

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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F5c

Staff: S. Vaughn- LB
Date: February 19, 2015

ADMINISTRATIVE PERMIT

Application No. 5-15-0086

Applicants: Thomas J. Hill & Jay Heiserman

Project

Description: Demolition of an existing single-story, 900 square foot, single-family residence and construction of a new two-story, 27-foot high, 1,600 square foot single-family residence with an attached 410 square foot two-car garage.

Project

Location: 724 Navy Street, City of Santa Monica (Los Angeles County)

EXECUTIVE DIRECTOR'S DETERMINATION

The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

March 13, 2015, 9:00 a.m.
Chula Vista Council Chambers
276 Fourth Street
Chula Vista, CA 91910

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

CHARLES LESTER
Executive Director

By: Shannon Vaughn
Title: Coastal Program Analyst

STANDARD CONDITIONS:

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS: None.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. PROJECT DESCRIPTION

The applicant proposes to demolish an approximately 900 square foot, single-story, single-family residence and construct a new two-story, 27-foot high, 1,600 square foot single-family residence with an attached 410 square foot, two-car foot garage on a 2,000 square foot lot zoned OP-1 (Ocean Park, single-family residential) by the City of Santa Monica located more than ½ a mile from the beach. The proposal includes front yard, side and second floor decks, totaling 400 square feet of uncovered decks; and 40 cubic yards of grading in order to level the lot. The applicant proposes a front yard gate not to exceed 42 inches in height. All storm-water and runoff from non-permeable surfaces is proposed to be collected and directed towards and infiltration pit per the City of Santa Monica water quality requirements. The

applicant received an Approval in Concept from The City of Santa Monica Planning and Zoning Division and an approved variance from the City of Santa Monica Zoning Administration on January 13, 2015.

The proposed variances affect the dimensions of the attached two-car garage and front and side yard setbacks. The project site is a developed 2,000 square foot lot that is 25 feet wide and 80 feet deep. The City's municipal code (SMMC 9.04.10.08.060(a) & 9.04.08.44.060(g)(1)) requires an interior garage dimension of 20 feet in width by 18 feet in depth, side yard setbacks of a minimum of 4 feet in width and a front yard setback of a minimum of 10 feet. The width of the lot is not sufficient to meet the zoning requirements of a 20-foot wide (interior) garage with 4-foot wide side yard set backs on either side. The City Zoning Administration reviewed the proposed project and determined that the subject parcel is a substandard lot with respect to the minimum required lot size of 4,000 square feet in the subject zoning district of Ocean Park. The City's Zoning Administration determined that it was not functionally possible for the applicant to comply with both sets of standards at the same time. The applicant proposes a garage with interior dimensions of 18 feet wide by 18 feet deep with an external width of 20 feet and side yards setbacks of three feet on the east side of the garage and 2 feet on the west side of the garage. The Strategic and Transportation Planning Division reviewed the proposed plans and determined that the proposed garage could functionally house two cars as intended by the City's Zoning Code. The City of Santa Monica Zoning Administration subsequently approved the proposed variances in relation to the width of the garage and side yard setbacks.

Additionally, the applicant proposes to construct an uncovered deck within the entire front yard setback of the project site, to have the second story balcony encroach two feet into the side yard setback (setback two feet from the western property line) and to place an HVAC unit within the two-foot side yard setback at the rear of the property. The City's Zoning Administration has reviewed the request for the proposed variances regarding the front yard and side yard setbacks and the placement of the HVAC unit and concluded that allowing the front yard deck to encroach into the entire 10 foot long front yard and the second story balcony to encroach two feet into the side yard setback will provide the property owner an opportunity to contain functional private open space with seating areas on a lot that is limited due to its unusual dimensions and overall size. They further concluded that the proposed location of the HVAC equipment is reasonable given the subject lot's limited width and overall size adding that the placement of the HVAC equipment at the rear of the property, which is devoted to the circulation and ingress/egress of vehicles from the property to the alley and that its placement at the rear of the property is the furthest location from adjacent residences will prevent and adverse noise impacts.

The proposed residence is to be setback ten feet from the front yard property line and only the front yard deck will encroach into the front yard setback. The proposed front yard deck is proposed to reach a height of 1 ½ feet above the finished grade which is two feet lower than the proposed front yard fence (42 inches high).

The subject block is composed primarily of one and two-story single family residences and apartment buildings of varying architectural styles. The existing structure has not been designated as historic on any local, state, or national register. The public has had a chance to participate at the Zoning Administrator Determination meeting on December 9, 2014. The proposed development will not affect the visual qualities or character of the surrounding neighborhood. The project has been designed to be consistent with the community character.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified

Local Coastal Program. The City Santa Monica has a Certified Land Use Plan, not a Local Coastal Program. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The certified Land Use Plan may be used for guidance. The proposed project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

B. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, as proposed, the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

D. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (LCP), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Venice Land Use Plan was certified by the Commission on June 14, 2001 and is advisory in nature and may provide guidance. The proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project as proposed will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

There are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing