

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



W15d

Filed: 07/06/21
180th Day: 01/02/22
Staff: C. Seifert-LB
Staff Report: 12/03/21
Hearing Date: 12/15/21

STAFF REPORT: REGULAR CALENDAR

Application Numbers: 5-20-0656

Applicant: Nanette Reed

Agent: Barbara Paderni

Location: 408 W. Sherman Canal, Venice, City of Los Angeles, Los Angeles County (APN: 4227-015-022)

Project Description: Remodel and 519 sq. ft. addition to a 24-ft. high, 1,688 sq. ft., two-story single-family residence, resulting in a 2,207 sq. ft., 27-ft. high, two-story single-family residence with three onsite parking spaces on a canal-fronting lot.

Staff Recommendation: Approval with Conditions.

SUMMARY OF STAFF RECOMMENDATION

The subject property is located approximately 0.25 miles inland of the beach in the Venice Canals subarea of Venice. The project site is currently developed with a 24-ft. high, two-story, 1,688 sq. ft. single-family residence originally built in 1924 on a canal-fronting lot. The proposed project includes construction of a 519 sq. ft. addition, a new rear balcony, and one new parking space (for a total of three on-site parking spaces).

The existing residence currently offers a 12-ft. front yard setback and 450 sq. ft. permeable yard area provided through the existing front and rear yards. These features are legally non-conforming, as the certified LUP requires an average 15-ft. front yard setback and 450 sq. ft. permeable yard area located between the canal-front property line and the line of development. The applicant is proposing to maintain the nonconforming setback and permeable yard area. The project scope will not increase the existing degree of nonconformity or alter the existing encroachment; additionally, the

existing development provides 450 sq. ft. on the overall site and only a three-foot deficit in front yard setback length. As such, the project design is consistent with Chapter 3 policies of the Coastal Act with regard to development standards.

However, the project has not been sufficiently designed for safety from potential coastal hazards. Pursuant to the Commission's adopted 2018 Science Update to Sea Level Rise Policy Guidance, the site may experience up to 6.8 ft. of sea level rise within the 75-year development lifespan. The applicant's submitted coastal hazards report indicates that the existing, lowest finished floor elevation (FFE) may be up to 2.89 ft. below the mean sea level (MSL) elevation with 6.8 ft. of sea level rise. The project proposes to retain the existing lowest FFE. Several potential floodproofing measures have been included in the plans as future options, but the applicant has clarified that none of the measures are proposed in the current project. In light of the potential flood risk facing the site within the design lifetime of the structure, failure to propose any floodproofing adaptations raises issues of safety inconsistent with coastal hazard policies of the Coastal Act.

Therefore, to ensure the project is designed for safety within the development lifespan, Commission staff recommends **Special Condition 1** requiring the applicant to submit final revised plans for Executive Director approval prior to permit issuance. This condition requires submittal of revised plans to which identify and implement waterproofing adaptations and safety measures to improve site resiliency in the face of anticipated sea level rise in the next 75 years.

Staff is recommending the Commission **approve** the coastal development permit (CDP) application with 15 special conditions, including: **1)** submittal of revised project plans; **2)** development setback and building height; **3)** permeable yard area; **4)** permit compliance; **5)** drought tolerant, non-invasive plants; **6)** water quality; **7)** construction best management practices, and drainage and run-off control practices; **8)** bird-strike prevention; **9)** parking and residential density; **10)** Los Angeles Department of Building and Safety; **11)** local government approval; **12)** assumption of risk; **13)** no future shoreline protective devices; **14)** deed restriction; and **15)** removal of unpermitted structures.

The proposed project, only as conditioned, can be found consistent with Chapter 3 of the Coastal Act.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION	4
II. STANDARD CONDITIONS	4
III. SPECIAL CONDITIONS	5
IV. FINDINGS AND DECLARATIONS.....	11
A. Project Description & Location	11
B. Development.....	12
C. Public Access.....	17
D. Biological Resources & Water Quality.....	17
E. Hazards.....	19
F. Coastal Act Violation	22
G. Local Coastal Program (LCP).....	22
H. California Environmental Quality Act (CEQA)	23
Appendix A – Substantive File Documents	24

EXHIBITS

[Exhibit 1 – Project Location](#)

[Exhibit 2 – Project Plans](#)

[Exhibit 3 – Historic Deed Restriction \(1991\)](#)

[Exhibit 4 – Site Photographs](#)

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 5-20-0656 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed project and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program that conforms to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. 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 on which 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 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.

