

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST AREA OFFICE  
200 OCEANGATE, SUITE 1000  
LONG BEACH, CA 90802-4302  
(562) 590-5071



**W20b**

**A-5-VEN-19-0006 (Dan Jurenka)**

**March 6, 2019**

**EXHIBITS**

**Table of Contents**

Exhibit 1 – Project Site

Exhibit 2 – Appeal

Exhibit 3 – Site Plans

Exhibit 4 – CDP No. DIR-2017-5433-CDP-SPP-MEL-1A

# Exhibit 1 – Project Location





# Exhibit 2 - Appeal

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

**RECEIVED**  
South Coast Region

GAVIN NEWSOM, Governor

## CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4416

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

JAN 23 2019

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: Robert Aronson

Mailing Address: 108 Catamaran Street #1

City:

Marina del Rey

Zip Code:

90292

Phone:

310-437-0683

#### SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Los Angeles

2. Brief description of development being appealed:

5-VEN-18-0132

Existing triplex, proposed conversion of 2 existing illegal dwelling units, resulting in a 5-unit apartment building, with a total of 7 parking spaces on a 3,082 square foot lot.

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

10 E. Anchorage Street, Venice, CA 90292

APN 4225001042

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-5-VEN-19-0006

DATE FILED:

January 23, 2019

DISTRICT:

South Coast

**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: December 21, 2018

7. Local government's file number (if any): DIR-2017-5433-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:

Dan Jurenka, applicant, address unknown

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) Henry Ramirez, applicant's representative, address unknown.

(2)

(3)

(4)



## APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

### **SECTION IV. Reasons Supporting This Appeal**

#### **PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The applicant seeks to legalize 2 illegal dwelling units in an existing triplex built in 1970 in the Marina Peninsula subarea of the Venice Local Coastal Program Certified Land Use Plan ("LUP"). The existing triplex is on a 3,082 square foot parcel designated as Multi-family Residential - Low Medium II Density in the LUP, which provides for a use of "Two units per lot, duplexes and multi-family structures," and a density of "One unit per 1,200 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units per lot."

The existing triplex exceeds the maximum allowable density of 2 units per lot and is nonconforming. The parcel is 35' x 88' and is adjacent to an alley, such that the parking requirement is 2 spaces for each dwelling unit; plus a minimum of 1 guest parking space for each 4 or fewer units. The existing triplex requires 7 parking spaces. Legalizing 2 additional units would require 4 additional parking spaces, plus 1 guest parking space, plus at least 1 Beach Impact Zone parking space, for a total of 6 additional parking spaces. Traffic at the site is highly congested in the summer months, and street parking is difficult year-round.

The legalization of two additional dwelling units is not consistent with, and does not comply with, the LUP, and will prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with the California Coastal Act.

The only even remotely possible justification for allowing an increase in density without any additional parking is for the 2 illegal units to be converted to provide two "Affordable Units" as defined in the LUP, for 55 years or the life of the project, whichever is longer. The City of L.A. Coastal Development Approval does not condition the approval on providing any affordable units at all, because the approval for conversion of the 2 illegal units is a separate administrative proceeding that has no public hearing or other public input. The result of that administrative proceeding was the approval to convert the 2 illegal units into one "Restricted Affordable Unit" and one market-rate dwelling unit. Nor does the City of L.A. Coastal Development Approval specify the level of affordability of the one "Restricted Affordable Unit."

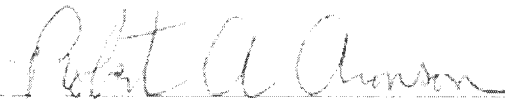
The City of L.A. keeps no database of, and does not keep track of, and does not audit the tenancy of, any of the affordable units that were created as a condition of approval anywhere in the City. Using the mantra of "creating affordable housing" to justify this substantial divergence from the LUP seems inappropriate without any City oversight of the affordable units created.

The basis of my appeal is simple: the applicant should first agree to convert both of the illegal dwelling units to "Restricted Affordable Units," so that the CCC can evaluate whether the providing two affordable units justifies the violation of the LUP and the Coastal Act, and justifies causing prejudice to the ability to prepare a LCP that is in conformity with the Coastal Act.

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

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



\_\_\_\_\_  
Signature of Appellant(s) or Authorized Agent

Date: **January 23, 2019**

**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.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_











**HENRY RAMIREZ**  
3790 LAVELL DR, LOS ANGELES, CA 90065  
T.323.401.3792 • F.323.401.3797

APN: 4225. 001.042

PROJECT INFO:

TO PERMIT 2 EXISTING UNITS IN AN EXISTING 3-UNIT BUILDING WITH 2 GUEST ROOMS. 2 GUEST ROOMS WERE CONVERTED INTO 2 UNITS. THE PROPERTY IS LOCATED AT:

10 E. ANCHORAGE ST.  
MARINA DEL REY, CA 90291  
TRACT: SHORT LINE BEACH SUBDIVISION #4  
BLOCK : 26  
LOT : 23  
APN: 4225.001.042  
MAP REFERENCE: M B 5-176

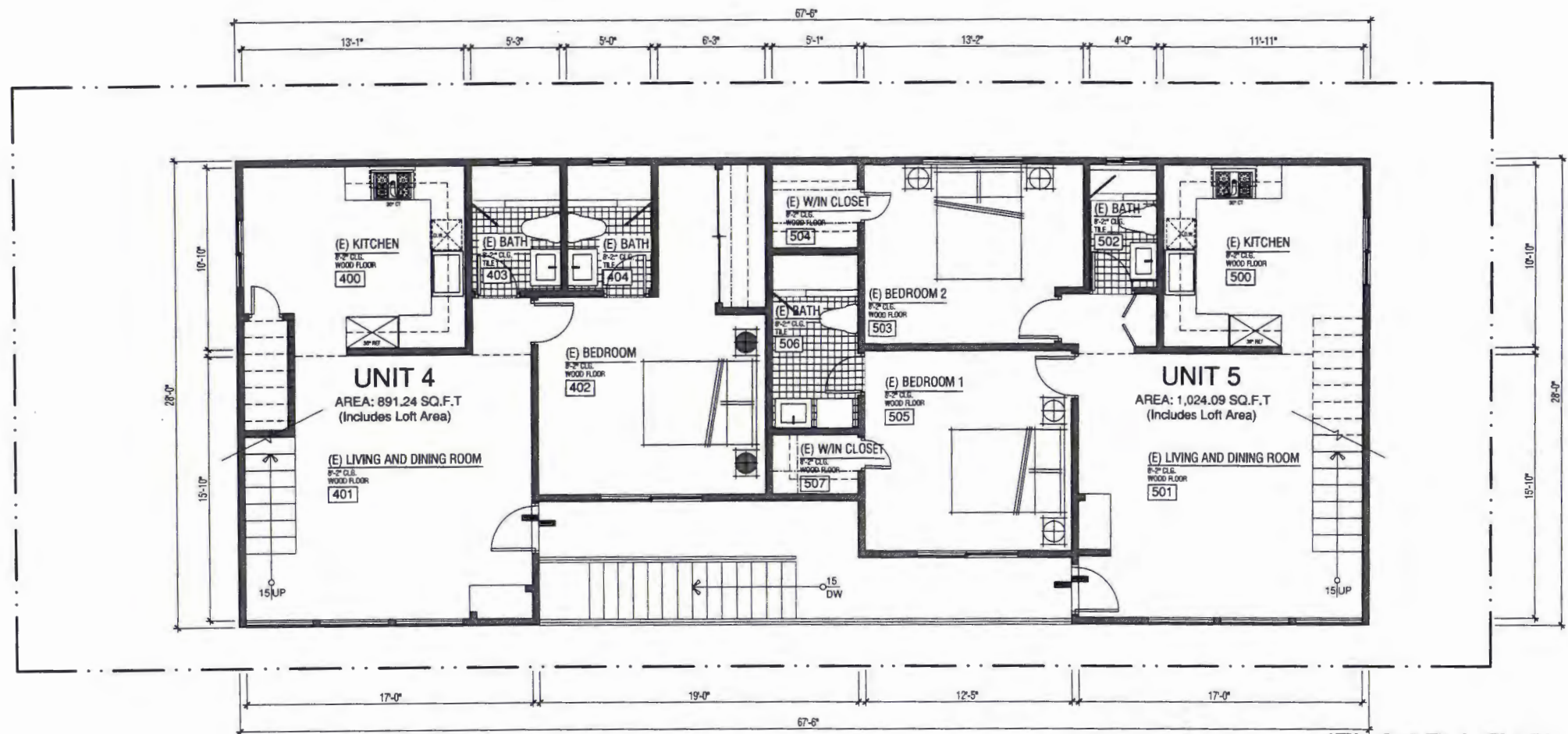
MRS. AND MR. JURENKA  
4497 CALIFORNIA AVE.  
LONG BEACH, CA 90807

