

FINDINGS

(As Amended by the West Los Angeles Area Planning Commission on November 15, 2023)

Coastal Development Permit

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative.

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access. Applicable provision are as follows:

Article 2 Public Access

Section 30211 *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212 *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby, or, (3) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

The subject property is not located on or across the beach shoreline and does not provide public access to the shoreline. The proposed project involves the construction of four new residential structures in an existing residential neighborhood and includes the reconstruction of a 200-foot-long portion of Revello Drive. The portion of right-of-way was affected by a landslide and obstructs access through the neighborhood. The project would improve and restore access for vehicles and pedestrians through the neighborhood and down to the Pacific Coast Highway. There is no adjoining public access point or public recreation facility that will be affected by the Project. Therefore, the proposed project will not interfere with or obstruct the public's right to access coastal resources.

Article 5 Land Resources

Section 30240 *(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and 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 habitat and recreation areas.*

The proposed development requires remedial grading to address landslide and slope failure, grading for the proposed single-family homes, and regular brush clearing for development in a high fire severity zone. As analyzed in the Mitigated Negative Declaration (MND), Case No. ENV-2019-5520-MND:

Per the Biological Resources Letter Report (Appendix B1), five vegetation communities are present at the Project site and within the 500-foot buffer area. These include disturbed lemonade berry scrub, disturbed quailbush scrub, urban/developed land, ornamental vegetation, and disturbed habitat. The lemonade berry scrub vegetation community is considered sensitive by local, state, and/or federal agencies.

As provided in the Biological Resources Letter Report (Appendix B1), approximately 0.62-acre of disturbed lemonade berry scrub would be permanently impacted directly. Potential indirect impacts include fugitive dust, chemical pollutants, erosion, and increased human activity during the Project activities. However, the lemonade berry scrub to remain in place is already disturbed and construction Best Management Practices (BMPs) would minimize the effect of these impacts. Therefore, indirect impacts to lemonade berry scrub would be less than significant and no avoidance or mitigation measures are recommended. However, direct permanent impacts to special-status vegetation communities could be considered significant absent mitigation. Based upon the Project design and the need to maintain the property in accordance with the City of Los Angeles Fire Code (L.A.M.C. 57.322),² on-site mitigation is not feasible. Mitigation Measure (MM) BIO-1 will be required to adequately reduce potential impacts to sensitive natural communities to less than significant.

The MND includes mitigation measures MM-BIO-1, MM-BIO-2, and MM-BIO-3 to require mitigation of the Lemonade Berry Scrub and reduce the spread of non-native invasive plant species. Furthermore, the applicant proposes the inclusion of Lemonade Berry Scrub in the new landscaping for all four properties. A Memorandum prepared by Dudek, dated May 31, 2022 states:

While the existing lemonade berry onsite and in the adjacent parcels is not pristine, planting lemonade berry in the northern portions of 17533 W Revello Drive and 17523 W Revello Drive would provide a continuous connection to lemonade berry scrub to the east and west of these locations. It would be expected that native and non-native plant species in the adjacent area would naturally spread into the landscape portions of the site. As the planted and volunteer shrubs mature, it is expected that common urban-adapted, terrestrial wildlife (such as Virginia opossum, Audubon's cottontail, California ground squirrel, deer mouse, and raccoon) could use the connected habitat for local movement and it would provide refugia from predators (e.g., raptors, owls, and coyote).

The subject site is located within a residentially zoned hillside neighborhood and is not adjacent to designated habitat areas, parks, or recreation areas. Furthermore, the project is located within a very high fire hazard severity zone where regular brush clearance is required. The proposed development is subject to mitigation measures that would reduce any impact to biological resources to a less than significant level and will also replace existing Lemonade Berry Scrub onsite, in a manner that complies with the brush clearing regulations enforced by the Los Angeles Fire Department (LAFD).

Section 30244 Archaeological and Paleontological Resources. *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

The project consists of the construction of four single-family homes, one accessory dwelling unit, accessory structures, excavation and grading for the new development,

remedial grading and improvements in the right of way. All excavation and grading on the residential lots are subject to review by the Department of Building and Safety and will comply with the requirements of the Grading Division. The Grading Division reviewed and approved a Geotechnical Report for the projects, required conditions are outlined in a letter dated September 14, 2020 (Log # 109105-04). The required grading within the right-of-way is subject to review by the Department of Public Works Bureau of Engineering Geotechnical Engineering Division (GED). The GED reviewed the reports and issued a memo dated July 25, 2022, which outlines requirements including a B-permit.

