

CALIFORNIA COASTAL COMMISSION

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



F17a

A-5-VEN-16-0083 (742-748 BROOKS AVENUE, VENICE)

MAY 12, 2017

EXHIBITS

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Vicinity Map: 742-748 Brooks Avenue, Venice, Los Angeles



Exhibit 2

Page 1 of 3



California Coastal
Commission

BROOKS AVE SMALL LOT SUBDIVISION

LIGHTHOUSE
Investments

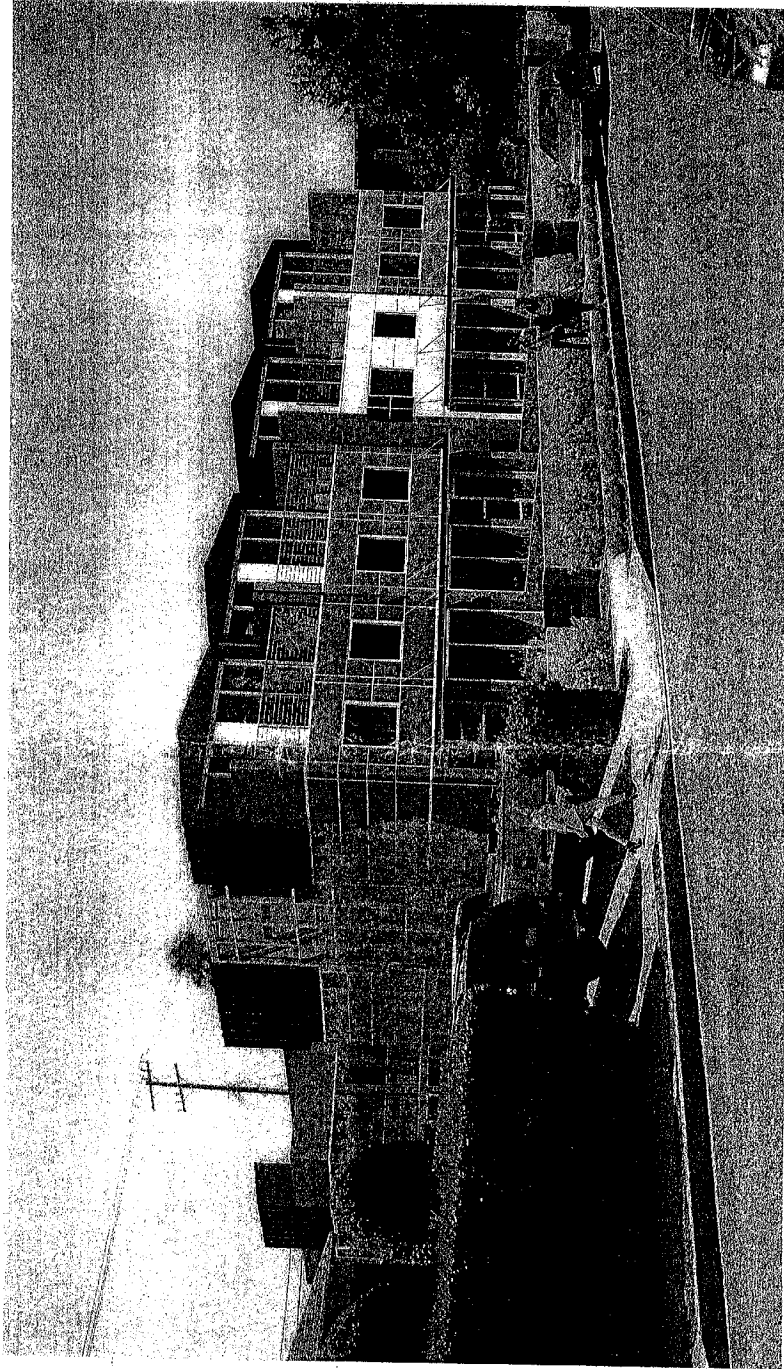
PROJECT NO. 12-002

BROOKS AVE SMALL LOT
SUBDIVISION
742 BROOKS AVENUE
VENICE, CA 90291
Owner:
Lighthouse
742 Brooks Avenue, Unit 2
Venice, CA 90291
P: 310.892.7240
E: chris@lighthouse.com

09/17/12 PARCEL SUBMITTAL
SCALE AS SHOWN DATE 9/24/12

COVER SHEET

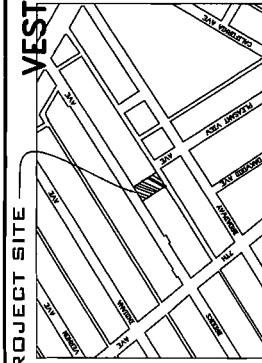
ZA 2013-383 - CDP



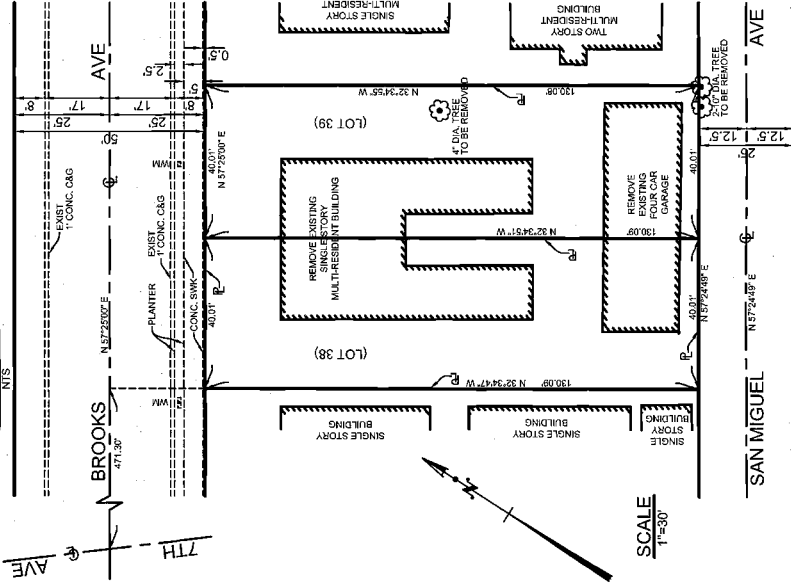
VESTING PRELIMINARY PARCEL MAP NO.2012-2949

IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

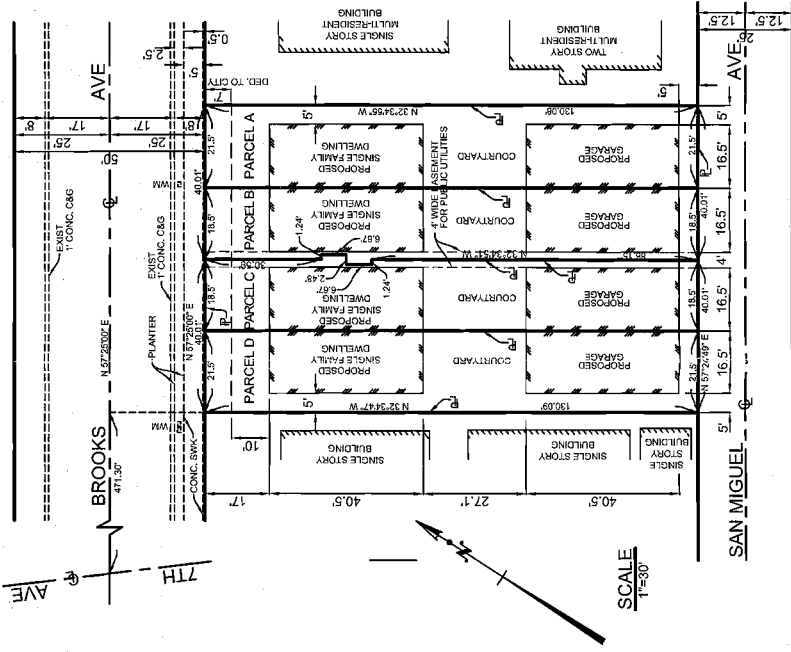
FOR SMALL LOT SUBDIVISION PURPOSES PER ORD. NO. 176,354



VICINITY MAP
NTS



EXISTING



PROPOSED

SUBDIVIDER:

LIGHTHOUSE INVESTMENTS, LLC
1180 S. BEVERLY DR., SUITE 508
LOS ANGELES CA 90035
TEL: (310) 556-1000

OWNER:

DAVID BRESLIN
742 BROOKS AVE., UNIT #5
VENICE, CA 90291
TEL: (310) 367-6570

REPRESENTATIVE/ENGINEER:

DHS & ASSOCIATES INC.
275 CENTENNIAL WAY, SUITE 205
TUSTIN, CA 92780
TEL: (714) 665-6569

LEGAL DESCRIPTION:

LOTS 38 AND 39, TRACT NO. 8415
AS SHOWN ON PAGES 27 & 36
RECORD OF THE LOS ANGELES COUNTY

NOTES:

- EXISTING LOTS CONSIST OF A MULTI-FAMILY DWELLING, WHICH WILL BE DEMOLISHED.
- PROPOSED LOT: THE EXISTING LOT WILL BE USED FOR PROPOSED DEVELOPMENT DATA.
- PROJECT ADDRESS: 742-744 BROOKS AVE, LOS ANGELES, CA 90292
- THERE ARE NO OAK, WESTERN SYCAMORE, CALIFORNIA BAY, OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON THE SITE.
- THE SITE IS RELATIVELY FLAT.
- THE SITE IS NOT IN THE FLOOD ZONE AREA.
- SEWER AND OTHER PUBLIC UTILITIES ARE AVAILABLE.
- AREA:
NET: (AFTER DEDICATION) 9,648 S.F. (0.226 ACRES)
GROSS: (BEFORE DEDICATION) 10,493 S.F. (0.239 ACRES)
- THOMAS GUIDE: PAGE 793-J5
DISTRICT MAP NO. 033-B-193
CENSUS TRACT NO. 2533.05
SECTION 10, T4S, R2E, S4E
FOUR (4) SMALL LOT SUBDIVISION PER ORDINANCE NO. 173554.
PARKING: COVERED PARKING SPACE FOR 4 HOUSES (2 PER HOUSE) = 8
BE REMOVED.
- THERE ARE THREE (3) TREES ON THE LOT, WHICH WILL BE REMOVED.
- GRADING QUANTITIES:
CUT = 400 CY
FILL = 400 CY
- THE SITE IS NOT IN GEOLOGICALLY HAZARDOUS AREA AND IS NOT SUBJECT TO FLOOD HAZARD.
- THIS SITE IS IN LIQUEFACTION AREA.
- EXISTING AND PROPOSED ZONE: RD1.5
- SMALL LOT SINGLE FAMILY SUBDIVISION IN THE RD1.5 ZONE, PURSUANT TO ORDINANCE NO. 176,354.
- MAP REVISED ON 10-5-12

SETBACK MATRIX

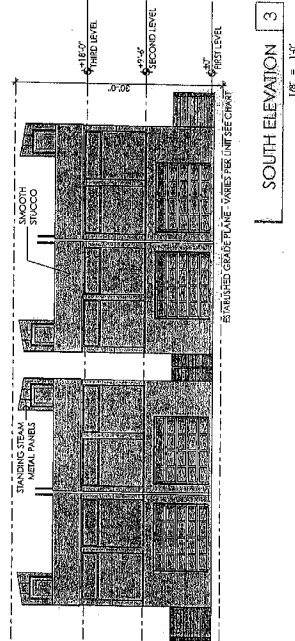
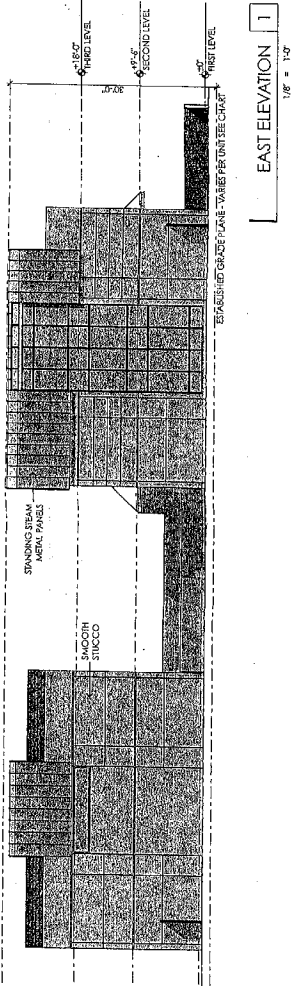
FRONT LOT LINE DESIGNATION	PARCEL D	PARCEL C	PARCEL B	PARCEL A
FRONT YARD	BROOKS AVE	BROOKS AVE	BROOKS AVE	BROOKS AVE
FRONT YARD SETBACK	10'	10'	10'	10'
SIDEYARD E/SIDE	0'	0'	0'	5'
SIDEYARD W/SIDE	5'	0'	0'	0'
REAR YARDS	5'	5'	5'	5'
AREA (SF) (GROSS)	2,797	2,407	2,407	2,797
NET AREA (AFTER DED.)	2,647	2,277	2,277	2,647

Exhibit 2

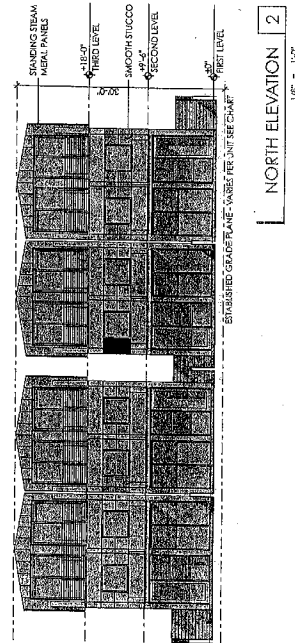
Page 3 of 3



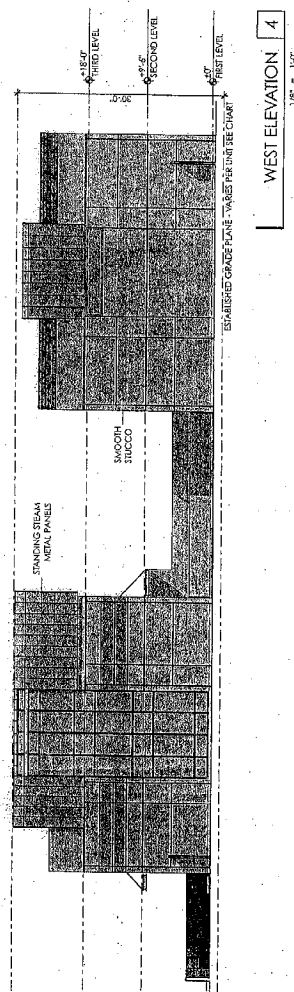
California Coastal
Commission



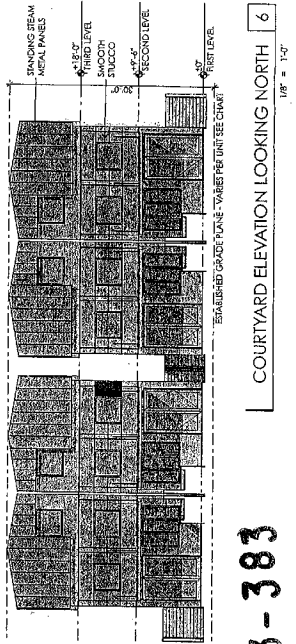
SOUTH ELEVATION 3



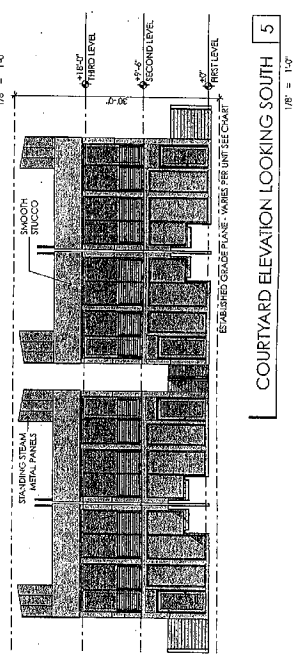
NORTH ELEVATION 2



WEST ELEVATION 4



COURTYARD ELEVATION LOOKING NORTH 6



COURTYARD ELEVATION LOOKING SOUTH 5

BUILDING HEIGHT CALCULATIONS
PROJECT: 05.17.12 PARCEL SUBMITTAL
SUBDIVISION: BROOKS AVE SMALL LOT
BUILDING HEIGHT: 30'-0"

PARCEL A
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL B
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL C
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL D
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL E
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL F
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL G
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL H
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL I
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL J
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL K
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL L
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL M
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL N
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL O
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL P
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL Q
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL R
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL S
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL T
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL U
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL V
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL W
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL X
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL Y
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PARCEL Z
STANDING STEAM METAL PANELS
BUILDING HEIGHT: 30'-0"

PROJECT NO. 12-002

BROOKS AVE SMALL LOT
SUBDIVISION
OWNER: David Smith
ADDRESS: 12345 Main St, Venice, CA 90291
PHONE: 310.337.5572
EMAIL: dsmith@earthlink.net

05.17.12 PARCEL SUBMITTAL
SCALE: AS SHOWN
DATE: 8/24/12

EXTERIOR ELEVATIONS

SCALE

ZA 2013-383

Exhibit 3

Page 1 of 11



California Coastal
Commission



livinghomes®

ISSUE TO CALIFORNIA COASTAL COMMISSION

10.18.16

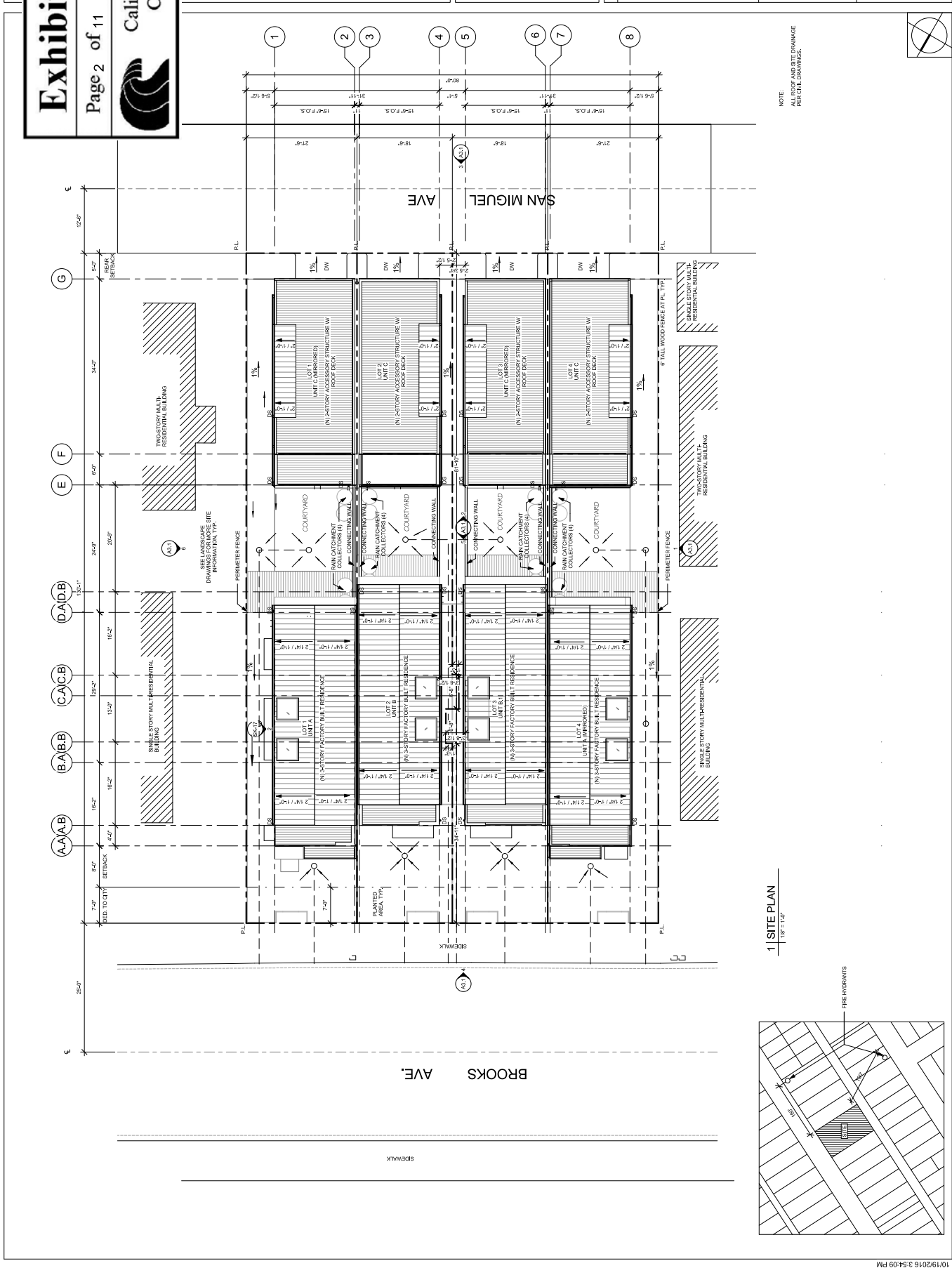


Exhibit 3

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California Coastal
Commission

STRUCTURAL ENGINEER
RAS TAVARES ASSOCIATES, INC.
18875 W. BERNARDO DR., STE. 285
SUNLAND, CA 91760
P. 818.444.3344 x 1810

ELECTRICAL ENGINEER
18340 VENTURA BLVD.
TARZANA, CA 91356
P. 818.371.1171

MECHANICAL

7407 ALABAMA AVE.
ST. LOUIS, MO 63111
P. 602.626.6000

GEOTECHNICAL ENGINEER
APPLIED EARTH SCIENCES
10000 W. 10TH AVE. #100
GLENNDALE, CA 91204
P. 818.252.6000
F. 818.252.6007

CIVIL ENGINEER
DHS & ASSOCIATES, INC.
10000 W. 10TH AVE. #100
GLENNDALE, CA 91204
P. 818.252.6000
F. 818.252.6007

PROJECT:
BROOKS AVENUE
HOMES
742 - 748 BROOKS AVE
VENICE, CA 90291
Legal Description:
ACROSS THE CREEKS
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
LOT 38, 39, 40, 41
REFERENCE BOOK 96, P 97-98
TRACT # 8415
APN# 423-901-3028

