

DEPARTMENT OF  
CITY PLANNING  
COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

CAROLINE CHOE  
VICE-PRESIDENT

HELEN LEUNG

KAREN MACK

DANA M. PERLMAN

YVETTE LOPEZ-LEDESMA

JENNA HORNSTOCK

VACANT

VACANT

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

EXECUTIVE OFFICES  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

VACANT  
DEPUTY DIRECTOR

DIRECTOR'S DETERMINATION

June 3, 2021

**Owner/Applicant**

Simon Watts & Grace Lee  
417-419 E. Grand Boulevard  
Los Angeles, CA 90291

**Representative**

Rafael Martinez  
Brian Noteware AIA  
2800 28<sup>th</sup> Street, Suite #160  
Santa Monica, CA 90406

**Case No.:** DIR-2020-7248-CDP-MEL

**Related Case(s):** DIR-2020-7250-VSO

**CEQA:** ENV-2020-7249-CE

**Location:** 417-419 E Grand Boulevard

**Council District:** 11 – Mike Bonin

**Neighborhood Council:** Venice

**Community Plan Area:** Venice

**Specific Plan:** Venice Coastal Zone –

North Venice Subarea

**Land Use Designation:** Low Medium II Residential

**Zone:** RD1.5-1-O

**Legal Description:** Lot 4, Block 10, Tract VENICE  
OF AMERICA

**Last Day to File an Appeal:** June 17, 2021

**DETERMINED**, based on the whole of the administrative record, that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, as the designee of the Director of Planning, I hereby:

**Approve** a Coastal Development Permit authorizing the remodel and addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU; providing two (2) parking spaces. The project is located in the single permit jurisdiction area of the California Coastal Zone.

Pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, I hereby:

**APPROVE** a Mello Act Compliance Review for the after-the-fact construction of one Residential Unit (ADU) in the California Coastal Zone; and

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

## CONDITIONS OF APPROVAL

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. **Single Permit Jurisdiction Area.** The project is located within the Single Permit Jurisdiction area of the California Coastal Zone. Prior to the issuance of any permits, the applicant shall provide a copy of the Coastal Commission's Notification that the City's coastal development permit is effective.
4. **Density.** One single-family dwelling and ADU shall be maintained.
5. **Height.** The flat portions of the roof shall be limited to a height of 30 feet. The Varied Rooflines shall consist of slopes greater than 2:12 and shall be limited to a maximum height of 35 feet. Any portion of the roof that exceeds 30 feet shall be set back from the required front yard at least one foot in depth for every foot in height above 30 feet. The project proposes a Varied Roofline height of 26 feet 5-inches, measure from the midpoint of the centerline of Grand Boulevard to the highest portion of the roof.
6. **Parking and Access.** The project shall provide two parking spaces onsite as shown in Exhibit A. All vehicle access to the site shall be from the Seville Court.
7. **Roof Deck.** Railings used on the proposed rooftop deck shall be of an open design and shall be limited to a height of 42 inches.
8. **Roof Structures.** Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limit by a maximum of five feet.
9. No deviations from the Venice Coastal Specific Plan have been requested or approved herein. All applicable provisions of the Venice Coastal Specific Plan Specific Plan shall be complied with, as further noted in DIR-2020-7250-VSO or any subsequent Venice Sign Off (VSO).
10. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
11. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
12. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
13. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The

contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.

14. **Prior to the issuance of any permits**, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

#### **Administrative Conditions**

15. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
16. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
17. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
18. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
19. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
20. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and/or the Department of Building and Safety.
21. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this

entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## **BACKGROUND**

The subject site, 417-419 Grand Boulevard, is a relatively flat, rectangular-shaped, interior lot located in the North Venice subarea within the Venice Coastal Zone Specific Plan Area. The property has a width of 30 feet and a depth of approximately 90 feet; with a total lot area of 2700.9 square feet. The property fronts Grand Boulevard to the South and abuts an alleyway, 15-foot wide, to the North. The neighborhood is zoned RD1.5-1-O and designated for Low Medium II Residential land use. The site is located in the Single Permit Jurisdiction area of the Coastal Zone approximately 0.42 miles away from the Pacific shoreline, 0.74 miles away from the Marina Del Rey, and is approximately 0.22 miles away from the Venice Canals.

The site is improved with a one-story, 1,021 square-foot single-family dwelling and a 605 square-foot attached ADU. The RD1.5-1-O zoned neighborhood surrounding the property are developed with one to three-story, single and multi-family structures; immediately adjacent to the property is a one-story and two-story single-family dwelling. Immediately across the street from the subject site is also developed with a three-story single-family dwelling. Further to the East is a C2-1-O zone, developed with a one-story United States Postal Office. The property is located within the Los Angeles Coastal Transportation Corridor Specific Plan, Survey LA – Lost Venice Canals Historic District, a Calvo Exclusion Area, Flood Zone AE, a Methane Zone, a Liquefaction Zone, a Tsunami Inundation Zone, and is within 5.21 kilometers from the Santa Monica Fault.

The applicant is requesting a Coastal Development Permit authorizing the interior remodeling and addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached ADU, resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU. The project is required to provide 1 parking space, a total of two (2) on-site parking spaces are provided.

Grand Boulevard is a designated Local Street-Standard with a designated right-of-way width of 60 feet and a roadway width of 36 feet. The actual right-of-way width is 100 feet, and a roadway width of 73 feet. Grand Boulevard is improved with an asphalt roadway, gutter, curb, landscaping, matured trees, and sidewalk.

Seville Court is an asphalt paved alleyway with a width of 15 feet.

### Previous zoning related actions onsite:

ADM-2020-7250-VSO – On February 11, 2021, planning staff reviewed and prepared a Venice Sign Off (VSO) for a project comprised of a remodel and addition to an existing one-story single-family dwelling and attached Accessory Dwelling Unit located at 417 – 419 East Grand Boulevard.

ADM-2018-6178-VSO-ADU – On October 23, 2018, planning staff reviewed and prepared a Venice Sign Off (VSO) for a project comprised of an attached ADU Conversion (JADU), located at 417 – 419 East Grand Boulevard

ADM-2018-5668-CEX – On September 27, 2018, planning staff reviewed and prepared a Coastal Exemption for a project comprised of the conversion of 605 square foot of existing single-story single-family residence to an attached ADU, providing one (1) additional uncovered parking space, located at 417 – 419 East Grand Boulevard

### Previous zoning related actions in the area include:

DIR-2020-5286-CDP-MEL – On March 10, 2021, the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the conversion of a ground-level storage room in a duplex into a 439 square-foot Accessory Dwelling Unit

(ADU), four (4) parking spaces will be maintained for the duplex and one (1) additional parking space will be provided for the new ADU; located within the Single Permit Jurisdiction area of the California Coastal Zone located at 504 East Altair Place.

DIR-2019-4842-CDP-MEL – On January 17, 2020, the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the conversion of an existing attached 560 square foot recreational room within a 1,034 square foot one-story single-family dwelling resulting in an attached two-story 560 square foot, accessory dwelling unit (ADU); a total of three on-site parking spaces are provided; located within the Single Permit Jurisdiction area of the California Coastal Zone, located at 331 E Windward Avenue.

DIR-2018-1485-CDP-MEL – On April 22, 2020, the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the demolition of an existing one-story duplex and the construction of a new three-story, 3977 square foot single-family dwelling with attached four-car garage, roof deck and an 860 square-foot attached Accessory Dwelling Unit (ADU). On August 19, 2020, an appeal, DIR-2018-1485-CDP-MEL-1A, was granted and overturned the Planning Director's April 22, 2020 determination and disapproved Section 12.20.2 of the Los Angeles Municipal Code (LAMC), a Coastal Development Permit for the Proposed Project; located within the Single Permit Jurisdiction area of the California Coastal Zone, located at 426-428 East Grand Boulevard.

DIR-2017-4860-CDP & ZA-2017-4859-ZAA – On December 14, 2018, the Director of Planning approved a Coastal Development Permit authorizing a remodel and addition comprised of the demolition of 41 percent of the exterior walls of a 1,026 square foot, one-story duplex and the construction of a second and third-floor addition resulting in a 3,072 square foot, three story duplex with roof deck and three parking spaces, in conjunction with a Zoning Administrator's Adjustment Determination to allow a passageway of five feet one inch in lieu of ten feet, as otherwise required by LAMC Section 12.21-C.2(b), allow a 12 feet 6 inch front yard in lieu of 15 feet, as otherwise required by LAMC Section 12.09.1-B.1, and to allow three foot side yards in lieu of four feet, as otherwise required by LAMC Section 12.09.1-B.2(a). A Letter of Correction was issued on January 10, 2019, correcting the Zoning Administrator's Adjustment to allow a passageway of three feet in lieu of ten feet, as otherwise required by LAMC Section 12.21-C.2(b); located within the Single Permit Jurisdiction area of the California Coastal Zone, located at 421 and 421 ½ East Venice Way.

#### Public Hearing

In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID19, a virtual public hearing was held by a Hearing Officer (Juliet Oh) at 10:00 a.m. on March 1, 2021. Only the applicant representative (Rafael Martinez) was in attendance, no members of the public attended the hearing. The Applicant's Representative (Rafael Martinez) provided an overview of the project.

