CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

W12a

Filed:	06/02/18
180th Day:	11/29/18
Staff:	D. Truong-LB
Staff Report:	10/25/18
Hearing Date:	11/7/18

STAFF REPORT: REGULAR CALENDAR

Application No.:	**5-18-0255**
Applicants:	**Alex & Moujan Kazerani**
Agent:	Tony Russo
Location:	14948 Corona del Mar (AKA 14944 Corona del Mar, 14937 Pacific Coast Highway), Pacific Palisades, Los Angeles County (APN 4411-030-002)
Project Description:	Construction of a 7,115 sq. ft., 30-ft. high, two-story single-family home over a 4,826 sq. ft. basement on a caisson grade beam foundation with an attached 722 sq. ft. four-car garage (with two car lifts), swimming pool, and pool pavilion on a vacant 27,646 sq. ft. blufftop lot, including approximately 3,300 cu. yds. of grading.
Staff Recommendation:	Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The applicant proposes to construct a new single-family home on a vacant blufftop lot above Pacific Coast Highway (PCH) in the Pacific Palisades area of the City of Los Angeles. The development will result in a 13,175 sq. ft. single-family home with a swimming pool and 12.5-ft. high pool pavilion. The main residence and accessory structures will be set back 40 ft. from the existing edge of the bluff, which is identified at an elevation point of approximately 182 ft. above mean sea level (MSL)[1]. No development, other than landscaping, will occur within 10 ft. of the bluff edge. The applicant also proposes roof gutters to drain to planters and basement retaining wall subdrains which will direct runoff toward the street to the City-owned storm drain system (**Exhibit 2**).

[1] Bluff edge was determined at 182 feet as shown on Plan Sheet T-1.2 of the City-approved plans and verified by staff geologist, Dr. Joseph Street.

The main issues affecting the subject site include geologic stability, landform alteration and visual impacts. According to the applicants' geotechnical report and the 1976 Pacific Palisades area landslide study (**Exhibit 3**), the site has been subject to episodic erosion and intermittent slope failures due to heavy rains, seasonally high groundwater tables and earth movement such as earthquakes. In addition, the site is located adjacent to PCH and the public beach as an ocean-fronting property. The proposed caisson grade beam foundation system may become exposed in the future due to site-specific erosion and become visible from public viewpoints.

Therefore, in order to minimize impacts to coastal resources, staff recommends **approval** of the proposed development with **nine (9)** special conditions. **Special Condition No. 1** requires the applicant to submit revised final plans identifying the existing bluff edge and removing any development (except for landscaping) from within 10 feet of the existing bluff edge. Additionally, **Special Condition No. 1** requires the revised plans to show the proposed residence to be setback a minimum of 40 feet from the existing bluff edge. In order to address the geologic concerns (discussed below) associated with development on the subject site, **Special Condition No. 2** requires conformance with geotechnical recommendations. In order to minimize and prevent further landform alteration along the subject coastal bluff, **Special Condition No. 3** prohibits the future use of bluff protective devices at the subject site. In the event that erosion occurs and exposes any of the features of the proposed foundation, **Special Condition No. 4** requires the applicant to color or cover any exposed features of the proposed foundation, in order to minimize impacts to public views to and along the coast in this area. In order to minimize water quality impacts, **Special Condition No. 5** requires a final erosion, drainage and polluted runoff control plan including construction best management practices, **Special Condition No. 6** requires the swimming pool to include a leak detection system and **Special Condition No. 7** requires the applicants to submit a final landscaping plan, reflecting a 10-foot setback from the bluff edge to the proposed "sand" feature. **Special Condition No. 8** requires the applicants assume all risks of development and waive all claims of damage or liability against the Commission. **Special Condition No. 9** requires the applicants to record a deed restriction in order to make any future owners of the site aware of the restrictions associated with development on the site.

As conditioned, the Commission finds that the proposed project is consistent with the Chapter 3 policies of the Coastal Act. The motion to approve staff recommendation is on Page **Four** of this staff report.

TABLE OF CONTENTS

APPENDICES - Substantive File Documents

Appendix A – Geotechnical Engineering Report No. BG 22242, Byer Geotechnical, Inc., 8/22/16, 10/17/16, 3/9/17, 9/27/18, and 10/22/18.

Appendix B – Pacific Palisades Area, Los Angeles County, California. *Report on Landslide Study*. 1976. US Army Corps of Engineers, US Department of the Interior.

