

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
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Permit Application No. **5-05-402**
Date: November 21, 2005
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ADMINISTRATIVE PERMIT

APPLICANT: Mathew & Jody Miller

PROJECT

DESCRIPTION: Addition of 892 square feet to an existing one-story 3,447 square foot single-family residence, including 450 cubic yards of cut and 250 cubic yards of fill, and construction of a 6-foot high retaining wall along the rear portion of the property, and a 12-foot high retaining wall along the north-west side of the property to accommodate the new addition.

PROJECT

LOCATION: 1365 Lachman Lane, Pacific Palisades

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Al J. Padilla
Title: Coastal Program Analyst

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.

SPECIAL CONDITIONS:**1. Conformance of Design and Construction Plans to Geotechnical Report**

A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Geologic Investigation Report prepared by GeoSystems, Inc. dated April 5, 2005. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.

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 legally required.

2. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**

The permittee shall comply with the following construction-related requirements:

- (a) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (b) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction related materials, sediment or contaminants associated with construction activity or release of sewage, shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project.
- (c) Debris shall be disposed at a debris disposal site outside the coastal zone, pursuant to Special Condition No. 2.

3. **Location of Debris Disposal Site**

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place. The contractor shall be notified of this condition.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. **Project Description and Background**

The applicant proposes the addition of 892 square feet to an existing one-story 3,447 square foot single-family residence, including 450 cubic yards of cut and 250 cubic yards of fill, and construction of a 6-foot high retaining wall along the rear portion of the property, and a 12-foot high retaining wall along the north-west side of the property to accommodate the new addition.

A 2.5 to 3-foot high retaining wall is currently located in the northwest side of the building pad, which ascends towards the upslope property at slope gradients ranging from 2:1 to 1.5:1, for

a slope height of about 15-feet. The new 12 foot high retaining wall will be located approximately 10 feet from the existing 2.5 to 3 foot wall and cut into the slope to create a flat building area for a portion of the 892 square foot addition.

At the rear, or southern portion of the property, a slope descends from the south side of the building pad towards the down slope property at a slope of 1.5:1 for a slope height of about 25-feet. A 2-3-foot high garden wall is located along the top of this slope. The applicant proposes to construct a 6-foot high retaining wall and backfill behind the wall to create a level yard area.

The project site is located on a graded building pad on the west side of Lachman Lane, in the Pacific Palisades area of the City of Los Angeles. The site is an interior lot within the developed residential subdivision.

The proposed retaining walls will not have a significant impact on coastal views since the walls will be located between existing developments and there are no available coastal public views from the adjacent streets.

A preliminary soils and engineering report was prepared for the project by GeoSystems (April 5, 2005). The report concludes that from a soils and engineering geologic standpoint the site is suitable for the proposed development provided that their recommendations are incorporated into the building and/or grading plans.

B. Access

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214 and Sections 30220 through 30224 of the Coastal Act.

C. Development

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. Therefore, the Commission finds that the development conforms with Sections 30250 and 30251 of the Coastal Act.

D. Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize 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, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, 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.

E. 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 Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As proposed, the development will be consistent with Chapter 3 of the Coastal Act. Approval of the project 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.

F. California Environmental Quality Act.

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

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing