

CALIFORNIA COASTAL COMMISSION

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

**F5b**

Staff: A. Spencer – LB
Date: 02/09/2018

ADMINISTRATIVE PERMIT

Application No. 5-17-0927

Applicant: 2034 5th, LLC

Agents: Zyme Studios

Project

Description: Attach 449 sq.ft. single-family residential move-on from adjacent lot to first-floor rear unit of 4-unit apartment building. The apartment building will maintain four units with five parking spaces.

Project

Location: 2034 5th Street and 2102 5th Street, Santa Monica, Los Angeles County (APNs: 4289010005; 4289010006)

EXECUTIVE DIRECTOR'S DETERMINATION

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

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

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

Friday, February 9, 2018
Cambria Pines Lodge
2905 Burton Drive
Cambria, CA 93428

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

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have

received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

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

JOHN AINSWORTH
Executive Director

By: Amrita Spencer
Title: Coastal Program Analyst

STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

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

SPECIAL CONDITIONS: See pages six through seven.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the

meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

A. PROJECT DESCRIPTION

The applicant proposes the relocation of a 449 square foot single-family residence from its current lot (2102 5th Street, Santa Monica) to the back of a four-plex on the adjacent lot (2034 5th Street, Santa Monica). A 52 square-foot connector structure will also be constructed in order for the single-family residence to serve as an addition to the rear lower unit of the four-plex. The proposed project was approved in concept by the Santa Monica Planning Department on October 24, 2017.

The 2102 5th Street lot currently contains two single family residences and one single-car garage ([Exhibit 4](#)). The rear residence, which is proposed to be relocated, was constructed in 1912, long before the Coastal Act was enacted in 1976. In 2016, the City of Santa Monica designated the rear residence as a Structure of Merit due to its historic architectural significance within the city. The garage and the front residence were constructed in 1928. The front residence has been designated as a Structure of Merit, but the garage has not been designated as such. Once the rear residence is relocated, the garage will be demolished and only the front residence will remain on the lot. The project as proposed will not impact the historical nature of the front or rear residence since neither residence will be demolished or substantially altered.

The lot located on 2034 5th Street currently contains a two-story, 17 foot tall four-plex with an attached 2-car garage ([Exhibit 3](#)). Each unit in the four-plex contains one bedroom and one bathroom. There are currently a total of 5 onsite spaces provided on the lot, all of which will be maintained. The relocated single-family residence will serve as an addition to the first-floor rear unit, converting it to a two-bedroom, two-bathroom unit. The net number of units on the lot will not change as a result of the addition; thus, the project will not result in an intensity of use on the lot.

The applicant, 2034 5th, LLC provided grant deeds that prove its ownership of the property on 2034 5th Street, Santa Monica. The applicant does not own the adjacent lot; however, the applicant provided documentation showing that 2102 5th Street is owned by 2102 5th, LLC and that the owner of 2102 5th Street has given the applicant authorization to move the rear residence off the lot.

To ensure that 2034 5th Street is developed with four units and with no intensification of the site, **Special Condition 1** is imposed to place the applicant on notice that the applicant carries out the development in strict compliance with the proposal as set forth in this application for permit No. 5-17-0927.

The applicant also indicated that drought-tolerant, non-invasive vegetation will be used for new landscaping around the relocated residence. Additionally, the applicant will implement water efficient and conservation measures, including the use of drip irrigation and weather-based irrigation controllers, as well as high-efficiency plumbing fixtures and low flow rates required by other local and state regulations (i.e. CalGreen). **Special Condition 1** requires the applicant to ensure that drought-tolerant, non-invasive plant species are used in landscaping activities. **Special**

Condition 2 requires the applicant to implement best management practices to protect water quality pre- and post- construction.

As mentioned earlier, the four-plex on 2034 5th Street currently has five onsite parking spaces. Two spaces are in the garage, two spaces are adjacent to the garage, and one space is located to the right of the garage. No additional parking is proposed on the 2034 5th Street lot for the proposed project. Seeing that the structure was constructed in 1929, well before the current onsite parking regulations were adopted, the current parking configuration is considered to be grandfathered in with the current property. The proposed project results in a 449 square-foot addition to one unit within the four-plex. Because the net number of units will not change, no additional parking spaces are required for the proposed project. Existing public street parking will not be impacted by the addition on 2034 5th Street. **Special Condition 3** requires that the applicant maintain 5 parking spaces on the 2034 5th Street property.

The lot on 2102 5th Street currently contains one enclosed parking space. The single-car garage is located at the rear of the lot, adjacent to the rear residence. Both the front and rear residences were constructed well before the current onsite parking regulations were adopted; thus, the current parking configuration is considered to be grandfathered in with the current property. The proposed project will relocate the rear residence to the adjacent lot on 2034 5th Street. Because the site has historically provided at least one parking space, that space shall be maintained. Although the garage will be demolished after the rear residence is relocated, there will be enough area to maintain the one required parking space. However, should new development occur on the 2102 5th Street lot in the future, the new development will be required to provide adequate on-site parking for the existing residence and any future intensification of the site. A parking space for the front residence may be located at the rear of the property or in front of the property. Seeing as the proposed project will not impact existing public street parking in front of the 2102 5th Street lot or the 2034 5th Street lot, and that relocation of the rear residence will not impact the current 20-foot front setback of the four-plex, Therefore, the 2102 5th Street lot the 2034 5th Street lot will remain consistent with the Chapter 3 policies of the Coastal Act regarding coastal access and parking.

The four-plex on 2034 5th Street is located in a developed residential neighborhood five blocks inland from the beach ([Exhibit 1](#)). There are no coastal views in the project vicinity ([Exhibit 2](#)). The proposed project also adheres to the 23-foot building height limit ([Exhibit 5](#)). Therefore, the proposed project complies with the coastal view and community character policies of the Coastal Act.

B. ACCESS

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

C. WATER QUALITY

The proposed development has a potential for discharge of polluted runoff from the project site into coastal waters. The proposed development, as conditioned by this Administrative Permit, incorporates design features to minimize the effect of construction and post-construction activities

on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. DEVELOPMENT

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

E. LOCAL COASTAL PROGRAM (LCP)

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. Santa Monica does not have a certified LCP. As conditioned, the proposed development will comply with the Chapter 3 Coastal Act policies. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The conditions in this Administrative Permit impose reasonable mitigation measures on the proposed project to reduce potential impacts to water quality, public health and coastal biological resources. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effects the proposed project may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with both the Coastal Act and CEQA.

SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Conformance to Submitted Plans.** Coastal Development Permit 5-17-0927 approves the addition of a 449 sq.ft. move-on from adjacent lot (2102 5th Street, Santa Monica) to lower rear unit of 4-unit apartment building (2034 5th Street, Santa Monica). The apartment building will maintain 4 units and 5 parking spaces. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. As proposed by the applicant and conditioned, the approved development shall be constructed in conformance with the following requirements:

- a) **Number of Units.** The permitted use of the development on 2034 5th Street, Santa Monica is limited to four residential units.
- b) **Landscaping.** No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property.

Any proposed change or deviation from the approved plans, including change in the number of residential units, change to parking supply or change in use, shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. **Construction Responsibilities and Debris Removal.** By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs:
 - a) No construction or demolition materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
 - b) All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.
 - c) Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters or onto the beach, and more than fifty feet away from a storm drain, open ditch or surface waters.
 - d) Any and all demolition/construction material shall be removed from the site (via the alley only) within ten days of completion of demolition/construction and disposed of at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
 - e) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.
 - f) Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.

- g) During construction of the project, no runoff, site drainage or dewatering shall be directed from the site into any street, alley or storm drain, unless specifically authorized by the California Regional Water Quality Control Board.
3. **On-site Parking.** As proposed, five parking spaces shall be maintained on the 2034 5th Street site to serve the approved development. Vehicular access to the site shall be taken only from the existing driveway off 5th Street.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

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

Applicant's Signature

Date of Signing