The subject site is not located in an area with known archaeological or paleontological resources. However, if such resources are discovered during any excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place. If previously unknown archaeological resources are found during excavation and grading, the Project would be required to follow procedures detailed in California Public Resources Code Section 21083.2. The required compliance would ensure any found deposits are treated in accordance with federal, State, and local guidelines, including those set forth in PRC Section 21083.2. If archaeological or paleontological resources are discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place. As such, the project conforms to the applicable Land Resources policies of Chapter 3.

Article 6 Development

Section 30250 Location; existing developed area. *(a) 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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

The subject properties are located in a residential neighborhood developed with similar single-family dwellings. The project would construct a total of four single-family dwellings on 12 vacant lots. The proposed density complies with the zone and land use designation identified for the site. The properties are located on an 12 irregular shaped lots, all of which are interior lots fronting either Tramonto Drive or Revello Drive, both of which are streets featuring developed roadways and existing residential development. The parcels fronting Revello Drive face a portion of the street which was demolished by the landslide. The project will grade, stabilize, and reconstruct the right-of-way to restore access along Revello Drive. The residential neighborhood maintains connections to utility service providers, police and fire stations, schools, and other public services in the area. As such, the project will be located in an existing developed area contiguous with similar residential uses, in an area that is able to accommodate new development.

Section 30251 Scenic and Visual Qualities. *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 subject sites are located on downsloping lots in a developed residential hillside neighborhood. The properties surrounding the lot are zoned R1-1 and developed with single-family dwellings ranging from one to two stories in height with basement levels. The project is generally located in a residential neighborhood, that is adjacent to Pacific Coast Highway and the Pacific Ocean to the south. The project consists of the construction of four new single-family dwellings on 12 vacant lots, and a 200-foot extension of Revello Drive on portions previously affected by a landslide. Total grading for the Project, including that required for offsite street improvements, is approximately 29,148 cubic yards (CY), of which 28,341 CY would be remedial grading and approximately 33,794 CY would be exported/transported from the Project site.

The proposed single-family dwellings will not exceed the maximum building height of 28 feet, measured from grade, observe the required yard setbacks, and do not exceed the maximum residential floor area permitted for single-family dwellings. The proposed structures will be two stories and will be constructed across 12 vacant lots. Their bulk and massing will be consistent with a number of similarly massed dwellings in the area which consists of both one- and two-story structures that extend across multiple lots. As provided in Section 4.I.c. of the Mitigated Negative Declaration for the project: *The Project would be consistent with the single-family residential character as viewed from the surrounding properties. Further, the Project would introduce high-quality architectural features (i.e., mass, scale, form, style, material, and color) would integrate the hillside and provide visual interest as well as building step downs that would ensure consistency with the existing slope of the site.* As shown in the Visual Concept Study, prepared by the Applicant, the proposed structures would not substantially obstruct existing views to the ocean from Tramonto Drive and Revello Drive. The new structure fronting Tramonto Drive (SHP 1) is two stories with a basement level, however the roofline sits below the elevation of the driveway on Tramonto Drive. The structure is constructed into the hillside and results in minimal visual impact on the character of the area. The new structures located on the north side of Revello Drive (JDR 1 and 2) are two stories with basement levels. The structures incorporate stepbacks on the second level as well as open patios and balconies to further articulate the facades and mimic the curvature of the hillside area. The new structure on the south side of Revello Drive is two stories with a basement level. Due to the downsloping nature of the lot, only the second level will be visible from Revello Drive. The structure incorporates sloping rooflines, and articulated facades at the street level to break up the massing of the structure.

As shown in the landscape plan, the project includes native landscaping and will replace Lemonade Berry Scrub onsite. The proposed replanting areas would connect to existing scrub to the east and west of the project, helping to preserve the existing visual character and landscape.

The project includes improvements to Revello Drive to reconstruct 200 feet of roadway that was demolished and removed by a landslide. The improvement would reconstruct the existing portions of the street, to the satisfaction of the City Engineer and consistent with the requirements of the Department of Public Works – Bureau of Engineering (BOE). A substantial amount of grading would be required to the stabilization of the entire site and roadway, due to the previous landslide. However, as determined by the Department of Building and Safety (LADBS) Grading Division and BOE, such grading is necessary for safe development of the site. As discussed above, the proposed development is visually compatible with the character of the area, will enhance the existing neighborhood, restore access, and will not impact the character of the surrounding area.

Section 30252 Maintenance and Enhancement of Public Access. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

The subject property is not located on or across the beach shoreline. The site is located in the residential hillside neighborhood located north of the Pacific Coast Highway and is located more than one mile from the beach (along existing roads). The project includes the reconstruction of the portions of Revello Drive demolished by a landslide, allowing vehicle and pedestrian access along Revello Drive to the project site. Adequate parking will be provided on-site consisting of two spaces within the attached garage. Furthermore, the project includes the construction of an expanded turnaround driveway onsite to allow vehicle access for emergency vehicles. There is no adjoining public access point or public recreation facility that will be affected by the Project. Therefore, the proposed development will not have any adverse impacts on public access to the coast.

Section 30253 Minimization of Adverse Impacts. *New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, 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. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The subject site is comprised of 12 lots located in the Dual Permit Jurisdiction Area of the Coastal Zone. The property is located in a Hillside Area, Special Grading Area, fault zone (Santa Monica Fault), Landslide Area, and Very High Fire Hazard Severity Zone. As such, the project is subject to compliance with Zoning and Building Code requirements that will minimize risks to life and property in such hazard areas. The property is located outside the Flood Zone.

The subject lots are located within the original development of the Castellammare Area in the Pacific Palisades, dating back to the early 1920's. At that time a series of roads were cut into the hillside traversing in an essentially northwest-southeast orientation. Double-loaded lots were developed, and homes were built intermittently. In 1936, 3.2 acres failed as a moderately deep slump landslide, extending onto former Roosevelt Highway (current PCH) from upslope at Tramonto Drive. The Tramonto Landslide is reported to have periodically reactivated and enlarged to the west and east, ultimately truncating and closing a portion of Castellammare Drive, Posetano Road, Revello Drive, and Tramonto Drive by 1959. No development or street reconstruction has occurred within the limits of the failure, except for the bulkhead shoring wall at the failure headscarp restoring Tramonto Drive in 1969 (further reinforced in 1981) and the reconnection of an above grade storm drain system along the eastern slide margin which is briefly discussed above.

Outside of the failure area to the north, west, and east, sporadic new development occurred and filled in throughout the community over the decades. The subject property is located primarily on the central/eastern portion of the landslide. Approximately 200 feet of the unimproved portion of Revello Drive that was affected by these slides would be improved. This improvement will provide access to the three residences that have frontage along Revello Drive.

The project site was issued a total of nine Orders to Comply (RD 30052, RD 30053, RD 30054, RD 30058, RD 30059, RD 30060, RD 30090, RD 30091, and RD 30092) by the Department of Building and Safety-Inspection Bureau (LADBS), dated August 10, 1999 due to Class 1 Slope Failure. LADBS stated the slope failure affected the stability of the property and had created a hazard condition in violation of LAMC Section 91.7005.7-8. Those orders were superseded by new Order to Comply (KL09272019-573) dated September 27, 2019.

The project includes required remedial grading to stabilize the landslide area as well as grading necessary for the proposed development. Stabilization of the slope and safe construction of the new structures in a hillside and landslide area requires the use of piles. The applicant proposes to stabilize the landslide debris with up to nine rows of stabilization shear pin piles, lateral caissons, and to support the structures on drilled-pile foundations bearing on competent bedrock. The proposed grading and slope stabilization is shown in the table below.

	Lot Area (SF)	No. of Piles	Grading (CY)
SHP 1	24,656	100	11,128
SHP 2	8,258	80	3,472
JDR 1	16,329	40	4,103
JDR 2	11,503	86	9,940
Revello Drive		9	505
TOTAL	60,746	315	29,148

A Geology and Geotechnical Report was prepared by Stoney-Miller Consultants, Inc., dated October 24, 2019. The LADBS Grading Division reviewed the report and previous reports prepared for the project and issued a Geology and Soils Approval Letter (Log No. 109015-04) on September 14, 2020. The Letter stated that the reports are acceptable provided the project complies with the required Conditions of Approval outlined in the letter. A report titled "Project Summary/Overview: Interim and Supplement Report" was prepared by Stoney-Miller Consultants Inc., dated July 1, 2022. The BOE Geotechnical Engineering Division (GED) reviewed the report and previous reports prepared for the project and issued an Interdepartmental Memo dated July 25, 2022. The Interdepartmental Correspondence stated that the proposed improvement to reconstruct portions of Revello Drive is acceptable from a geotechnical standpoint provided the Conditions of Approval are complied with and subject to the requirements of a B-Permit.

Compliance with the requirements of the various City departments will minimize risks to life and property in areas of high geologic, flood, and hazard. It will ensure stability and structural integrity and that the project will not create or contribute significantly to erosion, geological instability, or destruction of the project site or surrounding area. The project site is not a popular visitor destination point for recreational use.

The project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development. The project site is located approximately 0.45 miles north of the coast. The project will neither interfere nor reduce

access to the shoreline or along the coast. The project will not adversely impact any recreational uses and activities, the marine environment and other environmentally sensitive habitat areas. The project site is not located in an area with known archaeological resources and will be required to comply with existing regulations, if discovered. The project site has been identified to be located in an area of high paleontological sensitivity and will be required to comply with not only the existing regulations, but with the Mitigation Measures that have been made enforceable Conditions of Approval as part of the subject grant. The project will not involve the diking, filling, or dredging of the open coastal waters. The project will be served by existing public facilities and will not degrade the scenic and visual qualities of nor interfere with public access to the coastal area. As conditioned, the project will be in conformity with Chapter 3 of the Coastal Act.

2. *The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.*

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act.

Currently, the City does not have an approved Local Coastal Program (LCP) for the Brentwood-Pacific Palisades area. In the interim, the Brentwood-Pacific Palisades Community Plan, a portion of the Land Use Element of the City's General Plan, serves as the functional equivalent which contains the applicable land use policies and goals for that portion of the Coastal Zone. The Brentwood-Pacific Palisades Community Plan designates the property for Low Residential land use with a corresponding zone of R1-1. The proposed single-family dwelling is consistent with the underlying zone. Furthermore, as discussed in Finding No. 1, the Project is consistent with the Chapter 3 policies of the Coastal Act. As conditioned, the proposed development will not prejudice the ability of the City to prepare a Local Coastal Program.

3. *The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.*

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources."

The Regional Interpretive Guidelines – Pacific Palisades residential guidelines address parking, density, special provisions for development on bluffs and hillside areas, and coastal access. The applicable provisions of the California Coastal Commission's Regional Interpretive Guidelines have been reviewed and considered in preparation of these findings. The project consists of the development of four single-family residential structures on vacant residential hillside lots. The project includes onsite and offsite grading for the new development and necessary remedial grading, as well as the reconstruction of a 200-foot-long right-of-way along Revello Drive. The proposed grading would conform

to the required conditions outlined in the Department of Building and Safety Grading Division Approval Letter and is also subject review and approval by the Bureau of Engineering. Furthermore, the proposed development is subject to compliance with the City's Building and Zoning Code.

The bluff top development standards unique to the Pacific Palisades area require a 25-foot setback from the edge of any coastal bluff and a 10-foot setback from the edge of any canyon bluff. The subject site is comprised of 12 residential hillside lots that slope down from Tramonto Drive and Revello Drive. As shown on the topographic survey maps for each site, the lots maintain steep slopes with no canyon or coastal bluffs. The proposed development conforms with the height, setback, and floor area requirements for the R1-1 zone and as discussed in Finding No. 1, the development is consistent with the applicable policies of Chapter 3 of the Coastal Act.

The Interpretive Guidelines have been reviewed, analyzed, and considered in light of the individual project in making this determination, and the project as conditioned is consistent with such Guidelines.

4. ***The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.***

The project consists of the construction of four single-family residential structures, accessory structures, retaining walls, grading and excavation for the new development, remedial grading, and the reconstruction of a portion of the right-of-way. The project is located within the dual permit jurisdiction of the Coastal Zone, where both the local jurisdiction (City of Los Angeles) and the California Coastal Commission issues Coastal Development Permits. The Coastal Commission will render decisions on appeals of the City's Coastal Development Permits or Coastal Exemptions. The Coastal Commission took action on the following residential projects in the Venice Coastal Zone:

Application No. 5-18-1225 - On February 12, 2020, California Coastal Commission approved a Coastal Development Permit for approximately 3,529 c. y. of grading (3,279 c. y. cut and 250 c. y. fill) for site preparation for a future single-family residence and a swimming pool, construction of two retaining walls on pile foundations, one 6-ft. high, 362 ft. long along the north portion of the lot and the other 10-ft. high, 243 ft. long along the east and south portion of the lot all on a vacant 53,267 sq. ft. residentially zoned lot located at 1448 Cuesta Linda Drive.

Application No. A-5-18-0835 – On February 12, 2020, California Coastal Commission approved a Coastal Development Permit for the construction of a 36-ft. high, two-story, 3,706 sq. ft., single-family home with a basement, attached garage, retaining walls, and swimming pool on a caisson grade beam foundation, on a 3,844 square foot vacant lot, including approximately 646 cubic yards of grading located at 17605 West Castellammare Drive.

Application No. 5-18-0885 – On November 13, 2019, California Coastal Commission approved a Coastal Development Permit for the demolition of a one-story, 1,585 sq. ft. single-family residence and construction of a 28-ft. high, two-story, 10,114 sq. ft., single-family home with a basement, attached garage, retaining walls, and swimming pool on a caisson grade beam foundation, on an 11,897 sq. ft. lot, including approximately 3,000 cu. yds. of grading located at 230 Arno Way.

Application No. 5-18-0393 & A-5-PPL-18-0057 - On February 7, 2019, California Coastal Commission approved a Coastal Development Permit for the construction of a three-level, 50.6 ft.-high (from existing grade), 8,823 sq. ft. single-family residence on a caisson grade beam foundation, including an attached 651 sq. ft. 3-car garage and approximately 4,000 c. y. of grading on a vacant 17,036 sq. ft. hillside lot located at 17642 Tramonto Drive.

Application No. 5-18-0255 – On November 7, 2018, California Coastal Commission approved a Coastal Development Permit for the 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 located at 14948 Corona del Mar (AKA 14944 Corona del Mar, 14937 Pacific Coast Highway).

Previous decisions by the Coastal Commission have approved Permits for new residential development that complies with the development standards of the LUP and the applicable provisions of Chapter 3 of the Coastal Act. As such, this decision of the permit granting authority has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.

5. ***The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.***

Section 30210 of the Coastal Act states the following in regards to public access:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners, and natural resources from overuse.

Section 30211 of the Coastal Act states the following in regards to public recreation policies:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The subject property is not located on or across the beach shoreline and does not provide public access to the shoreline. The proposed project involves the construction of four new residential structures in an existing residential neighborhood and includes the reconstruction of a 200-foot-long portion of Revello Drive. The portion of right-of-way was affected by a landslide and obstructs access through the neighborhood. The project would improve and restore access for vehicles and pedestrians through the neighborhood and down to the Pacific Coast Highway. There is no adjoining public access point or public recreation facility that will be affected by the Project. Therefore, the proposed project will not interfere with or obstruct the public's right to access coastal resources.

6. **An appropriate environmental clearance under the California Environmental Quality**

Act has been granted.

A Mitigated Negative Declaration (MND), Errata dated September 23, 2022 and November 3, 2023, and Mitigation Monitoring Program (Case No. ENV-2019-5520-MND) was prepared for project in compliance with CEQA. As previously mentioned, the project involves the construction of four single-family dwellings with accessory structures, landscaping, retaining walls, swimming pools, and necessary grading for each dwelling. The project will reconstruct and improve the Revello Drive right-of-way (approximately 200 feet in length) and includes onsite and offsite remedial grading comprised of 29,148 cubic yards of earthwork, of which 28,341 cubic yards would be remedial grading; the project requires a Haul Route for the export of approximately 33,794 cubic yards of earth.

The project was found to have potential impacts that could be mitigated to a less-than-significant level in the following categories: biological resources, cultural resources, geology and soils, and tribal cultural resources. Comments were submitted by the public during the publication period of the MND (from August 19, 2021 through September 20, 2021).

A complete Response to Comments, supporting documentation, including all the technical studies (appendices), and Errata dated September 23, 2022 and November 3, 2023 were included as part of Case No. ENV-2019-5520-MND. The issues identified and comments provided have been sufficiently addressed by the MND, Response to Comments, and supporting documentation. The project is subject to the standards, requirements, and mitigation measures outlined in each category of the MND as well as the applicable Regulatory Compliance Measures. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the project will have a significant effect on the environment. The attached MND reflects the lead agency's independent judgment and analysis. Therefore, an appropriate environmental clearance under CEQA has been granted.

Mello Act Compliance Review

Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act, all Conversions, Demolitions, and New Housing Developments must be identified in order to determine if any Affordable Residential Units are onsite and must be maintained, and if the project is subject to the Inclusionary Residential Units requirement. Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman concerning implementation of the Mello Act in the Coastal Zone Portions of the City of Los Angeles, the findings are as follows:

7. Categorical Exemptions (Part 2.4) Small New Housing Developments

The project proposes the construction of five Residential Units (four single-family dwellings and one ADU). Pursuant to Part 2.4.2 of the Interim Administrative Procedures, developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of five new Residential Units is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

ZONING ADMINISTRATOR'S DETERMINATION

In order for a Zoning Administrator's Determination to be granted, all of the legally mandated findings delineated in Section 12.24 X,28 of the Los Angeles Municipal Code must be made in the affirmative. The following section states such findings in bold type with the applicable justification set forth immediately thereafter.

8. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The project site is comprised of twelve (12) sloped, irregular shaped lots totaling approximately 1.35 acres of lot area. The project site is characterized by down-sloping topography and is vacant. Nine (9) parcels front Revello Drive, while the remaining three (3) parcels front Tramonto Drive. The project site is zoned R1-1 and designated for Low Residential land uses in the Brentwood-Pacific Palisades Community Plan Area. The project site is located in a Dual Permit Jurisdiction Area of the Coastal Zone, a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, a Landslide Area, and the Santa Monica Fault.

The portion of Revello Drive boarding the project site is designated as a Substandard Hillside Limited Street and is dedicated to a variable right-of-way of approximately 26 feet and is not improved. Revello Drive does not maintain a 20-foot wide roadway from the driveway apron of the three proposed homes to the terminus of the Hillside Area, and does not provide a 20'-foot width fronting 17523-17529 Revello Drive and 17533-17547 Revello Drive per the Bureau of Engineering Referral Form dated August 21, 2017. The project proposes an approximately 225-foot extension of Revello Drive to the west from the easterly terminus of the existing roadway to provide vehicular access to the three proposed residences fronting Revello Drive. The roadway extension is proposed to be 20-foot wide, with the exception of the western most 24-foot end section of the roadway that cannot be widened to 20-feet due to geotechnical reasons.

Adjacent Minimum Roadway/Continuous Paved Roadway

The project triggers requirements to improve any Substandard Hillside Limited Street fronting the subject property with a minimum roadway width of 20 feet and with a minimum 20-foot wide continuous paved roadway from the driveway apron to the subject property to the boundary of the Hillside Area as required by Sections 12.21-C,10(i)(2) and (3) and (ii) of the LAMC, respectively. The intent of street access requirements is to provide safe vehicular access for residents, visitors, and emergency vehicles in case of emergencies. Any impairment to emergency access would expose residents of the property and others located in the area to an increased risk of danger during such events.

The project will perform a function that is beneficial to the City by expanding the housing supply with the development of four single-family dwelling and one accessory dwelling unit. The Applicant will be providing the 20-foot wide roadway adjacent to majority of the project site. However, due to the circumstance of not being able to widen the street along other properties, the Applicant is requesting to waive the 20-foot wide access from the driveway apron to the boundary of the Hillside Area as required by Los Angeles Municipal Code 12.21 C.1 0(i)(3). As discussed above, the roadway extension is proposed to be 20-foot wide, with the exception of the western most 24-foot end section of the roadway that cannot be widened to 20-feet as the upslope portion of the property will not be able to be stabilized geotechnically.

Additionally, the City seeks to incrementally secure the required roadway widening directly adjacent to a hillside property as each one is being developed. Completion of the roadway widening adjacent to the property would enhance the built environment of the surrounding neighborhood, and incrementally improve public safety by providing for an enlarged passing area for vehicles traveling along Revello Drive.