The case was taken under advisement for one week to allow time for additional comments to be submitted for consideration.

#### Correspondence

No comment letters were received.

## FINDINGS

### 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:

#### **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 remodel and addition to existing structures, as such minimal exterior improvements or grading are required. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

#### **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 proposed development is located within an existing developed residential neighborhood surrounded by residential uses. The property is developed with a single-family dwelling and an Accessory Dwelling Unit. The existing residential structure will maintain connections and access to all public services required for residential uses, including water and sewage, waste disposal, gas, and electricity. 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 project proposes the addition of a 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU, the project requires one (1) parking space, a total of two (2) parking spaces are provided. The subject site is situated on Grand Boulevard in a neighborhood zoned RD1.5-1-O. Excluding the subject property, there are 37 residential structures located on this one-block stretch of Grand Boulevard between Riviera Avenue and Andalusia Avenue, of

which 25 are one-story in height and 12 are two-stories or taller. The height of the proposed addition to an existing single-family dwelling is 26-foot 5-inches, which is consistent with the other nearby single-family homes with a varied roofline. As such the proposed remodel and addition would result in development that is visually compatible with the character of the surrounding area. The subject site and surrounding area are relatively flat with no views to and along the ocean; no natural land forms will be altered as part of the project.

**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 nonautomobile 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 site is located approximately 0.42 miles away from the Pacific shoreline, 0.74 miles away from the Marina Del Rey, and is approximately 0.22 miles away from the Venice Canals. The project provides two onsite parking spaces. The project is not located between the sea and the first public road paralleling the sea. No permanent structures will be erected within the public right-of-way and public access to the coast will not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

**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 proposed development is located a Calvo Exclusion Area, Flood Zone AE, a Methane Zone, a Liquefaction Zone, a Tsunami Inundation Zone, and is within 5.21 kilometers from the Santa Monica Fault. 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 within a flood zone, in Zone AE and subject to the requirements of the Flood Hazard Management Specific Plan (Ordinance 172,081).

The project site is also located within an area that may be affected by Sea Level Rise. On August 12, 2015, the Coastal Commission adopted a Sea Level Rise Policy Guidance document, updated and adopted On November 7, 2018. This policy document provides a framework and directions for local jurisdictions to address sea level rise (SLR) in Local Coastal Programs (LCPs) and Coastal Development Permits (CDPs). In May 2018, the City completed an initial sea level rise vulnerability assessment for the Venice Coastal Zone. The report provides that: *Existing wide beaches generally protect Venice from coastal hazards. Coastal assets along or near the beachfront are potentially vulnerable during a large storm event in combination with SLR greater than 3.3 feet. After 4.9 feet SLR, beachfront assets are more vulnerable to damage from flooding or potential erosion of the beach. A SLR of 6.6 feet is a tipping point for Venice's exposure to extreme coastal wave events. Beachfront and coastal assets could flood annually, beaches could be*



*greatly reduced in width, and high water levels could greatly increase potential for flooding of inland low-lying areas. As discussed in the analysis, there is considerable uncertainty around the timing of SLR, how coastal processes may be affected, and what adaptation approaches will be applied in the future (VSLRVA, pg. 45). Policies and development standards to address the potential impacts of SLR would be addressed in the City's LCP for the Venice Coastal Zone.*

The Coastal Storm Modeling System (CoSMoS) was utilized to analyze the project's vulnerability to flood hazards, considering a scenario of a minimum 6.6-foot sea level rise and a 100-year storm scenario. Based on this scenario, the proposed development could potentially be affected by flooding as a result of SLR, however, the potential for such flooding in severe storm events is likely to increase towards the end of the project life (based on a typical development life of 75 years). Furthermore, any repair, demolition, and/or new construction as a result of any flooding would be subject to additional review. As discussed, the proposed development is consistent with Section 30253 of the Coastal Act.

The proposed project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development as the subject property will provide adequate parking and will not erect structures within the public right-of-way. The proposed project will neither interfere nor reduce access to the shoreline or along the coast. The proposed project will not adversely impact any recreational uses and activities, the marine environment, and other environmentally sensitive habit areas. The subject property is not located in an area with known archaeological or paleontological resources and will be required to comply with existing regulations, if discovered. The proposed project will not involve the diking, filling, or dredging of the open coastal waters. The proposed 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. Therefore, the proposed 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. The Venice Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory.

