CALIFORNIA COASTAL COMMISSION

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





Filed: 10/14/2016 49th Day: 12/02/2016 Staff: M. Alvarado – LB Staff Report: 10/20/2016 Hearing Date: 11/03/2016

STAFF REPORT: APPEAL – SUBSTANTIAL ISSUE AND DE NOVO

Local Government: City of Los Angeles

Local Decision: Claim of Exemption to Coastal Development Permit Requirement

Appeal Number: A-5-VEN-16-0089

Applicant: David Reddy

Appellants: Robin Rudisill, Kevin Keresey, Lydia Ponce, and Sue Kaplan

Project Location: 918 and 918 ½ California Avenue, Venice, City of Los Angeles

Project Description: Appeal of City of Los Angeles Local Coastal Exemption No. DIR-

2016-3831-CEX for renovation and conversion of existing detached 398 sq. ft. garage into a recreation room. Two parking spaces

would be maintained on-site.

Staff Recommendation: Find Substantial Issue with City of Los Angeles Claim of

Exemption and deny Coastal Exemption

Important Hearing Procedure Note: The Commission will not take public testimony during the 'substantial issue' phase of the appeal hearing unless at least three (3) commissioners request it. If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will follow, during which it will take public testimony. Written comments may be submitted to the Commission during either phase of the hearing.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission determine that a **substantial issue exists** with respect to the grounds on which Appeal A-5-VEN-16-0089 has been filed because the locally approved development does not qualify for an exemption and requires a local coastal development permit from the City of Los Angeles. The project site at 918 and 918 ½ California Avenue once consisted of two detached single family residences. These residences were demolished (circa 1979) and a new residence was installed/constructed with a detached approximately 398 sq. ft. two-car garage (circa 1987) without the benefit of coastal development permits. Consequently, the extant structures constitute "unpermitted" development, and improvements to these structures are not exempt from coastal development permit requirements. The City-approved project involves the conversion of the two-car garage into a recreation

A-5-VEN-16-0089 (Reddy) Appeal – Substantial Issue

room. The proposed project does not meet the criteria for an "improvement" to a single-family residence nor to structures other than single-family residences and public works facilities because there currently is no "existing" permitted structure to improve. Therefore, Commission Staff recommends that the Commission find that a substantial issue exists with respect to the grounds upon which the appeal has been filed because the City erred in finding that the proposed project did not require a local coastal development permit. The **motion** to carry out the staff recommendation is on **page 4.**

Commission Staff also recommends that the Commission **deny the claim of exemption** after the de novo hearing on the matter and find that the proposed project requires a local coastal development permit, and return this matter to the City for processing. The **motion** to carry out the staff recommendation for the de novo portion of the appeal is on **page 11**.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION	4
II. APPELLANTS' CONTENTIONS	
III. LOCAL GOVERNMENT ACTION	
IV. APPEAL PROCEDURES	
V. SINGLE/DUAL PERMIT JURISDICTION AREAS	
VI. FINDINGS AND DECLARATIONS	
A. PROJECT DESCRIPTION & LOCATION	
B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS	7
C. SUBSTANTIAL ISSUE ANALYSIS	8
VII. MOTION AND RESOLUTION - DE NOVO	11
VIII. FINDINGS AND DECLARATIONS – DE NOVO	
A. PROJECT DESCRIPTION	12
B. COASTAL DEVELOPMENT PERMIT REQUIREMENTS	
C. UNPERMITTED DEVELOPMENT	

EXHIBITS

Exhibit 1 – Project Location

Exhibit 2 – City-approved Project Plans Exhibit 3 – Commission Notification of Appeal and Appeal

I. MOTION AND RESOLUTION

MOTION: I move that the Commission determine that Appeal No. A-5-VEN-16-0089 raises

NO Substantial Issue with respect to the grounds on which the appeal has been

filed under § 30602 of the Coastal Act.

Staff recommends a **NO** vote. Failure of the motion will result in a de novo hearing on the application and adoption of the following resolution and finding. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the Commissioners present.

RESOLUTION:

The Commission hereby finds that Appeal No. A-5-VEN-16-0089 presents a SUBSTANTIAL ISSUE with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Section 30610 of the Coastal Act and Sections 13252 and 13253 of the California Code of Regulations, and therefore Chapter 3 of the Coastal Act.

II. APPELLANTS' CONTENTIONS

On October 14, 2016, the Commission received an appeal of Local Coastal Exemption DIR-2016-3831-CEX from Robin Rudisill, Kevin Keresey, Lydia Ponce, and Sue Kaplan (Exhibit 3). The City's Coastal Exemption (CEX) approved improvements to the existing single-family residence that involved the conversion of an existing 368 accessory building (i.e. garage) into a recreation room. The appellants request that the CEX be revoked and/or that more information regarding the project be made available, or that the applicant obtain a coastal development permit for the proposed project. Because the City's Zone Information and Map Access System (ZIMAS) lists two addresses for the property (918 and 918 ½ California Avenue), the appellants state that the site may consist of or may have consisted of two residential units on the property. The appellants assert that, if it were the case that two residential units existed on the property, a change from two units to one unit is not exempt. Moreover, the appellants maintain that the CEX may result in the avoidance of a Mello Act Compliance review and Determination in the event that there was a change in the number of residential units.

III. LOCAL GOVERNMENT ACTION

In September 1, 2016, City of Los Angeles, Department of City Planning issued a Coastal Exemption (DIR 2016-3316-CEX) for the renovation of a single-family residence.

On October 7, 2016, the City of Los Angeles, Department of City Planning issued a Coastal Exemption (DIR 2016-3831-CEX) for renovations to an existing 368 sf. accessory building (ancillary to the residence subject to Exemption No. DIR 2016-3316-CEX), which will result in the conversion of a two-car garage into a recreation room.

The City forwarded a copy of the Coastal Exemptions to the Coastal Commission's South Coast District Office on September 12, 2016 and October 13, 2016, respectively, and, at those times, Coastal Commission staff established the 20 working-day appeal periods for the local exemption

actions. On October 14, 2016, both claims of exemptions were appealed to the Commission's South Coast District Office (A-5-VEN-16-0089).

The appellants submitted a combined appeal of the City's action on DIR 2016-3316-CEX and DIR 2016-3831-CEX. The appeal of the City's action on DIR 2016-3831-CEX was determined to be valid because it was received prior to the expiration of the twenty working-day period in which any action by the City of Los Angeles can be appealed to the Commission. Conversely, the appeal of the City's action on DIR 2016-3316-CEX was determined to be invalid and untimely as it was received past the expiration of the twenty working-day appeal period. Therefore, the subject of this appeal will solely be focused on the appeal of the City's action on DIR 2016-3831-CEX, which is for the conversion of the garage into a recreation room. On October 14, 2016, a Notification of Appeal was sent to the Los Angeles Department of City Planning and the applicant, notifying each party of the appeal of DIR-2016-3831-CEX.

It should be noted that the residence subject to both claims of exemptions is an unpermitted structure that requires a coastal development permit, and the Coastal Commission's enforcement unit may need to evaluate how to address the matter if it is not addressed through the current permitting process. The applicant has stated interest in applying for a local coastal development permit to resolve the issues related to unpermitted development at the site.

IV. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows *any* action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission, and Section 30625 makes clear that claims of exemption are among the appealable actions.

After a final local action on a local coastal development permit application or a coastal exemption, the Coastal Commission must be noticed within five days of the decision. After receipt of a notice that contains all the required information, a twenty working-day appeal period begins during which any person, including the applicants, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must conform to the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including stating the specific grounds for appeal and summarizing the significant question raised by the appeal.

The action currently before the Commission is to find whether there is a "substantial issue" or "no substantial issue" raised by the appeal of the local approval of the proposed project. Sections 30621 and 30625(b)(1) of the Coastal Act require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the approved project's conformity with Chapter 3 of the Coastal Act. However, the Chapter 3 policies of the

Coastal Act do not apply if the project is exempt from permitting requirements pursuant to Section 30610 of the Coastal Act and Sections 13252 and 13253 of the California Code of Regulations. Accordingly, for appeals of coastal exemption determinations such as this, the Commission's role is to determine whether there is factual and legal support for the local government's exemption determination. If there is no substantial issue with regard to the propriety of the exemption determination, then there is also no substantial issue with regard to Chapter 3 conformity because those policies do not apply to exempt development. If the Commission decides that there is no substantial issue with the exemption determination—and thus Chapter 3—the action of the local government becomes final.

