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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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 Long Beach, CA 90802-4302
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Filed: 3/16/98
 49th Day: 5/4/98
 180th Day: 9/12/98
 Staff: CP-LB
 Staff Report: 4/9/98
 Hearing Date: May 12-15, 1998
 Commission Action:



CP

RECORD PACKET COPYSTAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-98-090

APPLICANT: Glen Irani

AGENT: N/A

PROJECT LOCATION: 419 Howland Canal, Venice, City of Los Angeles, Los Angeles County.

PROJECT DESCRIPTION: Construction of a two-story, 30 foot high (with 35 foot high roof access structure), 2,704 square foot single family residence with an attached two-car garage on a vacant canal-fronting lot.

Lot Area	2,850 sq. ft.
Building Coverage	1,649 sq. ft.
Pavement Coverage	448 sq. ft.
Landscape Coverage	748 sq. ft.
Parking Spaces	3
Zoning	RW-1
Plan Designation	Single Family Residential-Waterway
Ht abv fin grade	35 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission grant a permit for the proposed development with conditions relating to pervious yard areas, water quality, parking, height, and drainage. The applicant agrees with the staff recommendation.

LOCAL APPROVALS RECEIVED:

1. City of Los Angeles Approval in Concept No. 98-015, 3/16/98.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. 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 this permit is reported to the Commission. 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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Pervious Yard Area

In order to provide a setback for access, visual quality, and to protect the water quality and biological productivity of the canals, an uncovered and pervious yard area totaling no less than 450 square feet shall be maintained in the front yard area between the front of the structure and the front (canal) property line. No fill or building extensions shall be placed in or over the 450 square foot pervious front yard area with the exception of fences or permeable decks at grade. Fences in front yard areas shall not exceed 42 inches in height.

2. Deed Restriction

Prior to issuance of the Coastal Development Permit, the applicant shall submit a deed restriction for recording, subject to the review and approval of the Executive Director, which shall provide for the maintenance of not less than 450 square feet of uncovered and pervious yard area in the front yard adjacent to the canal property line in order to maintain an access corridor, preserve water quality, and protect the biological productivity of the canals. Uncovered means that no fill nor building extensions shall be placed in or over the pervious yard area with the exception of fences or permeable decks at grade. Fences in front yard area shall not exceed 42 inches in height. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission approved amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is required.

3. Parking

A minimum of three parking spaces shall be provided and maintained on the site: two spaces in the garage and one space in the carport (Exhibit #2).

4. Height

The height of the roof shall not exceed thirty feet above the elevation of the centerline of the canal walkway. A roof access structure may extend up to 35 feet above the centerline of the canal walkway.

5. Drainage

The applicant shall construct and maintain the one hundred cubic foot french drain as shown on the final approved plans.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Area History and Project Description

The applicant proposes to construct a 30 foot high, two-story, 2,704 square foot single family residence on a vacant lot in the Venice Canals neighborhood (Exhibits #1-3). An attached two-car garage and a carport provide three on-site parking spaces (Exhibit #2). A roof access structure extends to 35 feet to provide access to a roof deck (Exhibit #3).

The project site is a 2,850 square foot lot on the north bank of Howland Canal in the Venice Canals residential area (Exhibit #2). The neighborhood is comprised of both old and new one, two and three-story single family residences, and a few non-conforming duplexes.

The Commission has recognized in both prior permit and appeal decisions that the canals area of Venice is a coastal neighborhood of unique character. In 1975, the Commission developed a set of building standards for the Venice Canals area through hearing and voting on various permits. These standards reflect conditions imposed in a series of permits heard prior to that time. Since then, a set of special conditions, which are periodically updated, have been routinely applied to Coastal Development Permits in the Venice Canals area to address the Coastal Act issues of public access, habitat protection, preservation of community character, and scale of development. The conditions imposed on the Coastal Development Permits ensure that the projects are consistent with the Coastal Act. In order to mitigate the identified impacts, the appropriate special conditions have also been applied to this permit.

B. Habitat Protection

The Commission has found that Ballona Lagoon and the Venice Canals are sensitive habitat areas that must be protected from negative impacts associated with development.

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The Venice Canals are located up stream from Ballona Lagoon, within the Ballona Wetlands system. The introduction of urban runoff, including pesticides, garden fertilizers, and runoff from impervious surfaces, can

reduce the water quality of the canals which directly impacts the biological productivity of the system. The Ballona Wetlands system is habitat for many species of marine biota, including the state and federally listed endangered least tern.

In order to protect the biological productivity of the Venice Canals and Ballona Lagoon, the Commission has consistently conditioned projects along the waterways to provide front yard setbacks, pervious yard areas, and drainage devices to absorb and filter rainwater and site drainage before it enters the canals. The Commission's requirements are consistent with the recommendations of the Santa Monica Bay Restoration Project Action Plan to reduce non-point source pollutants.

The Commission has consistently conditioned projects in the Venice Canals to provide and maintain a large pervious front yard as a setback from the canal to enhance public access, to provide an area for percolation to protect the water quality and biological productivity of the canals, and to protect community character by maintaining a comparable scale between buildings in the area. No fill nor building extensions may be placed in or over the required pervious front yard area with the exception of fences or permeable decks at grade.

The amount of the Commission's required pervious front yard area for the subject site is 450 square feet. The figure of 450 square feet is based on an average setback of fifteen feet across the thirty foot width of the subject lot. The Commission's front yard setback requirement is defined in square footage rather than an absolute lineal measurement to allow for changes in plane which can add architectural interest. A minimum ten foot front yard setback, with a required fifteen foot setback average, can provide the required 450 square foot pervious front yard area and a front yard setback which is consistent with the other residences in the area.

In this case, the proposed structure is set back an average of fifteen feet from the canal property line (Exhibit #2). A minimum ten foot front yard setback is provided with part of the structure set back up to seventeen feet from the canal property line. The required 450 square foot pervious front yard area is provided. As required, no fill or building extensions are proposed to be placed in or over the required pervious front yard area. However, the proposed uncovered permeable deck may be constructed in the front yard area (Exhibit #2).

The Commission has consistently required that applicants record the pervious yard area requirement on the property deeds to ensure continuous and ongoing protection of coastal resources and compliance with the requirement. Therefore, the Commission finds that prior to issuance of the permit, the applicant shall record a deed restriction which provides for the maintenance of not less than 450 square feet of pervious yard area in the front yard area adjacent the canal property line. Uncovered means that no fill nor building extensions shall be placed in or over the pervious yard area with the exception of fences or permeable decks at grade. Fences in front yard area shall not exceed 42 inches in height.

The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director

determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a Coastal Commission approved amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is required.

In order to mitigate the impacts on the habitat caused by surface drainage and drainage from residential areas, the Commission has consistently required the provision of a one hundred cubic foot french drain in order to filter urban runoff before it enters the canals. A condition is routinely placed on permits for development in the canals area which requires that plans be submitted which depict the location and design of the required french drain. In this case, the applicant's plans show the required french drain. The applicant is required to provide the french drain as shown on the final approved plans.

The Commission finds that, only as conditioned to provide a french drain and 450 square feet of pervious yard area to mitigate impacts on biological productivity caused by surface runoff into the canals, is the proposed project consistent with the Section 30240 of the Coastal Act.

C. Public Access/Parking

The Commission has consistently found that a direct relationship exists between residential density, the provision of adequate parking, and the availability of public access to the coast. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities....

Many of the older developments in the Venice Canals area do not provide adequate on-site parking. As a result, there is a parking shortage in the area and public access has been negatively impacted. The small amount of parking area that may be available for the general public on the surrounding streets is being used by guests and residents of the area.

To mitigate this problem, the Commission has consistently conditioned new development within the canals to provide a rear setback of at least nine feet for guest parking or to make other provisions for guest parking. The required rear setback for guest parking is in addition to the Commission's other parking standards. In this case, the proposed project provides a carport next to the two-car garage a third on-site parking space for guest parking (Exhibit #2). Two parking spaces are provided in the attached garage. A five foot rear setback is provided.

Therefore, the proposed project conforms to the Commission's parking standards for the Venice Canals area which require two parking spaces per residential

unit and provisions for guest parking. The proposed three on-site parking spaces are an adequate parking supply for the proposed single family residence. The Commission finds that, only as conditioned to ensure adequate on-site parking, is the proposed project consistent with the public access policies of the Coastal Act.

D. Scale of Development

The Commission has also consistently conditioned projects in the Venice Canals area to protect the community character. The area is comprised of both old and new one, two and three-story single family residences and a few remaining duplexes. The majority of the structures in the area do not exceed thirty feet in height. In order to protect the existing scale and character of the neighborhood, and in order to protect the visual corridor along the canal's public walkways, the Commission has consistently limited new development in the canal area to a height of thirty feet, which is consistent with the general height of the area. The Commission has, however, allowed portions of some structures to exceed the thirty foot height limit by up to ten feet if the scenic and visual qualities of the area are not negatively impacted.