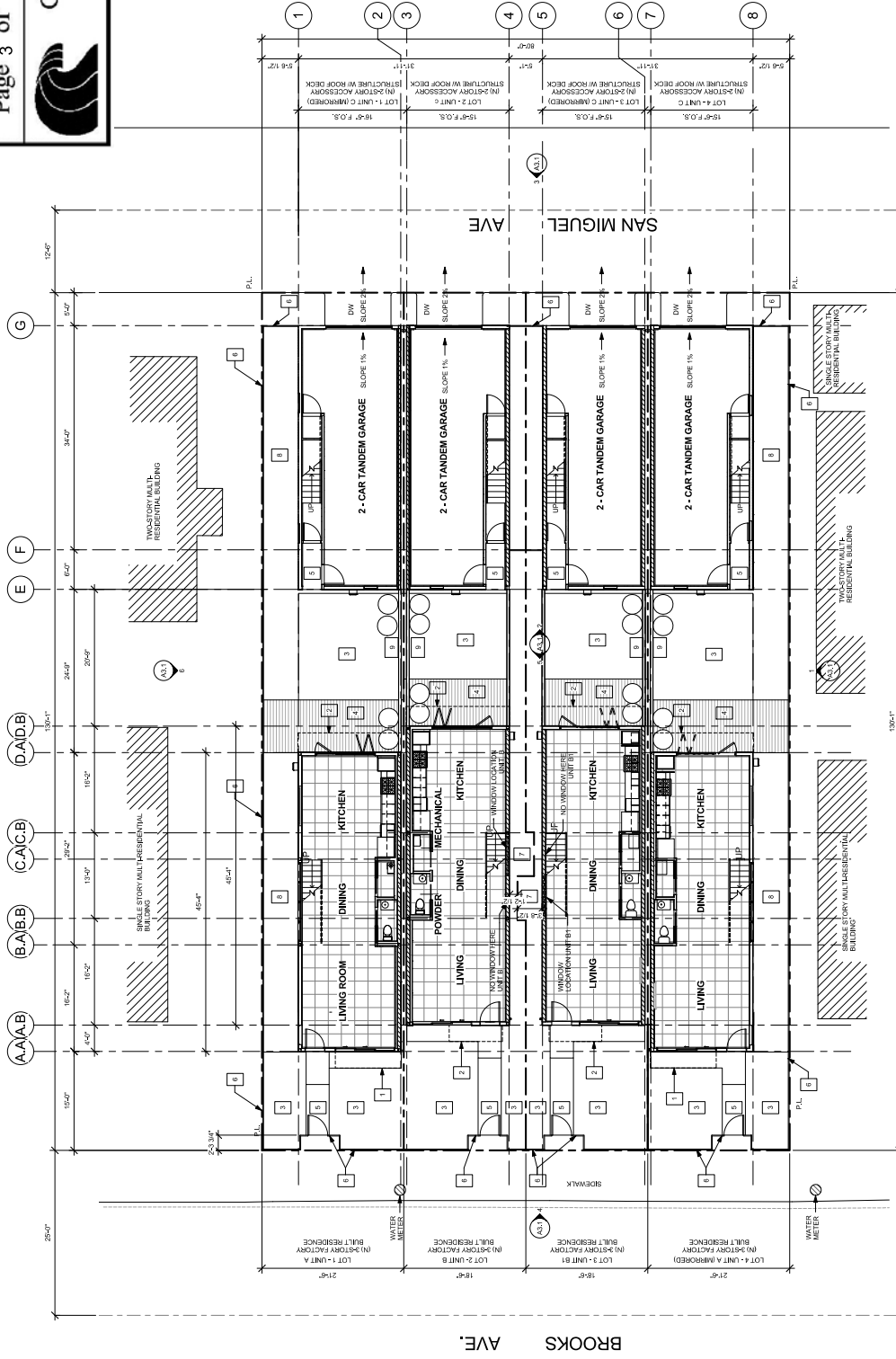
ISSUED:
ISSUE TO CA COASTAL COMMISSION: 10.18.16

A	C-1
B	C
B-1	C-1
A-1	C

DATE: 12.12.14

SHEET: A1.2

SITE PLAN - FIRST FLOOR



- SITE DETAILED:**
- 1- EDGE OF AVENUE ABOVE
 - 2- EDGE OF AVENUE ABOVE
 - 3- LANDSCAPE AREA (PERMANENT)
 - 4- SITE-SHIFT DECK
 - 5- POURED CONC. WALKWAY
 - 6- SITE CONSTRUCTED W/ FENCE, 6 FT TALL, 4 IN @ BROOKS
 - 7- WINDOWS AT ADJACENT ELEVATIONS OF B AND C1 COORDINATED WITH PROPERTY LINE JWG
 - 8- SEE LANDSCAPE DWG
 - 9- ONE CONDENSER UNIT FOR EACH LOT'S HOUSE AND GARAGE - EXACT LOCATION TIED

1 | SITE PLAN - FIRST FLOOR
1/8" = 1'-0"

Exhibit 3

Page 4 of 11



California Coastal
Commission

100 LEBANON
P. 323.773.6988
STRUCTURAL ENGINEER
RAS TAVARES ASSOCIATES, INC.
18875 W. BERNARDO DR., STE. 285
SUNLAND, CA 91761
P. 866.444.334 x 1810

ELECTRICAL ENGINEER
18340 VENTURA BLVD.
TARZANA, CA 91356
P. 818.371.1171

MECHANICAL
7407 ALABAMA AVE.
ST. LOUIS, MO 63111
P. 602.626.6000

GEOTECHNICAL ENGINEER
APPLIED EARTH SCIENCES
15000 S. GARDEN RD.
GLENDALE, CA 91204
P. 818.252.8000
F. 818.252.8007

CIVIL ENGINEER
DHS & ASSOCIATES, INC.
15000 S. GARDEN RD., SUITE 205
275 CENTENNIAL WAY, SUITE 205
TUSTIN, CA 92780
P. 714.655.5589

PROJECT:
**BROOKS AVENUE
HOMES**
742 - 748 BROOKS AVE
VENICE, CA 90291

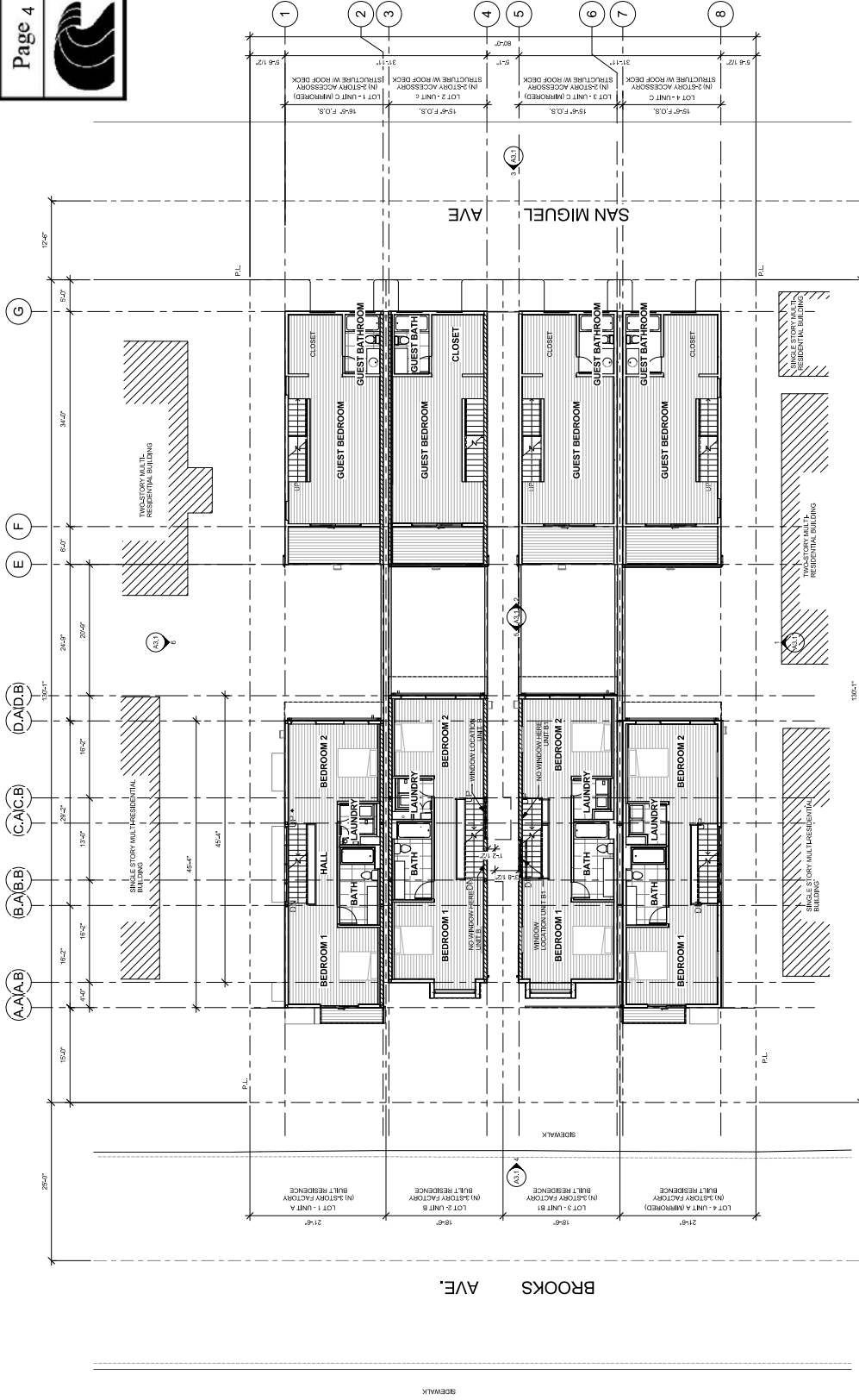
Legal Description:
LOT 3, UNITS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, 1/4 SECTION 16, TOWNSHIP 11N, RANGE 10S, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
NOT 38% REFERENCE BOOK #6, P. 97-58
TRACT # 8415
APN# 423-901-3028

ISSUED:
ISSUE TO CA COASTAL COMMISSION: 10.18.16

DATE: 10/19/16

SHEET: **A1.3**

**SITE PLAN -
SECOND FLOOR**



1 | SITE PLAN - SECOND FLOOR

1/8" = 1'-0"

Exhibit 3

Page 5 of 11



California Coastal Commission

STRUCTURAL ENGINEER
RAS TAVARES ASSOCIATES, INC.
16875 W. BERNARDO DR., STE. 285
SUNLAND, CA 91760
P. 818.444.3344 x 1810

ELECTRICAL ENGINEER
18340 VENTURA BLVD.
TARZANA, CA 91356
P. 818.371.1171

MECHANICAL
7407 ALABAMA AVE.
ST. LOUIS, MO 63111
P. 602.626.8000

GEOTECHNICAL ENGINEER
APPLIED EARTH SCIENCES
11000 WILSON BLVD. #200
GLENDALE, CA 91204
P. 818.252.8000
F. 818.252.8007

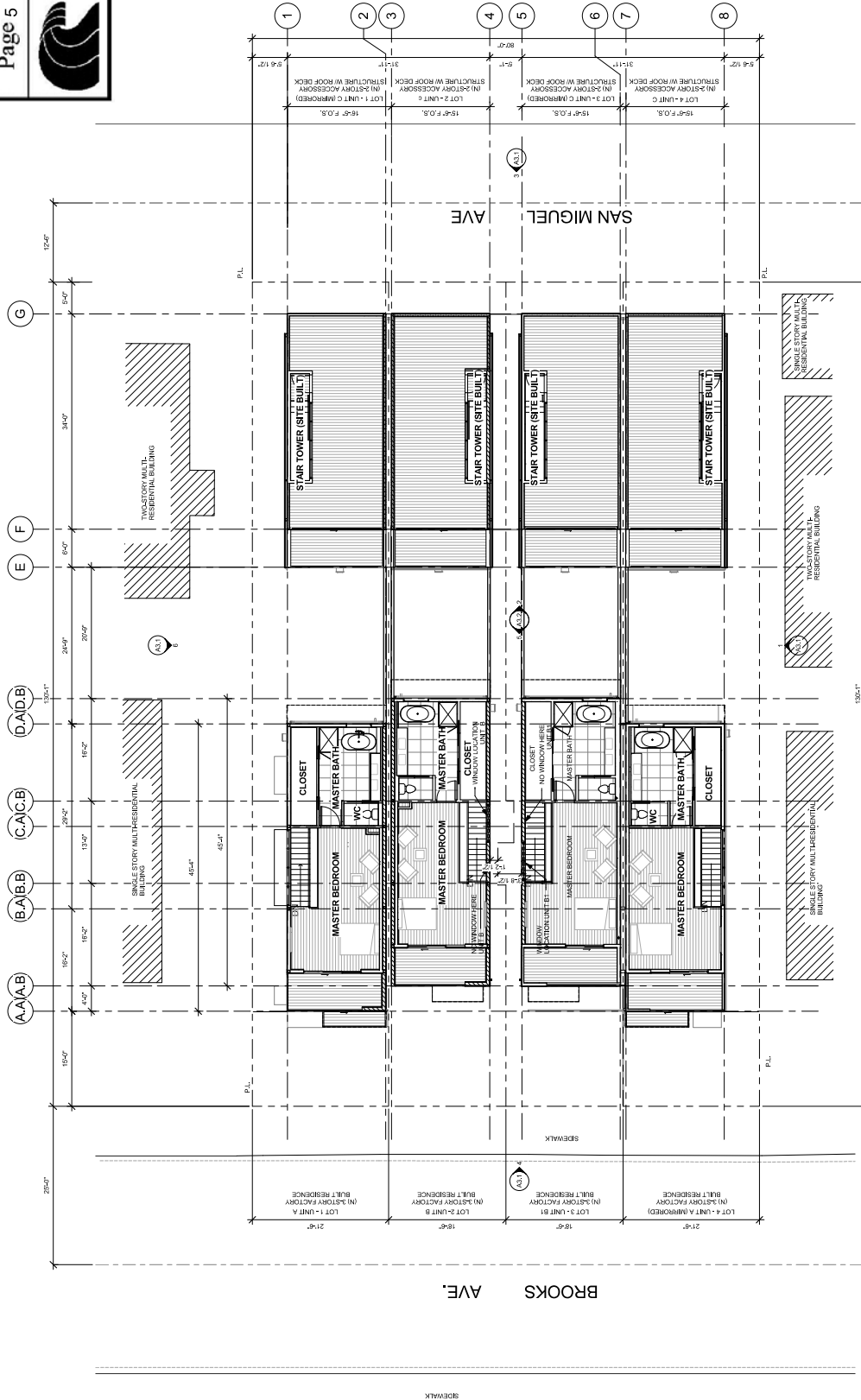
CIVIL ENGINEER
DHS & ASSOCIATES, INC.
275 CENTENNIAL WAY, SUITE 205
TUSTIN, CA 92780
P. 714.855.5589

PROJECT:
BROOKS AVENUE
HOMES
742 - 748 BROOKS AVE
VENICE, CA 90291

Legal Description:
LOT 3, UNIT 3, BROOKS AVE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
MAP REFERENCE BOOK 96, P. 97-58
LOT 38, TRACT 38
TRACT # 8415
APN# 423-901-3028

ISSUED:
15, 18, 16
ISSUE TO CA COASTAL COMMISSION:

DATE: 10/19/16
SHEET: A1.4
SITE PLAN - THIRD FLOOR



1 | SITE PLAN - THIRD FLOOR
1/8" = 1'-0"

Exhibit 3

Page 6 of 11



NOTE:
ALL LEGAL DESIGN, ARRANGEMENTS, AND CONSENT IN WRITING, SHALL BE OBTAINED FROM THE CALIFORNIA COASTAL COMMISSION PRIOR TO ANY CONSTRUCTION OR ANY OTHER ACTION TAKEN ON THE PROJECT. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA COASTAL COMMISSION AND ANY OTHER AGENCIES INVOLVED IN THE PROJECT.

742-748 BROOKS AVE
VENICE
CALIFORNIA 90291

BROOKS AVE HOMES

rainville • design • studio
landscape design • planning

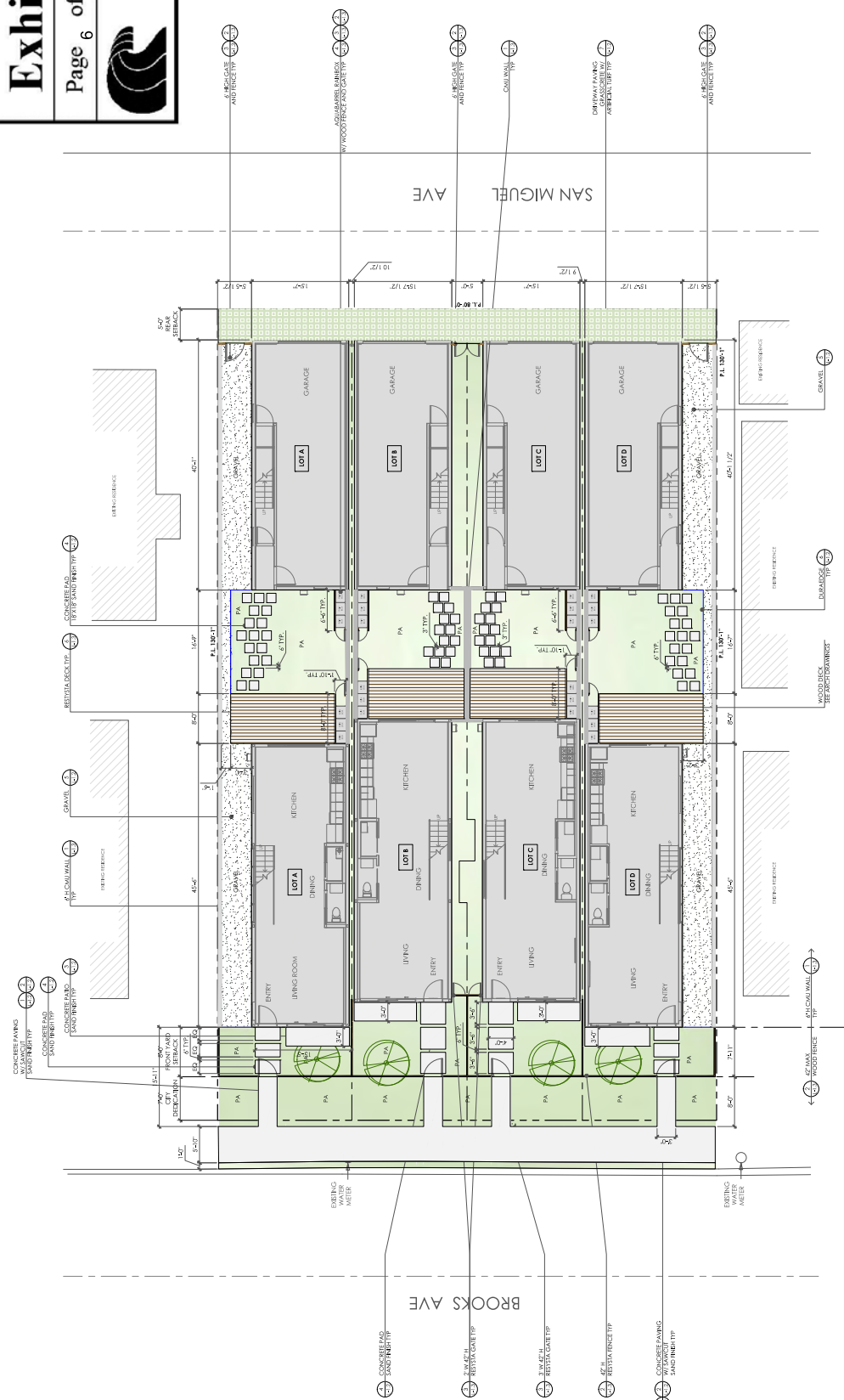
1632 aviation bld
redondo beach
california 90278
ph 310.374.2650
info@rainvillestudio.com

REVISION
08-12-2016
08-14-2016
08-13-2016
05-20-2016
05-24-2016
07-05-2016

DATE : 07.05.2016
SCALE : AS SHOWN
DRAWN BY : ABG

L-1.0

HARDSCAPE PLAN



COVENANT AND AGREEMENT

THE SUBMITTER SHALL RECORD A COVENANT AND AGREEMENT SATISFACTORY TO THE ADVISORY AGENCY GUARANTEEING THAT:

A. THE PLANTING AND IRRIGATION SITES SHALL BE COMPLETED BY THE DEVELOPER/BUILDER PRIOR TO CLOSE OF ESCROW OF 20 PERCENT OF THE UNITS OF THE PROJECT OR PHASE.

B. SIXTY DAYS AFTER LANDSCAPE AND IRRIGATION INSTALLATION, THE LANDSCAPE PROFESSIONAL SHALL SUBMIT TO THE HOMEOWNERS/PROPERTY OWNERS ASSOCIATION A CERTIFICATE OF SUBSTANTIAL COMPLETION (\$12.40 G. LAM.C.)

C. THE DEVELOPER/BUILDER SHALL MAINTAIN THE LANDSCAPING AND IRRIGATION FOR 60 DAYS AFTER COMPLETION OF THE LANDSCAPE AND IRRIGATION INSTALLATION.

D. THE DEVELOPER/BUILDER SHALL GUARANTEE ALL TREES AND IRRIGATION FOR A PERIOD OF SIX MONTHS AND ALL OTHER PLANTS FOR A PERIOD OF 60 DAYS AFTER LANDSCAPE AND IRRIGATION INSTALLATION.

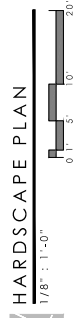
GREEN BUILDING CODE CALCULATIONS

HARDSCAPE MATERIAL W/ MINERALOGICAL REFLECTANT TOTAL SOLAR REFLECTANCE INDEX (TSR) OF 0.25

CONCRETE PAVING	TSR	AREA (SQ. FT.)	TSR REQUIREMENT	TSR
CONCRETE PAVING (PAVING) / PAVER WALLS	0.25	580.330	0.25	145.075
CONCRETE PAVING (PAVING) / PAVER WALLS	0.25	642.97	0.25	160.7425
TOTAL				305.8175

SHADE PROVIDED BY TREES AND PLANTING

LOCATION	TYPES OF SHADING	SQ. FT.
STREET LEVEL	PLANTING / TREE CANOPIES	2,234.50 FT.
	2,234.50 FT. / 10,405.50 FT. = 0.2146 (100) - TOTAL 21 %	
TOTAL PERCENTAGE = 21 %		



PLANTING PLAN

11M LEFEVRE
P. 323 778 6988

STRUCTURAL ENGINEER
R & S TAVARES ASSOCIATES, INC.
16875 W. BERNARDO DR., STE. 285
SAN DIEGO, CA 92127
P. 858.444.3344 x 1810

ELECTRICAL ENGINEER
JM&A
18340 VENTURA BLVD.,
TARZANA, CA 91356
P. 818.757.1171

MECHANICAL

UNICO
7401 ALABAMA AVE.
ST. LOUIS, MO 63111
P. 602.826.6000

GEOTECHNICAL ENGINEER
APPLIED EARTH SCIENCES
4742 SAN FERNANDO RD.
GLENDALE, CA, 91204
P. 818.552.6000

CIVIL ENGINEER
DHS & ASSOCIATES, INC.
STEVE NAZEMI, P.E., MSCB
275 CENTENNIAL WAY, SUITE 200
TUSTIN, CA, 92780
714.665.6569

PROJECT:
BROOKS AVENUE
HOMES
742 - 748 BROOKS AVE
VENICE, CA 90291

Legal Description:
CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA
MAP REFERENCE: BOOK 96, P 57-58
LOT: 38 & 39
TRACT #: 8415
CITY OF LOS ANGELES, CALIFORNIA

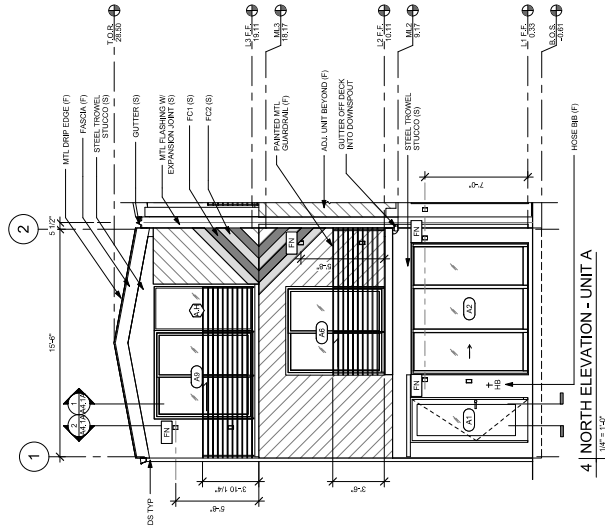
0311531

ISSUE TO CA COASTAL COMMISSION- 10.18.18

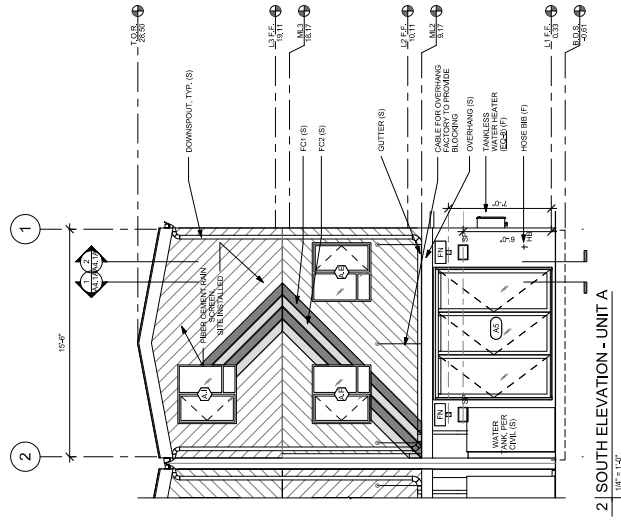
DATE: 09.20.13

SHEET: **A3.1A**
ELEVATIONS - UNIT
A

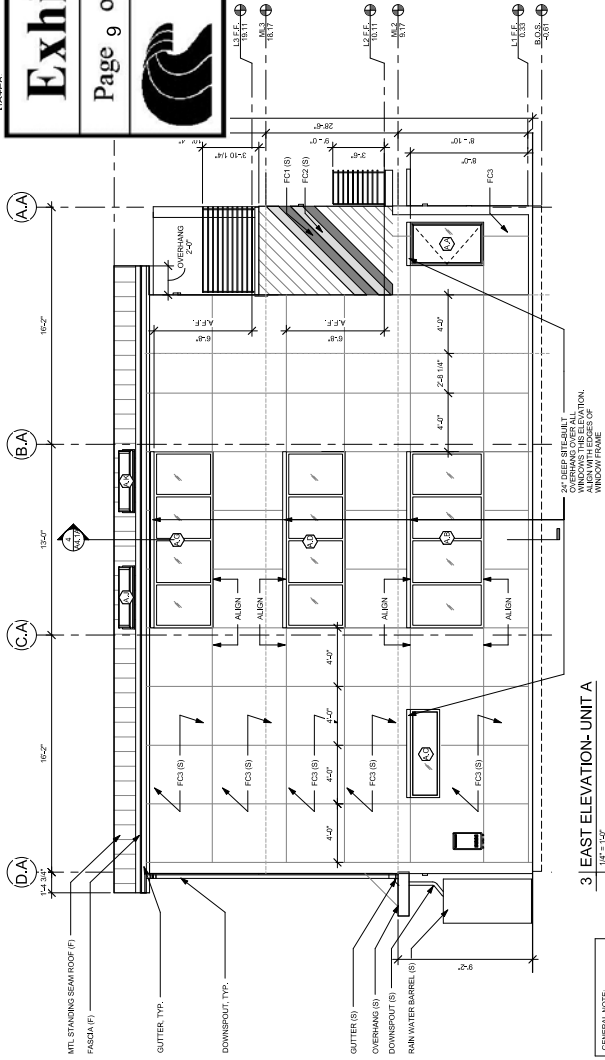
A



4 | NORTH ELEVATION - UNIT A

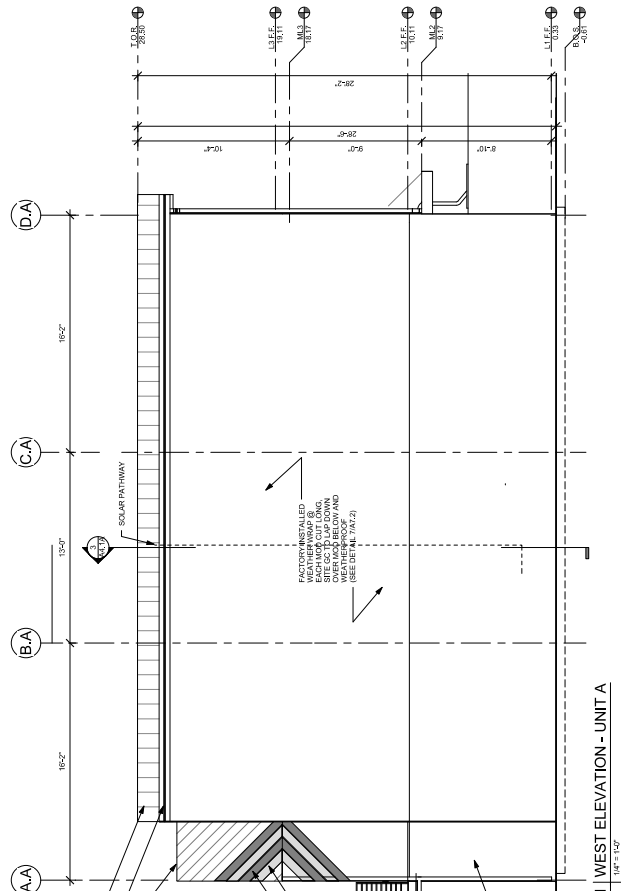


2 | SOUTH ELEVATION - UNIT A



3 | EAST ELEVATION- UNIT A

GENERAL NOTE:
PROVISIONS TO BE MADE TO
MAKE ALL STRUCTURAL
CONNECTIONS AND SERVICE
CROSSOVER CONNECTIONS
ON-SITE. PROVIDE ACCESS
PANELS WHERE REQUIRED.
FACTORY TO COORDINATE
AND PROVIDE INSTALLATION
MANUAL TO SITE GC.
COORDINATE WITH



WEST ELEVATION - UNIT A

FACTORY-INSTALLED -
WEATHER WRAP @
EACH JOINT CUT LONG,
SITE GC TO LAP DOWN,
OVER JOINT BELOW AND
WEATHER-PROOF
(SEE DETAIL 7/A7.2)

Exhibit 3

Page 10 of 11

California Coastal
Commission

STRUCTURAL ENGINEER
RAS TAVARES ASSOCIATES, INC.
16875 W. BERNARDO DR., STE. 285
SUNLAND, CA 91760
P. 818.444.3344 x 1810

ELECTRICAL ENGINEER
18340 VENTURA BLVD.
TARZANA, CA 91356
P. 818.371.1171

MECHANICAL

7407 A ARBAMA AVE.
ST. LOUIS, MO 63111
P. 602.253.6000

GEOTECHNICAL ENGINEER
APPLIED EARTH SCIENCES
4600 S. GARDEN RD.
GLENDALE, CA 91204
P. 818.252.8000
F. 818.252.8007

CIVIL ENGINEER
DHS & ASSOCIATES, INC.
275 CENTENNIAL WAY, SUITE 205
TUSTIN, CA 92780
714.655.5559

PROJECT:
BROOKS AVENUE
HOMES
742 - 748 BROOKS AVE
VENICE, CA 90291

Legal Description:
CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA
LOT 38, REFERENCE BOOK 96, P. 97-58
TRACT # 8415
APN# 423-901-3028

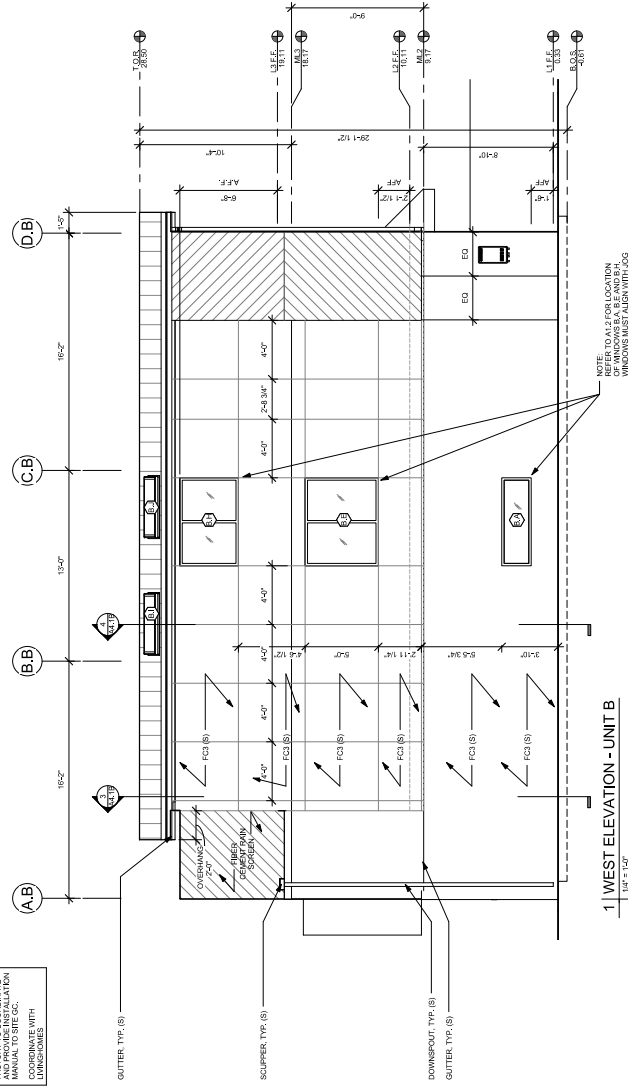
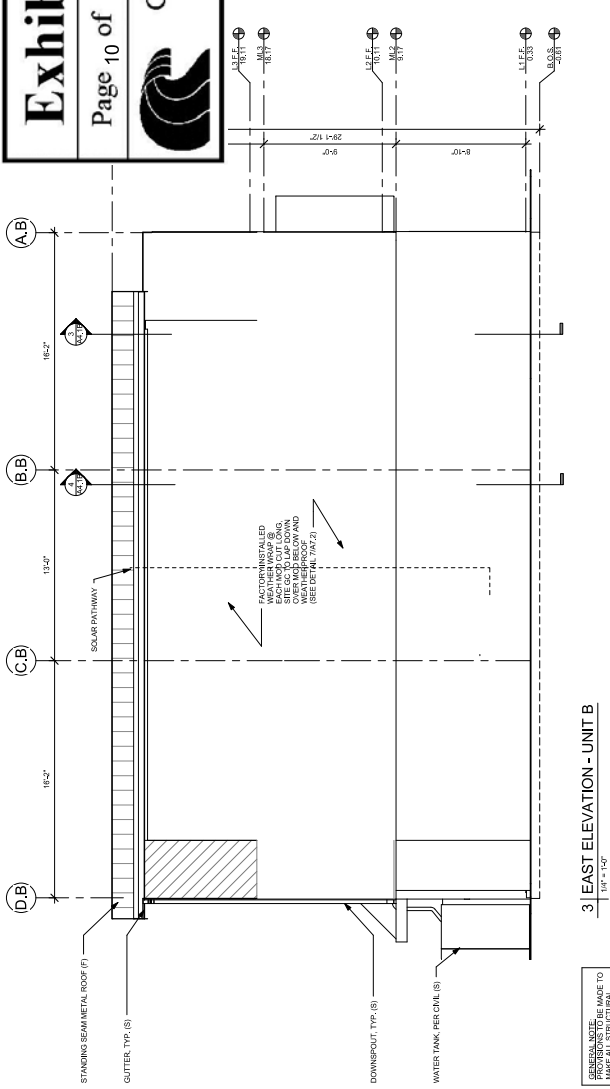
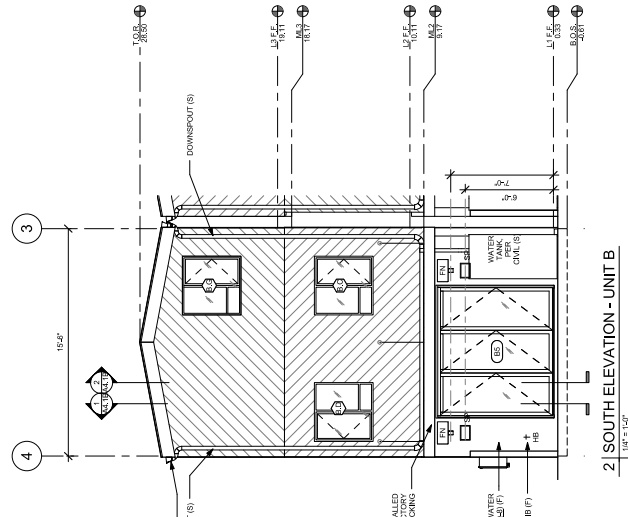
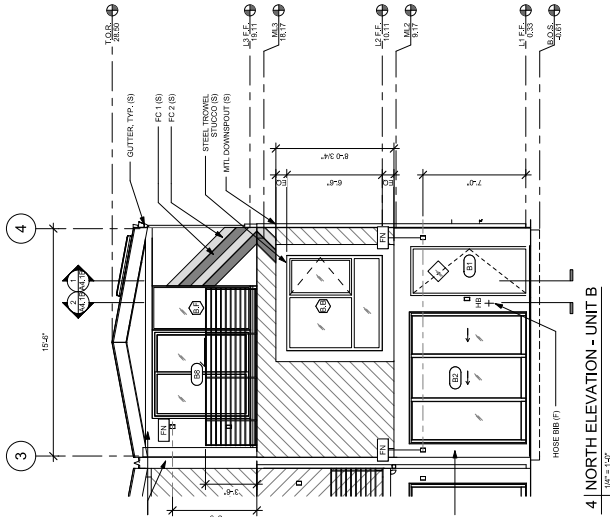
ISSUED:
ISSUE TO CA COASTAL COMMISSION: 10.10.16

A	B	C.1
		C
B.1	A.1	C.1
		C

DATE: 09.20.13

SHEET: A3.1B

ELEVATIONS - UNIT B



NOTE:
IF ANY GLASS OR POLYMER
OF WINDOWS IS USED,
WINDOWS MUST ALIGN WITH LOG
PARTICULAR LINE

GENERAL NOTE:
ALL MATERIALS MADE TO
MAKE ALL STRUCTURAL
CROSSOVER CONNECTIONS
AND ALL CONNECTIONS
PANELS WHERE REQUIRED,
APPROVED FOR INSTALLATION
AND PRODUCTION
MANUAL TO SITE GC.
CONFORMANCE WITH
CONFORMANCE

Exhibit 4

Page 1 of 2



California Coastal
Commission

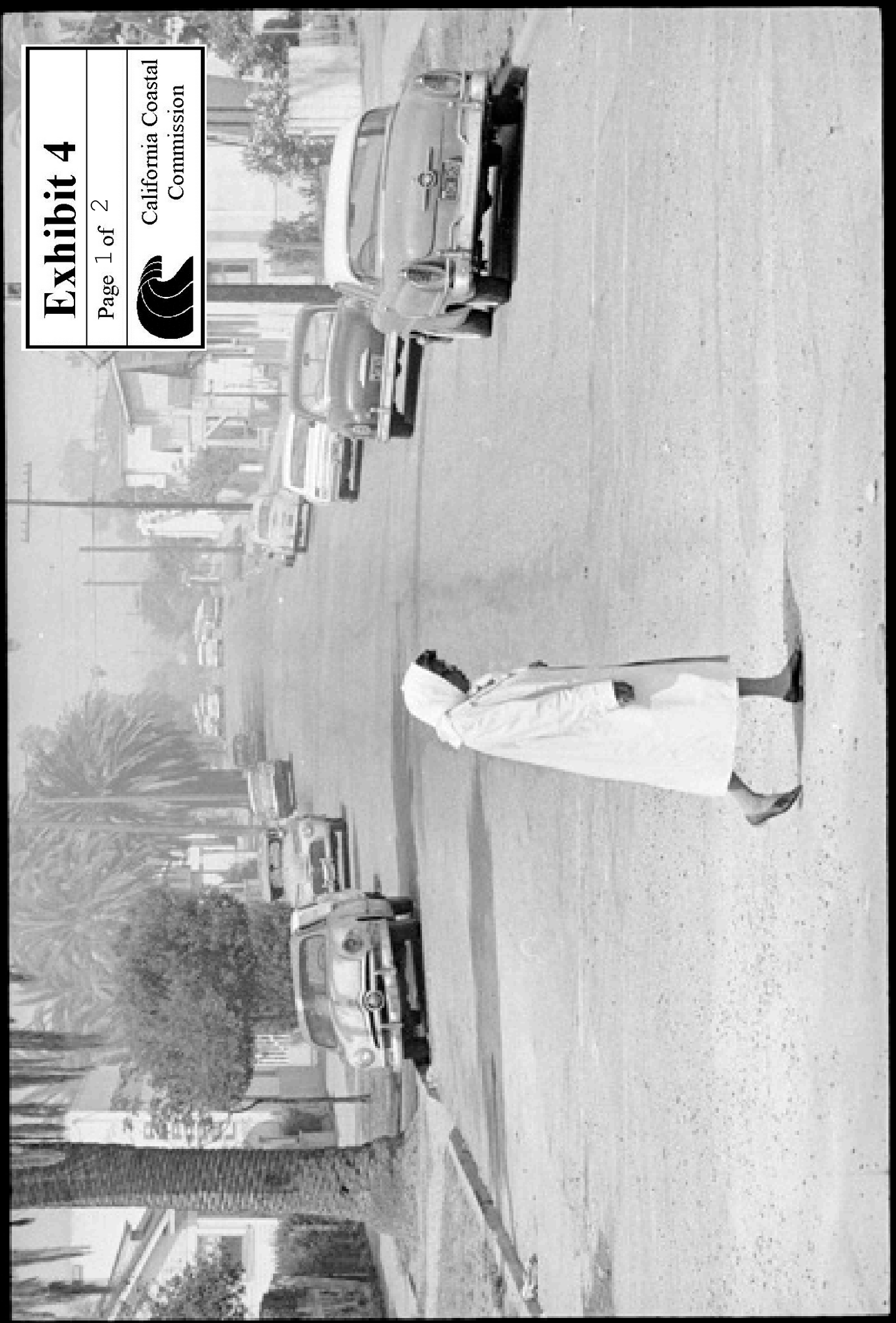


Exhibit 4

Page 2 of 2



California Coastal
Commission





742-748 Brooks Avenue, Venice, 90291

Front view of 742-748 Brooks. It doesn't fit the mass, character, scale of block.



View from 742-748 Brooks looking across the street. Doesn't fit mass, character, scale of block.



Date: 11/21/16

To: Ramin Kolahi
From: Residents of Brooks Avenue

Exhibit 5

Page 2 of 6



California Coastal
Commission

Residents of Brooks Changes For 742-748 Brooks

Using an analysis of the block (from Lincoln Blvd to 7th Avenue) we've identified what will make 742-748 Brooks acceptable to the residents of Brooks Avenue.

742-748 Brooks are modular homes - easier to make changes.

It's important to note that 742-748 Brooks are pre-fabricated modular structures. Therefore, they're easier to take down and re-configure when compared to traditional construction. The owner could also use the removed modular units on another project or sell them.

1) Finding: The size of 742-748 Brooks, relative to the lot, is over 4 TIMES LARGER than the median of Brooks Avenue.

Brooks Residents Want:

Square footage to be removed from each of the houses. Remove story #3 from front buildings and remove the second story above the garage to be compatible with the scale and mass of the block.

2) Finding: 96% of the lots on Brooks have 1-2 stories. 742-748 Brooks are three full stories plus a balcony off the third story while 742 + 748 have a balcony on both the third story and second story.

The third stories make this part of the block feel hugely out of place. These properties have a looming feel and protrude outward more than any other buildings.



Brooks Residents Want:

Remove the third story of 742, 744, 746, 748 Brooks.



3) Finding: The fact that 742-748 Brooks has four modern units that look identical, stacked next to each other does not fit the character of the block and it doesn't protect Venice's unique architectural diversity.

- Certified Venice Land Use Plan: "Preservation of Venice as a Special Coastal Community Policy 1. E. 1 General. Venice's unique social and architectural diversity should be protected as a special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.
- Certified Venice Land Use Plan Policy I.E.3. Architecture "Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing."
- On Brooks Avenue there are only two instances of two identical modern buildings stacked next to each other. There aren't more than two identical buildings next to each other.

Brooks Residents Want:

In Venice, every single house should look different to preserve the character of Venice. In this case we're willing to settle for two houses looking completely different from the other two without it setting a precedent for our block or our neighborhood.

5) Finding: The setback of 742-748 Brooks is too close to the sidewalk and doesn't match the block.

Compared to the other properties on Brooks, especially properties directly next door, it protrudes too far toward the sidewalk.

Certified Venice Land Use Plan Policy I.E.2. Scale: "New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged."

Brooks Residents Want:

742-748 Brooks needs to be setback further to be the same as existing surrounding homes.

6) Finding: 742 Brooks is too close to neighbor

When Lighthouse Brooks was building 742 Brooks they were unable to build it without placing their ladders on the next-door neighbors property. They did not have permission from the next-door neighbor to do this.



Exhibit 5

Page ⁴ of ⁶



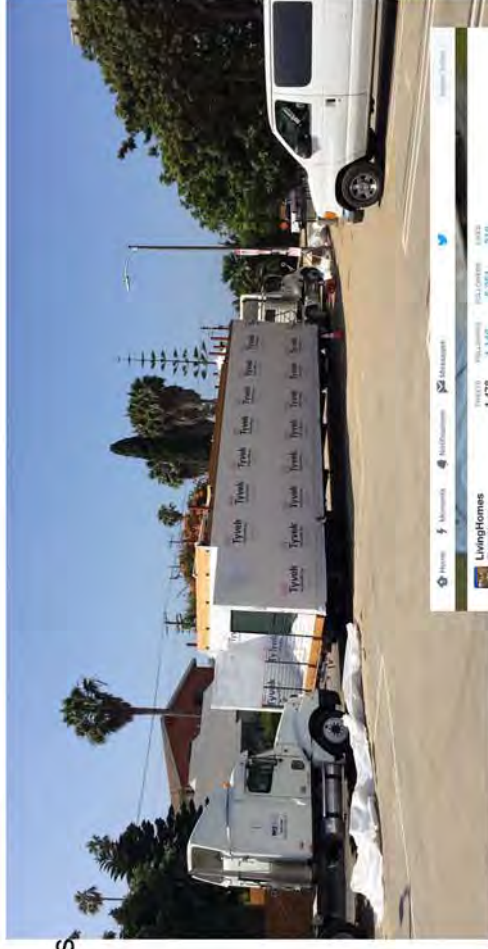
California Coastal
Commission

Brooks Residents Want: 742 Brooks to be smaller so that it's not so close to the next-door neighbor's property. There is no way this building can be serviced in the future without ladders needing to be placed on the neighbor's property. The neighbor hasn't provided permission.



