

CALIFORNIA COASTAL COMMISSION

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



W13f

A-5-VEN-17-0028 (CHAIT)

JULY 12, 2017

EXHIBITS

Table of Contents

Exhibit 1 – Project Location

Exhibit 2 – Project Plans

Exhibit 3 – City Coastal Development Permits

Exhibit 4 – Appeal

Project Location

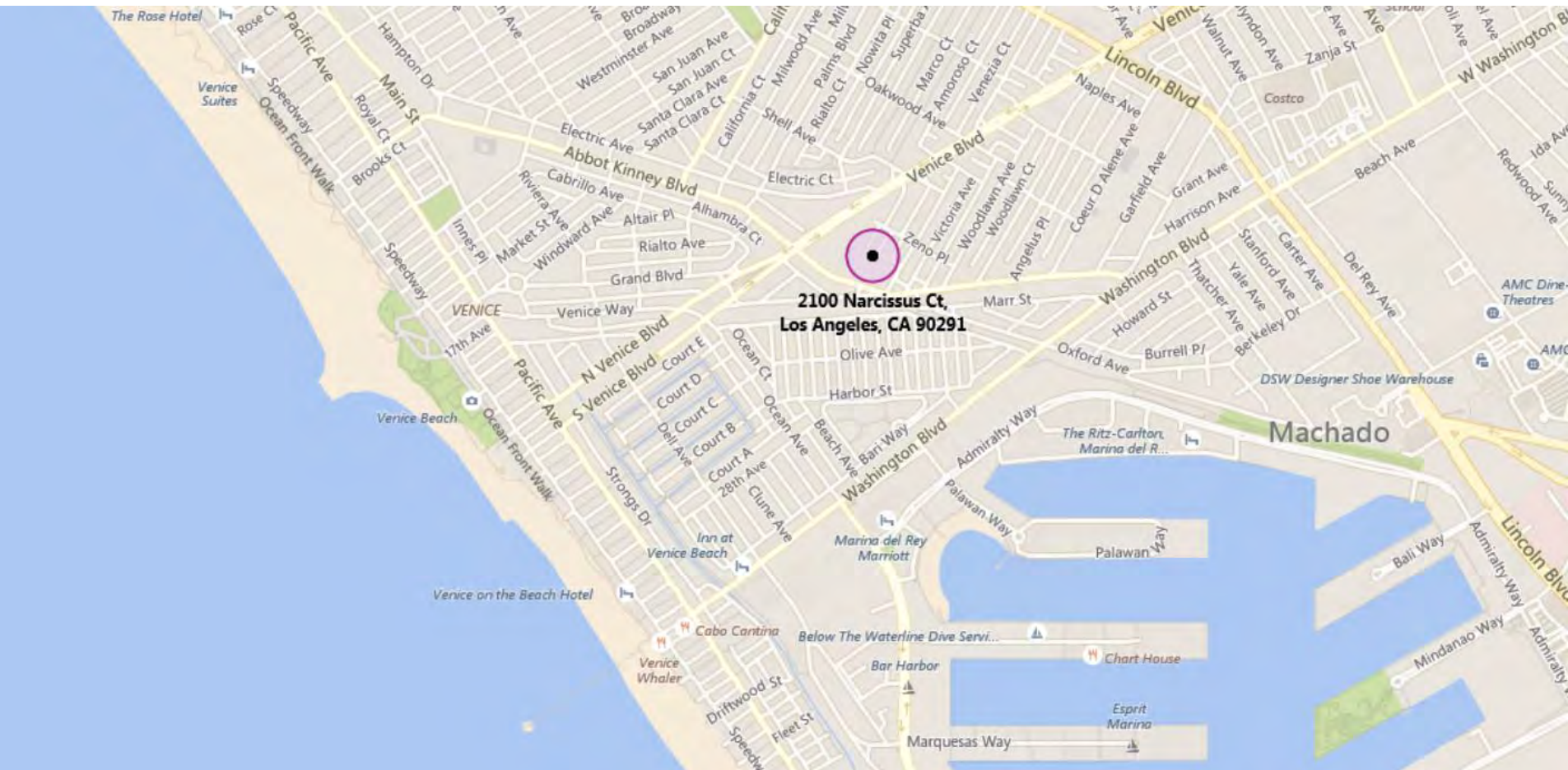
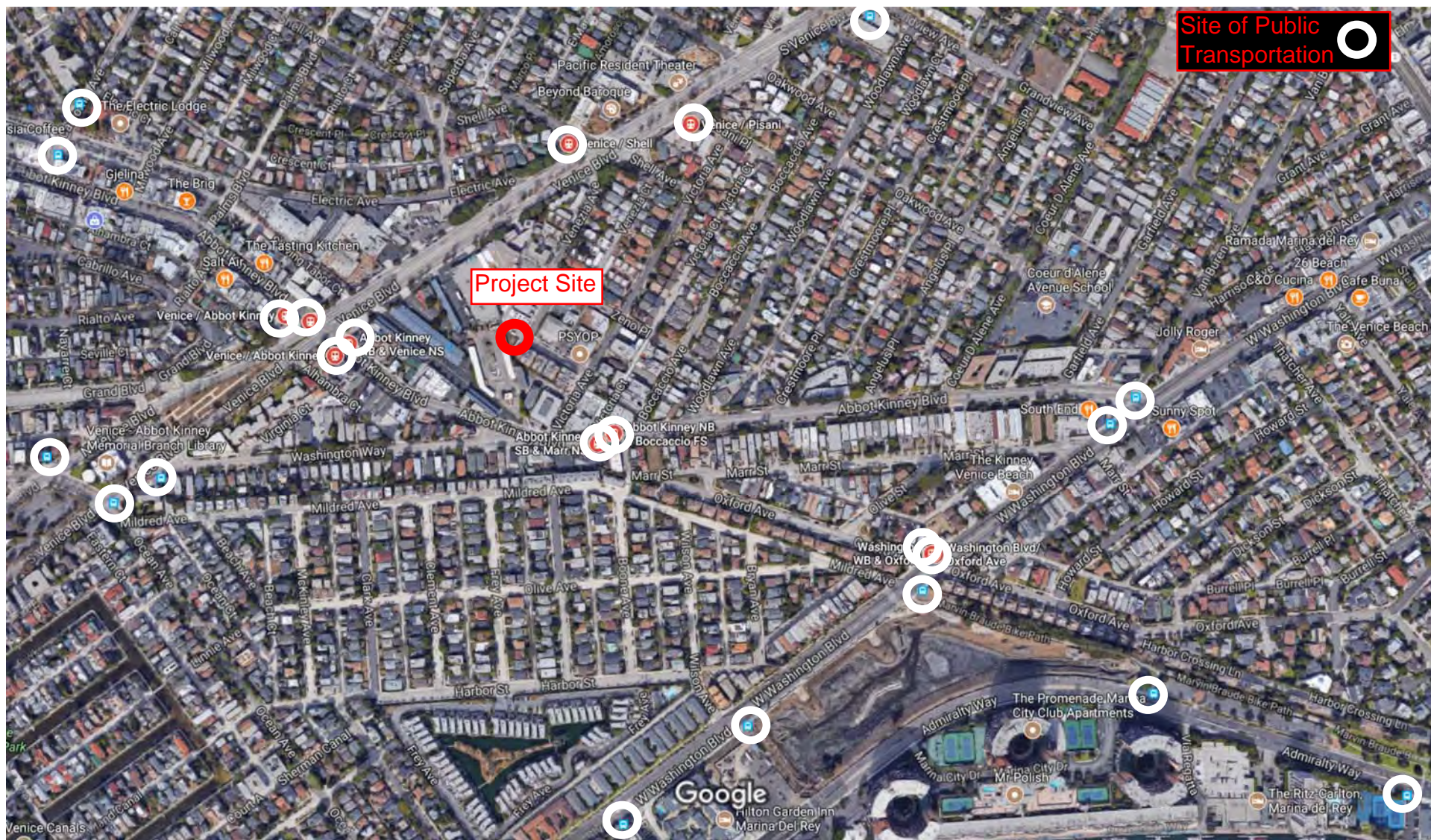


Exhibit 1

Google Maps Bus Stop



Imagery ©2017 Google, Map data ©2017 Google 200 ft

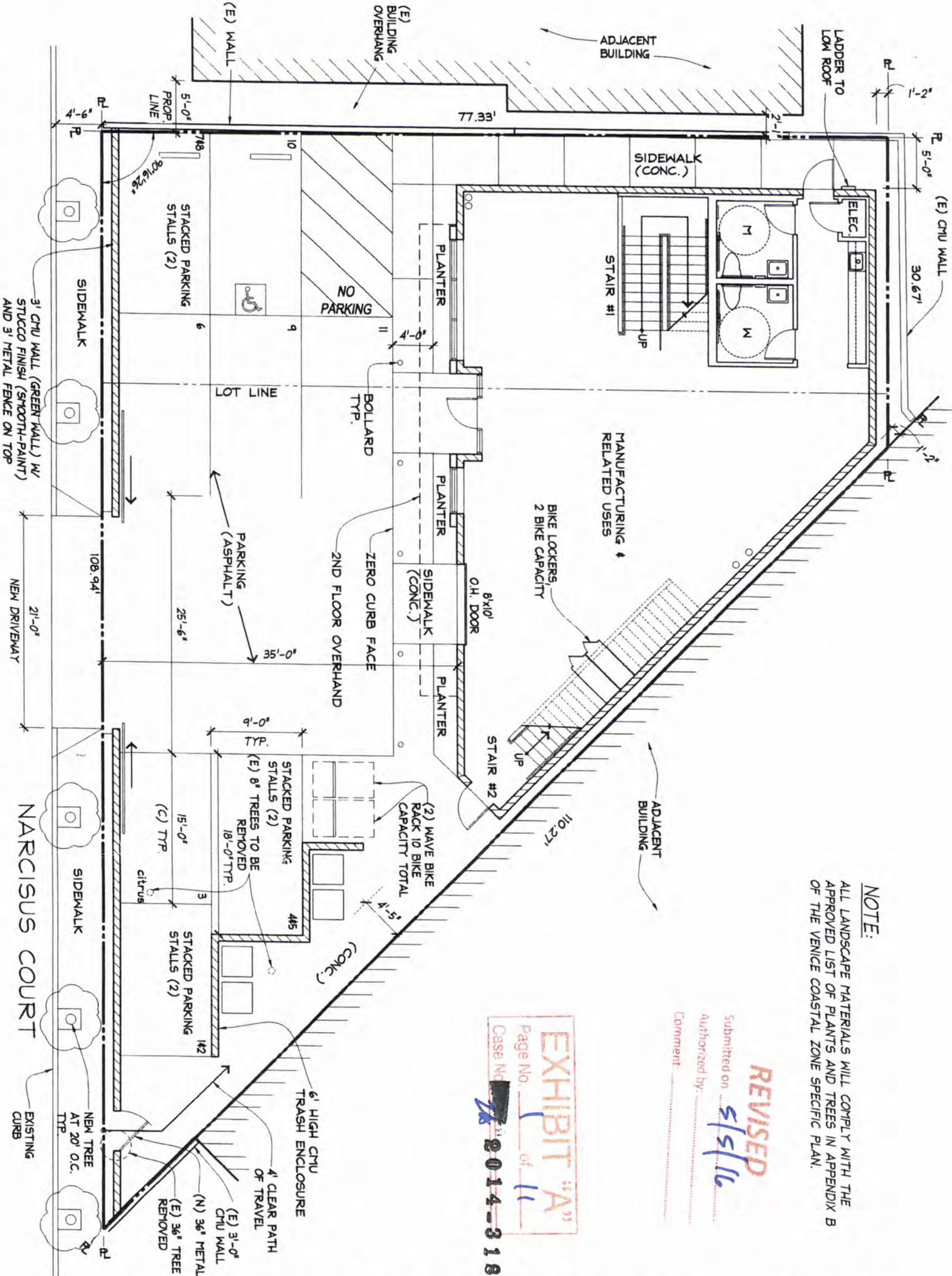
Exhibit 1

NOTE:
ALL LANDSCAPE MATERIALS WILL COMPLY WITH THE APPROVED LIST OF PLANTS AND TREES IN APPENDIX B OF THE VENICE COASTAL ZONE SPECIFIC PLAN.

LEGAL DESCRIPTION
LOTS 69 AND 70 OF TRACT 6002, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 63 PAGES 79 AND 80 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID LOS ANGELES COUNTY.
APN: 4237-003-030

REVISED
Submitted on sfs/lc
Authorized by:
Comment:

EXHIBIT "A"
Page No. 1 of 11
Case No. 2014-318



PROJECT SUMMARY
ADDRESS: 2106 NARCISUS CT.
SPECIFIC PLAN: VENICE COASTAL ZONE
DISTRICT: SOUTH EAST VENICE
ZONE: M1-1
USE: MANUFACTURING & RELATED USES

SITE AREA: 5,405 SF (.11 AC)
SITE COVERAGE (FOOTPRINT): 1,865 SF (34%)
LANDSCAPE AREA: 623 SF (12%)
CONSTRUCTION TYPE: V-B
GROUND FLOOR: 1,888 SF
SECOND FLOOR: 1,603 SF
TOTAL FLOOR AREA: 3,491 SF
F.A.R.: .65
DECK (NON FLOOR AREA): 88 SF

VEHICLES
CARS REQUIRED (3 CARS + 350SF/CAR) 13
CAR PARKING REDUCTION FOR BIKE PER L.A.M.C. SECTION 12.21.A.4 CREDIT (20% OF 13 REQ'D CARS) - 2
CARS REQUIRED 11
CARS PROVIDED ONSITE 11
(E) 3'-0" CHU WALL REMOVED
(N) 3 1/2' METAL GATE
BIKE PARKING REQ'D FOR PARKING REDUCTION (4 BIKES/CAR x2) 8 BIKES
BIKE PARKING PROVIDED SHORT TERM INCLUDES BIKE PARKING CREDIT
LONG TERM 10 BIKES
2 BIKES

NARCISUS INDUSTRIAL BUILDING

Owner: MBL Narcissus, LLC

SITE PLAN

2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

Architect: Chait Co.

No. 1405.01

05/06/16
Exhibit 2

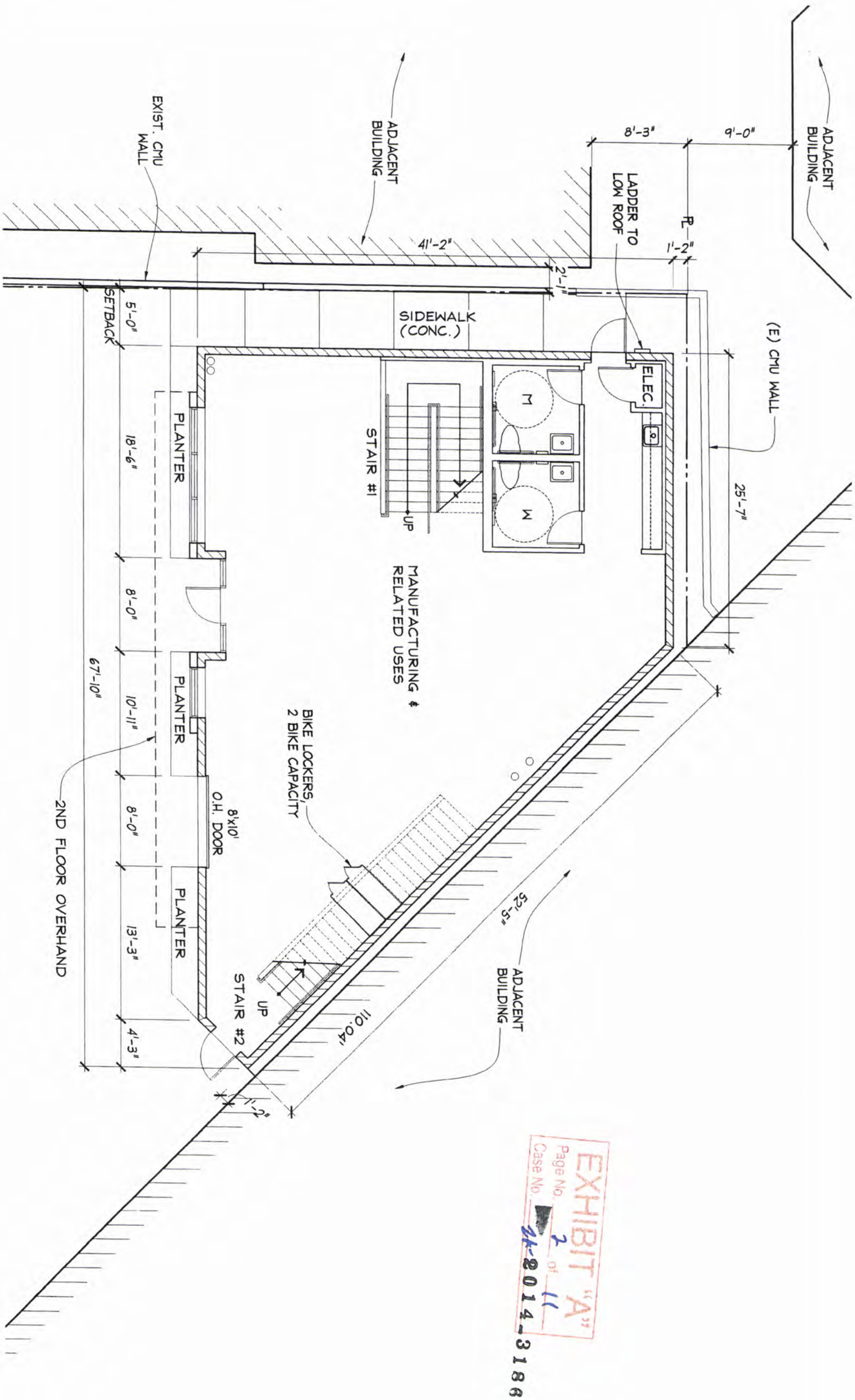


EXHIBIT "A"
Page No. 2 of 11
Case No. 2K-2014-3186

NARCISUS INDUSTRIAL BUILDING

Owner: MBL Narcisus, LLC

GROUND FLOOR PLAN

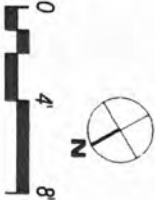
2106 NARCISUS CT.

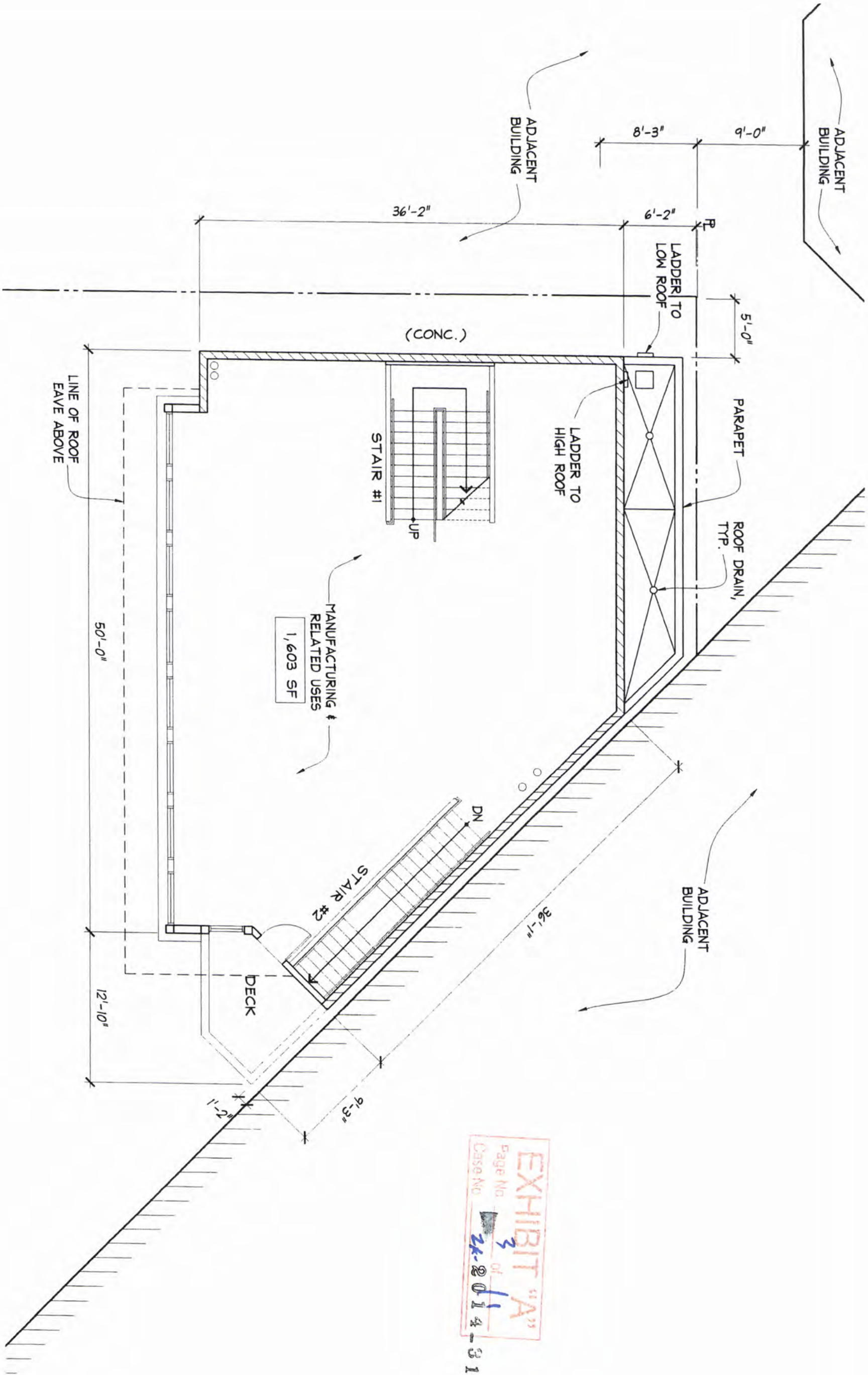
VENICE, CALIFORNIA 90291

Architect: Chait Co.

No. 1405.01

05/05/16





NARCISUS INDUSTRIAL BUILDING

Owner: **MBL Narcisus, LLC**

SECOND FLOOR PLAN

2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

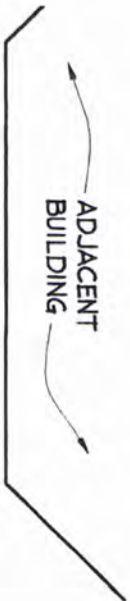
Architect: **Chait Co.**

No. 1405.01

05/05/16

Exhibit 2

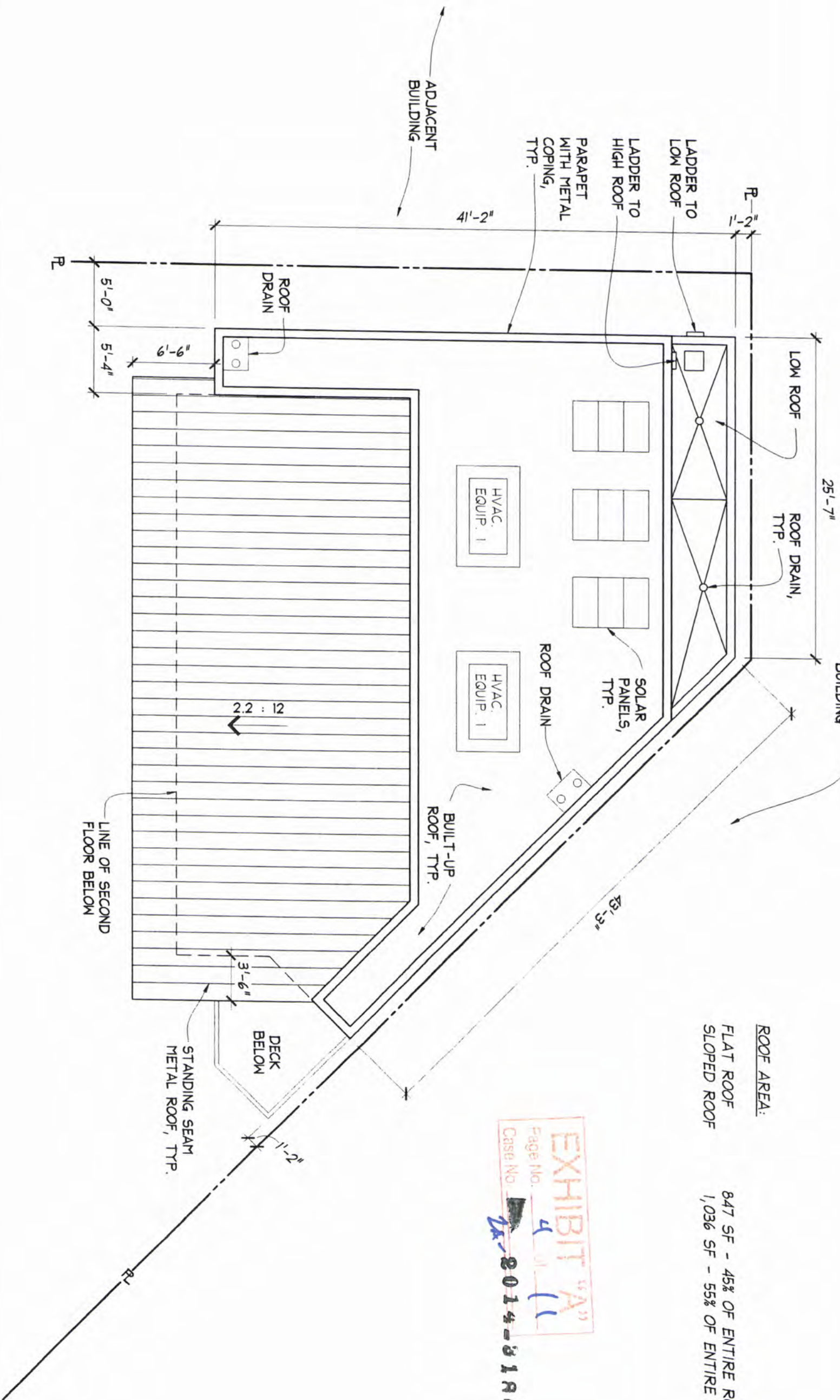
Page 3 of 11



ADJACENT
BUILDING



ROOF OF
ADJACENT
BUILDING



ROOF AREA:

FLAT ROOF
SLOPED ROOF

847 SF - 45% OF ENTIRE ROOF AREA
1,036 SF - 55% OF ENTIRE ROOF AREA

NARCISUS INDUSTRIAL BUILDING

Owner: **MBL Narcisus, LLC**

ROOF PLAN

2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

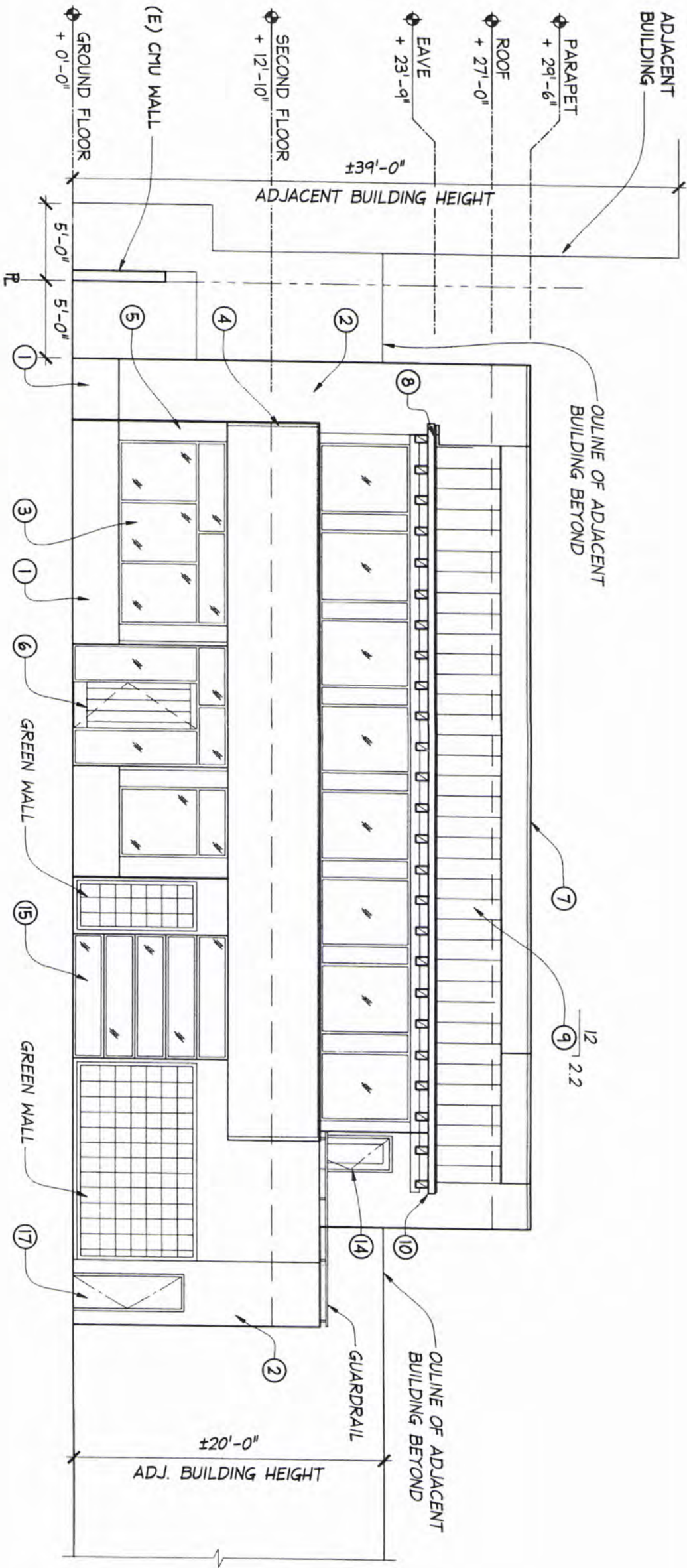
Architect: **Chait Co.**

No. 1405.01

05/05/16

Exhibit 2

Page 4 of 11



ELEVATION KEYNOTES:

- ① CAST-IN-PLACE CONCRETE

② STUCCO FINISH (SMOOTH-PAINT)

③ ANODIZED ALUMINUM WINDOW FRAMES W/ TINTED GLASS

④ WOOD SIDING

⑤ ANODIZED ALUMINUM

⑥ WOOD DOOR

⑦ METAL COPING, PRE-FINISHED

⑧ STEEL BEAM- PAINTED
- ⑨ STANDING SEAM METAL ROOF, PRE-FINISHED

⑩ WOOD ROOF FRAMING

⑪ +42" HIGH GUARDRAIL- METAL CABLE

⑫ STEEL COLUMN- PAINTED

⑬ CMU SITE WALL W/ STUCCO FINISH (SMOOTH-PAINT)

⑭ ANODIZED ALUMINUM FRENCH DOOR

⑮ SECTIONAL DOOR W/ GLASS PANELS

⑯ 3' CMU SITE WALL W/ STUCCO FINISH (SMOOTH-PAINT)

⑰ HOLLOW METAL DOOR - 3'-0"x7'-0" AND FRAME

EXHIBIT "A"
Page No. 5 of 11
Case No. 2014-3186

NARCISUS INDUSTRIAL BUILDING

Owner: MBL Narcisus, LLC

EAST ELEVATION

2106 NARCISUS CT.

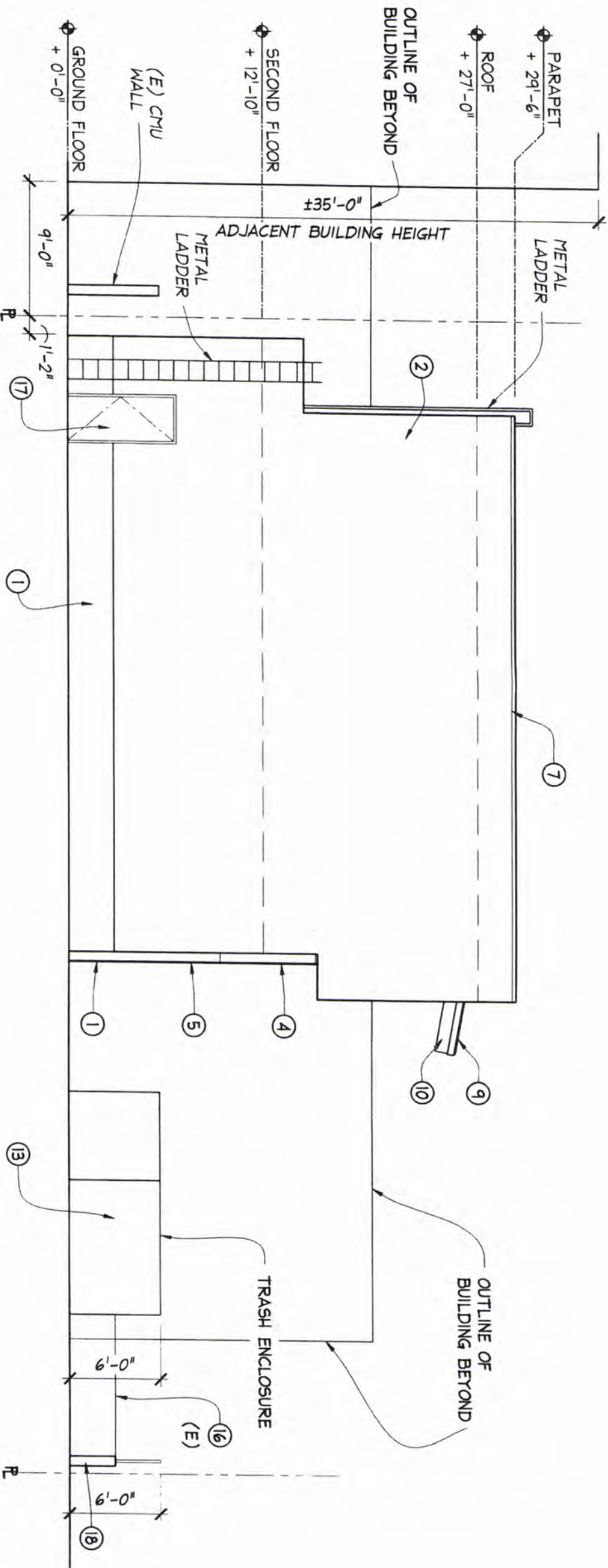
VENICE, CALIFORNIA 90291

Architect: Chait Co.

No. 1405.01

05/05/16





ELEVATION KEYNOTES:

- ①

CAST-IN-PLACE CONCRETE
- ②

STUCCO FINISH (SMOOTH-PAINT)
- ③

ANODIZED ALUMINUM WINDOW FRAMES W/ TINTED GLASS
- ④

WOOD SIDING
- ⑤

ANODIZED ALUMINUM
- ⑥

WOOD DOOR
- ⑦

METAL COPING, PRE-FINISHED
- ⑧

STEEL BEAM- PAINTED
- ⑨

STANDING SEAM METAL ROOF, PRE-FINISHED
- ⑩

WOOD ROOF FRAMING
- ⑪

+42" HIGH GUARDRAIL- METAL CABLE
- ⑫

STEEL COLUMN- PAINTED
- ⑬

CMU SITE WALL W/ STUCCO FINISH (SMOOTH-PAINT)
- ⑭

ANODIZED ALUMINUM FRENCH DOOR
- ⑮

SECTIONAL DOOR W/ GLASS PANELS
- ⑯

3' CMU SITE WALL W/ STUCCO FINISH (SMOOTH-PAINT)
- ⑰

HOLLOW METAL DOOR - 3'-0"x7'-0" AND FRAME
- ⑱

3' CMU WALL (GREEN WALL) W/ STUCCO FINISH (SMOOTH-PAINT) AND 3' METAL FENCE ON TOP

EXHIBIT "A"
Page No. 6 of 11
Case No. 2014-3184

NARCISUS INDUSTRIAL BUILDING

Owner: MBL Narcisus, LLC

SOUTH ELEVATION

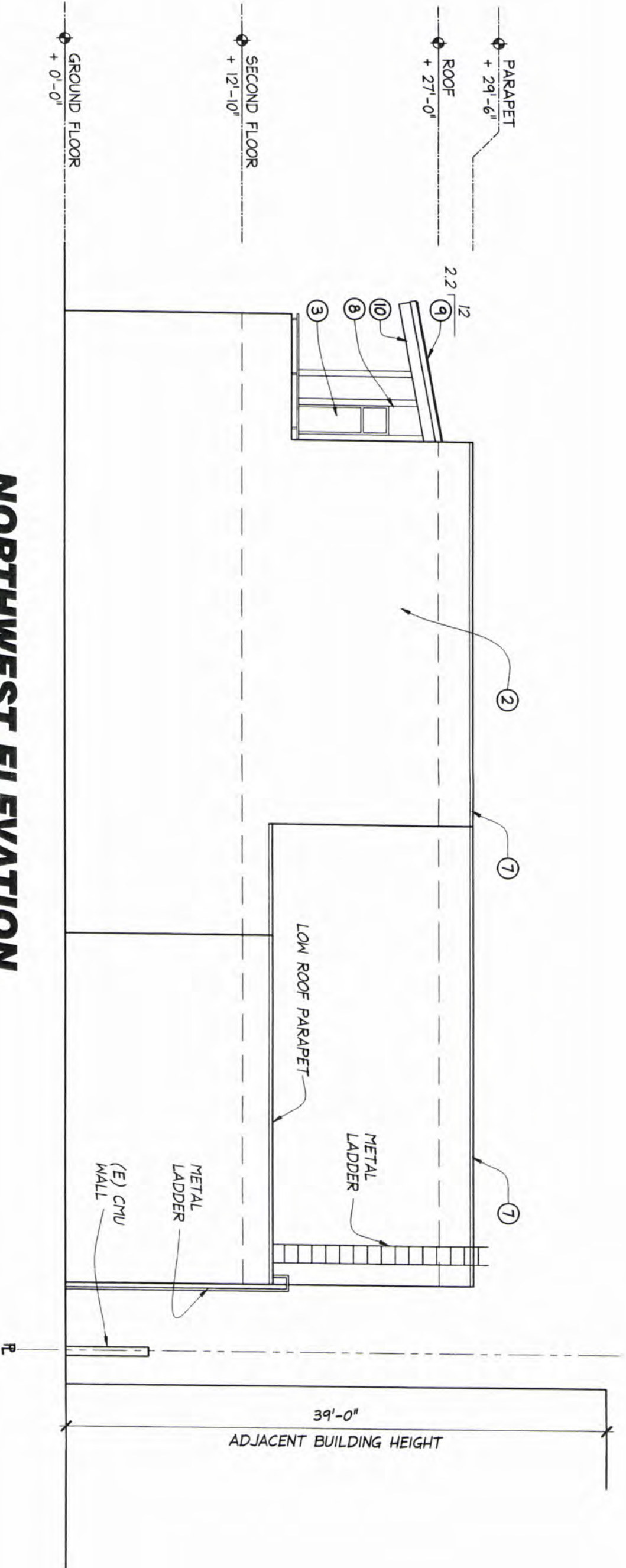
2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

Architect: Chait Co.

No. 1405.01

05/05/16



NORTHWEST ELEVATION

ELEVATION KEYNOTES:

- ① CAST-IN-PLACE CONCRETE

② STUCCO FINISH (SMOOTH-PAINT) WHERE ACCESSIBLE

③ ANODIZED ALUMINUM WINDOW FRAMES W/ TINTED GLASS

④ WOOD SIDING

⑤ ANODIZED ALUMINUM

⑥ WOOD DOOR

⑦ METAL COPING, PRE-FINISHED

⑧ STEEL BEAM- PAINTED
- ⑨ STANDING SEAM METAL ROOF, PRE-FINISHED

⑩ WOOD ROOF FRAMING

⑪ +42" HIGH GUARDRAIL- METAL CABLE

⑫ STEEL COLUMN- PAINTED

⑬ CMU SITE WALL W/ STUCCO FINISH (SMOOTH-PAINT)

⑭ ANODIZED ALUMINUM FRENCH DOOR

⑮ SECTIONAL DOOR W/ GLASS PANELS

⑯ 3' CMU SITE WALL W/ STUCCO FINISH (SMOOTH-PAINT)

⑰ HOLLOW METAL DOOR - 3'-0"x7'-0" AND FRAME

EXHIBIT "A"
Page No 7 of 11
Case No. 2014-3186

NARCISUS INDUSTRIAL BUILDING

Owner:

MBL Narcisus, LLC NORTH & WEST ELEVATIONS

2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

Architect: **Chait Co.**

No. 1405.01

05/05/16

Exhibit 2

Page 7 of 11

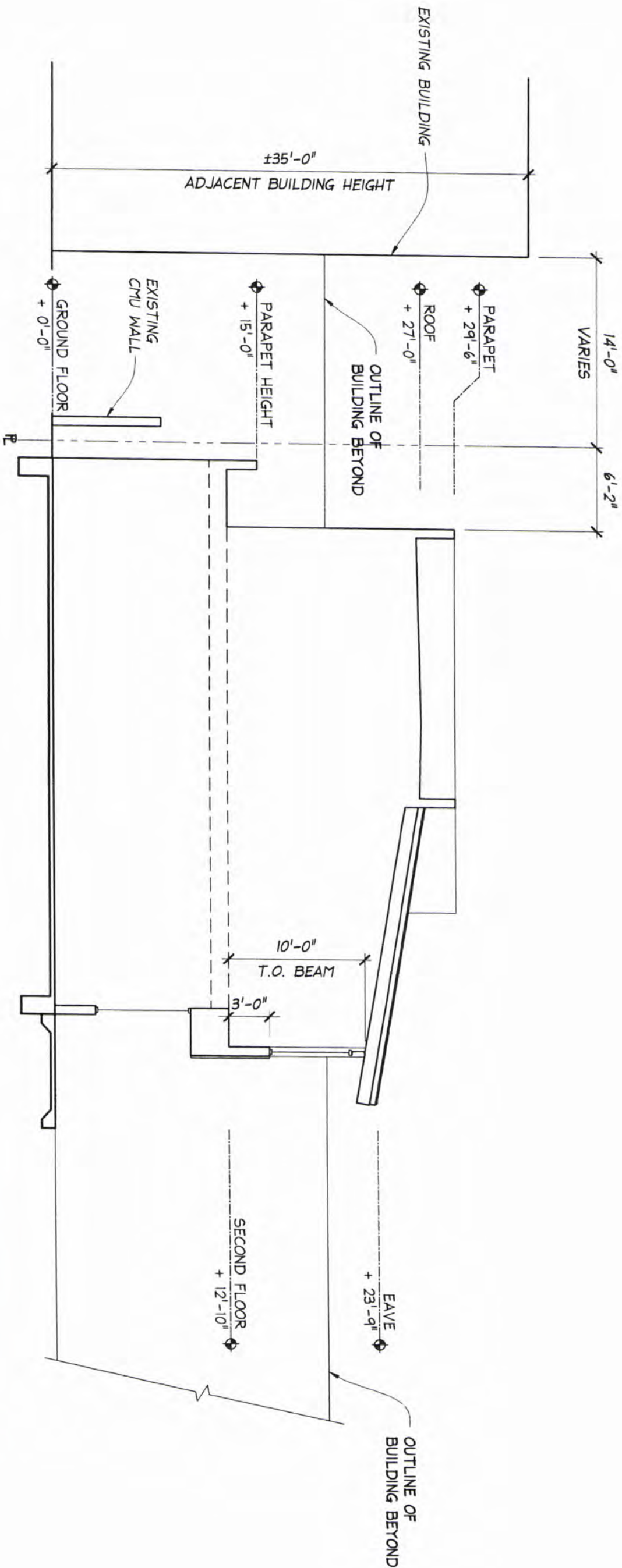


EXHIBIT "A"
Page 11 of 11
Case No. 2014-3186

NARCISUS INDUSTRIAL BUILDING

Owner: **MBL Narcisus, LLC**

SECTION



2106 NARCISUS CT.

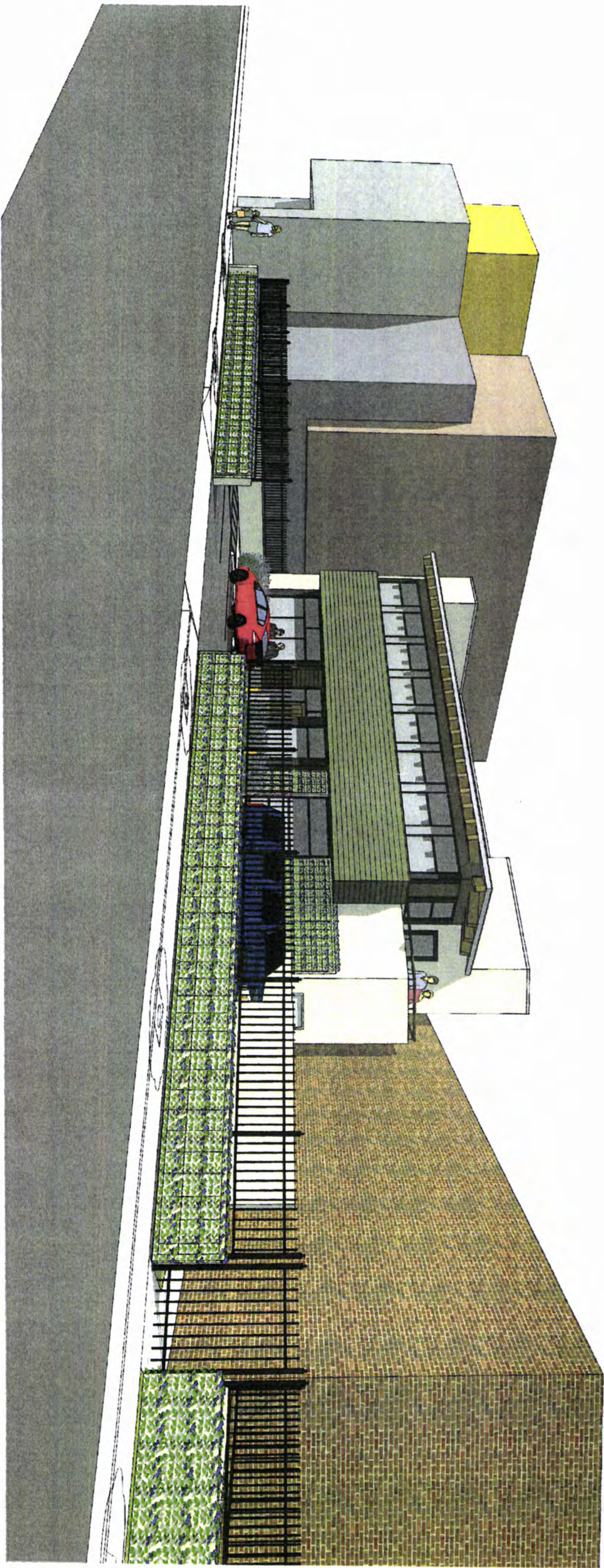
VENICE, CALIFORNIA 90291

Architect: **Chait Co.**

No. 1405.01

05/05/16

Exhibit 2



NARCISUS INDUSTRIAL BUILDING Owner: **MBL Narcissus, LLC**

EXHIBIT "A"
Page No. 9 of 11
Case No. 14-2014-3186
VIEW 1



EXHIBIT "A"
Page No. 10 of 11
Case No. 2014-3186

NARCISUS INDUSTRIAL BUILDING Owner: **MBL Narcisus, LLC**

VIEW 2

2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

Architect: **Chait Co.**

No. 1405.01 05/05/16

Exhibit 2

Page 10 of 11

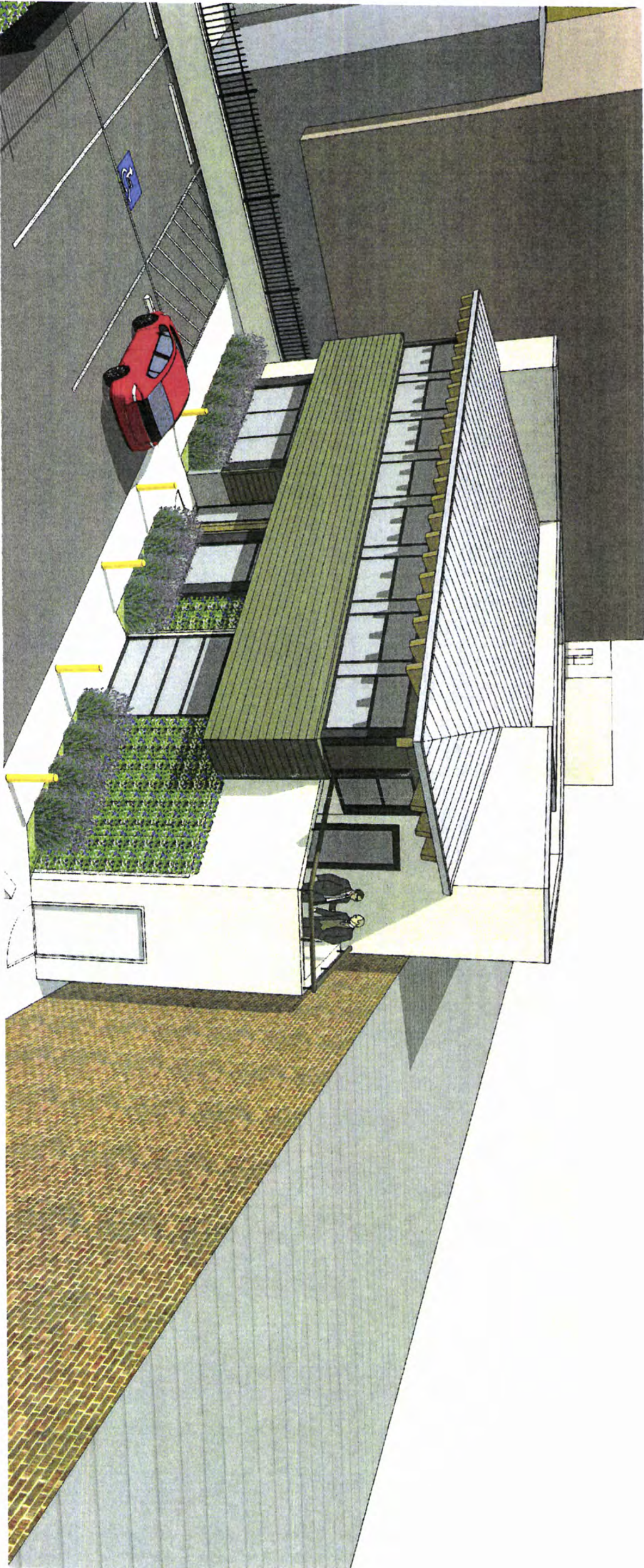


EXHIBIT "A"
Page No. 11
Case No. 16-2014-3188

NARCISUS INDUSTRIAL BUILDING

Owner: **MBL Narcissus, LLC**

VIEW 3

2106 NARCISUS CT.

VENICE, CALIFORNIA 90291

Architect: **Chait Co.**

No. 1405.01 05/05/16

INN K. WYATT
ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

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

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

RECEIVED
South Coast Region
OCT 10 2016
CALIFORNIA
COASTAL COMMISSION

September 28, 2016

Michael Chait (A)
Chait Co.
7306 Coldwater Canyon #12
North Hollywood, CA 91605

MBL Narcisus, LLC (O)
C/O MBL Properties Inc.
2550 South Overland Avenue
Los Angeles, CA 90064

Tom Stemnock (R)
Planning Associates Inc.
4040 Vineland Avenue, Suite 108
Studio City, CA 91604

CASE NO. ZA 2014-3186(CDP)(SPP)(MEL)
COASTAL DEVELOPMENT PERMIT/
SPECIFIC PLAN PROJECT PERMIT
COMPLIANCE

2100-2106 Narcisus Court *Narcisus*
Venice Planning Area

Zone : M1-1

D. M. : 108B145

C. D. : 11

CEQA : ENV 2014-3187-CE

Legal Description: Lot 69, Tract 60

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

a Coastal Development Permit authorizing the demolition of an existing single-family dwelling and the construction, use and maintenance of a new industrial building located within the single permit jurisdiction of the California Coastal Zone, and

Pursuant to Los Angeles Municipal Code Section 11.5.7, I hereby APPROVE:

a Specific Plan Project Permit Compliance for the proposed project which is located within the Venice Coastal Zone Specific Plan area, and

Pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, I hereby APPROVE:

a Mello Act Compliance Determination for the demolition and construction of a single-family dwelling in the Coastal 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.
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. 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. Prior to any sign-off of plans by the Department of City Planning, the applicant shall submit the plot plan for review and approval to the Fire Department. Said Department's approval shall be included in the form of a stamp on the plans submitted to the Department of City Planning Public Counter at the Development Services Center.
7. Approved herein is a Coastal Development Permit authorizing the construction of a new, two-story, 3,491 square-foot industrial building, an 88-square-foot deck, and eleven (11) tandem, mechanically-stacked, on-site automobile parking spaces.
8. The height of the industrial building shall be limited to two stories with a varied roofline and a maximum height of 29 feet 6 inches.
9. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
10. No deviations from the Venice Coastal Specific Plan have been requested or

approved herein. All applicable provisions of the Specific Plan shall be complied with.