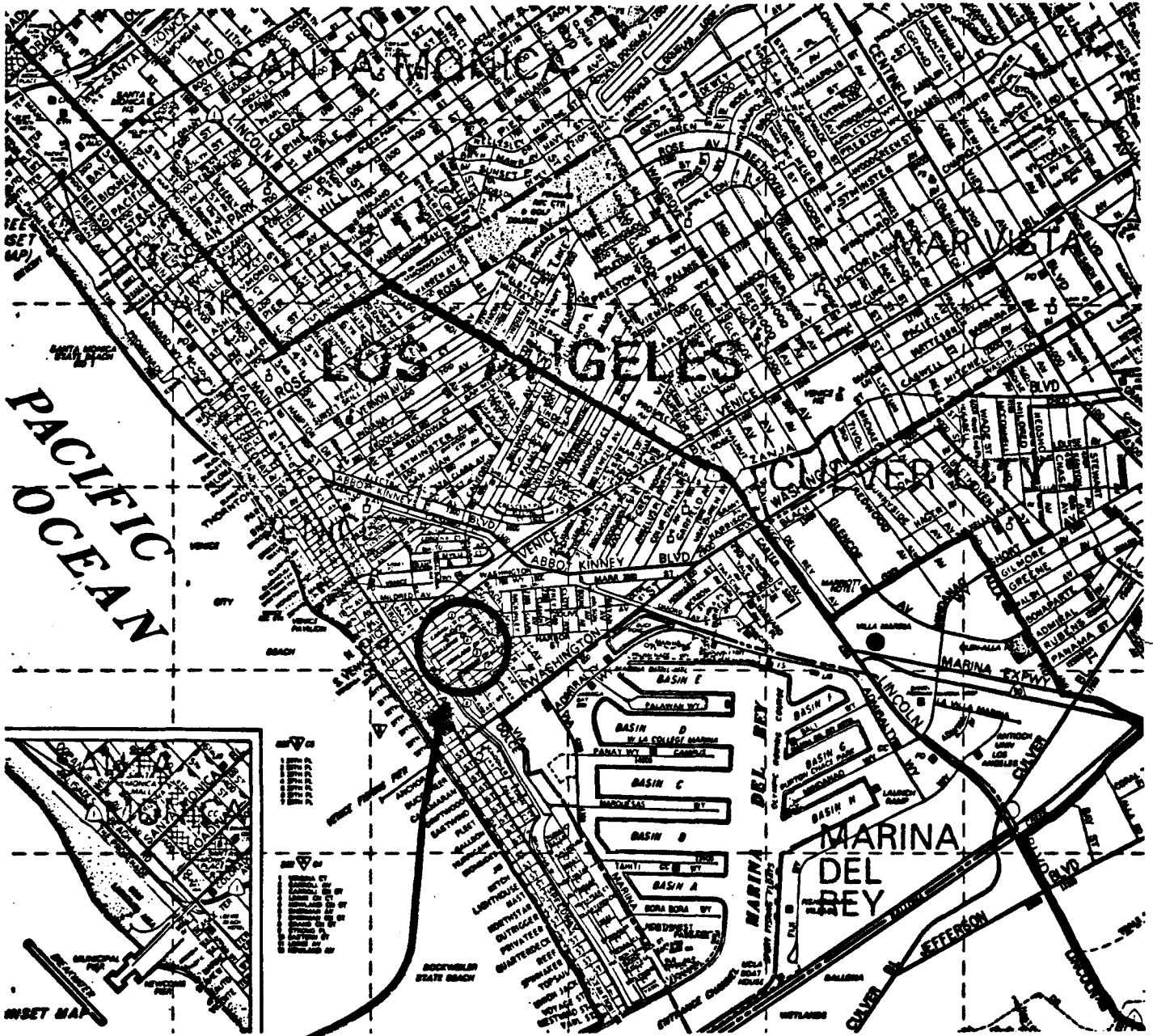
In this case, the proposed project has a height of 30 feet, except for a 35 foot high roof access structure (Exhibit #3). The City of Los Angeles Venice Interim Control Ordinance (ICO) also limits building heights in the area to thirty feet. The City may grant exceptions to its height limit for specific parts of structures like chimneys, roof equipment, roof access structures, deck railings, parapet walls, and skylights. In this case, the City has issued an approval in concept for the proposed project.

