



PACIFIC PALISADES COMMUNITY COUNCIL

April 24, 2023

Juliet Oh, Senior City Planner
200 N. Spring St., Room 721
Los Angeles, CA 90012

Via email: Juliet.Oh@lacity.org

Re: **DIR-2019-938-CDP, Amendment to ZA-2000-3281-CDP-AMDT1;**
ENV-2019-939-CE;
15245 W. De Pauw St., Pacific Palisades;
OPPOSE applications, and Request for Removal Order.

Dear Ms. Oh,

Pacific Palisades Community Council (PPCC) is the most broad-based community organization in Pacific Palisades and has been the voice of the community since 1973.

We write today to restate our previous opposition (<https://pacpalicc.org/wp-content/uploads/2019/05/DIR-15425-W-De-Pauw-2.pdf>) to the large concrete deck structure that was constructed years ago without a permit at 15245 W. De Pauw St., in Pacific Palisades, and, by extension, to oppose the Proposed Amendment to ZA-2000-3281-CDP for the property at 15245 W. De Pauw Street., which seeks after-the-fact approval for the large concrete deck structure built without a necessary amendment to the Coastal Development Permit issued by the California Coastal Commission in July 2000 (Permit No. 5-00-218).

PPCC has supported the creation and construction of a city park at Potrero Canyon for decades. The 46-acre park has finally been completed and open to the public since December 10, 2022. At the community's request, the City Planning Department issued "Z.I. Bulletin No. 2422 Potrero Canyon" which sets forth rim development guidelines specific to Potrero Canyon, purposefully limiting development in the rear of the adjacent residential properties and protecting the views from the trails of "George Wolfberg Park at Potrero Canyon".

The Coastal Development Permit issued by the California Coastal Commission in July 2000 (Permit No. 5-00-218) allowed for the construction of only a house, not the large, caisson-supported concrete patio deck. That additional structure required the Applicant to seek an amendment to the CDP if in the future he wished to build such additional structures. We understand that the exemption to the CDP that he subsequently sought in order to build the deck was denied by the Coastal Commission on November 5, 2015. We know of no other amendment of the CDP ever being sought by the Applicant.

Instead, Applicant applied for a building permit from LADBS, which was granted, and began construction in 2019 without giving notice to neighbors. The neighbors and community organizations, including the PPCC and the Board of Commissioners of the Department of Recreation and Parks, strongly objected to the construction of the deck, and LADBS issued a stop notice and required the Applicant to seek an amendment to the CDP. By that time, however, construction of the concrete structure was substantially completed.

On March 13, 2020, at a meeting attended by PPCC officers and other community members who objected, the West Los Angeles Area Planning Commission (WLA APC) **denied** the Applicant's proposed amendment, *finding that the amendment would lessen or avoid the intended effect of the original CDP and would cause an adverse impact on the surrounding properties, as well as the views from George Wolfberg Park at Potrero Canyon*. A copy of the determination/findings and other documents submitted in objection are attached. Also attached below is a photo of the late George Wolfberg standing in the park below the large concrete deck (a partial view of the deck).



May 25, 2019

Today, the Applicant has divided his application for approval of ancillary structures into several applications, *but is asking the Commission for the same (or substantially the same) allowances that were denied by the Commission in 2020.* It is perplexing that the Director of Planning has apparently made a preliminary finding that an application for the same concrete structure that failed to gain approval from the Coastal Commission and was subsequently denied by the WLA APC, (but was constructed nonetheless) now represents only an “immaterial change.”

The un-permitted concrete structure is an appalling violation of the Coastal Commission’s 2015 determination, several provisions of the California Coastal Act, Z.I. Bulletin 2422, and LA City Code Section 12.20.2. The WLA APC already made this determination in 2020.

Since its opening on December 10th, thousands of visitors have already walked through the new passive park at Potrero Canyon - a mile long riparian and native restoration with native

flowers in bloom and beautiful ocean vistas, and they've unfortunately remarked to community leaders about the unsightly eyesore of the large concrete deck and caissons that unmistakably pierces the view and protrudes conspicuously from the hillside. If the current application is granted, visitors will see additional ADU or other structures in addition to the deck, further violating the spirit of coastal protections and the determinations already made by the Coastal Commission as related to this set of applications.

The applicant should not be allowed this after-the-fact approval, after knowingly ignoring the law and this Commission's prior decision. The concrete deck structure and caissons should be ordered removed. We urge you to please **deny the Proposed amendment and related applications.**

Sincerely,

PPCC Executive Committee

Maryam Zar, President

Jenny Li, Vice President

Randy Young, Treasurer

Beth Holden-Garland, Secretary

David Card, Joanna Spak, John Padden

Attachments:

WLA APC Determination and Findings 2020

ZI Bulletin 2422 - Potrero Canyon

PPCC letter in opposition 5-2-19

Board of Commissioners, Recreation & Parks Dept. opposition 1-27-20



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: MAR 13 2020

Case No: DIR-2019-938-CDP-1A
CEQA: ENV-2019-939-CE
Plan Area: Brentwood-Pacific Palisades

Council District: 11 – Bonin

Project Sites: 15245 De Pauw Street
Applicant: Louis Magur
Appellant #1: Kristin and Finn-Olaf Jones
Representative: Justin Block, Block & Block
Appellant #2: Bill and Elizabeth Molinski

At its meeting of **February 5, 2020**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the disapproval of the following project:


Construction of a new, approximately 248 square-foot covered porch addition on the first floor and an uncovered deck addition with solar panels above an existing two-story 3,900 square-foot single-family dwelling, a new detached concrete deck, and grading required for the work.

1. **Granted** the appeals and **overturned** the October 11, 2019 Planning Director's determination;
2. **Denied**, pursuant to the Los Angeles Municipal Code Section 12.20.2 O, an Amendment to Coastal Development Permit case no. ZA-2000-3281(CDP) for the construction of a new, approximately 248 square-foot covered porch addition on the first floor and an uncovered deck addition with solar panels above an existing two-story 3,900 square-foot single-family dwelling, a new detached concrete deck, and grading required for the work, all located in the single permit jurisdiction area of the Coastal Zone; and
3. **Adopted** the attached Findings as amended by the Commission.

This action was taken by the following vote:

Moved: Margulies
Second: Yellin
Ayes: Newhouse, Rozman, Waltz Morocco

Vote: 5 - 0


James K. Williams, Commission Executive Assistant II

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The action by the West Los Angeles Area Planning Commission on this matter is final and effective upon the mailing date of this determination and is the final appeal procedure within the appeal structure in the City of Los Angeles.

California Coastal Commission/Appeals: Pursuant to Section 12.20.2 I of the Los Angeles Municipal Code, the Area Planning Commission's action shall be deemed final only after 20 working days have expired from the date this decision letter is deemed received by the Executive Officer of the California Coastal Commission and provided that a timely, valid appeal is not taken by the California Coastal Commission within said time frame. The proposed development **is in the single-permit jurisdiction area.** This Coastal Development Permit shall be subject to revocation as provided in Section 12.20.2 J of the Los Angeles Municipal Code.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Amended Findings

c: Debbie Lawrence, Senior City Planner

FINDINGS

As amended by the West Los Angeles Area Planning Commission on February 5, 2020.

Coastal Development Permit – Amendment

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2-O, the applicant proposes an amendment of the previously approved Coastal Development Permit to include: the construction of a new, covered porch addition on the first floor and an uncovered deck addition above to an existing single-family dwelling, as well as a new detached concrete deck in the rear yard, and grading required for the work.

1. **The proposed amendment WILL lessen or avoid the intended effect of the original permit, as approved or conditioned consistent with the findings required in Subsection G. of this section (LAMC Section 12.20.2).**

On November 8, 2000, Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, the Zoning Administrator approved a Coastal Development Permit (ZA-2000-3281-CDP) for a project consisting of: the construction, use and maintenance of a 3,900 square-foot, two-story, 25-foot in height, single-family dwelling on an existing vacant 7,500 square-foot lot located within the single permit area of the California Coastal Zone.

The proposed amendment was for the construction of a new covered porch addition on the first floor and an uncovered deck addition above, as well as a new detached concrete deck. No grading will be conducted for the replacement of the existing deck. However, friction piles are utilized for the concrete deck support.

The changes to the project WILL lessen or avoid the intended effect of the original permit. Section 30251 of the Coastal Act provides that the scenic and visual qualities of the coastal area shall be considered and protected as a resource of public importance. *Section 30251: 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.*

The proposed accessory structures are not visually compatible with the character of other accessory structures along the Potrero Canyon rim, as the deck extends out further than those of adjacent properties' retaining walls and pools.