11. Unless authorized for shared parking pursuant to Section 12.24-X,20 of the Municipal Code, the parking lot shall not be used, rented or leased for any other purpose than the parking of vehicles for the premises on the subject property.
12. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
13. No Coastal Development Permit Condition clearance or Building Permit sign-offs shall be commenced prior to the completion of the California Coastal Commission permit issuance and the subsequent permit appeal period in Dual Jurisdiction or the completion of the 20-day review period of the City's Coastal Development Permit in Single Jurisdiction.
14. Outdoor lighting shall be designed and installed with shielding, so that the light does not overflow into adjacent properties.
15. The applicant shall file a parking area and driveway plan with the applicable District Offices of the Bureau of Engineering and the Department of Transportation for review and approval prior to the issuance of a building permit. The plan shall be prepared consistent with the Department of Transportation's Driveway Design Manual and applicable provisions of Section 12.21 of the Municipal Code.
16. Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the final development plans to the satisfaction of the Department of Building and Safety and Department of Transportation.
17. All signs shall be of an identifying or directional nature only and shall be arranged and located so as not to be a distraction to vehicular traffic. New pole signs, projecting signs, roof signs, electronic message boards, pennants, ribbons, streamers, spinners, balloons (or any similar attention-attracting devices) and flashing or animated signs are prohibited.
18. All outside trash/recycling storage bins shall be located within a gated solid wall enclosure constructed of materials to match the finished exterior of the building, and located so as not to result in noise or odor impacts on any adjacent use.
19. The property owner and on-site manager(s) shall be responsible for maintaining the entire area over their control free of litter, including any parking area used by patrons.

20. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action.

The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

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 **October 13, 2016** 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 subsequent contact regarding this determination must be with the Development Services Center. 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, and the statements made at the public hearing on May 19, 2016, 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 is a relatively level, irregular-shaped, inner parcel of land comprised of two adjacent lots totaling approximately 5,405 square-feet. The subject property has an approximate 108.94-foot frontage along the southwestern side of Narcisus Court, an approximate depth of 110.03-feet to the east, an approximate depth of 77.40-feet to the west and an approximate width of 30.75 feet to the south. The property is currently developed with a one-story, vacant single-family dwelling built between 1900-1923 but relocated to the subject site in 1923, which is to be demolished.

The Subject Property is zoned M1-1 designated for Limited Industrial land uses and is subject to the Venice Coastal Zone Specific Plan Area, Los Angeles Transportation Corridor Specific Plan Area, Director's Interpretation of the Venice SP for Small Lot Subdivision (ZI-2406), General Plan Footnote(s) area, Calvo Exclusion Area Coastal Zone, Coastal Zone Commission Authority, liquefaction area, and within 5.43 kilometers to the Santa Monica Fault.

A historical resources report and the Department of City Planning's Office of Historic Resources found that subject property does not appear potentially eligible, either individually or as a contributing member of potential district, under any of the applicable federal, state, or local eligibility criteria. Detailed historical review is found under Finding No. 6.

Properties to the north, east, south, and west are zoned M1-1 and M1-1-O and are developed with primarily one- and two-story light industrial buildings. Immediately to the north and west of the project site is a City of Los Angeles maintenance yard facility that includes a compressed natural gas refueling station. Properties immediately located to the south and east of the Subject Properties is developed with a series of nine, two-story, live-work units.

Narcisus Court- adjoining the subject property to the northeast is a Local Street-Standard dedicated to a Right-of-Way Width of 60 feet and a Roadway Width of 36 feet and improved with curb, gutter, sidewalk, and asphalt.

Venezia Avenue- intersecting the subject property to the east (along Narcisus Court) is a Local Street-Standard dedicated to a Right-of-Way Width of 60 feet and a Roadway Width of 36 feet and improved with curb, gutter, sidewalk, and asphalt.

The new light industrial structure will be a workspace for software production and other related products. The building will have an approximate 88-square-foot deck and approximately 623 square-feet of landscaping around the building with a maximum height of 29 feet, 6-inches tall and a varied roofline. According to the Specific Plan, the applicant

is required to provide 13 automobile parking spaces on-site. The applicant purposes that a total of 11 off-street tandem, mechanically stacked automobile parking spaces , as well as 12 short-term and long-term bike parking spaces (will replace 2-parking spaces) will be provided to accommodate the required spaces.

The applicant is requesting a Coastal Development Permit authorizing the demolition of an existing single-family dwelling and the construction of an two-story, 3,491 square-foot industrial building sited on a 5,405 square-foot lot zoned M1-1 within the single-jurisdiction area of the California Coastal Zone. The project also requires a project permit compliance review for a new industrial structure in the Venice Coastal Zone Specific Plan and a Mello Determination.

Previous zoning related actions on the site/in the area include:

Subject Site:

Case No. DIR-2014-2824(DI) - On August 14,2014, the Director of Planning approved a Director of Planning Specific Plan Interpretation that clarifies the relationship between Section 12.22.C.27 of the LAMC, established by the Small Lot Subdivision Ordinance (No.176,354), and the Venice Coastal Zone Specific Plan. The revised Director's Interpretation is intended to: (1) prevent small lot projects from exceeding densities otherwise allowed in the Specific Plan on individual lots; (2) highlight where conflicts between the LAMC and the Venice Coastal Zone Specific Plan exist and uphold the Specific Plan regulations where applicable; and (3) outline a review process for new small lot projects in the Venice Coastal Zone Specific Plan Area which takes into account the density, parking, and setback regulations of the Specific Plan

Case No. CPC 2005-8252(CA) – On January 11, 2007, the City Planning Commission approved a code amendment affecting areas within the Venice Community Plan and an ordinance establishing permanent regulations implementing the Mello Act in the Coastal Zone.

Case No. CPC 2000-4046(CA) – On May 23, 2001, the City Planning Commission approved a code amendment affecting areas within the Venice Community Plan.

Case No. CPC 98-0119(LCP) – On August 1, 2003, the City Planning Commission approved amendments to the Venice Local Coastal Program Specific Plan.

Case No. CPC 87-0648(ICO) – On April 18, 1998, the City Planning Commission approved an Interim Control Ordinance for the entire Venice Coastal Zone which will temporarily permit only building development which is in conformance with regulations substantially based on the California Coastal Commission's interpretive guidelines for the area.

Surrounding Properties:

Case No. ZA 2014-3182(CDP)(MEL)(SPP)- On August 27, 2014, a Case was filed requesting a Coastal Development Permit, a Mello Determination, and Project

Permit Compliance from the Venice Coastal Zone Specific Plan to allow the demolition of an existing duplex dwelling and the construction, use and maintenance of a new two-story, industrial building having 4,330 square-feet with a height of 29.5 feet. The project will have 300 square-feet of open roofed patio on the second floor, and a loading zone. With the provision of 15 bicycle space, the number of automobile parking spaces provided will be 6 located at 519 West Boccaccio Avenue. A Public Hearing is scheduled for May 19, 2016.

Case No. ZA 2010-206(CDP)(CUB)(CU)(SPP)- On January 28, 2011, the Zoning Administrator approved a Coastal Development Permit to allow the conversion, use and maintenance of retail/office space to restaurant space in the single jurisdiction of the California Coastal Zone, a Conditional Use permit to allow the sale and dispensing of beer and wine for on-site consumption within the proposed restaurant, a deviation from operating hours and tandem parking restrictions, and a Specific Plan Project Permit Compliance Review to ensure compliance with the provisions of the Venice Coastal Zone Specific Plan located at 6000 and 604 Venice Boulevard.

Case No. ZA 2009-3190(CDP)- On August 3, 2010, the Zoning Administrator approved a Coastal Development Permit to allow a change of use of an existing warehouse distributor to a manufacturing office located within the single jurisdiction of the California Coastal Zone located at 534 Victoria Avenue.

Case No. ZA 2008-1150(CDP)(SPP)(MEL)- On January 23, 2009, the Zoning Administrator approved a Coastal Development Permit authorizing the demolition of an existing single-family dwelling, conversion of an existing 1,287 square-foot light manufacturing/print shop brick building for use as retail art gallery, and construction of a new one-story building containing 1,000 square-feet of floor area also for use as a retail art gallery and 841 square-feet of floor area for administrative office use, within the single permit jurisdiction of the California Coastal Zone and a Specific Plan Project Permit Compliance for the proposed project which is located within the Venice Coastal Zone Specific Plan area located at 660 South Venice Boulevard.

Case No. ZA 2007-3804(CDP)(CU) – On January 11, 2008, the applicant withdrew an application to the Office of Zoning Administration for a Coastal Development Permit, and a Conditional Use Permit to allow the installation and maintenance of an unmanned wireless telecommunications facility consisting of 12 panel antennas (three sectors of four antennas) screened and mounted on the rooftop of an existing single-story storage warehouse, and four equipment cabinets mounted inside the building that is located within the single jurisdiction of the California Coastal Zone located at 658-664 East Venice Boulevard (Trillium Consulting for T-Mobile).

Case No. ZA 2007-3515(CDP)(CUB)(SPP)- On September 19, 2008, the Zoning Administrator approved a Coastal Development Permit to allow the change of use of a 2,167 square-foot market/deli to market/deli and café on a 14,483 square-foot lot located within the single jurisdiction of the California Coastal Zone, a Conditional Use to permit the sale and dispensing of beer and wine only for on-site consumption in conjunction with the market/deli and café, and a Specific Plan Project Permit Compliance for the proposed change of use from a market/deli to market/deli and café located at 2321 Abbot Kinney Boulevard.

Case No. ZA 2006-6646(CDP)(CUB)(CU)(SPP) – On April 19, 2007, the Zoning Administrator approved a conditional use to allow the upgrading of an alcohol license from beer and wine to a full line of alcoholic beverages with hours of operation from 11 a.m. to midnight on Sunday through Wednesday and 11 a.m. to 2 a.m. on Thursday through Saturday, an existing restaurant accommodating approximately 49 patrons, in the Venice Coastal Zone; a Coastal Development Permit for the expansion of the existing restaurant with the addition of the outside patio area accommodating 10 patrons for a total of 49 patrons; and a Project Permit Compliance Review under the Venice Specific Plan, for the subject upgrade of alcohol license and the addition of the patio dining area to the existing restaurant located at 636-654 East Venice Boulevard.

Case No. ZA 2005-4195(ZAA) – On November 9, 2005, the Zoning Administrator approved a Zoning Administrator's Adjustment to allow a 1,305.5 square-foot addition to the rear of an existing single-family dwelling, observing a reduced 6-foot rear yard setback in lieu of the required 15 feet; and an adjustment to allow the proposed rear addition to observe a reduced west side yard setback of 4.49 feet in lieu of the required 6 feet located at 1670 South Electric Avenue.

Case No. ZA 2002-0421(CDP)(PP)(ZAD)(MEL) – On November 25, 2002, the Zoning Administrator approved a request to construct two new buildings and renovate an existing manufacturing building into artist-in-residences located at 2100 South Abbott Kinney Boulevard.

Case No. ZA 2000-5253(ZAD) – On May 3, 2001, the Zoning Administrator approved a request to build a block wall, 6 feet tall, in the front yard located at 692-698 West Venice Boulevard.

Case No. ZA 2000-3664(ZAD)(CDP)(SPP) – On February 5, 2001, the Zoning Administrator approved a request for nine artist-in-residence units located at 2110 South Narcissus Court and 513 East Victoria Avenue.

Case No. ZA 2000-3629(CDP)(SPP) – On February 15, 2001, the Zoning Administrator approved a request for a commercial laundry located at 2100 South Abbott Kinney Boulevard.

PUBLIC HEARING

A public hearing was conducted on May 19, 2016, with Jason Chan acting as Hearing Officer.

Alan Concepcion, Project Representative

- Project request is a Coastal Development Permit, Project Permit, and Mello determination
- Demolition of a single-family dwelling, which has been vacant for 5 years and found to not be historic

- Site is zoned M1
- Venice Land Use Plan states industrial land is a valuable resource
- All parking is provided on-site. Stacked parking is provided.
- Building size is smaller than adjacent buildings; Proposed height is less than adjacent buildings; approximately 9-feet lower than adjacent building, and 5-feet lower than building located at the rear
- 2nd-floor features a step-back, which is a response to neighbor's concerns about height.
- Project has been reviewed by Venice Neighborhood Council, Land Use and Planning committee, and the President's Row Neighborhood Association
- Community is asking for a Condition of Approval to ensure parking is satisfied with any future tenant, or change of tenants
- Feasibility study was performed, and found that residential non-conforming rights no longer apply due to vacancy of dwelling unit
- A Mello determination from Housing is pending
- Engineering is requesting a 7-foot dedication, and a widening of roadway of 4-feet
- Notices of project were sent to a 250-foot radius
- Tenant undecided yet, so parking needs are not fully determined. However, a commercial use is not proposed, and parking satisfies light industrial use.
- Building is designed for a light industrial use.

Harris Levy, President's Row Neighborhood Association

- Project was reviewed
- Project is not asking for any deviations
- Ideally would like the site to stay residential, but understands the site is zoned for Industrial land uses
- Tenant is unknown at this time
- Parking concerns
- Request a 24-hour hotline for reporting concerns during construction

Mehrnoosh Mojallali, Venice Neighborhood Council, Land Use & Planning Committee

- Supports waiver of street dedication and street improvements

Jonathan Winfrey, Community Member

- Support waiver of dedication requirement

Robin Rudisill, Venice Neighborhood Council

- Project reviewed by Land Use & Planning Committee on May 2, 2016; however a second review is needed to clarify project

- Request for file to be kept open, as vote by full Neighborhood Council expected in June 2016
- Parking concerns, as unsure about specific use of site (office vs. industrial)
- Complementary towards applicant and project outreach

Simon Wolf, Community Member

- Concerns about lack of street parking, and demolition/construction impacts and project timeline

At the end of the hearing, the case was taken under advisement, and no official action was taken.

Written Correspondence

On August 16, 2016 the Venice Neighborhood Council voted to support the proposed project, on the condition that Mello feasibility study be approved, free parking for employees is provided on-site, and the availability of a parking attendant for the proposed parking stackers.

On July 28, 2016 a letter was submitted by People Organized for Westside Renewal (POWER) stating that, per Mello Act guidelines, the applicant has been unable to prove that a residential use is not feasible at the project site, regardless of the existing conditions, underlying zone, or existence of non-conforming uses.

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.

Chapter 3 of the California Coastal Act provides standards by which “the permissibility of the proposed developments subject to the provision of this division are determined.” The Coastal Act also provides that: “New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it or, where such areas are not able to accommodate it, will not have significant adverse effects, either individually or cumulatively on coastal resources.”

The subject property is zoned M1-1 designated for Limited Industrial land uses and is subject to the Venice Coastal Zone Specific Plan Area, Los Angeles Transportation Corridor Specific Plan Area, Director’s Interpretation of the Venice SP for Small Lot Subdivision (ZI-2406), General Plan Footnote(s) area, Calvo

Exclusion Area Coastal Zone, Coastal Zone Commission Authority, liquefaction area, and within 5.43 kilometers to the Santa Monica Fault.

The Venice Coastal Zone Specific Plan (Ordinance No. 175,693) was adopted by the City Council on December 2, 2003. The Coastal Commission certified the Land Use Plan (LUP) for the Venice Coastal Zone area on June 14, 2001.

Properties to the north, east, south, and west are zoned M1-1 and M1-1-O and are developed with primarily one- and two-story light industrial buildings. Immediately to the north and west of the project site is a City of Los Angeles maintenance yard facility that includes a compressed natural gas refueling station. Properties immediately located to the south and east of the Subject Properties are developed with a series of nine, two-story, live-work units.

The applicant is requesting a Coastal Development Permit authorizing the demolition of an existing single-family dwelling and the construction of an two-story, 3,491 square-foot industrial building sited on a 5,405 square-foot lot zoned M1-1 within the single-jurisdiction area of the California Coastal Zone. The project also requires a project permit compliance review of a new industrial structure in the Venice Coastal Zone Specific Plan and a Mello Determination.

The new light industrial structure building will have an approximate 88-square-foot deck and approximately 623 square-feet of landscaping around the building with a maximum height of 29 feet, 6-inches tall and a varied roofline. According to the Specific Plan, the applicant is required to provide 13 automobile parking spaces on-site. The applicant purposes that a total of 11 off-street tandem, mechanically stacked automobile parking spaces , as well as 12 short-term and long-term bike parking spaces (will replace 2-parking spaces)will be provided to accommodate the required spaces.

Chapter 3 of the Coastal Act contains provisions that address the impact of development on public services, recreational opportunities, public access, scenic views, infrastructure, the environment, and significant resources. Applicable provisions are as follows:

- a. *Section 30220 Water-Oriented Activities:* The subject site is within the single-jurisdiction area of the Coastal Zone, but is located on a light manufacturing zone within a developed area approximately 3,780 feet from the shoreline. The project involves the demolition of an existing single-family dwelling and construction of a light-manufacturing building. The site is not zoned or suited for water-oriented recreational activities.
- b. *Section 30222 Private Lands for Commercial Recreational Facilities.* The site is zoned for light manufacturing uses, is not designated a recreation area, and is not adjacent to the coastline. This privately owned-site developed with a single-family dwelling and is therefore not suitable for commercial recreational facilities for coastal recreation.
- c. *Section 30230 Marine Resources.* The site is within the single-jurisdiction

area and is over 3,780 feet from the coastline. The site is zoned for light manufacturing uses and currently developed with a vacant single-family dwelling, and surrounded by development on all sides. The proposed project will not involve diking, filling, or dredging of open coastal waters, wetlands, estuaries, or lakes. The proposed project will result in no impact on marine resources.

- d. *Section 30240 Environmentally Sensitive Habitat Areas.* The project will not impact any marine resources. The site is over 3,780 feet away from the coastline and within a fully developed area, and well above the high tide line and will not have any identifiable effect on the Pacific Ocean, the Venice breakwater or on the sandy intertidal zone.
- e. *Section 30244 Archeological or Paleontological Resources.* The subject site is currently improved with a single-family home and surrounded by development. No new archeological or paleontological resources are anticipated to be identified with the implementation of the project, as the site is currently developed.
- f. *Section 30250 Existing Developed Area.* The subject site is located within a developed area. The proposed project is the demolition of an existing single-family home and subsequent construction of a new light manufacturing building. The existing building is sited on land zoned M1-1 and has lost its non-conforming land use rights due to the discontinued use of the residential dwelling.
- g. *Section 30251 Scenic and Visual Qualities.* The project's location results in no impact on scenic or visual qualities of coastal areas or prominent natural landforms. The site is not located along or near a designated scenic corridor and is located over 3,780 feet away from the coastline.
- h. *Section 30252 Public Access to the Coast.* The subject property is located inland and away from any coastline, and the proposed project does not block any existing access to the beach and has therefore no impact on shoreline access.
- i. *Section 30253 Minimization of Hazardous Impacts.* The subject property is flat and not located along a bluff or cliff. No grading, excavation, draining, or dredging is proposed. The site is not within a Methane Buffer Zone, Tsunami Inundation Zone, or landslide area, and located within 5.4 kilometers from the Santa Monica Fault. It is located within a Liquefaction area. However, the project is required to comply with state and local building codes that would minimize structural and seismic impacts.
- j. *Section 30260 Coastal-Dependent Industrial Facilities.* The project will complement similar light manufacturing buildings in the nearby Venice neighborhoods. The project site is currently developed with a single-family home building and no industrial facilities are on-site.

The proposed project is not expected to impede any water-oriented recreational facilities or activities. The project proposes to provide all parking requirements and satisfies all requirements regarding to the building envelope. The property is presently developed with a single-family residence on property located with a zone classification designated for light manufacturing land uses. The existing buildings have been vacant for an extended period of time and have lost their non-conforming rights per the underlying zone. The proposed demolition of the single-family residence and construction of a new light manufacturing building has no impact on the location or operation of coastal dependent recreational uses or industrial facilities.

As articulated above, and as conditioned, the development is in conformity with Chapter 3 of the California Coastal Act of 1976.

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.**

Currently, there is no adopted Local Coastal Plan (LCP) for this portion of the Coastal Zone. In the interim, the adopted Venice Community Plan serves as the functional equivalent. The Venice Community Plan Map designates for Limited Manufacturing with a corresponding zone of M1 and Height District No. 1. The property is within the area of the Los Angeles Coastal Transportation Corridor and Venice Coastal Zone Specific Plans. The subject property is zoned M1-1 and is consistent with the community plan in terms of the use and the density.

The proposed use is permitted in the M1 Zone and plan designation of the Venice Community Plan.

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:**

California Coastal Commission's Interpretive Guidelines have been reviewed and considered in preparation of these findings. However, following prevailing case law (e.g., *Pacific Legal Foundation v. Coastal Commission* (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations. The development regulations of the Venice Specific Plan have been considered and the project was found to comply with the requirements of the Oakwood-Milwood-Southeast Venice Subarea regarding parking, height, and access, and further complies with the standards for new industrial development.

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.**

The proposed project is consistent with the previous decisions of the City and the California Coastal Commission that included new construction, improvements and remodels to existing residential structures.

- In February 2016, the Commission approved an Administrative Permit to construct automobile lifts at 29-47 Windward Avenue.
- In May 2016, the Commission approved an Administrative Permit to demolish a single-family dwelling and construct a new single-family dwelling at 2919 Sanborn Avenue.
- In August 2013, the Commission approved an Administrative Permit to improve and expand a City-owned parking lot at 1600 Irving Tabor Court.

No outstanding issues have emerged which would indicate any conflict between this decision and any other decision of the Coastal Commission regarding the proposed demolition of a single-family dwelling and the new construction of an industrial building in the M-1 Zone. Therefore, the decision of the permit granting authority has been guided by applicable decisions of the California Coastal Commission.

5. **The development 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 in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

Section 30210 of the Coastal Act states the following in regards to public access:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners, and natural resources from overuse.

Section 30211 of the Coastal Act states the following in regards to public recreation policies:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The subject property is in the single jurisdiction zone and is not located between the

nearest public road and the sea or shoreline of a body of water located within the coastal zone and the nearest public road to such geographic features. The parcel itself is not situated on a waterfront, and there are public roads and access ways between the subject property and the sea or shoreline of a body of water. There will be no dredging, filling, or diking of coastal waters or wetlands, and there are no sensitive habitat areas, or archaeological or paleontological resources identified on the site. The project is consistent with the underlying zone and building envelope requirements. Therefore, as proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

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

On January 30, 2015, A Notice of Exemption (ENV 2014-3187-CE) was issued pursuant to from the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3, and Category 17 of the City CEQA Guidelines because the project is the demolition of an existing single-family dwelling and the construction of a new industrial building in an urbanized area have been determined not to have a significant effect on the environment.

A historical report prepared by PCR Services Corporation was submitted by the applicant on January 21, 2015 and reviewed by the Department of City Planning's Office of Historic Resources (OHR). The report found that subject property does not appear potentially eligible, either individually or as a contributing member of potential district, under any of the applicable federal, state, or local eligibility criteria. Although the residence is associated with historic themes identified in the Los Angeles' Citywide Historic Context Statement, such as the Pre-Consolidation of Venice (1850-1925), the report found that the subject residence is an altered and typical example of a common beach bungalow residence and is not part of a distinctive grouping of bungalows and does not reflect or exemplify the broad cultural, political, economic, or social history of the nation, state, or city. A precise date of construction could not be confirmed, but the structure was built between the years 1900-1923. The structure does not exhibit the characteristic workmanship of a particular style or period, and as a result of deterioration and alterations the residence does not maintain integrity of workmanship. The residence has lost its feeling as a turn-of-the-century beach cottage due to extensive damage and alterations and therefore its integrity of feeling is compromised, according to the historical report. Further, the residence has been moved from its original location and relocated to the subject site in 1923, and therefore does not retain integrity of location from its earlier association. Because the subject property is not a historical resource, the proposed project ("Project") has no direct impact on historic resources and no further evaluation is needed to comply with CEQA. In addition, the Project does not materially impair the setting of other historical resources in the project vicinity, and therefore, under CEQA, the Project would have no indirect impact to historical resources in the project vicinity.

MELLO FINDING

7. **The project is consistent with the special requirements for low and moderate**

income housing units in the Coastal Zone as mandated by California Government Code Section 65590 [Mello Act].

The proposed project will be for an industrial use in a designated industrial zone and will not include any residential components. On July 19, 2016 the Housing and Community Investment Department (HCID) issued a Mello Act Determination for subject site, and found that no affordable units exists on-site. Specifically, HCID studied Department of Water and Power Bills and found that minimal water and electricity was used between the years 2014-2016. Thus, it can be concluded that the dwelling unit has been vacant for a period of over 365 days. Further, the proposed project neither meets nor exceeds the threshold of 10 or more dwelling units to require an affordable housing component as mandated by California Government Code Section 65590 (Mello Act).

On February 22, 2016 the applicant submitted a feasibility study for the proposed demolition of the existing single-family dwelling. The study found that a residential use is no long feasible at this site due to a combination of economic, social, environmental, and technical factors. Notably, the study found that a residential use is not feasible due to the underlying M1 zone. Residential uses are not a by-right allowed use in the M1 zone; a zone variance would be required to permit a residential use. Further, the existing dwelling has been vacant for an extended period of time and has been discontinued for over one year, and thus has lost its non-conforming rights allowed by Code. Only the machine shop in the rear may continue, as this use is a permitted use in the M1 zone. The non-conforming land use affects all other factors that require analysis by the feasibility study. Economic factors were weighed by the financial cost of a zone variance and uncertain outcome of a variance request. Environmental factors make the project infeasible as a land use conflict with any applicable land use plan or policy would create a potentially significant impact, per CEQA guidelines. Technical factors are supported by a letter from the Department of Building & Safety from February 11, 2016 that states the existing building can no longer have any non-conforming rights as a residential building which use is not permitted in the an M1 zone, per Section 12.23,B-9 of the Code. Further, the Interim Procedures for compliance with the Mello Acts states the proposed removal of any residential may be argued for "if the existing underlying zone or any other applicable regulation prohibits all residential uses."

In summary, the proposed project satisfies all review and analysis per the Mello Act, as a residential use is not feasible on-site, and no affordable units are being removed.

SPECIFIC PLAN PROJECT PERMIT COMPLIANCE FINDINGS

In order for a specific plan project permit compliance to be granted all of the requisite findings maintained in Section 11.5.7-C 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:

8. **That the Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood;**

Properties to the north, east, south, and west are zoned M1-1 and M1-1-O and are developed with primarily one- and two-story light industrial buildings. Immediately to the north and west of the project site is a City of Los Angeles maintenance yard facility that includes a compressed natural gas refueling station. Properties immediately located to the south and east of the subject properties are developed with a series of nine, two-story, live-work units.

The subject property is a relatively level, irregular-shaped, inner parcel of land comprised of two adjacent lots totaling approximately 5,405 square-feet. The subject property has an approximate 108.94-foot frontage along the southwestern side of Narcisus Court, an approximate depth of 110.03-feet to the east, an approximate depth of 77.40 feet to the west and an approximate width of 30.75 feet to the south. The property is currently developed with a one-story, vacant single-family dwelling built between 1900-1923 which was relocated to the subject site in 1923, and proposed to be demolished.

The site and surrounding lots are zoned M1; the nearest residentially zoned lots are approximately 280 feet to the north. The existing residential building that is to be demolished is the last dedicated residential building in the immediate area. A two story building directly southeast of the project site contains nine live-work units; otherwise, there is no other residential in the vicinity. All adjacent buildings are developed with light industrial buildings with various land uses that include, but are not limited to, gymnasiums/fitness centers, multi-media offices, video game developers, and a furniture store.

According to the project representative, a specific light industrial use and/or specific tenant has not been identified for the proposed project yet. However, it is reasonable to conclude that the proposed uses are consistent with the surrounding light industrial land uses mentioned above, based on the open and unobstructed floor plan of the buildings, which is conducive to light manufacturing, multi-media, film production, and graphic arts which fit into the local pattern of Venice artists and crafts persons. Further, the exterior elevations and modern architectural style of the proposed building are consistent with the architectural style of surrounding light industrial buildings.

In light of the above, it can be found that the project, as conditioned, substantially complies with the applicable regulations, standards and provisions of the Specific Plan.

9. **The Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.**

The property is located within the Oakwood-Milwood-Southeast Venice subarea of the Venice Coastal Zone Specific Plan. It is designated for Limited Industrial land

uses in the Venice Land Use Plan, a component of the Venice Local Coastal Program that was certified by the California Coastal Commission on June 14, 2001. The property is zoned M1-1.

The applicable provisions of the Specific Plan to this project are contained in Sections 9 (General Land Use and Development Regulations), 10.G (Land Use Regulations for the Oakwood-Milwood-Southeast Venice Subarea), 11 (Commercial and Industrial Design Standards), and 13 (Parking). The proposed project has been designed and conditioned to meet the applicable land use, design and parking standards of the Specific Plan:

Parking – A total of 13 automobile parking spaces are required for the proposed industrial use. Pursuant to Section 12.21 A (4) of the Los Angeles Municipal Code, up to 20% of new or existing automobile parking spaces for all uses may be replaced with bicycle parking spaces at a ratio of 4 bicycle parking spaces to every automobile space. The applicant is also required to provide 2 short-term and 2 long-term bicycle spaces on-site. A total of 11 off-street tandem, mechanically-stacked automobile parking spaces, as well as 12 short-term and long-term bicycle parking spaces will be provided. All required 11 vehicle parking spaces will be provided on-site with a tandem and mechanically-stacked layout. Finally, the addition of 8 bicycle parking spaces will be installed in lieu of the 2 required automobile spaces, reducing the amount of required automobile parking spaces to 11.

Height - The proposed new construction will include a two-story, light industrial building totaling 3,491 square-feet with a maximum height of 29 – feet, 6-inches with a varied roofline. The maximum height limit for Subarea G restricts building heights to a) 25-feet for flat roofs b) 30 feet for varied or stepped back roofline and c) 28-feet for Walk streets. The project has a varied roof line and is not located on a Walk Street, therefore the proposed structure complies with the height requirements of the Specific Plan.

Roof Structures – The project is conditioned to comply with the applicable roof structure limitation of Section 9.C.1.a.

Ground Floor Industrial Development - Industrial projects are required to incorporate entrances, eye-level displays, a contrast in wall treatment, an offset wall, or other decorative features in the ground floor of the project (at least 65 percent) facing the street. As shown in Exhibit A, the frontage on Narcisus Court is composed of natural material including anodized aluminum, steel, glass, wood, and concrete. The materials are integrated throughout the facade, create a recessed, transparent entry, and provide interesting architectural details at the ground floor. The main pedestrian entrance is enhanced by a high level of transparency and highlighted through the use of landscaping. Therefore, the project complies with Section 11.C of the Specific Plan.

In light of the above, it can be found that the project, as conditioned, substantially complies with the applicable regulations, standards and provisions of the Specific

Plan.

10. **That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Venice Coastal Development Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing;**

The proposed project will be for an industrial use and will not include any new residential components. Currently, no affordable dwelling housing units on the project site. As such, the project will not be removing affordable housing in the area. The proposed project will be a change from a non-conforming residential use to one that is consistent with the current M1-1 (light industrial) zoning and General Plan land use designation for this site.


11. **The project is consistent with the special requirements for low and moderate income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).**

The proposed project will be for an industrial use and will not include any residential components. Currently, no affordable dwelling housing units are on the project site. As such, the project will not be removing affordable housing in the area. The proposed project neither meets nor exceeds the threshold of 10 or more dwelling units to require an affordable housing component as mandated by California Government Code Section 65590 (Mello Act).

ADDITIONAL MANDATORY FINDINGS

12. 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.
13. On January 30, 2015, the project was issued a Notice of Exemption, log reference ENV 2014-3187-CE, for a Categorical Exemption, Class 3, Category 17, Article III, Section 1, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

Inquiries regarding this matter shall be directed to Jason Chan, Hearing Officer for the Department of City Planning at (213) 978-1310.


THEODORE L. IRVING, AICP
Associate Zoning Administrator

TL:jc

cc: Councilmember Mike Bonin
Eleventh District
Adjoining Property Owners
County Assessor



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 678-1200

www.planning.lacity.org

RECEIVED
South Coast Region

APR 19 2017

NOTICE OF COASTAL DEVELOPMENT PERMIT ISSUANCE

CALIFORNIA
COASTAL COMMISSION

Mailing Date:

California Coastal Commission
South Coast District Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

Case No.: ZA-2014-3186-CDP-MEL-SPP-1A

CEQA: ENV-2014-3187-CE

Location: 2100-2106 South Narcisus Court

Council District: 11 - Bonin

Plan Area: Venice

Zone: M1-1

Applicant name/address

Michael Chait
Chait Company
7306 Coldwater Canyon # 12
North Hollywood, CA 91605

Representative name/address

Tom Sternock
Planning Associates Inc.
4040 Vineland Ave, Suite 108
Studio City, CA 91436

The above-referenced Coastal Development Permit was **approved**, effective **April 17, 2017**, pursuant to a public hearing conducted by the West Los Angeles Area Planning Commission on **March 15, 2017**. An appeal was not filed with the City Council during the mandatory appeal period or no appeal to City Council was permitted from the Commission's action; whichever is indicated in the Commission's Determination Report.