The Commission must, however, determine whether the proposed project conforms to the visual resource policies contained in Section 30251 of the Coastal Act. Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be considered and protected.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas....

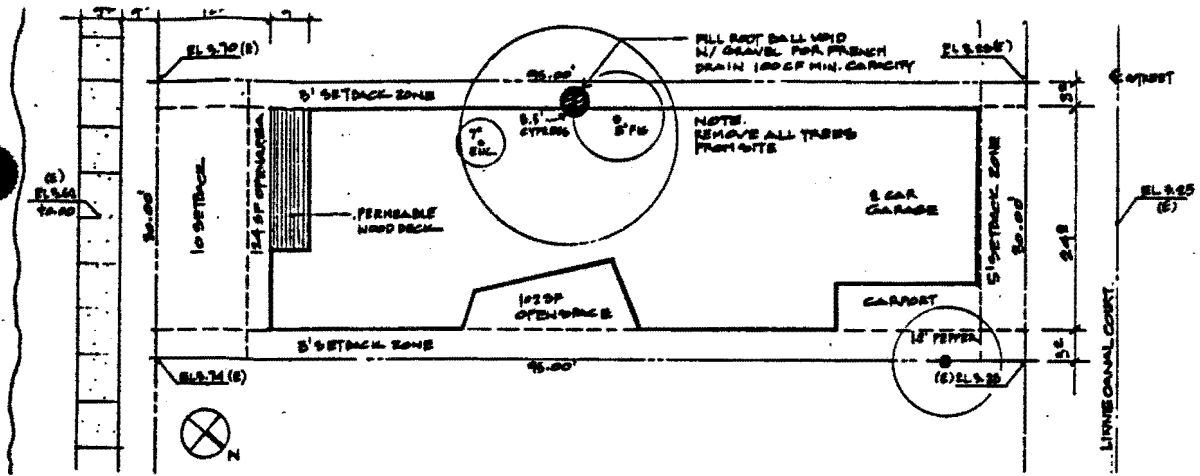
As previously stated, the Commission has allowed portions of some structures to exceed the thirty foot height limit by up to ten feet if the scenic and visual qualities of the area are not negatively impacted. The portions of structures which have been previously allowed to exceed the height limit include parapet walls and railings around roof decks, roof access structures, chimneys, air conditioning equipment and skylights. These rooftop structures shall be sited upon the roof in a manner which minimizes their visibility from public areas. Roof access structures have been permitted to exceed the height limit only if they contain no living or storage space and if they do not negatively impact the visual resources of the area.



VENICE CANALS

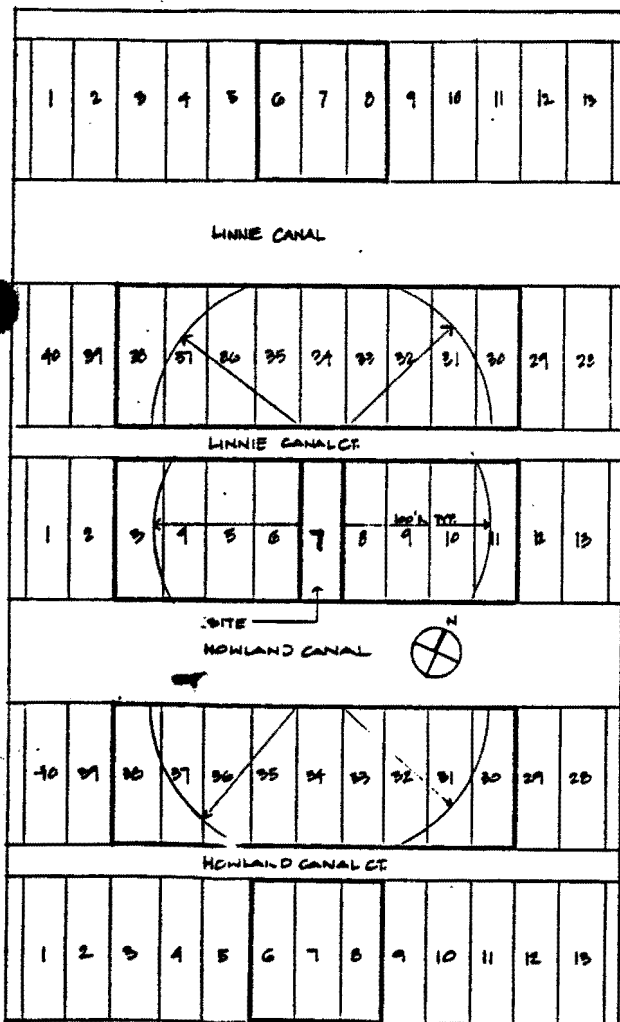
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EXHIBIT # 1
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② SITE PLAN
1/4" = 1'-0"

