

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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# W7a

Staff: S. Vaughn – LB  
Date: May 18, 2017

## ADMINISTRATIVE PERMIT

**Application No.** 5-17-0258

**Applicant:** Yasmin Tong

**Project Description:** Major remodel and addition to a one-story, 793 sq. ft. single-family residence, resulting in a two-story, approximately 26-ft. high 1,454 sq. ft. single-family residence. Four uncovered parking spaces will be maintained on the 4,802 sq. ft. lot.

**Project Location:** 756 Sunset Avenue, Venice, City of Los Angeles, Los Angeles County  
APN: 4240-016-045.

### EXECUTIVE DIRECTOR'S DETERMINATION

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

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

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

**June 7, 2017 9:00 a.m.**  
**Humboldt State University**  
**University Center-Kate Buchanan Room**  
**1 Harpst Street**  
**Arcata, CA 95521**

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

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

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

JOHN AINSWORTH  
Executive Director

By: Shannon Vaughn  
Coastal Program Analyst

**STANDARD CONDITIONS**

This permit is granted subject to the following standard conditions:

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

**SPECIAL CONDITIONS:** See pages seven through eight.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

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

## FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

### A. PROJECT DESCRIPTION

The applicant proposes to substantially demolish and remodel the existing 793 sq. ft., one-story single-family residence on a 4,802 sq. ft. lot at 756 Sunset Avenue in the Oakwood subarea of Venice, Los Angeles ([Exhibit 1](#)). The proposed project consists of the demolition of approximately 47 percent of the existing exterior walls, 65 percent of the existing roof, and 66 percent of the internal floor area. The project also consists of an interior remodel with a 172 sq. ft. addition on the first floor and a new 546 sq. ft. second-floor addition, resulting in a 1,454 sq. ft., two-story, 26-ft. high, single-family residence with four uncovered on-site parking spaces accessed from the alley at Sunset Court ([Exhibit 2](#)).

There is an existing 300 sq. ft. (approx.) detached accessory living quarters on the rear of the lot. No work is proposed to that structure at this time. On October 28, 1981, a previous owner applied to the Commission to construct a one-bedroom rental unit with four on-site parking spaces on the lot (5-81-460). On November 3, 1981, the Commission rejected the application and directed the applicant to apply to the City of Los Angeles for a local coastal development permit for the proposed project. The permit history of this action is not entirely clear, however, the applicant did apply to the City for the proposed accessory living quarters and the City issued a Certificate of Occupancy for the accessory living quarters on September 25, 1982. The City records show the accessory living quarters as a second residential unit, although the County assessor records do not recognize it as a second unit.

In order to accommodate four on-site parking spaces on the rear of the lot, two banana trees (*Musa genus*) are proposed to be removed. The parking area will be constructed using permeable pavers. The proposal includes rain gutters, downspouts, and rain barrels consistent with Coastal Act requirements to minimize energy use and preserve water quality, and consistent with the City's adopted CALGreen standards and other City guidelines. The existing landscape is to remain intact (except for the aforementioned banana trees) and therefore no new landscaping will be completed as part of this project. However, in the event that the vegetation is destroyed or removed during the construction of this project, the applicant shall replant with drought-tolerant and non-invasive species. Additionally, **Special Condition 1** and **Special Condition 2** require the applicant to observe water quality and best management practices (BMP) measures into the project, as well as, drought tolerant non-invasive landscaping.

A single-family residence consists of many components that can be measured, such as: the foundation, plumbing, electrical, walls, floor, and/or roof of the structure. The project plans must indicate the amount of demolition and augmentation that is necessary to build the proposed remodel. If 50 percent or more of the total of these components are being replaced, then the project must obtain a coastal development permit pursuant to Section 30600(a) of the Coastal Act. Typically, the addition of a second story to a one-story house would necessitate a coastal development permit because the amount of construction required to support the additional weight of a new level would often require substantial reconstruction/reinforcement of the first-floor load bearing walls, often with steel framing, and/or a new foundation. Even if the plans do not indicate replacement of floors and walls, the City building inspector may require replacement of these components for safety reasons. For example, when an older house is enlarged from one story to

two-story, more than fifty percent of the components may need to be replaced due to termite infestation and/or dry rot, which are typical of Southern California homes.

In this case, the applicant is proposing the demolition of approximately 47 percent of the exterior walls, 65 percent of the roof, and 66 percent of internal floor area of the existing 793 sq. ft., one-story single-family residence constructed circa 1941. The age of the existing structure indicates that there may be underlying issues that could potentially increase the amount of demolition from what is proposed on the submitted plans. The Commission requires coastal development permits for projects that result in the demolition of more than 50 percent of the existing structure, substantial but unknown amount of demolition or full demolition of the structure. By approving a coastal development permit for projects that include substantial demolition, the Commission acknowledges that because of unforeseen issues (such as those described above) the amount of demolition of a structure could change from the approved demolition plans. Therefore, with the approval of this coastal development permit, the Commission acknowledges that because of the age of the existing structure at 756 Sunset Avenue, potentially more than the proposed demolition might occur and this permit does not limit the amount of demolition on the site. In the end, the amount of demolition has no bearing on the review of the proposed resulting structure. Rather the proposed plans for the final structure are reviewed for conformity with the standards and policies set forth in the certified Venice LUP and the Coastal Act.

The applicant is proposing to maintain four on-site parking spaces, which is adequate to meet the parking demands of the proposed development and is consistent with previous Commission actions in the area. All vehicular access will be taken from the rear alley (Sunset Court).

Typically, the Commission looks at allowable land uses, density, and height when evaluating whether or not a project is visually compatible with the character of the neighborhood, along with the existing characteristics of the surrounding area. The project site is part of a developed residential neighborhood approximately 0.9-mile inland of the public beach and 1.3-miles inland of Marina del Rey, and is designated for multi-family residential use by the certified Venice LUP and RD1.5-1 by the Los Angeles Zoning Code. The Oakwood neighborhood is comprised of an amalgam of new and old one-to-two story buildings, and along Sunset Avenue the structures vary in number of residential units from single-family to two (2) or more units on a single lot. About one-fourth of the lots along this block of Sunset Avenue have two-story residences on them. The subject property is neighbored on the east by a 1,156 sq. ft., one-story single-family residence and on the west by an 840 sq. ft., one-story single-family residence. The proposed project at 756 Sunset Avenue will result in a 1,454 sq. ft., two-story single-family residence. The second story will be located at the rear of the residence. The project is designed to be consistent with previous Commission actions in the area (see table below for past Commission actions on Sunset Avenue).

The City of Los Angeles has consistently limited new development in the project area to a height of 25 feet (flat roof), or 30 feet (varied roofline) measured above the fronting right-of-way. The proposed project conforms to the 30-foot height limit of the LUP for varied rooflines, with a maximum height of approximately 26 feet. The Venice Specific Plan, which the Commission has not certified, also sets forth the same height limits as the certified Venice LUP. The project, as proposed has a maximum height of approximately 26 feet and, therefore, conforms to the mandated

height limits in its neighborhood. Overall, the project is designed to be compatible with the residential character of the surrounding development.

Table 1. Recent past Commission actions on Sunset Avenue.

Address	CDP No.	Height (ft.)	Square Footage
20 Sunset Avenue (SFR)	5-16-0934	28'	2,587
660 Sunset Avenue (SFR)	5-13-0627-W	30'	3,156
653 Sunset Avenue (2 SRFs on 1 lot)	5-10-234-W	21' 30'*	2,827 1,922
748 Sunset Avenue (SFR)	5-07-043-W	30'	1,735

\*roof access structure not included in height

The City has not designated the property as a historic resource within the community. SurveyLA, which is used as guidelines for historic resources in the area, also does not consider the property a historic resource nor does any other inventory maintained by the local government, the State of California, or the United States.

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

Pursuant to Section 30600(b) of the Coastal Act, the City of Los Angeles has opted to issue its own coastal development permits prior to certification of a Local Coastal Program (LCP) except for those permits eligible for issuance as administrative coastal development permits by the Executive Director under Section 30624. Section 30624 of the Coastal Act states in part:

- (a) The commission shall provide, by regulation, for the issuance of coastal development permits by the executive director of the commission or, where the coastal development permit authority has been delegated to a local government pursuant to Section 30600.5, by an appropriate local official designated by resolution of the local government without compliance with the procedures specified in this chapter in cases of emergency, other than an emergency provided for under Section 30611, and for the following nonemergency developments: improvements to any existing structure; any single-family dwelling; any development of four dwelling units or less within any incorporated area that does not require demolition, and any other developments not in excess of one hundred thousand dollars (\$100,000) other than any division of land, and any development specifically authorized as a principal permitted use and proposed in an area for

which the land use portion of the applicable local coastal program has been certified...

Local approval of the proposed project allows the applicant the option of applying to the Commission for a coastal development permit (CDP) rather than a local coastal development permit through the City. The Executive Director of the Coastal Commission may consider the issuance of an administrative coastal development permit for a proposed project pursuant to Section 30624 of the Coastal Act. If the project is not one of the above mentioned categories of development, or the development raises significant environmental/coastal issues, such issues cannot be appropriately addressed on the Commission's administrative permit process and must be addressed by the City through its local coastal development permit process.

In this case, the proposed project has received the appropriate approvals from the local government and qualifies for the Commission's Administrative Calendar. The Venice Neighborhood Council recommended approval of the proposed development by a vote of 14-0-1 on August 16, 2016. The proposed development received Venice Coastal Zone Specific Plan Director of Planning Sign-off on January 5, 2016, revised on March 13, 2017 (DIR-2016-0017-VSO) from the City of Los Angeles Department of City Planning.

## **B. PUBLIC ACCESS**

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

## **C. WATER QUALITY**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates best management practices (BMPs) to minimize the effect of construction and post-construction activities on the marine environment. These BMPs include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of rain barrels and permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters, as imposed in **Special Condition 1** and **Special Condition 2**. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

## **D. DEVELOPMENT**

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

## **E. LOCAL COASTAL PROGRAM**

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

## **F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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

## **SPECIAL CONDITIONS**

This permit is granted subject to the following special conditions:

1. **Construction Responsibilities and Debris Removal.** By acceptance of this permit, the permittee agrees that the approved development shall be carried out in compliance with the following BMPs:
  - (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
  - (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
  - (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
  - (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
  - (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
  - (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
  - (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
  - (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
  - (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
  - (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
  - (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
  - (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
2. **Landscape and Irrigation.** By acceptance of the permit, the permittee agrees, on behalf of all future successors and assigns, that:
- (a) Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruse/efficiency/docs/wucols00.pdf>).
  - (b) Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.



**ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS**

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

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing