

CALIFORNIA COASTAL COMMISSION

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**W9b.****RECORD PACKET COPY****STAFF REPORT: Regular Calendar**

APPLICATION NUMBER: 5-03-241
APPLICANT: Ron Flury
AGENT: Gary Morris, Alan Block
PROJECT LOCATION: 14868 & 14880 Corona Del Mar, Pacific Palisades

PROJECT DESCRIPTION: Construction of a 24,430 square foot, 36 foot high (from finished grade), single-family residence with basement for storage, gym, maid's quarters and fifteen car garage; swimming pool; 47,000 cubic yards of grading (cut), lowering site 15-25 feet; and 27 foot high soil nail wall with shotcrete facing.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **deny** the project because it is inconsistent with Sections 30240(b), 30251 and 30253 of the Coastal Act. (**The motion is on page 3 of this report.**) Sections 30240(b) and 30251 protect the scenic and visual qualities of coastal areas and the general character of recreation areas. Section 30253 limits the use of protective devices that would substantially alter natural landforms along bluffs and cliffs by prohibiting new development that would require construction of such devices. The primary issues addressed in this staff report are the appropriateness of approving the project given its incompatibility with the visual resource, recreation area, and geologic hazard policies of the Coastal Act. Staff recommends that the Commission **DENY** the proposed project.

The proposed project is located on Corona del Mar, directly above Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles. The building site is situated atop a 140-foot bluff above and north of Pacific Coast Highway and just west of Chautauqua Boulevard on a site that is highly visible from Pacific Coast Highway. The proposed project relies upon the construction of protective devices that would substantially alter natural landforms along a coastal bluff to achieve structural stability. An alternative to the bluff protective device would be re-siting the residence farther from the bluff face, in an area that is both safe and does not rely on landform and bluff alteration to achieve stability. The staff geologist has identified a method to identify a location on the property where a single-family house could be constructed without major landform alteration. The

method includes: identifying the amount of erosion that can be anticipated over the next 75 years based on historical data and adding that amount of retreat to the distance back from the bluff edge where the current 1.5 factor of safety line lies to come up with a total setback. The applicant's geological investigation provides cross-section plans that locate a 1.5 factor of safety line, which intersects the surface of the lot approximately 70 feet inland of the bluff edge. The subject lot has a bluff top that is approximately 170-feet deep, as measured from the street to the existing bluff edge. Staff recommends that there is evidence that there is a buildable site on this property that can be safely developed with a single family house using a combination of re-siting the house behind the 1.5 factor of safety line and using foundations or even pilings that do not require extensive grading or changing the profile of the bluff

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles Coastal Development Permit No. ZA 2001-0196(CDP)
2. Coastal Development Permits:

Staff Note:

The proposed development is within the coastal zone area of the City of Los Angeles. Section 30600(b) of the Coastal Act allows a local government to assume permit authority prior to certification of its local coastal program. Under that section, the local government must agree to issue all permits within its jurisdiction. In 1978, the City of Los Angeles chose to issue its own coastal development permits pursuant to this provision of the Coastal Act.

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction area, the Act requires that any development that receives a local coastal development permit also obtain such a permit from the Coastal Commission. Section 30601 requires a second coastal development permit from the Commission on all lands located (1) between the sea and the first public road, (2) within 300 feet of the inland extent of a beach, or the sea where there is no beach, (3) on tidelands or submerged lands, (4) on lands located within 100 feet of a wetland or stream, or (5) on lands located within 300 feet of the top of the seaward face of a coastal bluff. Outside that area, which is known as the Dual Permit Jurisdiction area, the local agency's (City of Los Angeles) coastal development permit is the only coastal development permit required. Thus, it is known as the *Single Permit Jurisdiction* area.

The proposed development is located just inland of Pacific Coast Highway, on the coastal bluffs within 300 feet of the top of the seaward face of a coastal bluff. This area is located within the coastal zone area of the City of Los Angeles that has been designated in the City's permit program as the "Dual Permit Jurisdiction" area pursuant to Section 13307 of Title 14 of the California Code of Regulations and Section 30601 of the Coastal Act. The applicant received a coastal development permit (ZA 2001-0196) from the City of Los Angeles on February 27, 2003. The permit was not appealed to the Commission. This application is for the Commission's dual permit.

The Commission's standard of review for the proposed development in the *Dual Permit Jurisdiction* area of Los Angeles is the Chapter 3 policies of the Coastal Act. The City of Los Angeles does not have a certified Local Coastal Plan for the San Pedro area.

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR COASTAL DEVELOPMENT PERMIT NO. 5-03-241:

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

MOTION: *I move that the Commission approve Coastal Development Permit Amendment No. 5-03-241 for the development as proposed by the applicant.*

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY THE PERMIT:

The Commission hereby **denies** a coastal development permit for the proposed development on the ground that the development will not conform with the policies of Chapter 3 of the Coastal Act and will 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 would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

II. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Area History

The applicant is proposing the construction of a 24,430 square foot, 36 foot high (from finished grade), single-family residence, including basement for storage, gym, maid's quarters and fifteen car garage; swimming pool; and 47,000 cubic yards of grading (cut), lowering site 15-25 feet; and 27 foot high soil nail wall¹ with shotcrete facing (see Exhibit No. 4 & 5). The project is proposed to be located on a bluff top lot overlooking Pacific Coast Highway.

The existing grade of the bluff top will be lowered 15 feet, from 177 to 162 feet. The upper bluff face will be graded and laid back at a 1.5:1(horizontal to vertical) ratio between the 142 and 160-foot elevation. Then from the 142-foot elevation down to the 114 foot elevation, a 27 foot high soil nail wall with shotcrete facing will be constructed (see Exhibit No. 7 & 8). The applicant has indicated that grading and lowering of the bluff top is necessary to relieve pressure on the bluff and the retaining wall will provide geologic stability to the slope. The shotcrete will be designed to blend in with the natural bluff, by texturing and color matching.

The proposed project site is located off Corona Del Mar, between Corona del Mar and Pacific Coast Highway in the Pacific Palisades area of the City of Los Angeles (see Exhibit No. 1 & 2). The subject site consists of two relatively flat graded bluff top lots totaling approximately 1.87 acres (see Exhibit No. 3). The lots extend south approximately 140 feet from the frontage road to the bluff edge, where the property then drops down a steep approximately 155 foot bluff.

The proposed project is located at the top of a 155 ft. high bluff that has been subject to historic and prehistoric landslides. The subject parcel is located in the Huntington Palisades area of Pacific Palisades, a planning subarea of the City of Los Angeles. Numerous past landslides have occurred in the Huntington Palisades area. Major recorded landslides occurred in October 1932, March 1951, February 1974, March 1978, February 1984, November 1989, January 1994, and March 1995. The landslides that occurred in 1974, 1978, 1984 and 1995 were correlated with rainfall that was much higher than average seasonal amounts. The loss of the previous structure on this and the adjacent parcel occurred as a result of slope failure induced by the 1994 Northridge earthquake. The most recent landslide, in 1995, occurred after a total seasonal rainfall that was approximately twice the average cumulative seasonal amount for the area.

The project site, consisting of two lots, was previously developed with two single-family dwellings. The dwellings were extensively damaged and one partially slid down the slope

¹ "The soil nail retaining wall utilizes steel tendons grouted into drilled holes into the alluvial terrace to reinforce the ground. The reinforced ground becomes the primary structural element of the wall and shotcrete supports the excavation face between the soil nails. The soil nailed mass behaves as a composite unit, similar to a gravity retaining wall", Geologic and Soils Geotechnical Engineering Exploration report, prepared by The J. Byer Group, Inc., November 1, 2000, for 14868 and 14880 Corona del Mar, Pacific Palisades, California.

due to the 1994 Northridge earthquake. All development has since been removed from the site. The applicant proposes to combine the two lots as part of this application. The project has received a coastal development permit [ZA 2001-0196(CDP)] from the City of Los Angeles, as well as approval of numerous geology reports reviewed and conditionally approved by the City of Los Angeles' Department of Building and Safety.

B. Visual Resources

Section 30251 of the Coastal Act states in part that:

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 landforms, to be visually compatible with the character surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

and Section 30240 (b), in part states:

(b) Development in areas adjacent to ... parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those ... recreation areas.

The proposed project is located on Corona del Mar, directly above Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles. The building site is situated atop a 155-foot bluff above and north of Pacific Coast Highway and just west of Chautauqua Boulevard. Corona del Mar is developed with single-family residences along the bluff and on the inland side. At the base of the bluff along Pacific Coast Highway is a 10-foot high debris wall constructed by the California Department of Transportation (Caltrans). To the south of Pacific Coast Highway is Will Rogers State Beach. Chautauqua Boulevard, near its intersection with Pacific Coast Highway, is developed with commercial buildings.

Because the site is situated on a steep bluff overlooking Pacific Coast Highway and the beach, development on top of the bluff will be highly visible from Pacific Coast Highway and the public beach. Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be protected and development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and minimize alteration of natural landforms.

The applicant is proposing a 27-foot high, as measured from finished grade, one-story with basement, 24,430 square foot single-family residence, with 47,000 cubic yards of grading (cut) to lower the site 15-25 feet and a 27-foot high soil nail wall to stabilize the slope. The residence will be set back from the engineered bluff edge a minimum of 44 feet, with at-grade patios and swimming pools up to the edge of the proposed engineered bluff edge.

The applicant has submitted a view analysis from two locations to the west and east on the beach, and one from across Chautauqua Boulevard. The site lines indicate that the structure will not be highly visible from those areas. However, because the property sits on a prominent bluff overlooking Pacific Coast Highway and the beach, a residential structure at this location will be visible east of the project site along Pacific Coast Highway for a quite a distance, and as one moves further away from the bluff, a residential structure atop the bluff will become more visible from the beach area to the south. Furthermore, the proposed engineered slope, including the retaining wall, 1.5:1 graded slope, and 27 foot high soil nail wall with shotcrete, will be highly visible from Pacific Coast Highway and the surrounding beach.

The applicant argues that the soil nail wall will be covered with shotcrete and colored to match the surrounding natural slope to minimize the visual impact. The applicant has provided staff with photographs of similar shotcrete applications that they state could be used for this project. Although, blending the retaining wall with the surrounding natural slope color and texture will reduce the visual impact as compared to a standard concrete or timber and iron retaining wall, such walls do not completely blend in with the natural slope and have an unnatural appearance, and over time erosion of the abutting natural slope exposes the edges of the shotcrete and retaining wall system creating a greater visual impact. Furthermore, the upper 18 feet of the slope will be graded and trimmed back at a 1.5:1 slope. Grading along a slope with near vertical walls, will provide an unnatural engineered appearance, which will further add to the visual impact along the bluff.

Moreover, Section 30251 states that development shall minimize the alteration of natural landforms. The proposed grading along the bluff face, including the lowering of the existing bluff top by 15 feet with 47,000 cubic yards of cut, is not minimizing grading and landform alteration. The proposed grading on the bluff top and bluff face significantly alters the natural landform and will not be visually compatible with the surrounding area. As proposed, the development is not sited and designed to protect views to and along the ocean and scenic coastal areas, and does not minimize the alteration of natural landforms. An alternative to the proposed development may include reducing the size of the structure and setting the residence farther back away from the existing bluff edge. The residence could be set back farther from the bluff, without lowering the bluff and without any slope modifications. Such an alternative would significantly reduce the visibility of the structure from surrounding areas, and eliminate landform alteration atop the bluff and on the bluff face.

The proposed single-family residence and engineered slope will be visible from the surrounding area and does not adequately minimize view impacts to and along the coast. The visual impacts can be significantly minimized by redesigning and relocating the single-family residence to eliminate or minimize the natural landform alteration. The Commission, therefore, finds that the proposed project will adversely impact the visual resources of the surrounding area and does not minimize natural landform alteration, therefore, is not consistent with Section 30240(b) and 30251 of the Coastal Act.

C. Geologic Hazards/ Natural Landforms

Section 30253 of the Coastal Act provides in part:

New Development shall:

(1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazards.*

(2) *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The project site consists of two partially graded blufftop lots, on the bluff north of Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles. It is located on the south side of Corona del mar, west of Santa Monica Canyon, and approximately 1/8 of a mile northwest of the intersection of Pacific Coast Highway and Chautauqua Boulevard. The level pad is located at an elevation of approximately 175 feet above sea level. Slopes descend from the level pad to the south and east. The south facing slope is approximately 155 feet high and descends at a gradient ranging from near vertical to 1 1/2 :1. Fill underlies the building pad portion of the site to a maximum observed depth of two feet. Fill consists of silty sand which is brown, slightly moist, medium dense to dense with rock and concrete fragments to 1/2 inch. Alluvial terrace deposits underlie the subject property. The lower 55-foot portion of the slope consists of a buttress fill, which was placed by the California Department of Transportation.

According to the geologic and soils Geotechnical report, prepared by The J. Byer Group, Inc. (11/1/2000), the alluvial terrace is generally massive to horizontally layered and lacks significant structural planes. The massive nature of the alluvial terrace is favorable for the gross stability of the site and proposed project. The geotechnical report further states:

The slope above PCH between Santa Monica Canyon and Potrero Canyon has been affected by landsliding from prehistoric times to the present. A compacted fill buttress, approximately 55 feet high, was constructed at the base of the slope below the subject property in 1979. The top of the slope has been receding during the time the site was developed due to erosion of the near vertical upper portion of the slope. The most recent slope failure occurred during intense ground shaking caused by the January 1994 Northridge earthquake, which caused the top of the slope to recede approximately 38 feet. The south 12 feet of the single family residence was undercut and collapsed as a result. The failures left a near vertical scarp at the new top of slope with debris scattered over the lower portion of the slope and covering the slope bench which was previously located at the top the compacted fill buttress.

The applicant's geotechnical report acknowledges that the subject parcel has inherent geologic risks regarding slope stability. According to geologic reports that have been done in the surrounding area, bluff retreat at this site "has been on the order of 50 to 60 feet since 1962. The retreat has been due largely to a combination of erosion and slope failure that resulted from occasional strong ground motion.

The applicant's geology report concludes that, from a geotechnical perspective, the stability of the site can be improved by construction of a tied-back soldier pile wall and reconfiguring the slope to a 1 1/2:1 (horizontal to vertical) grade. Those recommendations are incorporated in the subject coastal permit application. The City of Los Angeles Department of Building and Safety Grading Division reviewed the geology reports and found them acceptable. The City's conditional approval included conditions addressing geotechnical issues with specific recommendations for site preparation, grading, foundation design and site drainage.

A slope stability analysis was completed for the site and a significant portion of the lot was shown to have a factor of safety of 1.485, less than the minimum required 1.5. The City's Municipal Code specifies a factor of safety of 1.5 as the minimum acceptable static factor of safety for cut, fill and buttress fill slopes, and for natural slopes where construction is proposed. Furthermore, the City's Department of Building and Safety has a policy that states:

When the proposed construction consists of a new single-family residence or the value of the improvements (additions and/or remodeling) to an existing building exceeds 50 percent of the replacement value, then the entire site (emphasis added) shall have a minimum factor of safety of 1.5. Where slopes with a factor of safety less than 1.5 will not pose a hazard to the proposed construction, the site access or to adjacent property, the Department may consider waiving this requirement.

According to the report the stability of the slopes on and adjacent to the site will be increased to 1.5 by reducing the overall height of the slope by 18 feet, construction of the soil nail wall, and trimming the mid portion of the south facing slope to a 1 1/2: 1 gradient.

According to the reports, the lowering of the bluff and construction of the soil nail wall, trimming the mid portion of the south facing slope to a 1 1/2: 1 gradient, is necessary to achieve a factor of safety of 1.5 over the entire site and to protect the bluff face. The geologic investigation states that surficial slope instability could impact proposed improvements such as hardscape and fencing located near the bluff edge. Although the bluff, and approximately 70 feet seaward of the bluff, has a factor of safety less than 1.5, the factor of safety increases landward of this point. The investigation provides cross-section plans that locate the 1.5 factor of safety line, which intersects the surface of the lot approximately 70 feet inland of the bluff edge. The subject lot has a bluff top of approximately 170-feet deep, as measured from the street to the existing bluff edge. Based on these cross-sections, there is at least a 100 foot wide area on top of the bluff that

presently has a factor of safety at or greater than 1.5, where the applicant can site development without altering the landform and constructing a retaining wall system on the bluff face. The applicant argues that the City requires that the entire site be brought up to a minimum factor of safety of 1.5, therefore, the lowering of the bluff, and slope protective work is necessary to meet the City's requirements. In discussions with the City's Department of Building and Safety, it was indicated that the requirement of having the entire site at a minimum factor of safety of 1.5 is a policy of the department's and not a City ordinance. If the residence can be constructed on an area of the site with a factor of safety of 1.5, and not pose a hazard, as the City's policy states, then it is possible that the Department can approve the development.

The Commission's staff geologist, Dr. Mark Johnsson, has reviewed the applicant's proposed plans and geology reports, including the City's geologic review, and finds that the proposed project, if carried out in accordance with the recommendations set forth in the geotechnical reports, would be stable; however Dr. Johnsson has expressed concern regarding the extensive slope stability work that is being proposed on the slope, and the necessity of such work. In this case, the single-family residence can be built landward of the theoretical factor of safety line of 1.5, with a significant setback from the bluff edge that could provide the applicant an adequate buffer from the slope where the slope will not pose a hazard to the proposed construction, site access or to adjacent properties. In discussions with the Department of Building and Safety, it was indicated to staff that it was possible that the Department could find an alternative construction design consistent with the policy and approve the design without the currently proposed slope stability measures that would significantly alter the bluffs. However, the applicant has not submitted any information or documentation from the City that this alternative has been explored.

In addition, the applicant has not indicated whether landscaping is planned for the graded bluff face and bluff top. Irrigation for landscaping poses a potential problem due to infiltration of water into the bluff which can have adverse impacts upon the bluff. One purpose of the construction of the soil nail wall is to enable the applicant to construct a swimming pool and other hardscape improvements between the house and the seaward facing edge of the bluff. However, swimming pools have the potential to cause slope instability due to future leaks. As noted above, ground water can contribute to an acceleration of bluff erosion and possible landslide/sloughing activity. Possible impacts from the pool structure are leakage into the subsurface, spillage, and maintenance activities that could create instability within the bluff.

The applicant has made no compromise as to the location of the development with the hazardous nature of the site. The applicant is proposing a large 24,000 square foot residence, grading for an underground garage, limited setback between the house and the bluff edge, and placing of a swimming pool and other hardscape at or near the edge of the bluff, all of which can create instability between the house and the bluff. The 24,000 square foot residence occupies a footprint of 12,000 square feet and due to its size encroaches closer to the bluff edge and in an area that has a greater geologic hazard. Development on or near the bluff face and in areas of high geologic risk can contribute and accelerate

erosion of the bluff. The applicant can reduce the size of the development and relocate development further from the bluff edge to significantly minimize the geologic hazard and eliminate the need for a slope protective structure.

To meet the requirements of the Coastal Act, new development must be sited and designed to: "*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 [Emphasis added] that would substantially alter natural landforms along bluffs and cliffs.*" As proposed, the new development is reliant upon a protective device (soil nail wall) that will significantly alter the landform. Thus, the Commission finds that the project, as currently proposed, is not consistent with the geologic hazards policy of the Coastal Act. There are alternatives to the proposed project that would lessen or avoid the identified impacts. Denial of the proposed project would avoid impacts to landforms. New development, such as the proposed residence, should be sited and designed so that no protective device is necessary to protect the structure over its anticipated life (usually taken to be 75 years). Therefore, the Commission finds that the proposed project is inconsistent with Section 30253 of the Coastal Act and therefore must be denied.

D. Alternatives

Denial of the proposed project will neither eliminate all economically beneficial or productive use of the applicant's property, nor unreasonably limit the owner's reasonable investment backed expectations of the subject property. Several alternatives to the proposed development exist. One such alternative, provided merely as an example, is the following:

New Residence Constructed Adhering to Slope Stability and Long Term Bluff Erosion Rate Concerns

The applicant could construct a new residence that has been sited to avoid the areas subject to slope stability and long term bluff erosion rate concerns. To meet the requirements of the Coastal Act, bluff top developments must be sited and designed to:

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.

In order to assure that this is the case, a development setback line must be established that places the proposed structures a sufficient distance from unstable or marginally stable bluffs to assure their safety, and that takes into account bluff retreat over the life of the structures, thus assuring the stability of the structures over their design life. The goal is to assure that by the time the bluff retreats sufficiently to threaten the development, the structures themselves are obsolete. Replacement development can then be appropriately sited behind a new setback line.

The first aspect to consider in establishing development setbacks from the bluff edge is to determine whether the existing coastal bluff meets minimum requirements for slope stability. If the answer to this question is "yes," then no setback is necessary for slope stability considerations. If the answer is "no," then the distance from the bluff edge to a position where sufficient stability exists – and is predicted to exist after 75 years – to assure safety must be found, or engineered and sited in such a way as to maximize the setback from the bluff and eliminate the need for any protective device that would substantially alter the natural landform along the bluff. In other words, a determination must be made relative to how far back from the unstable or marginally stable slope must development be sited to assure its safety. Assessing the stability of slopes against landsliding is undertaken through a quantitative slope stability analysis. In such an analysis, the forces resisting a potential landslide are first determined. These are essentially the strength of the rocks or soils making up the bluff. Next, the forces driving a potential landslide are determined. These forces are the weight of the rocks as projected along a potential slide surface. The resisting forces are divided by the driving forces to determine the "factor of safety." A value below 1.0 is theoretically impossible, as the slope would have failed already. A value of 1.0 indicates that failure is imminent. Factors of safety at increasing values above 1.0 lend increasing confidence in the stability of the slope. The industry-standard for new development is a factor of safety of 1.5.

In this case, the applicant has submitted slope stability analyses indicating that the slope has a factor of safety of less than 1.5. Thus, the slope is known to be unstable and some portions of the site on the bluff top also have a factor of safety less than 1.5.

The second aspect to be considered in the establishment of a development setback line from the edge of a coastal bluff is the issue of more gradual, or "grain by grain" erosion. In order to develop appropriate setbacks for bluff top development, the position of the bluff edge must be predicted so that development can be sited to be safe from long-term coastal erosion. The Coastal Act requires development to be stable for the anticipated life of the development (typically taken to be 75 years). The Commission has typically defined 'stable' to mean the development is sited in a location that will retain a 1.5 factor of safety throughout the life of the development without reliance upon a protective device. In this case the applicant cannot retain a 1.5 factor of safety on the site without the use of protective devices. However, development can be sited further from the bluff edge and designed to reduce the threat from erosion/bluff retreat and not alter the natural landform.

E. Local Coastal Program

Section 30604(a) of the Coastal Act states:

(a) 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.

The City of Los Angeles has not prepared a draft Land Use Plan for this planning subarea. In its initial "Work Program," the city identified protection of public views and stability of the lots along Pacific Coast Highway as issues that needed investigation. As proposed the project will adversely impact public coastal views from the adjacent public areas including Pacific Coast Highway and Will Rogers State Beach, and will require a significant amount of grading and the construction of slope protective devices that would substantially alter natural landforms along bluffs and cliffs. The Commission, therefore, finds that the project is not consistent with the Chapter 3 policies of the Coastal Act with regards to the protection of public coastal views, and approval of the project as proposed will therefore prejudice the ability of the City to prepare a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

F. CEQA

Section 13096(a) of the Commission's administrative 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 impact which the activity may have on the environment.

The proposed project will have an adverse impact on the environment by impacting public views to and along the coast. There are feasible alternatives available that would substantially lessen any significant adverse impact which the activity will have on the environment. Denial of the proposed project will not prohibit the applicant from achieving an economic and beneficial use of the property. Therefore, the proposed project is found not consistent with CEQA and the policies of the Coastal Act. Therefore, the proposed project is denied.

VICINITY MAP

South Coast Region

RECEIVED

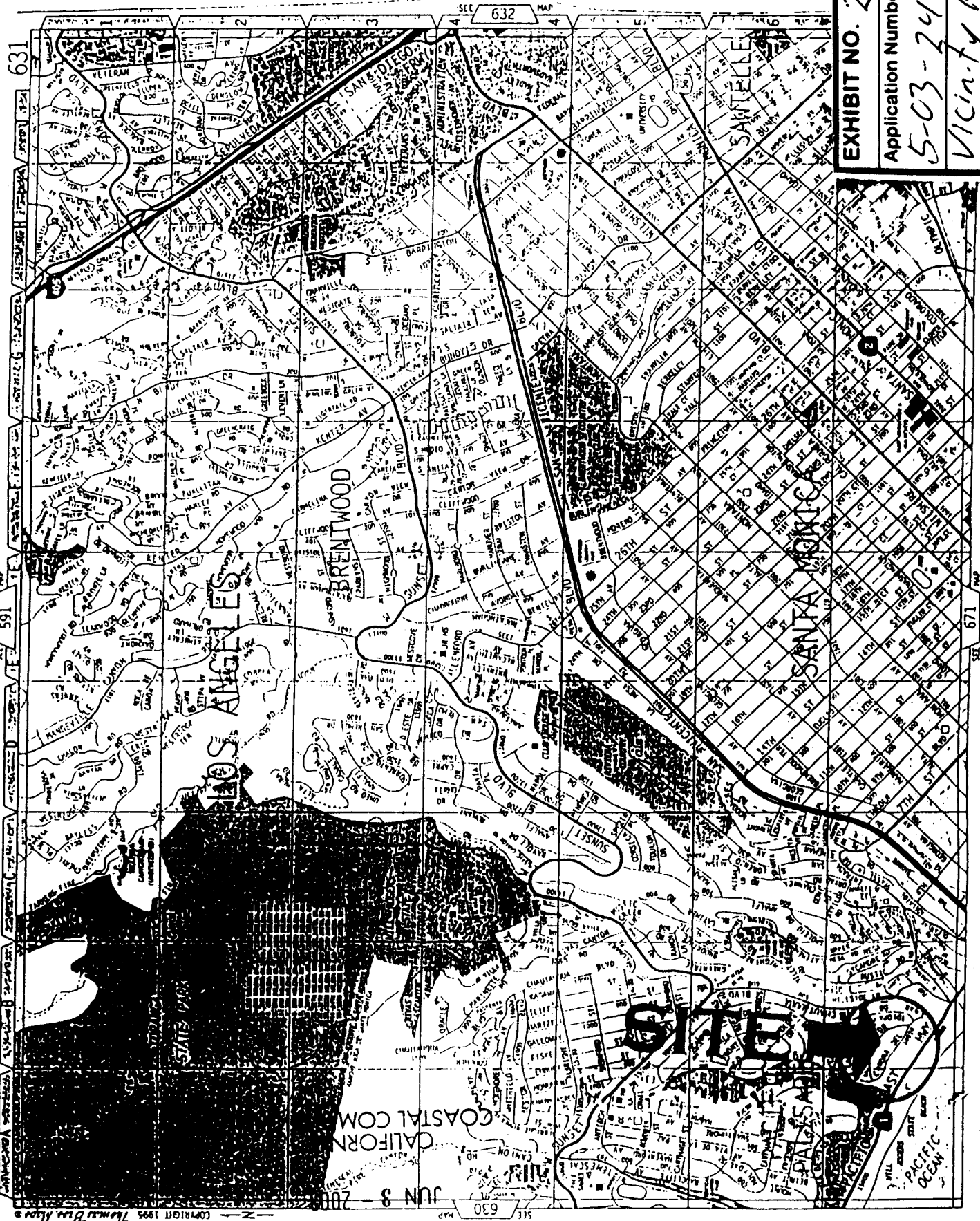


EXHIBIT NO. 2

Application Number

5-03-241

Vicinity Map

County of Los Angeles Rick Auerbach, Assessor

4411 29
SCALE 1" = 80'