742-748 Brooks, Venice, 90291

Huge double wide trucks lined Brooks Ave to construct 20 prefab modules into six structures. They needed such a huge crane to lift the modules it caved in the street and broke the water main + flooded the street. Residents woke up to no running water. Their pre-fab company bragged about the project by live tweeting this event while this is what we experienced. Day one of construction concluded with the murder of one of their sub-contractors Marvin Ponce.

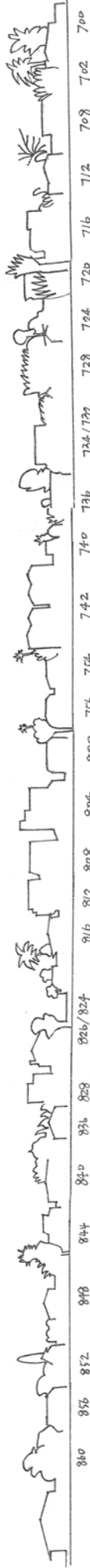


The murder didn't stop Lighthouse Brooks from working full force on day 2 when they lined the other side of the street with more prefabs blocking businesses.



Mass, Scale, and Character: Streetscape Template

Mass, Scale and Character - Streetscape Template



SOUTH SIDE - BROOKS AVENUE

Exhibit 6

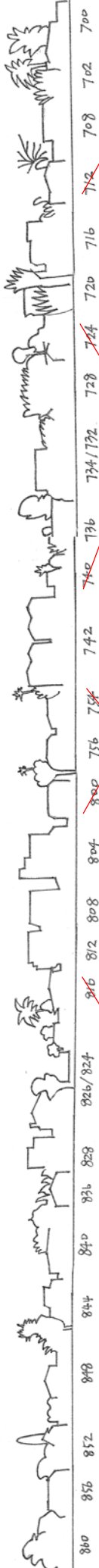
Page 1a of 10



California Coastal
Commission



NORTH SIDE - BROOKS AVENUE



SOUTH SIDE - BROOKS AVENUE

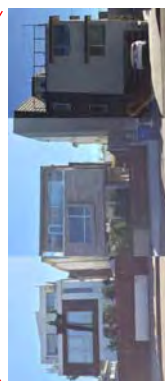


Exhibit 6

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SOUTH SIDE OF BROOKS AVENUE

860 - 816 Brooks Avenue (even numbers)

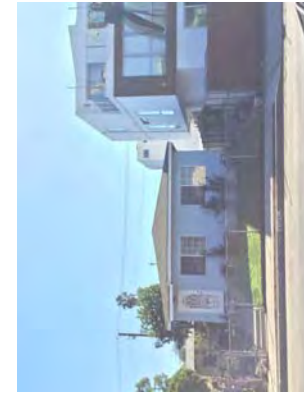
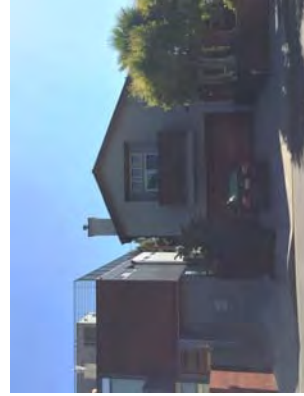
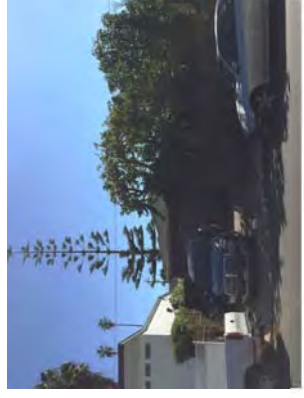
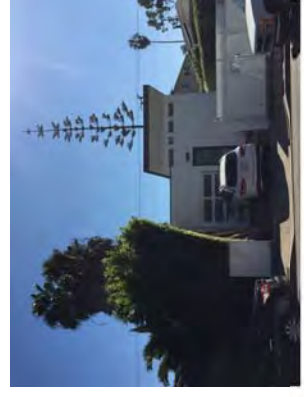


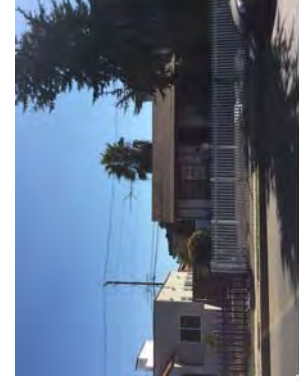
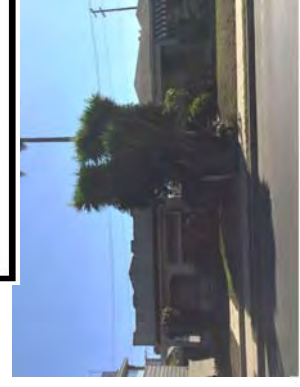
Exhibit 6

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SOUTH SIDE OF BROOKS AVENUE

812 - 742 Brooks Avenue (even numbers)



SOUTH SIDE OF BROOKS AVENUE

Exhibit 6

Page⁴ of 10



California Coastal
Commission

736 - 712 Brooks Avenue (even numbers)

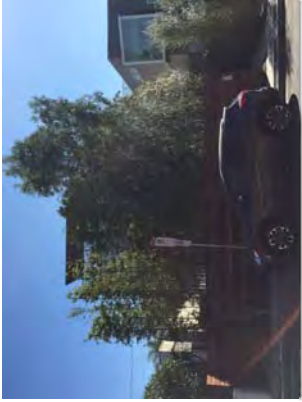


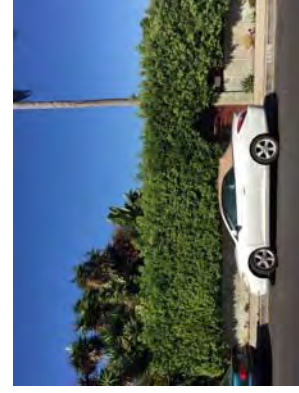
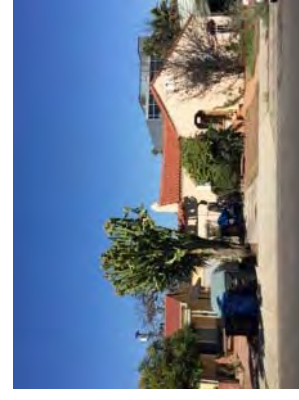
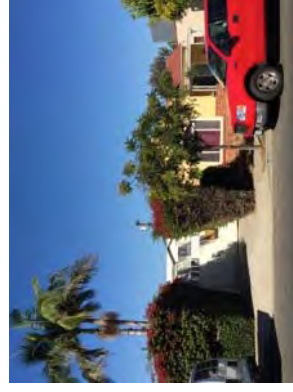
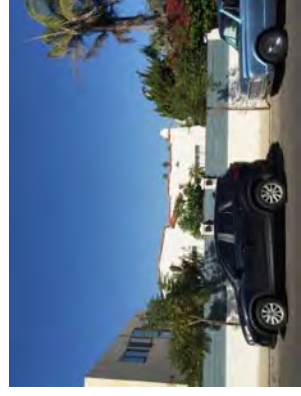
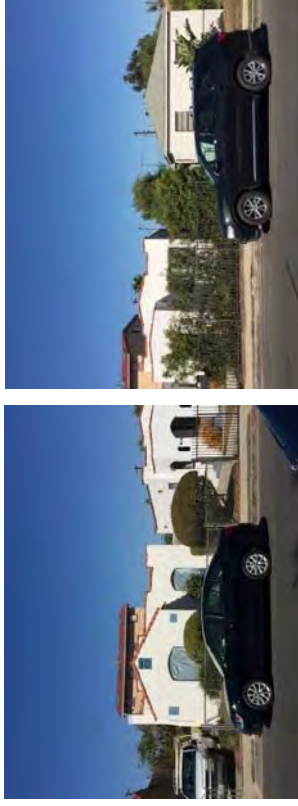
Exhibit 6

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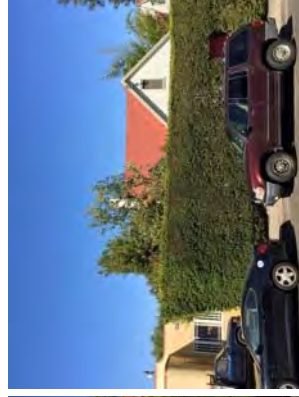
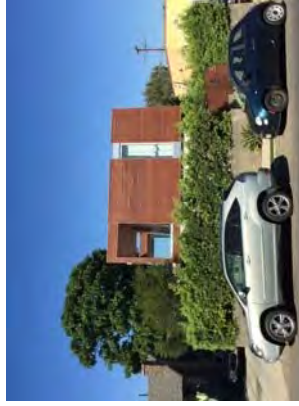
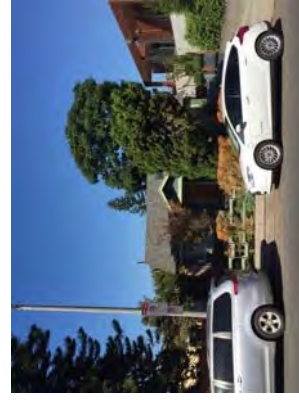
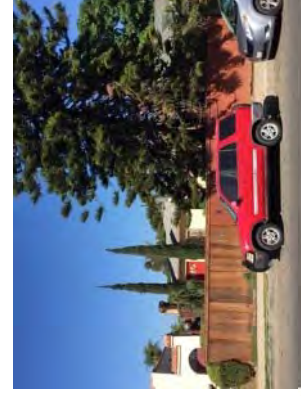
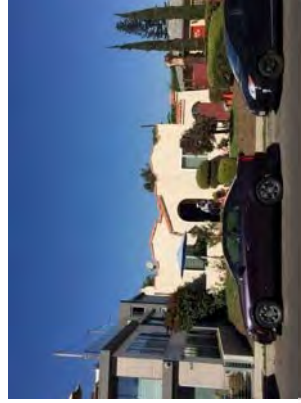
NORTH SIDE OF BROOKS AVENUE

705 - 745 Brooks Avenue (odd numbers)



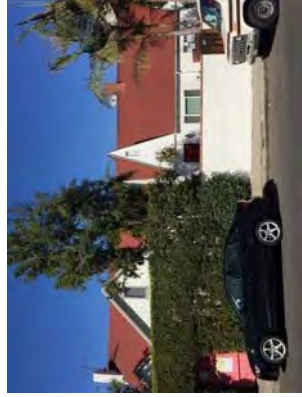
NORTH SIDE OF BROOKS AVENUE

749 - 835 Brooks Avenue (odd numbers)



NORTH SIDE OF BROOKS AVENUE

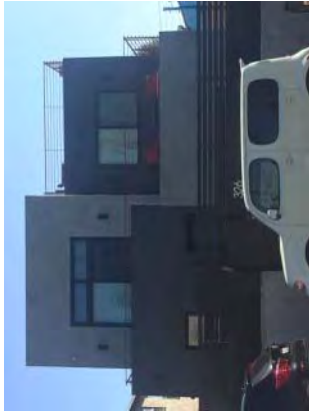
837 – 845 Brooks Avenue (odd numbers)



406-410 Brooks Ave.



326 Brooks Ave.



534 Indiana Ave.



540 Vernon Ave.



546 Vernon Ave.



557 Vernon Ave.



610 7th Ave.



EXAMPLES OF 2 & 3 STORY NEARBY VENICE NEIGH

520 Broadway

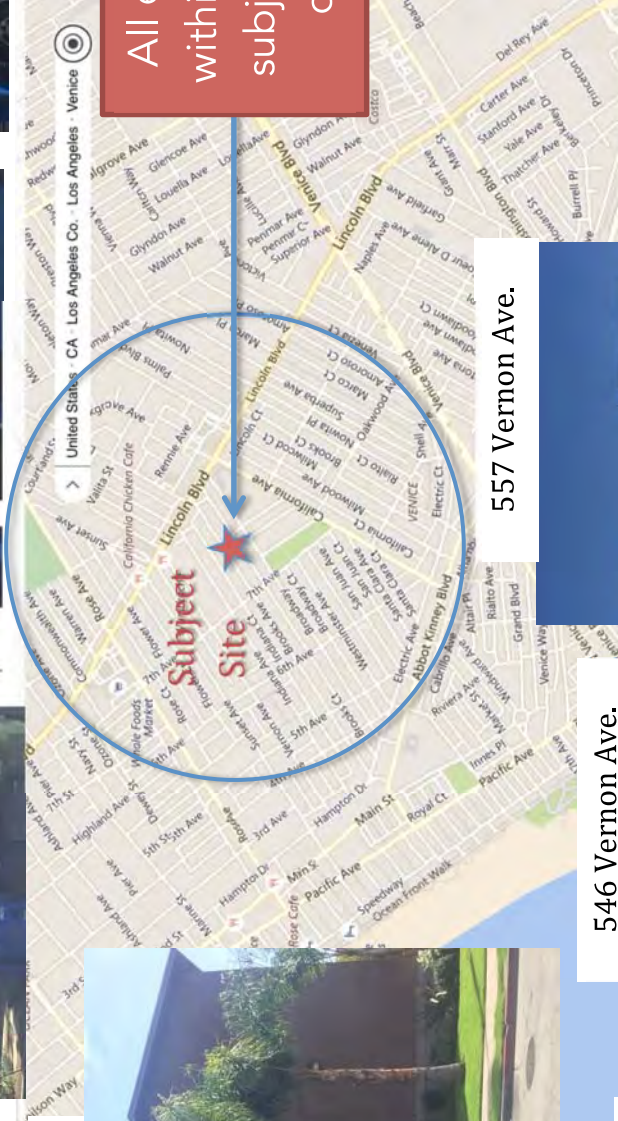


Exhibit 6

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California Coastal
Commission

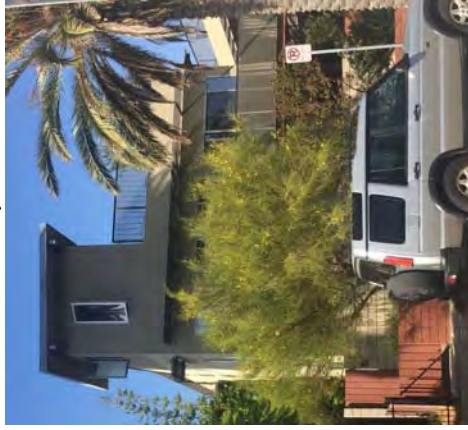


All examples located
within 1/2 mile radius of
subject site and south
of Lincoln Blvd.

615 6th Ave.



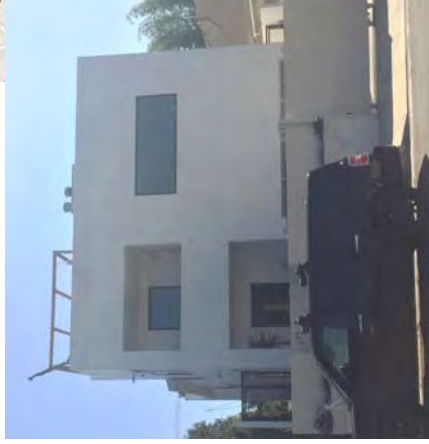
619 San Juan Ave.



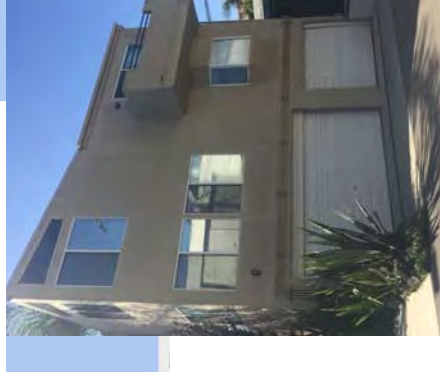
629 Vernon Ave.



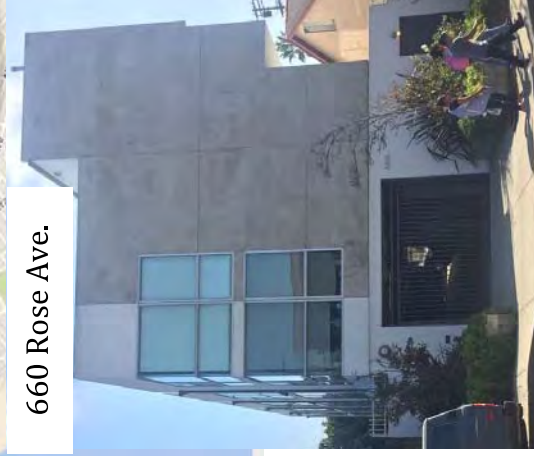
644 Brooks Ave.



605 Vernon Ave.



660 Rose Ave.



All examples located within 1/2 mile radius of subject site and south of Lincoln Blvd.



645 Indiana Ave.



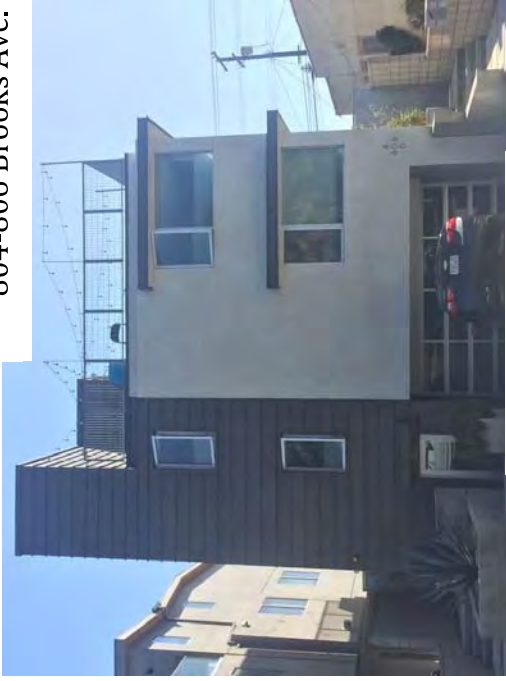
Exhibit 6

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California Coastal
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804-806 Brooks Ave.



659 Broadway Ave.



828 Brooks Ave.



1002 5th Ave.



709 Broadway Ave.

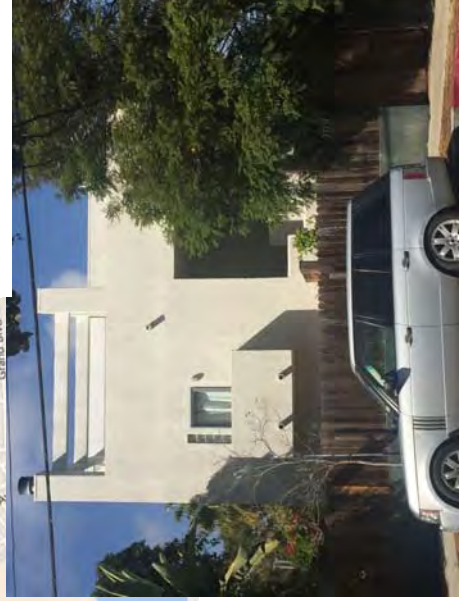


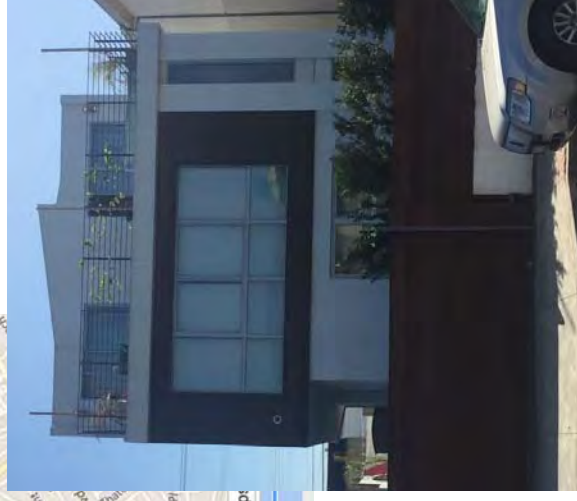
Exhibit 6

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All examples located within 1/2 mile radius of subject site and south of Lincoln Blvd.

812 Brooks Ave.



LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING
MICHAEL J. LOGRANDE
DIRECTOR

Exhibit 7

Page ¹ of ¹¹



California Coastal
Commission

October 23, 2013

Ramin Kolah (O)
1180 S. Beverly Drive, Suite 508
Los Angeles, CA 90035

Steven Nazemi (R)
275 Centennial Way Suite 205
Tustin, CA 92780

CASE NO. ZA 2013-383(CDP)(MEL)
COASTAL DEVELOPMENT PERMIT
Related Case: AA-2012-2949-PMLA-SL
742-744 Brooks Avenue, and
746-748 Brooks Avenue
Venice Planning Area
Zone : RD1.5-1
D. M. : 111B145
C. D. : 11
CEQA : ENV-2012-2950-MND
Legal Description : Lot 38 & 39,
Tract 8415

Pursuant to Los Angeles Municipal Code Section 12.20.2, I hereby APPROVE:

a Coastal Development Permit to allow the construction of four single-family dwellings on four lots, in conjunction with Parcel Map AA-2012-2949-PMLA-SL, within the single permit jurisdiction of the California Coastal Zone in the RD1.5-1 Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

DI

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. The project shall comply with the applicable provisions of the Venice Coastal Zone Specific Plan (Ordinance No. 175,693 or its subsequent amendments, if any).
8. This approval is tied to Parcel Map AA-2012-2949-PMLA-SL and ENV-2012-2950-MN, approved by the Deputy Advisory Agency on October 23, 2013. The applicant shall comply with all conditions of approval of the parcel map and mitigation measures included in the parcel map approval.
9. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented

or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after November 7, 2013, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>.** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

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

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this Office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on August 14, 2013, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a coastal development permit as enumerated in Section 12.20.2 of the Municipal Code have been established by the following facts:

BACKGROUND

The subject property consists of two rectangular-shaped interior, recorded, lots each having a frontage of approximately 40 feet, and a depth of approximately 130 feet. The site has an existing apartment building with a four car garage

The address for the first lot is; 742-744 Brooks Avenue, and is presently developed with a duplex, the address for the second lot is, 746 -748 Brooks Avenue and is developed with a triplex with an attached garage.

Surrounding properties are located in the RD1.5-1 Zone and developed with multifamily dwellings. Adjoining the property to the south is San Miguel Avenue, dedicated to a width of 25 feet. There are two dwellings along the south side of San Miguel Avenue. To the east of the subject site is a two story apartment building and to the west is a one story apartment building.

The property is located in the Venice Community Plan area and is designated for Low Residential II land use, consistent with the existing and proposed use of the site and the

existing RD1.5 Zone. The subject site is also located in the Venice Coastal Zone Specific Plan (ZI-2405 Directors' Interpretation of the Venice SP for small lot subdivision)

The applicant proposes to develop four new three story single family dwellings (small lot subdivision) containing 2,492 square feet floor area per lot. There will also be an attached garage containing 660 square feet. Site improvement will include a courtyard between the garage and the main house.

The maximum height of the building, as measured under code regulations, will be 30 feet (as measured from the centerline of the street at the middle of Brooks Ave, the maximum height will be 30 feet) the façade of the dwelling will be finished with integrally colored plaster and wood. The building will cover approximately 50 percent of the lot area: the floor area ratio will be 1:1.