Appendix C – City of Los Angeles Local Coastal Development Permit No. DIR-2017-1920-CDP-MEL, 3/1/18

Appendix D – Past Commission actions on Corona del Mar include CDP No. 5-04-213 (Tobalina), CDP No. 5-05-253 (Flury), CDP No. A-5-PPL-08-192 & 5-08-191 (Giovine), CDP No. 5-16-0171 (Wrobel), CDP No. 5-17-0542 (Granbell Corona, LLC), CDP No. 5-17-0135 & A-5-PPL-17-0002 (Prager), CDP No. 5-17-0234 & A-5-PPL-17-0007 (MBJJ, LLC)

EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. **5-18-0255** subject to the conditions set forth in the staff recommendations.*

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:

*The Commission hereby **approves** Coastal Development Permit No. **5-18-0255** 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

This permit is granted subject to the following 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 of 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.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Submittal of Revised Final Plans.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit, for the review and written approval of the Executive Director, two (2) full-size complete sets of final project plans, including a final site plan, elevations, and grading plans. The project plans shall identify the existing bluff edge, proposed residence and accessory structures, including, but not limited to, the residence, hardscaping, and grading for the proposed sand feature, which shall occur no less than 10 ft. from the bluff edge. The plans shall also identify all protective devices, such as caissons and grade beams, and all relevant foundation features. All caissons, grade beams, and similar protective devices must be intended to protect the proposed new residence only, which shall be setback a minimum of 40 feet from the existing bluff edge. Where such devices are deemed necessary to protect the proposed residence, then such devices shall be located as far landward as feasible and within the footprint of the proposed new residence to ensure consistency with Sections 30251 and 30253 of the Coastal Act.

   The permittees shall undertake development in conformance 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 be carried out without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required for any proposed minor deviations.

2. **Conformance with Geotechnical Recommendations.** All final design and construction plans, including grading and drainage plans, shall be consistent with all recommendations contained in the geotechnical report by Byer Geotechnical, Inc., dated August 22, 2016, which was updated on 10/17/16 and 3/9/17, as well as all requirements of the City of Los Angeles Department of Building and Safety, Soils/Geologic approval letter Log # 94578-01 dated March 13, 2017, signed by Casey Lee Jensen and Glen Raad. The monitoring, construction methods and foundation system including the installation of the piles, grade beams, permanent and temporary retaining walls shall conform to and include all requirements and specifications of the City review letter cited above.

   The permittees 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 be carried out without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required for any proposed minor deviations.

3. **No Future Bluff Protective Device(s) to Protect the Proposed Development.**

   A. By acceptance of this permit, the applicants agree, on behalf of themselves and all other successors and assigns, that routine repair and maintenance of the proposed caissons and grade beams on the subject site shall be allowed; however, shall not be enhanced/augmented or reconstructed for purposes of protecting the development approved by this coastal development permit (CDP No. 5-18-0255) and that no new bluff protective device(s) shall

be constructed to protect the development approved pursuant to CDP No. 5-18-0255 including, but not limited to, the residence, foundations, patios, pools, decks, balconies, and any future improvements and/or accessory structures, in the event that the development is threatened with damage or destruction from erosion, landslides, storm conditions, sea level rise or other natural hazards in the future. By acceptance of this permit, the applicants hereby waive, on behalf of themselves and all successors and assigns, any rights to enhance, augment, and/or reconstruct such devices that may exist under applicable law.

B. By acceptance of this permit, the applicants/landowners further agree, on behalf of themselves and all successors and assigns, that the landowners shall remove the development authorized by this permit including, but not limited to, the residence, pool, patio, garage, and driveway, and any other accessory structures if: (a) any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above; (b) essential services to the site can no longer feasibly be maintained (e.g. utilities, roads); (c) removal is required pursuant to Local Coastal Program policies regarding sea level rise adaptation planning; or (d) the development would require a shoreline protective device to prevent (a)-(c) above. If any portions of the existing blufftop caissons and/or grade beams are removed, the applicants/landowners shall have a geotechnical investigation prepared by a licensed coastal engineer and geologist, retained by the permittees, which addresses whether any portions of the development approved per CDP No. 5-18-0255 are threatened by coastal hazards. The report shall identify all those immediate or potential future measures that could stabilize the development without bluff protective device(s), including but not limited to removal or relocation of portions of the development. The report shall be submitted to the Executive Director and the appropriate local government official. If the geotechnical investigation concludes that any portion of the development is unsafe for occupancy, the permittees shall, within 90 days of submitting the investigation, apply for a coastal development permit amendment to remedy the hazard.

Prior to removal/relocation, the permittees shall submit two copies of a Removal/Relocation Plan to the Executive Director for review and written approval. The Removal/Relocation Plan shall clearly describe the manner in which such development is to be removed/ relocated and the affected area restored so as to best protect coastal resources. In the event that portions of the development fall down the bluff before they are removed, the landowners shall remove all recoverable debris associated with the development and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

4. **Structural Appearance (Foundation Exposure).** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit a plan for the review and approval of the Executive Director to address the potential visual impacts of the caissons in the event that the caissons are exposed and visible from Pacific Coast Highway as a result of earth movement or other circumstances. The applicants shall agree in writing to carry out the approved plan, which shall include:

A. Coloring the exposed concrete caissons so that they will match the surrounding soils. The caissons and retaining walls should be colored in such a way that the result would be a natural, mottled appearance. If any caissons are exposed, the applicants shall immediately dye or conceal such foundations.

B. Installation of a low "breakaway" skirt wall to cover exposed earth and/or pilings.

The permittees 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 legally required for any proposed minor deviations.

