

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**F5b**

Staff: A Dobson – LB
Date: February 17, 2015

ADMINISTRATIVE PERMIT

Application No. **5-15-0009**

Applicant: Walter Barratt

Project
Description: Construction of a new 99.75 sq. ft. roof access structure and a 273 sq. ft. roof deck to an existing 2,532 sq. ft., 2-story, canal front, single family residence.

Project
Location: 226 Carroll Canal, Venice, City of Los Angeles (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: Amber Dobson
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: See Pages 5 – 6.

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 construct a new 99.75 sq. ft. roof access structure and a 273 sq. ft. roof deck to an existing 2-story 2,352 sq. ft. single family residence, The existing height of the structure is 21ft.-7 in. The proposed project incorporates best management practices (BMPs) during construction to address water quality, and post-construction by directing runoff to downspouts and to the existing drainage systems. The applicants are not proposing to use any glass balcony or deck railings. The existing home has 3 parking spaces which will be maintained onsite.

The subject lot is a level lot in the City of Los Angeles, in the Venice community, immediately adjacent to Carroll Canal (**Exhibit 1**). The height requirements in the Commission certified Venice Land Use Plan (LUP) for the canal subarea are specific with regards to roof access structures. Ten feet landward of the fronting canal property line, the maximum height of any structure shall not exceed 22 feet above the centerline of the rear road. Beyond ten horizontal feet from the fronting canal property line, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 30 feet except for chimneys, ducts, and other accessory structures which are limited to 35 feet. Roof deck railings shall not exceed 42 inches above the 30 foot height limit. Building height is measured from the elevation of the adjacent road.

The proposed roof access structure will be positioned in the center of the roof; the front height of the house (from the centerline of the road) will be maintained at 21ft. -7in. The total height of the roof access structure (setback more than 11 feet from the front road and more than 14 feet from the canal side) will not exceed 30 ft.- 5in. The roof deck railing will not exceed 42 inches in height. The proposed roof deck will be an L-shaped deck, also positioned in the center of the roof. The proposed roof deck and access structure meet the specific height requirements. **Special Condition 3** reflects the requirements for height limits.

The existing home provides a front yard setback and permeable yard area in conformance with the Commission certified Venice Land Use Plan (LUP), which requires that canal fronting homes maintain a permeable yard area between the canal and home, in this case, a minimum of 10 horizontal feet from the canal side property line to the structure, and a total of 450 square feet of area, as represented in **Special Condition 1**. Currently the permeable area is covered with an existing permeable wooden deck, which is acceptable under the current LUP requirements. There will be no change to the existing yard setbacks.

The project has local approvals from the Planning Dept. (case # DIR 2014-3628-VSO) and the development conforms with the City's RW1-1-0 zoning (Low Medium I Residential), which allows 1 dwelling unit on a lot.

The continued change in the residential character of Venice is a cause of concern among some residents, as expressed during Coastal Commission hearings since March 2014. An increasing number of new applications for coastal development permits for demolitions and major remodels has created concern over: 1) the lack of policies to ensure the preservation of the community character; 2) the preservation of historic homes; 3) the preservation of low-cost housing; and 4) the

lack of opportunities for public participation during the local review process. The proposed project is a minor addition to an existing single family residence and will not have a significant change to the character of the existing structure.

The subject block is composed primarily of both old and new two and three-story single family residences of varying architectural styles. Roof decks and roof access structures are common in the surrounding neighborhoods (**Exhibit 1**). The existing structure has not been designated as historic on any local, state, or national register. The development will not affect the visual qualities of the existing home from the street or from the canal. The project has been designed to be consistent with the community character.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

Previous coastal development permits for the site include exemptions issued for minor improvements to the existing home. In 2009, (5-09-092-X) a 55 sq. ft. addition was constructed. In 2012, (5-12-176-X) a 57 sq. ft. addition to the first floor was constructed. Again in 2012, the applicant applied for an exemption (5-12-178-X) to construct a second floor 237 sq. ft. addition, but the project was not exempted from CDP requirements. The project was not pursued.

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 Los Angeles has a Certified Land Use Plan for Venice, 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 Local Coastal Program 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. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and

construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. 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.

F. 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.

SPECIAL CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Permeable 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 (i.e. chimneys, balconies, stairs, trellises) 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. **Landscaping.** Additional landscaping shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. The use of pesticides and herbicides is

prohibited in the front yard permeable yard area required by Special Condition One.

3. **Building Height.** No development is authorized within 15 feet of the fronting canal property line (Carroll Canal) nor within or above the required 450 square foot permeable front yard area, except as described in Special Condition One above. Ten feet landward of the fronting canal property line, the maximum height of any structure shall not exceed 22 feet above the centerline of the rear road. Beyond ten horizontal feet from the fronting canal property line, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of thirty feet (30') except for chimneys, ducts, and other accessory structures which are limited to 35 feet. Roof deck railings shall not exceed 42 inches above the thirty-foot height limit. Building height is measured from the elevation of the adjacent road.
4. **Drainage & Water Quality.** By acceptance of this coastal development Permit, the applicant agrees that:
 - a) During construction of the proposed project, no runoff, site drainage or dewatering shall be directed from the site into any canal or street that drains into a canal, unless specifically authorized by the California Regional Water Quality Control Board.
 - b) All equipment and materials shall be stored and managed in a manner to minimize the potential of pollutants to enter the canals.
 - c) Gutters and downspouts shall be directed toward permeable areas and existing trench drains onsite and reduce the amount of runoff that leaves the site.
 - d) All runoff leaving the site shall be directed away from the canals and into the City storm drain system.
5. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

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

PROJECT SITE



PROJECT SITE

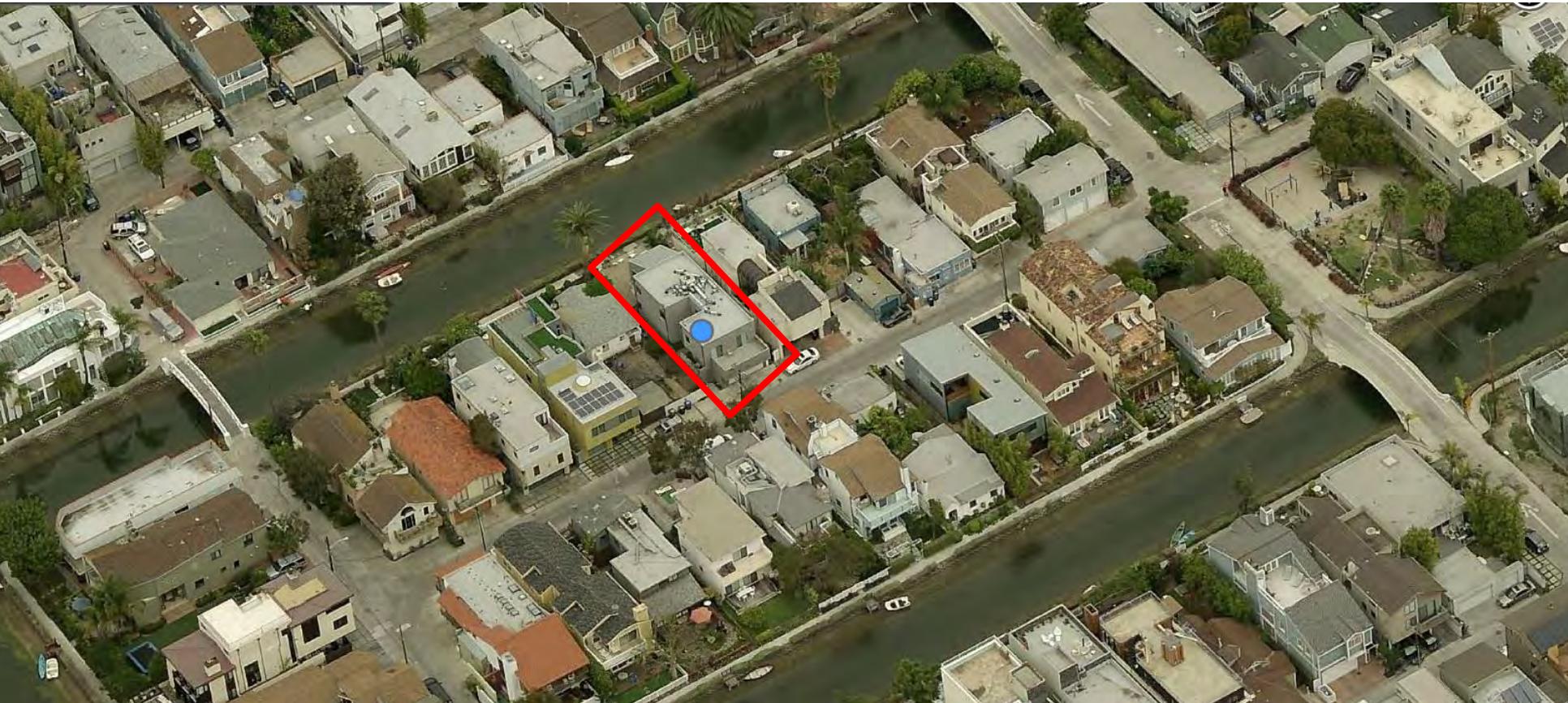
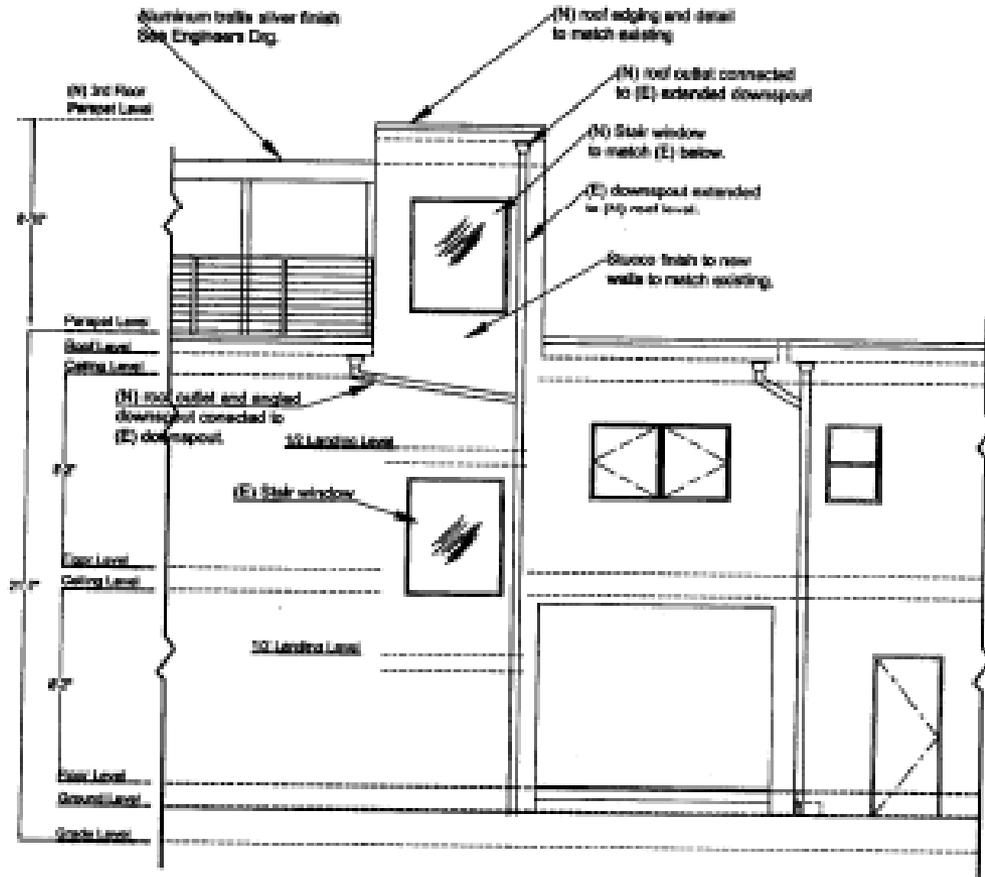


Exhibit 1

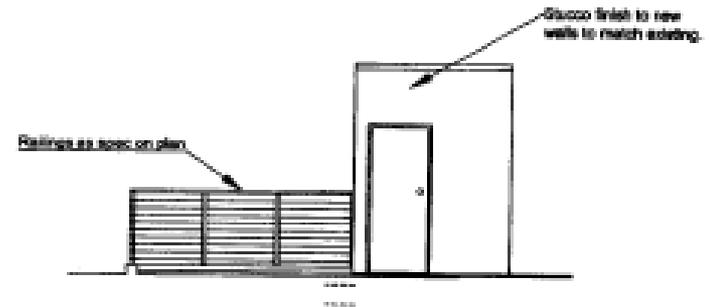


California Coastal
Commission

ELEVATIONS



West Elevation



East Elevation 3rd Floor