As discussed, the project consists of the addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU. The project is located within the North Venice Subarea of the Venice Coast Zone Specific Plan. The subject site is zoned RD1.5-1-O and designated for Low Medium II Residential land uses. The proposed project is consistent with the following policies of the Land Use Plan:

**Policy I.A.7.** outlines density and development standards for development in areas designated for multi-family residential land use in the North Venice Subarea. The maximum permitted height is 30 feet for buildings with flat roofs and 35 feet for buildings with varied rooflines (slope greater than 2:12). The subject site maintains a single-family dwelling. The project proposes the interior remodel and addition to an existing single-family dwelling and ADU with a maximum height of 26 feet 5 inches and a Varied Roofline.

**Policy II.A.3** outlines the Parking Requirements, that 2 parking spaces are required per unit. The project proposes the remodel and addition to an existing dwelling. As shown in Exhibit A, the project will preserve and maintain the existing exterior walls. As such, the project is not required to provide the two parking spaces that would otherwise be required for extensive remodeling (removal of 50 percent or more of the existing exterior walls). The proposed project will provide two existing parking spaces for the existing single-family dwelling.

The proposed development is consistent with the policies of the Land Use Plan and the standards of the Specific Plan and will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

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. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The project consists of the addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU. A total of two (2) parking spaces will be provided, with access provided from the Seville Court. The Regional Interpretive Guidelines have been reviewed and the proposed project is consistent with the requirements for the North Venice Subarea; the project also complies with the policies of the LUP and standards of the Specific Plan.

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 California Coastal Act of 1976.**

The project consists of the addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU. The project is located in the single permit jurisdiction of the Coastal Zone, where the local jurisdiction (City of Los Angeles) 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:

- In February 2021, the Coastal Commission approved a Coastal Development Permit

for the demolition of a one-story, 1,445 square-foot duplex and detached two-car garage, and construction of a two-story, 28-foot tall, 3,192 square-foot duplex with an attached two-car garage, plus three additional on-site parking spaces, and an attached 263 square-foot junior accessory dwelling unit on a 5,299 square-foot lot, located at 710 E. Palms Boulevard (Application No. A-5-VEN-20-0037).

- In February 2021, the Coastal Commission approved a Coastal Development Permit for the demolition of a one-story, 1,968 square-foot duplex and detached three-car garage, and construction of a two-story, 29.5-foot tall, 1,540 square-foot duplex with an attached three-car garage, plus two additional on-site parking spaces, and an attached 310 square-foot junior accessory dwelling unit on a 5,299 square-foot lot, located at 714-716 E. Palms Boulevard (Application No. A-5-VEN-20-0039).
- In March 2021, the Coastal Commission found no substantial issue with an appeal of the City of Los Angeles' denial of Local Coastal Development Permit No.2018-1485-CDP-MEL-1A, which denied a coastal development permit for the demolition of a single-story 1,473 square-foot duplex and the construction of a 3-story, 35 foot high, 3,977 square-foot single-family residence with a attached 860 square-foot ADU, roof deck, and attached four-car garage on a 4,506 square-foot lot adjacent to an alley, located at 426-428 Grand Boulevard (A-5-VEN-21-0010).
- In August 2019, the Coastal Commission approved a Coastal Development Permit for the demolition of a 2-story 4-unit apartment building and construction of three (3) 3-story detached single-family residences each with an attached Accessory Dwelling Unit: 1) approximately 35-feet high, 4,848 sq. ft. on a 1,958 sq. ft. lot (217 Venice Way); 2) approximately 28-feet high, 4,681 sq. ft. on a 1,974 sq. ft. lot (219 Venice Way); and 3) approximately 35-feet high, 4,785 sq. ft. on a 1,958 sq. ft. lot (221 Venice Way), located at 217,, 219, & 221 E Venice Way (Application No. A-5-VEN-15-0052,-0053,-0054).
- In December 2018, the Coastal Commission found no substantial issue with an Appeal of City of Los Angeles local coastal development permit for the construction of a two-story addition to a 961 sq. ft. one-story single-family residence, resulting in a two-story, 25-foot high, 3,083 sq. ft. single-family residence with an attached two-car garage at 2334 Frey Avenue (A-5-VEN-18-0066).
- In August 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the demolition of a 939 square-foot one-story single-family home and the construction of a 3,027 square-foot two-story, single-family home with an attached two-car garage and roof deck, located at 2416 Frey Avenue (Appeal No. A-5-VEN-18-0037).
- In June 2017, the Commission approved an Administrative Permit for the major remodel and addition to a one-story, 793 square foot single-family, resulting in a one-story, approximately 26-foot high 1,454 square foot single-family residence; four uncovered parking spaces will be maintained on the 4,802 square-foot lot, located at 756 Sunset Avenue. (Application 5-17-0258).
- In June 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles and approved the remodel of a 948 square-foot single-family dwelling comprised of a new second story, resulting in a 2,482 square-foot, one-story (28 feet in height) single-family dwelling with a two-car garage, located at 938 Amoroso Place. (Appeal No A-5-VEN-17-0018).
- In March 2017, the Commission approved an Administrative Permit for the substantial demolition, remodel, and second-story addition to a 946 square-foot single-family

dwelling, resulting in a 25 feet-in-height, one-story, single-family dwelling, located at 818 Venezia Avenue. (Application No. 5-16-0956).

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 located within 0.42 miles away from the Pacific shoreline, 0.74 miles away from the Marina Del Rey, and is approximately 0.22 miles away from the Venice Canals. The project could have an impact on public access to the coast if it resulted in a loss of on-street parking spaces or did not provide adequate parking for the dwelling. The proposed project provides the two parking spaces as required: two uncovered parking space. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

6. **An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

A Categorical Exemption, ENV-2020-7249-CE, has been prepared for the proposed project consistent, with the provisions of the California Environmental Quality Act and the CEQA Guidelines. The project proposes the addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU. The project provides a total of two (2) parking spaces onsite. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1).

The Class 1 Categorical Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 categorical exemption is applicable to additions to existing facilities provided that the addition will not result in an increase of more than: 1) 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less; or b) 10,000 square feet if i) the project is in an area where all public services and

facilities are available to allow for maximum development permissible in the General Plan, and ii) the area in which the project is located is not environmentally sensitive. The proposed project qualifies for the Class 1 Categorical Exemption because it involves the addition of a new 989 square-foot, second story to an existing one-story, 1,626 square-foot single-family dwelling and attached Accessory Dwelling Unit (ADU), resulting in a 1,961 square-foot, single-family dwelling and a 654 square-foot attached ADU. The existing structure is located in an urbanized area, a developed residential neighborhood, is not considered environmentally sensitive, and would add less than the permissible development of 10,000 square feet.

Furthermore, the Exceptions outlined in the State CEQA Guidelines Section 15300.2 do not apply to the project:

- (a) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned RD1.5-1-O and designated for Low Medium II Residential land use. The proposed interior remodeling and addition of a new 989 square-foot, second story to an existing one-story, single-family dwelling and attached ADU, will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- (b) Significant Effect. The surrounding properties are developed with single-family dwellings. The subject property is of a similar size and scope to these properties. The proposed project consists of work typical to a residential neighborhood. Thus, there are no unusual circumstances that will lead to a significant effect on the environment.
- (c) Scenic Highways. The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located over seven miles to the southeast of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.
- (d) Hazardous Waste Sites. According to the EnviroStor, the State of California's database of hazardous waste sites, the site was not identified as a hazardous site.
- (e) Historical Resources. Although the subject site and existing structure is within the Lost Venice Canals Historic District, the subject property have not been identified as a contributor (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places or identified as a Historic Cultural Monument (HCM).

The project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance 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:

### **8. Categorical Exemptions (Part 2.4) Small New Housing Developments**

The requested action includes an after-the-fact review of the construction of one new Residential Unit (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 Residential Unit is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

#### **ADDITIONAL MANDATORY FINDINGS**

7. 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 the subject property is located in Zone AE, area determined base flood elevations determined.

## TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, (310) 231-2901, or through the Department of City Planning website at <http://planning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

## TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

## APPEAL PERIOD - EFFECTIVE DATE

The Director's determination in this matter will become effective after **10 working days**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.**

Public offices are located at:

**Metro Public Counter**  
201 N. Figueroa St., 4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

**Valley Public Counter**  
6262 Van Nuys Blvd.,  
2nd Floor  
Los Angeles, CA 91401  
(818) 374-5050

**West Los Angeles  
Public Counter**  
1828 Sawtelle Blvd.,  
2nd Floor  
Los Angeles, CA 90025  
(310) 231-2901

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 12.20.2-J of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

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.

VINCENT P. BERTONI, AICP  
Director of Planning

Approved by:

Reviewed by:

 for  
Faisal Roubi, Principal City Planner

  
Juliet Oh, Senior City Planner

Prepared by:

  
Brenden Lau, Student Professional Worker  
brenden.lau@lacity.org



# COVID-19 UPDATE

## Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

### OPTION 1: Online Appeal Portal

([planning.lacity.org/development-services/appeal-application-online](https://planning.lacity.org/development-services/appeal-application-online))

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

### OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

#### **Metro DSC**

(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012

#### **Van Nuys DSC**

(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401

#### **West Los Angeles DSC**

(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