Further, the applicant is not requesting any additional deviations for the construction of the project is in accordance with the provisions of the Hillside Area and the Residential Floor Area Limits. The proposed construction, use, and three single-family residences along Revello Drive conforms to the character of the surrounding neighborhood and will enhance the built environment of the Brentwood – Pacific Palisades neighborhood, and are similar to other dwellings found in the vicinity within this hillside area. As conditioned, the proposed single-family residences on the existing property zoned for such uses will enhance the built environment of the Brentwood – Pacific Palisades neighborhood.

9. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

The project site is comprised of twelve (12) sloped, irregular shaped lots totaling approximately 1.35 acres of lot area. The project site is characterized by down-sloping topography and is vacant. Nine (9) parcels front Revello Drive, while the remaining three (3) parcels front Tramonto Drive. The project site is zoned R1-1 and designated for Low Residential land uses in the Brentwood-Pacific Palisades Community Plan Area. The project site is located in a Dual Permit Jurisdiction Area of the Coastal Zone, a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, a Landslide Area, and the Santa Monica Fault. The project site experienced a landslide and has been subject to an Order to Comply, requiring the rehabilitation and stabilization of the land, dating to 1997.

The site is zoned for such development and is surrounded by other properties that are similarly zoned and improved. The project will not degrade adjacent properties, as the scale and type of development is appropriate for the location and will join with other improved lots in the same neighborhood. Additionally, the project has been designed to conform to all other provisions of the LAMC, including, but not limited to those regulating height, residential floor area, lot coverage, grading, fire protection, and yard requirements. No deviation from the Los Angeles Municipal Code (LAMC) has been granted other than the ones requested and approved herein. The conditions imposed address any potential cumulative effects of various projects of the same type in the same area. Implementation of the proposed traffic management conditions will ensure that the project does not further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

10. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

The General Plan is the City's roadmap for future growth and development. The General Plan elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of Los Angeles Municipal Code (LAMC) requirements. Except for the entitlement described herein, the project does not propose to deviate from any other LAMC requirements.

The Land Use Element of the City's General Plan divides the City into 35 Community Plan

areas. The Brentwood – Pacific Palisades Community Plan Community Plan designates the properties for Low Residential land uses and are zoned R1-1. There is no applicable specific plan for the Project site. The Brentwood – Pacific Palisades Community Plan sets objectives for the planning and development of the area, and seeks to guide development to be in character with the community. The proposed project has been conditioned to conform with the purpose, intent, and provisions of the General Plan and the Brentwood – Pacific Palisades Community Plan.

Approval of the project is in substantial conformance with the following **Framework Element** land use objectives and policies:

Objective 3.5: Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

Policy 3.5.2: Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.

Policy 3.5.3: Promote the maintenance of existing single-family neighborhoods and support programs for the renovation and rehabilitation of deteriorated and aging housing units.

Approval of the project is consistent with the following **Housing Element** objectives and policies:

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.

Policy 2.4.1: Promote preservation of neighborhood character in balance with facilitating new development.

Policy 2.4.2: Develop and implement design standards that promote quality residential development.

Approval of the project is in substantial conformance with the following **Brentwood – Pacific Palisades Community Plan** objectives:

Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods

Objective 1-6: To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.

The proposed project is for the construction, use, and maintenance of four new single-family residences over twelve (12) total lots. Three (3) of the single-family residences, fronting Revello Drive, are subject to the Zoning Administrator's Determination entitlement. The three single-family residences are proposed on property zoned and designated for such use and will maintain the low-density residential character of the area. Requiring the minimum 20-foot wide adjacent roadway width and 20-foot wide continuous paved

roadway will create a procedural barrier and keep the applicant from achieving housing objectives such as the production of housing. As conditioned, the project will substantially conform to the purpose, intent and objectives of the General Plan.

- 11. The subject use is in conformity with the public necessity, convenience, general welfare, and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan.**

The subject property is zoned R1-1 and has a Low Residential land use designation in the Brentwood-Pacific Palisades Community Plan. The proposed project consists of the construction of four single-family dwellings and one accessory dwelling unit (ADU) on a lots zoned and designated for such use. The proposed project will be used for residential purposes and will conform to the existing mode and character of surrounding areas. As such, the proposed project is in conformity with public necessity, convenience, general welfare and good zoning practice. While the proposed project will preserve the character of single-family hillside neighborhoods, the grant to develop the property will not adversely affect any element of the General Plan, as the basic use of the property is consistent with and in conformity with the objectives of the plan.