5. **Erosion, Drainage and Polluted Runoff Control.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit, for review and approval by the Executive Director, two (2) full size sets of final erosion, drainage and runoff control plan, including supporting calculations, prepared by a licensed civil engineer. The final plans shall incorporate Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of storm water leaving the construction and developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is consistent with geologist's recommendations. In addition to the specifications above, the plan shall demonstrate that:

A. <u>During Construction:</u>

(a) Erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets.
(b) Clearing and grading activities should be timed to avoid the rainy season whenever possible. If grading takes place during the rainy season (November 15-April 31), the plan shall specify that temporary erosion control measures shall be used during construction (e.g., 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, close and stabilize open trenches as soon as possible).
(c) Only areas essential for construction shall be cleared.
(d) During the rainy season (November 15-April 31) bare soils shall be stabilized with non-vegetative BMPs as soon as possible, and within five days of clearing or inactivity in construction.
(e) Construction entrances shall be properly graded to prevent runoff from the construction site. The entrances should be stabilized immediately after grading and frequently maintained to prevent erosion and control dust and tracking of mud offsite.
(f) Runoff shall be intercepted above disturbed slopes and conveyed to a permanent channel or storm drain by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
(g) Spill prevention and control measures shall be developed and implemented.
(h) Sanitary facilities shall be provided for construction workers.
(i) Equipment and machinery shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of properly at an off-site location.

(j) Adequate disposal facilities shall be provided for solid waste, including excess asphalt, produced during construction. Proper recycling or disposal of lunchtime trash and other debris at the end of every construction day.

(k) During construction, the applicant shall obtain approval from the City of Los Angeles Department of Building and Safety for any dewatering necessary during construction and:
  (i) shall install filters on the dewatering system,
  (ii) shall prevent discharge of water pumped from the site onto nearby property, and
  (iii) shall direct all discharges into paved City street and storm drains.

B. Post Construction:

(a) Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets.

(b) All drainage from the lot shall be directed toward the street and away from the bluff slope directly into the City's storm drain system. Particularly, roof gutters shall drain to planters located within the retaining wall backfill, and to pipes that drain to a street sewer system.

(c) Runoff shall be conveyed off site in a non-erosive manner.

(d) Pesticide, herbicide and fertilizer use shall be eliminated or minimized.

(e) The Drainage and Erosion Control Plan shall include, at a minimum, the following components:
  (i) 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.
  (ii) Any 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. All disturbed areas shall be stabilized. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.
  (iv) A schedule for installation and removal of the temporary erosion control measures.
  (iv) A site plan showing the location of all permanent erosion and drainage control measures.
  (v) A schedule for installation and maintenance of the permanent erosion and drainage control measures.
  (vi) A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist.
  (vii) 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.

The permittees 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 for any proposed minor deviations.

6. **Swimming Pool Leak Detection.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a written plan to mitigate for the potential of leakage from the proposed swimming pool and spas. The plan shall, at a minimum: 1) provide a separate water meter for the pool to allow monitoring of the water usage for the pool and the home; 2) identify the materials, such as plastic linings or specially treated cement, to be used to waterproof the underside of the pool to prevent leakage, and information regarding past success rates of these materials; 3) provide double wall construction to the swimming pool and spa with a drainage system and leak detection system installed between the walls, and; 4) identify methods used to control pool drainage and to prevent infiltration from drainage and maintenance activities into the soils of the applicant's and neighboring properties.

7. **Landscaping Plans.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit, for review and written approval by the Executive Director, two (2) full size sets of revised final landscaping plans to ensure that the plans are in conformance with the consultants' recommendations. The consulting landscape architect or qualified landscape professional shall certify in writing that the final Landscape plans are in conformance with the following requirements:

   a. It shall include a planting schedule that indicates that the planting plan shall be implemented within sixty (60) days of completion of construction. Within ninety (90) days of completion of construction, the permittees shall submit for the review and written approval of the Executive Director a landscaping implementation report, prepared by a licensed Landscape Architect or qualified resource specialist that certifies whether the on-site landscaping is in conformance with the landscape plan approved pursuant to this special condition. The implantation report shall include photographic documentation of plant species and plant coverage.

   b. All cut and fill slopes shall be stabilized with planting at the completion of final grading. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.

   c. To minimize the need for irrigation all landscaping shall consist of primarily native drought tolerant plants, as listed by the California Native Plant Society. (See http://www.cnps.org/cnps/grownative/lists.php.) Some non-native drought tolerant non-invasive plants may be used within 30 ft. of habitable structures. Use of turf irrigated with potable water shall be minimized and irrigated with micro-spray systems. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be shall be planted or allowed to naturalize or persist on the site.

   d. The use of rodenticides containing any anticoagulant compounds is prohibited.

   e. All irrigation systems shall limit water use to the maximum extent feasible. Use of reclaimed water for irrigation is encouraged. Other water conservation measures shall be considered, including use of weather based irrigation controllers. No permanent irrigation system shall be allowed on the site. Temporary, above ground irrigation to allow the establishment of the plantings is allowed. Irrigation system shall be connected

to an automatic shut-off valve which will limit the amount of water on the slope. The quantity of water shall be based on recommendations by the landscape architect and geologist/soil consultant. All required plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan.

The permittees 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 for any proposed minor deviations.

8. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from landslide activity, erosion and/or earth movement (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

9. **Deed Restriction.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the landowners have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The applicants propose to construct a 7,115 sq. ft., 30-ft. high, two-story single-family home over a 4,826 sq. ft. basement with an attached 722 sq. ft. four-car garage (with two car lifts), attached 420 sq. ft. covered porch at the first floor, 61 sq. ft. of vaulted spaces over 14-ft. high swimming pool,

and 12.5-ft. high, 78 sq. ft. pool pavilion, resulting in a 13,175 sq. ft. single-family home. The proposed development will be set back 40 ft. from the existing bluff edge[2] and no development other than landscaping and temporary above-ground irrigation will occur within 10 ft. of the bluff edge. The applicants propose to construct eighteen (18) 24-in. diameter caissons to support the single-family home and footings approximately 10 ft. deep, which will be connected by horizontal grade beams to the foundation of the single-family home, in order to support the swimming pool. The pool pavilion is situated on top of the pool equipment room, which is adjacent to the swimming pool within the pool shell (**Exhibit 2**). No caissons will directly support the accessory developments. The project proposal includes approximately 3,300 cu. yds. of grading, which will be exported outside of the coastal zone. However, that amount is based on the original proposed project which included grading along the bluff edge. The applicant no longer proposes to grade along the bluff edge and the actual amount of grading is anticipated to less than 3,300 cu. yds. The export haul route has been approved by the City of Los Angeles, Department of Building and Safety.

The proposed residence will be constructed on a level portion of the lot at an elevation of approximately 187 ft. above MSL. The relatively flat portion of the site is approximately 136 ft. deep before descending seaward approximately 139 ft. at a 1.5:1 gradient toward PCH. The bottom/toe of the slope lies outside of the applicants' property and consists of a graded buttress fill with an approximately 10-ft. high debris wall that was constructed by Caltrans in 1979 and abuts PCH. Seaward of PCH is a public walkway/bike path and the beach (**Exhibit 1**). The coastal bluff overlooks and is visible from PCH and Will Rogers State Beach and is not currently subject to marine erosion as PCH is located between the sea and the toe of the bluff. The 27,646 sq. ft. vacant lot is zoned RE 20-1 (Residential Estate[3]) by the City of Los Angeles Zoning Code and is subject to the Baseline Hillside Ordinance for hillside development in the City of Los Angeles. The neighborhood is characterized by a mix of one and two-story single-family homes and vacant lots.

B. OTHER AGENCY APPROVALS

The project is located in the Dual Permit Jurisdiction Area. On March 1, 2018, the City of Los Angeles Director of Planning issued a determination approving Local CDP No. DIR-2017-1920-CDP-MEL for the "construction of two-story single-family residence with basement, attached two-car garage, covered porch, swimming pool/ spa, pool pavilion and export of 3,300 cu. yd. of grading on a vacant lot in Dual Permit Jurisdiction area". No appeals were filed during the City appeal period. On March 13, 2017, the City's Department of Building and Safety issued a 'geology and soils report' approval letter with conditions to minimize construction impacts to water quality, infiltration of water into the slope, and foundation installation (**Exhibit 6**). The LADBS also approved the applicants' request to deviate from the building code, allowing the structure to be built on a partially unstable lot while allowing the piles at a necessary embedment below the 1.0 seismic safety factor (approximately 58 feet deep) in order to stabilize the home.

[2] Bluff edge is defined as the upper termination of a bluff, cliff, or sea cliff, which is further defined as the toe of which is now or was historically subject to marine erosion (Cal. Code of Regulations Section 13577(h)).
[3] Residential Estate includes single-family dwellings, parks, playgrounds, community centers, truck gardening, accessory living quarters, and home occupations (*Generalized Summary of Zoning Regulations*, City of Los Angeles, CP-7150, 01/24/06).

C. HAZARDS

Coastal Act Section 30253 Minimization of adverse impacts states, in relevant part:

> *New development shall do all of the following:*
>
> *(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
>
> *(b) 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 consistency with these policies, the Commission has commonly required that new development be set back from the bluff edge by a distance sufficient, over the full life of the project, to (1) assure the stability of the bluff against landslides and (2) protect against long-term bluff retreat, while avoiding the construction of protective devices that would substantially alter natural landforms. For residential development, the project life is typically assumed to be 75 years.

According to the applicants' geotechnical report and the 1976 Pacific Palisades area landslide study conducted by the US Army Corps of Engineers and US Geological Survey[4] (**Exhibit 3**), the site has been subject to episodic erosion and intermittent slope failures due to heavy rains, seasonally high groundwater tables and earth movement such as earthquakes. The landslide study particularly notes that the area has experienced massive landslides as a result of heavy rains and strong earth-shaking events, which have blocked PCH multiple times and once reached the beach in November of 1965. According to the geotechnical memorandum (**Exhibit 5**), the current bluff edge was established subsequent to a large slope failure triggered by the Northridge earthquake in January 1994[5]. Episodic slope failures have contributed to an overall bluff retreat of approximately 36 ft. since 1960, resulting in an average annual erosion rate of 0.64 ft. / yr. (1960 – 2016).