## REVISIONS:

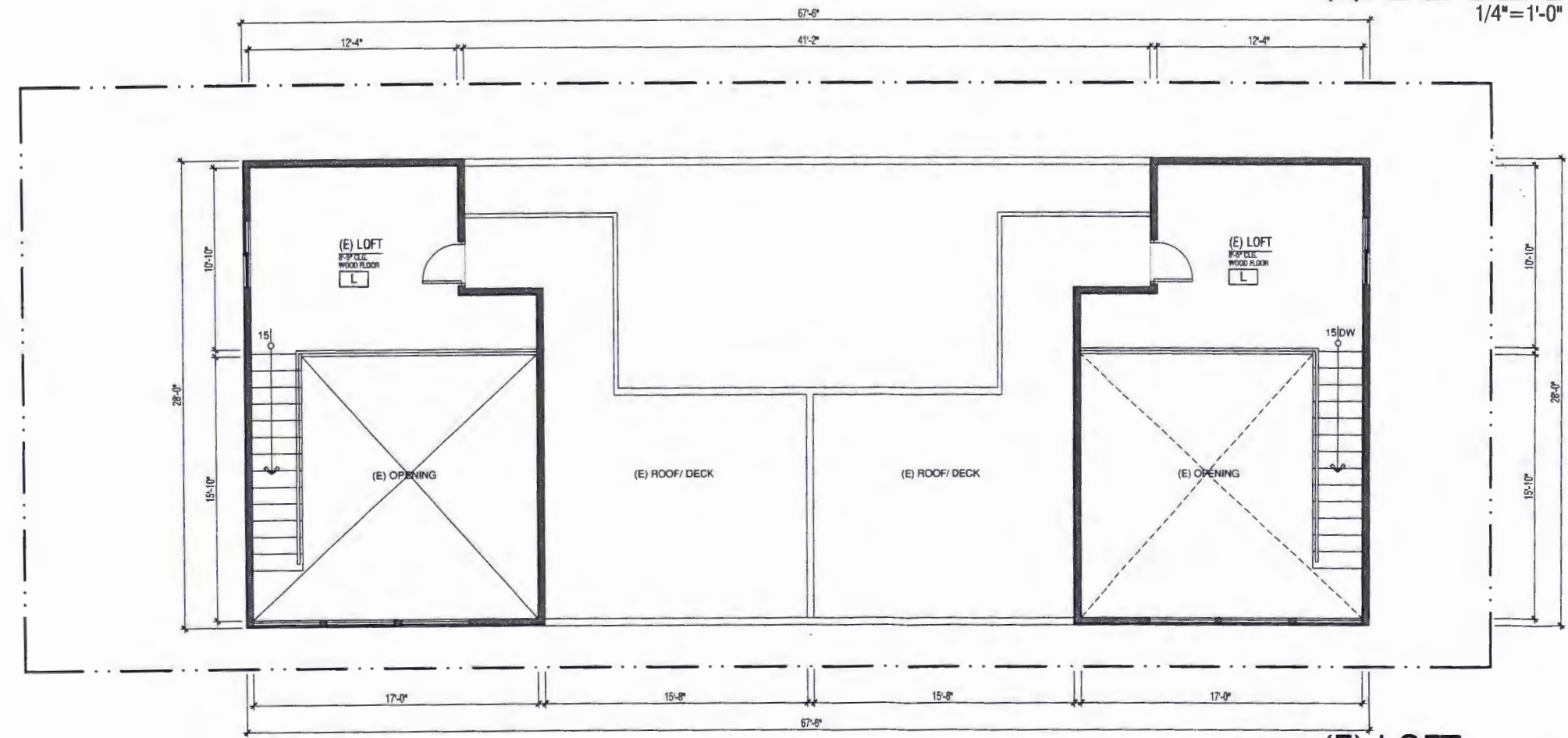
[illegible]