STREET ACCESS FINDINGS

- 12. The vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.**

The project proposes an approximately 200-foot extension of Revello Drive to the west from the easterly terminus of the existing roadway to provide vehicular access to the three proposed residences fronting Revello Drive. The roadway extension is proposed to be 20-feet wide, with the exception of the western most 24-foot end section of the roadway that cannot be widened to 20-feet as the upslope portion of the property will not be able to be stabilized geotechnically.

The traffic associated with the dwelling itself will not create any additional adverse impact on street access or circulation except for typical vehicular traffic associated with the construction of houses, which is consistent with the Community Plan, will not significantly alter the existing character and permitted density in the area. Access to the subject property will be from Revello Drive. To deviate from Section 12.21 C.1 0(i)(2) and (i)(3) of the Baseline Hillside Ordinance would not hamper the implementation of Hillside policies and programs.

To minimize the impacts this may create, conditions have been incorporated into this grant that requires the applicant to notify surrounding affected property owners of when construction activities would take place, ensure that flagmen are above and below the project when the street is obstructed to coordinate traffic, and ensure that an identified individual is always available to address problems that may arise. Further, additional construction activity related conditions have been adopted to ensure that the general impact of such activities are minimized.

- 13. The building or structure will not be materially detrimental or injurious to the adjacent property or improvements and will not have a materially adverse safety impact on the surrounding neighborhood.**

The construction, use, and maintenance of three new single-family dwelling on a hillside lot zoned for such use and waiving the roadway widening requirements will not be materially detrimental or injurious to adjacent properties or improvements. Except for the

request to waive the roadway widening improvement requirements, the project is otherwise fully compliant with the development regulations for this area. The project is required to comply with the conditions contained within the Department of Building and Safety Grading Division's Geology and Soils Report Approval Letter, Log # 109015-04, dated September 14, 2020, and the Bureau of Engineer-Geotechnical Engineering Division letter dated July 25, 2022 to ensure that construction of the home on the hillside lot is properly engineered with consideration for the underlying geology and soil conditions of the lot. Further, the project is required to comply with all applicable Building and Safety construction regulations, and plans are required to be reviewed by the Fire Department. Therefore, as designed and conditioned, the project will seamlessly integrate into the existing fabric of the hillside area and the immediate neighborhood. Therefore, the project will not have a materially adverse safety impact detrimental to the surrounding neighborhood.

14. The site and/or existing improvements make strict adherence to Section 12.21.C-10(i) impractical or infeasible.

The project proposes an approximately 225-foot extension of Revello Drive to the west from the easterly terminus of the existing roadway to provide vehicular access to the three proposed residences fronting Revello Drive. The roadway extension is proposed to be 20-feet wide, with the exception of the western most 24-foot section of the roadway (along the project site's frontage) that cannot be widened to 20-feet as the upslope portion of the property will not be able to be stabilized geotechnically. The Revello Drive roadway, east of the project site is improved to a width of less than 20-feet. Strict compliance with Section 12.21 C.1 0(i)(2) and 12.21 C.1 0(i)(3) of the Code would require the applicant to acquire private lands from several property owners along Revello Drive. The applicant does not have access to property rights at these locations, making such improvements infeasible and without rational nexus; improvements necessary to meet the strict application of the Code would not be proportionate to potential impacts generated by the project

ADDITIONAL MANDATORY FINDINGS

- 15.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas of minimal flooding.
- 16.** On August 19, 2021, a Mitigated Negative Declaration (ENV-2019-5520-MND) was prepared for the proposed project. An Errata dated September 23, 2022 and November 3, 2023 was prepared to provide additional clarification and supplemental analysis. Pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration Case No. ENV-2019-5520-MND), including the Errata dated September 23, 2022 and November 3, 2023, ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The Mitigated Negative Declaration and the Errata dated September 23, 2022 and November 3, 2023 reflects the independent judgment and analysis of the City. The mitigation measures have been made enforceable conditions on the project. The records upon which this decision is based are with the Department of City Planning in Room 721, 200 North Spring Street.