Slope Stability

The geologic reports provided by the applicant included quantitative slope stability analyses evaluating the bluff at the project site under both static conditions and assuming a level of ground-shaking that could occur during a large, local earthquake event. Slope stability analyses typically calculate a "factor of safety"[6] as an indicator of stability. In theory, slope failure is imminent when the factor of safety drops below 1.0, while values above 1.0 indicate increasing confidence in the stability of a slope. The industry wide standard for assuring stability, which the Commission has consistently applied for many years in evaluating bluff top development, is a factor of safety of 1.5 or greater for static conditions, and a factor of safety of 1.1 or greater under seismic conditions (the City of Los Angeles uses a slightly lower 1.0 factor of safety to evaluate stability under seismic conditions). According to the applicant's slope stability analysis, contained in the August 2016

[4] Pacific Palisades Area - Report on Landslide Study; U.S. Army Corps of Engineers and U.S. Geological Survey; September 1976.

[5] According to the geotechnical report dated 8/22/16, the seismic magnitude of the 1994 earthquake in the region was 6.7, resulting in the bluff edge along Corona del Mar to have retreated by 15 to 38 feet (*see* staff reports for CDP Nos. 5-05-253 (Flury) and 5-17-0135 (Prager).

[6] Factor of safety is a calculated ratio between resisting forces and driving forces that is illustrated as a curved plane within an earth mass (Watkins, Anni; Hughes, Scott. 2018. *Landslides, Slope Failures and Other Mass Wasting Processes.* http://geology.isu.edu/wapi/EnvGeo/EG4_mass_wasting/EG_module_4.htm).

geotechnical report and discussed in the October 2016 and March 2017 updates, the minimum factors of safety for the bluff at the project site are 1.36 (static) and 0.968 (seismic), which are below the minimum stability thresholds used by the Commission and City. Further, the analysis indicates that the 1.5 and 1.0 factor-of-safety lines intersect the bluff top approximately 60 ft. and 70 ft. inland of the bluff edge, respectively.

In lieu of locating the proposed structure inland of these factor of safety lines, the applicant proposes to construct a caisson grade beam foundation system under the main residence and a deepened footing foundation with grade beams attached to the foundation of the main residence. At the seaward (southern) edge of the main residence, the proposed caissons would be embedded to a minimum depth of 58 feet below existing grade (+129.5 ft. MSL), as required by the City of Los Angeles permit. The applicant's slope stability analysis indicates that the proposed caissons would intersect both the 1.5 (static) and 1.0 (seismic) factors-of-safety, assuring that the caissons would be embedded in stable materials below and landward of likely slope failure surfaces. According to the applicant's geotechnical consultant, the deeply embedded seaward caissons would retain the alluvium soil upon which the main structure sits, and the stability of the proposed structure (the primary residence) would not rely on the upper, seaward portions of the bluff to remain intact in the future. In addition, the landward caissons provide additional stability against lateral loads.

Long-Term Bluff Retreat

As noted above, the August 2016 geotechnical investigation reports that the project site has experienced 36 feet of bluff retreat since 1960, translating to an average annual erosion rate of 0.64 ft. /yr. Projected over the 75-year expected life of the proposed residence, this erosion rate would result in future bluff retreat of 48 feet. Bluff erosion of this magnitude would exceed the proposed bluff top setback of 40 feet, and expose and potentially undermine the proposed caisson foundation system. However, based on a review of the available evidence, the Commission's geologist believes that a continuation of the historic erosion rate over the next 75 years is unlikely, and that the proposed 40 foot setback will be adequate to assure site stability over the project life.

The observed historical retreat rate of 0.64 ft. /yr. over the past 56 years is very high relative to other estimates of long-term erosion in the project area. For example, Gorian & Associates (2016) reported 15 to 20 feet of bluff edge retreat between1966 and 2016 (0.3 – 0.4 ft. /yr.) at 14914 – 14930 Corona del Mar, located immediately downcoast of the subject site, which translates to a 75-yr retreat of 22 to 30 feet (*see* staff report for CDP No. 5-17-0541, Belluna Corona, LLC, CDP Nos. 5-04-212 and 5-04-213, Tobalina). A previous study also estimated a historic retreat rate of 0.33 ft. /yr. at 15425 Via de las Olas, approximately 0.6 miles north of the project site (*see* staff report for CDP No. 5-16-1095). Finally, a recent study of sea level rise vulnerability in the Los Angeles region provides several estimates of cliff retreat in the Pacific Palisades area ranging from 0.12 – 0.39 ft. /yr.[7]. There is currently no evidence to suggest that the higher retreat rate observed at the project site in recent decades is related to site-specific geologic differences; rather, the retreat rate likely reflects the historic sequencing of major slope failures, and in particular the relatively recent larger landslide associated with the 1994 Northridge earthquake.