III. SPECIAL CONDITIONS

1. Submittal of Final Revised Plans.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, two (2) full-sized sets of final project plans, which substantially conform with the project plans submitted to the Commission's South Coast District Office, titled "Second Floor Master Bedroom Addition" on August 26, 2021, except they shall be modified to comply with the following:

- i. The proposed residence shall be designed to include safety measures recommended by a structural engineer to protect the development in the event of 6.8 feet of sea level rise, which may result in inundation up to 2.89 feet above the lowest finished floor elevation (located approximately 3.91 feet above the current mean sea level as of November 18, 2021.) Safety measures to minimize flood risks may include, but are not limited to, waterproofing all exterior walls and structures up to 2.89 ft. or higher above the lowest finished floor elevation; raising the foundation elevation at least 2.89 ft. above the existing lowest finished floor elevation; construction of stem walls designed to resist hydrostatic pressure; and/or installation of a perforated drain pipe installed adjacent to the first floor wall and wrapped with gravel and filter fabric to capture infiltrating water.

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

2. **Development Setbacks and Building Height.** No development is authorized within ten feet of the fronting canal property line (Sherman Canal) nor within or above the required 450 square foot permeable yard area, except as described in Special Condition 3 below. At a point ten feet landward of the fronting canal property line, the maximum height of any structure shall not exceed 22 feet above the centerline of the rear alley (Sherman Court). Beyond ten horizontal feet from the fronting canal property line, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of thirty feet (30') except for chimneys, ducts, and other accessory structures which are limited to 35 feet. Roof deck railings shall not exceed 42 inches above the thirty-foot height limit. Building height is measured from the elevation of the adjacent road or alley. A 100 square foot (maximum) roof access structure no higher than 10 feet above the thirty-foot roof height limit is permitted and must be setback at least 60 feet from the fronting canal property line.

3. **Permeable Yard Area.** An uncovered and permeable yard area totaling no less than fifteen times the width of the site (in this case: 15' x 30'= 450 square feet) shall be maintained on the project site. Uncovered means that no fill or building extensions (i.e. chimneys, balconies, stairs, trellises) shall be placed in or over the permeable

yard area with the exception of fences or garden walls (not to exceed 42 inches in height), permeable decks at grade (not to exceed 18 inches in height), and an underground cistern or French drain for water retention. The permeable yard area may include minimal coverage with landscaping (consistent with Special Condition 5), impermeable pavers, stones, concrete walkways or other similar ground cover, but in no event shall impermeable materials occupy more than fifteen percent (15%) of the total amount of the required permeable yard area. PRIOR TO THE ISSUANCE OF THE NOTICE OF INTENT TO ISSUE PERMIT, the applicant shall provide an exhibit prepared by a licensed surveyor that depicts the precise boundaries of the area that must remain uncovered and permeable and shall be attached to the Notice of Intent to Issue Permit that the Executive Director issues for this permit.

- 4. Permit Compliance.** The permittee shall undertake and maintain the development in conformance with the special conditions of the permit and the final plans. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment 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-approved permit amendment unless the Executive Director determines that no permit amendment is required.

5. Landscaping – Drought Tolerant, Non-Invasive Plants.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, in a form and content acceptable to the Executive Director, two (2) full sized sets of final landscaping plans, which shall include and be consistent with the following:

- i. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water-use plants as identified by California Department of Water Resources (See: <https://water.ca.gov/wateruseefficiency/> and <http://ucanr.edu/sites/WUCOLS/files/183488.pdf>).
- ii. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

B. The permittees shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a

Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. Water Quality.

A. Construction Responsibilities and Debris Removal

- 1) 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;
- 2) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers;
- 3) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project;
- 4) 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;
- 5) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
- 6) The applicant(s) shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
- 7) 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;
- 8) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- 9) 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;
- 10) The discharge of any hazardous materials into any receiving waters is prohibited;
- 11) 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;

- 12) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity;
- 13) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. Drainage and Water Quality

- 1) During construction of the project, no runoff, site drainage or dewatering shall be directed from the site into any canal or street that drains into a canal, unless specifically authorized by the California Regional Water Quality Control Board;
- 2) All equipment and materials shall be stored and managed in a manner to minimize the potential of pollutants to enter the canals;
- 3) A French drain, underground cistern, or other similar drainage systems that collect and reduce the amount of runoff that leaves the site shall be installed and maintained on the project site;
- 4) All runoff leaving the site shall be directed away from the canals and into the City storm drain system;
- 5) No water from any pool or spa shall be discharged into any canal or street that drains into a canal.

7. Construction Staging Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the written review and approval of the Executive Director, two copies of a construction staging plan. The construction staging plan shall incorporate the following:

A. The plan shall specify where construction equipment is proposed to be stored during construction in order to maintain slope stability, control erosion, and maintain public access along Sherman Canal.

- 1) All construction equipment to be stored overnight shall be stored on-site, outside the street travel-way.
- 2) Placement of the on-site dumpster shall incorporate use of a flagman to direct traffic during placement.

- B.** The plan shall also identify a disposal site outside of the Coastal Zone for waste materials and recyclable materials.
- 8. Bird Strike Prevention.** Glass railings on decks and balconies shall use materials designed to minimize bird-strikes. Such materials may consist, all or in part, of frosted or partially-frosted glass, or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or Plexiglas shall not be installed unless they contain UV-reflective glazing that is visible to birds or appliqués (e.g. stickers/decals) designed to reduce bird-strikes by reducing reflectivity and transparency. Any appliqués used shall be installed to provide coverage consistent with manufacturer specifications (e.g. one appliqué for every 3 foot by 3 foot area) and the recommendations of the Executive Director. Use of opaque or partially opaque materials is preferred to clear glass or Plexiglas and appliqués. All materials and appliqués shall be maintained throughout the life of the development to ensure continued effectiveness at addressing bird strikes and shall be maintained at a minimum in accordance with manufacturer specifications.
- 9. Parking and Residential Density.** The permitted use of the approved structure is a single-family residence. A minimum of three (3) parking spaces shall be provided and maintained on the site as proposed: three parking spaces in the rear area of the lot adjacent to the alley. Any proposed change in the number of residential units, change in number of on-site parking spaces, 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.
- 10. City of Los Angeles, Department of Building and Safety Approval.** PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT, the applicant shall provide to the Executive Director a copy of a permit issued or evidence of preliminary approval by the City of Los Angeles, Department of Building and Safety (LADBS). The applicant shall inform the Executive Director of any changes to the project required by LADBS. Such changes shall not be incorporated into the project until the applicant obtains an amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.
- 11. Local Government Approval.** The proposed development is subject to the review and approval of the City of Los Angeles (City). This action has no effect on conditions imposed by the City pursuant to an authority other than the Coastal Act. In the event of conflict between the terms and conditions imposed by the City and those of this coastal development permit, the terms and conditions of CDP No. 5-20-0656 shall prevail.
- 12. Assumption of Risk, Waiver of Liability, and Indemnity.** By acceptance of this permit, the applicant(s) acknowledges and agrees (i) that the site may be subject to hazards from waves, erosion, storm conditions, liquefaction, flooding and sea level rise; (ii) to assume the risks to the applicant(s) and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the

Commission, its officers, agents, and employees for injury or damage from such hazards; (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards, (v) that sea level rise could render it difficult or impossible to provide services to the site (e.g., maintenance of roadways, utilities, sewage or water systems), thereby constraining allowed uses of the site or rendering it uninhabitable; and (vi) that the structure may require future adaptation or may need to be removed or relocated and the site restored if it becomes unsafe.

13. No Future Shoreline Protective Device.

- A.** By acceptance of this permit, the applicant agrees, on behalf of herself and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-20-0656, including the proposed residential additions, alterations and yard improvements and any future improvements, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, or other natural coastal hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of herself and all successors and assigns, any rights to construct such devices that may exist under applicable law.
- B.** By acceptance of this permit, the applicant further agrees, on behalf of herself and all successors and assigns, that the landowner(s) is required to remove the development authorized by this permit, including the proposed residential additions, alterations and yard improvements if any other government agency with legal jurisdiction has issued a final order, not overturned through any appeal or writ proceedings, determining that the structures are currently and permanently unsafe for occupancy or use due to coastal hazards and that there are no measures that could make the structures suitable for habitation or use without the use of bluff or shoreline protective devices.
- C.** In the event that portions of the development fall to the public walkway and/or water before they are removed, the landowner(s) shall remove all recoverable debris associated with the development from the public walkway and/or water and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit. Prior to removal, the permittee shall submit two copies of a Removal Plan to the Executive Director for review and written approval. The Removal Plan shall clearly describe the manner in which such development is to be removed and the affected area restored so as to best protect coastal resources, including the Venice Canals.

14. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner(s) have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content

acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property. This deed restriction shall supersede and replace the deed restriction recorded pursuant to Special Condition 2 of Coastal Development Permit No. 5-91-039, approved on May 16, 1991, which deed restriction is recorded as Instrument No. 91-719254 in the official records of Los Angeles County.

15. Removal of Unpermitted Development. The applicant shall remove the existing storage structure that is located in the parking area on the alley side of the residence within 30 days of the issuance of this permit. The Executive Director may grant additional time for good cause.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION & LOCATION

The subject site is an approximately 2,850 sq. ft. (30-ft. wide by 95-ft. deep) canal-fronting lot located approximately 0.25 miles inland of the beach in the Venice Canals subarea of the City of Los Angeles ([Exhibit 1](#)). The site is zoned RW1-1-O by the City of Los Angeles uncertified zoning code and designated Single-Family Dwelling—Low Medium I Density by the certified Venice LUP. The subject lot is currently developed with a two-story, 24-ft. tall, 1,688 sq. ft. single-family residence with two onsite parking spaces accessed from Court A, the rear alley. The existing residence currently has a legally nonconforming 12-ft. front yard setback from the canal-facing property line (as opposed to an average setback of 15 ft.) and 360 sq. ft. permeable front yard area (as opposed to 450 sq. ft. of permeable yard area in the front yard). A 178 sq. ft. permeable yard area is provided in the rear yard. A mix of one to three-story single-family residences and two-story multi-family residential structures, with or without roof decks and roof access structures, characterize the neighborhood and are similar in size to the proposed project.

The project proposes a 74 sq. ft. addition to the alley-facing side of the second floor. The project also proposes demolition of the existing balcony facing the canal-front, in order to construct a new 457 sq. ft. addition and a new 111 sq. ft. canal-facing second-story balcony ([Exhibit 2](#)). The unpermitted storage shed will be removed for provision of a third parking space onsite adjacent to the rear alley. The applicant proposes to retain the existing, nonconforming, 360 sq. ft. permeable yard area and 12-ft. setback between the canal-fronting property line and development.

The existing home was originally constructed as a one-story, 1,184 sq. ft. single-family residence in 1924. On February 7, 1991, the Commission issued Administrative Permit No. 5-91-039 for a 504 sq. ft., second-story, alley-side addition and remodel to the residence. The CDP special conditions required a minimum 341 sq. ft. permeable yard area adjacent to the canal property line and a 178 sq. ft. permeable yard area in the rear yard, in order to provide a cumulative 450 sq. ft. permeable area throughout the site.

The special conditions of CDP No. 5-91-039 also required the submittal of final plans showing at least three parking spaces onsite. The Commission record includes final project plans showing three parking spaces adjacent to the rear alley; however, aerial Google Earth photographs show an unpermitted storage structure has blocked one of the approved parking spaces since at least 2003, leaving two parking spaces onsite ([Exhibit 4](#)). This storage structure is also present on the current applicant's submitted plans ([Exhibit 2, Page 3](#)). The placement of a storage structure in the required third parking space onsite constitutes a violation of Special Condition 3 of CDP No. 5-91-039. The currently proposed project includes removal of the unpermitted structure.

On August 22, 2016, the Commission issued Exemption No. 5-16-0243-X for an interior remodel of the two-story, 1,688 sq. ft. single-family residence, including raising the interior first floor ceiling height.¹ The exempt work did not alter the existing exterior walls, roof structure, foundation, or increase the habitable interior area. In May 2017, the applicant obtained a local permit from the Los Angeles Department of Building and Safety for alteration of 8 sq. ft. of roof structure—no Commission approval was obtained for this alteration. On October 19, 2020, the City Planning Department issued local CDP No. DIR-2019-5119-CDP for the currently proposed project. No appeal of the local action was filed. On December 3, 2020, the applicant submitted the required "dual" Coastal Commission CDP application (Application No. 5-20-0656) for Commission review and action.

B. DEVELOPMENT

Section 30212 of the Coastal Act states, in relevant part:

(b) For purposes of this section, "new development" does not include: ...

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by

¹ Exemption No. 5-16-0243-X indicates an existing residence area of 1,734 sq. ft. rather than 1,688 sq. ft.; however, this discrepancy is due to the inclusion of 46 sq. ft. of non-habitable balcony area in the exemption estimation.

more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure. ...

Section 30250 of the Coastal Act states, in relevant part:

(a) 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.

Section 30251 of the Coastal Act states, in relevant part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas ...

Section 30252 of the Coastal Act states, in relevant part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253 of the Coastal Act states, in relevant part:

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. ...

(5) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Venice Certified LUP Policy I.A.4 Single-Family Residential– Low Medium I Density, states, in relevant part:

Use: Single-family dwelling/one unit per lot

Density: One unit per 2,300 square feet of lot area. Lots smaller than 5,000 square feet shall not be subdivided. Lots larger than 2,300 square feet shall not be

combined.

Buffer/Setback: In order to provide a setback for access, visual quality, and to protect the biological productivity of the canals, an average setback of 15 feet, but not less than 10 feet, shall be maintained in the front yard adjacent to the canal property line.

Yards: An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the canal property line and the front of any structure. A minimum 10-foot front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No fill or building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of 42-inch high fences or permeable decks at grade (no more than 18" high).

Height: Not to exceed 22 feet for any portion within 10 feet from the canal property line. Thereafter, an ascending height equal to one half the horizontal depth from this 10-foot line with a maximum height of 30 feet. Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Venice Certified LUP Policy I.E.1 General, states:

Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Venice Certified LUP Policy I.E.2 Scale, states:

New development within the Venice Coastal Zone shall respect the scale and character of the community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods.

Certified Venice LUP Policy I. E.3 Architecture, states:

Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

Certified Venice LUP Policy I. E.5 Nonconforming Structures, states:

Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a

nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:

Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

Where proposed development is undertaken under the auspice of a 'remodel' or 'remodel-addition', it is important to determine the nature, extent, and location of work that is occurring to the existing structure. This assessment is necessary in order to determine the scope of the development—i.e., whether the extent of the development is such that the resulting structure actually constitutes a replacement structure that requires the applicant to address any existing nonconformities and ensure that the entire proposed development complies with all applicable certified LUP and Chapter 3 policies.

LUP Policy I.A.4 requires that new development adjacent to the Venice Canals provide a buffer between the canals/walkways and the development in the form of open and permeable canal-front yards in order to protect canal water quality, visual and recreational resources, and bird fly-ways. An average 15-ft. front yard setback, no less than 10-ft. for any portion of the yard, is required to provide the minimum permeable yard area. No building extensions, including stairs and balconies, are permitted to be placed in or over the required permeable front yard area with the exception of permeable decks. Policy I.E.3 further requires new development to adhere to the scale and design typical of the surrounding development.

LUP Policy I.E.5 requires projects to remove all nonconforming features of the subject development when the project constitutes an "extensive renovation" or "major addition" that will alter any portion of the site. In this case, the currently proposed project will result in construction of a 519 sq. ft. habitable addition to the existing two-story home, as well as replacement of the majority of the existing roof structure. The only non-conforming feature proposed for retention by the applicant would be a 90 sq. ft. (three-foot long by 30-ft. wide) portion of the first floor.

To correct this non-conformity, 90 sq. ft. of the existing first floor living room would be demolished for provision of an additional 90 sq. ft. permeable area and three-foot development setback from the canal-front property line. The scope of the currently proposed remodel and 519 sq. ft. second-floor addition does not merit a 90 sq. ft. demolition of the first floor, which isn't currently proposed for alteration or addition. Furthermore, the existing front yard setback exceeds the 10-ft. minimum specified by the certified LUP, and the site provides a net of at least 450 sq. ft. permeable yard area in the front and rear yards combined. While this does not explicitly meet the development standards set forth in the certified LUP, the Commission found this to be a reasonable compromise at the subject site in the past (5-91-039), albeit prior to certification of the LUP, and the applicant will still be providing and required to maintain at least 450 sq. ft. of permeable yard area on site.

Therefore, Commission staff recommends **Special Condition 2**, which specifies requirements for the minimum 10-ft. front yard setback and 450 sq. ft. permeable yard area provided through both the front and rear yards. **Special Condition 3** requires the applicant to provide a figure from a licensed surveyor depicting the exact location of the permeable yard area for inclusion in the recorded deed restriction required by **Special Condition 14** as an exhibit. **Special Condition 14** requires the applicant to record a deed restriction in order to supersede the deed restriction previously recorded in 1991 to accurately reflect the location of the permeable yard area, as well as all of the special conditions of this permit.

LUP Policy I. E. 2 requires that new development must respect both the scale and character of the community development, while Policy I.E.3 encourages varied styles of architecture that maintain the massing typical of the neighborhood. This is accomplished through comprehensive design requirements, including limitations on height and density.

Policy I.A.4 specifies height requirements for residential development in the Venice Canals. Ten feet landward of the fronting canal property line, the maximum height of any structure shall not exceed 22 feet above the centerline of the rear alley. Beyond ten horizontal feet from the fronting canal property line, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 30 ft. except for chimneys, ducts, and other accessory structures which are limited to 35 ft. Roof deck railings shall not exceed 42 in. above the 30-ft. height limit. Building height is measured from the elevation of the adjacent alley.

The proposed residence includes a 22-ft. tall ground floor and a 27-ft. tall second story as measured from the adjacent alley elevation; the second floor is set back approximately 15-ft. from the canal property line ([Exhibit 2, Page 6](#)). The front-facing, second-story balcony will be retrofitted with new guard railings 42 inches in height. No roof access structure is proposed. As proposed, the project meets height requirements of policies I.E.2 and I.A.4. The project also provides varied architectural elements for the canal-facing side of the property, including sloped roofs and articulation between the first and second floor, consistent with Policy I.E.3 To further ensure conformance with LUP requirements, **Special Condition 4** requires the applicant to comply with the final project plans approved by the Executive Director and apply for an amendment for any future project revisions.