2. **The proposed amendment WILL lessen or eliminate conditions imposed for the purpose of protecting a coastal resource or coastal access consistent with the findings required by Subsection G. of this section.**

The original permit determined that the proposed construction of a two-story single family home on a vacant lot would not have a significant impact on coastal resources. The conditions of approval imposed for the project will not be changed by the proposed amendment, however the conditions that have been added will not adequately address the screening of the concrete deck so that views from the Potrero Canyon Park are protected and it will be visually compatible with the surrounding area. All other conditions of approval as part of the original permit will remain in effect.

The California Coastal Commission recommended approval of the single-family structure on February 2, 2000, pursuant to application number 5-99-405, with conditions requiring the applicants to provide revised plans that set back all proposed pilings no less than ten feet from the contact between natural soils and nonstructural fill. This condition, along with other special conditions, were made part of the approval for the Coastal Development Permit issued by the California Coastal Commission.

3. **All of the findings required by Subsection G. of this section CANNOT still be made.**

The Findings required by Subsection G are provided in the original permit, case no. ZA-2000-3281-CDP. No changes are proposed to the Findings included in the original permit. However, the new structures are in addition to the previously approved primary structure and are determined to not conform to the policies of Chapter 3 of the Coastal Act, and the Regional Interpretative Guidelines, prior decisions of the Coastal Commission, and would conflict with the public access and public recreation policies of Chapter 3 of the Coastal Act.

The addition of the new structures substantially change the previously approved project prepared for the project. Most of the single family homes along the ridge have accessory structures, including pools and decks. However, the deck as constructed is larger and cannot be adequately screened so that it is not visible from Potrero Canyon. A Categorical Exemption (ENV-2019-939-CE) was prepared for the proposed project consistent, with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The original project proposed the construction of a 3,900 square-foot, two-story, 25-foot in height, single-family dwelling on an existing vacant lot. The covered porch and concrete deck are components added to the previously approved Single Family home that will not affect the density, use, height, vehicle access, or required parking of the project. However, due to its larger size, it will affect the views of visitors to Potrero Canyon Park. As such, the project will have a significant adverse impact on the park resources of Potrero Canyon.

The project is subject to review by the Department of Building and Safety and will comply with the requirements of The Geology and Soils Report Approval Letter dated April 28, 2016 (Log No. 92594). The Geology and Soils report made the general findings that construction of the proposed deck is feasible from a geologic and soils engineering standpoint, provided that recommendations are made a part of the plans and implemented during construction. The subject property is located within the Potrero Canyon area, which is a geologically and environmentally sensitive area due to its history of slope instability. Therefore, Zoning Information Bulletin No. 2422 was created to prevent potential environmental impacts of development along the rim that includes specific restrictions on grading and excavation activities in the area. The project cannot reduce visual impacts to the adjacent park.

4. **The proposed amendment will not result in any increase in the density or intensity of the project.**

The Brentwood – Pacific Palisades Community Plan designates the property for Low Residential land use with the corresponding Zone of R1-1. No changes are proposed to the existing density. The original permit approved a single-family house and garage and the site will continue to be maintained as one dwelling unit. The subject site is zoned R1-1 and is a rectangular-shaped, sloping, interior parcel, developed with a single-family dwelling and abutting Potrero Canyon to the rear of the property. The site will continue to maintain one dwelling unit.

5. **The proposed amendment WILL cause an adverse impact on surrounding properties.**

The proposed amendment consists of the construction of a new covered porch addition on the first floor and an uncovered deck addition above, as well as a new concrete deck. The proposed development will not be visible from the street, but is visible from Potrero Canyon. Under the Baseline Hillside Ordinance, structures in the area are limited to a maximum height of 33 feet for projects with roofs that have slopes of 25% or more, and 28 feet for projects with roofs that have slopes of less than 25%. As such, the proposed project complies with the 33-foot height limit for the portion of the roof with a slope of more than 25%. The subject project is located within a residential neighborhood with single family homes that maintain similar structures. The property is located in an area of Pacific Palisades which is subject to landslides, and in response the City has procedures for the geologic review of properties before allowing construction. On April 28, 2016, the Los Angeles Department of Building and Safety issued a Geology and Soils Report Approval Letter (Log No. 92594), which includes eleven conditions of approval. Condition No. 1 requires that the deck be supported on a friction pile foundation system.

Across De Pauw Street, the adjacent properties are developed with two-story single-family dwellings with automobile access at the front property line to either uncovered parking or attached garage at the front of the property. Other single-family dwelling units along the canyon have similar facades facing the canyon. The surrounding, adjacent properties are zoned R1-1 and are improved with one- to two-story single-family dwellings with attached garages at the front. The surrounding properties immediately to the north, south and west across De Pauw Street are developed with one and two-story single-family dwellings in the R1-1 Zone. The property to the east of the site is zoned OS-1-XL and designated as the Potrero Canyon Park.

Most of the single family homes along the ridge have accessory structures, including pools and decks. However, the deck as constructed is larger and cannot be adequately screened so that it is not visible from Potrero Canyon. Due to its larger size, it will affect the views of visitors in the Park. As such, the project will have a significant adverse impact on the park resources of Potrero Canyon.

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
ZONING INFORMATION FILE

Z.I. NO. 2422
POTRERO CANYON

COUNCIL DISTRICT: 11

BACKGROUND: The single-family lots that surround the rim of the Potrero Canyon Park, as well as the Potrero Canyon Park itself, are located within the Single Permit Jurisdiction of the State Coastal Act. The State Coastal Commission requires that all development projects be reviewed and/or approved by the local jurisdiction prior to being considered by the State Coastal Commission.

The Potrero Canyon area lies within a geologically and environmentally sensitive area due to its history of slope instability prior to the development of the park. Because of this slope instability, lots that surround the canyon rim are subject to extensive grading regulations that may require construction of retaining walls, caissons or friction piles and grand beams in order to provide a stable building pad.

Zoning Administrator Memorandum 85 (dated December 11, 1992, attached) states that "Historically, it has been the City's position that in geologically and environmentally sensitive areas a full Coastal Development Permit was necessary".

In the past, the public received incomplete information from the Department of City Planning on what local Coastal Review Process was needed to build on these rim lots. Therefore, consistent with the Zoning Administrator Memorandum 85, a City Coastal Development Permit (CDP) must be filed for a Project as defined below. This Zoning Information File will outline the required Coastal Development Permit process, necessary environmental review and general development guidelines for development on this rim lots. Potential applicant's of a CDP are encouraged to consult separately with California Coastal Commission staff prior to the submission of an application with the Department of City Planning.

INSTRUCTIONS: A City Coastal Development Permit (CDP) filed pursuant to Section 12.02.1 the Los Angeles Municipal Code must be approved in order to obtain any Coastal Clearance for a Project located along the rim of Potrero Canyon. The City's Coastal Development Permit process requires a Public Hearing with notification of said Hearing to property owners and occupants within 100 foot radius of the subject property. The decision-maker is required to make five findings in approving or disapproving a CDP. The CDP is appealable to the West Los Angeles Area Planning Commission and to the State Coastal Commission. If the CDP case is not appealed to the Area Planning Commission, the State Coastal Commission Staff has 21 days to determine if the City made the correct decision on the CDP and let the decision stand or appeal the CDP to State Coastal Commission.

PROJECT—For the purposes of this Zoning Information File the following activities shall be considered a Project: 1) construction of a new single family house; 2) major additions (more than 500 square feet to an existing house or accessory structure); 3) any addition that results in an increase in the existing graded building pad); 4) raised swimming pools located within the slope of the property; 5) any retaining walls; and 6) accessory buildings and structures.

ENVIRONMENTAL REVIEW: An Environmental Assessment Form (EAF) will be required to be filed with any Coastal Development Permit. The following information is required in addition to the standard EAF exhibits: a copy of the geotechnical report; a grading plan; and a foundation plan.

NON MANDATED DEVELOPMENT GUIDELINES

The State Coastal Commission, in discussions with the Planning Department has expressed concern regarding the potential affect of proposed development along the slope areas of rim top properties on the viewshed from the future Potrero Canyon Park trails.