[7] Environmental Science Associates (ESA), 2016. *Los Angeles County Coastal Hazard Modeling and Vulnerability Assessment.* Prepared for the City of Santa Monica, December 23, 2016.

Most of the historic erosion at the site has been episodic, resulting from slope failures triggered by to heavy rains and earthquakes, including loss of a portion of the rear yard in 1994 (**Exhibit 8**). The applicant's geotechnical consultants have submitted two memoranda, dated 9/27/18 and 10/22/18, stating that future episodic and annual erosion would not threaten the life of the structure due to the existing Caltrans buttress fill located downslope of the site, and the flattening of the upper slope subsequent to the earthquake. Unlike coastal bluffs subject to marine erosion, bluff edge retreat at this site is not likely to continue indefinitely, but instead will tend to decrease as progressive slope failures and gradual erosion reduce the steepness of the slope.[8] This process is apparent in the reduction in the bluff slope that accompanied the 1994 landslide**.** In theory, the layers of alluvium comprising the bluff at the project site will tend to stabilize at slopes on the order of 28 to 32 degrees, corresponding to the internal angles of friction of the weaker units. In reality, the slope may stabilize at a steeper angle since these materials do have some cohesion and some units are stronger than the weakest units. The reduction in the bluff slope from approximately 70 degrees in 1960 to approximately 35 degrees at present indicates that the potential for future bluff edge retreat has been considerably reduced by previous bluff failure events.

In summary, staff believes that the lower retreat rates from adjacent properties, which translate to approximately 25-30 feet over 75 years, are more likely to be accurate for this site. Thus, for the reasons stated above, the proposed 40 foot setback for the primary structure is adequate to protect against future bluff retreat, and will likely prevent the exposure of the proposed caisson foundations over the 75-year life of the project.

Additionally, the swimming pool structure is proposed to be constructed on deepened footings that will attach to the proposed caissons underneath the residence with horizontal grade beams. The proposed footings will provide additional stability to the accessory development without adding additional bluff protective devices that would substantially alter natural landforms along the bluff. The proposed foundation is designed with the minimum number of caissons necessary, and has been approved by LADBS and Planning. LADBS has reviewed the proposed project and issued an approval letter stating that the proposed foundation system is sufficient to meet the City's minimum factor of safety, as described above.

The Commission's staff geologist has reviewed the applicant's proposed plans, slope stability analysis within the geotechnical reports, the City's geologic review, and other available evidence, and agrees that the proposed project, including the proposed caisson foundations and 40-foot setback from the bluff edge, achieves a 1.5 factor of safety against slope failure and will protect against reasonably foreseeable bluff erosion over the life of the project. The Commission's staff engineer has reviewed the foundation plan and designs for the proposed single-family home and pool structures, and finds them acceptable. As designed, the proposed residence will obtain a factor of safety of 1.5, as required by LADBS and indicated in Revised Section B-B[9] (**Exhibit 4**), and

[8] The construction of Pacific Coast Highway and the widening of Will Rogers State Beach via sand replenishment have, at least for the foreseeable future, eliminated marine erosion of the bluff toe as a factor in the project area. Available assessments of future sea level rise, including CoSMoS 3.0, indicate that wave runup is unlikely to overtop the highway and impact the bluff top prior to 2100 except under the most extreme (5+ meters) sea level rise scenario.

[9] Staff wanted to note that although the Revised Section B-B does not accurately reflect a 40-ft. structural setback, the project has been conditioned to submit final revised plans which accurately reflect the minimum necessary setback of 40 feet from the bluff edge.

with a 40 foot setback will minimize geologic hazards and assure structural stability consistent with Section 30253 of the Coastal Act.

Although the proposed residence and pool have been designed to ensure structural stability relative to geologic vulnerabilities to the extent feasible, it is not possible to completely preclude the possibility that conditions on site will change and that the residence and pool could be subject to erosion and/or geologic instability in the future. Accordingly, the applicants have proposed water quality and drainage improvements to help minimize the amount of runoff that flows over the bluff edge, which will mitigate some of the possible landslide activity due to heavy rains and irrigation. **Special Condition No. 7** also prohibits the installation of a permanent irrigation system and requires additional irrigation measure to minimize excess water that may soak into the soil or flow over the bluff edge, which could contribute to slope instability in the area.

Based on the geotechnical findings and City approval, the proposed project will be safe and will not cause the subject site and surrounding area to become unsafe from geologic instability. The proposed development is considered feasible from a geotechnical engineering standpoint, provided the applicants follow the recommendations of the geotechnical report and the conditions of LADBS. Therefore, **Special Condition Nos. 1 & 2** require the applicant to submit final revised plans which identify the existing bluff edge, the 40-ft. bluff edge setback for the proposed residence and accessory structure, and for the applicants to remove all development with the exception of landscaping and temporary above-ground irrigation within 10 ft. of the bluff edge. In addition, the condition requires conformance with the geotechnical recommendations established by the applicants' geotechnical engineer and conditions required by LADBS approval letter[10].