DATE: 02.01.17

A2



(E) 3RD LEVEL

$$1/4^u = 1' - 0''$$


(E) LOFT

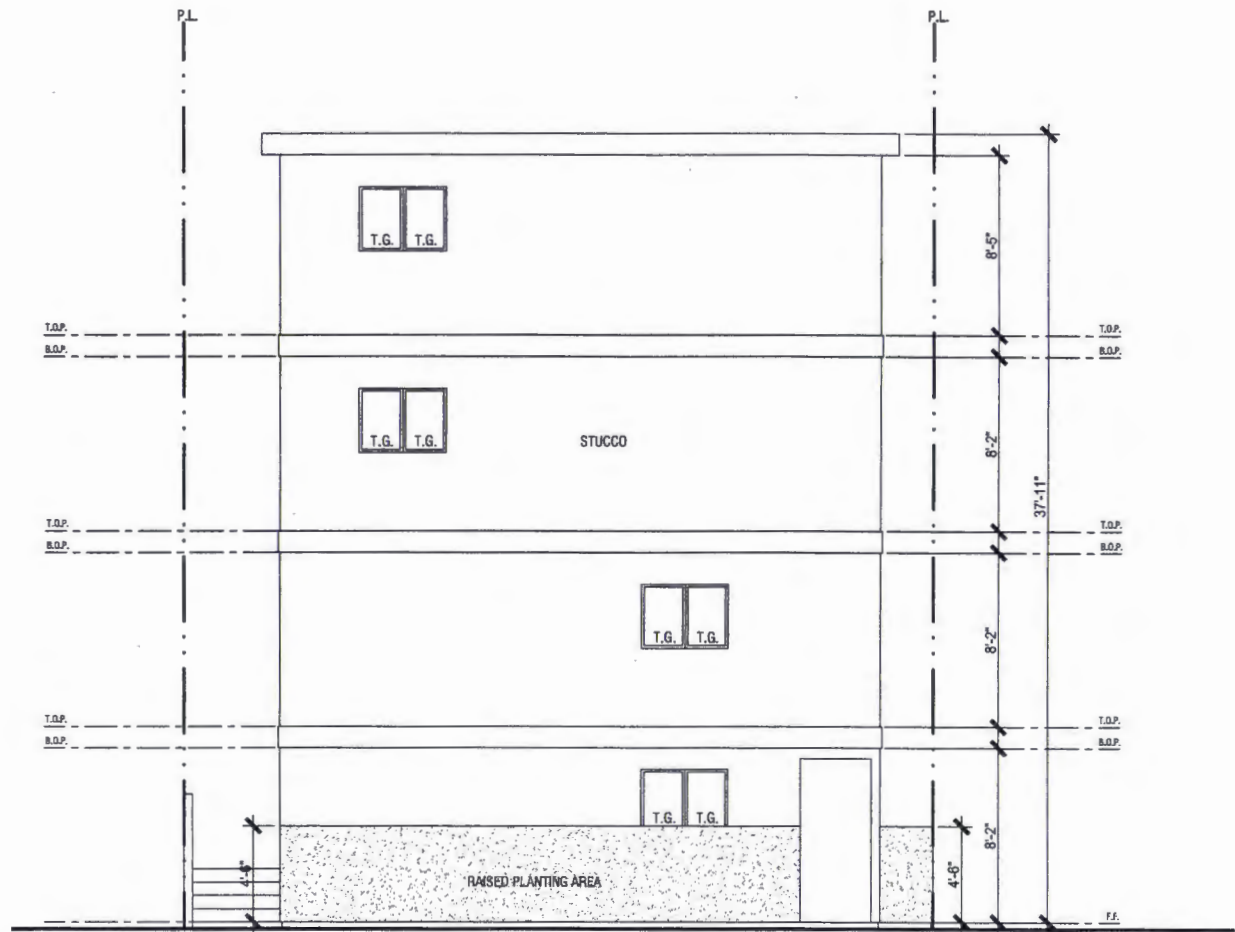
$$1/4'' = 1' - 0''$$

MRS. AND MR. JURENKA  
4497 CALIFORNIA AVE.  
LONG BEACH, CA 90807

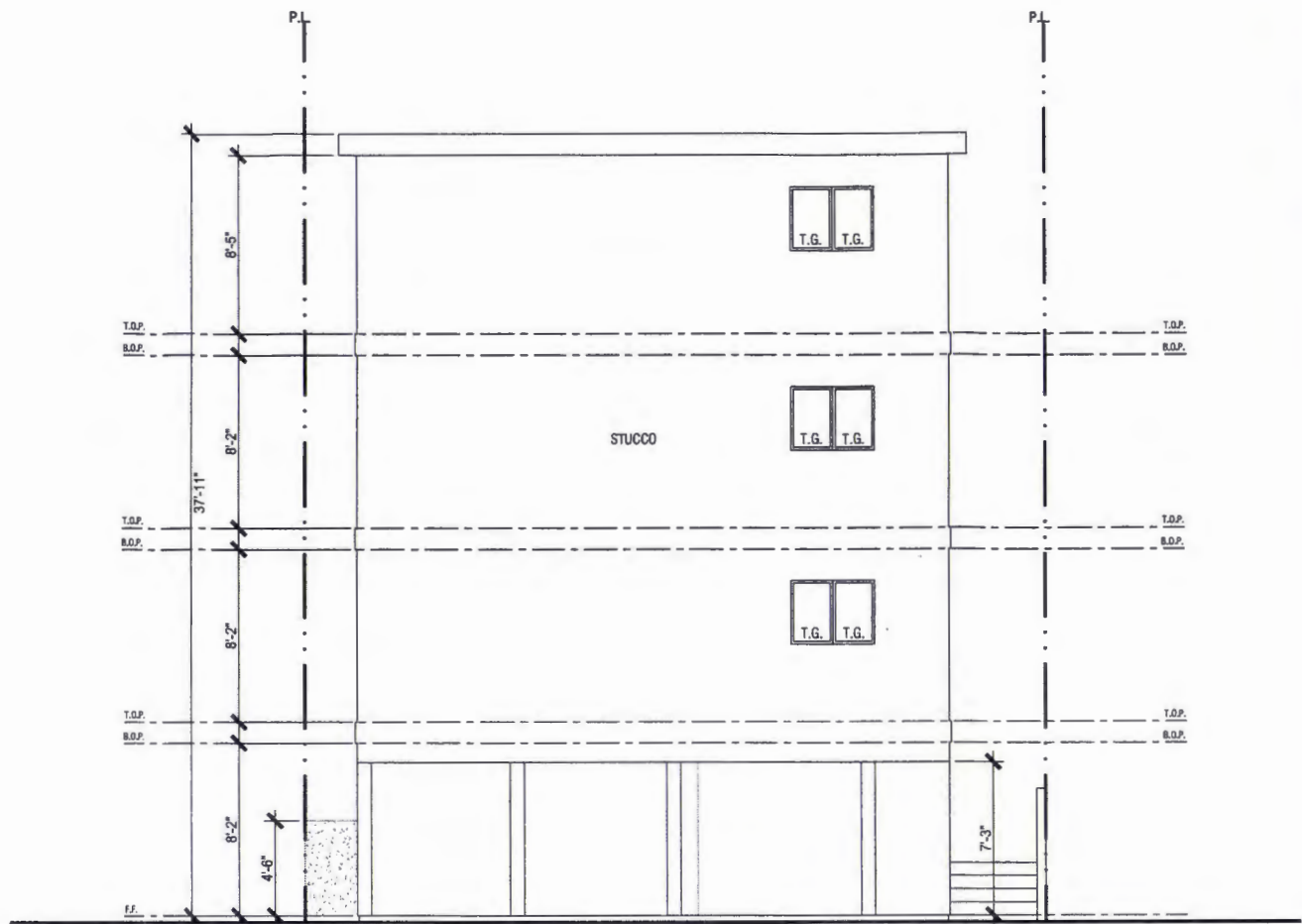
DATE: 02.01.17	A3
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**(E) ROOF/DECK PLAN**  
1/4"=1'-0"





(E) FRONT ELEV. - ANCHORAGE ST.  
1/4" = 1'-0"



(E) REAR ELEV. - ALLEY  
1/4" = 1'-0"

**HR**  
HENRY RAMIREZ  
3790 LAVELL DR. LOS ANGELES, CA 90065  
T.323.401.3792 . F.323.401.3797

APN: 4225. 001.042

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MRS. AND MR. JURENKA  
4497 CALIFORNIA AVE.  
LONG BEACH, CA 90807

REVISIONS:	
DATE	OBSERVATION
DATE:	02.01.17
	A4





HR

HENRY RAMIREZ

3790 LAVELL DR, LOS ANGELES, CA 90065  
T.323.401.3792 F.323.401.3797

APN: 4225.001.042

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MRS. AND MR. JURENKA  
4467 CALIFORNIA AVE.  
LONG BEACH, CA 90807

REVISIONS:

DATE	OBSERVATION

DATE:  
02.01.17

A6



(E) SIDE ELEV. - SPEEDWAY ST.  
1/4"=1'-0"

# Exhibit 4 - DIR-2017-5433-CDP-MEL-1A

DEPARTMENT OF  
CITY PLANNING

CITY OF LOS ANGELES  
CALIFORNIA

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
VICE-PRESIDENT

DAVID H. J. AMBROZ  
CAROLINE CHOE

RENEE DAKE WILSON

KAREN MACK

MARC MITCHELL  
VERONICA PADILLA-CAMPOS  
DANA M. PERLMAN



ERIC GARCETTI  
MAYOR

EXECUTIVE OFFICES  
200 N. SPRING STREET, ROOM 525  
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DEPUTY DIRECTOR  
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ROCKY WILES  
COMMISSION OFFICE MANAGER  
(213) 978-1300

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

## NOTICE OF PERMIT ISSUANCE

Date: **December 19, 2018**  
CDP Number: **DIR-2017-5433-CDP-SPP-MEL**  
Address: **10 Anchorage Street**

Please take notice that the above referenced Coastal Development Permit was issued on December 19, 2018, pursuant to a public hearing on December 19, 2018, and an appeal was not filed with the City of Los Angeles, Department of City Planning as advised in the permit during the mandatory appeal period.

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

- ( x ) 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.
- ( ) The proposed development is in the single permit jurisdiction area, and if the application is not appealed within the 20 working day period the applicant may apply to the City of Los Angeles Department of Building and Safety for a building permit.

VINCENT P. BERTONI, AICP  
Department of City Planning

Ira Brown  
City Planning Associate

Attachments:

- (X) Permit
- (X) Stamped Plans "Exhibit A"
- (X) Duplicate Application

cc: Applicant and Interested Parties

CP-1622 (09/1/15)



DEPARTMENT OF  
CITY PLANNING

CITY PLANNING  
COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
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LISA M. WEBBER, AICP  
DEPUTY DIRECTOR  
(213) 978-1274

<http://planning.lacity.org>

REVISED  
DIRECTOR'S DETERMINATION

October 11, 2018

**Owner/Applicant**

Dan Jurenka  
4497 California Avenue  
Long Beach, CA 90807

**Representative**

Henry Ramirez  
3790 Lavell Drive  
Los Angeles, CA 90065

**Case No.** DIR-2017-5433-CDP-SPP-MEL

**Related Case:** ADM-2017-4476-UDU

**CEQA:** ENV-2017-5434-CE

**Location:** 10 East Anchorage Street

**Council District:** 11-- Bonin

**Neighborhood Council:** Venice

**Community Plan Area:** Venice

**Land Use Designation:** Low Medium II Residential

**Zone:** R3-1

**Legal Description:** Lot 23, Block 26, Short Line  
Beach Subdivisions No. 4

Last Day to File an Appeal Revised to: October 26, 2018

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, Section 11.5.7, and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693), I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

**Approve** a Coastal Development Permit legalizing the conversion of two guest rooms into dwelling units in an existing triplex resulting in a five-unit apartment building in the dual permit jurisdiction area of the Coastal Zone; a total of seven parking spaces are provided;

**Approve** a Project Permit Compliance Review;

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 Review for the legalization of two Residential Units in an existing triplex for a total of five Residential Units in the Coastal Zone, and

DETERMINED based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15303 (City of Los Angeles CEQA Guidelines Article III, Section I, Class 3, Category 2), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

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 Department of City Planning for attachment to the subject case file.

#### **Administrative Conditions**

13. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
14. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
15. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
16. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
17. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
18. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
19. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) 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.



## BACKGROUND

The subject site is a flat, rectangular, residential lot with a width of 35 feet and depth of approximately 88 feet with a total lot area of 3,081.5 square feet. The property is a corner lot that fronts Anchorage Street (Walk Street) and a side property line abuts Speedway. The rear property line abuts an alley. Vehicle access is provided from Speedway and the alley. The property is located within the Los Angeles Coastal Transportation Corridor Specific Plan, Venice Coastal Zone Specific Plan (Marina Peninsula Subarea), Tsunami Inundation zone, Liquefaction area, a Calvo Exclusion Area, Methane Zone, and within 6.3 kilometers from the Santa Monica Fault.

The applicant is requesting Coastal Development Permit authorizing the legalization of two unpermitted dwelling units in an existing triplex for a total of five dwelling units in the dual permit jurisdiction area of the Coastal Zone; a total of seven parking spaces would be provided. The building permits for the subject site currently allow a residential structure comprising of three dwelling units and two guest rooms, as shown on the certificate of occupancy dated September 17, 1970. In addition, the project is subject to Project Compliance Review for the Venice Coastal Zone Specific Plan and review for compliance with the Mello Act.

The subject site is located in a highly developed neighborhood of the Marina Peninsula subarea of the Venice Coastal Specific Plan. The neighborhood and properties immediately surrounding the property are developed with two, three and four-story single and multi-family dwellings in the R3-1 zone; the abutting structure to the east is developed with a two-story single-family dwelling.

Anchorage Street is a Local Street designated to a right-of-way of 60 feet and a roadway width of 36 feet; however, Anchorage Street is a Walk Street limited to pedestrian access only. The paved pedestrian walkway is approximately 12 feet in width. The right-of-way includes the area immediately adjacent to the paved walkway, approximately 12 feet in depth on both side. Properties fronting on Walk Streets are permitted to encroach into this area, however all structures are limited to 42 inches in height.

Speedway is a Local Street designated to a right-of-way width of 60 feet and roadway width of 36 feet; the actual right-of-way width is approximately 25 feet in width. Speedway is not improved with gutters, curbs, or sidewalks, as such Speedway functions like an alley.

Unnamed alley south of Anchorage and east of Speedway is developed with a 20 feet width right of way.

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

ADM-2017-4776-UDU – On May 24, 2017, the applicant submitted a request seeking approval of two unpermitted dwelling units under the Unpermitted Dwelling Unit (UDU) ordinance. The UDU ordinance provides a process for the legalization of pre-existing unpermitted dwelling units. The purpose of the UDU ordinance is to further health and safety standards in multifamily buildings and preserve and create affordable housing units in conformance with the State Density Bonus provisions in California Government Code Section 65915. Under the UDU ordinance, the grant of permit to pre-existing unpermitted units shall not be considered a change that requires a Specific Plan Exception or other entitlements.

DIR-2016-4749-CDP-MEL-SPP – On February 13, 2018, the Director approved a Coastal Development Permit for the demolition of an existing 2,300 square foot multi-family building and the construction of a new 4,113 square foot single-family dwelling within the dual jurisdiction of the Coastal Zone located at 3011 South Ocean Front Walk.

## FINDINGS

### Coastal Development Permit

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.

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

The subject site is a relatively flat, rectangular, residential lot with a width of 35 feet and depth of approximately 88 feet; with a total lot area of 3,081 square feet. The property is a corner lot that fronts Anchorage Street (Walk Street) and a side property line abuts Speedway. The rear property line abuts an alley. Vehicle access is provided from Speedway and the alley.

The property is located within the Los Angeles Coastal Transportation Corridor Specific Plan, Venice Coastal Zone Specific Plan (Marina Peninsula Subarea), Tsunami Inundation Zone, Liquefaction area, a Calvo Exclusion Area, Tsunami Inundation zone, Methane Zone, and within 6.32 kilometers from the Santa Monica Fault.

The applicant is requesting Coastal Development Permit authorizing the legalization of two unpermitted dwelling units in an existing triplex for a total of five dwelling units in the dual permit jurisdiction area of the Coastal Zone; a total of seven parking spaces would be provided. The building permits for the subject site currently allow a residential structure comprising of three dwelling units and two guest rooms, as shown certificate of occupancy dated September 17, 1970. In addition, the project is subject to Project Compliance Review for the Venice Coastal Zone Specific Plan and review for compliance with the Mello Act.

The subject site is located in a highly developed neighborhood of the Marina Peninsula subarea of the Venice Coastal Specific Plan. The neighborhood and properties immediately surrounding the property are developed with two, three and four-story single and multi-family dwellings in the R3-1 zone; the abutting structure to the east is developed with a two-story single-family dwelling.

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access. Applicable provision are as follows:

*Section 30244 requires reasonable mitigation measures to reduce potential impacts on archeological or paleontological resources.* The project would legalize two unpermitted dwelling units in an existing triplex for a total of five dwelling units. The subject site is not located within an area with known for Archaeological or Paleontological Resources. However, if such resources are discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

*Section 30250 states that new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant adverse impacts on coastal resources.* The proposed project is located in a residential neighborhood developed with similar single and multi-family dwellings. As such, the project will be located in an existing developed area



to compliance with Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property in geologic and methane hazard areas.

The proposed project will legalize two unpermitted dwelling units in an existing triplex for a total of five dwelling units; a total of seven parking spaces are provided in the dual permit jurisdiction of the Coastal Zone. The proposed project would have no adverse impacts on public access, recreation, public views or the marine environment, as the project does not result in any changes to the exterior of the existing structure and the structure currently functions as a five-unit apartment building.

The project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or paleontological resources identified on the site. The proposed dwelling will not block any designated public access views. As conditioned, the proposed project is in conformity with Chapter 3 of the California Coastal Act.

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.**

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory.

The Land Use Plan portion of the Venice Local Coastal Program (LCP) was certified by the California Coastal Commission on June 14, 2001, pursuant to the California Coastal Act of 1976. In the interim, the Land Use Plan and the Venice Coastal Zone Specific Plan (not certified by the Coastal Commission) serve as the Local Coastal Program. Per the Land Use Plan, the subject property is designated as Low Medium II Residential. Moreover, the subject site has a General Plan Land Use designation of Low Medium II Residential and is zoned R3-1. The surrounding neighborhood consists of single- and multi-family residential uses.

The applicant is requesting Coastal Development Permit authorizing the legalization of two unpermitted dwelling units in an existing triplex for a total of five dwelling units in the dual permit jurisdiction area of the Coastal Zone; a total of seven parking spaces would be provided. In addition, the project is subject to Project Compliance Review for the Venice Coastal Zone Specific Plan and review for compliance with the Mello Act. The site currently permits a residential structure comprising of three dwelling units and two guest rooms, as shown certificate of occupancy dated September 17, 1970.

The proposed project is consistent with the following policies of the Land Use Plan:

*Policy I. A. 7. Multi-family Residential - Low Medium II Density. Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium II Density" on the Venice Coastal Land Use Plan. Such development shall comply with the density and development standards set forth in this LUP.*

standards listed in LUP Policies II.A.3 and II.A.4. The proposed project provides one Restricted Affordable Unit within an existing triplex by converting two unpermitted units into dwelling units consistent with the State Density Bonus program. The proposed project is provided an incentive in accordance with Government Code Section 65915 (d) (c) for allowance of seven parking spaces in lieu of 10 parking spaces as otherwise required. The proposed project would provide a parking ratio of 1.16 per unit. The project site is located in a highly developed neighborhood of the Marina Peninsula well served by alternative forms of transportation and commercial corridors. As such, given these incentives to reduce motor vehicle ownership, the allowance for reduced parking requirement contained in the Unpermitted Dwelling Unit ordinance will not have an impact on coastal access.

Therefore, this project will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with the Chapter 3 of the California Coastal Act of 1976.

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.**

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The Venice Local Coastal Program – Land Use Plan (LUP) was certified on June 14, 2001. The property is zoned R3-1 and is consistent with the land use designation, Low Medium II Residential. The property is located approximately 125 feet inland from Venice Beach and does not prohibit access to or from the beach.

The project consists of the legalization of two unpermitted dwelling units in an existing triplex for a total of five dwelling units in the dual permit jurisdiction area of the Coastal Zone; a total of seven parking spaces are provided. The project legalizes the conversion of two existing guest rooms into dwelling units resulting in a total of five dwelling units. The Regional Interpretive Guidelines have been reviewed and the proposed project is consistent with the requirements for the Marina Peninsula Subarea; the project also complies with the policies of the LUP and standards of the Specific Plan.

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.**



remodel and addition to a one-story, 793 square foot single-family, resulting in a two-story, approximately 26-foot high 1,454 square foot single-family residence; four uncovered parking spaces will be maintained on the 4,802 square-foot lot, located at 756 Sunset Avenue. (Application 5-17-0258).

- In June 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles and approved the remodel of a 948 square-foot single-family dwelling comprised of a new second story, resulting in a 2,482 square-foot, two-story (28 feet in height) single-family dwelling with a two-car garage, located at 938 Amoroso Place. (Appeal No A-5-VEN-17-0018).
- In June 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles and approved the conversion of two-story, 23.5 foot high, 1,812 square-foot duplex into a 2,416 square foot single-family residence. The scope of work includes a 351 square-foot first floor addition, 253 square-foot second floor addition, and interior remodeling; two vehicular parking spaces will be maintained onsite. The project is located at 628 San Juan Avenue. (Appeal No. A-5-17-0019).

As such, this decision of the permit granting authority has been guided by applicable decisions 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.

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.

Section 30250 of the Coastal Act states the following regarding existing developed area:

New residential, commercial, or industrial 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, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural

- (d) Scenic Highways. The project site is not located on or near a designated state scenic highway.
- (e) Hazardous Waste Sites. The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM).

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.

#### **Project Permit Compliance Review**

7. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the Venice Coastal Zone Specific Plan.**

The project consists of the legalization of two unpermitted dwelling units in an existing triplex for a total of five dwelling units and seven parking spaces in the dual permit jurisdiction area of the Coastal Zone. The existing residential structure is permitted as having three dwelling units and two guest rooms providing a total of seven parking spaces. As conditioned, the proposed project complies with the applicable General Land Use and Development Regulations set forth in Section 9, Land Use and Development regulations for the Marina Peninsula Subarea set forth in Section 10.D, Development Standards for Walk Streets set forth in Section 12, and the Parking provisions set forth in Section 13 of the Specific Plan as evidenced below:

##### **A. Section 8.C. Findings**

The project meets the required findings set forth in Section 8.C of the Venice Coastal Zone Specific Plan, as shown below:

1. *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.*

The subject site is a flat, rectangular, residential lot with a width of 35 feet and depth of approximately 88 feet with a total lot area of 3,081.5 square feet. The property is a corner lot that fronts Anchorage Street, a Walk Street, and side property line abuts Speedway.

The subject site is located in a highly developed neighborhood of the Marina Peninsula subarea of the Venice Coastal Specific Plan. The neighborhood and properties immediately surrounding the property are developed with two, three and four-story single and multi-family dwellings in the R3-1 zone; the majority of the street is comprised of two-story structures; the lots maintain moderate landscaping and vegetation.

The proposed project the legalization of two unpermitted dwelling units in an existing triplex for a total of five dwelling units in the dual permit jurisdiction area of the Coastal



A, the existing height measured to the top edge of the roof is 37 feet 11 inches. The project will not increase or alter the existing building height. Therefore, the legally non-conforming height of the structure fronting a Walk Street is not subject to Section 10.D.2 of the Specific Plan.

*Policy I. A. 13. Density Bonus Applications. Required replacement dwelling units shall be counted as reserved units in any related State mandated density bonus application for the same project. In order to encourage the provision of affordable housing units in the areas designated as "Multiple Family Residential" and in mixed-use developments, the City may grant incentives such as reduced parking, additional height or increased density consistent with Government Code Section 65915.* The applicant submitted a request to legalize two unpermitted dwelling units in an existing triplex resulting in a five-unit apartment building under the Unpermitted Dwelling Unit (UDU) ordinance; one affordable housing unit would be provided. The purpose of the UDU ordinance is to further health and safety standards in multifamily buildings and preserve and create affordable housing units in conformance with the State Density Bonus provisions in California Government Code Section 65915. Under the UDU ordinance, the grant of permit to pre-existing unpermitted units shall not be considered a change that requires a Specific Plan Exception or other entitlements. The Venice LUP anticipated and accommodates for affordable housing units.

*Policy I.A.14. Parking Requirements for Affordable Housing. Reduced parking is permitted for low income units only if: a) the project is consistent with LUP policy I.A.13; and b) it is demonstrated that the prospective occupants of the project will have a reduced demand for parking. However, if a unit changes its status from low or low-moderate income to market rate unit, parking should be provided for market rate units according to the parking standards listed in LUP Policies II.A.3 and II.A.4.* The proposed project provides one Restricted Affordable Unit within an existing triplex by converting two unpermitted units into dwelling units consistent with the State Density Bonus program. The proposed project is provided an incentive in accordance with Government Code Section 65915 (d) (c) for allowance of seven parking spaces in lieu of 10 parking spaces as otherwise required. The proposed project would provide a parking ratio of 1.16 per unit. The project site is located in a highly developed neighborhood of the Marina Peninsula well served by alternative forms of transportation and commercial corridors. As such, given these incentives to reduce motor vehicle ownership, the allowance for reduced parking requirement contained in the Unpermitted Dwelling Unit ordinance will not have an impact on coastal access.

Therefore, this project will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with the Chapter 3 of the California Coastal Act of 1976.

3. *The applicant has guaranteed to keep the rent levels of any Replacement Affordable Units at an affordable level for the life of the proposed project and to register the Replacement Affordable Unit with the Los Angeles Housing Department.*

The project does not involve the conversion or demolition of affordable housing. Therefore, the project is not required to provide any Replacement Affordable Units.

4. *The Venice Coastal Development 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).*

proposed project maintains vehicle access to front-yard alley abutting the Speedway. Therefore, the project complies with Section 10.D.3 of the

*D. Section 12 – Walk Streets*

A. *Residential Development Standards.* The project consists the legal unpermitted dwelling units in an existing triplex for a total of five dwelling units. The proposed project does not include improvements within the public right-of-way (between the fences and the property line). The frontage on Anchorage Street maintains the primary pedestrian entrance and vehicle access is provided via the rear alley and Speedway. The proposed project therefore, complies with the residential development standards for projects fronting on or adjacent to Walk Streets.

B. *Permanent Encroachments.* Permanent encroachments within the existing public right-of-way of a designated Walk Street shall be limited to grade level uses including gardens, patios, landscaping, ground level decks, and fences; all encroachments are limited to 42 inches above natural grade. Permanent encroachments must obtain a revocable permit from the Los Angeles Department of Public Works, Bureau of Engineering. As shown in "Exhibit A", the proposed project does not include improvements in the public right-of-way.

*E. Section 13 – Parking*

C. The proposed project is for legalization of two unpermitted dwelling units under the Unpermitted Dwelling Unit (UDU) ordinance. Under the UDU ordinance, the grant of permit to pre-existing unpermitted units shall not be considered a change that requires a Specific Plan Exception or other entitlements. Per the UDU ordinance, the project is maintaining all existing parking and providing one Restricted Affordable Units consistent with the State Density Bonus program. The proposed project is provided an incentive in accordance with Government Code Section 65915 (d) (c) for allowance of seven parking spaces in lieu of 10 parking spaces as otherwise required.

8. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

A. Categorical Exemption, ENV-2017-5434-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project proposes the legalization of two unpermitted dwelling units in an existing triplex resulting in a total of five dwelling units. The existing structure is permitted as apartment building comprised of three dwelling units and two guest rooms. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Section 15303 and City CEQA Guidelines Article III, Section 1, Class 3, Category 2. A full discussion is provided in Finding No. 6.

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.



## TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within three years after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant 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 the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, (310) 231-2912, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

## TRANSFERABILITY

This determination 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 that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

## APPEAL PERIOD - EFFECTIVE DATE

The Director's determination in this matter will become effective after 15 days, 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. As such, an appeal must be filed for each case number. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Determination, 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**