In designing a development project along the canyon rim properties, the following guidelines should be considered: Accessory structures are discouraged; if retaining walls are necessary, they should be low in height; use a combination of lower retaining walls with open railings or transparent screening for safety instead of solid walls; increase the number of retaining walls to create a terracing effect instead of one higher retaining wall; confine project within the existing graded pad; consult with the Fire Department as to the appropriate planting palette for a Fuel Modification Zone that would allow for screening any walls as viewed from the future park; finish retaining walls with beige or a similar earth-tone color materials to better blend the wall into the hillside slope; and design any accessory structure to be setback from the toe of the slope.

CALIFORNIA COASTAL ACT-REGIONAL INTERPRETIVE GUIDELINES: (Adopted October 14, 1980 for the Pacific Palisades Area)

In making its determination the decision-maker must make five findings in order to approve or disapprove a City Coastal Development Permit. Finding number three states "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 its determination".

For the Public's convenience the appropriate sections of the Regional Interpretive Guidelines for the Potrero Canyon Area are provided as an attachment to this ZI. These relevant Guidelines entitled: Alteration of Landform; Bluff Top Development, and Height should be reviewed when designing any project along the canyon rim.

Attachment 1: Zoning Administrator Memorandum 85

Attachment 2: Regional Interpretive Guidelines

ALTERATION OF LANDFORM:

Grading, cutting or filling that will alter natural landforms (bluffs, cliffs, ravines, etc.) should be prohibited. In permitted development, landform alteration should be minimized by concentrating the development on level areas (except on ridgelines and hill tops) and designing hillside roads to be as narrow as possible and follow natural contours. (30251, 30253)

In all cases grading should be minimized. New residential development should be sited and designed so that as a general rule, no ponds, creeks, or drainages are filled or cleared: clearance and scraping should be limited to the minimum necessary area for a house pad and the legally required brush clearance area for fire safety. Road cuts and new subdivisions should not create lots requiring massive grading or extensive geological marks or cuts. (30251, 30253, 30240)

Cascading project design should be utilized in new developments along scenic routes or if visually obtrusive as methods to blend the proposal with the surrounding topography. (30251, 30253)

BLUFF TOP DEVELOPMENT:

Proposed development should be set back at least 25 feet from the edge of any coastal bluff. (30251, 30253)

Proposed development upon a canyon bluff top should be set back at least ten feet from the bluff-top edge, or set back in accordance with a string line (see String Line in this Appendix) connecting adjacent development, or set back from the primary vegetation line depending upon site characteristics as determined by a staff inspection of the site. (30251, 30253)

DENSITY CALCULATIONS:

Net
$$\frac{(\text{No. of units}) \times (43,560 \text{ sq. ft./ac.})}{(\text{Size of lot in square feet})} = \text{du/ac net.}$$

Density

Gross Density
$$\frac{(\text{No. of units}) \times (43,560 \text{ sq. ft./ac.})}{(\text{Size of lot in square feet}) \times (1.25)} = \text{du/ac gross.}$$

for Mid-Block
Lots

Gross Density
$$\frac{(\text{No. of units}) \times (43,560 \text{ sq. ft./ac.})}{(\text{Size of lot in square feet}) \times (1.5)} = \text{du/ac gross.}$$

for Corner
Lots

DEED:

In cases where minor modification to a proposed structure might result in an additional dwelling unit or units, a legally recorded deed restriction which sets forth and limits the use of the structure to the specific number of dwelling units recorded on the permit shall be required. (30252)

SIGN CRITERIA:

The Commission recognizes that different situations present different signing problems. For that reason it has chosen to abandon the traditional approach to sign regulation in favor of flexible guidelines under which signs can be considered on their own merits. These guidelines contain general criteria which must be met before a permit can be issued:

1. Signing shall be restrained in character and no larger than necessary for adequate identification.
 2. Signing for an establishment within a commercial or industrial center shall be in harmony with the signing of the entire center. The theme of such signing shall be approved as a part of plans for new commercial or industrial center.
 3. No sign will be allowed which disrupts or detracts from the quality of view or the line of sight in any view corridor (e.g., no rooftop signs, flashing or blinking signs).
 4. No scenic values or other public interests should be harmed as a result of signing.
 5. Signs should be on-site, not off-site.
 6. On-premise signs should be designed as an integral part of development.
 7. Roof signs will not be allowed.
- (30251)

Local jurisdiction sign criteria should be utilized except where found to be in contradiction to the California Coastal Act of 1976 policies.