Section 30253 requires that new development may not "in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs." As discussed, the stability of the primary residence depends on the construction of caissons underneath the residence. As discussed more fully below in the context of potential visual impacts, all of the caissons are below grade and, once installed, will not be visible from public viewpoints and are not expected to become visible due to erosion that occurs over the life of the proposed development. In the context of landform alteration, approximately 100 c. y. of soil will be cut for the proposed caissons, which is approximately 3% of the entire grading amount. Thus, the caissons will not substantially alter natural landforms because they are completely below grade and have been designed to support the main structure only as opposed to neighboring lots in Corona del Mar, Pacific Palisades, which contain more significant bluff top protective devices (*see* Appendix D). Nevertheless, in order to further minimize landform alteration at the site, **Special Condition No. 3** prohibits installation of additional bluff protective device(s) in the future, and requires the applicants to remove any structures that become threatened by erosion or if any government agency has ordered that the structures are not to be occupied. Removal of the structures should be accompanied with a geotechnical investigation and Removal/ Relocation Plan.

[10] During a phone call, LADBS staff Glen Raad clarified to Commission staff that the LADBS Geology and Soils Approval Letter Log # 94578-01 allowed the lot to deviate from the building code, which requires residential hillside lots to maintain a 1.0 seismic and 1.5 static factor of safety. In addition, the recorded affidavit prohibits any structures to be built in the unstable slope and level lot area as depicted in **Exhibit 6**.

Development adjacent to the ocean and the edges of coastal bluffs and hillsides is inherently hazardous. Development which may require a bluff, hillside, or shoreline protective device in the future may not be allowed due to the adverse impacts such devices have upon public access, natural landforms, visual resources, and shoreline processes. To minimize risks to life and property and to minimize the adverse effects of development on coastal bluffs, hillsides, and shoreline processes the development has been conditioned to require the following: adherence to the geotechnical recommendations, an appropriate set-back from the edge of the bluff, a prohibition on the construction of protective devices (such as a retaining wall or shoreline protective device) in the future, a drainage and runoff plan to minimize the percolation of water into the hillside or bluff, and that the landowner or any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in hazardous locations.

D. VISUAL RESOURCES

Coastal Act Section 30250 Location; existing developed area states, in relevant part:

> *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

Coastal Act Section 30251 Scenic and visual qualities 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 Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The project site is located on a blufftop lot that is directly above PCH, atop a 97-ft. high bluff and just west of Altata Drive. Because the site is situated on a steep bluff overlooking Pacific Coast Highway and the beach, development on the bluff face and 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 two-story over basement, 30-foot high, as measured from finished grade, 13,175 sq. ft. single-family residence with approximately 3,066 cubic yards of grading. Approximately 2,211 cu. yd. will be required for the 4,826 sq. ft. basement and approximately 100 cu. yd. will be required for the caissons beneath the main residence and deepened foundations beneath the pool structure. The remaining 755 cu. yd. of grading will be for landscaping that

conveys drainage away from the bluff edge and away from saturating the earth onto the street. The grading amount will decrease since Special Condition No. 1 requires the applicant to submit final grading plans which show that grading is prohibited within 10 feet of the bluff edge. The amount of landform alteration or grading of the natural bluff has been minimized because the bluff protective devices are the minimum required while assuring structural stability of the residence. In addition, the proposed caissons are below grade, where the lowest part of the caisson will be set back approximately 1,500 feet from the slope, and will not be visible from public viewpoints. The proposed project has also been designed to conform to height requirements and landscaping that minimize visual impacts to public views along the coast.

As stated in the hazards section above, the proposed 40-ft. setback for the primary structure is adequate to protect against future bluff retreat, and will likely prevent the exposure of the proposed caisson foundations over the 75-year life of the project. In the unlikely event that portions of the development, including the caisson grade beam foundation, are exposed in the future, **Special Condition No. 4** requires the applicants to color, screen or cover the exposed caissons and any other exposed foundation features to match the surrounding soils for a natural mottled appearance in order to minimize impacts to public views. The project has also been conditioned to submit final revised plans that enforce a setback from the bluff edge of 40 feet to account for future erosion, thereby delaying the exposure of the foundation for the life of the structure. The potential visual impacts of the concrete piles is mitigated by the fact that the applicant is only permitted to construct piles and other foundation support that are sited as far landward as possible, and are the minimum necessary to protect the primary residence and not any accessory structures located seaward of the main house.

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, will neither create nor contribute significantly to erosion or geologic instability and will not substantially alter natural land forms. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250 and 30251 of the Coastal Act.