Appeals must be filed within a 20 working-day appeal period, to be determined by the South Coast District Office of the Coastal Commission in accordance with said Commission's procedures.

- () 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 proceed with the subject project.

Attachments: Coastal Development Permit and Mello Determination dated April 17, 2017/West Los Angeles APC Determination Letter

cc: Applicant, applicant's representative (Notice, Coastal Permit/APC Determination)
Determination Letter mailing list (Notice & Coastal Permit/APC Determination)



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: APR 17 2017

CASE NO.: ZA-2014-3186-CDP-MEL-SPP-1A

Council District: 11 - Bonin

CEQA: ENV-2014-3187-CE

Plan Area: Venice

Project Site: 2100 – 2106 South Narcisus Court

Applicant: Michael Chait, Chait Company
Representative: Tom Sternock, Planning Associates, Inc.

Appellant: Bill Przylucki, People Organized for Westside Renewal (POWER)

At its meeting of **March 15, 2017**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:


The demolition of an existing duplex^{SPR} and the construction, use and maintenance of a new two-story 3,491 square-foot industrial building with eleven (11) tandem, mechanically-stacked, on-site parking spaces located in the M1-1 Zone within the single permit jurisdiction of the California Coastal Zone.

1. **Determined**, based on the whole of the administrative record, the Project is exempt from CEQA pursuant to Class 3, Category 17 of the City CEQA Guidelines, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guideline, Section 15300.2 applies.
2. **Granted** the appeal in part and denied the appeal in part;
3. **Sustained** in part the Zoning Administrator's determination to approve a **Coastal Development Permit** for the demolition of a duplex and the construction, use, and maintenance of a new 3,850 square-foot industrial building located in the single permit jurisdiction of the California Coastal Zone, a **Specific Plan Project Permit Compliance** for the project located within the Venice Coastal Zone Specific Plan area, and a **Mello Act Compliance Determination** for the project;
4. **Adopted** the Conditions of Approval as modified by the Commission; and
5. **Adopted** the Findings.

This action was taken by the following vote:

Moved: Newhouse
Seconded: Margulies
Ayes: Waltz Morocco
Nays: Halper
Absent: Merritt

Vote: 3-1



Harold Arrivillaga
Commission Executive Assistant I

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The West Los Angeles Area Planning Commission's actions on this matter are final and effective upon the mailing date, and not further appealable.

Notwithstanding, 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.

Unless an appeal is filed with the California Coastal Commission within 20 working days from the date this determination is deemed received by such Commission, the West Los Angeles Area Planning Commission'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.

Attachments: Modified Conditions and Amended Findings

- c: Notification List
Jason Chan, City Planner
Theodore Irving, Associate Zoning Administrator

Conditions of Approval

As Modified by the West Los Angeles Area Planning Commission on March 15, 2017

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.
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. 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. Prior to any sign-off of plans by the Department of City Planning, the applicant shall submit the plot plan for review and approval to the Fire Department. Said Department's approval shall be included in the form of a stamp on the plans submitted to the Department of City Planning Public Counter at the Development Services Center.
7. Approved herein is a Coastal Development Permit authorizing the construction of a new, two-story, 3,491 square-foot industrial building, an 88-square-foot deck, and eleven (11) tandem, mechanically-stacked, on-site automobile parking spaces.
8. The height of the industrial building shall be limited to two stories featuring a maximum height of 29 feet 6 inches for a varied roof line and a maximum height of 25 feet for a flat roof.
9. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
10. No deviations from the Venice Coastal Specific Plan have been requested or approved herein. All applicable provisions of the Specific Plan shall be complied with.

11. Unless authorized for shared parking pursuant to Section 12.24-X, 20 of the Municipal Code, the parking lot shall not be used, rented or leased for any other purpose than the parking of vehicles for the premises on the subject property.
12. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
13. No Coastal Development Permit Condition clearance or Building Permit sign-offs shall be commenced prior to the completion of the California Coastal Commission permit issuance and the subsequent permit appeal period in Dual Jurisdiction or the completion of the 20-day review period of the City's Coastal Development Permit in Single Jurisdiction.
14. Outdoor lighting shall be designed and installed with shielding, so that the light does not overflow into adjacent properties.
15. The applicant shall file a parking area and driveway plan with the applicable District Offices of the Bureau of Engineering and the Department of Transportation for review and approval prior to the issuance of a building permit. The plan shall be prepared consistent with the Department of Transportation's Driveway Design Manual and applicable provisions of Section 12.21 of the Municipal Code.
16. Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the final development plans to the satisfaction of the Department of Building and Safety and Department of Transportation.
17. All signs shall be of an identifying or directional nature only and shall be arranged and located so as not to be a distraction to vehicular traffic. New pole signs, projecting signs, roof signs, electronic message boards, pennants, ribbons, streamers, spinners, balloons (or any similar attention-attracting devices) and flashing or animated signs are prohibited.
18. All outside trash/recycling storage bins shall be located within a gated solid wall enclosure constructed of materials to match the finished exterior of the building, and located so as not to result in noise or odor impacts on any adjacent use.
19. The property owner and on-site manager(s) shall be responsible for maintaining the entire area over their control free of litter, including any parking area used by patrons.
20. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- A. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- B. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- C. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- D. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- E. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

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 West Los Angeles Area Planning Commission's determination in this matter will become effective on the Mailing Date that appears in the first page of this letter.

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.

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.

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.

Findings

(As Amended by the West Los Angeles Area Planning Commission on March 15, 2017)

COASTAL DEVELOPMENT PERMIT 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.

Chapter 3 of the California Coastal Act provides standards by which "the permissibility of the proposed developments subject to the provision of this division are determined." The Coastal Act also provides that: "New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it or, where such areas are not able to accommodate it, will not have significant adverse effects, either individually or cumulatively on coastal resources."

The subject property is zoned M1-1 designated for Limited Industrial land uses and is subject to the Venice Coastal Zone Specific Plan Area, Los Angeles Transportation Corridor Specific Plan Area, Director's Interpretation of the Venice SP for Small Lot Subdivision (ZI-2406), General Plan Footnote(s) area, Calvo Exclusion Area Coastal Zone, Coastal Zone Commission Authority, liquefaction area, and within 5.43 kilometers to the Santa Monica Fault.

The Venice Coastal Zone Specific Plan (Ordinance No. 175,693) was adopted by the City Council on December 2, 2003. The Coastal Commission certified the Land Use Plan (LUP) for the Venice Coastal Zone area on June 14, 2001.

Properties to the north, east, south, and west are zoned M1-1 and M1-1-O and are developed with primarily one- and two-story light industrial buildings. Immediately to the north and west of the project site is a City of Los Angeles maintenance yard facility that includes a compressed natural gas refueling station. Properties immediately located to the south and east of the Subject Properties are developed with a series of nine, two-story, live-work units.

The applicant is requesting a Coastal Development Permit authorizing the demolition of an existing single-family dwelling and the construction of an two-story, 3,491 square-foot industrial building sited on a 5,405 square-foot lot zoned M1-1 within the single-jurisdiction area of the California Coastal Zone. The project also requires a project permit compliance review of a new industrial structure in the Venice Coastal Zone Specific Plan and a Mello Determination.

The new light industrial structure building will have an approximate 88-square-foot deck and approximately 623 square-feet of landscaping around the building with a maximum height of 29 feet, 6-inches tall and a varied roofline. According to the Specific Plan, the applicant is required to provide 13 automobile parking spaces on-site. The applicant purposes that a total of 11 off-street tandem, mechanically stacked automobile parking spaces , as well as 12 short-term and long-term bike parking spaces (will replace 2-parking spaces)will be provided to accommodate the required spaces.

Chapter 3 of the Coastal Act contains provisions that address the impact of development on public services, recreational opportunities, public access, scenic views, infrastructure, the environment, and significant resources. Applicable provisions are as follows:

- a. *Section 30220 Water-Oriented Activities:* The subject site is within the single-jurisdiction area of the Coastal Zone, but is located on a light manufacturing zone within a developed area approximately 3,780 feet from the shoreline. The project involves the demolition of an existing single-family dwelling and construction of a light-manufacturing building. The site is not zoned or suited for water-oriented recreational activities.
- b. *Section 30222 Private Lands for Commercial Recreational Facilities.* The site is zoned for light manufacturing uses, is not designated a recreation area, and is not adjacent to the coastline. This privately owned-site developed with a single-family dwelling and is therefore not suitable for commercial recreational facilities for coastal recreation.
- c. *Section 30230 Marine Resources.* The site is within the single-jurisdiction area and is over 3,780 feet from the coastline. The site is zoned for light manufacturing uses and currently developed with a vacant single-family dwelling, and surrounded by development on all sides. The proposed project will not involve diking, filling, or dredging of open coastal waters, wetlands, estuaries, or lakes. The proposed project will result in no impact on marine resources.
- d. *Section 30240 Environmentally Sensitive Habitat Areas.* The project will not impact any marine resources. The site is over 3,780 feet away from the coastline and within a fully developed area, and well above the high tide line and will not have any identifiable effect on the Pacific Ocean, the Venice breakwater or on the sandy intertidal zone.
- e. *Section 30244 Archeological or Paleontological Resources.* The subject site is currently improved with a single-family home and surrounded by development. No new archeological or paleontological resources are anticipated to be identified with the implementation of the project, as the site is currently developed.
- f. *Section 30250 Existing Developed Area.* The subject site is located within a developed area. The proposed project is the demolition of an existing single-family home and subsequent construction of a new light manufacturing building. The existing building is sited on land zoned M1-1 and has lost its non-conforming land use rights due to the discontinued use of the residential dwelling.
- g. *Section 30251 Scenic and Visual Qualities.* The project's location results in no impact on scenic or visual qualities of coastal areas or prominent natural landforms. The site is not located along or near a designated scenic corridor and is located over 3,780 feet away from the coastline.
- h. *Section 30252 Public Access to the Coast.* The subject property is located inland and away from any coastline, and the proposed project does not block any existing access to the beach and has therefore no impact on shoreline access.
- i. *Section 30253 Minimization of Hazardous Impacts.* The subject property is flat and not located along a bluff or cliff. No grading, excavation, draining, or dredging is proposed. The site is not within a Methane Buffer Zone, Tsunami Inundation Zone, or landslide area, and located within 5.4 kilometers from the Santa Monica Fault. It is located within a Liquefaction area. However, the project is required to comply with state and local building codes that would minimize structural and seismic impacts.

- j. *Section 30260 Coastal-Dependent Industrial Facilities.* The project will complement similar light manufacturing buildings in the nearby Venice neighborhoods. The project site is currently developed with a single-family home building and no industrial facilities are on-site.

The proposed project is not expected to impede any water-oriented recreational facilities or activities. The project proposes to provide all parking requirements and satisfies all requirements regarding to the building envelope. The property is presently developed with a single-family residence on property located with a zone classification designated for light manufacturing land uses. The existing buildings have been vacant for an extended period of time and have lost their non-conforming rights per the underlying zone. The proposed demolition of the single-family residence and construction of a new light manufacturing building has no impact on the location or operation of coastal dependent recreational uses or industrial facilities.

As articulated above, and as conditioned, the development is in conformity with Chapter 3 of the California Coastal Act of 1976.

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.**

Currently, there is no adopted Local Coastal Plan (LCP) for this portion of the Coastal Zone. In the interim, the adopted Venice Land Use Plan serves as the functional equivalent. The Venice Land Use Plan Map designates the site for Limited Industry with a corresponding zone of M1 and Height District No. 1. The property is within the area of the Los Angeles Coastal Transportation Corridor and Venice Coastal Zone Specific Plans. The subject property is zoned M1-1 and is consistent with the Land Use Plan in terms of the use and the density.

The proposed use is permitted in the M1 Zone and plan designation of the Venice Land Use Plan.

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:**

California Coastal Commission's Interpretive Guidelines have been reviewed and considered in preparation of these findings. However, following prevailing case law (e.g., *Pacific Legal Foundation v. Coastal Commission* (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations. The development regulations of the Venice Specific Plan have been considered and the project was found to comply with the requirements of the Oakwood-Milwood-Southeast Venice Subarea regarding parking, height, and access, and further complies with the standards for new industrial development.

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.**

The proposed project is consistent with the previous decisions of the City and the California Coastal Commission that included new construction, improvements and remodels to existing residential structures.

- In February 2016, the Commission approved an Administrative Permit to construct automobile lifts at 29-47 Windward Avenue.
- In May 2016, the Commission approved an Administrative Permit to demolish a single-family dwelling and construct a new single-family dwelling at 2919 Sanborn Avenue.
- In August 2013, the Commission approved an Administrative Permit to improve and expand a City-owned parking lot at 1600 Irving Tabor Court.

No outstanding issues have emerged which would indicate any conflict between this decision and any other decision of the Coastal Commission regarding the proposed demolition of a single-family dwelling and the new construction of an industrial building in the M-1 Zone. Therefore, the decision of the permit granting authority has been guided by applicable decisions of the California Coastal Commission.

5. **The development 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 in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

Section 30210 of the Coastal Act states the following in regards to public access:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners, and natural resources from overuse.

Section 30211 of the Coastal Act states the following in regards to public recreation policies:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The subject property is in the single jurisdiction zone and is not located between the nearest public road and the sea or shoreline of a body of water located within the coastal zone and the nearest public road to such geographic features. The parcel itself is not situated on a waterfront, and there are public roads and access ways between the subject property and the sea or shoreline of a body of water. There will be no dredging, filling, or diking of coastal waters or wetlands, and there are no sensitive habitat areas, or archaeological or paleontological resources identified on the site. The project is consistent with the underlying zone and building envelope requirements. Therefore, as proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

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

On January 30, 2015, A Notice of Exemption (ENV 2014-3187-CE) was issued pursuant to from the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3, and Category 17 of the City CEQA Guidelines because the project is the demolition of an existing single-family dwelling and the construction of a new industrial building in an urbanized area have been determined not to have a significant effect on the environment.

A historical report prepared by PCR Services Corporation was submitted by the applicant on January 21, 2015 and reviewed by the Department of City Planning's Office of Historic Resources (OHR). The report found that subject property does not appear potentially eligible, either individually or as a contributing member of potential district, under any of the applicable federal, state, or local eligibility criteria. Although the residence is associated with historic themes identified in the Los Angeles' Citywide Historic Context Statement, such as the Pre-Consolidation of Venice (1850-1925), the report found that the subject residence is an altered and typical example of a common beach bungalow residence and is not part of a distinctive grouping of bungalows and does not reflect or exemplify the broad cultural, political, economic, or social history of the nation, state, or city. A precise date of construction could not be confirmed, but the structure was built between the years 1900-1923. The structure does not exhibit the characteristic workmanship of a particular style or period, and as a result of deterioration and alterations the residence does not maintain integrity of workmanship. The residence has lost its feeling as a turn-of-the-century beach cottage due to extensive damage and alterations and therefore its integrity of feeling is compromised, according to the historical report. Further, the residence has been moved from its original location and relocated to the subject site in 1923, and therefore does not retain integrity of location from its earlier association. Because the subject property is not a historical resource, the proposed project ("Project") has no direct impact on historic resources and no further evaluation is needed to comply with CEQA. In addition, the Project does not materially impair the setting of other historical resources in the project vicinity, and therefore, under CEQA, the Project would have no indirect impact to historical resources in the project vicinity.

MELLO FINDING

7. **The project is consistent with the special requirements for low and moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 [Mello Act].**

The proposed project will be for an industrial use in a designated industrial zone and will not include any residential components. On July 19, 2016 the Housing and Community Investment Department (HCID) issued a Mello Act Determination for subject site, and found that no affordable units exists on-site. Specifically, HCID studied Department of Water and Power Bills and found that minimal water and electricity was used between the years 2014-2016. Thus, it can be concluded that the dwelling unit has been vacant for a period of over 365 days. Further, the proposed project neither meets nor exceeds the threshold of 10 or more dwelling units to require an affordable housing component as mandated by California Government Code Section 65590 (Mello Act).

On February 22, 2016 the applicant submitted a feasibility study for the proposed demolition of the existing single-family dwelling. The study found that a residential use is no long feasible at this site due to a combination of economic, social, environmental, and technical factors. Notably, the study found that a residential use is not feasible due to the underlying

M1 zone. Residential uses are not a by-right allowed use in the M1 zone; a zone variance would be required to permit a residential use. Further, the existing dwelling has been vacant for an extended period of time and has been discontinued for over one year, and thus has lost its non-conforming rights allowed by Code. Only the machine shop in the rear may continue, as this use is a permitted use in the M1 zone. The non-conforming land use affects all other factors that require analysis by the feasibility study. Economic factors were weighed by the financial cost of a zone variance and uncertain outcome of a variance request. Environmental factors make the project infeasible as a land use conflict with any applicable land use plan or policy would create a potentially significant impact, per CEQA guidelines. Technical factors are supported by a letter from the Department of Building & Safety from February 11, 2016 that states the existing building can no longer have any non-conforming rights as a residential building which use is not permitted in the an M1 zone, per Section 12.23,B-9 of the Code. Further, the Interim Procedures for compliance with the Mello Acts states the proposed removal of any residential may be argued for "if the existing underlying zone or any other applicable regulation prohibits all residential uses."

In summary, the proposed project satisfies all review and analysis per the Mello Act, as a residential use is not feasible on-site, and no affordable units are being removed.

SPECIFIC PLAN PROJECT PERMIT COMPLIANCE FINDINGS

In order for a specific plan project permit compliance to be granted all of the requisite findings maintained in Section 11.5.7-C 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:

8. **That the Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood;**

Properties to the north, east, south, and west are zoned M1-1 and M1-1-O and are developed with primarily one- and two-story light industrial buildings. Immediately to the north and west of the project site is a City of Los Angeles maintenance yard facility that includes a compressed natural gas refueling station. Properties immediately located to the south and east of the subject properties are developed with a series of nine, two-story, live-work units.

The subject property is a relatively level, irregular-shaped, inner parcel of land comprised of two adjacent lots totaling approximately 5,405 square-feet. The subject property has an approximate 108.94-foot frontage along the southwestern side of Narcisus Court, an approximate depth of 110.03-feet to the east, an approximate depth of 77.40 feet to the west and an approximate width of 30.75 feet to the south. The property is currently developed with a one-story, vacant single-family dwelling built between 1900-1923 which was relocated to the subject site in 1923, and proposed to be demolished.

The site and surrounding lots are zoned M1; the nearest residentially zoned lots are approximately 280 feet to the north. The existing residential building that is to be demolished is the last dedicated residential building in the immediate area. A two story building directly southeast of the project site contains nine live-work units; otherwise, there is no other residential in the vicinity. All adjacent buildings are developed with light industrial buildings with various land uses that include, but are not limited to, gymnasiums/fitness centers, multi-

media offices, video game developers, and a furniture store.

According to the project representative, a specific light industrial use and/or specific tenant has not been identified for the proposed project yet. However, it is reasonable to conclude that the proposed uses are consistent with the surrounding light industrial land uses mentioned above, based on the open and unobstructed floor plan of the buildings, which is conducive to light manufacturing, multi-media, film production, and graphic arts which fit into the local pattern of Venice artists and crafts persons. Further, the exterior elevations and modern architectural style of the proposed building are consistent with the architectural style of surrounding light industrial buildings.

In light of the above, it can be found that the project, as conditioned, substantially complies with the applicable regulations, standards and provisions of the Specific Plan.

9. **The Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.**

The property is located within the Oakwood-Milwood-Southeast Venice subarea of the Venice Coastal Zone Specific Plan. It is designated for Limited Industrial land uses in the Venice Land Use Plan, a component of the Venice Local Coastal Program that was certified by the California Coastal Commission on June 14, 2001. The property is zoned M1-1.

The applicable provisions of the Specific Plan to this project are contained in Sections 9 (General Land Use and Development Regulations), 10.G (Land Use Regulations for the Oakwood-Milwood-Southeast Venice Subarea), 11 (Commercial and Industrial Design Standards), and 13 (Parking). The proposed project has been designed and conditioned to meet the applicable land use, design and parking standards of the Specific Plan:

Parking – A total of 13 automobile parking spaces are required for the proposed industrial use. Pursuant to Section 12.21 A (4) of the Los Angeles Municipal Code, up to 20% of new or existing automobile parking spaces for all uses may be replaced with bicycle parking spaces at a ratio of 4 bicycle parking spaces to every automobile space. The applicant is also required to provide 2 short-term and 2 long-term bicycle spaces on-site. A total of 11 off-street tandem, mechanically-stacked automobile parking spaces, as well as 12 short-term and long-term bicycle parking spaces will be provided. All required 11 vehicle parking spaces will be provided on-site with a tandem and mechanically-stacked layout. Finally, the addition of 8 bicycle parking spaces will be installed in lieu of the 2 required automobile spaces, reducing the amount of required automobile parking spaces to 11.

Height - The proposed new construction will include a two-story, light industrial building totaling 3,491 square-feet with a maximum height of 29 –feet, 6-inches with a varied roofline. The maximum height limit for Subarea G restricts building heights to a) 25-feet for flat roofs b) 30 feet for varied or stepped back roofline and c) 28-feet for Walk streets. The project has a varied roof line and is not located on a Walk Street, therefore the proposed structure complies with the height requirements of the Specific Plan.

Roof Structures – The project is conditioned to comply with the applicable roof structure limitation of Section 9.C.1.a.

Ground Floor Industrial Development - Industrial projects are required to incorporate entrances, eye-level displays, a contrast in wall treatment, an offset wall, or other decorative features in the ground floor of the project (at least 65 percent) facing the street. As shown in Exhibit A, the frontage on Narcisus Court is composed of natural material including anodized aluminum, steel, glass, wood, and concrete. The materials are integrated throughout the facade, create a recessed, transparent entry, and provide interesting architectural details at the ground floor. The main pedestrian entrance is enhanced by a high level of transparency and highlighted through the use of landscaping. Therefore, the project complies with Section 11.C of the Specific Plan.

In light of the above, it can be found that the project, as conditioned, substantially complies with the applicable regulations, standards and provisions of the Specific Plan.

10. **That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Venice Coastal Development Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing;**

The proposed project will be for an industrial use and will not include any new residential components. Currently, no affordable dwelling housing units on the project site. As such, the project will not be removing affordable housing in the area. The proposed project will be a change from a non-conforming residential use to one that is consistent with the current M1-1 (light industrial) zoning and General Plan land use designation for this site.

11. **The project is consistent with the special requirements for low and moderate income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).**

The proposed project will be for an industrial use and will not include any residential components. Currently, no affordable dwelling housing units are on the project site. As such, the project will not be removing affordable housing in the area. The proposed project neither meets nor exceeds the threshold of 10 or more dwelling units to require an affordable housing component as mandated by California Government Code Section 65590 (Mello Act).

ADDITIONAL MANDATORY FINDINGS

12. 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.
13. On January 30, 2015, the project was issued a Notice of Exemption, log reference ENV 2014-3187-CE, for a Categorical Exemption, Class 3, Category 17, Article III, Section 1, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

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

**COMMISSION NOTIFICATION OF APPEAL**

May 19, 2017

To:

West Los Angeles Area Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012

From: Charles Posner

Re: **Commission Appeal No. A-5-VEN-17-0028**

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

LOCAL PERMIT #: **ZA 2014-3186**

APPLICANT(S): **Chait Company, Attn: Michael Chait**

DESCRIPTION: Demolition of a duplex, and construction of a 2-story, 3,491 sq.ft. industrial building with 11 tandem, mechanically-stacked, on-site parking stalls

LOCATION: 2100-2106 Narcissus Court, Venice, Ca 90291 (APN(s): 4237003030)

LOCAL DECISION: Approval With Special Conditions

APPELLANT(S): People Organized for Westside Renewal (POWER), Jill Howe-Vercos, Michael Vercos, David Ewing, Gabriel Ruspini, Jed Pauker, Judy Esposito, Noel Gould, Robin Rudisill, Lydia Ponce, Celia Williams, Janet Lally, Edward Levey

DATE APPEAL FILED: 05/17/2017

The Commission appeal number assigned to this appeal is A-5-VEN-17-0028. The Commission hearing date has not been scheduled at this time. Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the City of Los Angeles's consideration of this coastal development permit must be delivered to the South Coast District Office of the Coastal Commission (California Administrative Code Section 13112). Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, and a list, with addresses, of all who provided verbal testimony.

COMMISSION NOTIFICATION OF APPEAL

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

cc: People Organized for Westside Renewal (POWER), Attn: Bill Przylucki

Attn: Jill Howe-Vercos

Attn: Michael Vercos

Attn: David Ewing

Attn: Gabriel Ruspini

Attn: Jed Pauker

Attn: Judy Esposito

Attn: Noel Gould

Chait Company, Attn: Michael Chait

Attn: Robin Rudisill

Planning Associates Inc., Attn: Tom Stemnock

Attn: Lydia Ponce

Attn: Celia Williams

Attn: Janet Lally

Attn: Edward Levey

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4416

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

MAY 17 2017

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)Name: Robin Rudisill, Lydia Ponce, POWER/Bill Przylucki, Jill Howe-Vercos, Edward Levey, Janet Lally, Michael Vercos,
David Fwino, Gabriel Rusnini, Ted Pauker, Judy Esposito, Celia Williams, Noel Gould
Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: 90291

Phone: 310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government: Los Angeles
2. Brief description of development being appealed:

Demolition of an existing single-family dwelling, and construction use and maintenance of a two-story, 3,491 sq ft.
new industrial building with 11 tandem, mechanically-stacked, on-site parking stalls.

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

2100-2106 Narcisus Court, APN: 4237003030, @ Venezia

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.17.0028
DATE FILED: 5.17.17
DISTRICT: South Coast

2100-2106 Narcisus Court
CDP Appeal
APPELLANTS
May 17, 2017

Robin Rudisill
3003 Ocean Front Walk, Venice, CA 90291

Lydia Ponce
837 ½ Milwood Ave, Venice, CA 90291

Celia Williams
678 San Juan Ave, Venice, CA 90291

Bill Przylucki
People Organized for Westside Renewal (POWER)
235 Hill St., Santa Monica, CA 90405

Jill Howe-Vercos
616 Victoria Ave, Venice, CA 90291

Janet Lally
617 Boccaccio Ave, Venice, CA 90291

Michael Vercos
616 Victoria Ave, Venice, CA 90291

Edward Levey
617 Boccaccio Ave, Venice, CA 90291

David Ewing
134 Preston Way, Venice, CA 90291

Gabriel Ruspini
PO Box 54, Venice, CA 90291

Jed Pauker
824 Amoroso Place, Venice, CA 90291

Judy Esposito
2341 Boone Ave, Venice, CA 90291

Noel Gould
3003 Ocean Front Walk, Venice, CA 90291

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

6. Date of local government's decision: April 17, 2017

7. Local government's file number (if any): ZA-2014-3186-CDP-SPP-MEL-1A

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:
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) Michael Chait, Chait Company, 7306 Coldwater Canyon #12, North Hollywood, CA 91605
(2) MBL Narcisus, LLC, C/O MBL Properties Inc., 2550 South Overland Ave, L.A., CA 90064
(3) Tom Sternock, Planning Associates Inc., 4040 Vineland Ave, Suite 108, Studio City, CA 91604

(2)

(3)

(4)

2100-2106 Narcisus Court:

1. The WLAAPC did not uphold the citizen appeal as they operated under the assumption that they had to accept the LADBS decision to revoke non-conforming rights. The related LADBS documents containing the details of the LADBS decision should have been provided to the Commissioners (copy is attached). Given that this was the deciding factor in the case, we believe that WLAAPC should have addressed the LADBS revocation of non-conforming rights. We only became aware of the LADBS decision through the Department of City Planning process. See further details at Exhibit A.

2. Other miscellaneous reasons for reconsideration include:

- The CDP Findings incorrectly used non-certified documents to make the Findings and thus those Findings are invalid and the CDP determination is not valid;
- There was a Brown Act violation for the 519-521 Boccaccio case, as the Commissioners had the most recent plans, given to them separately, and those plans were not available to the Public online, in the current or prior Staff Report;
- The decision made by the Commission DOES prejudice the ability of the City to prepare a Local Coastal Program (LCP), as the LCP (which becomes part of the General Plan) is the document where the case could be made for residential uses to be by right uses in industrially zoned areas, which IS something that is under consideration. As the Finding is incorrect and cannot be made in the affirmative, the CDP determination is invalid. By ignoring this erroneous Finding, denying the appeal and allowing this conversion, the result is that this Venice Coastal Zone precedent will likely result in the loss of all of the residential uses in industrial zones before the community even has the chance to make this change in its LCP/the General Plan. In addition, this practice of allowing an Applicant to cause/allow his own property to be unsafe and also declare it as unsafe, as well as the Applicant causing/allowing the loss of non-conforming rights for the residential use, could also impact other land use decisions where residential properties are located in zones other than industrial;
- In closing statements the Applicant stated that the neighborhood was in favor of the 2100-2106 Narcisus Ave project, when in fact there were many in attendance at the local hearings that were in opposition.

3. Destruction of Coastal Trees—See details at Exhibit B.

4. This is a situation that must not become a precedent in the Coastal Zone. Under the Coastal Act, existing and new visitor-serving commercial uses and existing residential uses are priority uses in the Coastal Zone. A project to demolish three residential units in the Coastal Zone for the purposes of building tech offices must not be allowed. This is a direct result of the Silicon Beach expansion eating up the existing footprint of Venice Coastal Zone and the resulting loss of existing uses, both commercial and residential. This conversion impacts Coastal Access for lower income residents, mainly people of color, and is also an Environmental Justice issue. These residents are being displaced from the Venice Coastal Zone.

See Exhibit C for more information on Environmental Justice.

In addition, parking is an issue as the parking requirement includes lifts, tandem parking, and bike parking. There is already a huge impact of surrounding offices parking in the neighborhoods. It is general practice for office workers to avoid using lifts and tandem parking and there appears to be no good way to assure that they do so. Thus, additional cars parking in these neighborhoods will result in a material access issue and a material detriment in quality of life to the adjoining lots and the immediate neighborhood, as there will be little or no street parking available for those residents.

The real use for this property has been a residential use for decades. DBS is forcing a change to offices with a meaningless decision that was completely in the control of the applicant, in order to perhaps make more money in selling offices than residential units due to the great Silicon Beach office demand.

The Venice Coastal Zone balance of uses must not be impacted just because tech workers like working near the beach. Residential uses must not be decreased for purposes of more office space. The cumulative impact by allowing such a decision by LADBS will have a very material adverse impact on the residential housing stock of the Venice Coastal Zone.

The more footprint that Silicon Beach eats up for offices, the less is available in order to maintain visitor-serving commercial and residential uses.

Coastal Act, Section 30001 (d) Legislative Findings and Declarations:
That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize

to act as my/our representative and to bind me/us in all matters concerning this appeal.

POWER
Bill Frank *Laddie Williams*
Signature of Appellant(s)

Date: May 17, 2017

Noel Gault *John Parker*
Robin Threlkeld
Lydia Ponce *Gebrail Rugman*
Jill Howe *Vancos*
Edwar Long *Michael Vancos*
Tamara Kelly
Jakey Esposito

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
INTERIM PRESIDENT

E. FELICIA BRANNON
JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
301 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

RAYMOND S. CHAN, C.E., S.E.
GENERAL MANAGER

FRANK BUSH
EXECUTIVE OFFICER

February 11, 2016

MBL Narcisus, LLC
Attn: Louis Wolf
2550 Overland Avenue, Suite 2000
Los Angeles, CA 90064

RE: 2100-2106 S. Narcisus Court

APN: 4237-003-030

In response to your request of January 22, 2016, regarding zoning information on the above referenced property, please be advised of the following:

The property, known as Tract: 6002, Block: none, Lot: 69, is shown on the Zoning Map to be located in the M1-1 Zone. See the attached print out of the Parcel Profile Report for all zoning related information pertaining to this property.

On October 7, 2015, you requested a determination for whether a single family in the M1 zone that has been vacated and discontinued as a residential use for more than a year still has nonconforming rights per LAMC Section 12.23 B.9. A letter was sent on October 24, 2015 in respond to your request stating that it was difficult to make the determination that the site lost its non-conforming rights. On January 22, 2016, a request was made to reconsider the determination and additional information have been provided to establish that the residential use has been discounted for more than one year.

Based on the information provided (Attachment "A") and the letter provided by the owner declaring the unsafe conditions and hardship of obtaining a renter, it has been determined that the building has not been in used since July 2014, over one year ago.

Therefore, pursuant of section 12.23 B.9, LAMC, the building can no longer have any non-conforming rights as a residential building which use is not permitted in an M1 Zone.

Should you need any further assistance pertaining to this matter, please contact Catherine Nuezca Gaba at (213) 482-0435.

Catherine Nuezca Gaba
Building Civil Engineer

Attachments

Cc: Office File

LADES C-3 (Rev. 02/20/2014)

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

ATTACHMENT "A"
2100-2106 NARCISUS COURT

REQUEST: We would like a Zoning Determination issued to determine if the existing residential building, which is in the Industrial zone, no longer has its nonconforming rights, considering the length of discontinued use, per Section 12.23.B.9 of the Code (attached).

CURRENTLY EXISTING: Non-conforming single family house, vacant for more than four years.

BACKGROUND ON VACANCY: The current property owner, MBL Narcisus, LLC, purchased the property on August 11, 2014 (see grant deed attached). The single-family house currently on the property has been vacant since purchase of the property, for one year and 1.5 months. On top of that, the house was vacant for over three years prior to purchase of the property (see email declaration of Jerry (Gerald) Ichien, grandson of the previous owner and trustee of the Haruko May Ichien Special Needs Trust, attached). According to the grandson, Jerry Ichien, Robert Masaki Ichien lived in the house for many years. The grandfather died while living in the house. His daughter Haruko May Ichien, lived there, and the subject property was deeded to a special needs trust for her. Haruko May Ichien was hospitalized in April 2011. From April 2011 to the date of sale of the subject property to the current owner (August 11, 2014--some three years and four months), the house was unoccupied, vacant, and not rented at any time. In sum, the house on the property has been vacant and unoccupied for a total of approximately four years and five months.

PROOF OF VACANCY:

Utility bills from LADWP show that the existing building has been vacant since the current owner purchased it more than one year ago in August 2014.

Bill on Sept. 18, 2014 - shows water service was started soon after purchase of the building (in August 2014) only for the purposes of fire emergencies. However, the previous balance before purchase was shown as \$0 because it was vacant long before the current owner purchased it.

Billing period from 9/18/14 to 7/17/15 - Every two month billing cycle, the bill for water is very miniscule and consistent at around \$9. The small bi-monthly bills do not reflect a property being occupied or lived in by anyone. Maintenance of the building and grounds/landscaping are the reason for any water being used on the property.