Policy I.A.4 also limits residential density in the project area to one unit per lot. The applicant proposes to retain the existing single-family residence use. To ensure project conformance with density limitations of the subject lot, **Special Condition 9** requires the applicant to submit any proposed change in the number of residential units to the Executive Director for a determination as to whether a CDP amendment is required.

In summary, the proposed project is consistent with the density and height requirements of the LUP. These requirements were incorporated into the certified LUP to protect community character and Venice's special community status. Additionally, many of the homes in the Venice Canals subarea extend two or more stories and include balconies on the upper floors.

Thus, as conditioned, the proposed development conforms with Sections 30250, 30251, and 30253 of the Coastal Act.

C. PUBLIC ACCESS

Section 30210 of the Coastal Act states:

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, rights of private property owners, and natural resource areas from overuse.

Certified Venice LUP Policy II. A. 3. Parking Requirements states, in relevant part:

Single-family dwelling: 2 spaces; except projects in the Silver Strand and Venice Canals Residential Subareas, where three spaces are required.

Section 30252 ensures protection of all people's opportunity to access the coast by requiring that new development provide adequate parking facilities, or provide substitute means of serving the development through public transportation, in order to keep street parking open for the public.

LUP Policy II.A.3 requires three off-street parking spaces for single-family residences in the Venice Canals subarea, due in large part to the limited parking available in this area. The existing residence provides two parking spaces adjacent to the rear alley, Court D. The project proposes removal of an unpermitted storage area in the rear yard to provide a third guest parking space, consistent with LUP requirements. **Special Condition 15** requires the applicant to remove the unpermitted storage structure to provide the three parking spaces, as proposed. **Special Condition 9** requires any future change in the number of proposed, off-street parking spaces (such as the reinstallation of the rear storage device) to be submitted to the Executive Director for determination as to whether an amendment application is required.

As proposed and conditioned, the Commission finds that the development will not interfere with the existing public walkway along Sherman Canal, will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities, and conforms to Sections 30210, 30214 and 30252 of the Coastal Act.

D. BIOLOGICAL RESOURCES & WATER QUALITY

Section 30230 of the Coastal Act states, in relevant part:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance...

Section 30231 of the Coastal Act states, in relevant part:

The biological productivity and the quality of coastal waters...appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Runoff Percolation

Sections 30230 and 30231 of the Coastal Act require that marine resources and the biological productivity of coastal waters be maintained and enhanced. The Venice Canals are a saltwater system hydrologically connected to the Pacific Ocean via the Marina del Rey inlet tide gate, Ballona Lagoon, and Washington Boulevard tide gate (i.e. coastal waters).

The existing residence is set back 12 ft. from the canal property line and provides a 360 sq. ft. permeable front yard area. The applicant requests to maintain these features, contending that an additional 178 sq. ft. of permeable yard area is provided and will be maintained in the rear and side yards onsite. This will provide a total 469 sq. ft. of permeable yard area onsite. **Special Conditions 2 and 3** are imposed to require at least 450 sq. ft. of permeable yard area onsite, consistent with the proposed project.

The presence of construction equipment and hazardous materials necessary for the proposed project poses an additional threat of polluted runoff introduced to the canal waterway. To avoid water quality impacts during construction, the Commission imposes **Special Condition 6**, which requires the applicant to follow construction best management practices that prevent construction activities and construction related debris from entering and impacting the canal waters; this condition further requires runoff and drainage control measures be installed and maintained for the life of the development in order to maintain water quality. **Special Condition 7** additionally requires the applicant to submit a construction staging plan identifying a method of disposing construction debris and refuse at an offsite location to avoid inadvertent disposal in the canal.

Landscaping

As new development, the project is required to adhere to current landscaping requirements. It will likely also be necessary for the applicant to modify the existing landscaping in order to comply with special conditions 1 through 3 (which require a minimum 450 sq. ft. permeable yard area). Therefore, **Special Condition 5** requires the applicant to submit a landscape plan utilizing only non-invasive, drought-tolerant plant species and water conservative irrigation systems for any new landscaping.

Bird-Strike Prevention

Lastly, the Venice Canal waterways support a variety of marine and terrestrial bird species. The provision of a 10-ft. minimum setback for all development, including balconies, will protect and enhance bird flyways over Sherman Canal. **Special Condition 8** requires any glass structures installed onsite to utilize frosted or partially-

frosted glass, or other visually permeable barriers designed to minimize the risk of bird strikes. This will further ensure the subject development is designed to protect and enhance biological productivity in the surrounding area.

The development, as proposed and as conditioned, 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 with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. HAZARDS

Coastal Act Section 30253 states, in relevant part:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs...

On November 7, 2018, the Commission adopted a scientific update to its Sea Level Rise Policy Guidance. The guidance document serves as Interpretive Guidelines to help ensure projects are designed and built in a way that minimizes risks to the development associated with sea level rise and avoids related impacts to coastal resources. These guidelines state, "to comply with Coastal Act Section 30253 or the equivalent LCP section, projects will need to be planned, located, designed, and engineered for the changing water levels and associated impacts that might occur over the life of the development." Additionally, Moffat & Nichol prepared a Venice Sea Level Rise Vulnerability Assessment for the City of Los Angeles in May 2018, which further discusses potential sea level rise impacts in Venice.

The proposed development is located adjacent to the tidally-influenced Venice canal system, which is mechanically controlled via a tide gate system and hydrologically connected to Ballona Lagoon by the Grand Canal. Two sets of tide gates exist for the Venice canals: one set located under the Washington Street Bridge at Grand Canal, and a second set located at the southern end of Ballona Lagoon. These gates limit the potential for flooding and regulate tidal flushing in the Ballona Lagoon, Grand Canal, and Venice Canals. However, based on the City's Venice Sea Level Rise Vulnerability Assessment prepared by Moffat & Nichol, the communities within the Venice Canals area are low-lying and flood-prone under existing conditions. The tide gates are typically

closed prior to high-tide events to prevent the water levels in the canal from rising. As sea levels rise, tide gates may remain closed for longer periods and prevent accumulated stormwater from flushing out to sea. Thus, as storm events become more extreme, flooding may become more frequent.

According to the Our Coast Our Future (OCOF) model, which uses Coastal Storm Modeling System (CoSMoS) data, the subject site is one of approximately 4,000 parcels, including the surrounding walk streets and canal bridges, which are anticipated to flood from exceedances of stormwater capacity and/or tide gate malfunction. Under a medium-high risk aversion scenario, sea level may rise by 2.5 ft. in the next 40 years and 6.8 ft. in the next 75 years. This risk aversion scenario does not account for ice sheet loss and may even be exceeded within the anticipated 75-year lifespan of the proposed development. The CoSMoS model indicates that, with 2.5 ft. of sea level rise and no coastal storm event, the project site is prone to flooding. With 6.6 ft. of sea level rise (CoSMoS doesn't offer the maximum 6.8 ft. projection), the model shows complete project site inundation. While the Commission cannot determine with absolute certainty that the proposed residential development will be impacted by sea level rise-related hazards before the end of its economic life, the current best available science indicates that some impacts are likely.

The applicant's submitted coastal hazards report, published by GeoSoils, Inc. on February 23, 2021, indicates that the project will likely extend the development lifespan by an additional 75 years. The report indicates the existing residence's lowest FFE is approximately 3.91 ft. above the current mean sea level elevation. With up to 6.8 ft. of sea level rise, mean sea level may rise up to 2.89 ft. above the existing lowest FFE onsite. The submitted report relies on low-risk aversion projections and indicates the probable sea level rise over the design lifespan is 3 ft. or less, rendering inundation of this degree unlikely. The report additionally contends:

"Because the flooding vulnerability is a regional problem, there is very little that can be done specifically at this site to mitigate the hazard of flooding. The public streets are about 1.5 feet lower than the existing [sic] FF elevation of the development so before the actual structure floods, there will be no access to the site."

The use of a low-risk aversion scenario in planning for future coastal hazards is not supported by the Commission's sea level rise guidance. As previously indicated, the Commission's statewide guidance recommends the use of a medium-high risk scenario to portray current and projected emission patterns more accurately. Furthermore, the vulnerability of the entire Venice Canals community to flooding does not lessen the need for adaptations on a project-specific level. Rather, it becomes more important that each development in the vulnerable area is designed for resiliency throughout the design lifetime. This may reduce the burden placed on local governments in emergencies and avoid compromising the safety of adjacent properties. In past Commission actions, this has included requiring floodproofing all exterior structures to the maximum projected level of inundation; elevating the lowest FFE above the maximum projected level of inundation; construction of stem walls designed to resist hydrostatic pressure; installing a

perforated drain pipe wrapped with gravel and filter fabric to capture infiltrating water; and/or installation of sump-pumps in sub-surface structures.²

In this case, the applicant wishes to retain the existing lowest FFE. The applicant has provided a list of possible future floodproofing measures but has declined to include any of these adaptations in the current proposal ([Exhibit 2, Page 9](#)). The project has not been designed to address the risk of inundation up to 2.89 ft. above the existing, lowest FFE.

For consistency with Section 30253, the project must include adaptive measures that address the risk of up to 2.89-ft. of flooding onsite. Therefore, the Commission imposes **Special Condition 1** requiring the submittal of final revised plans which include floodproofing measures for Executive Director approval prior to permit issuance. These measures may include the adaptations used in past Venice projects described above, or the adaptations listed in the current project plans as potential future measures. **Special Condition 3** requires the development to be carried out in a manner consistent with the proposed project, as conditioned and approved by the Executive Director.

Special Condition 10 requires the applicant to obtain preliminary review and approval of revised plans by the LADBS in order to address any additional safety-related concerns with the final revised plans. **Special Condition 11** requires the applicant to comply with local government requirements, which may include obtaining an amended local CDP following approval of final revised plans by the Commission Executive Director. **Special Condition 12** requires the applicant to assume all risks associated with proposed development, including the risks of flooding and all other sea level rise impacts summarized above. **Special Condition 13** additionally requires the applicant to acknowledge that the development approved by this permit is not entitled to shoreline protection and to waive, on behalf of herself and all successors and assigns, any rights that may exist under applicable law to construct a shoreline protective device to protect the subject development.

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, **Special Condition 14** requires the applicant to record a deed restriction acknowledging that, pursuant to the subject permit (CDP No. 5-20-0656), the Commission has authorized development on the subject property subject to the terms and 14 special conditions of this permit that restrict the use of the subject property. This condition will additionally provide notice of potential hazards of the property, the risks of flooding, and other sea level rise impacts towards the end of the development's economic life.

Therefore, only as conditioned, the Commission finds that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in hazardous locations.

² ref. [A-5-VEN-15-0052, -0053, -0054](#) (Bever), [5-19-1167](#) (Harley GCS, LLC), [5-18-1212](#) (Lowell/Correll), [5-21-0651](#) (Goodfader)

F. COASTAL ACT VIOLATION

A violation of the Coastal Act exists on the subject property including, but not necessarily limited to, placement of an unpermitted storage shed in the parking area on the alley side of the residence, in violation of Special Condition 3 of CDP No. 5-91-039, which requires the provision of 3 onsite parking spaces – the storage shed obstructs one of the required parking spaces. Historic aerial photographs indicate that the shed has been in place since at least 2003.

The applicant is proposing to remove the unpermitted storage shed in order to provide the 3 onsite parking spaces, as required by Special Condition 3 of CDP No. 5-91-039. However, the applicant is not proposing to address the impacts to coastal resources that have resulted from this violation, and, thus, the violation will not be comprehensively by the Commission's action on this application. The matter is being referred to the Commission's enforcement division for future action to address the violation.

Although development has taken place prior to submission of this permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act with the certified LUP as guidance. Commission review and action on this permit does not constitute a waiver of any legal action with regard to the alleged violation (or any other violation), nor does it constitute an implied statement of the Commission's position regarding the legality of development, other than the development addressed herein, undertaken on the subject site without a coastal permit and in violation of Special Condition 3 of CDP No. 5-91-039.

In order to ensure that the unpermitted storage shed is removed in a timely manner, **Special Condition 15** requires its removal within 30 days of issuance of this permit. Failure to comply with the terms and conditions of this permit may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

G. LOCAL COASTAL PROGRAM (LCP)

Coastal Act Section 3060 states, in relevant part:

(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).

The Venice LUP was certified by the Commission on June 14, 2000, is advisory in nature, and may provide the Commission with guidance. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project as proposed and 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.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096(a) of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). The findings above are incorporated herein by reference.

Under Section 15251(c) of Title 14 of the California Code of Regulations, the Commission's CDP regulatory process has been certified as the functional equivalent to the CEQA process. As a certified regulatory program, Section 21080.5(d)(2)(A) of CEQA still applies to the Commission's CDP regulatory process and prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment. The City of Los Angeles is the lead agency for purposes of CEQA. As noted on the City's staff report dated August 12, 2020, the City determined that the proposed development was categorically exempt from CEQA requirements pursuant to CEQA Guidelines Sections 15301(Class 1).

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse effect which the development 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, has no remaining significant environmental effects, either individual or cumulative, and is consistent with the applicable requirements of the Coastal Act to conform to CEQA.

Appendix A – Substantive File Documents

Policies of the City of Venice Certified Land Use Plan cited in report.

City of Los Angeles Local Coastal Development Permit Case No. DIR-2019-5119-CDP, dated October 19, 2020.

Coastal Hazard and Sea Level Rise Discussion for Coastal Hazard and Sea Level Rise Discussion for 408 W Sherman Canal, Venice, Los Angeles, California. prepared by Geosoils, Inc., dated February 23, 2021.