E. WATER QUALITY

Coastal Act Section 30230 Marine resources; maintenance states:

> *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Coastal Act Section 30231 Biological productivity; water quality states:

> *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of*

> *ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

According to the applicants' geotechnical engineer, surface drainage on the level portion of the lot currently runs by sheet flow across the site and drains into area drains located throughout the vacant lot that outlet to a storm drain on the street. Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain or wind could result in possible acceleration of slope erosion and landslide activity. In order to reduce the potential for construction and post-construction related impacts on water quality, **Special Condition No. 5** requires the appropriate storage and handling of construction equipment, materials and debris to minimize the potential for pollutants to enter coastal waters and for the use of on-going best management practices following construction. The condition also requires the applicant to submit an Erosion and Polluted Runoff Control Plan which identifies best management practices, including all onsite drainage to be conveyed to the City's storm drain system on the street, and that no development including, but not limited to, permanent irrigation systems, drainage pipes, erection of gates or grading shall occur within 10 feet of the bluff edge. Furthermore, the proposed swimming pool and increase in impervious surface due to the construction of the single-family home may lead to soil infiltration and groundwater recharge that may exacerbate the instability of the slope. In order to minimize the amount of water infiltration to the soil from the increase in impervious surfaces, **Special Condition No. 6** requires the applicant to submit a swimming pool leak detection plan to prevent infiltration of water into the soil.

The proposed work will occur in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters could adversely impact the marine environment. To reduce the potential for construction and post-construction impacts to water quality and the marine environment the Commission imposes **Special Condition No. 4** requiring measures for handling and storage of construction equipment, materials and debris, waste disposal, and the continued use and maintenance of post-construction BMPs. As conditioned, the Commission finds that the proposed development conforms with Sections 30230 and 32031 of the Coastal Act.

F. ASSUMPTION OF RISK

Development on coastal bluffs is inherently hazardous, and such development may be subject to erosion, landslides, and other hazards despite implementation of protective measures. To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes **Special Condition No. 8** requiring the applicants to expressly waive any potential claim of liability against the Commission for any damage or economic harm suffered as a result of the applicants' decision to develop the site as proposed. **Special Condition No. 9** requires that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is

subject, and the Commission's immunity from liability. Based on the conclusions of the applicants' geologist that the proposed development is safe from such hazards, the Commission can approve the project as conditioned consistent with the Coastal Act.

G. UNPERMITTED DEVELOPMENT

Development has occurred on the subject site without the benefit of the required coastal development permit consisting of the installation of an underground drainage pipe that runs along the bluff top and rip rap pad which act to convey surface drainage over the bluff and descends down the slope's natural grade (**Exhibit 7**). Commission staff has reviewed the development for consistency with Chapter 3 policies of the Coastal Act, thus imposing **Special Condition No. 7** which requires the applicant to submit final landscape plans, including the landward relocation of the unpermitted drainage pipe, removal of the riprap, utilization of native or non-native, drought-tolerant plans, the utilization of temporary irrigation systems, and siting of planters to collect rainwater to be conveyed to an existing sewer line that minimizes infiltration of water into the soil. Although the project has been conditioned for consistency with water quality sections of the Coastal Act, issuance of the permit does not constitute a waiver of the Commission's ability to pursue and enforcement action in the future.

H. LOCAL COASTAL PROGRAM (LCP)

Section 30604 (a) of the Coastal Act states:

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

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, and grading and geologic stability. Geologic stability was one of the primary issues because of the number of landslides that had occurred in the sixties and early seventies.

The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early nineteen seventies, a general plan update for the Pacific Palisades had just been completed. When the City began the LUP process in 1978, with the exception of two tracts (a 1200-acre and 300-acre tract of land) that were then undergoing subdivision approval, all private lands in the community were subdivided and built out. The Commission's approval of those tracts in 1980 meant that no major planning decisions remained in the Pacific Palisades. The tracts were approved on appeal by the Commission: A-381-78 (Headlands) and A-390-78 (AMH). Consequently, the City concentrated its efforts on communities

that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey.

Although there have been landslides on properties since the late seventies, most of the recently approved structures have remained stable through the use of foundation systems that were not considered when the original subdivision was built out. It is likely that the Local Coastal Program for the area, once adopted, will not seek to deny development on unstable lots outright, but will instead require that the owners achieve a factor of safety of at least 1.5 for a primary residence. The proposed development, after construction, will have a factor of safety of at least 1.5 if the applicant complies with the conditions imposed by the City and by the Commission.

With the proposed conditions that address the geologic stability, landscaping, visual resources, and water quality related to the project and the general area, approval of the proposed development is consistent with past Commission actions and will not prejudice the City's ability to prepare a local coastal program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604(a) of the Coastal Act.

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d) (2) (A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment. The City of Los Angeles is the lead agency for CEQA compliance and issued a notice of exemption on November 8, 2017. The project is categorically exempt from an environmental impacts review.

In addition, the Commission has imposed special conditions to protect visual resources, water quality, and geologic stability of the residence. The applicant has provided evidence that any adverse impacts, including site instability and foundation exposure have been minimized. The City Department of Building and Safety's conditions of approval improve the residential stability. As explained above and incorporated herein, all adverse impacts have been minimized and the project, as conditioned will avoid potentially significant adverse impacts on the environment. The Commission finds that the proposed project, as conditioned to assume the risk of the development, to supply and implement an erosion control plan, and to provide a landscaping plan with drought tolerant non-invasive plant species, and to minimize infiltration of water onto the site, is consistent with the requirements of the Coastal Act and CEQA.

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.