MEASUREMENT OF HEIGHT:

The maximum allowable height for a structure on a particular lot will be determined by the "Buildable Envelope" of the particular site. This Appendix section contains all of the information necessary to determine the dimensions of a buildable envelope. Development may take place anywhere within the perimeters of the buildable envelope. A structure need not fill the entire envelope, but in no case should any portion of a structure exceed the envelope perimeters.

How to determine the dimensions of the buildable envelope for any site:

A. The necessary information:

The buildable envelope will be unique to the individual site, and can be developed from three pieces of data: 1) the maximum allowable height, specified in the preceeding area guidelines, 2) the required building setback lines of the lot, and 3) the grade level from which the height shall be measured.

continued...

The first of these, the specified maximum height, will be found within the preceeding area specific section of these guidelines. The second, the required building setback lines for the lot, are those available from the local planning and building department as they are modified (e.g., bluff tops, setbacks) within the preceeding area specific section of those guidelines. The third piece of data, the grade level from which the height shall be measured can be determined as follows:

1. Measurement shall be from one of the following two grade elevations, depending upon the characteristics of the project site:

- a) Grade Elevation #1 -

Lot Characteristics:

If the lot is: a) within an existing area, and
b) contains an existing graded building pad of sufficient size upon which to construct the proposed structure, then height shall be measured as follows:

Calculation of Height:

Height shall be measured along perpendiculars (plumb lines) from the existing pad elevation (finished grade) to the guideline specified maximum height above grade.

- b) Grade Elevation #2 -

Lot Characteristics:

If the lot has characteristics other than those described under Grade Elevation #1, above, then height shall be measured as follows:

Calculation of Height:

Height shall be measured along perpendiculars (plumb lines) from the elevation of the natural grade to the guideline specified maximum height above grade.

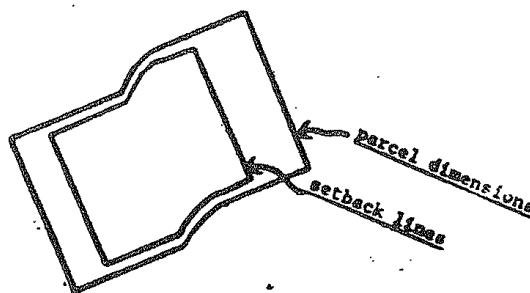
B. Putting it all together to form the buildable envelope.

The above three pieces of data for the parcel can be combined to develop the buildable envelope of the site. A buildable envelope shall be situated upon one of the above two Grade Elevations and will have the following characteristics:

Side Surfaces:

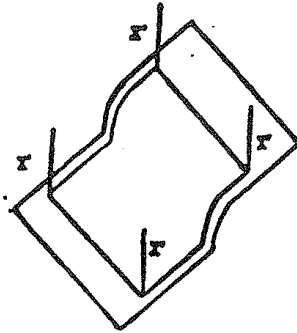
The sides of the envelope are established by the setback lines of the lot.

Figure 1



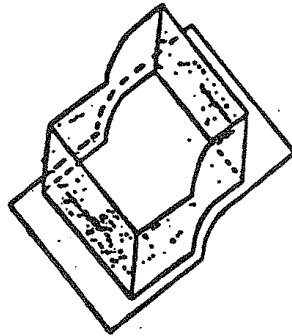
The elevation of any side surface is specified by the maximum guideline height. Height shall be measured along perpendiculars (plumb lines) from the grade elevation.

Figure 2



Side surfaces are established as the guideline height is applied to all points of each side.

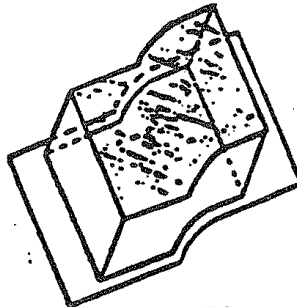
Figure 3



Upper Surface:

The upper surface of the envelope shall run parallel to the underlying grade elevation (contours) at the guideline specified height. In other words, the upper surface is that plane of points perpendicular to all points on the grade surface at the guideline specified height.

Figure 4



continued...

Notes: Minor irregularities of parcel grade shall be considered on a case by case basis.