Two parking spaces are required per lot; two covered parking spaces will be provided per unit. There are three existing trees onsite, two 10-inches in diameter (palm trees) on San Miguel Avenue and an orange tree in the side yard. None of the existing trees are protected and will be removed prior to construction.

Previous Related actions in the area include:

Case No.DIR 2012 -2817-VSO-MEL – On October 10, 2012, The Director of Planning approved a Venice Specific Plan Sign-Off to permit for the demolition of a single family dwelling and a two car garage and to construct a new three-story single family dwelling.

Case No. AA 2007-4143-PMLA-SL – On June 25, 2008, the Advisory Agency approved a Parcel Map, Small Lot Subdivision to divide an existing single family home lot into two small lot subdivision single family lots. Single family homes with two and three units on lots about 5,200-sf in size. The surrounding lots are a mix of single family homes, duplexes, triplexes and four unit apartment and condominium projects, zoned RD1.5-1 and designated Low Medium II Residential on the Community Plan. The project is located within the Venice Coastal Specific Plan area.

Case No. AA 2004-2796-PMLA-SL – On January 23, 2004, the Advisory Agency approved a Parcel Map to allow a three unit condominium conversion on a 4,622 square feet lot in the RD1.5-1 Zone.

Case No. AA 2003-5623-PMEX – On October 9, 2008, the Advisory Agency approved a Parcel Map Exemption to allow for the adjustment of the rear property line, in accordance with an existing single family dwelling.

PUBLIC HEARING

A joint public hearing with the Deputy Advisory Agency was held on August 14, 2013 AT Los Angeles City Hall, Room 1020. Only the Applicant and the Applicant's representative were present at the hearing. The Applicant's representative gave an overview of the

project. The representative asked the Advisory Agency to modify the street widening condition so that a cash payment be allowed in lieu of actual street improvement. The Bureau of engineering agreed to modify the condition to allow the payment.

MANDATED FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. **The development is in conformity with Chapter 3 of the California Coastal Act of 1976.**

The development is in conformance with Chapter 3 of the California Coastal Act. Chapter 3 contains the various policy provisions of such legislation. Pertinent to the instant request are the policies with respect to: the Coastal Act provides that new development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such area are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The proposed project is located within a well-developed existing residential area. The building and infrastructure capable of supporting it have been in place for many years. The existing dwelling on the site is not a new development, since it was permitted and built in 1910. Neighboring residential uses are of a similar age. The proposed dwelling will be four new small single family dwellings.

No deviations from the Municipal Code have been requested with respect to building height, parking, yards or lot coverage or any other provisions. The request entails the demolition current dwellings and its replacement with four new dwelling. Abutting uses include apartment buildings.

The proposed development can be accommodated by the existing infrastructure and by existing public services. The subject property has been subjected to a full review of a soils and geology report, after which the Department of Building & Safety issued a Geology and Soils Report Approval Letter dated December 12, 2012. The applicant will be required to implement the conditions contained in that Approval Letter to the satisfaction of the Department of Building and Safety.

The project has no adverse effects on public access, recreation, public access views of the marine environment. Further it is no denser from the existing use. It is a single family dwelling replacing an existing apartment building. The proposed new dwellings will neither interfere with nor reduce access to the shoreline, as the site is not located near the shoreline. The property lies within a residential enclave with indirect access to the beach area. It will not modify in any way existing access. Since the property has no direct access to any water or beach, there will be no

dredging, filling or diking of coastal waters or wetlands. No sensitive habitat areas, archaeological or paleontological resources have been identified on the site. The proposed addition will not block any designated public access views.

The proposed project will be subject to compliance with the afore noted Geology and Soils Report Approval Letter, as well as review by other City departments, including the Fire Department and the Bureau of Engineering which address the Coastal Act's goals: to minimize risk to life and property in the area to assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area.

2. **The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.**

The development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program (LCP) that is in conformance with Chapter 3 of the California Coastal Act. Currently there is no adopted Local Coastal Program for this portion of the Coastal Zone; therefore the adopted Venice Community Plan serves as the functional equivalent plan. The community Plan designates the subject property for Low Medium II Residential land use with corresponding zones of RD1.5-1. The subject site is within the Venice Coastal Zone Specific Plan and subject to the Director's Interpretation of ZI-2406 for small lot subdivisions. The proposed use is permitted by the Plan designation and the corresponding zone.

3. **The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination. Such Guidelines are designed to provide direction to decision-makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. In this instance, the Guidelines standards concerning the following are relevant:**

The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission, and any subsequent amendments thereto, have been reviewed, analyzed and considered in making this determination. Such guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. In this instance, Guideline standards concerning the following are relevant:

Parking – Two spaces should be provided for each residential dwelling. The parking appendix for the Guidelines contains the following statement: "The following parking guidelines are intended to insure beach access. They should be used as a general indicator of parking need. The diversity of circumstances occurring within the various areas of the coastal zone requires care in the application of these

guidelines. Local parking requirements should be considered.” The proposed project will contain eight parking spaces, two covered spaces per lot in fulfillment of the Code parking requirement.

Alteration of landform – In permitted development, landform alteration should be minimized by concentrating the development on level areas. In all uses grading should be minimized. Cascading project design should be utilized in new developments long scenic routes or if visually obtrusive as a method to blend the proposal with the surrounding topography. In this instance, the proposed grading is reasonable and not excessive, since it will comprise approximately no import or export. Further, in this instance, the project conforms to the Guideline standards for the Venice Community Plan area concerning land use and density.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

No outstanding issues have emerged which would indicate any conflict between this decision and any other decision of the California Coastal Commission regarding development of new single family dwellings in the Venice area. There are at least eight previous coastal development permits which have been issued in the immediate vicinity by both City of Los Angeles and the California Coastal Commission (as a Single Jurisdiction Area), for developments which involved the demolition, construction and/or modification of single family dwellings. These include coastal development permits issued for 720 & 722 Brooks Ave, among others.

5. **The development is/is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is/is not in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

The project site is not located between the nearest public road and the shoreline.

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

On August 26, 2013, the City Planning Department staff issued a Mitigated Negative Declaration, No. ENV-2012-2950-MND in compliance with CEQA.

7. **MELLO ACT**

The proposed project is located in the Coastal Zone, as defined in California Public Resources Code, Division 20 (commencing with Section 30000, as depicted on the

City of Los Angeles Coastal Zone Maps, and is subject to the Mello Act, as set forth in the California Government Code Section 65590 and 65590.1.

The Mello Act (California Government Code Sections 65590 and 65590.1) is a statewide law, which mandates local government to comply with a variety of provisions concerning the demolition, conversion, and construction of residential units in California's Coastal Zone. The Mello Act requires that very low, low and moderate income housing units that are demolished or converted must be replaced and that new residential development must reserve at least 20% of all new residential units for low or very low income persons or families or reserve at least 10% of all new residential units for very low income persons or families.

Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc. at all, concerning the implementation of the Mello Act in the Coastal Zone portions of the City of Los Angeles, the following finding is provided:

The maximum rent that can be charged for a Moderate Income Tenant for a single unit is \$1,247.00 per month. This affordable rent is based on the Los Angeles Housing Department's 2013 Income and Rent limitations for Mello.

Ramin Kolahi, principal of the development company submitted the required feasibility analysis for the Planning Department's review. In that, the goal of the developer is to demolish the two affordable units and construct single family homes the feasibility analysis provided two examples of replacing the affordable units with comparable unites within the Coastal Zone

Financial Information for the sale of two duplex units (closes comparable units in the area) within the Venice community, are as follows:

Duplex Unit 1 The property located at 619 6th Street, Venice, CA is 1,441 square (572-sf, 869-sf respectively) feet, 1, 1 bedroom, 1 bathrooms and 1, 0 bedrooms and 1 bathroom. The stated purchase price is \$1,050,000. The analysis assumes a 20% down payment (30-year fixed 4.00% Interest Rate) which would leave a mortgage payment of \$2,800.00, 1,090.00 in monthly property taxes, \$166.70 in monthly insurance and \$368.40 in monthly maintenance and management cost. The monthly costs borne to the applicant would be \$4,425.00. Subtracting the maximum Moderate monthly rents of \$2,494.00 for a duplex would result in a net negative average monthly income of -\$1,931.00.

Duplex Unit 2 The property located at 606 Indiana Street, Venice, CA is 800 (440-sf and 440-sf respectively) square feet, 1 bedroom, 1 bathroom and 0 bathrooms, 1 bathroom. The stated purchase price is \$1,079,000. The analysis assumes a 20% down payment (30-year fixed 4.00% Interest Rate) which would leave a mortgage payment of \$2,877, 1,120.00 in monthly property taxes, \$166.70 in monthly insurance and \$369.00* in monthly maintenance and management cost. The monthly costs borne to the

applicant would be \$4,532.70. Subtracting the maximum Moderate monthly rents of \$2,494.00 for a duplex would result in a net negative average monthly income of -\$2,038.70.


Based on the feasibility analysis provided by the applicant it has been determined that it would not be financially feasible for the applicant to provide replacements for the two Moderate income efficiency units. Therefore, the proposed project is exempted from having to comply with the provisions of the Mello Act, as set forth in California Government Code Sections 65590 and 65590.1

ADDITIONAL MANDATORY FINDINGS

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
9. On August 26, 2013, a Mitigated Negative Declaration (ENV-2012-2950-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Inquiries regarding this matter should be directed to Dwayne Wyatt, Planning Staff for the Office of Zoning Administration

Dwayne Wyatt
City Planning Associate
(213) 473-9919



JIM TOKUNAGA
Associate Zoning Administrator

JT:DW

cc: Councilmember Mike Bonin
Eleventh District
Adjoining Property Owners

5. Ven. 16-0043

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

VINCENT P. BERTONI, AICP
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318
FAX: (213) 978-1334

www.planning.lacity.org

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
LOURDES GREEN
ALETA D. JAMES
JAE H. KIM
CHARLES J. RAUSCH, JR.
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

RECEIVED
South Coast Region

MAR 23 2016

CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302

NOTICE OF PERMIT ISSUANCE

DATE: March 21, 2016
CDP NUMBER - ZA 2015-1976(CDP)(SPP)(MEL)
ADDRESS - 119 East Vista Place

Please take notice that the above referenced Coastal Development Permit was issued on March 1, 2016, pursuant to a public hearing on February 18, 2016 and an appeal was not filed with the City of Los Angeles, Office of Zoning Administration as advised in the permit, during the mandatory appeal period.

An appeal period of 20 working days must expire from the date this notice and attached Coastal Development Permit is received and accepted by the California Coastal Commission, Division V in Long Beach before this Coastal Development Permit will become effective.

- () The proposed development is in the dual permit jurisdiction area, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period.
- (X) The proposed development is in the single permit jurisdiction area, and if the application is not appealed within the 20 working day period the applicant may apply to the City of Los Angeles Department of Building and Safety for a building permit.

Linn K. Wyatt
Department of City Planning

By Linda M. Clarke

Linda M. Clarke
Senior Clerk Typist
Print Name and Title of Individual Signing

Attachments:

- (X) Permit
(X) Application

cc: Applicant

CP-1622 (08/10/93)

Exhibit 8

Page ¹ of ³



California Coastal
Commission

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CALIFORNIA 90802-4416
(562) 590-5071 FAX (562) 590-5084
WWW.COASTAL.CA.GOV

**NOTIFICATION OF APPEAL PERIOD**

March 25, 2016

To:

City of Los Angeles, Department of City Planning
200 N Spring Street 7th Floor
Los Angeles, CA 90012

From: Charles Posner

Re: Application No. 5-VEN-16-0043

Please be advised that on March 23, 2016, our office received notice of local action on the coastal development permit described below:

Local Permit #: ZA 2015-1976

Applicant(s): [REDACTED] (Applicant)

Description: Demolition and construction of a three-story, 28 foot high, 3,049 square foot single family

Location: 119 E Vista Place, Venice, Ca 90291

Unless an appeal is filed with the Coastal Commission, the action will become final at the end of the Commission appeal period. The appeal period will end at 5:00 PM on April 21, 2016.

Our office will notify you if an appeal is filed.

If you have any questions, please contact me at the address and telephone number shown above.

cc: [REDACTED] (Applicant's Representative)

Exhibit 8

Page 2 of 3



California Coastal
Commission

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CALIFORNIA 90802-4416
(562) 590-5071 FAX (562) 590-5084

WWW.COASTAL.CA.GOV



May 16, 2016

Attn: [REDACTED] (Applicant)
119 East Vista Place
Venice, CA 90291

This is to inform you that the Commission's 20 working day appeal period on the City of Los Angeles's Coastal Development Permit No. ZA 2015-1976 (5-VEN-16-0043) expired on April 21, 2016. The Coastal Commission received no appeals on this permit. The City's permit is therefore final.

Sincerely,

A handwritten signature in black ink, appearing to read "dhr", followed by a horizontal line.

Charles Posner
Coastal Program Analyst

cc: File
City of Los Angeles, Department of City Planning

Exhibit 8

Page ³ of ³



California Coastal
Commission

CALIFORNIA COASTAL COMMISSION

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



August 11, 2016

Exhibit 9

Page 1 of 2

California Coastal
Commission

Theodore L. Irving, Senior City Planner
West Coastal Project Planning Division
Los Angeles Department of City Planning
200 North Spring Street, City Hall Room 720
Los Angeles, CA 90012

Re: Case No. ZA-2013-383 (742-748 Brooks Avenue, Venice, Los Angeles).

Dear Mr. Irving:

Our agency has recently been informed that demolition and construction has commenced on two lots in the Oakwood area of Venice at addresses: 742-744 and 746-748 Brooks Avenue (Lot Nos. 38 & 39, Tract 8415). Our research of City records has found that the City Planning Department processed two cases for these properties, a local coastal development permit and a small-lot subdivision, with Case Nos. ZA-2013-383(CDP)(MEL) and AA-2012-2949-PMLA-SL. The proposed project is the construction of four single-family dwellings on four lots. The proposed small-lot subdivision would have split the two existing lots into four lots. The proposed project also included the demolition of the existing apartment units on the properties.

City records indicate that the Office of Zoning Administration (Dwayne Wyatt and Jim Tokunaga) on October 23, 2013 issued a determination letter approving the local coastal development permit (Case No. ZA-2013-383) for the proposed development. The determination letter indicated that the Zoning Administration's decision would not be effective until November 7, 2013, and that the decision could be appealed to the Department of City Planning. The letter also stated that the local coastal development permit action could be appealed to the Coastal Commission, and that the City's action would not be deemed final until twenty working-days expired from the date the City's final determination was received by the Commission.

However, our agency has not received any notice from the City regarding its action on Case No. ZA-2013-383. The City's action on the local coastal development permit cannot be deemed final until twenty working-days expired from the date the City's final determination is received by the Commission. Please send the City's Notice of Final Action for this case to our South Coast District office. Upon receipt of a valid Notice of Final Action, we will commence the Commission's twenty working-day appeal period during which any person can appeal the City's decision on the local coastal development permit. The local coastal development permit will not be effective until the Commission's appeal period has expired.

Therefore, there is no valid coastal development permit for any development on the properties, and any development that has occurred on the property has been conducted without a valid coastal development permit. The unpermitted development that has occurred on the project site is now an enforcement matter. Our Enforcement Department is investigating the alleged violation of the Coastal Act. Please

immediately rescind all building permits that have been issued for these properties, and stop all work until a valid coastal development permit is obtained by the land owner(s).

In conclusion, our staff will continue to monitor the progress of the local coastal development permit application as the City's final decision on the local coastal development permit can be appealed to the Commission. Please call me if you have any questions.

Sincerely,



Charles R. Posner
Supervisor of Planning

cc: Pascal Challita, LADBS
Ramin Kolah, Applicant
Steven Nazemi, Agent
Steve Hudson, South Coast District Director
Teresa Henry, Coastal Program Manager
Andrew Willis, Enforcement Supervisor
Jordan L. Sanchez, Enforcement Analyst

Exhibit 9

Page ² of 2



California Coastal
Commission

CALIFORNIA COASTAL COMMISSION

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

**NOTICE OF VIOLATION OF THE CALIFORNIA COASTAL ACT
REGULAR AND CERTIFIED MAIL**

September 6, 2016

Ramin Kohlah
1180 S. Beverly Drive, Suite 508
Los Angeles, CA 90035

Violation File Number: V-5-16-0121

Property Location: 742-748 Brooks Avenue, Venice, Los Angeles
[APN 4239-013-040]

Dear Mr. Kohlah:

As you know, California Coastal Commission ("Commission") staff, on August 11, 2016, sent a letter notifying the City of Los Angeles Department of City Planning ("City") and you that there is no valid coastal development permit ("CDP") for development at 742-748 Brooks ("subject property") until such time as twenty working days have passed from the date the City's final determination on a local CDP is received by the Commission, and no valid appeal is received.¹ If a valid appeal is received, the effectiveness of the City CDP will be further stayed until such time as the Commission acts on the appeal, and if the Commission holds a de novo hearing, the City CDP may be replaced, in whole or in part, by a Commission CDP with associated conditions of approval, or a denial. The letter also stated that any development that has occurred on the property conducted without a valid CDP constitutes a violation of the Coastal Act. Indeed, Commission enforcement staff has confirmed that development has continued on the subject property subsequent to transmission of the August 11th letter. Pursuant to Section 30600(a), any person wishing to perform or undertake development in the Coastal Zone must obtain a coastal development permit, in addition to any other permit required by law. Any development activity conducted in the Coastal Zone, unless otherwise exempt, which is not the case here, without a valid coastal development permit constitutes a violation of the Coastal Act.

Enforcement Remedies

Although, we would prefer to resolve this violation through the coastal development permit process, please be aware that there are a number of remedies at the Commission's disposal to address violations of the Coastal Act. Section 30809 states that if the Executive Director of the Commission determines that any person has undertaken, or is threatening to undertake, any activity that requires a permit from the Coastal Commission without first securing a permit, the Executive Director may issue an order directing that person to cease and desist. Section 30810

¹ On August 19th, 2016, the Commission received the Notice of Final Action from the City and therefore the twenty day appeal period has begun and runs until September 19th.

Exhibit 10Page ¹ of ²**California Coastal
Commission**

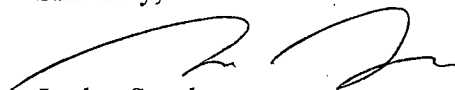
authorizes the Coastal Commission to also issue a cease and desist order. A cease and desist order may be subject to any terms and conditions that are necessary to ensure compliance with the Coastal Act.

In addition, we note that Sections 30803 and 30805 authorize the Commission to initiate litigation to seek injunctive relief and an award of civil fines in response to any violation of the Coastal Act. Section 30820(a)(1) provides that any person who performs development in violation of any provision of the Coastal Act may be subject to a penalty amount that shall not exceed \$30,000 and shall not be less than \$500. Section 30820(b) states that, in addition to any other penalties, any person who "knowingly and intentionally" performs or undertakes such development can be subject to a civil penalty of not less than \$1,000 nor more than \$15,000 for each day in which each violation persists.

Resolution

In order to avoid formal enforcement action, you must stop all development on the subject property until there is a final, valid CDP for development on the property. If you choose not to stop work, you may further expose yourself to the above referenced Coastal Act enforcement remedies. Please contact me by September 13, 2016 to confirm your intent to resolve this violation. I can be reached at (562) 590-5071. Thank you for your attention to this matter.

Sincerely,



Jordan Sanchez
Enforcement Officer
California Coastal Commission

Exhibit 10

Page² of 2



California Coastal
Commission

cc:

Lisa Haage, Chief of Enforcement, CCC
Andrew Willis, Enforcement Supervisor, CCC
Steve Hudson, Deputy Director, CCC
Chuck Posner, Planning Supervisor, CCC
Theresa Henry, District Manager, CCC
Theodore Irving, Senior Planner, City of LA

CALIFORNIA COASTAL COMMISSION

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

**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT****Exhibit 11**

Page 1 of 47



California Coastal
Commission

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Coastal Commission Acting Executive Director, John Ainsworth
200 Oceangate, Suite 1000
Long Beach, CA 90802 (562) 590-5071

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Los Angeles
2. Brief description of development being appealed: Construction of four single-family dwellings on four lots, in conjunction with Parcel Map AA-2012-2949-PMLA-SL (small-lot subdivision).
3. Development's location (street address, assessor's parcel no., cross street, etc.):
742-748 Brooks Avenue, Venice, City of Los Angeles.
4. Description of decision being appealed:
 - a. Approval; no special conditions: _____
 - b. Approval with special conditions: XX
 - c. Denial: _____

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.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-5-VEN-16-00DATE FILED: September 19, 2016DISTRICT: South Coast



5. Decision being appealed was made by (check one):
 - a. Planning Director/Zoning Administrator: XX
 - b. City Council/Board of Supervisors: _____
 - c. Planning Commission: _____
 - d. Other: _____
6. Date of local government's decision: October 23, 2013
7. Local government's file number: ZA-2013-383 (CDP)

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties.
(Use additional paper as necessary.)

1. Name and mailing address of permit applicant:

Ramin Kolah
1180 S. Beverly Drive, #508
Los Angeles, CA 90035
2. Name and mailing address of permit applicant's agent:

Steven Nazemi
275 Centennial Way, #205
Tustin, CA 92780
2. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
 - a. _____

Venice, CA 90292
 - b. _____

 - c. _____

**SECTION IV. Reasons Supporting This Appeal**

Note: Appeals of local government Coastal Permit decisions are limited by a variety of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page. Please 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.

The City-approved development may adversely affect community character and could prejudice the City's ability to prepare a Local Coastal Program (LCP). The local coastal development permit authorizes four three-story structures that are out of scale with the neighborhood and visually incompatible with the character of the surrounding area. The local coastal development permit does not include adequate findings for consistency with Coastal Act Section 30251 or the relevant policies of the certified Land Use Plan.

Certified LUP Policy I. A. 2 states:

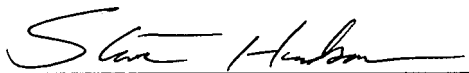
***Preserve Stable Single-Family Residential Neighborhoods.** Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development...*

Certified LUP Policy I. E. 2 states:

***Scale.** New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.*

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.


Signature of Appellant(s) or Authorized Agent

9/19/16
Date

CALIFORNIA COASTAL COMMISSION

South Coast Region

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4416
VOICE (562) 590-5071 FAX (562) 590-5084

SEP 19 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: Jenni Hawk—see also Appellant list and signatures attached

Mailing Address: 845 Brooks Ave, Unit 1

City: Venice

Zip Code: 90291

Phone:

Exhibit 11

Page 4 of 47



California Coastal
Commission

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles

2. Brief description of development being appealed:

Construction of 4 single-family dwellings on 4 lots, in conjunction with Parcel Map AA-2012-2949-PMLA-SL. Each single-family dwelling is 3 stories (30' maximum height), with 2,492 square feet floor area per lot, with an attached 2-car garage containing 660 square feet.

Also appealing the illegal/unpermitted demolition that was NOT included by the City in the project description for the CDP.

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

742-744-746-748 Brooks Ave, near 6th Ave, APN's: 423-9013-040, 423-9013-041, 423-9013-042, 423-9013-043

4. Description of decision being appealed (check one.):

- ☒ Approval; no special conditions
☐ Approval with special conditions:
☐ Denial

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.