Billing period from 7/17/15 - 9/14/15 (most recent bill) - The bill spiked up to \$15 because it was discovered that squatters/homeless had trespassed and lived in the vacant house. It is unsure how long the squatters had been coming to the house (when no one was around checking up on the property) to use the water and facilities. The squatters were removed promptly when discovered.

NOTE: I ENCOURAGE YOU TO VISIT THE BUILDING AND SITE AND SEE FOR YOURSELF THAT IT HAS CLEARLY BEEN LONG VACANT.

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

E. FELICIA BRANNON
VICE-PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER MUNEZ

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
281 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

RAYMOND S. CHAN, C.E., S.E.
GENERAL MANAGER

FRANK BUSH
EXECUTIVE OFFICER

October 24, 2015

MBL Narcisus, LLC
Attn: Louis Wolff
2550 Overland Avenue, Suite 200
Los Angeles, CA 90064

RE: 2100 TO 2106 S. NARCISUS COURT

APN: 4237-003-030

In response to your request of October 7, 2015 regarding zoning information on the above referenced property, please be advised of the following:

The property, known as Tract: TR 6002, Block: None, Lot: 69, is shown on the Zoning Map to be located in the M1-1 Zone. See the attached print out of the Parcel Profile Report for all zoning related information pertaining to this property.

You requested a determination for whether a single family in the M1 zone that has been vacant and discontinued as a residential use for more than a year still has nonconforming rights as per LAMC Section 12.23 B.9. You also included a statement indicating that some utility bills were not paid. Please see the following:

The application of LAMC Section 12.23 B.9 is more practical when applied to industrial or commercial uses because one of the requirements of running a particular business is that you must obtain a business license for it. If a location does not have a business license which is valid for operation of the business within a specified time period, then there could not have been any legal operation of such business during that specified time period. This is one of applying

However, residential uses are more complicated since the use is based on whether anyone is in fact residing within the building. The code does not require obtaining a similar license to occupy a house or an apartment building. It would be somewhat premature to make this determination without first visiting the site.

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

2100-2106Narcisus.zltuse_10-24-2015

Page 1 of 2

Therefore, it has been determined that the final determination should be done by a city inspector (building or housing) who has been granted authority to visit the site and ultimately enforce whether this code section is valid in this case.

If the approved use of the building is a single family dwelling and you believe that there has been a violation of this code section, you may report the violation on our [website](#). If the approved use of the building contains more than one dwelling unit and you believe that it has violated this code section, then you may report it on the Housing & Community Investment Department's [website](#).

This information is provided as of October 24, 2015 and the zone is as shown on the Zoning Map. Should you need any further assistance pertaining to this matter, please contact Dakarai Smith at your convenience at (213) 202-5415.



Dakarai Smith
Office Engineering Technician

Ara Sargsyan
Zoning Engineer
Department of Building Safety

Attachments

AS:DS:ds

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

2100-2106Narcissus.ztluse_10-24-2015

Page 2 of 2

EXHIBIT C: PREVIOUS OWNER STATEMENT

Allen Concepcion

From: "Louis" <lwoff@mbproperties.com>
Date: Tuesday, May 26, 2015 11:14 AM
To: "Allen Concepcion" <ajc@pai-la.com>
Subject: FW: Mello Act needed Letter for 2100 - 2106 Narcissus

Louis S Wolff
MBL Properties Co
A division of L&L Property Management LLC
2550 Overland Ave Suite 200
Los Angeles CA 90064
310-559-1112
fax 310-559-1114
E-mail Lwoff@mbproperties.com

From: Janin Paine [<mailto:janin09@gmail.com>]
Sent: Friday, February 06, 2015 10:33 AM
To: Rosario Perry; Louis Wolff
Subject: Fwd: Mello Act needed Letter for 2100 - 2106 Narcissus


Hi,

Please see below from seller on Narcissus.

Let me know if you need anything else.

Best,
Janin

Janin Paine
310.560.5088

 photo JANIN-PAINE-Signature_zps5c8cd32e.png

----- Forwarded message -----

From: Mark Zamel <markzamel@gmail.com>
Date: Fri, Feb 6, 2015 at 10:25 AM
Subject: Fwd: Mello Act needed Letter for 2100 - 2106 Narcissus
To: Janin Paine <janin09@gmail.com>

Janin,

Please see what the seller was willing to declare in his email below. If that is not satisfactory please email us both with any further concerns.

07/07/2015

Regards,

Mark

Sent from my iPad
Mark Zamel
Zamel & Associates
310-383-4043 cell

Begin forwarded message:

From: Jerry Eye <jerryeye@gmail.com>
Date: February 6, 2015 at 10:06:32 AM PST
To: Mark Zamel <markzamel@gmail.com>
Cc: J Gerstle <jig1227@gmail.com>
Subject: Re: Mello Act needed Letter for 2100 - 2106 Narcissus

Good Morning Mark,

I reviewed the request from the buyers broker. Please note the following:

My grandfather, Robert Masaki Ichien previously owned the property at 2106 Narcissus Court, Venice, California. There was one (1) single family home on the property and he lived there with his family until his death. His daughter, Haruko May Ichien, continued to reside in the home following his death. Haruko May Ichien was hospitalized in April 2011. From April 2011 to the date the property was sold, the home was unoccupied and not rented at any time.

Please provide this information the the buyers broker at your discretion.

Jerry Ichien

On Thu, Feb 5, 2015 at 6:57 PM, <markzamel@gmail.com> wrote:
Hi Jerry.

Hope all is well with you and your family.
Below is a email from the buyers broker
on tour Narcissus deal. Please see her
request from you.

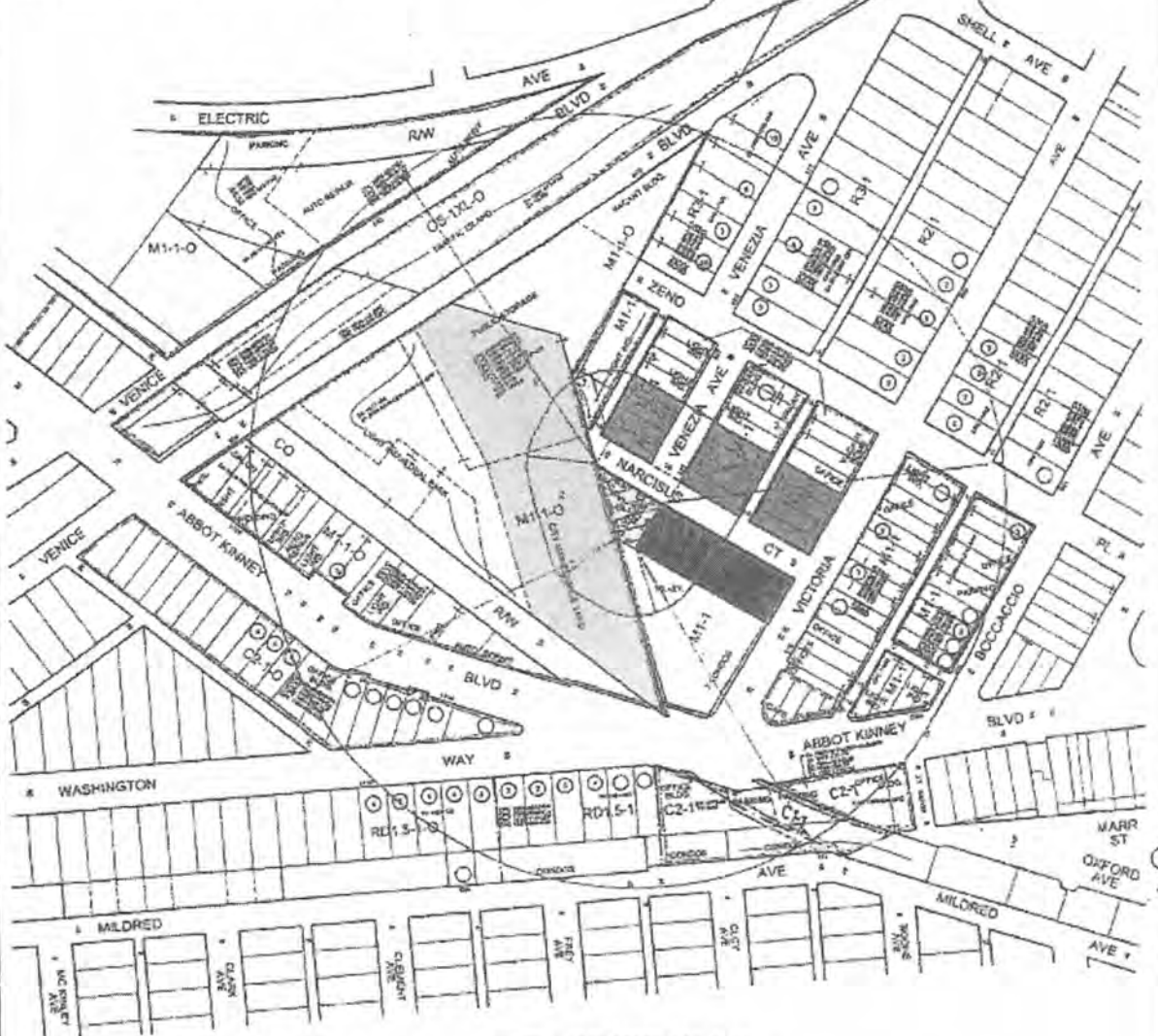
Regards,

Mark

Sent from my iPhone

07/07/2015

EXHIBIT A: RADIUS MAP



- = SUBJECT PROPERTY
- = INDUSTRIAL USE
- = LIVE/WORK UNITS
- = CITY MAINTENANCE YARD

SPECIFIC PLAN COMPLIANCE REVIEW COASTAL DEVELOPMENT PERMIT

LEGAL: LOTS 89 & 70, TRACT NO. 6002.

C.D. 11
C.T. 2738.00
P.A. VENICE

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850

0.12 NET AC.

CASE NO.
DATE: 08-25-2014
SCALE: 1" = 100'
USES: FIELD
D.M. 108 B 145, 105 B 149,
108 B 149, 106 S A 147
T.B. PAGE: 571 GRID: J-6



City of Los Angeles
Department of City Planning

10/24/2015
PARCEL PROFILE REPORT

PROPERTY ADDRESSES

2100 S NARCISUS CT

ZIP CODES

90291

RECENT ACTIVITY

DIR-2008-4703-DI

CASE NUMBERS

CPC-2005-8252-CA

CPC-2000-4046-CA

CPC-1998-119-LCP

CPC-1987-048-ICO

CPC-1984-226-SP

CPC-17532

ORD-175694

ORD-175693

ORD-172897

ORD-172019

ORD-168999

ORD-130338

DIR-2014-2824-DI

ZA-2014-3186-CDP-SPP

ENV-2014-3187-CE

ENV-2005-8253-ND

ENV-2004-2891-CE

ENV-2002-6836-SP

ENV-2001-846-ND

Address/Legal Information

PIN Number 108B145 1802
Lot/Parcel Area (Calculated) 3,482.1 (sq ft)
Thomas Brothers Grid PAGE 671 - GRID J6
Assessor Parcel No. (APN) 4237003030
Tract TR 6002
Map Reference M 9 63-79/80
Block None
Lot 69
Arb (Lot Cut Reference) None
Map Sheet 108B145

Jurisdictional Information

Community Plan Area Venice
Area Planning Commission West Los Angeles
Neighborhood Council Venice
Council District CD 11 - Mike Bonin
Census Tract # 2738.00
LADBS District Office West Los Angeles

Planning and Zoning Information

Special Notes None
Zoning M1-1
Zoning Information (ZI) ZI-2406 Director's Interpretation of the Venice SP for Small Lot Subdivision
General Plan Land Use Limited Industrial
General Plan Footnote(s) Yes
Hillside Area (Zoning Code) No
Baseline Hillside Ordinance No
Baseline Mansionization Ordinance No
Specific Plan Area Los Angeles Coastal Transportation Corridor
Venice Coastal Zone

Special Land Use / Zoning None
Design Review Board No
Historic Preservation Review No
Historic Preservation Overlay Zone None
Other Historic Designations None
Other Historic Survey Information None
Mills Act Contract None
POD - Pedestrian Oriented Districts None
CDO - Community Design Overlay None
NSO - Neighborhood Stabilization Overlay No
Streetscape No
Sign District No
Adaptive Reuse Incentive Area None
CRA - Community Redevelopment Agency None
Central City Parking No
Downtown Parking No
Building Line None
500 Ft School Zone No

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org.
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

zimas.lacity.org | cityplanning.lacity.org

500 Ft Park Zone	No
Assessor Information	
Assessor Parcel No. (APN)	4237003030
Ownership (Assessor)	
Owner	MBL MARCISUS LLC C/O C/O LOUIS WOLFF
Address	2550 OVERLAND AVE STE 200 LOS ANGELES CA 90064
Ownership (City Clerk)	
Owner	ICHIEH, ALYCE S. (TR) ALYCE S. ICHIEH 2004 TRUST DTD 11-3-04 (ET AL)
Address	105 ANNE WAY LOS GATOS CA 95032
APN Area (Co. Public Works)*	0.080 (ac)
Use Code	0100 - Single Residence
Assessed Land Val.	\$1,159,740
Assessed Improvement Val.	\$102,000
Last Owner Change	08/11/14
Last Sale Amount	\$1,237,012
Tax Rate Area	67
Deed Rel No. (City Clerk)	983529 6-158 3169886 282338-39
Building 1	
Year Built	0
Building Class	D35C
Number of Units	1
Number of Bedrooms	1
Number of Bathrooms	1
Building Square Footage	1,135.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Additional Information	
Airport Hazard	None
Coastal Zone	Calvo Exclusion Area Coastal Zone Commission Authority
Farmland	Area Not Mapped
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	None
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	None
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	No
Cil Wells	None
Seismic Hazards	
Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	5.4324504
Nearest Fault (Name)	Santa Monica Fault
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

B

Canal Clean Day Watch
PO box 203, Venice, 90294

March, 11, 2017

West LA. Planning Commission Za2014 Chait 2106 Narcissus Ct.
21524 West Exposition Bld. Medina Bldg. 2nd floor
West Los Angeles, California 90064

Dear hearing commission:

North of the Balloona Wet area is the native home to individual clusters of gorgeous coastal havens of oak habitation reaching for miles into this delta watershed. Settlement quickly developed around these low shade giving silver/mahogany trees, which first attracted the owners of this area. Now look around the Venice City Hall these trees are clustered in small groups on either side of Venice Blvd. From this reference point all the way to the main Canal, these trees proliferated the oil drilling and city installations that sprung up. The city West Yard was set at the funny angle seen as you pass the Victoria St and Abbot Kinney/West Washington intersection to save cutting these lovely trees by using the clearing that this grove provided. Today the last of these Red/silver oaks are gone as they are a bunch of leaves that most people just cut away

This is the area where zoning and settlement gives a natural ambience of what once was this area of prolific tree growth. This back area is still quaint and a rest stop for wild life. Reality workers who do the yearly clear cut have stopped the clear cut and now the entire parcel is in flower. Maybe the bees will come back with something to eat.

Chiat's parcel at 2106 Narcissus was an area with the tallest most beautiful shaded tract of this corner of Venice. In 1978, five immense trees colored this area. There were fruit and olive trees as well as Mr. Robert Ichien's hand-made family home set under two of these wide reaching shade expanses and on which he labored as soon as the city released the property from the plot

. He had four children and passed in the early eighties. His family were the original gardeners of this oak grove and had three olive trees, loquat and paradise plants. The oak trees still persist. The young trees come from massive roots that store thousands of gallons of floodwater. The cyclic floods that visit this coastline were never long in abating because this lowland had thirsty root systems...

The homestead was the icon of Venice. Forty years later his youngest child decided to sell and in a year the Reality took the Escrow to lay bare all the trees and flowers. Twelve mature fruit and oak trees with one over 103 to 107 years old were chain sawed and pulped in just one day. The bird sanctuary was gone forever for a bird. They had to switch over to starvation diets. Will the new owner recognize the need for the habitat? He could revert to a garden from the plans already made and create an integrated habitation.

Thank you for your hearing and consideration. R.J. Wijmelenberg 310 406 4565

R.J. Wijmelenberg

C

Assembly Bill 2616 regarding Environmental Justice went into effect in late 2016.
It impacted the Coastal Act in three sections.

Section 30013 Environmental Justice

The Legislature further finds and declares that in order to advance the principles of environmental justice and equality, subdivision (a) of Section 11135 of the Government Code and subdivision (e) of Section 65040.12 of the Government Code apply to the commission and all public agencies implementing the provisions of this division. As required by Section 11135 of the Government Code, no person in the State of California, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, shall be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination, under any program or activity that is conducted, operated, or administered pursuant to this division, is funded directly by the state for purposes of this division, or receives any financial assistance from the state pursuant to this division.

(Added by Ch. 578, Stats. 2016.)

Section 30107.3 Environmental Justice

"Environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

(Added by Ch. 578, Stats. 2016.)

Section 30604:

(f) The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner

97

that is in conformity with Chapter 3 (commencing with Section 30200) or the certified local coastal program.

(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.

(h) When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

(Amended by: Ch. 1075, Stats. 1978; Ch. 919, Stats. 1979; Ch. 285, Stats. 1991; Ch. 793, Stats. 2003; Ch. 578, Stats. 2016.)

The issuing agency of a CDP, whether City or State, is to consider environmental justice.
Also, the Commission is to consider it for appeals of City CDP's.