If, however, the Commission finds that a substantial issue exists with respect to the locally-approved project's conformity with Section 30610 of the Coastal Act and Sections 13252 and 13253 of the California Code of Regulations, then the local coastal development permit decision is voided and the Commission typically continues the public hearing to a later date in order to review the claim of exemption as a <u>de novo</u> matter. [Cal. Pub. Res. Code §§ 30621 and 30625.] The standard of review for the de novo portion of an appeal is the same as described above—consistency with Chapter 3, as determined by analyzing consistency with Section 30610 of the Coastal Act and Sections 13252 and 13253 of the California Code of Regulations. Should the Commission deny the claim of exemption and determine that a coastal development permit is required, then the Chapter 3 policies of the Coastal Act are the standard of review if the applicant applies for, and the local jurisdiction considers, the permit. [Cal. Pub. Res. Code § 30625.]

If there is no motion from the Commission to find no substantial issue, it will be presumed that the appeal raises a substantial issue and the Commission will schedule the de novo phase of the public hearing on the merits of the application at a subsequent Commission hearing. Sections 13110-13120 of Title 14 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, those who are qualified to testify at the hearing, as provided by Section 13117 of Title 14 of the California Code of Regulations, will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, persons who opposed the application before the local government (or their representatives), or those who, for good cause, were unable to oppose the application before the local government, and the local government. Testimony from other persons must be submitted in writing. The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue.

V. SINGLE/DUAL PERMIT JURISDICTION AREAS

Section 30601 of the Coastal Act provides details regarding the geographic areas where applicants must also obtain a coastal development permit from the Commission in addition to obtaining a local coastal development permit from the City. These areas are considered Dual Permit Jurisdiction areas. Coastal zone areas outside of the Dual Permit Jurisdiction areas are considered Single Permit Jurisdiction areas. Pursuant to Section 30600(b) of the Coastal Act, the City of Los Angeles has been granted the authority to approve or deny coastal development permits in both jurisdictions, but all of the City's actions are appealable to the Commission. The proposed project site is located within the Single Permit Jurisdiction Area.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION & LOCATION

The applicant is proposing to convert the existing approximately 398 sq. ft. garage into a recreation room. No change in the floor area is proposed. According to the plans submitted by the applicant, the scope of work includes: plaster repair, cosmetic leveling of existing flooring, repainting of the structure, garage door removal, installation of sliding glass door, new windows and skylight dome, new bathroom, and new concrete porch (**Exhibit 2**). Two uncovered parking spaces would be maintained on-site (**Exhibit 2**).

The project site is located in the Milwood subarea at 918 and 918 ½ California Avenue within the City of Los Angeles Single Permit Jurisdiction Area, approximately one mile inland of the beach (**Exhibit 1**). The project site is located within the California Avenue residential block between Linden Avenue and Lincoln Court (Alley). The lot area is approximately 4,604 square feet and is designated multi-family residential (Low Medium II) according to the Venice certified LUP.

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 30600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. As described above, in the case of appeals of coastal exemptions (Section 30625(a) of the Coastal Act), this standard requires the Commission to determine if there is factual and legal support for the local government's decision that the development can be authorized without a coastal development permit pursuant to Section 30610 of the Coastal Act and Sections 13250, 13252, and 13253 of the California Code of Regulations.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission's regulation simply indicates that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." In previous decisions on appeals, the Commission had been guided by the following factors:

- 1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
- 2. The extent and scope of the development as approved or denied by the local government;
- 3. The significance of the coastal resources affected by the decision;
- 4. The precedential value of the local government's decision for future interpretations of its LCP; and,
- 5. Whether the appeal raises local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

A-5-VEN-16-0089 (Reddy) Appeal – Substantial Issue

Staff is recommending that the Commission find that a **substantial issue exists** with respect to whether the local government action conforms to Section 30610 of the Coastal Act and Sections 13250 and 13252 of the California Code of Regulations for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

Because the City's Zone Information and Map Access System (ZIMAS) lists two addresses for the property (918 and 918 ½ California Avenue), the appellants state that the site may consist of or may have consisted of two residential units on the property. The appellants assert that, if it were the case that two residential units existed on the property, a change from two units to the currently existing singular unit is not exempt. Moreover, the appellants maintain that the CEX may result in the avoidance of a Mello Act Compliance review and Determination in the event that there was a change in the number of residential units.

According to the City of Los Angeles's records, there existed two detached single-family residences on the subject property (918 & 918 ½ California Avenue), which predated the Coastal Act (1976). Furthermore, according to the City's records, these two single-family residences were demolished in 1979. In 1987, the currently extant single-family residence was installed and the associated garage structure was constructed. The previous owners of the property did not obtain coastal development permits for the demolition of the two residences and installation/construction of a single-family residence and garage.

Section 30600(a) of the Coastal Act requires that anyone wishing to perform or undertake any development within the coastal zone shall obtain a coastal development permit. Development is broadly defined by Section 30106 of the Coastal Act, which states:

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 664l0 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 45ll).

Coastal Act Section 30610 provides, in part:

Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:

(a) Improvements to existing single-family residences; provided, however, that the commission shall specify, by regulation, those classes of development which involve a

risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter....

- (b) Improvements to any structure other than a single-family residence or a public works facility; provided, however, that the commission shall specify, by regulation, those types of improvements which (1) involve a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use contrary to any policy of this division. Any improvement so specified by the commission shall require a coastal development permit.
- (d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter.

California Administrative Code of Regulations Section 13250 Improvements to Existing Single-Family Residences, states:

- (a) For purposes of Public Resources Code Section 30610(a) where there is an existing single-family residential building, the following shall be considered a part of that structure:
- (1) All fixtures and other structures directly attached to a residence;
- (2) Structures on the property normally associated with a single-family residence, such as garages, swimming pools, fences, and storage sheds; but not including guest houses or self-contained residential units; and
- (3) Landscaping on the lot.

For structures including Multi-Family Residences, California Administrative Code of Regulations Section 13253 Improvements to Structures Other than Single-Family Residences and Public Works Facilities That Require Permits, states:

- (a) For purposes of Public Resources Code section 30610(b) where there is an existing structure, other than a single-family residence or public works facility, the following shall be considered a part of that structure:
- (1) All fixtures and other structures directly attached to the structure.
- (2) Landscaping on the lot.

Construction, reconstruction, demolition, or alteration of the size of any structure in the coastal zone is development that requires a coastal development permit, unless the development qualifies as development that is authorized without a coastal development permit.

The Commission typically requires fifty percent of the structure to be maintained in order to qualify as *an existing structure*.

Section 13252 Repair and Maintenance Activities That Require a Permit, states:

(b) Unless destroyed by natural disaster, the replacement of 50 percent or more of a single family residence, seawall, revetment, bluff retaining wall, breakwater, groin or any

other structure is not repair and maintenance under Section 30610(d) but instead constitutes a replacement structure requiring a coastal development permit.

Demolition, reconstruction, or substantial redevelopment of a project in the Venice coastal zone are not exempt under any section or provision of the Coastal Act or the Commission's Regulations – and require a coastal development permit (CDP). Therefore, the demolition of the two previously existing residences and the installation/construction of the currently existing single-family residence and garage constitute non-exempt "development" as defined in the Coastal Act. Consequently, the extant structures constitute "unpermitted" development, and improvements to these structures are not exempt. The proposed project does not meet the criteria for an improvement to the single-family residence nor an improvement to structures other than single-family residences and public works facilities since there currently is no "existing" permitted structure to improve. Therefore, the appeal raises a substantial issue as to conformity with the Chapter 3 policies of the Coastal Act because the development to be improved, which does not have a CDP, has not yet been reviewed for conformity with the Chapter 3 policies of the Coastal Act.

The City of Los Angeles has the authority to issue coastal development permits, as well as coastal exemptions. The proposed project site is located within the *Single Permit Jurisdiction Area*. For the reasons discussed in detail above, the proposed project is not exempt under the Coastal Act and the Commission's Regulations. Therefore, the proposed project requires a local coastal development permit from the City of Los Angeles. In response to the appellants' concerns regarding avoidance of Mello Act review, a Mello Act analysis may be reviewed by the City of Los Angeles through its coastal development permit application process in addition to the required analysis of the unpermitted development's and any newly proposed development conformity with the Chapter 3 policies of the Coastal Act.

Substantial Issue Factors:

Applying the five factors listed in the prior section clarifies that the appeal raises a "substantial issue", and therefore, does meet the substantiality standard of Section 30625(a).

The first factor is the <u>degree of factual and legal support for the local government's decision</u> that the development is exempt from CDP requirements. The City did not adequately investigate the permit history of the subject property prior to making its determination to issue a coastal exemption. The proposed development is an improvement to an existing unpermitted residential unit. Improvements to an existing structure that requires a coastal development permit (CDP) cannot be exempt when the structure to be improved has not yet obtained the coastal development permit and is currently "unpermitted". Therefore, the Coastal Commission finds that the City does not have an adequate degree of factual or legal support for its exemption determination.

The second factor is the <u>extent and scope of the development</u> as approved or denied by the local government. The extent and scope of the proposed project is non-exempt as it involves improvements to unpermitted development. Therefore, the full extent and scope of the Cityapproved project must be reviewed by the City through the local CDP process.

The third factor is the <u>significance of the coastal resources affected</u> by the decision. However, this factor is directly tied to the Chapter 3 policies of the Coastal Act, which, as stated in previous sections, are not relevant when considering appeals of coastal exemptions. Rather, in

the case of appeals of coastal exemptions, the Commission must determine if there is factual and legal support for the local government's decision that the development can be authorized without a coastal development permit pursuant to Section 30610 of the Coastal Act and Sections 13250 and 13252 of the California Code of Regulations. If the Commission determines that the City erred in their review of the coastal exemption and a coastal development permit is required, the project will be subject to review with consistency with Chapter 3 policies (and/or any relevant local coastal plan policies).

The fourth factor is the <u>precedential value of the local government's decision</u> for future interpretations of its LCP. The City does not currently have a certified LCP, but it does have a certified Land Use Plan (LUP). The proposed development is not consistent with Section 30610 of the Coastal Act and Sections 13250, 13252 and 13253 of the California Code of Regulations for coastal exemption projects. The issuance of a coastal exemption for improvements to unpermitted development would set a bad precedent.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. Exempting projects from the coastal development permitting process could have negative, cumulative impacts to the coast if the City and other local governments in the coastal zone apply their exemption authority in an improper manner. In this case, the City did not properly review this project prior to issuing a coastal exemption and did not properly apply the relevant exemptions. Therefore, the City's approval does raise potential issues of statewide significance because the interpretation and application of Coastal Act exemptions is of statewide importance.

In conclusion, the central issue for the appeal is whether the development requires a local CDP. Because the evidence does not support exempting the proposed project from Coastal Act permitting requirements, the Commission finds that appeal A-5-VEN-16-0089 raises a substantial issue relative to Section 30610 of the Coastal Act and Sections 13250, 13252, and 13253 of the California Code of Regulations, and that the proposed project requires a local coastal development permit from the City of Los Angeles.

VII. MOTION AND RESOLUTION – DE NOVO

Motion: I move that the Commission approve Claim of Exemption No. A-5-VEN-16-0089 for the development proposed by the applicant

Staff recommends a **NO** vote. Failure of this motion will result in denial of the *claim of exemption* and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby denies the Claim of Exemption for the proposed development on the ground that the development is not exempt from the permitting requirements of the Coastal Act and adopts the findings set forth below.

VIII. FINDINGS AND DECLARATIONS – DE NOVO

A. PROJECT DESCRIPTION

The applicant is proposing to improve an unpermitted single-family residence and associated garage existing on the subject property by converting the approximately 398 sq. ft. garage into a recreation room on a 4,604 sq. ft. residentially zoned lot in the Milwood subarea of Venice at 918 and 918 ½ California Avenue, Los Angeles (Exhibits 1 & 2).

B. COASTAL DEVELOPMENT PERMIT REQUIREMENTS

Section 30600(a) of the Coastal Act requires that anyone wishing to perform or undertake any development within the coastal zone shall obtain a coastal development permit. Development is broadly defined by Section 30106 of the Coastal Act, which states:

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 664l0 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 45ll).

Construction, reconstruction, demolition, or alteration of the size of any structure in the coastal zone is development that requires a coastal development permit, unless the development qualifies as development that is authorized without a coastal development permit.

Coastal Act Section 30610 provides, in part:

Notwithstanding any other provision of this division, **no coastal development permit shall be required** pursuant to this chapter for the following types of development and in the following areas:

- (a) Improvements to existing single-family residences; provided, however, that the commission shall specify, by regulation, those classes of development which involve a risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter....
- (b) Improvements to any structure other than a single-family residence or a public works facility; provided, however, that the commission shall specify, by regulation, those types of improvements which (1) involve a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use contrary to any policy of

this division. Any improvement so specified by the commission shall require a coastal development permit.

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter.

Section 13252 of the Commission's regulations provide, in relevant part:

(b) Unless destroyed by natural disaster, the replacement of 50 percent or more of a single family residence, seawall, revetment, bluff retaining wall, breakwater, groin or any other structure is not repair and maintenance under Section 30610(d) but instead constitutes a replacement structure requiring a coastal development permit.

The grounds for this appeal are that the project is not an improvement to an existing "permitted" structure as defined in the Coastal Act and, as such, the applicant must obtain a coastal development permit for the proposed development.

When more than 50 percent of a structure is demolished and rebuilt/replaced, the new development is a new structure that must obtain a coastal development permit. Therefore, the demolition of the two previously existing residences (circa 1979) and the installation/construction of the currently existing single-family residence and garage (circa 1987) located on the subject property constitute non-exempt "development" as defined in the Coastal Act, and must obtain a coastal development permit pursuant to Section 30600(a,b) of the Coastal Act.

Consequently, the proposed project—conversion of garage to recreation room—does not qualify for an exemption under Coastal Act Section 30610(b) because the single-family residence and the associated garage did not obtain the necessary coastal development permit(s) as required by the Coastal Act.

Coastal Act Section 30600 Coastal Development Permit; Procedures Prior to Certification of Local Coastal Program, states:

- (a) Except as provided in subdivision (e), and in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, any person as defined in Section 21066, wishing to perform or undertake any development in the coastal zone, other than a facility subject to Section 25500, shall obtain a coastal development permit.
- (b) (1) Prior to certification of its local coastal program, a local government may, with respect to any development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620, and 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a coastal development permit. Those procedures may be incorporated and made a part of the procedures relating to any other appropriate land use development permit issued by the local government.
 - (2) A coastal development permit from a local government shall not be required by this subdivision for any development on tidelands, submerged lands, or on public trust

lands, whether filled or unfilled, or for any development by a public agency for which a local government permit is not otherwise required.

(c) If prior to certification of its local coastal program, a local government does not exercise the option provided in subdivision (b), or a development is not subject to the requirements of subdivision (b), a coastal development permit shall be obtained from the commission or from a local government as provided in subdivision (d).
(d) After certification of its local coastal program or pursuant to the provisions of Section 30600.5, a coastal development permit shall be obtained from the local government as provided for in Section 30519 or Section 30600.5.

The City of Los Angeles has the authority to issue coastal development permits. The proposed project site is located within the *Single Permit Jurisdiction Area*. As discussed in Section VI(C) of the substantial issue analysis within this report, the proposed project is not exempt under the Coastal Act and the Commission's Regulations, and requires a local coastal development permit from the City of Los Angeles. Through the coastal development permit process, the unpermitted development and any additional work proposed can be reviewed for conformity with the Chapter 3 policies of the Coastal Act.

Because the evidence does not support the City's action in exempting the proposed project from Coastal Act permitting requirements, *Coastal Exemption No. A-5-VEN-16-0089* is denied.

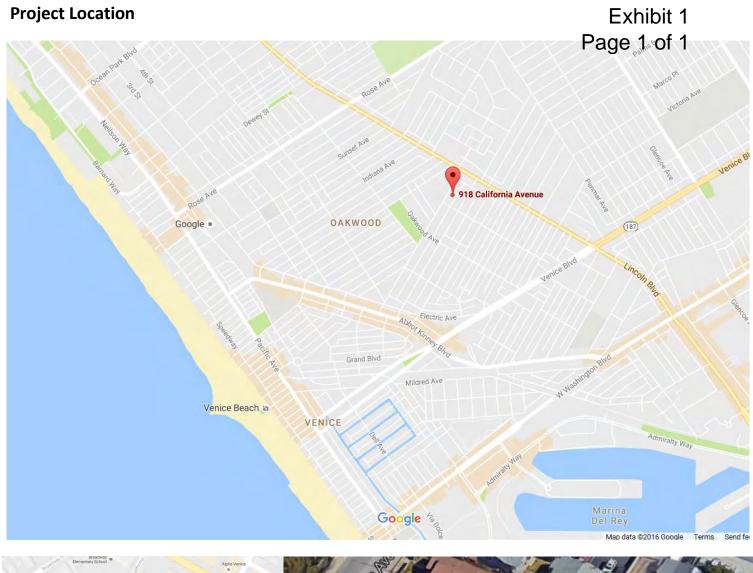
C. UNPERMITTED DEVELOPMENT

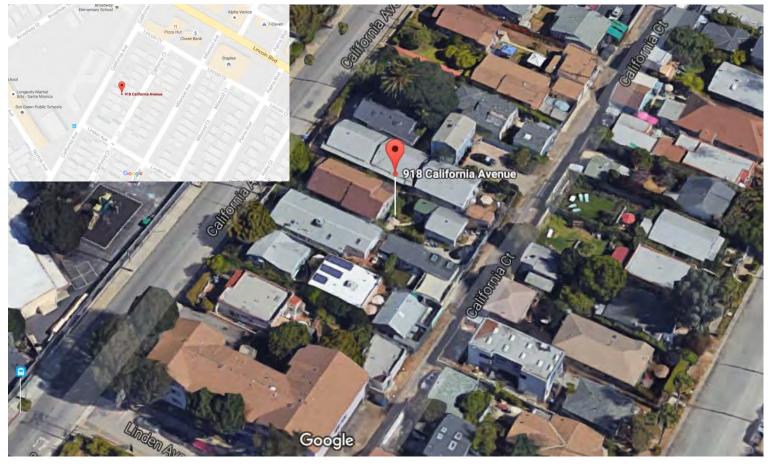
Unpermitted development has occurred at the project site subject to this application. The unpermitted development includes the demolition of two residential units without a valid coastal development permit, and the installation/construction of a single-family residence and a detached two-car garage.

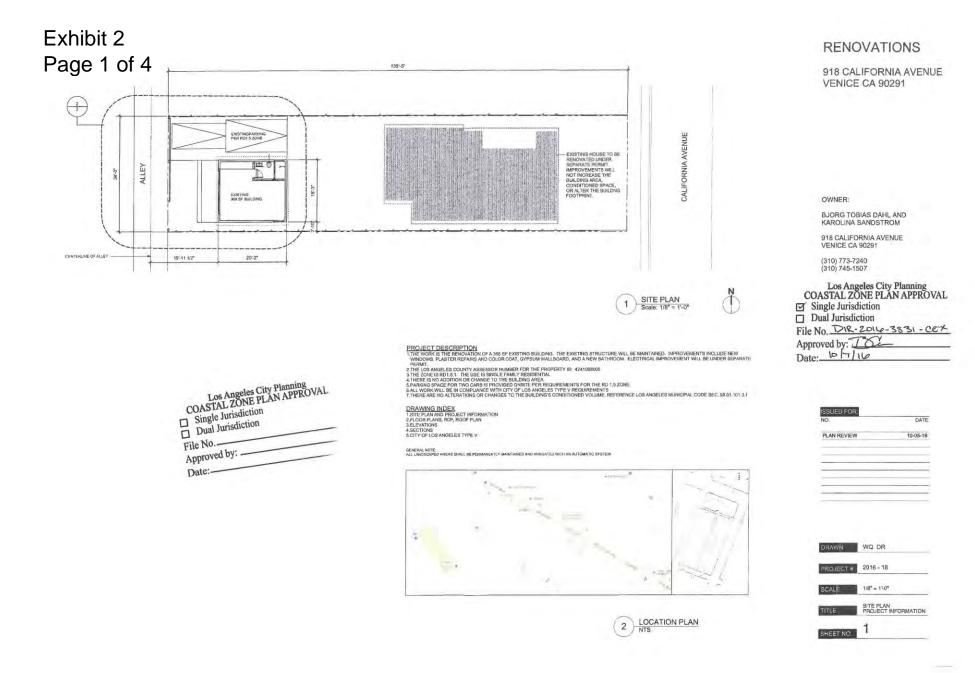
Any non-exempt development activity conducted in the coastal zone without a valid coastal development permit, or which does not substantially conform to a previously issued permit, constitutes a violation of the Coastal Act. The Coastal Commission's enforcement unit may need to evaluate how to address the matter if it is not addressed through the permitting process. The applicant has stated interest in applying for a local coastal development permit to resolve the issues related to unpermitted development at the site.

Appendix A – Substantive File Documents

- 1. City of Los Angeles Certified Land Use Plan for Venice (2001)
- 2. 1979 and 1987 Building Permits from City of Los Angeles's Department of Building and Safety







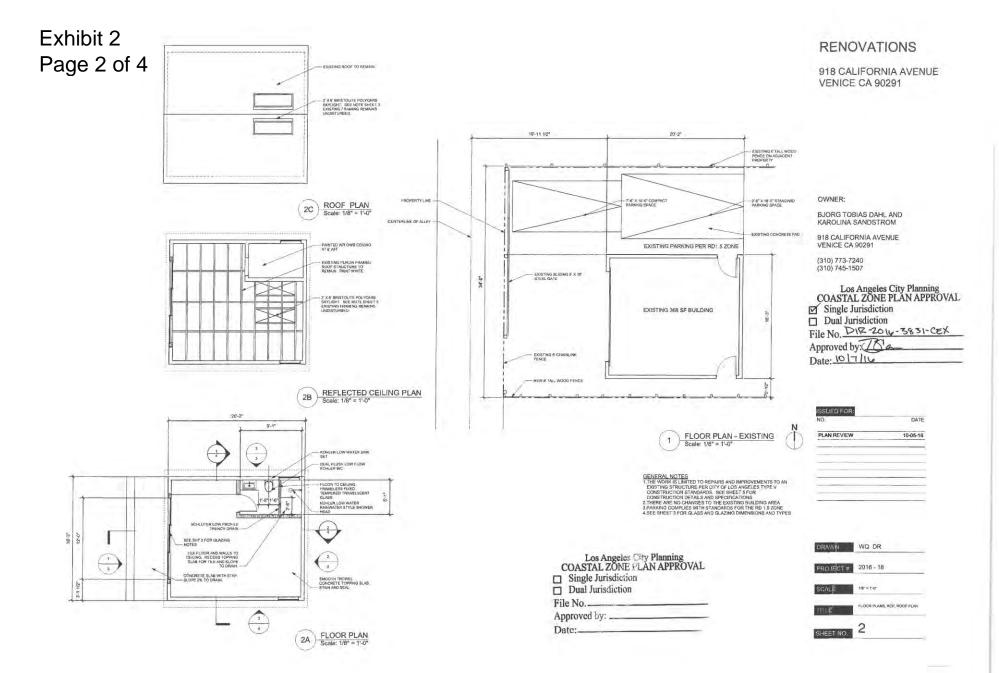
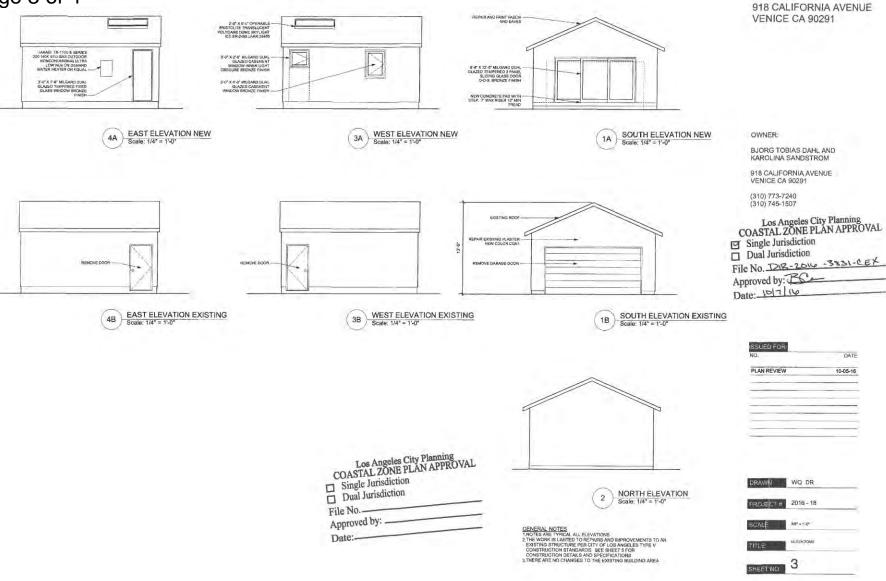


Exhibit 2 Page 3 of 4

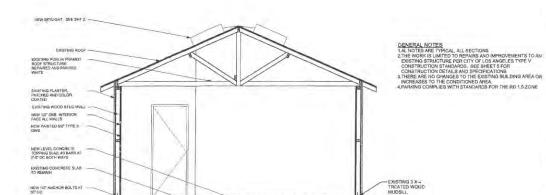


RENOVATIONS

DATE

10-05-16

Exhibit 2 Page 4 of 4



RENOVATIONS

918 CALIFORNIA AVENUE VENICE CA 90291

OWNER:

BJORG TOBIAS DAHL AND KAROLINA SANDSTROM

918 CALIFORNIA AVENUE VENICE CA 90291

(310) 773-7240 (310) 745-1507

Los Angeles City Planning COASTAL ZONE PLAN APPROVAL

☑ Single Jurisdiction
☐ Dual Jurisdiction

File No. DIR-2014-3831-CEX

Approved by: Tocal

TRANSVERSE SECTION

LONGITUDINAL SECTION Scale: 1/2" = 1'-0"

NO.		DATE
PLAN REVIE	W	10-05-16
DRAWN	WQ DR	
	100	
DRAWN PROJECT #	100	
FROJECT #	100	
FROJECT #	2016 - 18	
FROJECT #	2016 - 18	

Exhibit 3 state of Calif Pageral ReOfrce Sency

CALIFORNIA COASTAL COMMISSION

200 OCEANGATE, 10TH FLOOR LONG BEACH. CALIFORNIA 90802-4416 (562) 590-5071 FAX (562) 590-5084

WWW COASTAL CA GOV



COMMISSION NOTIFICATION OF APPEAL

October 14, 2016

To:

Brian Carr

Los Angeles Dept. of City Planning, Dept. Srvcs. Cntr.

201 North Figueroa Street Los Angeles, CA 90012

From:

Charles Posner

Re:

Commission Appeal No. A-5-VEN-16-0089

Please be advised that the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Sections 30603 and 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to the Public Resources Code Section 30623.

LOCAL PERMIT #:

DIR-2016-3831-CEX

APPLICANT(S):

David Reddy

REQUESTED ENTITLEMENT:

Coastal Exemption for the renovation of an existing 368 sq. ft. accessory building to a guest room with bathroom, new windows, new plaster, new electrical, new dry wall. Existing parking to remain. No change to the roof.

LOCATION:

918 California Ave, Venice, CA 90291 (APN(s): 4241008006)

LOCAL DECISION:

Approval; No Special Conditions

APPELLANT(S):

Robin Rudisill, Kevin Keresey, Lydia Ponce, and Sue Kaplan

DATE APPEAL FILED:

10/14/2016

The Commission appeal number assigned to this appeal is A-5-VEN-16-0089. The Commission hearing date has not been scheduled at this time. Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the City of Los Angeles's consideration of this coastal development permit must be delivered to the South Coast District Office of the Coastal Commission (California Administrative Code Section 13112). Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, and a list, with addresses, of all who provided verbal testimony.

COMMISSION NOTIFICATION OF APPEAL

A Commission staff report and notice of the hearing will be forwarded to you prior to the hearing. If you have any questions, please contact Charles Posner at the South Coast District Office.

cc: Applicant: David Reddy Appellant: Robin Rudisill Appellant: Kevin Keresey Appellant: Lydia Ponce Appellant: Sue Kaplan

City of Los Angeles, Attn.: Beatrice Pacheco

File

STATE OF CALIFORNIA - THE RESOURCES AGENCY

RECEIVED

South Coast Region

EDMUND G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE 200 OCEANGATE, 10¹⁸ FLOOR LONG BEACH, CA 90802-4416 VOICE (552) 590-5071 FAX (562) 590-5084 OCT 11 2016



CALIFORNIA COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I.	Appellant(s)
------------	--------------

Name: Robin Rudisill. Kevin Kerescy, Lydia Ponce, Sue Kaplan

Mailing Address: 3003 Ocean Front Walk

See attached

Venice

Zip Code: 90291

Phone:

310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles

4

2. Brief description of development being appealed:

CEX 3316: Remove ex wall between Iiv. room/kitchen/dining room to create open Iiv. room & dining room area w/new addition under (E) room. Convert (E) bedroom to kitchen. Convert (E) bathroom to hallway, laundry, & den. (N) Bedroom, bath & closet + add at rear 24' x 18'; AND CEX 3831: Renovation of existing 368 accessory building to a guest room with bathroom, new windows, new plaster, new electrical, new dry wall. Existing parking to remain. No change to roof.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

918 & 918 ½ California Aye, APN: 424-1008-006; Linden Ave cross street

. ,		`	Ť	
x□	Approval; no special conditions			
	Approval with special conditions:			
	Denial			

Description of decision being appealed (check one.):

Note:

For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TOBE	COMPLETED BY COMMISSION:
APPEAL NO:	A-5-VEN-16-0089
DATE FILED:	Oct. 14,2016
DISTRICT:	South Coast

Exhibit 3 Page 4 of 19

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5.	Decision being appealed was made by (chec	ek one):
x	Planning Director/Zoning Administrator City Council/Board of Supervisors Planning Commission Other	
6.	Date of local government's decision:	CEX 3316; Sept. 1, 2016, received by CCC on September 12, 2016, CEX 3831; October 7, 2016, not yet received by CCC
7.	Local government's file number (if any):	DIR-2016-3316-CEX and DIR-2016-3831-CEX
SEC	TION III. Identification of Other Interes	sted Persons
Give	the names and addresses of the following p	arties. (Use additional paper as necessary.)
a.	Name and mailing address of permit applic	ant:
Nanc Appl	y Gasca, 5743 Fair Ave, Noho, CA 91601 icant info not posted/disclosed for CEX 3831 and rela	nted City permit/VSO (assume is same)
1	Names and mailing addresses as available of the city/county/port hearing(s). Include or should receive notice of this appeal.	f those who testified (either verbally or in writing) at ther parties which you know to be interested and
(1)		
(2)		
(3)		!
(4)		

RECEIVED South Coast Region

OCT 13 2016

CALIFORNIA COASTAL COMMISSION



APPLICATIONS:

GOASTAL EXEMPTION (CEX)

CASE NO	DIR-2016-3831	-CEX	
то:	California Coastal Commission South Coastal District 200 Oceangate, 10 th Floor Long Beach, CA 90802-4302	APPEAL PERIOD ENDS AT 5:00 P.M. ON	
	(562) 590-5071	APPEAL RECEIVED: ☐ YES NO ☐	
FROM:	Los Angeles Department of City Planning Development Services Center (DSC) 201 North Figueroa Street Los Angeles, CA 90012		
SUBJECT:	COASTAL EXEMPTION—SINGLE JURISDICTION A	REA ONLY	
 Under no circumstances shall a Coastal Exemption be issued for the following scopes of work: Remodels which involve the removal of 50% or more of existing exterior walls Addition, demolition, removal or conversion of any whole residential units (unless required by LADBS) Projects which involve significant grading or boring in a Special Grading or Landslide area Any change of use (to a more or less intensive use) 			
OWN	ER/APPLICANT TO COMPLETE THE FOLLOWING (1		
PROJECT AD	Total Control of the	AVE, VENICE	
		RACT VENICE ANNEX #2	
ZONE: R			
	SCOPE OF WORK: RENOVATIONS	TO AN EXISTING	
368 5			
	OR CONDITIONED SPACE ATTON, NO ADDITION,	TO SFR PLANNED	
	AN CHECK NUMBER(s):	JO DIN FLANDED	
Note: If there description. The	is related work to be pulled under a separate permit, ne reason for this is so Planning Staff can evaluate the pother CEX for any subsequent permits related to the ori	roject as a whole and to avoid having	
Applicant Nam	e: DAVID REPOM		
Mailing Addres		LE VENICE 90291	
Phone Numbe			
Signature:	De Res		
CP-1608.3 [08.23	.2016]	Page 1 of 2	

THIS SECTION FOR OFFICE USE ONLY

This application has been reviewed by the staff of the Los Angeles Department of City Planning in accordance with the provisions of Section 3010 of the California Coastal Act. A determination has been made that a Coastal Development Permit is not required for the preceding described project based on the fact that it does not: (1) involve a risk of adverse environmental effect. (2) adversely affect public access, or (3) involve a change in use contrary to any policy of this division pursuant to Title 14 of the California Administrative Code, and qualifies for an exemption under one or more of the categories checked below. Improvements to Existing Single-Family Residences. This includes interior and exterior improvements, additions, and uses which are accessory to a single-family residence (e.g. garages, pools, fences, storage). This does not include the increase or decrease in the number of residential dwelling units (including guest houses), or retaining walls or pools that may have a potential significant impact on coastal resources (i.e. viewable from the public right of way, involves a significant amount of grading or boring in Hillside, Landslide of Special Grading areas), which may be reviewed on a case-by-case basis. Improvements to Any Existing Structure Other Than A Single-Family Residence. multifamily residential uses; this includes interior and exterior improvements, additions and uses which are accessory to the residential use (e.g. garages, pools, fences, storage sheds), but does not include the increase or decrease in the number of residential dwelling units, or retaining walls or pools that may have a potential significant impact on coastal resources (i.e. viewable from the public right-of-way, involves a significant amount of grading or boring in Hillside, Landslide or Special Grading areas), which may be reviewed on a case-by-case basis. For non-residential uses, this includes interior and exterior improvements and building signage (excluding pole, pylon and off-site signs), but does not include any addition of square footage or change of use (to a more or less intense use). Repair or Maintenance. This includes replacement, repair and/or maintenance activities (i.e. re-roofing, replacement of equipment, etc.) which do not result in any changes, enlargement or expansion.

This exemption in no way excuses the applicant from complying with all applicable policies, ordinances, codes and regulations of the City of Los Angeles. This exemption shall not apply if the project is not consistent with local land use regulations. If it is found that the project description is not in conformance with the actual project to be constructed or is not in conformance with Section 30610 of the California Coastal Act, this exemption is null and void.

Demolitions required by LADBS. This includes projects which have been issued a Nuisance and Abatement

or Order to Comply by the Department of Building & Safety requiring demolition due to an unsafe or

Vincent P. Be Director of Pl	•	
Issued By:	Signature	
	Bran Carr Print Name and Title	Planning Assistant
Invoice No.:		Receipt Number: 0102642356

Attached:

Copy of Invoice with Receipt No.

Copy of related Building & Safety Clearance Summary Worksheet(s)

substandard condition. Please attach the Building & Safety Notice.

Exhibit 3 Page 7 of 19

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal
 Act. Please review the appeal information sheet for assistance in completing this section.

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient
discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may
submit additional information to the staff and/or Commission to support the appeal request.

The related City permit and plans cannot be found online.

The Project Description for CEX 3316 is confusing. It mentions an addition under an existing room, conversion of a bedroom to a kitchen, conversion of a bathroom to hall way, laundry, den, and so on, as well as an addition of 24/x 18' (432 sq ft). There is no indication of the amount of the structure to be demolished. Also, the related City permit Project Description indicates an interior remodel and the addition of 420 sq ft at the rear.

A second CEX was issued by the City on October 7, 2016. This CEX states that it is for the renovation of an existing 368 accessory building into a guest room with bathroom, new windows, new plaster, new electrical, new dry wall, but it does not indicate the amount of the structure to be demolished and no plans or any other description is available. The related building permit states that this is a conversion of a garage to a rec room, with ½ bath maximum, and that two uncovered parking spaces will be provided.

The work being performed as described by the October 7, 2016 CEX should have been required to be combined with the initial CEX, which was still in its appeal period at the time the second one was issued.

To add to this confusion, ZIMAS shows that there were two addresses for this property, 918 California and 918 ½ California. This implies that there were two units and begs the question re. whether this is an "existing structure other than a single-family residence" or whether this is a change from two units to one unit, in which case an exemption may not be used.

It seems that most of the time there is not adequate information for a member of the Public to analyze a CEX (coastal exemption) project. In addition, there is no notice that a project has been filed, let alone that a property has a project that is in an appeal period. Thus, it is impossible for the general public to know if any properties surrounding them have filed for a project or are in their appeal period. People don't know whether there is any information available, nor would it make sense for everyone to have to check a coastal or city website frequently to see what activity might be happening in their area.

We make the following recommendations in order to make this process work for those impacted:

1. Require that the Project Descriptions are consistent, if not exactly the same, for City permit, Coastal exemption and building permit.

2. Assure that for all Coastal Exemptions filed that plans are available online for review.

Exhibit 3 Page 8 of 19

3. Assure that for all Coastal Exemptions filed that the related City permit, VSO or SPP, are available online for review.

4. Require a notice to at least a 100' radius that a Coastal Exemption has been approved by the City and that the appeal period will extend to whatever date it is and that this information is available at the Coastal Commission's website on the specific page where it can be found. A Venice Coastal Zone resident should NEVER have to wake up one day with a demolition occurring in the immediate vicinity of which they were not aware.

5. Coastal Staff should perform a quality control function and catch every one of the issues mentioned here in this appeal so that the Public doesn't have to do this very basic function for them. Better yet, Coastal Staff should assure that City Staff is well trained enough that THEY do their work correctly and

are their own quality control, and should provide detailed procedures if necessary.

6. Coastal Exemption projects should not be allowed to be piecemealed for the same property or overall

project.

7. The determination that the application has been reviewed by the City Staff in accordance with Coastal Act Section 30610 and that a CDP is not required based on the fact that it does not involve a risk of adverse environmental effect, etc., should be documented and readily available online.

8. There must be some guidelines set regarding the size of addition that is acceptable for a coastal exemption, which, under the Coastal Act, is only intended to be for "Improvements." Without that, protection of Community Character cannot be assured and a CDP should be required for all additions.

State law requires that 50% or more of the structure be maintained in order to qualify as an existing structure for purposes of a Coastal Exemption. There is not enough information provided to determine whether 50% or more of the structure is being maintained and thus whether the development may be considered an "improvement". It is also not clear whether this is a project for a Single-family dwelling or a multi-family dwelling. If the project is not an improvement, it is therefore non-exempt "development" as defined in the Coastal Act and related CCR, and thus a CDP should be required. If this is a change from two to one unit, a CDP is required.

Thus, the CEX must be revoked and/or the related information be made available, or the Applicant must be requested to obtain a CDP.

The City's Coastal Exemption process is being used to avoid the CDP process, during which the proposed development would be reviewed for consistency with the character of the surrounding area. Community Character is a significant Coastal Resource, particularly in Venice, which has been designated by the Coastal Commission as a "Special Coastal Community." As also indicated in numerous Coastal Commission reports and decisions, Venice is a Coastal Resource to be protected, and as a primarily residential community, residential development is a significant factor in determining Venice's Community Character. Although this Coastal Exemption relates only to one project, the erosion of Community Character is a cumulative issue, and the City's cumulative exemption of numerous large-scale addition/remodel projects (and the usual associated demolition exceeding 50% of the existing structure) has a significant adverse impact on Venice's character, which is also evidenced by the significant Community concern expressed in numerous other appeals of Coastal Exemptions.

In addition, the Venice Coastal Zone does not have a certified Local Coastal Program, and issuing exemptions for proposed projects like this one, with not enough information to determine whether they are demolitions or improvements, COULD result in a very damaging precedent. The abuse of the City's Coastal Exemption process in order to avoid obtaining a CDP for new development has been a recurring problem. The City has inadequate controls over the Coastal Exemption process, including a lack of adequate enforcement, resulting in developers frequently ignoring or violating regulations, including

Exhibit 3 Page 9 of 19

demolition of the entire structure even though the project description indicates otherwise. There is generally no penalty applied by the City when this is discovered, other than a requirement to stop work and obtain a CDP, and thus there is little to discourage Applicants from this practice. Very importantly, exempting projects from the CDP process have potential significant negative cumulative impacts to the entire California Coast, as these projects are not being properly reviewed for Community Character and conformance to Chapter 3 of the Coastal Act.

The Coastal Commission-certified Venice Land Use Plan, used as guidance for determining conformity with Chapter 3, indicates in Policy I. E. 2. that ".... All new development <u>and renovations should respect the scale, massing and landscape of existing residential neighborhoods.</u>" However, the City does not perform such a review for Coastal Exemptions, including for this project.

Relevant law includes Coastal Act Section 30610 and CCR Section 13253 and 13252 (see attached).

Adjacent neighbors, neighbors in the surrounding area, and all Venice residents are harmed by the project, as well as the cumulative effect of this project and other such projects. Not only are there adverse effects on adjacent and surrounding properties (without an associated public process including Notice, a Public Hearing, transparency, and an Appeal right), but there is a significant adverse impact on the Community Character of Venice, which is a protected Coastal Resource, and which has the result of significantly reducing the long-term value of the Venice Coastal Zone Community and the current and future Quality of Life for all residents of Venice.

In addition, in the case that there were two units on the property, processing of this type of project using a Coastal Exemption may result in the avoidance of a Mello Act Compliance review and Determination, and thus there is a potential for loss of Affordable Units in the Venice Coastal Zone, which is a significant and very material loss of low-income housing.

Exhibit 3 Page 10 of 19

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V.	Certification
The information	and facts stated above are correct to the best of my/our knowledge. Column
Note: I	f signed by agent, appellant(s) must also sign below.
Section VI.	Agent Authorization
I/We hereby authorize to act as my/ou	representative and to bind me/us in all matters concerning this appeal.
	Signature of Appellant(s)

Date:



			South Coast Region	(444)
			SEP 1 2 2016	
APPLICATI	ons:			
COASTA	LEXEMPTION (C	EX)		
	TIME T	2016	3316 - CEX	
CASE NO	. DIN	CUIU	0010 00 >	
CHOL NO		_	,	
TO:	California Coastal (South Coastal Distr			K. Jan
	200 Oceangate, 10	th Floor	APPEAL PERIOD ENDS AT 5:00 PJ	M.
	Long Beach, CA 90	0802-4302	ON-10-16	
	(562) 590-5071		APPEAL RECEIVED: I YES NO	J
FROM:	Los Angeles Depai Development Servi	rtment of City Plannin	·9	
	201 North Figueros	a Street		
	Los Angeles, CA 9	0012		
SUBJECT:	COASTAL EXEM	TION-SINGLE JUI	RISDICTION AREA ONLY	
			issued for the following scopes of work:	
4 4:47	er i transporter de la contraction de la contrac	und he applicated to OT (any while residende dinto (office)	rea
• Proje	ects which involve sig	nificant grading or bo nore or less intensive	oring in a Special Grading or Landslide at use)	
•				
OW	NER/APPLICANT TO	COMPLETE THE F	FOLLOWING (type, print, or fill out on	-line)
	A IN	918 E Calif	ornia Ave	
PROJECT	May 12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	mpmy man and a second	· · · · · · · · · · · · · · · · · · ·	4× #2
		BLOCK COMMUNITY PLAN:	. "	
ZONE:	D1.5-1	COMMUNITE PLAN.	wall between liv. coon	alkitcheni
PROPOSE	D SCOPE OF WORK	: Iremove ex	liv. room & dining to	20
بمنمنك	- 50 mag 5	1 1		com to
OSEA L	Muen again		Elsoom (On) Prot to Java	n IN Bodroom
Kitche	v. lovier E	Pathcoom	to hallway, lavadey and	739_
RELATED	PLAN CHECK NUME	BER(s):		
	TTI Emuliation a	a aa Dianning misii fa	separate permit, please include in the a an evaluate the project as a whole and to	avoid having
description to apply for	r another CEX for any	subsequent permits	related to the original scope of work.	
to apply to	1 1	•		L
Applicant I	Name: <u>Nav</u>	cy Gasca	All Called	
Mailing Ad	dress: <u>5743</u>	Fair Ave	Mono, Ca 91601	911 (3
Phone Nu	mber: <u>\$18</u> 3	310 3454	E-mail Address: 13 veprints	THE KANDO. CO

CP-1608.3 [08.23.2016]

Signature:

Page 1 of 2

THIS SECTION FOR OFFICE USE ONLY

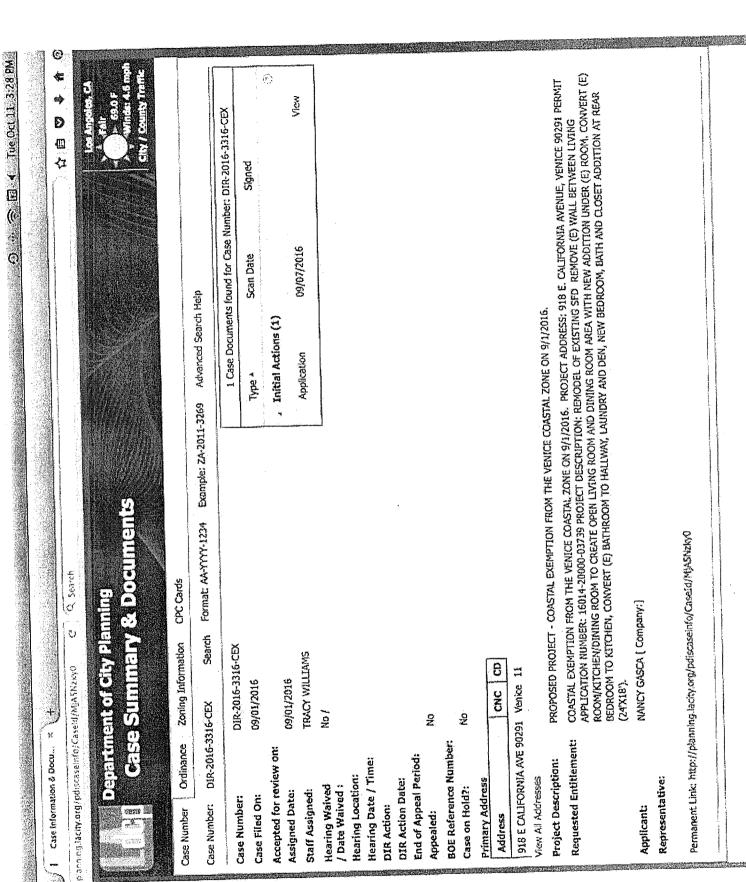
with th Develoinvolve contra	pplication has been reviewed by the staff of the Los Angeles Department of City Planning in accordance e provisions of Section 3010 of the California Coastal Act. A determination has been made that a Coastal opment Permit is not required for the preceding described project based on the fact that it does not: (1) a a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use my to any policy of this division pursuant to Title 14 of the California Administrative Code, and qualifies for emption under one or more of the categories checked below.
囟	Improvements to Existing Single-Family Residences. This includes interior and exterior improvements, additions, and uses which are accessory to a single-family residence (e.g. garages, pools, fences, storage). This does <u>not</u> include the increase or decrease in the number of residential dwelling units (including guest houses), or retaining walls or pools that may have a potential significant impact on coastal resources (i.e. viewable from the public right-of-way, involves a significant amount of grading or boring in Hillside, Landslide or Special Grading areas), which may be reviewed on a case-by-case basis.
	Improvements to Any Existing Structure Other Than A Single-Family Residence. For duplex or multifamily residential uses, this includes interior and exterior improvements, additions and uses which are accessory to the residential use (e.g. garages, pools, fences, storage sheds), but does <u>not</u> include the increase or decrease in the number of residential dwelling units, or retaining walls or pools that may have a potential significant impact on coastal resources (i.e. viewable from the public right-of-way, involves a significant amount of grading or boring in Hillside, Landsilde or Special Grading areas), which may be reviewed on a case-by-case basis. For <u>non-residential uses</u> , this includes interior and exterior improvements and building signage (excluding pole, pylon and off-site signs), but does <u>not</u> include any addition of square footage or change of use (to a more or less intense use).
	Repair or Maintenance. This includes replacement, repair and/or maintenance activities (i.e. re-roofing, replacement of equipment, etc.) which do not result in any changes, enlargement or expansion.
	Demolitions required by LADBS. This includes projects which have been issued a Nuisance and Abatement or Order to Comply by the Department of Building & Safety requiring demolition due to an unsafe or substandard condition. Please attach the Building & Safety Notice.
codes	exemption in no way excuses the applicant from complying with all applicable policies, ordinances, and regulations of the City of Los Angeles. This exemption shall not apply if the project is not apply if the project is not apply the conformance with

consistent with local land use regulations. If it is found that the project description is not in conformance with the actual project to be constructed or is not in conformance with Section 30610 of the California Coastal Act, this exemption is null and void.

Vincent P. Be Director of Pic		•
lssued By:	Signature Signature	****
	Tracy William Print Name and Title	ens S
Invoice No.:	31818	Receipt Number: <u>020/347757</u>

Attached:

Copy of Invoice with Receipt No.
Copy of related Building & Safety Clearance Summary Worksheet(s)



Department of city Planning planning.lacity.org/pdiscaseinfo/Casetd/MjswNDAx0

ease Summany & Documents

0 Case Documents found for Case Number; DIR-2016-3831-CEX

Scan Date

Vo Documents were found

Advanced Search Help Example: 2A-2011-3269 Format: AA-YYYY-1234 CPC Cards Search Zoning Information DIR-2016-3831-CEX Ordinance Case Number: Case Number

DIR-2016-3831-CEX 10/07/2016 10/07/2016 Accepted for review on: Assigned Date: Case Filed On: Case Number:

BRIAN CARR / ON Hearing Waived Staff Assigned:

2 BOE Reference Number: End of Appeal Period: tearing Date / Time; Hearing Location: DIR Action Date: Date Walved: DIR Action: Appealed:

8 CNC Primary Address Address

£

Case on Hold?:

918 E CALIFORNIA AVE 90291 Venice 11 hew All Addresses

COASTAL EXEMPTION FOR THE RENOVATION OF AN EXISTING 368 ACCESSORY BUILDING TO A GUEST ROOM WITH BATHROOM, NEW WINDOWS, NEW PLASTER, NEW ELECTRICAL, NEW DRY WALL. EXISTING PARKING TO REMÁIN. NO CHANGE TO THE ROOF. COASTAL EXEMPTION FOR THE RENOVATION OF AN EXISTING 368 ACCESSORY BUILDING TO A GUEST ROOM Requested Entitlement: Project Description:

Applicant:

Representative:

Permanent Link: http://planning.lacib.org/pdiscaseinfo/CaseId/MjEwNDAx0

Case Information & Dock...

Q Search ئ planning.lacity.org/pducase(nfo/Caseid/MJASNzMO0

easa Summary & Documents

D 0 ₩

> Example: ZA-2011-3269 Format: AA-YYYY-1234 CPC Cards Search Zoning Information DIR-2016-3264-VSO Ordinance Case Number Case Number:

0 Case Documents found for Case Number: DIR-2016-3264-VSO

Advanced Search Help

Scan Date

Vo Documents were found

DIR-2016-3264-VSO 08/30/2016 Accepted for review on: Case Filed On: Case Number:

08/30/2016 **JULIET OH** No./ learing Waived Staff Assigned: Assigned Date:

dearing Location: Date Waived:

Hearing Date / Time: DIR Action:

2 End of Appeal Period: DIR Action Date: Appealed: Primary Address

£

BOE Reference Number:

Case on Hold?:

SSC Address

8

918 E CALIFORNIA AVE 90291 Venice 11

Mery All Addresses

INTERIOR REMODEL AND 420 SF ADDITION TO REAR OF (E) SFD. Project Descriptions

VSO FOR INTERIOR REMODEL AND 420 SF ADDITION TO REAR OF (E) SFD. Requested Entitlement:

Representatives

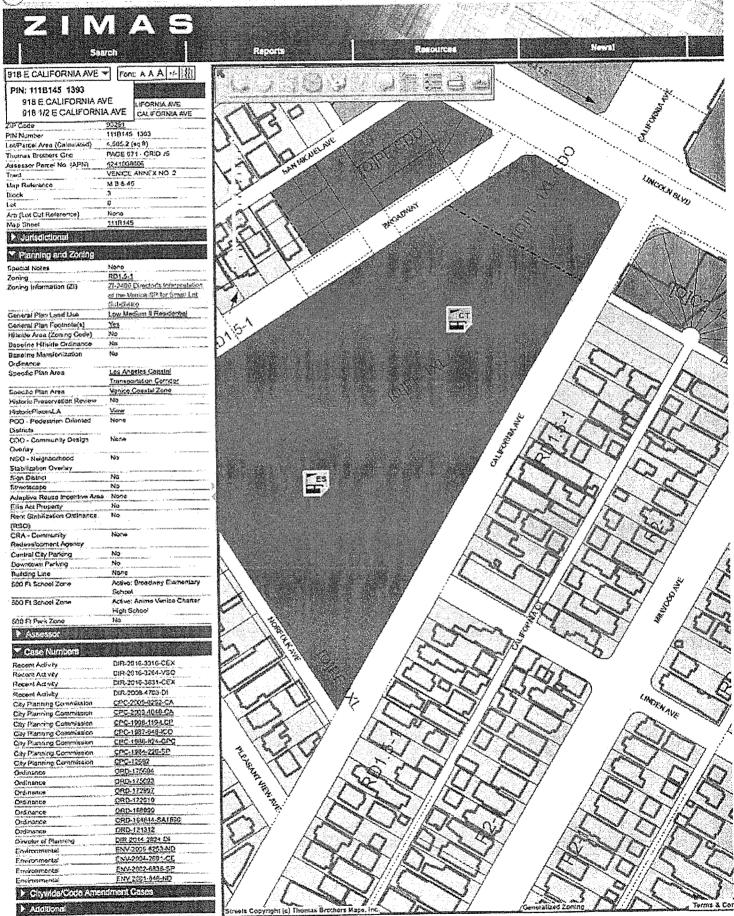
Permanent Link: http://planning.lacity.org/pdiscaseInfo/CaseId/NJASNzN00

000

ZIMAS

🚱 🗀 zimas lacity.org

C C Search



LINDENAVE

_Page_17 of 19

zimas.lacity.org

CH C Sparch

MAS B18 E CALIFORNIA AVE Y Fort A A A 4 Address/Legal DIBE CALIFORNIA AVE Site Address Dite Address 918 1/2 E CAUFORNIA AVE ZIP Code 1118146 1203 LouParen Anna (Calculated) 4.505.2 (se 8) PAGE 671 - GRID JS Thomas Brothern Crid 4241008005 Accessor Parcel No. (APVI) TONCON MINING Tonci 12 B 0-40 Map Reference Diocs Arb (Lat Cut Reference) 111B140 Map Stand Turisdictional Community From Avisa Verice Area Planning Commak West Los Arceito Naghborhood Cournil Wenter CO 11 - N.L. Bonin Council Datrict 27:30:00 Consus Treat # LADRE District Office West Los A Dutching Permit Into View CT CT $\wedge_{e_{i}}$ Planning and Zon Anxessor Percel No. (APM) 4241005006 4 Ownership (Assenses) Owner1 Address Ownership (Pairson of Engineering, Land Reconsis Owner Address r) 105 (se) AITH Area (Co I'L bis: Works)* 0100 - Single Re Usa Code Assessed Land Val. 285,903 Appeared improvement Val Last Oerser Change 07/17/16 5685.00G Last Sala Amount Tex Bate Atom 832370 theed Red No. (City Clark) Deed Ref No. (City Clark) 7-296 Duce Rel No. (City Chris) 900537 Deed Rating, (City City) Deed Ret No. (City City) 5-283 5-280 Deed Ref Nn (City Clork) 3-106 173264 1608625 Doed Ref No. (City Clerk) Oped Ref No. (City Clark) 1508624 Deed Ref No. (City Clerk) Dood Ref No. (City Clerk) 1668023 Dead Ref No. (City Clerk) 1166197

Contract or baseling 3 Building 3 Building No data for building 4 No data for building 5 Bulling 5

0-133

1955

1.221.0 (sq tt)

No cata for building 2

PLEASURA MEMORIA

sets Copyright (c) Thomas Brothers Ma

ChywdelCode Arie

Decc Het No. (City Cica)

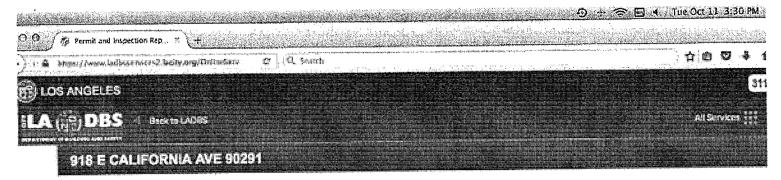
Building Square Footage

Distang 1

Dulcing 2

Year Ouix Building Class Number of Units Humber of Bedrooms Harming of Batherouse

Exhibit 3 Page 18 of 19



Application / Permit

16016-10000-24131

Plan Check / Job No.

B16LA15558

Group

Building

Type

Bldg-Alter/Repair

Sub-Type 1 or 2 Family Dwelling

Primary Use 0

Work Description CONVERT GARAGE SERVING SER IN RDI.5 ZONE TO A REC ROOM, REPAIR PLASTER, 1/2 BATH MAX, SETBACKS.

PROVIDE 2 UNCOVERED PARKING SPACES PER RD1.5 REQ'D.

Permit Issued No.

Current Status

Corrections Issued on 10/7/2016

Permit Application Status History

APPLICANT 10/7/2016 Submitted JOHNNY WU 10/7/2015 Assigned to Plan Check Engineer UW YNNHOL 10/7/2016 Corrections issued

Permit Application Clearance Information

CPC	Not Cleared	10/7/2016	UW YMMHOL
Eng Process Fee Ord 176,300	Not Cleared	10/7/2016	UW YMMHOL
Miscellaneous	Not Cleared	10/7/2016	UW YMMHOL
Sever availability	Not Geared	10/7/2016	UW YMMHOL
Specific Plan	Not Cleared	10/7/2016	UW YNNHOL

Contact Information

Contractor

Owner-Builder

Inspector Information

No Data Available.

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

918 E CALIFORNIA AVE 90291

Application / Permit

16014-20000-03739

Plan Check / Job No. 916VN10666

Group Building

Type Bldg-Addition

Sub-Type 1 or 2 Family Dwelling

Primary Use (1) Dwelling - Single Family

Work Description REMOVE EX WALL BETWEEN LIV RM/KITCHEN/DINING RM TO CREATE OPEN LIV RM & DINING RM AREA WITH NEW ADDN UNDER EX ROOM, CONVERT EX BEDRM TO KITCHEN, CONVERT EX BATHRM TO HALLWAY, LAUNDRY & DEN.

NEW BEDRM, BATH & CLOSET ADDN AT REAR (24'X18').

Permit Issued No

Current Status

Corrections Issued on 8/8/2016

Permit Application Status History

Submitted

8/8/2016

APPLICANT

Assigned to Pien Check Engineer

8/8/2016

SIAVOSH POURSABAHIAN

Corrections issued

8/8/2016

HAYATO TSUCHIYA

Permit Application Clearance Information

HAYATO TSUCHIYA 8/8/2016 Not Cleared Coastal Zone HAYATO TSUCHIYA 8/8/2016 Not Cleared Eng Process Fee Ord 176,300 HAYATO TSUCHIYA 8/8/2016 Not Cleared Roof/Waste drainage to street HAYATO TSUCHIYA 8/8/2016 Not Cleared Sewer availability HAYATO TSUCHIYA 8/8/2016 Not Cleared Specific Plan JULIET OH 8/30/2016 Cleared Specific Plan

Contact Information

No Data Available.

Inspector Information

No Data Available.

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.