TO BE COMPLETED BY COMMISSION

APPEAL NO:

A.S.Ven-N. 8083

DATE FILED:

9-19-16

DISTRICT:

South Coast

RECEIVED

South Coast Region

SEP 16 2016

CALIFORNIA
COASTAL COMMISSION

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

5. Decision being appealed was made by (check one):

- ☒ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

Exhibit 11

Page 5 of 47



California Coastal
Commission

6. Date of local government's decision: October 23, 2013

7. Local government's file number (if any): ZA-2013-383

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Ramin Kolah, 1180 S. Beverly Drive, Suite 508, L.A., CA 90035
and
Steven Nazemi, 275 Centennial Way, Suite 205, Tustin, CA 92780

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

(3)

(4)

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.

On the morning of August 2, 2016, the neighborhood woke up to a hostile take-over of our block by Lighthouse Brooks LLC, the owners of the 742-744-746-748 Brooks Ave. We were never told that our block would be a total construction zone for four days. The complete mismanagement of this project crescendoed throughout the day, resulting in a very angry community and the terribly sad murder of one of LightHouse Brooks' contractors, Marvin Ponce.

The build up of the hostile takeover started with us waking up to no running water because a 60 foot crane broke through the asphalt causing a giant sink hole in our street and breaking our main water line, sending a river of water down our street, which caused damage to some properties. That was just the beginning.

About ten double-wide semi trucks loaded with 20 giant pre-fab modules lined our streets. Some residents were told that they couldn't leave their driveways – they were stuck at home – blocked in by the semi trucks. One neighbor saw them doing construction on a prefab module right on the street.

Tensions continued to rise when we saw the huge crane lift each of the 20 pre-fab units, one by one, in the middle of our block. It was a very dangerous job.

Tensions continued to build when throughout the day people were told that they couldn't drive to their homes. They had to re-route. Again, this was especially angering because there was no warning of this project. Also, numerous residents' cars were towed.

Around 4 pm, Marvin Ponce, a contractor who was told to direct the traffic on this construction project, was shot dead. He was just doing what LightHouse Brooks LLC told him to do.

We are here to say that the LightHouse Brooks LLC project cannot set the precedent on how development is done on Brooks or anywhere in Venice. See attached photo summary.

There are other construction projects slated for Brooks Avenue and we will not tolerate a corporate takeover of our block.

The City Coastal Development Permit for the project at 742-744-746-748 Brooks Ave was not processed in accordance with the Coastal Act state law or the same processing requirements in the Los Angeles Municipal Code (LAMC): Section 12.20.2 Coastal Development Permits (Prior to Certification of the Local Coastal Program). Thus, the demolition and construction of this project to date constitutes unpermitted development and was done in violation of the law.

The fact that it is possible for this to happen, especially using what would seem to be a more protective dual permitting process under the Coastal Act, may be due to fraudulent actions and collusion among the government entities and applicant, and to a lack of adequate internal controls.

In addition, the Mello Act Compliance Determination may have been fraudulently prepared and the Mello Act violated by the Applicant. Although the Coastal Commission no longer has jurisdiction to review a local government's compliance with the Mello Act, the Coastal Act does require the Commission and Staff to encourage affordable housing in the Coastal Zone—Section 30604 (f): "The commission shall encourage housing opportunities for persons of low and moderate income," and Section 30604 (g): "The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the Coastal Zone." If the Mello Act was violated and, as a result, low income units were not protected and replaced as is required according to the state law (for two identified but possibly up to five total, including unidentified, low-income individuals or families who lost their homes and were forced to leave the Venice Coastal Zone), the Coastal Commission should clearly care very much about this and should take steps to encourage the protection of such existing affordable housing as per Coastal Act Sections 30604 (f) and (g) by at least discouraging the incorrect handling and lack of protection of this housing by the City. The best and only way to do this would be by returning the erroneously prepared CDP to the City, as per CCR 13339, for them to make any corrections needed.

As a function of this appeal we specifically request that the Coastal Staff determine how the Building Permits for demo and construction could have been issued without the related coastal permits being validated by them--what went wrong and what is the internal control to assure that this very important step of a coastal appeal period and validation is followed? Also, what steps will be taken by Staff to assure that this does not happen in the future?

Project is not Compatible with the Community Character

The project is not compatible with the mass, scale and character of the existing neighborhood. First, on July 5, 2013, the Venice Neighborhood Council sent the ZA and all planning staff involved a recommendation for denial of the project for the reason that it was out of scale with the existing neighborhood. This recommendation was ignored by the ZA. In fact, a true analysis of the compatibility of the project with the mass, scale and character of the neighborhood does not appear to have been performed. The only reference is to the age of neighboring residential uses being similar and to abutting uses including apartment buildings, which is erroneous as abutting uses are single-family dwellings and duplexes. In addition, the certified Venice Land Use Plan was not used as guidance in considering conformance with Chapter 3 of the Coastal Act, but rather the Community Plan was used. As a result of all of the above, Findings 1, 2 and 3 are not valid. Finding 4. does not appear to consider projects of similar size, scale or character differences. This project is for a 4-lot small lot subdivision with four 3-story look-alike/clone single-family dwellings in the middle of a neighborhood for which the original, existing subdivision patterns are unique to Venice's original design as a coastal community. As such, the existing neighborhoods are substantially different in pattern, density and character than the 3-story, 4-lot small lot subdivision, which, if allowed, would cause a physical dividing of this well established community by causing a complete break in the neighborhood's development pattern.

Since the Venice Coastal Zone is primarily a residential community beyond the beach and popular ocean front boardwalk, which includes some commercial stretches, residential development is a significant factor in determining Venice's community character. Venice's historical character and diverse population, as well as its expansive recreation area--Ocean Front Walk (the Boardwalk), and its wide, sandy beach--make it a popular destination not only for Southern Californians but also for national and international tourists. Accordingly, Venice has engendered a status as one of the more unique coastal communities in the State, and therefore, a significant Coastal Resource to be protected. Thus, the preservation of Venice as a "Special Coastal Community"--an eclectic community with a unique and historic social and architectural character--is a statewide issue. The City's approval of this significantly out of character development, which would break up and divide the unique neighborhood's scale, character, and development pattern, does raise issues of statewide significance with regards to Venice's community character.

In addition, prior decisions of the Coastal Commission, where applicable, shall serve as guidance for other similar decisions. The facts of this case are very similar to those of the projects covered by Coastal Commission cases

A-5-VEN-15-0052, A-5-VEN-15-0053 and A-5-VEN-15-0054. As such, the rationale for determining Substantial Issue for this proposed project should be guided by the Substantial Issue determinations for those three cases. See attached highlighted excerpts from those Staff Reports (pages 2, 10, and 12) that are also applicable to this case.

This corrupted and invalid (not yet official) City CDP should not have been accepted by Coastal Staff **ALMOST THREE YEARS LATE** (2 years, 10 months after the due date required by State and City law), and then put into the Coastal appeal period. See VSO and page 1 of the City CDP, attached. The City knows VERY WELL that their CDP did not cover the demos. There was no confusion; the project description did not include the demo and the demo was NOT approved by the City in their CDP. It seems that this was because the Mello Act violation was so blatant and obvious within the CDP itself and thus the Coastal Commission could have been accused of violating the Mello Act if they had accepted that CDP and in essence been a part of the illegal approval of the demo PRIOR to the demolitions. But with the demolitions already having taken place, albeit illegally, now the Coastal Commission is changing the Project Description to include the demos, now that they can no longer be held responsible for being part of the advance approval process for a demolition that violated the Mello Act. But this is absolutely **not acceptable and is an act of complicity in helping the City evade the Mello Act law**. The City and the Coastal Staff are using this scheme of completing Coastal's sign off after the demolitions are completed, which is orchestrated in various ways, over and over in order to facilitate developers in evading responsibilities for preserving affordable units, **each one worth hundreds of thousands of dollars, and cumulatively adding up to millions of dollars.** [Note that this is similar to the set up between City and Long Beach Staff where the City would wait to send the Long Beach Staff the CEX (Coastal Exemption) forms until after the demos were completed, as Staff was well aware. As many if not most of these projects did not qualify for exemptions, again, this resulted in Staff not being able to catch the violations prior to the demolitions and the Public not able to appeal the exemptions in time. But even at the Community's insistence, Staff would not put in a process with essential internal controls in order to avoid this, and even now although the process is improved it is still not adequate.] Also, hundreds of individuals and families' lives are being upended and they are being illegally "ousted" from their homes. These are major crimes. Even though Staff has been provided documentation that shows that the City itself does not believe that the CDP covered the demolitions--the Project Description in the CDP itself does not cover the demolitions, and FOUR VSO's recently issued also clearly indicate that the CDP does not cover the demolitions--Staff is insisting on making the assumption that the City CDP received by them approximately three years later, after the demolitions occurred, DOES cover the demolitions and thus they have modified the Project Description on the face of the CDP in the Coastal Commission's records to include the demo. In doing so, Staff is allowing this Applicant and the City to bury, cover up, and get away with their defrauding of the Public by evading their Mello Act replacement affordable unit responsibilities. It should be noted that Staff is also causing a discrepancy in the official records for this case between the City permits (VSO's) and the State permits.

AT A MINIMUM, the reasons for this 3-year delay in the Applicant starting their project, surprising the community and resulting in them requesting enforcement, resulting in Coastal Staff in informing the City that it had not properly handled the permitting, including how the related building permits for the illegal demolition and construction could have been authorized by LADBS and its inspectors, must be fully investigated and a detailed explanation reported to the Public. Staff should also explain the reason they have not put into place the simple (and low/no cost) internal controls that have been recommended by the community over the years.

By not sending the CDP back to the City to be corrected or redone, Coastal Staff is helping the developers evade the law, which is resulting in the displacement of hundreds of families illegally and the loss of millions of dollars of affordable units/homes required by law. This is a very big deal. When the Coastal Staff accepts these erroneous and misleading CDP's for processing, the developers' crimes are swept away. Coastal Staff's decision to accept the erroneous and misleading CDP's is allowing the City and Applicant, who are clearly colluding, to defraud the Public and deny the community of affordable/low-income units. They are facilitating this crime against this

neighborhood, against Venice, and enabling what amounts to yet another scheme in which Staff has a role in the Applicant's and City's evasion of the Mello responsibilities, resulting in what is essentially a crime against humanity by causing the Mello Act to be impotent, ineffective and useless. Thus, Staff is clearly violating their Coastal Act mandate to encourage protection (and discourage lack of protection) of existing affordable housing.

Coastal Staff has said that accepting the CDP into the appeal period is the appropriate remedy for enforcement for this case, but this is not correct. This is definitely not the appropriate remedy for the scheme at hand. Staff is misleading the Public by making them think that enforcement for these violations should simply entail an appeal to the State. This is misleading as this process will NOT address the corruption of this CDP and the harm to the families impacted, the value of which is priceless. This will NOT address the loss of the affordable units, which has robbed the community of multi millions of dollars in affordable housing. That is because with an appeal, the Commission can only look at Chapter 3 issues, and although in the Brooks case that is significant in and of itself and may result in denial of the permit on its own, Coastal Staff is well aware that there are many more issues with respect to the permit than just Chapter 3 issues. Only if Staff would require the City to go back and work with the Applicant to fix what is wrong on the CDP would they be putting the responsibility where it should and must be, in the only place that these violations CAN be corrected, and the City would be required to process the project according to the law. But if this project is not remanded to the City or is not denied by the Commission, all of the corruption will simply be swept under the rug because Staff will have accepted an erroneous and corrupt CDP and will have bought in to this illicit process that has resulted in many families losing their homes due to blatant state law violations by the City and Applicant.

This is all because Staff is accepting a City CDP that is truly UNacceptable and which by law (CCR 13332, see below) they should not accept. Also, because Staff is not willing to implement appropriate and simple internal controls, they are perpetuating their ability to continue to allow the City to participate in these shenanigans and incur these violations.

This scheme, in various forms and executed repeatedly, has resulted in very significant damage to Venice. If this is not stopped, it will completely destroy Venice's Coastal Commission-certified designation as a Special Coastal Community and its likelihood of remaining one of the most popular tourist attractions in the State; thus, this is a State-wide issue. Also, the lack of internal controls and the Coastal Staff's participation in this scheme is likely not confined to Venice, which is another reason why this is an issue of State-wide importance.

In addition, it is very concerning to us that construction has not been stopped by the Coastal Commission's Enforcement Division. This unpermitted Coastal Zone development was reported to Staff and enforcement was requested in the first week of August, well over a month ago. Staff indicated that they agreed this was a violation and they would move ahead with enforcement. However, as late as yesterday, the development continues. This Neighborhood would like an explanation as to why this unpermitted development in the California Coastal Zone has been allowed to continue.

Violations and Enforcement using the Maximum Penalties

The City and Applicant have violated CCR 13331 Notice of Final Action (Prior to Certification of a Local Coastal Program), which requires that within 5 working days of the approval or denial of a local CDP, a local government shall notify the commission. The City and Applicant have also violated the City's similar law under LAMC Section 12.20.2. Coastal Staff has been derelict in their duty to enforce this and to put adequate internal controls in place.

In addition, under CCR 13339 Remand to Local Government (Prior to Certification of a Local Coastal Program), the Coastal Staff can and should return the permit to the appropriate local government for further proceedings.

CCR 13332 Commission Procedures upon Receipt of Notice of Final Local Action (Prior to Certification of a Local Coastal Program) requires that the final local government action contain sufficient information upon which to base an informed appeal, including project description, conditions of approval, written findings and the

procedures for appeal. If the Executive Director determines that the notice is insufficient, the local government will be notified and a new notice shall be resubmitted. This regulation must be followed in order to adequately protect the Venice community.

CCR 13173 Enforcement of the Coastal Act indicates that if any violation of the provisions of the California Coastal Act of 1976 have occurred or are threatened, the Attorney General may file an action in the name of the Commission for equitable relief to enjoin such a violation or may take other appropriate action pursuant to Chapter 9 of the California Coastal Act of 1976. In fact, the enforcement provisions of the Coastal Act were strengthened in the 1990's, giving the Commission the power to issue cease and desist and restoration orders, and significantly increasing the Coastal Act's penalty provisions, in part to reflect the rise in land values and to increase deterrence of would be violators of the Coastal Act. The Coastal Act provides a number of enforcement tools, and violations can be pursued either through administrative remedies or by filing suit against the responsible party, for both injunctive relief, such as restoration of the site, and for civil penalties.

It is imperative that Staff take swift and strong actions for enforcement, as it is critical that ALL applicants be deterred from doing the very things that have corrupted this application, by the Commission invoking the maximum penalties allowed by law. If they do not, the precedent that would be set by this case is unacceptable and even unthinkable, with more and more developers seeing these violations as a normal cost of business. This Applicant knew his coastal permit was not valid and that he had Mello violations, and thus he may have chosen this pre-fab way of construction so that he could put the four 3-story buildings up very quickly, before community members could prove the wrongdoings and have the project halted. Using this method of construction allowed him to get much further along than in a normal construction situation, where he would have been stopped before he barely got started. If the Commission does not order restitution this will cause a precedent for Venice that will very likely result in developers using more and more pre-fab homes so that they can more successfully evade the law and simply deal with the penalties they will incur as a cost of doing business, which will speed up their projects and will certainly be less cost overall than having to start over with a legal project.

Thus, if the permit IS accepted and the appeal denied by the Commission, then we hereby immediately request Revocation of the CDP, as per CCR 13105 and LAMC Section 12.20.2-J, and Restitution/Restoration of the prior apartment building. This situation meets the test for proper grounds due to the intentional inclusion of inaccurate, erroneous or incomplete information, which resulted in a different decision on the permit than otherwise would have been made. Restitution is very important in this case.

We also ask that the Commission require Staff to institute basic internal controls over its processes for land use permitting in the Venice Coastal Zone, in order to help prevent such egregious events from happening in the future. Lastly, we ask that all documents previously submitted to Coastal Staff in conjunction with the reporting of this violation and related request for enforcement are incorporated herein by reference to this Appeal.

EXHIBITS:

1. Photo collage of the events of August 2, 2016
2. Page 1 of CDP dated October 23, 2013 and VSO dated May 12, 2016 (for one of the four small-lot subdivision's single-family dwellings), both showing that the demolition of the existing structures was intentionally not covered by the City's CDP
3. Excerpts from the Coastal Commission's October 2015 determination of Substantial Issue for three similar cases
4. CCR's: 13331, 13339, 13332, 13105
5. California Coastal Commission Enforcement Program Overview
6. Coastal Act Chapter 9 Judicial Review, Enforcement, and Penalties

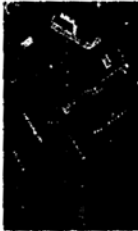
EXHIBIT 1

Lighthouse Brooks LLC Project
 742-744-746-748 Brooks Ave, Venice, 90291

Tell Mike Bonin + VNC
 We will not tolerate this!
 councilmember.bonin@lacity.org
 secretary@venicenc.org



Watch installation of 20 Knobs of
 Knobs in Venice Living-Homes
 Venice California THIS Tuesday 7am-3
 pm.



Watch install of 20 Knobs of Knobs
 in Venice Living-Homes Aug 2-4 7am-
 3 pm. First Living-Homes in Venice



Brooks residents community
 feedback/discussion:
 brooks90291@gmail.com



**Victim in Venice Shooting Remembered as Family Man;
 Shooter Still at Large**

VENICE (AP) — A man who was shot and killed in a shooting in Venice, California, was remembered as a family man and a community member.

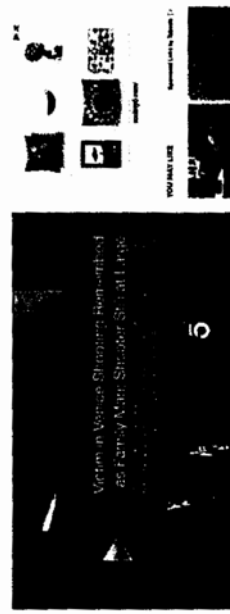


EXHIBIT 2

LENN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318
FAX: (213) 978-1334

www.planning.lacity.org

October 23, 2013

Ramin Kolah (O)
1180 S. Beverly Drive, Suite 508
Los Angeles, CA 90035

Steven Nazemi (R)
275 Centennial Way Suite 205
Tustin, CA 92780

CASE NO. ZA 2013-383(CDP)(MEL)
COASTAL DEVELOPMENT PERMIT
Related Case: AA-2012-2949-PMLA-SL
742-744 Brooks Avenue, and
746-748 Brooks Avenue
Venice Planning Area
Zone : RD1.5-1
D. M. : 111B145
C. D. : 11
CEQA : ENV-2012-2950-MND
Legal Description : Lot 38 & 39,
Tract 8415

Pursuant to Los Angeles Municipal Code Section 12.20.2, I hereby APPROVE:

a Coastal Development Permit to allow the construction of four single-family dwellings on four lots, in conjunction with Parcel Map AA-2012-2949-PMLA-SL, within the single permit jurisdiction of the California Coastal Zone in the RD1.5-1 Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

748 Brooks, Lot A

May 12, 2016



CITY OF LOS ANGELES
Department of City Planning -- Plan Implementation Division
City Hall X 208 N. Spring Street, Room 621 Los Angeles CA 90012

DIRECTOR OF PLANNING SIGN-OFF
Venice Coastal Zone Specific Plan (Ordinance 175,693)

Case Number	DIR 2016-1680-VSO	Date: 05/12/2016
Project Address	748 E Brooks Ave (Lot "A") of PMLA 2012-2949	
Zoning: RD1 5-1	Subarea: Oakwood Milwood-Southeast Venice	
Project Description	(N) construction of a 3-story SFD + detached 2-car garage w/ accessory use & roof deck above (PCIS 16010-10000-00777) (N) 2-story accessory living quarters w/ 2 car garage & roof deck (PCIS 16010-10000-01144)	
Related Cases	AA2012-2949-PMLA-SL approved w/ conditions, 10.3-13: demo (E) 5-unit apt bldg. & build (N) 4 detached SFDs ZA2013-0383-CDP-MEL approved w/ conditions, 10.3-13: to allow construction of 4 SFDs on 4 lots	
Existing Use:	5-unit apt bldg on 2 lots	Proposed Use: (N) 3-story SFD + detached 2 car garage w/ accessory use & roof deck above
Applicant Name	Lighthouse Brooks, LLC (o) / Kelly Koino (o), 310-614-6569	
Applicant Address	11160 Olympic Blvd., #700, Los Angeles, CA 90064	

Appears to be no Coastal Clearance for the demo.

Incorrect 5 units were demolished.

The project qualifies for an Administrative Clearance, a Specific Plan Project Permit Compliance is not required (pursuant to Section 8 of the Specific Plan) for at least one of the reasons below:

In the DUAL JURISDICTION

- ☐ Improvement to an existing single- or multi-family structure that is not on a Walk Street

In the SINGLE JURISDICTION

- ☐ Improvement to an existing single- or multi-family structure that is not on a Walk Street
- ☒ New construction of one single-family dwelling unit, and not more than two condominium units, not on a Walk Street
- ☐ New construction of four or fewer units, not on a Walk Street
- ☒ Demolition of four or fewer dwelling units
Planning Department determined that it would not be financially feasible to provide replacements for the two Moderate income efficiency units (ZA2013-0383-CDP-MEL)

ANYWHERE in the Coastal Zone

- ☐ Any improvement to an existing commercial or industrial structure that increases the total occupant load, required parking or customer area by less than 10 percent (<10%)

This application has been reviewed by the staff of the Metro Plan Implementation Division, and the proposed project complies with the provisions of the Venice Coastal Zone Specific Plan including all development requirements contained in Section 9, 10.G, and 13, as evidenced below:

Oakwood-Milwood-Southeast Venice Subarea Development Regulations

Section	Regulation	Proposed Project	complies
9.C. Roof Access Structure	10 ft. max. above Flat Roof (25 ft). Area ≤ 100 sq. ft.	To top of RAS is 28'5", 70sqft in area as measured from outside walls	<input checked="" type="checkbox"/>
10.G.2. Density	RD1 5: max 2 du C zones. Max. is R3 density	(N) 3-story SFD	<input checked="" type="checkbox"/>
10.G.3. Height	Flat Roof - 25'; Varied Roofline - 30', provided that any portion of the roof that exceeds 25' is set back from the req'd front yard at least 1' in depth for every foot in height above 25'	SFD is 28.5' varied roofline w/ a min slope of 2.25" 12' Garage w/ accessory use & roof deck above is 19'6" flat roof. Roof guard rails are 42" high & are of an open design	<input checked="" type="checkbox"/>
10.G.4. Access	Alley	NA, from San Miguel Ave	<input checked="" type="checkbox"/>
13. Parking	SF - 2-3 spaces per unit pending width MF - 2 spaces plus 1 guest pending width	2pkg spaces in detached garage	<input checked="" type="checkbox"/>

The proposed project must comply with all other regulations of its subject zone and all other provisions of the Los Angeles Municipal Code (LAMC) and must receive approval from the Los Angeles Department of Building and Safety (LADBS). This Director of Planning Sign-Off is based on the information provided by the applicant. If, at a later date, this information is found to be incorrect or incomplete, this sign-off will become invalid, and any development occurring at that time must cease until appropriate entitlements are obtained.

