's recommendations and drainage and erosion control, **See Page Two for the motion.**

SUBSTANTIVE FILE DOCUMENTS:

- 1) City of Los Angeles Local Coastal Development Permit No. ZA -2003-3495 (AIC)
- 2) Log No. 38910, Soils/Geology File-2, City of Los Angeles Department of Building and Safety, 1/30/03.
- 3) Geology/Soils Report No. GS02-1007, prepared by GeoSystems, 12/10/02.

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolutions to **approve** Coastal Development Permit 5-03-101 with special conditions.

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. 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.

III. 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 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.

IV. Special Conditions

1. 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/Soils Report #GS02-1007, prepared by prepared by GeoSystems, dated 12/10/02, and the requirements of the City of Los Angeles Department of Building and Safety, Soils/Geologic approval letter # 38910, dated January 30, 2003.

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.

2. Erosion and Construction BMPs

A) PRIOR TO ISSUANCE OF THE AMENDED COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final drainage and runoff control plans. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the volume, velocity and pollutant load 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:

1) Erosion and Drainage Control Plan (Construction Phase)

(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, the beach, and the bluff face.
- 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.
- The erosion and drainage control plans shall show all roof drainage from the addition.

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

- A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
- A site plan showing the location of all temporary erosion control measures.
- A schedule for installation and removal of the temporary erosion control measures.
- A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist.
- A written agreement indicating where all excavated material will be disposed and acknowledgement that any construction debris disposed within the coastal zone requires a separate coastal development permit.

(c) These erosion 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.

(d) 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. 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. Drainage and Landscape Plans

A) **PRIOR TO THE ISSUANCE OF THE 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. 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 installed on the areas disturbed due to construction: the areas around the house and the area between the house and existing rear yard development.

1) Landscape and Drainage Control

(a) The landscape and drainage control plan shall:

- Use efficient irrigation systems.
- Minimize to the maximum extent practicable the use of chemical pesticides, herbicides and fertilizers on all landscaped areas.
- The applicant shall employ no invasive, non-indigenous plant species, which tend to supplant native species as identified on the California Native Plant Society publication "California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled Recommended List of Native Plants for Landscaping in the Santa Monica Mountains, January 20, 1992 " and/or by the California Exotic Pest Council.
- With the exception of lawn areas, all vegetation shall be low water use plants for southern California coastal areas as defined by the University of California Cooperative Extension and the California Department of Water Resources in their joint publication: "*Guide to estimating irrigation water needs of landscape plantings in California*".

B) Five years from the date of issuance of Coastal Development Permit No. 5-03-219, the applicant shall submit for the review and approval of the Executive Director, a monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that certifies the on-site landscaping is in conformance with the landscaping plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.

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.

III. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description

The proposed project is the partial demolition and construction of a 3,528 square foot addition to an existing one-story single family residence resulting in a 4,232 square foot, 2-story single family residence with an attached 2-car garage (Exhibit 2). Approximately 700 square feet of the existing home is proposed to remain which includes a two-car garage. The applicant is also proposing the construction of a swimming pool to be located in the rear yard area and to replace an existing damaged retaining wall at the western and northern property lines. No additional grading is proposed.

The subject site is located on a relatively flat lot (lot 16, block 22, tract 9300), with a slight downward sloping rear yard, approximately $\frac{3}{4}$ mile inland from Will Rogers State Beach in an established residential area in Pacific Palisades (Exhibit 1). The applicant has received an Approval in Concept from the City of Los Angeles (5/19/03) and an approval letter from the Los Angeles Department of Building and Safety (1/30/03). The applicant proposes to incorporate the City's conditions of approval (#38910) into the project design, including but not limited to 1) verification of existing foundations and retaining walls; 2) review and approval of final plans by city geologist and engineers; 3) temporary erosion control devices; and 4) directing drainage from the site to the street. The City of Los Angeles does not allow infiltration of water on sites in Pacific Palisades. As mentioned above, the project site is located on a relatively flat area and is similar to previous projects in the neighborhood that have received coastal development permit approval from the Coastal Commission. The site is designated as low density R1-1 area in the Pacific Palisades.

B. Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. Furthermore, uncontrolled runoff from the project site and the percolation of water could also affect the structural stability of bluffs and hillsides. To address these concerns, the development, as proposed and as conditioned, incorporates design features to minimize the infiltration of water and the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, the use of non-invasive drought tolerant vegetation, and for the use of post-construction

best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

C. Development

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

D. Local Coastal Program

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, 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 of the Coastal Act.

E. California Environmental Quality Act

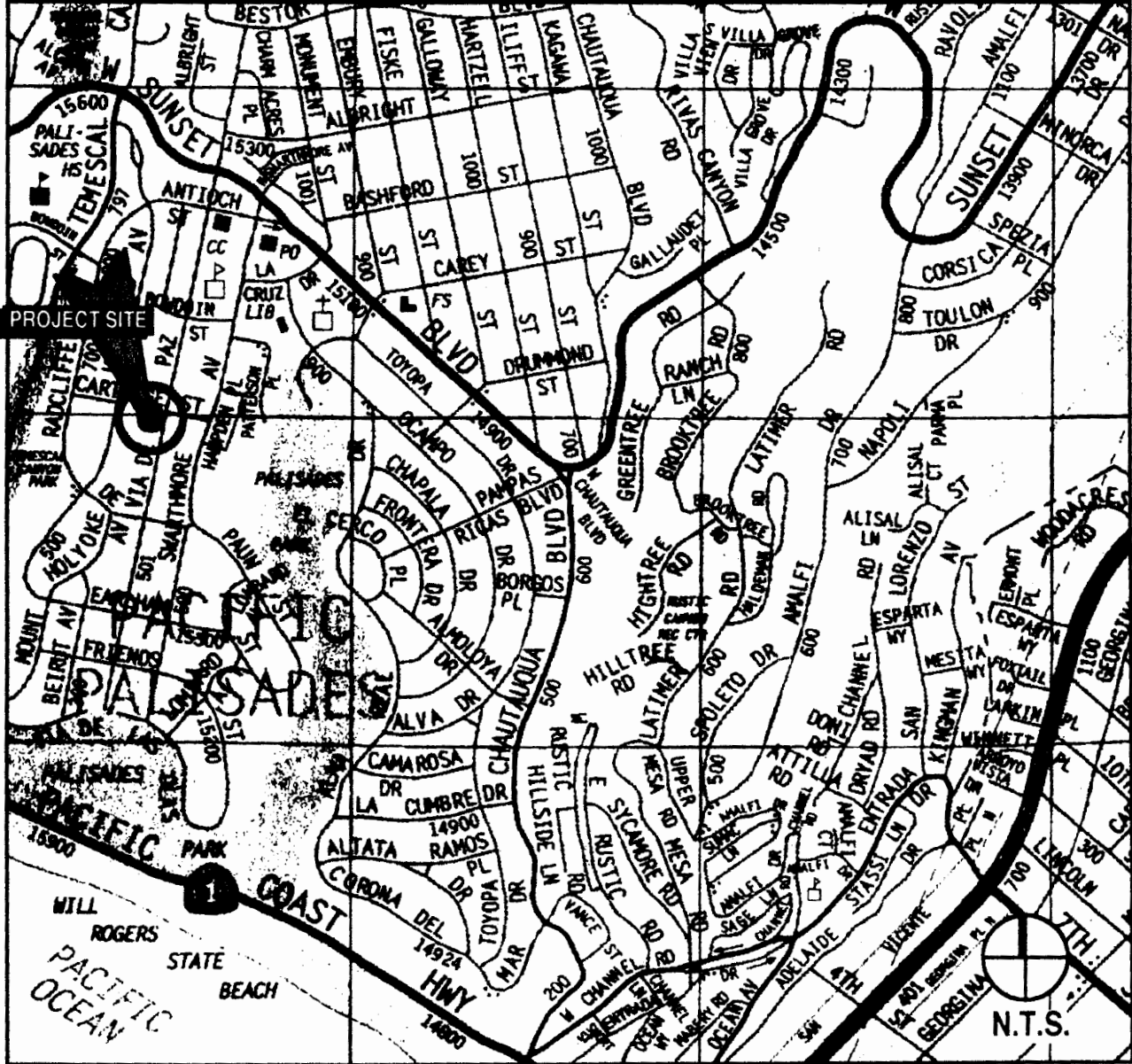
As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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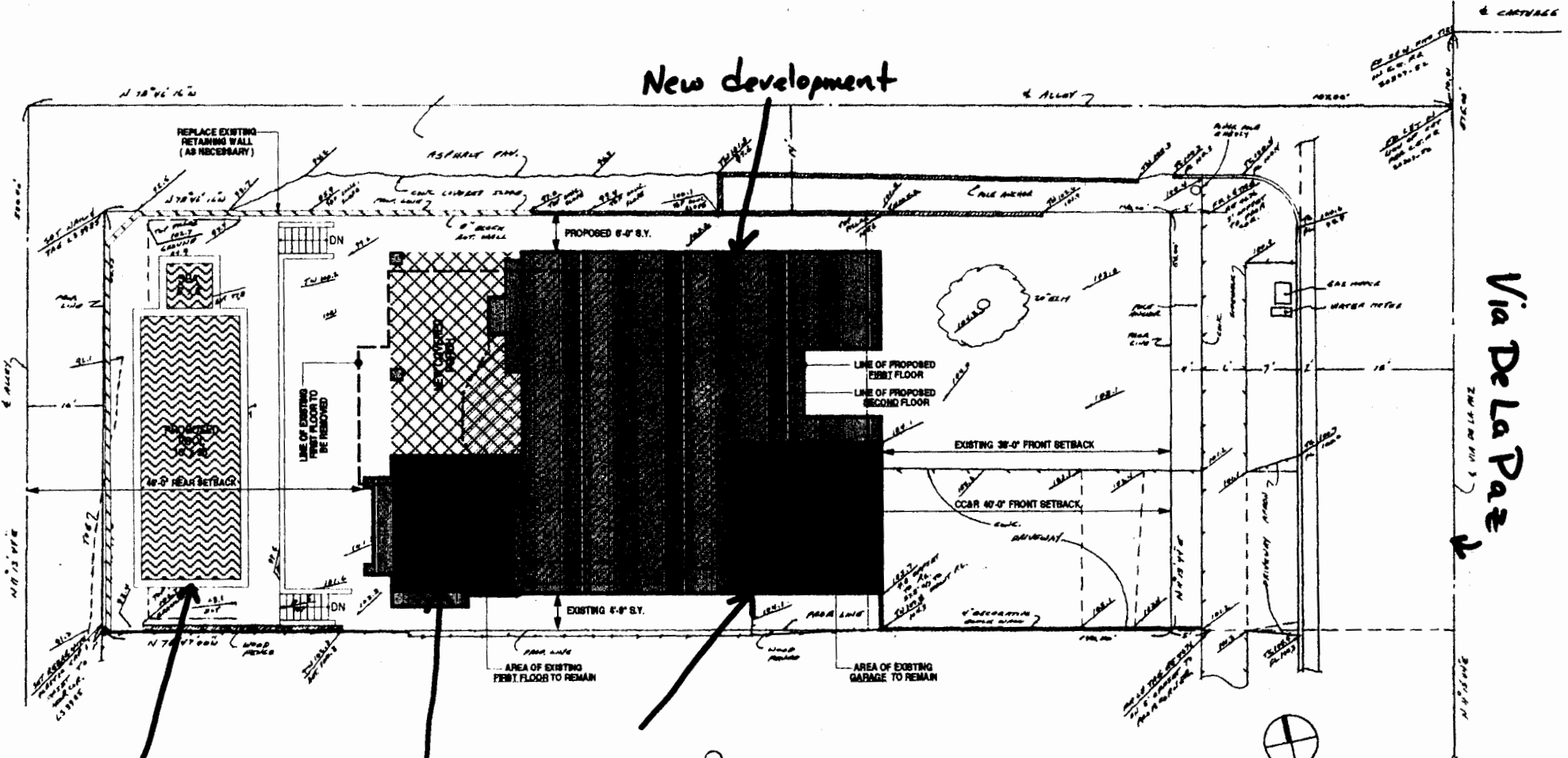
VICINITY MAP



COASTAL COMMISSION
5-03-219

EXHIBIT # 1

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Via De La Paz





New development

Existing to remain

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-  AREA OF EXISTING FIRST FLR. TO REMAIN
TOTAL = 704 S.F.
-  AREA OF FIRST FLOOR ADDITION
TOTAL = 1,200 S.F.
-  AREA OF COVERED PORCH ADDITION
TOTAL = 424 S.F.
-  AREA OF SECOND FLOOR ADDITION
TOTAL = 1,834 S.F.

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EXHIBIT # 2
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