Development may occur anywhere within the boundaries defined by the maximum envelope perimeter and height, however, the building site on larger parcels should be chosen so as to minimize, as much as practical, disruptions of significant views and vistas from public places and to maximize the preservation of significant site features.

On extremely steep lots some allowance may be made on a case by case basis for overlapping structural blocks. In any case, the exposed height of wall sections should be no greater than the maximum guideline height of the area.



Los Angeles City Planning Department
Room 561 City Hall



OFFICE OF ZONING ADMINISTRATION

MEMORANDUM

ZA MEMORANDUM NO. 85

December 11, 1992

TO: All Staff
FROM: Robert Janovici
SUBJECT: COASTAL DEVELOPMENT PERMITS FOR SINGLE-FAMILY DWELLINGS IN ENVIRONMENTALLY SENSITIVE AREAS

The California Coastal Act (Act) empowers the California Coastal Commission with the authority to approve all "development projects" in the Coastal Zone. In Los Angeles, based upon specific provisions of the Act, the Coastal Commission ("Commission") requires submittal of a development project to the local jurisdiction prior to being considered by the Commission. In conformance with the Act, City procedures and ordinances have been adopted which have established that projects must receive an Exemption, Approval In Concept review, Coastal Development Permit (CDP) or other appropriate clearance from the City as a prerequisite to development in the coastal zone.

In many instances, an Approval In Concept serves as the appropriate clearance for construction of a single-family dwelling. An Approval In Concept however, is not a permit, but instead a general review of a project for conformance with local zoning laws. Following its issuance, the Coastal Commission conducts a public hearing and a Coastal Development Permit is issued by that agency.

Typical projects which require an Approval In Concept and not a full City-issued CDP, include single-family dwellings, multiple unit residences, apartments of four units or less, and new improvements or demolitions costing \$100,000 or less.

Apparently, there has been some confusion over the City's policy due to the lack of a written declaration. Historically, it has been the City's position that in geologically and environmentally sensitive areas, a full Coastal Development Permit was necessary. Recent project proposals and concerns of constituents have mandated reaffirmation of the necessity for a more extensive review other than an Approval In Concept for single-family projects that are located in environmentally sensitive areas such as known landslide areas, flood prone areas or projects requiring new grading.

A full Coastal Development Permit review of these projects by the City provides for increased opportunities of constituents and City Departments to respond to concerns that are beyond the scope of the Approval In Concept review. A City CDP review likewise enables advocacy and responses on behalf of the applicant of a project be heard. A Coastal Commission CDP review, while in some respects duplicative, is also one step removed from the community and from reviewing City Departments and takes place later in time.

For these reasons, this document establishes in writing that the policy of the Planning Department is to require that new single-family dwelling projects in environmentally sensitive areas are not eligible for Approvals In Concept and instead must apply for a Coastal Development Permit under the appropriate Los Angeles Municipal Code provisions.

RJ:lmc



PACIFIC PALISADES COMMUNITY COUNCIL

May 2, 2019

Debbie Lawrence, Senior City Planner
720 City Hall, 200 N. Spring St.
Los Angeles, CA 90012

Via email Debbie.lawrence@lacity.org

Re: DIR-2019-938-CDP, Amendment to ZA-2000-3281-CDP; ENV-2019-939-CE; 15245 W. De Pauw St., Pacific Palisades; OPPOSE applications and request removal order.

Dear Ms. Lawrence,

Pacific Palisades Community Council (PPCC) is the most broad-based community organization in Pacific Palisades and has been the voice of the community since 1973. PPCC unanimously supported the creation of the Potrero Canyon Park (now under construction) as well as the Community Advisory committee created by City Council action to take input and propose appropriate development of this new 46-acre park. At the community's request, the City Planning Dept. issued a ZI Bulletin that applies to all properties along the Canyon rim. In order to protect the viewshed from Canyon trails, the Bulletin supports only minimal landscaping in the rear yard of these properties and discourages accessory structures. See [ZI No. 2422 – Potrero Canyon](#).

PPCC is informed that the applicant began construction of accessory structures and other additions to the property despite being denied a Coastal Exemption in 2015 and being instructed that any such construction would require an amendment of the previously approved [2000 Coastal Development Permit \(CDP\)](#). We are also informed that a stop work order was issued after the City learned that the applicant had been denied an Exemption and had failed to apply for an amendment of the existing CDP. The construction at 15245 W. De Pauw St. is an appalling violation of the 2015 determination, the ZI Bulletin and the CDP (which, among other things, requires construction to protect "the scenic and visual qualities of the coastal area" as a "resource of public importance," pursuant to Sec. 30251 of the Coastal Act). I took the following photo of the construction, still continuing after the stop order, which speaks 1,000s of words regarding the referenced applications:



PO Box 1131 • Pacific Palisades, CA 90271 • pacpalicc.org • info@pacpalicc.org

Re 15245 De Pauw Street

Consistent with the CDP, the Coastal Act, the ZI Bulletin and the PPCC Guiding Principles (see below), we urge the hearing officer to strictly apply the ZI Bulletin, deny the referenced applications and order immediate removal of all unpermitted structures.

Sincerely,



George Wolfberg, Chair
Pacific Palisades Community Council

Pacific Palisades Community Council Guiding Principles:

The PPCC maintains that planning and zoning regulations, building codes, rules, restrictions, and ordinances have been established for the good of the community. They should be applied, upheld and enforced by the Zoning Administrator, Building and Safety, and other governing bodies with jurisdiction over the approval, execution, and enforcement processes.

When variances, variations, or exceptions are considered by governmental entities, PPCC's position is to support strict scrutiny and adherence to all legal measures which govern land use, structures, and vegetation. On a case-by-case basis the PPCC may support such requests if the proposed project positively affects health and safety, or is in the best interest of the neighborhood or the community in general. PPCC may take a formal position on an individual issue pertaining to variances, variations, or exceptions when requested to do so.

PPCC expects governing bodies to notify all affected parties of any proposed developments or requests for variances from codes and regulations as well as proposed, approved or pending changes to such regulations.

Adopted 01-12-06

RESOLUTION NO. 10569

WHEREAS, the Board of Recreation and Park Commissioners (Board) shall have the power to establish, construct, maintain, operate and control all parks of the City of Los Angeles pursuant to City of Los Angeles Charter Section 590;

WHEREAS, the Department of Recreation and Parks (RAP) is in the process of constructing Potrero Canyon Park, a 46-acre passive park at a cost of more than \$20 million with extensive landscaping, walking trails, and open space;

WHEREAS, the property owner at 15245 De Pauw Street, on the rim of Potrero Canyon, has constructed a large concrete deck, and pylons on the canyon slope (Project), the scale, location, and size of which adversely impinge on the natural views in Potrero Canyon Park;

WHEREAS, the property at 15245 De Pauw Street is subject to the Baseline Hillside Ordinance, and Zoning Information (ZI) Bulletin No. 2422 for Potrero Canyon, which addresses single-family lots that surround the rim of Potrero Canyon Park, as well as Potrero Canyon Park itself;

WHEREAS, this ZI was intended to prohibit very large decks and rim overhangs that encroach on the scenic views from within the canyon park's native riparian and coastal scrub restoration;

WHEREAS, the Director of Planning previously approved an amendment to the Project's Coastal Development Permit to allow the construction of the Project addition to the existing two-story 3,900 square-foot single-family dwelling (Determination);

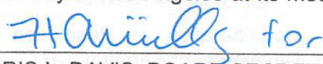
WHEREAS, that Determination has been appealed by surrounding neighbors and the appeal is on the agenda of the West Los Angeles Area Planning Commission for a decision at its meeting on February 5, 2020;

WHEREAS, the Project, by virtue of its adverse effect on the view shed of the park, is opposed by: the neighboring home owners noted in the appeal; the Pacific Palisades Community Council; the Potrero Canyon Park Advisory Committee; and the President of the Temescal Canyon Park Association, which is recognized by the Pacific Palisades Community Council as the Santa Monica Mountains environmental support organization;

NOW THEREFORE, BE IT RESOLVED, that the primary asset of Potrero Canyon Park is the park's scenic quality;

BE IT FURTHER RESOLVED, that the Board hereby supports the appeal of the Determination and requests the West Los Angeles Planning Commission to sustain the appeal and to overturn the Determination of the Director of Planning;

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a Resolution adopted by the Board of Recreation and Park Commissioners of the City of Los Angeles at its meeting held on January 27, 2020.


IRIS L. DAVIS, BOARD SECRETARY
Resolution No. 10569