Socorro Smith-Yumul
Socorro Smith-Yumul
Venice Unit, (213) 978-1208

This is likely planned to be a 2nd unit (it is not covered by the permits). They are anticipating the approval of pending legislation on 2nd units / Granny flats, including the related parking.

Why is this not an exception?

EXHIBIT 3

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that a **substantial issue exists** with respect to the project's conformity with Chapter 3 of the Coastal Act. The City-approved projects are not consistent with the community character of the surrounding area.

On July 14, 2015, the City approved three local CDPs (ZA-2014-0829, ZA-2014-0831, and ZA-2014-0833) for the same applicant (California Eco Homes, LLC) approving the demolition of a two-story, four-unit apartment building that spans three residential lots, and the construction of three, three-story single-family residences (one on each lot) described as follows: 1) approximately 35-feet high, 2,680 sq. ft. on a 1,958 sq. ft. lot; 2) approximately 35-feet high, 2,631 sq. ft. on a 1,974 sq. ft. lot; and 3) approximately 35- feet high, 2,662 sq. ft. on a 1,990 sq. ft. lot. Each with an attached 322 sq. ft. 2-car garage, a 10.5-foot front yard setback, and a 38-foot high roof access structure.

Section 30251 and 30253(e) require the protection of scenic and visual qualities of coastal areas with section 30253(e) particularly requiring the protection of special communities and neighborhoods that because of their unique characteristics, are popular visitor serving destination points for recreational uses. The certified Venice Land Use Plan (LUP) states that, the character and scale of single-family neighborhoods should be maintained and that infill development should be allowed provided that it is compatible with and maintains the density, character, and scale of the existing development (Policy I.A.2). Additionally, a coastal issue raised in the LUP is the preservation of community character, scale, and architectural diversity of Venice as a Special Coastal Community.

The City-approved projects also appear to raise a substantial issue as to their conformity with Section 30251 the Coastal Act which requires that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance and be visually compatible with the character of the surrounding area. The City-approved projects also raise a substantial issue as to their conformity with Section 30253(e) of Coastal Act which requires the protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor serving destination points for recreational uses.

The subject site is approximately 1,300 feet inland of Venice Beach in the North Venice subarea, which features homes and commercial businesses of varying architectural styles, ranging from one-story wood bungalows to three-story-plus-roofdeck modern glass structures. The development on the block on which the City-approved projects reside is primarily single-story, single-family residences, however there are a few larger apartment buildings and two-story single-family residences across the street. The design of the City-approved project is not consistent with the character of the area, as the scale and mass of the 38-foot high projects are larger than what exists on the block. The projects have been designed to the maximum allowable height for the area and include an adjustment for the front-yard setback of 10.5 feet from the property line as opposed to the normally required 15-foot front-yard setback. The City-approved residences would be taller and larger than any other single-family residences on the block. Therefore, the projects as approved by the City will cumulatively change the character of the Venice community raise a substantial issue as to their conformity with the Coastal Act.

However, the LUP does have policies to preserve and protect stable multi-family residential neighborhoods (Policies I.A.5 and I.E.1), which can be interpreted to preserve the existing housing stock. The building that the City approved for demolition is a **four-unit apartment building and has the capacity to provide housing units accessible to a wide spectrum of the population**. The City-approved project, on the other hand, would yield three single-family housing units, which would only be accessible to a limited spectrum of the population. As approved by the City, the project would eliminate multi-family residential units and replace them with fewer single-family units, **thereby reducing the housing stock in this neighborhood and changing the character of the neighborhood** from multi-family to single-family. Considered cumulatively, City's actions contradict LUP Policy I.A.5, which asserts that **multi-family neighborhoods, and therefore apartment buildings such as the one that the City approved for demolition, should be preserved and protected**.

The appellants also contend that the City-approved development is not consistent with Sections 30251 and 30253 of the coastal act because the bulk and scale of the structures may not be consistent with the character of the North Venice subarea.

Sections 30251 and 30253 of the Coastal Act require permitted development to be visually compatible with the character of surrounding areas and require protection of communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. The Venice community – including the beach, the boardwalk, the canals, and the eclectic architectural styles of the neighborhoods – is one of the most popular visitor destinations in California. The North Venice subarea includes Abbot Kinney Boulevard and Grand Boulevard, and Venice Way, each developed in the early 20th century as part of Mr. Kinney's vision for a free and diverse society. **Exhibit 2** features a map of the Historic Venice Canals.

While the certified Venice LUP is not the standard of review for finding substantial issue, the policies provide guidance from which the Commission can evaluate the adequacy of a project's mitigation of impacts. In its adoption of the certified LUP, the Commission recognized Venice's unique community character and popularity as a visitor serving destination, and as such, it is imperative that any new development be designed consistent with the community character of the area.

When the LUP was certified in 2001, the Commission considered the potential impacts that development could have on community character and adopted residential building standards to ensure development was designed with pedestrian scale and compatibility with surrounding development. Given the specific conditions surrounding the subject site and the eclectic development pattern of Venice, it is appropriate to use the certified LUP policies for determining whether or not the project is consistent with sections 30251 and 30253 of the Coastal Act. In this case, the certified Venice Land Use Plan echoes the priority expressed in Coastal Act for preservation of the nature and character of existing residential neighborhoods.

In its findings that the projects are in character with the surrounding area, the City acknowledges that residential developments on this particular block are primarily one-story developments. The City does make reference to other large, modern homes which have recently been approved in the area. Of the 16 developments that the City referenced, 13 of them are not on the same block as the subject projects, and the three that are the same block are the subject of these appeals (**pages 6 – 9, 38 – 41, and 57 – 60 of EXHIBIT 4**).

the certified LUP and Sections 30251 and 30253 of the Coastal Act and, as such, doesn't appear to have the proper factual and legal support to justify its decision.

The second factor is the extent and scope of the development as approved or denied by the local government. The existing development is a two-story, four-unit apartment building that spans three lots and was built in 1947. The City-approved development would demolish the apartment building and allow construction of three residential structures on the three lots. The three new structures are much larger than the existing apartment building and much larger than the predominately single-story single-family homes on the same block. The massing of the three structures will be exceptionally out of character with the surrounding development. As approved by the City, the project would eliminate multi-family residential units and replace them with fewer single-family units, thereby reducing the housing stock in this neighborhood and changing the character of the neighborhood from multi-family to single-family. Considered cumulatively, the replacement of the apartment building with large single-family residences can cumulatively affect the character of the neighborhood.

The third factor is the significance of the coastal resources affected by the decision. Venice is a unique coastal resource. The cumulative effects of the City-approved demolition are significant. The City-approved projects, and others like it would negatively impact the character of the community because the large scale of the buildings is not consistent with the surrounding development pattern. Therefore, the development could significantly and adversely affect coastal resources.

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP but it does have a certified Land Use Plan. The City-approved development is not consistent with the community character standards set forth in the certified Venice LUP. Thus, the project, as approved and conditioned, raises a substantial issue with regard to the project's conformity with the community character policies Chapter 3 of the Coastal Act and the certified Venice LUP and would have the potential to set a negative precedent for future development.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. This appeal raises specific local issues, but Venice is one of the most popular visitor destinations in the state making its preservation as an eclectic community with a unique character a statewide issue. Therefore, the City's approval does raise issues of statewide significance.

In conclusion, the primary issue for the appeals is potential adverse impacts to community character. In this case, the City-approved projects are not in conformity with the Chapter 3 policies of the Coastal Act and therefore, the Commission finds that the appeals raise a substantial issue as to conformity with the Chapter 3 policies.

Appendix A – Substantive File Documents

City of Los Angeles certified Land Use Plan for Venice (2001)

EXHIBIT 4

California Code of Regulations

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§ 13331. Notice of Final Local Action.

14 CA ADC § 13331

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 7. Coastal Development -Permits Issued by Local Governments and Other Public Agencies

Subchapter 1.5. Permits Issued and Reviewed by Local Governments and the Commission Pursuant to Certified Land Use Plans

Article 3. Appeals to State Commission Prior to Certification of a Local Coastal Program

14 CCR § 13331

§ 13331. Notice of Final Local Action.

Within five (5) working days of the approval or denial of a coastal development permit, or within five (5) working days of its failure to act within any specified time limits contained in PRC Sections 30621 and Government Code Sections 65950-65957.1, a local government shall notify the commission and any person requesting such notification in writing of the final local action.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30600.5 and 30620.5, Public Resources Code.

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13331, 14 CA ADC § 13331

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California Code of Regulations

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§ 13339. Remand to Local Government.

14 CA ADC § 13339

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 7. Coastal Development -Permits Issued by Local Governments and Other Public Agencies

Subchapter 1.5. Permits Issued and Reviewed by Local Governments and the Commission Pursuant to Certified Land Use Plans

Article 3. Appeals to State Commission Prior to Certification of a Local Coastal Program

14 CCR § 13339

§ 13339. Remand to Local Government.

At any time prior to the final vote of the commission on an appeal, the commission, after consulting the applicant, may order the application returned to the appropriate local government for further proceedings.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30600.5, 30602 and 30620.5, Public Resources Code.

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13339, 14 CA ADC § 13339

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§ 13332. Commission Procedures upon Receipt of Notice of Final Local Action.

14 CA ADC § 13332

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations Currentness

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 7. Coastal Development -Permits Issued by Local Governments and Other Public Agencies

Subchapter 1.5. Permits Issued and Reviewed by Local Governments and the Commission Pursuant to Certified Land Use Plans

Article 3. Appeals to State Commission Prior to Certification of a Local Coastal Program

14 CCR § 13332

§ 13332. Commission Procedures upon Receipt of Notice of Final Local Action.

Within five (5) working days of receipt of notice of final local action, the executive director of the commission shall post a description of the coastal development permit action by the local government in a conspicuous location in the commission's district office having jurisdiction of the development. At the same time, the executive director shall mail notice of the local action to members of the commission. The twenty (20) working day appeal period shall be established from the date of receipt of a notice of final local government action that contains sufficient information upon which to base an informed appeal including project description, conditions of approval, written findings and the procedures for appeal. If the executive director determines that the notice is insufficient, he shall notify the local government within five (5) working days and a sufficient notice shall be resubmitted in order to begin the twenty (20) working day appeal period.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30602 and 30620.5, Public Resources Code.

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13332, 14 CA ADC § 13332

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§ 13105. Grounds for Revocation.

14 CA ADC § 13105

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations Currentness

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 5. Coastal Development Permits Issued by Coastal Commissions

Subchapter 1. Regular Permits

Article 16. Revocation of Permits

14 CCR § 13105

§ 13105. Grounds for Revocation.

Grounds for revocation of a permit shall be:

(a) Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application, where the commission finds that accurate and complete information would have caused the commission to require additional or different conditions on a permit or deny an application;

(b) Failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the commission and could have caused the commission to require additional or different conditions on a permit or deny an application.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).
2. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).
3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13105, 14 CA ADC § 13105

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EXHIBIT 5

**CALIFORNIA COASTAL COMMISSION
ENFORCEMENT PROGRAM OVERVIEW**



Belinda Point, Mendocino County. Photo taken after an unpermitted fence blocking public access was removed.

The mission of the Commission's enforcement program is to protect coastal resources by: assuring that proposed development projects are consistent with the Coastal Act, which is accomplished via the permit review process required by the Coastal Act; that required coastal development permits (CDPs) are obtained for all development in the Coastal Zone; that all terms and conditions of CDPs are complied with; to generally deter and address violations of the Coastal Act; and to work with local governments to assist them in enforcing coastal protection policies.

The enforcement provisions of the Coastal Act were strengthened in the 1990s, giving the Commission the power to issue cease and desist and restoration orders, and significantly increasing the Act's penalty provisions, in part to reflect the rise in land values, and to increase deterrence of would-be violators of the Coastal Act.

All non-exempt "development" in the coastal zone requires a permit under the Coastal Act. The Legislature established that permitting process as the mechanism through which the Coastal Commission and local governments review proposed projects to ensure that they will not have impacts inconsistent with the environmental protection policies of the Coastal Act and of the plans created by local governments to implement the Coastal Act, known as "Local Coastal Programs" (LCPs). "Development" is broadly defined under the Coastal Act, and includes both physical development and certain other actions which have the potential to affect coastal resources:

Section 30106 Development

"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 66410 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 4511).

The enforcement program seeks to address both failure to apply for and obtain a Coastal Development Permit before commencing construction, and failure to comply with conditions of coastal development permit approval and, in certain cases, to remedy violations by requiring unpermitted development to be removed and sites to be restored to their "pre-violation" condition, as discussed below.

Legal Authorities

The Coastal Act provides a number of enforcement tools. Violations can be pursued either through administrative remedies or by filing suit against the responsible party (which could include the current owner of the property), for both injunctive relief such as restoration of the site, and for civil penalties.

The Commission generally uses Cease and Desist Orders (Section 30810, California Public Resources Code) to halt ongoing violations, to order removal of unpermitted development, and to obtain compliance with requirements of the Coastal Act or LCPs; Restoration Orders (Section 30811, California Public Resources Code) are generally used to bring

about the removal of unpermitted development and/or restoration of damaged coastal resources. The Executive Director of the Commission can also issue Cease and Desist Orders (Section 30809, California Public Resources Code) when someone has undertaken, or is threatening to undertake, development without a CDP or inconsistent with a CDP. These Executive Director orders stay in effect for 90 days and are followed by Commission-issued orders if needed. Where action is taken and orders have been issued, they have been quite effective in deterring, halting, and correction of illegal development activities in the coastal zone.

The Coastal Act also provides for "citizen suits." Under section 30803 of the Public Resources Code, citizens can bring legal action to address violations of the Coastal Act, and to enforce orders issued by the Commission.

In addition, under the provisions of Section 30812 of the Public Resources Code, the Commission may record a "Notice of Violation" (NOVA) on title to property that has been developed in violation of the Coastal Act, including both by unpermitted development and by development conducted in a manner that involved violations of permit conditions. These NOVAs are intended to provide notice to potential purchasers of violations pending against the property and to avoid an innocent purchaser's unnecessary involvement in violation cases.

Enforcement Staff

The enforcement program includes district enforcement and statewide enforcement officers:

District enforcement officers, including two supervisors (one for northern California and one for southern California) conduct initial investigations of enforcement complaints and work with responsible parties, local governments, and other agencies to resolve violations without formal administrative action when possible. District staff also prepares enforcement cases for "elevation" to headquarters enforcement staff when resolution at the district level is not feasible.

Headquarters enforcement officers prepare proposed cease and desist orders and restoration orders for Commission action and support the Commission in litigation. The officers work with local governments, attend task force meetings and coordinate enforcement strategies for cases that involve multiple jurisdictions. The Enforcement Program is led by the Chief of Enforcement, who is responsible for managing both district and headquarters staff.

Reporting Violations

Potential violations and concerns regarding Coastal Act resources may be reported to the Commission's enforcement staff in the geographic area where the development is located. Contact information is listed below.

PUBLICATION:

ENFORCEMENT PROGRAM REPORT 2004

COASTAL ACT ENFORCEMENT PROVISIONS:

California Public Resources Code, Division 20 (Coastal Act)

Chapter 9. Judicial Review, Enforcement, and Penalties

- General Provisions §§30800-30824
- Penalties §§30820-30824

To find the **California Coastal Commission Administrative Regulations**, go to the California Code of Regulations.

Click on **Title 14, Natural Resources**, then select **Division 5.5, California Coastal Commission**

You must click down in the tree to go to the section you want.

Additionally, There is a search capability, but you must scroll up to the top of the page to get to it.

(The above link is provided by Office of Administrative Law on Westlaw's web site.)

For information on enforcement issues:

Statewide Enforcement

California Coastal Commission

45 Fremont Street, Suite 2000

San Francisco, CA 94105

(415) 904-5220, FAX (415) 904-5400

Lisa Haage, Chief of Enforcement

Aaron McLendon, Deputy Chief of Enforcement

Statewide Enforcement Officers: Peter Allen, Justin Buhr, John Del Arroz, and Derek Schaible

North Coast

Del Norte, Humboldt, Mendocino Counties

1385 8th Street, Suite 130

Arcata, CA 95521

(707) 826-8950, FAX (707) 826-8960

Josh Levine, Enforcement Officer

Pat Veesart, Northern California Supervisor

North Central Coast and Energy/Ocean Resources

San Mateo, San Francisco, Marin, Sonoma Counties

45 Fremont Street, Suite 2000

San Francisco, CA 94105

(415) 904-5269, FAX (415) 904-5400

Jo Ginsberg, Enforcement Officer

Pat Veasart, Northern California Supervisor

Central Coast

Santa Cruz, Monterey, San Luis Obispo Counties

725 Front Street, Suite 300

Santa Cruz, CA 95060

(831) 427-4863, FAX (831) 427-4877

Sharif Traylor, Enforcement Officer

Nancy Cave, Northern California Supervisor

South Central Coast

Ventura and Santa Barbara Counties,

and the Malibu portion of Los Angeles County

89 South California Street, Suite 200

Ventura, CA 93001

(805) 585-1800, FAX (805) 641-1732

Andrew Willis, Southern California Supervisor

South Coast

Los Angeles (except Malibu) and Orange Counties

200 Oceangate, 10th Floor

Long Beach, CA 90802

(562) 590-5071, FAX (562) 590-5084

Andrew Willis, Southern California Supervisor

San Diego Coast

San Diego County

7575 Metropolitan Drive, Suite 103

San Diego, CA 92108

(619) 767-2370, FAX (619) 767-2384

Marsha Venegas, Enforcement Officer

Andrew Willis, Southern California Supervisor

For more information on the California Coastal Commission,
including general information, legal authorities, public coastal access
and other programs please refer to: www.coastal.ca.gov.

Other State, Federal and Local jurisdictions:

Most local governments in the coastal zone have "certified" local coastal programs (LCPs) whereby they take lead responsibility in reviewing proposed development projects, issuing coastal development permits, and, generally, in taking enforcement actions. In certain circumstances, the Coastal Commission may also take enforcement actions in these certified areas.

The following are links to other relevant agencies with whom the Coastal Commission often coordinates:

[San Francisco Bay Conservation and Development Commission](#)
[California Environmental Protection Agency Enforcement](#)
[Monterey Bay National Marine Sanctuary Enforcement Program](#)
[National Oceanic and Atmospheric Administration Coastal Services Center](#)
[California Department of Fish and Wildlife](#)
[State Water Resources Control Board](#)
[United States Army Corps of Engineers](#)
[United States Fish and Wildlife](#)
[Coastal Zone Management Act](#)

EXHIBIT 6

CHAPTER 9
JUDICIAL REVIEW, ENFORCEMENT,
AND PENALTIES

ARTICLE 1
GENERAL PROVISIONS

Section

<u>30800</u>	Additional remedies
<u>30801</u>	Petition for writ of mandate; aggrieved person
<u>30802</u>	Decisions or actions not appealable to commission; petition for writ of mandate; intervention
<u>30803</u>	Declaratory and equitable relief; cease & desist orders; restoration orders; bonds; stay
<u>30804</u>	Enforcement of duties; bond
<u>30805</u>	Recovery of civil penalties
<u>30805.5</u>	Recovery of penalties; limitation of action
<u>30806</u>	Change of venue; legal assistance
<u>30807</u>	Repealed
<u>30808</u>	Actions to insure compliance with terms and conditions of urban exclusion
<u>30809</u>	Ex parte cease & desist orders; notice; terms and conditions; time of effectiveness; duration
<u>30810</u>	Cease & desist orders issued after public hearing; terms and conditions; notice of hearing; finality and effectiveness of order
<u>30811</u>	Restoration order; violations
<u>30812</u>	Notification of intention to record property violation; contents; public hearings; review

ARTICLE 2
PENALTIES

Section

<u>30820</u>	Civil liability; violations; amount; factors
<u>30821</u>	Administrative Civil Penalties
<u>30821.6</u>	Violation of orders; civil penalties; local government agency actions
<u>30822</u>	Exemplary damages
<u>30823</u>	Disposal of funds
<u>30824</u>	Ex parte communications, disclosure; additional fines; fees & costs
<u>30826</u>	Renumbered

ARTICLE I GENERAL PROVISIONS

Section 30800 Additional remedies

The provisions of this chapter shall be in addition to any other remedies available at law.

Section 30801 Petition for writ of mandate; aggrieved person

Any aggrieved person shall have a right to judicial review of any decision or action of the commission by filing a petition for a writ of mandate in accordance with Section 1094.5 of the Code of Civil Procedure, within 60 days after the decision or action has become final.

For purposes of this section and subdivision (c) of Section 30513 and Section 30625, an "aggrieved person" means any person who, in person or through a representative, appeared at a public hearing of the commission, local government, or port governing body in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the commission, local government, or port governing body of the nature of his concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a permit and, in the case of an approval of a local coastal program, the local government involved.

(Amended by Ch. 285, Stats. 1991.)

Section 30802 Decisions or actions not appealable to Commission; petition for writ of mandate; intervention

Any person, including an applicant for a permit or the commission, aggrieved by the decision or action of a local government that is implementing a certified local coastal program or certified port master plan, or is exercising its powers pursuant to Section 30600.5, which decision or action may not be appealed to the commission, shall have a right to judicial review of such decision or action by filing a petition for writ of mandate in accordance with the provisions of Section 1094.5 of the Code of Civil Procedure within 60 days after the decision or action has become final. The commission may intervene in any such proceeding upon a showing that the matter involves a question of the conformity of a proposed development with a certified local coastal program or certified port master plan or the validity of a local government action taken to implement a local coastal program or certified port master plan. Any local government or port governing body may request that the commission intervene. Notice of this action against a local government or port governing body shall be filed with the commission within five working days of the filing of this action. When an action is brought challenging the validity of a local coastal program or certified port master plan, a preliminary showing shall be made prior to proceeding on the merits as to why such action should not have been brought pursuant to the provisions of Section 30801.

(Amended by Ch. 1173, Stats. 1981.)

Section 30803 Declaratory and equitable relief; cease & desist orders; restoration orders; bonds; stay

(a) Any person may maintain an action for declaratory and equitable relief to restrain any violation of this division, of a cease and desist order issued pursuant to Section 30809 or 30810, or of a restoration order issued pursuant to Section 30811. On a prima facie showing of a violation of this division, preliminary equitable relief shall be issued to restrain any further violation of this division. No bond shall be required for an action under this section.

(b) A court may stay the operation of the cease and desist order after it provides notice to the commission and holds a hearing. Any such stay may be imposed or continued only if it is not against the public interest.

(Amended by: Ch. 761, Stats. 1991; Ch. 1199, Stats. 1993.)

Section 30804 Enforcement of duties; bond

Any person may maintain an action to enforce the duties specifically imposed upon the commission, any governmental agency, any special district, or any local government by this division. No bond shall be required for an action under this section.

(Amended by Ch. 285, Stats. 1991.)

Section 30805 Recovery of civil penalties

Any person may maintain an action for the recovery of civil penalties provided for in Section 30820 or 30821.6.

(Amended Ch. 1199, Stats. 1993.)

Section 30805.5 Recovery of penalties; limitation of action

Any action pursuant to Sections 30805 or 30822 to recover civil fines or penalties under this chapter shall be commenced not later than three years from the date on which the cause of action for the recovery is known or should have been known.

(Added by Ch. 1199, Stats. 1993.)

Section 30806 Change of venue; legal assistance

(a) Any civil action under this division by, or against, a city, county, or city and county, the commission, special district, or any other public agency shall, upon motion of either party, be transferred to a county or city and county not a party to the action or to a county or city and county other than that in which the city, special district, or any other public agency which is a party to the action is located.

(b) In any action brought by or against any local government, other than an action brought by or against the commission, that involves the enforcement or implementation of its certified local coastal program, the Department of Justice shall, upon the request of the local government, provide such legal assistance as its resources permit.

(Amended by: Ch. 919, Stats. 1979; Ch. 285, Stats. 1991.)

Section 30807 (Repealed by Ch. 1173, Stats. 1981.)

Section 30808 Actions to ensure compliance with terms and conditions of urban exclusion

In addition to any other remedy provided by this article, any person, including the commission, may bring an action to restrain a violation of the terms and conditions of an urban exclusion imposed pursuant to Section 30610.5. In any such action the court may grant whatever relief it deems appropriate to ensure compliance with the terms and conditions of the urban exclusion.

Section 30809 Ex parte cease & desist orders; notice; terms and conditions; time of effectiveness; duration

(a) If the executive director determines that any person or governmental agency has undertaken, or is threatening to undertake, any activity that (1) may require a permit from the commission without

securing a permit or (2) may be inconsistent with any permit previously issued by the commission, the executive director may issue an order directing that person or governmental agency to cease and desist. The order may be also issued to enforce any requirements of a certified local coastal program or port master plan, or any requirements of this division which are subject to the jurisdiction of the certified program or plan, under any of the following circumstances:

(1) The local government or port governing body requests the commission to assist with, or assume primary responsibility for, issuing a cease and desist order.

(2) The commission requests and the local government or port governing body declines to act, or does not take action in a timely manner, regarding an alleged violation which could cause significant damage to coastal resources.

(3) The local government or port governing body is a party to the violation.

(b) The cease and desist order shall be issued only if the person or agency has failed to respond in a satisfactory manner to an oral notice given in person or by telephone, followed by a written confirmation, or a written notice given by certified mail or hand delivered to the landowner or the person performing the activity. The notice shall include the following:

(1) A description of the activity which meets the criteria of subdivision (a).

(2) A statement that the described activity constitutes development which is in violation of this division because it is not authorized by a valid coastal development permit.

(3) A statement that the described activity be immediately stopped or the alleged violator may receive a cease and desist order, the violation of which may subject the violator to additional fines.

(4) The name, address, and phone number of the commission or local government office which is to be contacted for further information.

(c) The cease and desist order may be subject to such terms and conditions as the executive director may determine are necessary to avoid irreparable injury to any area within the jurisdiction of the commission pending action by the commission under Section 30810.

(d) The cease and desist order shall be effective upon its issuance, and copies shall be served forthwith by certified mail upon the person or governmental agency subject to the order.

(e) A cease and desist order issued pursuant to this section shall become null and void 90 days after issuance.

(Added by Ch. 761, Stats. 1991.)

Section 30810 Cease & desist orders issued after public hearing; terms and conditions; notice of hearing; finality and effectiveness of order

(a) If the commission, after public hearing, determines that any person or governmental agency has undertaken, or is threatening to undertake, any activity that (1) requires a permit from the commission without securing the permit or (2) is inconsistent with any permit previously issued by the commission, the commission may issue an order directing that person or governmental agency to cease and desist. The order may also be issued to enforce any requirements of a certified local coastal program or port master plan, or any requirements of this division which are subject to the jurisdiction of the certified program or plan, under any of the following circumstances:

(1) The local government or port governing body requests the commission to assist with, or assume primary responsibility for, issuing a cease and desist order.

(2) The commission requests and the local government or port governing body declines to act, or does not take action in a timely manner, regarding an alleged violation which could cause significant damage to coastal resources.

(3) The local government or port governing body is a party to the violation.

(b) The cease and desist order may be subject to such terms and conditions as the commission may determine are necessary to ensure compliance with this division, including immediate removal of any development or material or the setting of a schedule within which steps shall be taken to obtain a permit pursuant to this division.

(c) Notice of the public hearing on a proposed cease and desist order shall be given to all affected persons and agencies and the order shall be final and effective upon the issuance of the order. Copies shall be served immediately by certified mail upon the person or governmental agency subject to the order and upon other affected persons and agencies who appeared at the hearing or requested a copy. The notice shall include a description of the civil remedy to a cease and desist order, authorized by Section 30803.

(Amended by Ch. 1199, Stats. 1993.)

Section 30811 Restoration order; violations

In addition to any other authority to order restoration, the commission, a local government that is implementing a certified local coastal program, or a port governing body that is implementing a certified port master plan may, after a public hearing, order restoration of a site if it finds that the development has occurred without a coastal development permit from the commission, local government, or port governing body, the development is inconsistent with this division, and the development is causing continuing resource damage.

(Added by Ch. 955, Stats. 1992.)

(Section renumbered by Ch. 1199, Stats. 1993.)

Section 30812 Notification of intention to record property violation; contents; public hearings; review

(a) Whenever the executive director of the commission has determined, based on substantial evidence, that real property has been developed in violation of this division, the executive director may cause a notification of intention to record a notice of violation to be mailed by regular and certified mail to the owner of the real property at issue, describing the real property, identifying the nature of the violation, naming the owners thereof, and stating that if the owner objects to the filing of a notice of violation, an opportunity will be given to the owner to present evidence on the issue of whether a violation has occurred.

(b) The notification specified in subdivision (a) shall indicate that the owner is required to respond in writing, within 20 days of the postmarked mailing of the notification, to object to recording the notice of violation. The notification shall also state that if, within 20 days of mailing of the notification, the owner of the real property at issue fails to inform the executive director of the owner's objection to recording the notice of violation, the executive director shall record the notice of violation in the office of each county recorder where all or part of the property is located.

(c) If the owner submits a timely objection to the proposed filing of the notice of violation, a public hearing shall be held at the next regularly scheduled commission meeting for which adequate public notice can be provided, at which the owner may present evidence to the commission why the notice of violation

should not be recorded. The hearing may be postponed for cause for not more than 90 days after the date of the receipt of the objection to recordation of the notice of violation.

(d) If, after the commission has completed its hearing and the owner has been given the opportunity to present evidence, the commission finds that, based on substantial evidence, a violation has occurred, the executive director shall record the notice of violation in the office of each county recorder where all or part of the real property is located. If the commission finds that no violation has occurred, the executive director shall mail a clearance letter to the owner of the real property.

(e) (1) The notice of violation shall be contained in a separate document prominently entitled "Notice of Violation of the Coastal Act." The notice of violation shall contain all of the following information:

- (A) The names of the owners of record.
- (B) A legal description of the real property affected by the notice.
- (C) A statement specifically identifying the nature of the alleged violation.
- (D) A commission file number relating to the notice.

(2) The notice of violation, when properly recorded and indexed, shall be considered notice of the violation to all successors in interest in that property. This notice is for informational purposes only and is not a defect, lien, or encumbrance on the property.

(f) Within 30 days after the final resolution of a violation that is the subject of a recorded notice of violation, the executive director shall mail a clearance letter to the owner of the real property and shall record a notice of rescission in the office of each county recorder in which the notice of violation was filed, indicating that the notice of violation is no longer valid. The notice of rescission shall have the same effect of a withdrawal or expungement under Section 405.61 of the Code of Civil Procedure.

(g) The executive director may not invoke the procedures of this section until all existing administrative methods for resolving the violation have been utilized and the property owner has been made aware of the potential for the recordation of a notice of violation. For purposes of this subdivision, existing methods for resolving the violation do not include the commencement of an administrative or judicial proceeding.

(h) This section only applies in circumstances where the commission is the legally responsible coastal development permitting authority or where a local government or port governing body requests the commission to assist in the resolution of an unresolved violation if the local government is the legally responsible coastal development permitting authority.

(i) The commission, 24 months from the date of recordation, shall review each notice of violation that has been recorded to determine why the violation has not been resolved and whether the notice of violation should be expunged.

(j) The commission, at any time and for cause, on its own initiative or at the request of the property owner, may cause a notice of rescission to be recorded invalidating the notice of violation recorded pursuant to this section. The notice of rescission shall have the same effect of a withdrawal or expungement under Section 405.61 of the Code of Civil Procedure.

(Added by Ch. 235, Stats. 2002; Amended by Ch. 62, Stats. 2003.)

(b) All penalties imposed pursuant to subdivision (a) shall be imposed by majority vote of the commissioners present in a duly noticed public hearing in compliance with the requirements of Section 30810, 30811, or 30812.

(c) In determining the amount of civil liability, the commission shall take into account the factors set forth in subdivision (c) of Section 30820.

(d) A person shall not be subject to both monetary civil liability imposed under this section and monetary civil liability imposed by the superior court for the same act or failure to act. If a person who is assessed a penalty under this section fails to pay the administrative penalty, otherwise fails to comply with a restoration or cease and desist order issued by the commission in connection with the penalty action, or challenges any of these actions by the commission in a court of law, the commission may maintain an action or otherwise engage in judicial proceedings to enforce those requirements and the court may grant any relief as provided under this chapter.

(e) If a person fails to pay a penalty imposed by the commission pursuant to this section, the commission may record a lien on the property in the amount of the penalty assessed by the commission. This lien shall have the force, effect, and priority of a judgment lien.

(f) In enacting this section, it is the intent of the Legislature to ensure that unintentional, minor violations of this division that only cause de minimis harm will not lead to the imposition of administrative penalties if the violator has acted expeditiously to correct the violation.

(g) "Person," for the purpose of this section, does not include a local government, a special district, or an agency thereof, when acting in a legislative or adjudicative capacity.

(h) Administrative penalties pursuant to subdivision (a) shall not be assessed if the property owner corrects the violation consistent with this division within 30 days of receiving written notification from the commission regarding the violation, and if the alleged violator can correct the violation without undertaking additional development that requires a permit under this division. This 30-day timeframe for corrective action does not apply to previous violations of permit conditions incurred by a property owner.

(i) The commission shall prepare and submit, pursuant to Section 9795 of the Government Code, a report to the Legislature by January 15, 2019, that includes all of the following:

(1) The number of new violations reported annually to the commission from January 1, 2015, to December 31, 2018, inclusive.

(2) The number of violations resolved from January 1, 2015, to December 31, 2018, inclusive.

(3) The number of administrative penalties issued pursuant to this section, the dollar amount of the penalties, and a description of the violations from January 1, 2015, to December 31, 2018, inclusive.

(j) Revenues derived pursuant to this section shall be deposited into the Violation Remediation Account of the Coastal Conservancy Fund and expended pursuant to Section 30823.

(Added by: Ch. 35, Stats. 2014)

Section 30821.6 Violation of orders; civil penalties; local government agency actions

(a) Any person or governmental agency who intentionally or negligently violates any cease and desist order issued, reissued, or amended by the executive director or the commission, or any restoration order issued, reissued, or amended by the commission, a local government that is implementing a certified local coastal program, or a port governing body that is implementing a certified port master plan may be

liable civilly in a sum of not to exceed six thousand dollars (\$6,000) for each day in which that violation persists. Any actual penalty imposed shall be reasonably proportionate to the damage suffered as a consequence of the violation.

(b) Sections 30809 and 30810 and subdivision (a) of this section do not authorize the issuance or enforcement of any cease and desist order as to any activity undertaken by a local governmental agency pursuant to a declaration of emergency by the board of supervisors of the county in which the activity is being or may be undertaken.

(Added by Ch. 761, Stats. 1991; Amended by Ch. 1199, Stats 1993.)

Section 30822 Exemplary damages

Where a person has intentionally and knowingly violated any provision of this division or any order issued pursuant to this division, the commission may maintain an action, in addition to Section 30803 or 30805, for exemplary damages and may recover an award, the size of which is left to the discretion of the court. In exercising its discretion, the court shall consider the amount of liability necessary to deter further violations.

(Amended by Ch. 1199, Stats. 1993.)

Section 30823 Disposal of funds

Any funds derived under this article shall be expended for carrying out the provisions of this division, when appropriated by the Legislature. Funds so derived shall be deposited in the Violation Remediation Account of the Coastal Conservancy Fund until appropriated.

(Amended by Ch. 1618, Stats. 1982.)

Section 30824 Ex parte communications, disclosure; additional fines; fees & costs

In addition to any other applicable penalty, any commission member who knowingly violates Section 30324 is subject to a civil fine, not to exceed seven thousand five hundred dollars (\$7,500). Notwithstanding any law to the contrary, the court may award attorney's fees and costs to the prevailing party.

(Added by Ch. 1114, Stats. 1992; Amended by Ch. 798, Stats. 1993.)

Section 30826 (Renumbered Ch. 1199, Stats. 1993.)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4.1)

SECTION V. Certification
Date: September 19, 2016

742-744-746-748 Brooks Ave

The information and facts stated above are correct to the best of my knowledge:

Name (printed): Jessica Montagne Signature: J Montagne
Address: 661 Vernon Ave Email: montagne.jw@verizon.net

Name (printed): Amanda Malko Signature: [Signature]
Address: 660 Flower Ave Email: amanda.bird@gmail.com

Name (printed): ROBERT MALKO Signature: [Signature]
Address: 660 FLOWER AVE Email: ROBMALKO@gmail.com

Name (printed): John Castillo Signature: [Signature]
Address: 660 1/4 Flower Ave Email: Engle Spirit 7@gmail.com
Venice CA 90229

Name (printed): SMITH CHO Signature: [Signature]
Address: 824 BROOKS AVE, VENICE 90291 Email: piipen.smith@gmail.com

Name (printed): EDWARD POLLACK Signature: [Signature]
Address: 824 BROOKS AVE, 90291 Email: NARROW#1PS@yahoo.com

Name (printed): Sarah Luntz Signature: [Signature]
Address: 609 ROSE AVE Email: SUNTZ@gmail.com

Name (printed): JOSH POLLACK Signature: Josh Pollack
Address: 824 BROOKS AVE Email: J.POLLACK@APA-AGENCY.COM
VENICE, CA

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4.2)

SECTION V. Certification
Date: September 19, 2016

742-744-746-748 Brooks Ave

The information and facts stated above are correct to the best of my knowledge:

Name (printed): NICHOLAS MELI Signature: [Signature]
Address: 701 INDIANA AVE Email: WHATWO @ Yahoo

Name (printed): Jenni Hawk Signature: [Signature]
Address: 845 Brooks Ave, Condo 1 Email: jencaliforniagirl@gmail.com
Venice, 90291

Name (printed): Jin Ah Park Signature: [Signature]
Address: 732 Brooks Ave Email: jpark@nbbj.com
Venice, CA 90291

Name (printed): Jonathan Ward Signature: [Signature]
Address: 732 Brooks Ave Email: jward@nbbj.com
Venice, CA 90291

Name (printed): Rebecca Freise Signature: [Signature]
Address: 835 Brooks Ave Email: rebeccafreise@gmail.com

Name (printed): Laura Stoland Signature: [Signature]
Address: 721 Brooks Ave Email: LStoland@gmail.com

Name (printed): Ira Rosenblatt Signature: [Signature]
Address: 721 Brooks Ave Email: ira.rosenblatt@gmail.com
Venice CA 90291

Name (printed): Ellen Korak Signature: [Signature]
Address: 740 Brooks Ave Email: ellenthesignlady@netzero.net

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4.5)

SECTION V. Certification
Date: September 19, 2016

742-744-746-748 Brooks Ave

The information and facts stated above are correct to the best of my knowledge:

Name (printed): Janis Jones Signature: Janis Jones
Address: 646 Brooks Ave Email: o

Name (printed): Edward Dabbs Signature: Edw Dabbs
Address: 556 Brooks Ave Email: _____

Name (printed): REGINA F CHANDEL ^{DABBS} Signature: IFC
Address: 556 Brooks Ave Email: _____

Name (printed): Cleotilde Barbo Signature: Cleotilde Barbo
Address: 557 Brooks Email: _____

Name (printed): DONALD COBURN HAWK Signature: [Signature]
Address: 845 Brooks Email: COBURNHAWK@YAHOO.COM

Name (printed): _____ Signature: _____
Address: _____ Email: _____

Name (printed): _____ Signature: _____
Address: _____ Email: _____

Name (printed): _____ Signature: _____
Address: _____ Email: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4.0)

SECTION V. Certification

742-744-746-748 Brooks Ave

Date: September 19, 2016

The information and facts stated above are correct to the best of my knowledge:

Name (printed): Maname Snell Signature: Maname Snell

Address: 3003 OFW, Venice Email: _____

Name (printed): Noel Gould Signature: Noel Gould

Address: 3003 Ocean Front Walk 90291 Venice Email: aquariumstudios@hotmail.com

Name (printed): GEORGE GINERIS Signature: GEORGE GINERIS

Address: 256 HORIZON AVENUE VENICE 90291 Email: GEOHORIZON@YAHOO.COM

Name (printed): Robin Rudisill Signature: Robin Rudisill

Address: 3003 Ocean Front Walk Venice Email: wildrudi@mac.com

Name (printed): Peter Rudisill Signature: Peter Rudisill

Address: 3043 Mulholland Hwy #19 Email: peter.wildrudi@mac.com

Name (printed): Kelly Adams Signature: Kelly Adams

Address: 20 29th Ave, Venice 90291 Email: Kelly@Ktrproductions.com

Name (printed): James Adams Signature: James Adams

Address: 20 29th Ave, VB Email: jadams@828@gmail.com

Name (printed): Sean Longstreet Signature: Sean Longstreet

Address: 20 29th Ave, Venice Email: sean.longstreet@gmail.com

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4.3)

SECTION V. Certification
Date: September 19, 2016

742-744-746-748 Brooks Ave

The information and facts stated above are correct to the best of my knowledge:

Name (printed): Antoinette Reynolds Signature: Antoinette Reynolds
Address: 737 Brooks Ave Email: healedbyhiss@yahoo.com
Venice, CA 90291

Name (printed): GERRY KATZMAN Signature: [Signature]
Address: 845 Brooks Ave #2 Venice 90291 Email: gerrykatzman@gmail.com

Name (printed): KATE ARNESEN Signature: Kate Arnesen
Address: 708 BROOKS AVE Email: KATEARNES@ME.COM

Name (printed): ERIK ARNESEN Signature: [Signature]
Address: 708 BROOKS Email: arnfoto@mac.com

Name (printed): Lori Sadel Signature: [Signature]
Address: 840 Brooks Ave Email: lorisadel@gmail.com

Name (printed): Eduardo Guedes Sr. Signature: [Signature]
Address: 816 Brooks Ave. Email: eddiegtr@yahoo.com

Name (printed): Josh Crens Signature: [Signature]
Address: 667 Brooks Email: aka.liquid@yahoo.com

Name (printed): Sabrina Hill Signature: [Signature]
Address: 6607 Brooks Email: Sabrinahillster@gmail.com

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4.4)

SECTION V. Certification
Date: September 19, 2016

742-744-746-748 Brooks Ave

The information and facts stated above are correct to the best of my knowledge:

Name (printed): JACOB BOSTON Signature: [Signature]
Address: 812 BROOKS AVE Email: jakeboston8@gmail.com

Name (printed): Nathan Stefanelli Signature: [Signature]
Address: 667 Brooks Ave Email: nms287@gmail.com

Name (printed): MICHAEL BOYLE Signature: [Signature]
Address: 1079 OLLYONS AVE Email: MRBOYLE@MS.COM
(not sure of City)

Name (printed): VINCENT FURRIE Signature: [Signature]
Address: 713 BROOKS AVE Email: VFURRIE@YAHOO.COM

Name (printed): Leslie Damos Signature: [Signature]
Address: 821 Brooks Ave Email: Setlogic@gmail.com

Name (printed): T Damos Signature: [Signature]
Address: 821 Brooks Ave Email: "

Name (printed): Mark Frick Signature: [Signature]
Address: 754 Brooks Ave Email: mwatsonfrick@gmail.com

Name (printed): PAULA MATISSE Signature: [Signature]
Address: 725 BROOKS AVE Email: Palmatissa@aol.com

SEP 20 2016

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

CALIFORNIA

Please Review Attached Appeal Information Sheet Prior To Completing TOC/ATA CALIFORNIA COASTAL COMMISSION

SECTION I. Appellant(s)

Name	Mailing Address
Jenni Hawk – Main Contact 323-828-8137	845 Brooks Ave, Unit 1, Venice, 90291
Jessica Montagne	661 Vernon Ave, Venice, 90291
Amanda Malko	660 Flower Ave, Venice, 90291
Robert Malko	660 Flower Ave, Venice, 90291
John Castillo	660 ¼ Flower Ave, Venice, 90291
Smith Cho	824 Brooks Ave, Venice, 90291
Sarah Luntz	609 Rose Ave, Venice, 90291
Josh Pollack	824 Brooks Ave, Venice, 90291
Nicholas Mele	701 Indiana Ave, Venice, 90291
Jin Ah Park	732 Brooks Ave, Venice, 90291
Jonathan Ward	732 Brooks Ave, Venice, 90291
Rebecca Freise	835 Brooks Ave, Venice, 90291
Laura Stoland	721 Brooks Ave, Venice, 90291
Ira Rosenblatt	721 Brooks Ave, Venice, 90291
Ellen Korak	740 Brooks Ave, Venice, 90291
Antoinette Reynolds	737 Brooks Ave, Venice, 90291
Gerry Katzman	845 Brooks Ave, Unit 2, Venice, 90291
Kate Arneson	708 Brooks Ave, Venice, 90291
Erik Arneson	708 Brooks Ave, Venice, 90291
Lori Sadel	840 Brooks Ave, Venice, 90291
Eduardo Guedea	816 Brooks Ave, Venice, 90291
Josh Crews	667 Brooks Ave, Venice, 90291
Sabrina Hill	667 Brooks Ave, Venice, 90291
Jacob Boston	812 Brooks Ave, Venice, 90291
Nathan Stefanelli	667 Brooks Ave, Venice, 90291
Michael Boyle	1039 Elkgrove Ave, Venice, 90291
Vincent Furrie	713 Brooks Ave, Venice, 90291
Leslie Demos	821 Brooks Ave, Venice, 90291
Ted Demos	821 Brooks Ave, Venice, 90291
Mark Frick	754 Brooks Ave, Venice, 90291
Paula Matisse	725 Brooks Ave, Venice, 90291
Janis Jones	646 Brooks Ave, Venice, 90291
Edward Dabbs	556 Brooks Ave, Venice, 90291
Cleotilde Barbo	557 Brooks Ave, Venice, 90291
Coburn Hawk	845 Brooks Ave, Unit 1, Venice, 90291
Marianne Shell	3003 Ocean Front Walk, Venice, 90291
Noel Gould	3003 Ocean Front Walk, Venice, 90291
George Gineris	256 Horizon Ave, Venice, 90291
Robin Rudisill	3003 Ocean Front Walk, Venice, 90291
Peter Rudisill	3003 Ocean Front Walk, Venice, 90291
Kelly Adams	20 29 th Ave, Venice, 90291
James Adams	20 29 th Ave, Venice, 90291
Sean Longstreet	20 29 th Ave, Venice, 90291