2003

TRACT NO. 9473
M.B. 142-4-8CODE
67TRACT NO. 6753
M.B. 143-25-28

FOR PREV. ASSAULT. SEE: 4411-29

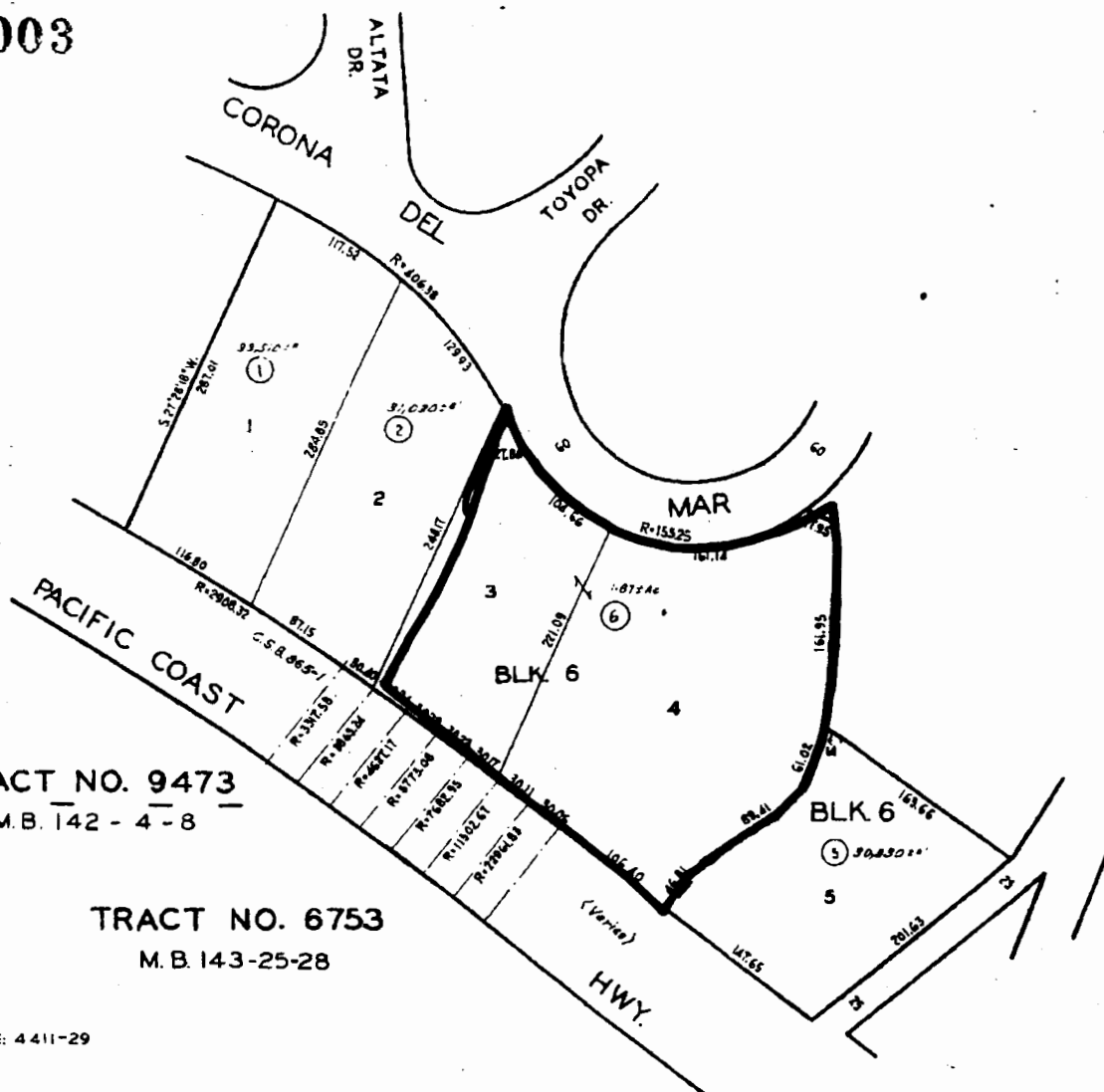


EXHIBIT NO. 3

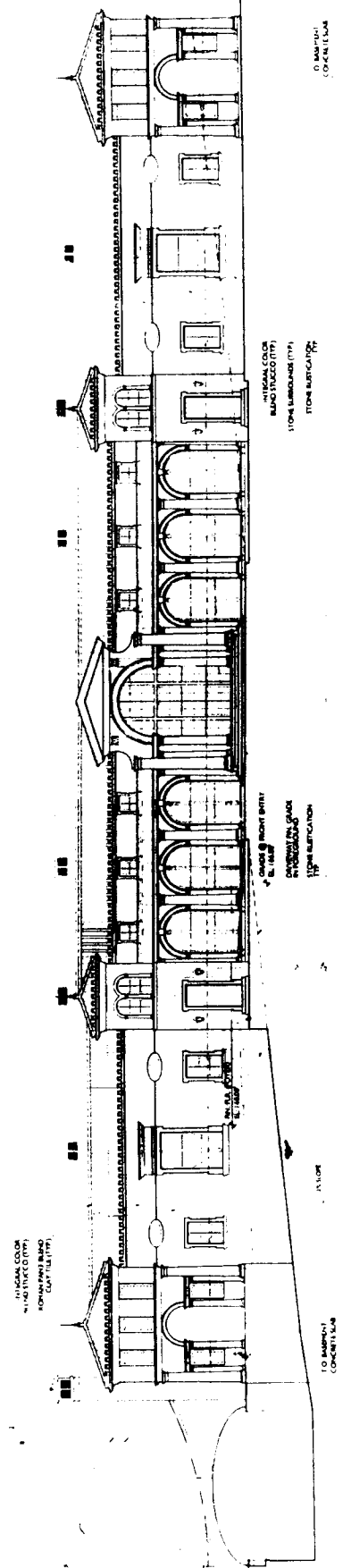
Application Number

503-241
Parcel Map

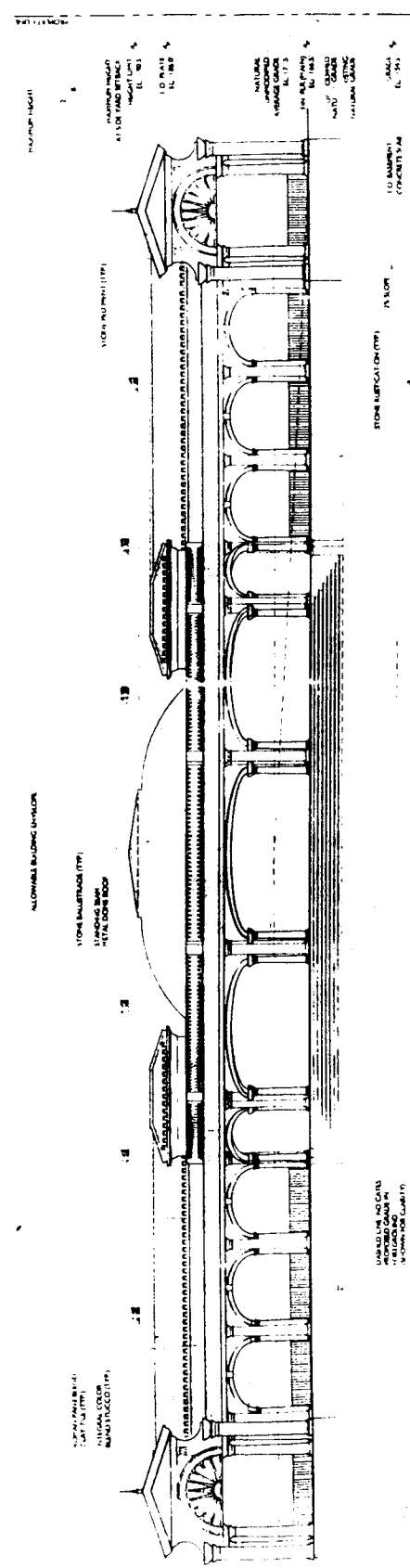
California Coastal Commission

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6/22/2005

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FRONT ELEVATION (3)



100

REAR ELEVATION 2

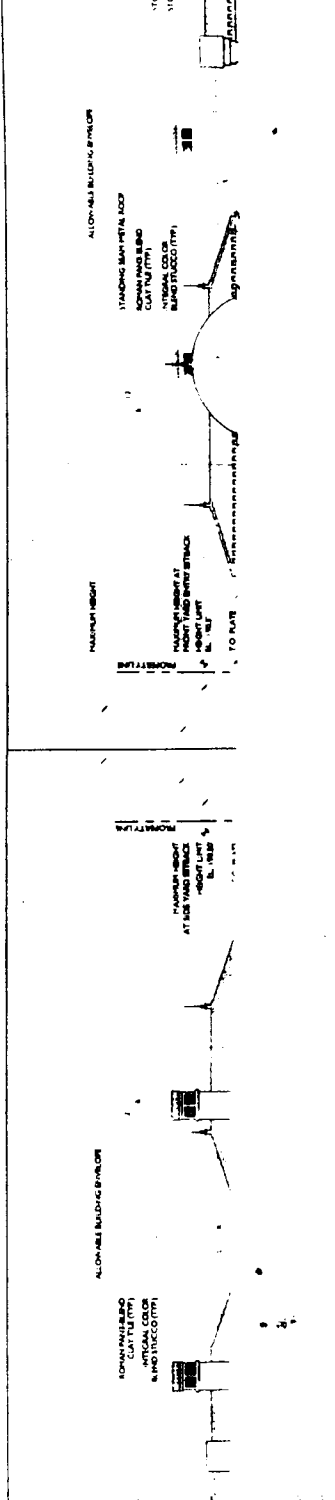


EXHIBIT NO. 5

Application Number

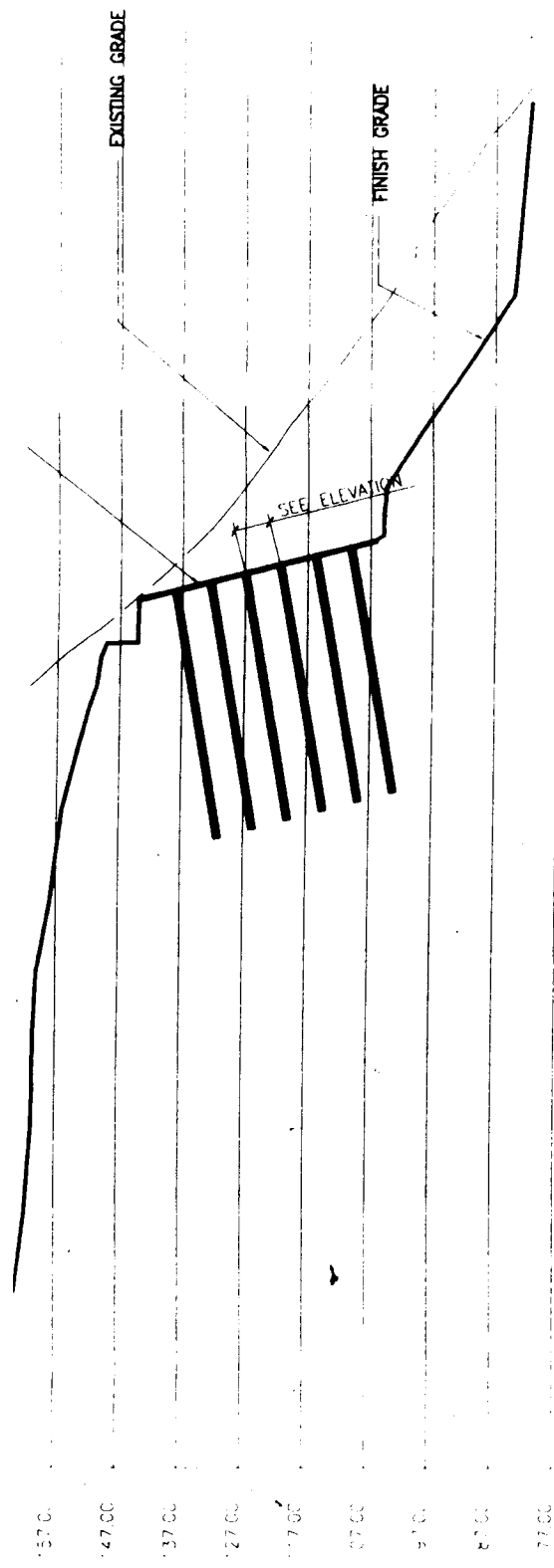
5-03-241

Elevation

California Coastal Commission



EXHIBIT NO.	C
Application Number	5-03-241
	Aerial Photo
	California Coastal Commission



DETAIL

XHIBIT NO.	7
Application Number	5-03-241
Grading Cross Section	
California Coastal Commission	

Factor

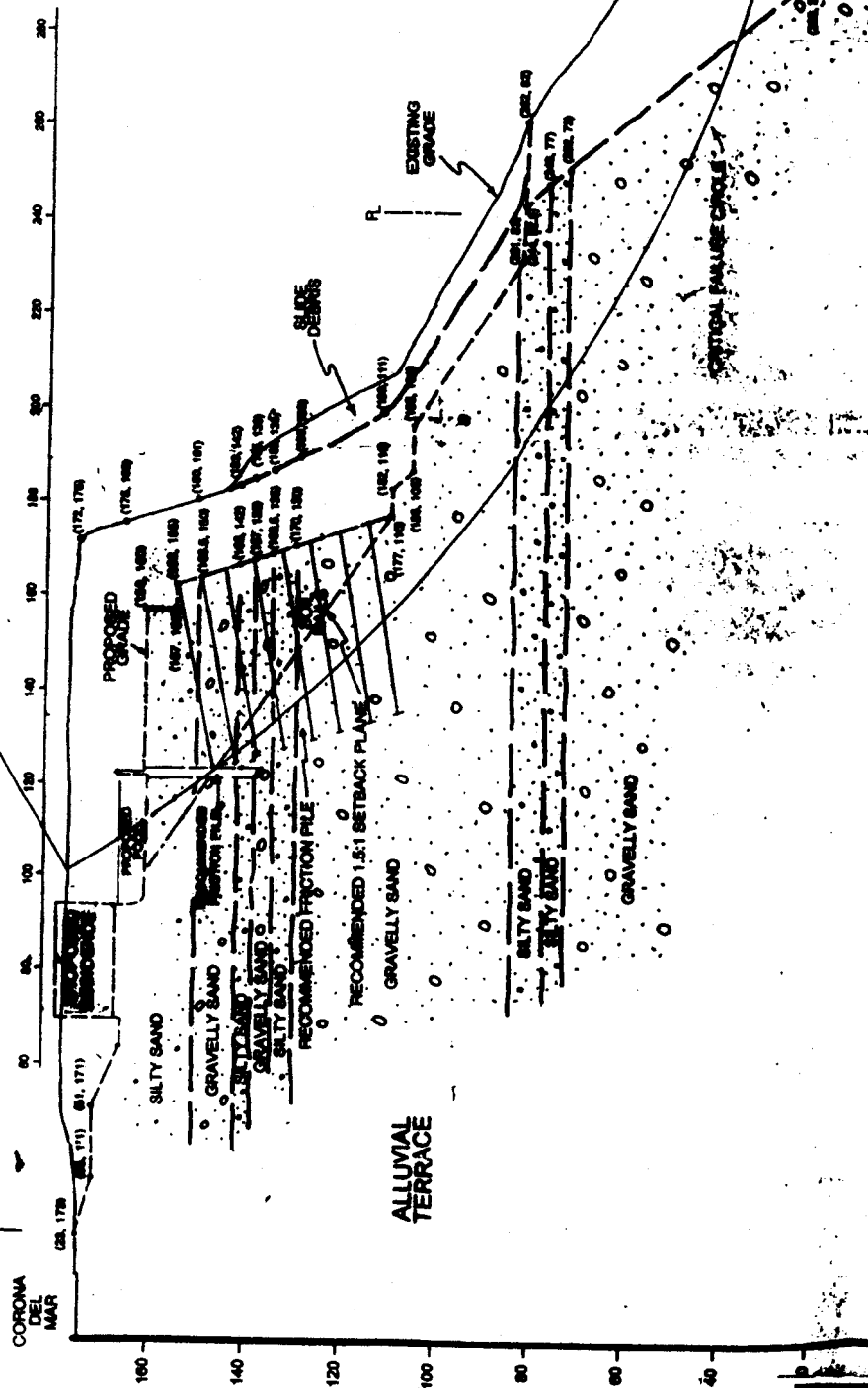


EXHIBIT NO.	8
Application Number	5-03-241
Geologic Cross Section	
California Coastal Commission	