

## CALIFORNIA COASTAL COMMISSION

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



# Th5a

Staff: D. Truong – LB  
Date: February 15, 2018

## ADMINISTRATIVE PERMIT

**Application No.** 5-18-0059

**Applicant:** Byron Minerd

**Agent:** AKA Architecture + Design c/o Andrea Keller

### Project

**Description:** Add approximately 1,034 sq. ft. to a 2-story, 27-ft. high, single-family home by adding a 3rd-story bedroom, expanding the 1st floor footprint, extending stairway to the 3rd story, and enclosing the atrium, resulting in 4,226 sq. ft., 3-story, 36.5-ft. high, single-family home with attached 3-car garage.

### Project

**Location:** 128 Reef Mall (Lot FR17, Block 16, Silver Strand Tract), Venice, City of Los Angeles, Los Angeles County

## EXECUTIVE DIRECTOR'S DETERMINATION

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

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

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

**Thursday, March 8, 2018, 9:00 am**

**Oxnard Harbor District**

333 Ponoma Street

Port Hueneme, CA 93041

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: Denise Truong  
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 **five** thru **six**.

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

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

## **FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION**

### **A. PROJECT DESCRIPTION**

The applicant proposes to enlarge an existing two-story single family residence. The ground floor kitchen will be enlarged by approximately 101.4 square feet and the spiral stairway will be enclosed as an “atrium” at the northwestern portion of the property. The expansion will maintain the side yard setback of 3.5 feet. The second floor balcony fronting Reef Mall Walk Street will be enlarged by approximately 35.3 sq. ft. to a total of approximately 61 sq. ft. The applicant will demolish a portion of the roof to add a third-story with an approximately 1,034 sq. ft. bedroom. The project includes replacing doors and windows and interior modifications including a three-story stairway. The proposed project, which will maintain the 3-car garage on the ground floor, results in a three-story, approximately 4,226 sq. ft., 36.5-foot tall single-family residence (**Exhibit 2**).

The project site is located on a 2,886 sq. ft. lot approximately 0.16 miles inland of the beach and 300 feet eastward of the Esplanade and the Ballona Lagoon, which is a designated Environmentally Sensitive Habitat Area (ESHA) in an urbanized residential neighborhood. The project site is zoned R1-1 and designated Low Medium Single-Family Residence located in the Silver Strand subdivision of the Venice certified-LUP (**Exhibit 1**). The existing single-family residence was built in 1983 under the approved coastal development permit 5-82-158.

The proposed project height is consistent with the maximum allowable height limit of 45 feet for structures located further than 60 horizontal feet of the mean high tide line of Ballona Lagoon (Exhibit 13, Venice LUP). No portion of the house exceeds the height limit of 45 feet. The proposed project will increase the existing bulk, footprint, and height of the house. All storm runoff will be directed to permeable surface areas in the yard and directed to the City-owned catch basins on the street. No curb cuts are proposed and three on-site parking spaces will be maintained, consistent with City and Commission requirements. In addition, the applicant will be utilizing building materials similar to the existing structure and is articulated to enhance visual compatibility with the neighborhood located on walk streets (Policy II.C.10). Pursuant to Policy I.A.2 of the Venice certified-LUP, the proposed structure is consistent with the character and scale of existing single-family residences in the block and surrounding area.

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or “dual”) coastal development permit from the Coastal Commission. The Commission’s standard of review for development in the Dual Permit Jurisdiction area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the Single Permit Jurisdiction area), the City of Los Angeles local coastal development permit is the only coastal development permit required.

In this case, the project site is within the Dual Permit Jurisdiction area. The City of Los Angeles completed its final action to approve local Coastal Development Permit No.DIR-2016-580-CDP-SPP and ZA-2016-2570-ZAA on November 14, 2016, and reported its action to the Coastal Commission on December 14, 2016 (**Exhibit 3**). The City’s findings indicate that the approved development is consistent with the character of the area and will not prejudice its ability to

prepare a local coastal program. There were no appeals of the local action submitted to the Commission within the 20 working day appeal period.

### **B. PUBLIC ACCESS**

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

### **C. DEVELOPMENT**

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

### **D. LOCAL COASTAL PROGRAM**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP) which conforms to Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development 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 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. However, the City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. As conditioned, the proposed development conforms to the policies set forth in the certified Venice LUP and is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

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

The local government is the main jurisdiction for CEQA review. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

## **SPECIAL CONDITIONS**

This permit is granted subject to the following special conditions:

1. **On-site Parking.** The permittee shall provide and maintain at least three off-street parking spaces on the project site. These parking spaces shall take access from the alley (Spinnaker Court). The courts and street ends shall not be used as parking for the residence approved by this coastal development permit. This condition shall serve as notification that amended Coastal Development Permit A-266-77 (ILA) reserves parking on the street ends in the Silver Strand area for public parking, and that these public parking areas shall not be used for preferential parking. It also serves notice that the street and street ends adjacent to the project site shall not be reserved to any homeowner(s).
2. **Construction and Pollution Prevention Plan. Construction Responsibilities and Debris Removal.** The permittee shall comply with the following construction related requirements:
  - a) No demolition or construction materials, equipment, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion.
  - b) Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project.
  - c) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
  - d) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
  - e) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
  - f) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
  - g) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
  - h) The discharge of any hazardous materials into any receiving waters shall be prohibited.
  - i) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
  - j) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related

5-18-0059 (Minerd)  
Administrative Permit

materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.

- k) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

**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