③ NEIGHBORHOOD PLOT MAP (TRACED FROM ASSESSOR'S MAP)
1:50



BUILDING INFORMATION

SITE ADDRESS:
418 HOWLAND CANAL
VENICE, CA 90291

LEGAL DESCRIPTION:
LOT 7, BLOCK 86 OF THE SHORTLINE BEACH VEHICLE CANAL SUBDIVISION
#1, DISTRICT MAP 108-148

OWNER / ARCHITECT:
GLEN IRANI, ARCHITECT
2407 EASTERN CANAL
VENICE, CALIFORNIA 90291
PHONE: 310 305 8840

STRUCTURAL ENGINEER:
PUGH, SCARPA, KADAMA ARCHITECTURE AND ENGINEERING
GWYNETH PUGH, PROJECT ENGINEER
2525 MICHIGAN AVENUE
SANTA MONICA, CALIFORNIA 90404
PHONE: 310 838 0228

ZONING REQUIREMENTS:
THIS PROJECT IS UNDER THE JURISDICTION OF THE CALIFORNIA
COASTAL COMMISSION AND THE CITY OF LOS ANGELES

ZONE: RVM1 - VENICE CANAL ZONE
TOTAL SITE AREA: 30' X 85' = 2550 SF
MAXIMUM HEIGHT: 30' AT LIVING AREA, 35' AT STAIR, VENT SHAFT AND CHIMNEY
PARKING REQUIRED: 2 COVERED + 1 CARPORT (FOR 5' REAR YARD SETBACK)
OPEN AREA REQUIRED: 570 SF (180 SF OF WHICH ARE REQ'D AT GRADE LEVEL)

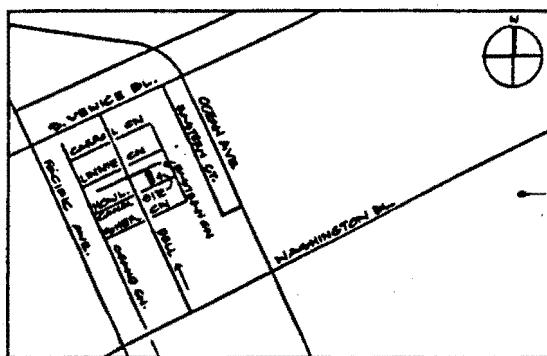
BUILDING DESCRIPTION:
TYPE V NON-RATED CONSTRUCTION, 2 STORY INDIVIDUAL DWELLING

FLOOR AREA CALCULATIONS
GARAGE AREA: 438 SF

FIRST FLOOR LIVING AREA: 688 SF INCLUDING STAIR
SECOND FLOOR LIVING AREA: 1321 SF INCL. STAIR
TOTAL LIVING AREA: 2009 SF

FIRST FLR OPEN AREA: 226 SF INCL. REQUIRED SETBACKS
SECOND FLOOR OPEN AREA: 44 SF
ROCK DECK: 302 SF
TOTAL OPEN AREA ALLOWED: 778 SF

VICINITY MAP 1/4" = 1'-0"



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5-15-76 PLANNING DEPT 16.6
REV. MAY 84

Glen Irani Architects

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Venice
California
90291
Phone:
310 305 8840

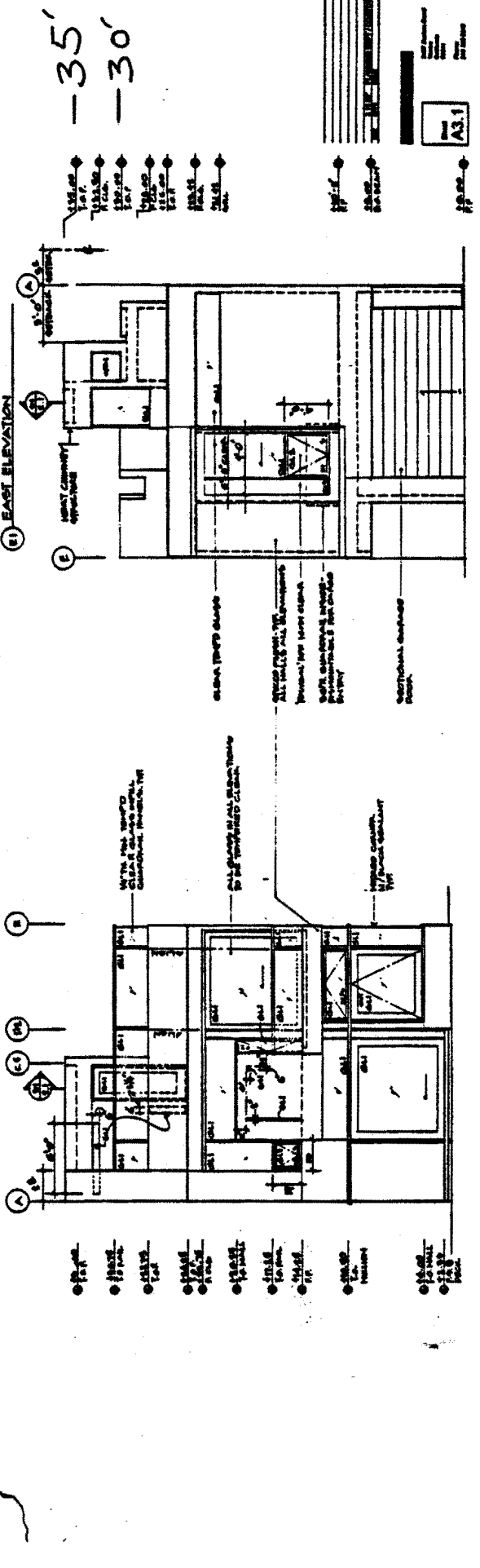
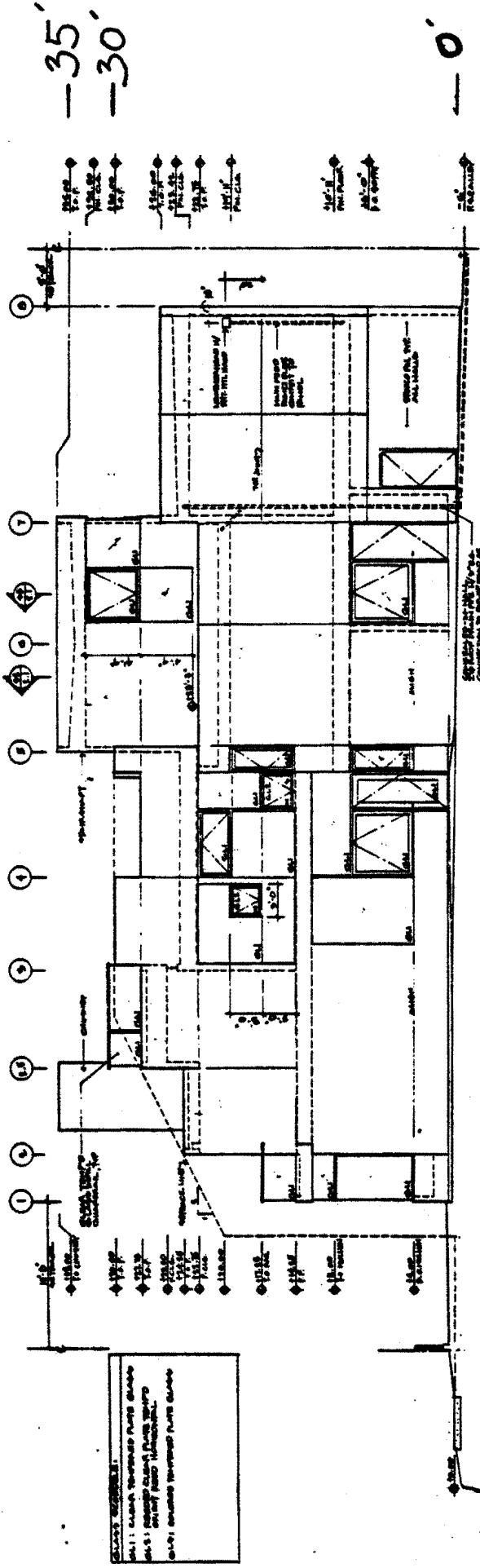
project:
418 Howland Canal
Venice, California

General Notes, Miscellaneous

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EXHIBIT # 2

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418 Houshold Canal
 City of Miami
 Building Number: _____

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EXHIBIT # 3

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② NORTH ELEVATION

② SOUTH ELEVATION