

## PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
APCW-2022-3943-SPE-CDP-MEL-HCA-1A	ENV-2022-3944-CE	11 – Park
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
237, 239 East Montreal Street, Playa Del Rey, 90293		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Justin Brevoort <input type="checkbox"/> N/A <input type="checkbox"/> New/Changed	(310) 376-2537	<a href="mailto:creativelabz@me.com">creativelabz@me.com</a>
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Gregory J. Shoop <input type="checkbox"/> N/A	(714) 608-5047	<a href="mailto:gregjshoop@gmail.com">gregjshoop@gmail.com</a>
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Elise Slifkin-McClure (one appeal filed, including Dennis McClure and Patrick Kane Dossett as co-appellants) <input type="checkbox"/> N/A	Elise and Dennis: (310) 863-0794 Patrick Kane Dossett: (214) 505-1735	<a href="mailto:eslifkinmcclure@gmail.com">eslifkinmcclure@gmail.com</a> <a href="mailto:kane@pnre.com">kane@pnre.com</a>
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Caelan Rafferty	(213) 978-1197	<a href="mailto:caelan.rafferty@lacity.org">caelan.rafferty@lacity.org</a>
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		

*The preparation of a draft ordinance by the City Attorney will be required.*

**FINAL ENTITLEMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION:  
(UNAPPEALED OR NON-APPEALABLE ITEMS)**

N/A

**ITEMS APPEALED:**

- **Specific Plan Exception** from the Coastal Bluffs Specific Plan to allow:
  - A height of 15 feet within the area between the front lot line, adjacent to and parallel to the street, and an imaginary line located 38 feet toward the rear lot line there from, in lieu of the nine feet otherwise permitted by Section 5.A.3.a of the Specific Plan; and
  - An overall height of 49 feet 11 inches in lieu of the 45 feet otherwise permitted by Section 5.A.3.d of the Specific Plan.
- **Coastal Development Permit** for the Proposed Project on a lot located in a Dual Permit Jurisdiction Area of the California Coastal Zone.
- **Mello Act Compliance Review** for the construction of two new residential units in the Coastal Zone.
- **Categorical Exemption** from CEQA pursuant to CEQA guidelines, Section 15303, Class 3 (New Construction or Conversion of Small Structures)

N/A

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List (both Word and PDF)	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

**NOTES / INSTRUCTIONS:**

The transmitted items include materials submitted by the appellant, including the appeal application, appeal justification letter, supporting signatures, and the appeal invoice. Also included are copies of the West Los Angeles Area Planning Commission determination and supporting materials. The appellant has appealed the West LA APC's entire decision; therefore all entitlements and the CEQA clearance are before the City Council on appeal.

N/A

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input checked="" type="checkbox"/> 500' radius <input checked="" type="checkbox"/> Neighborhood Council <input checked="" type="checkbox"/> Interested Parties <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]

**FISCAL IMPACT STATEMENT:**

Yes
  No  
\*If determination states administrative costs are recovered through fees, indicate "Yes."

**PLANNING COMMISSION:**

<input type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input checked="" type="checkbox"/> West LA Area Planning Commission
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**PLANNING COMMISSION HEARING DATE:** **COMMISSION VOTE:**

January 21, 2026 4 yea – 0 nay

**LAST DAY TO APPEAL:** **DATE APPEALED:**

April 10, 2026 April 9, 2026

**COUNCIL TIME TO ACT:** **TIME TO ACT START:**

<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input checked="" type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
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**TRANSMITTED BY:** **TRANSMITTAL DATE:**

Alma Sandoval, Commissioner Executive I April 30, 2026

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# WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**MAILING DATE:** March 26, 2026

**Case No.:** APCW-2022-3943-SPE-CDP-MEL-HCA

Council District: 11 – Park

CEQA: ENV-2022-3944-CE

Plan Area: Westchester – Playa Del Rey

**Project Site:** 237 and 239 East Montreal Street

**Applicant:** Justin Brevoort  
Representative: Gregory Shoop

At its meeting dated **January 21, 2026**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the following Project:

Construction of a new four-story, 2,452 square-foot single-family dwelling with an attached two-car garage, attached 742 square-foot Accessory Dwelling Unit (ADU), basement, patio, courtyard, roof deck, retaining walls, on-grade stairs, and elevated driveway. The Project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines, Article 19, Section 15303, Class 3 (New Construction or Conversion of Small Structures), and that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Section 11.5.7 F. of the Los Angeles Municipal Code (LAMC), a Specific Plan Exception from the Coastal Bluffs Specific Plan to allow:
  - a. A height of 15 feet within the area between the front lot line, adjacent to and parallel to the street, and an imaginary line located 38 feet toward the rear lot line there from, in lieu of the nine feet otherwise permitted by Section 5.A.3.a. of the Specific Plan; and
  - b. An overall height of 49 feet 11 inches in lieu of the 45 feet otherwise permitted by Section 5.A.3.d. of the Specific Plan;
3. **Approved**, pursuant to LAMC Section 12.20.2, a Coastal Development Permit for the Proposed Project on a lot located in a Dual Permit Jurisdiction Area of the California Coastal Zone;
4. **Approved**, pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, a Mello Act Compliance Review for the construction of two new residential units in the Coastal Zone;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Shelton

Second: Ryan

Ayes: Sandifer, Waltz-Morocco

Absent: Goldman

**Vote: 4 – 0**

*Alma Sandoval*

Alma Sandoval, Commission Executive Assistant I  
West Los Angeles Area Planning Commission

### **APPEAL PERIOD - EFFECTIVE DATE**

The decision of the West Los Angeles Area Planning Commission is appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council.

**Appeal of Coastal Development Permit.** The proposed development is in the Dual Permit Jurisdiction Area of the Coastal Zone. Pursuant to LAMC Section 13B.9.1.G.1.f., no fee shall be charged for appeals of a Coastal Development Permit.

Provided no appeal has been filed by the noted date, a copy of the permit will be sent to the California Coastal Commission, pursuant to Section 13B.9.1.D.4 of Chapter 1A of the Los Angeles Municipal Code. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final. As further stipulated in California Code of Regulations Section 13313, the permit shall not become effective until the requirements of Public Resources Code (PRC) Section 30601 have been fulfilled.

The proposed development is in the Dual Permit Jurisdiction Area of the Coastal Zone. Pursuant to PRC Section 30601, the proposed development will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period. For more information on filing a permit, applicants should visit <https://www.coastal.ca.gov/cdp/cdp-forms.html> or contact the Coastal Commission South Coast District Office: [SouthCoast@coastal.ca.gov](mailto:SouthCoast@coastal.ca.gov).

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 13B.9.1.I.2 of Chapter 1A of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

### **FINAL APPEAL DATE:**

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

### **HOW TO FILE AN APPEAL April 10, 2026**

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

**ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)**



QR Code to Online Appeal Filing

**Online Application System (OAS):** The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

**IN PERSON APPEAL FILINGS**



QR Code to Forms for In-Person Appeal Filing

**Drop off at DSC.** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

**CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS**

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Ave, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

**DETERMINATION EFFECTIVE DATE**

This determination will become effective after the end of the appeal period date on this document unless an appeal is filed with the Department of City Planning.

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied

with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

### **SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS**



QR Code to BuildLA  
Appointment Portal for  
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at [appointments.lacity.org](https://appointments.lacity.org) after the effective date of the determination..

See instructions on how to prepare for your appointment at [planning.lacity.gov/project-review/case-filings](https://planning.lacity.gov/project-review/case-filings)

Attachments: Conditions of Approval, Findings

cc: Theodore Irving, Principal City Planner  
Juliet Oh, Senior City Planner  
Kenton Trinh, City Planner  
Caelan Rafferty, City Planning Associate

## CONDITIONS OF APPROVAL

### Development Conditions

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. **Dual Permit Jurisdiction Area.** The project is located within the Dual Permit Jurisdiction area of the California Coastal Zone. Pursuant to LAMC Section 13B.9.1.D.4, the decision of the permit granting authority, or any appeal body to approve issuance of a permit shall not be deemed to be final and no Coastal Development Permit may be issued until 20 working days have expired from the date said notice of permit issuance is deemed received by said Executive Director and without an appeal having been taken to the Coastal Commission. As further stipulated in California Code of Regulations Section 13313, the permit shall not become effective until the requirements of Public Resources Code (PRC) Section 30601 have been fulfilled. As required by PRC Section 30601, the applicant shall file an application for a second (or "dual") coastal development permit with the Coastal Commission. Prior to the issuance of any permits, the Applicant shall submit proof of a valid ("dual") permit issued by the Coastal Commission.
4. **Residential Density.** The proposed project shall be limited to a maximum of two (2) dwelling units. The project proposes a single-family dwelling with an attached Accessory Dwelling Unit (ADU).
5. **Height.** The proposed project shall be limited to a maximum overall height of 49 feet, 11 inches above grade and a maximum height of 15 feet within the 38-foot-deep front portion of the lot along Montreal Street as measured from the midpoint of the front property line, as shown on Sheet A-7 in Exhibit A.
6. **Front Yard.** The project shall provide a front yard of five (5) feet adjacent to Montreal Street, as measured from the front lot line, as shown on Sheet A-1 in Exhibit A.
7. **Parking and Access.** A total of two (2) parking spaces shall be provided for the proposed project, as shown in Exhibit A. Parking layout shall be subject to review and final approval by the Department of Building and Safety.
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 are also used.

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 clean 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. The proposed glass railings for the patio and balconies shall utilize bird safe glass.

9. **Permanent Public Right-of-Way Encroachments.** As shown in Exhibit A, the proposed driveway, walkway, and planters shall be permitted within the area between the sidewalk edge and the front property line along Montreal Street. Prior to the issuance of a building permit, a revocable encroachment permit, or proof of filing for a revocable permit, shall be obtained from the Department of Public Works – Bureau of Engineering (BOE) for any encroachments along Montreal Street. Permanent encroachments shall be limited to grade level uses including gardens, patios, landscaping, ground level decks, fences, driveways, and walkways.
10. **Grading.** The project includes necessary grading and excavation, comprised of 383 cubic yards of cut, 35 cubic yards of fill, and the export of 348 cubic yards of soil, subject to final approval by the Department of Building and Safety. The project shall comply with the Conditions of Approval required in the Geology and Soils Report Approval Letter issued by the Department of Building and Safety, Grading Division, dated May 14, 2025 (Log No. 123442-01) and any subsequent amendment thereto. All Conditions of Approval shall be incorporated and printed on the plans submitted for plan check.
11. **Landscaping.** All landscaping shall be drought tolerant and native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or 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 “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property.
12. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
13. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

### **Administrative Conditions**

14. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
15. Prior to the issuance of any permits, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the

Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

16. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
17. **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.
18. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
19. **Building Plans.** All the Conditions of Approval, and any other written modifications, shall be printed on the final building plans / drawings submitted to the Department of City Planning and the Department of Building and Safety.
20. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
21. **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.
22. **Department of Building and Safety.** The granting of this Determination by the Director of Planning does not in any way indicate compliance with applicable provisions of the Los Angeles Municipal Code (LAMC). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect the uses, or 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.
23. **Covenant.** Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department

of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per LAMC section 19.01.E(3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition.

24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
26. **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.
- ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

## FINDINGS

### 1. Specific Plan Exception Findings

- a. **The strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan.**

The subject site is a steeply sloped interior lot fronting Montreal Street that is currently vacant and undeveloped. The proposed project is for the construction of a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and elevated driveway. The project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export.

The proposed project involves a request for a Specific Plan Exception for a height of 15 feet within the area between the front lot line, adjacent to and parallel to the street, and an imaginary line located 38 feet toward the rear lot line therefrom, in lieu of the 9 feet otherwise permitted by Section 5.A.3.a. of the Specific Plan; and for an overall height of 49 feet 11 inches in lieu of the 45 feet otherwise permitted by Section 5.A.3.d. of the Specific Plan.

Section 5.A.3.a. of the Specific Plan states that the height of any structure shall be limited to 9 feet within the area between the front lot line and a parallel line 38 feet towards the rear of the lot, measured from the midpoint between the side property lines to the highest point of the roof structure or parapet wall. The purpose of this regulation is to limit the height of structures to 9 feet above the street grade, in order to protect views from the street toward the ocean and mountains. Although the regulation can be enforced for those properties where the front lot line is at the street curb, it is a hardship for those properties where the front property line begins below the street curb as it does in this case.

Section 5.A.3.d. of the Specific Plan states that, within Subarea 3, under no circumstances shall any Project exceed 45 feet in height. Per the Specific Plan definitions, "height" is the vertical distance above grade measured to the highest point of the roof, structure or the parapet wall, whichever is highest; retaining walls shall not be used to elevate the grade for the purposes of measuring the height of a building or structure. Additionally, per the definitions, "grade" is the lowest elevation of the ground, within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building; for the purposes of measuring height, the lower of the natural or finished grade shall be used.

The applicant's front property line is located approximately 11 feet 3 inches horizontally from the existing sidewalk edge down the steep bluff face between 4 and 6 feet below the elevation of the street curb, with the area between the sidewalk and the applicant's front property within city-owned right-of-way. In order to comply with the Specific Plan and still provide the private garage required of a single-family dwelling in the R1 zone, the applicant would need to build a steep

downward-sloped driveway towards the proposed home, and to comply with the height requirement, the home would only have a height of about 3 feet above the street curb. While the neighboring house to the east is set back further and lower from the street, it still has a driveway with portions that could exceed the maximum slope of 20% allowed by Section 12.21 A.5(g) of the LAMC. It has been previously found that the intent of the Specific Plan was to limit the height of structures from the street curb, under the assumption that every property would begin at the edge of the curb or sidewalk. The height of the proposed structure will comply with the 9-foot limit as measured from the height of the curb at the midpoint between the side property lines.

The additional height requested at the front property line for the construction of the garage and entry level of the house would also give the project a total height of 49 feet 11 inches, which exceeds the 45-foot height limit for overall height of a structure in Subarea 3. If the front lot line met the edge of the street and sidewalk, the proposed project would not need to request additional height at the front property line or exceed the 45-foot height limit. However, due to the lot configuration and the elevation of the front lot line being several feet below the level of the sidewalk, the extra height required for the garage to reach sidewalk level also adds to the overall height. The remainder of the proposed structure would be level with the height of the curb at the midpoint of the front property line, and the proposed structure will comply with the setback and lot coverage requirements of Specific Plan. Therefore, strict application of the regulations of the Specific Plan would lead to practical difficulties in the design and construction of the proposed single-family dwelling.

- b. **There are exceptional circumstances or conditions that are applicable to the subject property or to the intended use or development of the subject property that do not generally apply to other properties within the specific plan area.**

The exceptional circumstance of the subject parcel is that the front property line is located approximately 11 feet 3 inches horizontally from the existing sidewalk edge and sits at an elevation between 4 and 6 feet below that of the existing street curb. If the applicant were to design a project to comply with the exact height and setback requirements of the Specific Plan, the home would be below the curb and the driveway would be too steep for use and unacceptable to the code requirements. Most of existing homes in Subarea 3 of the Specific Plan have property lines which are closer in distance and elevation to the curb, therefore making construction of those sites more feasible. In researching the development of the Specific Plan and previous decisions of the West Los Angeles Area Planning Commission and the City Planning Commission, the intent of the Specific Plan is to have height measured from the curb elevation and setbacks measured from the edge of the sidewalk. The proposed project with the height exceptions will still comply with the intent of the Specific Plan in limiting the height at street level to 9 feet to preserve views and reduce street level massing on downslope lots.

- c. **The requested exception is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically specific plan in the same zone and vicinity but**

**which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

The Applicant's architect and surveyor prepared a context analysis of the existing homes on the downslope lots along Montreal Street (sheet A-1.4 of the project plans), including measurements of the street-facing height as measured from the curb at the midpoint of the front property line. The seven existing homes, built prior to the implementation of the Specific Plan, have an average height of approximately 12 feet 4 inches as measured from the midpoint of the curb. Additionally, according to the context analysis, only one of the existing homes on these lots is below 9 feet in height, and despite the subject site being located higher up the slope of the street, the proposed structure would still be a little under one foot shorter than the tallest home on the street. If the exception were to be denied, the property owner would have to substantially grade the slope to access the residence, the resulting home would be shorter in height than the surrounding homes, and vehicular access would not comply with the requirements of the zoning code. Due to the location of the property line being located substantially below and away from the street, the applicant needs to raise the home high enough to make an acceptable driveway approach and close enough to the street to preserve as much of the scenic and natural qualities of the bluff as possible. Although the home will technically be above the height limit, it will still comply with the allowed height for the front portion of the lot as measured from the street curb and therefore will comply with the intent of the Specific Plan.

- d. **The granting of the exception will not be detrimental to the public welfare or injurious to property or improvements adjacent to or in the vicinity of the subject property.**

The applicant has proposed the construction of a new single-family dwelling with an attached ADU in a well-established neighborhood that is zoned for this specific use. Moreover, the project is of comparative scale and character to the existing development. Granting of the exception would not result in a home that is substantially taller or larger than adjacent homes. While construction of a new home on a vacant lot will reduce some views, the structure will not create any substantial impacts that were not expected when the Specific Plan was developed. As such, the granting of the Specific Plan Exception would not be detrimental to the public welfare or injurious to property or improvements adjacent to or in the vicinity of the subject site.

- e. **The granting of the exception is consistent with the principles, intent and goals of the Specific Plan and any applicable element of the General Plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. Most of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan. The Framework Element contains the following relevant residential policies:

*Goal 3B: Preservation of the City's stable single-family residential neighborhoods.*

*Objective 3.5: Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.*

*Policy 3.5.2: Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.*

The proposed project is a single-family dwelling with an attached accessory dwelling unit (ADU) within a single-family residential neighborhood. The proposed single-family use and massing is consistent with the scale and character of existing development and the single-family neighborhood. Therefore, the project is consistent with the applicable policies of the Framework Element.

The proposed project is consistent with the following Goals, Objective, and Policies of the Housing Element 2021-2029:

*Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.*

*Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.*

*Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.*

The project proposes the construction of a new single-family dwelling and ADU. The creation of an ADU allows for additional density in a single-family neighborhood, increasing the housing stock while providing an option for more affordable housing. The proposed project will produce two new housing units of different types on a currently undeveloped lot, which will help address the City's housing needs. Therefore, the proposed project is consistent with applicable policies of the Housing Element.

The Land Use Element of the General Plan divides the city into 35 Community Plan Areas. The Westchester - Playa Del Rey Community Plan designates the property for Low Residential Land Uses with a corresponding zone of R1. The following are relevant residential objectives and policies of the Community Plan:

*Objective 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.*

*Objective 1-6: Preserve visual resources in residential areas.*

*Policy 1-6.2: Protect the public views and scenic quality of the highly unique residential areas in this community, such as those located along the coast and on the Westchester Bluffs.*

*Program: The Coastal Bluffs Specific Plan provides restrictions on height of structures and other measures to protect public views and the scenic quality of the Westchester Bluffs.*

The above-mentioned policies of the Community Plan are implemented by the Coastal Bluffs Specific Plan. The Specific Plan includes among its purposes: 1) To prepare specific development and environmental regulations tailored to the particular conditions and circumstances of the Playa del Rey Bluffs consistent with the general policies of the adopted Los Angeles General Plan and Westchester - Playa del Rey Community Plan. 2) To regulate all development, including use, height, density, bulk and other factors in order to provide for the protection and enhancement of views of scenic features visible from the scenic corridors and scenic highways, and to assure that development is compatible and in character with the existing community. The project as proposed meets the intent and objectives of the Community Plan and Specific Plan.

The Coastal Bluffs Specific Plan has established various requirements on height, setbacks, and lot coverage in order to preserve the scale and character of areas like Montreal Street. The Specific Plan recognizes the impact a tall and wide home would have on the views along Montreal Street and is intended to minimize the impact. As previously discussed, the project proposes the construction of a new single-family dwelling with an attached ADU on a vacant lot in a residential neighborhood developed with other comparatively sized single-family dwellings. Currently, especially given the westward slope of the street, motorists and pedestrians can pass along Montreal Street and enjoy a view down the center of the street towards the Pacific Ocean to the west and portions of the Santa Monica Mountains and Ballona Wetlands to the north over the roofs of the existing houses, which the proposed project would similarly align with. Therefore, the project will not obstruct any scenic views and is consistent with all applicable regulations in the Community Plan and Coastal Bluffs Specific Plan.

Granting of the exceptions will not diminish the opportunity for the public to enjoy a scenic area within a heavily urbanized city and will preserve the distinct residential character of the area. Approving the exceptions will not adversely affect any element of the General Plan because the proposed project is consistent with all applicable elements of the General Plan and Westchester – Playa Del Rey Community Plan. The proposed project is consistent with the principles, intent and goals of the Specific Plan and applicable elements of the General Plan.

## 2. Coastal Development Permit Findings

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

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 provisions are as follows:

**Section 30244 Archaeological and Paleontological Resources.**

*Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

The proposed project is for the construction of a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and elevated driveway. The project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export. The proposed grading is subject to review by the Department of Building and Safety and will comply with the requirements of the Grading Division. The Grading Division reviewed and approved a Geotechnical Report for the proposed project; the required conditions and were outlined in a letter dated May 14, 2025 (Log No. 123442-01).

The subject site is not located in an area with mapped archaeological or paleontological resources. However, if such resources are discovered during any excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place. If previously unknown archaeological resources are found during excavation and grading, the Project would be required to follow procedures detailed in California Public Resources Code Section 21083.2. The required compliance would ensure any found deposits are treated in accordance with federal, State, and local guidelines, including those set forth in PRC Section 21083.2. If archaeological or paleontological resources are discovered during excavation or grading activities, the proposed project is subject to compliance with Federal, State and Local regulations already in place. As such, the project conforms to the applicable Land Resources policies of Chapter 3.

**Section 30250 Location; existing developed area.**

*(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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

The proposed project is located in a highly developed residential and commercial neighborhood zoned R1-1, [Q]C4-1VL, and R2-1, developed with a mix of similar single-family and multi-family dwellings and small commercial and mixed-use buildings, ranging from one- to four-stories in height. The project site is currently undeveloped and is located within Subarea 3 of the Coastal Bluffs Specific Plan, which regulates expected development on this and adjacent lots. The proposed project will construct a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and elevated driveway. The floor area of the proposed project complies with the zoning

and land use designation. The new single-family residence and ADU will continue to be served by existing police and fire stations and will have connections to all public services, including water and sewage, waste disposal, gas, and electricity. As such, the proposed project will be in an existing developed area contiguous with similar uses and in an area that is able to accommodate new development.

***Section 30251 Scenic and Visual Qualities.***

*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 landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local governments shall be subordinate to the character of its setting.*

The subject site is a sloping lot in a developed residential neighborhood on the northern bluff face of the Palisades Del Rey dune structure along Montreal Street, with expansive views to and along the ocean, Santa Monica Mountains, and Ballona Wetlands. The properties surround the subject lot are zoned R1-1 to the south, east, and west and developed with two- to four-story single-family dwellings, and [Q]C4-1VL and R2-1 to the north and developed with a mix of one- to four-story commercial, mixed-use, and multi-family residential buildings. The proposed project is for the construction of a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and elevated driveway. The project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export.

The proposed project involves a request for a Specific Plan Exception for a height of 15 feet within the area between the front lot line, adjacent to and parallel to the street, and an imaginary line located 38 feet toward the rear lot line therefrom, in lieu of the 9 feet otherwise permitted by Section 5.A.3.a. of the Specific Plan; and for an overall height of 49 feet 11 inches in lieu of the 45 feet otherwise permitted by Section 5.A.3.d. of the Specific Plan.

The applicant submitted a Context Analysis, prepared by the applicant representative with additional input from the project architect and surveyor, submitted September 16, 2024, comparing the proposed project to the existing homes along Montreal Street. Along the northern down-slope side of the street, there is a prevailing setback of approximately 2.17 feet as calculated from the usable lots. The existing houses also have an average height, as measured from the midpoint of the curb at the front of the property, of approximately 12 feet 4 inches. The existing houses along the northern downslope side of the street were built before the effective date of the Coastal Bluffs Specific Plan.

The proposed project will have setbacks, lot coverage, and floor area consistent with the adjacent development and the requirements of the Coastal Bluffs Specific Plan and the R1-1 zone. The proposed project will have a height of 15 feet for the front 38-foot-deep portion of the lot from the front property line, exceeding the

maximum 9-foot height limit by 6 feet, but would not exceed 9 feet above the midpoint of the adjacent curb. The proposed project will be consistent with the average height and setbacks of the surrounding properties as measured from the edge of the street. The proposed project will still be consistent with neighboring development and the intent of the Coastal Bluffs Specific Plan and the Westchester – Playa Del Rey Community Plan.

A Geology and Soils Report dated April 8, 2022, and a Soils Report Addendum dated April 15, 2025, was prepared by RMA GeoScience. The LADBS Grading Division reviewed the report and addendum for the proposed project and issued a Geology and Soils Report Approval Letter dated May 14, 2025 (Log No. 123442-01). The geology and soils report recommendations include a perimeter of 17 caisson piles around the structure, concentrated around the front and back of the proposed structure. The proposed piles would be below grade and enclosed on the downslope sides by main structure, the on-grade stairs, and the terraced patio, and therefore not exposed or subject to potential downslope erosion. In addition to the foundations and piles being located below grade and not exposed, the proposed project will be constructed into the hillside with a cascading mass to minimize visual impact on the character of the area. Due to the down-sloping nature of the lot, only one level will be above street level along Montreal Street, minimizing any impact to scenic views from the street.

***Section 30252 Maintenance and Enhancement of Public Access.***

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (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.*

The subject site is not located between the first public road and the sea and is located approximately 1,000 feet from Playa Del Rey beach and approximately 1,500 feet from the ocean. The subject site is in a residential neighborhood. The proposed project includes the construction of one new driveway at Montreal Street to provide parking and access to the subject site. Adequate parking will be provided on site consisting of two required covered parking spaces. The neighborhood is also served by public transit stops located less than half a mile away. Public access to the coast will not be impacted, and there are no adjoining public access points or public recreation facilities that will be affected by the proposed project. Therefore, the proposed development will not have any adverse impacts on public access to the coast.

***Section 30253 Minimization of Adverse Impacts.***

*New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) 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. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and automobile miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The property is located within the Dual Permit Jurisdiction Area of the Coastal Zone, Subarea 3 of the Coastal Bluffs Specific Plan, a Methane Zone, a Special Grading Area, and within 7.75 kilometers from the Palos Verdes Fault Zone. As such, the project is subject to compliance with Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property in such hazard areas. The property is also located within Flood Zone X, areas where there are minimal flood hazards, outside the Flood Zone.

Located in the California Coastal Zone, the project site is also located within an area that may be affected by Sea Level Rise. On August 12, 2015, the Coastal Commission adopted a Sea Level Rise Policy Guidance document, updated and adopted on November 13, 2024. This policy document provides a framework and directions for local jurisdictions to address sea level rise (SLR) in Local Coastal Programs (LCPs) and Coastal Development Permits (CDPs). The Our Coast Our Future (OCOF) coastal storm modeling and flooding Hazard Map was utilized to analyze the project's vulnerability to flood hazards, considering a scenario of a minimum 5.7-foot sea level rise and a 100-year storm scenario. Based on this scenario, the proposed development is outside the potential sea level rise/flood area.

A Geology and Soils Report dated April 8, 2022, and a Soils Report Addendum dated April 15, 2025, was prepared by RMA GeoScience. The LADBS Grading Division reviewed the report for the proposed project and issued a Geology and Soils Report Approval Letter dated May 14, 2025 (Log No. 123442-01). The proposed grading will comply with the recommendations of the soils and geology report and approval letter and any subsequent amendments thereto. The geology and soils report recommendations include 17 shoring piles along the perimeter of the proposed structure, concentrated around the front and back of the building. The proposed piles would be below grade and would be enclosed on the downslope sides, and therefore not exposed or subject to potential downslope erosion.

The proposed project will have no adverse impacts on public access, recreation, public views, or the marine environment, as the subject site is located within a developed area and located approximately 1,500 feet from the ocean. The proposed project will neither interfere with 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 project will not block any designated public access views. As conditioned, the proposed project is in consistent with Section 30253 and with Chapter 3 of the California Coastal Act.

- b. **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.

Currently, the City does not have an approved Local Coastal Program for the Westchester – Playa Del Rey area. In the interim, the Westchester – Playa Del Rey Community Plan, a portion of the Land Use Element of the City’s General Plan, serves as the functional equivalent which contains the applicable land use policies and goals for the portion of the Coastal Zone where the project is located; the project is also subject to the regulations of the Coastal Bluffs Specific Plan. The Westchester – Playa Del Rey Community Plan designates the property for Low Residential land use with a corresponding zone of R1-1. The proposed project is consistent with the underlying zone, applicable provisions of LAMC Sections 12.28 and 12.21 C.8., most of the provisions of the Specific Plan, and the policies of the City’s Land Use Element. Furthermore, as discussed in Finding No. 2.a, the project is consistent with the Chapter 3 policies of the Coastal Act. As conditioned, the proposed project will not prejudice the ability of the City to prepare a Local Coastal Program.

- c. **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 Interpretive 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 Interpretive 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.”

The Regional Guidelines – Playa del Rey residential guidelines address parking, density, and include special provisions for preservation of public access, compatibility with wetlands and habitat areas, and the maintenance of vista points and minimization of grading and alteration of natural landforms. The applicable provisions of the California Coastal Commission’s Regional Interpretive Guidelines have been reviewed and considered in preparation of these findings. The proposed project is for the construction of a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and

elevated driveway. The project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export.

The subject site is located within Subarea 3 of the Coastal Bluffs Specific Plan and is subject to the residential development regulations of the Specific Plan. The applicant is requesting exceptions from two of the Specific Plan regulations due to the unusual circumstance of the front property line being separated from the edge of the sidewalk and roadway, and the exceptions will ensure the project is compatible with existing development in the area and minimize the grading required for the construction of the single-family dwelling fronting Montreal Street. The subject site is a bluff-face lot that slopes down from Montreal Street towards the north. No coastal access will be impacted by the proposed project. The Interpretive Guidelines have been reviewed, analyzed, and considered in light of the individual project in making this determination, and the project as conditioned is consistent with such Guidelines.

- d. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The proposed project is for the construction of a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and elevated driveway. The project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export. The Coastal Commission took action on the following Coastal Development Permits that included residential and/or commercial projects in the Playa del Rey Coastal Zone:

Application No. 5-24-0136 – In August 2024, the Coastal Commission approved with conditions a Coastal Development Permit to authorize the demolition of an existing single-family dwelling and construction of a new four-story, single-family home with attached garage, resulting in a floor area of 5,849 sq. ft. and swimming pool, exterior deck, trellis, retaining walls and grading on a residential lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 202 E. Manchester Ave, Playa Del Rey, City of Los Angeles, Los Angeles County.

Appeal No. A-5-DRL-23-0039 – In November 2023, the Coastal Commission adopted a final staff report which found the appeal raised no substantial issue with a City approval of a Coastal Development Permit for the remodel of and addition to an existing 2,196 square-foot, 32-foot in height, three-story single-family dwelling, including a 959 square-foot addition and new fourth floor, new 367 square-foot rooftop deck, and the conversion of 733 square feet of the existing first floor into a new accessory dwelling unit (ADU); resulting in a 37-foot in height, four-story, 3,155 square-foot single-family dwelling with an attached ADU and no change to parking on a residential lot located in a Dual Permit Jurisdiction Area of the

Coastal Zone at 6509 S. Vista Del Mar, Playa Del Rey, City of Los Angeles, Los Angeles County.

Application No. 5-22-0658 – In February 2023, the Coastal Commission approved with conditions a Coastal Development Permit to authorize the construction of a 36-foot tall three-story over basement, 3,897 square-foot single-family dwelling with an attached two-car garage, swimming pool, and rain garden, and approximately 985 cubic yards of grading, on a 7,334 square-foot vacant lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 8100 S. Calabar Avenue, Playa Del Rey, City of Los Angeles, Los Angeles County.

Application No. 5-22-0659 – In February 2023, the Coastal Commission approved with conditions a Coastal Development Permit to authorize the construction of a three-story over basement, 3,195 square-foot single-family dwelling with an attached two-car garage, swimming pool, and rain garden, and approximately 808 cubic yards of grading, on a 6,050 square-foot vacant lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 8104 S. Calabar Avenue, Playa Del Rey, City of Los Angeles, Los Angeles County.

Application No. 5-21-0244 - In October 2021, the Coastal Commission approved a Coastal Development Permit to authorize the demolition of a two-story, 1,987 square-foot single-family dwelling, and the construction of a three-story, 41.5-foot high, approximately 5,784 square-foot single-family dwelling over 1,722 square-foot basement containing a three-car garage and storage, roof deck with elevator shaft, and cut and export of 1,500 cubic yards of soil, on a 5,637 square-foot lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 7012 Vista Del Mar Lane, Playa Del Rey, City of Los Angeles, Los Angeles County.

Application No. 5-2021-0081 - In September 2021, the Coastal Commission approved a Coastal Development Permit to authorize the construction of an approximately 45-foot high, 4,468 square-foot single family residence with a 1,168 square-foot basement, attached three-car garage, retaining walls, approximately 5,600 cubic yards of grading, and a caisson beam foundation on a 6,226 square-foot lot, located in a Dual Permit Jurisdiction Area of the Coastal Zone at 210 E. Montreal Street, Playa Del Rey, City of Los Angeles, Los Angeles County.

Appeal No. A-5-DRL-21-0015 - In April 2021, the Coastal Commission adopted a final staff report which found the appeal raised no substantial issue with a City approval of a Coastal Development Permit for the demolition of a 2-story, 1,987 square-foot single-family dwelling, and the construction of a 3-story, 41.5-foot high, approximately 5,784 square-foot single-family dwelling over 1,722 square-foot basement containing a 3-car garage and storage, roof deck with elevator shaft, and cut and export of 1,500 cubic yards of soil, on a 5,637 square-foot lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 7012 Vista Del Mar Lane, Playa Del Rey, City of Los Angeles, Los Angeles County.

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.

- e. **The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

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

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

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

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

The subject site is an interior lot located on Montreal Street, which does not provide direct access to the beach or visitor and recreational facilities. The subject site is located approximately 1,000 feet from Playa Del Rey Beach and approximately 1,500 feet from the shoreline, but the proposed project would only impact public access if it resulted in a loss of on-street parking spaces by not providing adequate parking for the proposed residential uses. The proposed project will provide the required number of automobile parking spaces. No permanent structures will be placed within the public right-of-way that will affect public access. The subject site is not located between the nearest public road and sea or shoreline. As such, the proposed project will not conflict with any public access or public recreation policies of the Coastal Act.

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

A Categorical Exemption, ENV-2022-3944-CE, has been prepared for the proposed project consistent with the provisions of CEQA. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). A full discussion is provided in Finding Number 4 – CEQA Findings.

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the proposed

project were evaluated. An appropriate environmental clearance has been granted.

### 3. **Mello Act Compliance Review Findings**

Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act, all Conversions, Demolitions, and New Housing Developments must be identified in order to determine if any Affordable Residential Units are onsite and must be maintained, and if the project is subject to the Inclusionary Residential Units requirement. Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman concerning implementation of the Mello Act in the Coastal Zone Portions of the City of Los Angeles, the findings are as follows:

#### a. **Categorical Exemptions (Part 2.4) Small New Housing Developments**

The project proposes the construction of two new Residential Units on a vacant lot. Pursuant to Part 2.4.2 of the Interim Administrative Procedures, developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of two new Residential Units is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

### 4. **CEQA Findings**

A Categorical Exemption, ENV-2022-3944-CE, has been prepared for the proposed project, consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The proposed project is for the construction of a new four-story, 3,194 square-foot single-family dwelling with an attached two-car garage, attached accessory dwelling unit (ADU) with basement, patio, courtyard, roof deck, retaining wall(s), on-grade stairs, and elevated driveway. The project includes grading consisting of 383 cubic yards of cut, 35 cubic yards of fill, and 348 cubic yards of export. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines, Section 15303, Class 3, for the new construction or conversion of small structures.

The Class 3 Categorical Exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure: (a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption; (e) accessory (appurtenant) structures including garages, carports, patios, swimming pools, fences, game courts (including tennis courts accessory to residential developments), play areas, and retaining walls. The project includes the construction of a new single-family dwelling with an attached ADU in an urbanized area, including an attached garage, patio and balconies, retaining wall(s), and on-grade stairs. The project will provide 2 automobile parking spaces.

Furthermore, The City has considered whether the Proposed Project is subject to any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in

State CEQA Guidelines Section 15300.2. The six (6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.:

- a. *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The proposed project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is located within a Methane Zone, a Special Grading Area (BOE Basic Grid Map A-13372), Flood Zone X (areas of minimal flood hazard), and approximately 7.75 kilometers from the Palos Verdes Fault Zone, and is subject to specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles that regulate the grading and construction of projects in these particular types of “sensitive” locations. The RCMs will reduce any potential impacts to less than significant. Specifically, the following RCMs would apply:

- **Regulatory Compliance Measure RC-HAZ-2: Explosion/Release (Methane Zone):** As the Project Site is within a methane zone, prior to the issuance of a building permit, the Site shall be independently analyzed by a qualified engineer, as defined in Ordinance No. 175,790 and Section 91.7102 of the LAMC, hired by the Project Applicant. The engineer shall investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level which will prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer’s design recommendations subject to DOGGR, LADBS and LAFD plan review and approval.
- **Regulatory Compliance Measure RC-HAZ-3: Explosion/Release (Soil Gases):** During subsurface excavation activities, including borings, trenching and grading, OSHA worker safety measures shall be implemented as required to preclude any exposure of workers to unsafe levels of soil-gases, including, but not limited to, methane.

These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment in which the Project is located. In addition, all grading applications within a Special Grading Area require the submittal of a Geology and Soils Report to the Department of Building and Safety (DBS). A Geology and Soils Report Approval Letter for the subject property, which details conditions of approval that must be followed, has been issued by DBS on May 14, 2025 (Log No. 123442-01). In addition, roof and site drainage as well as sewer availability must comply with Bureau of Engineering and Bureau of Sanitation standards; and hydrants, Fire Department Access, and Fire

Safety must be reviewed and approved by the Los Angeles Fire Department before permits can be issued. Furthermore, the Project must comply with the other applicable provisions of the Coastal Bluffs Specific Plan. Thus, in conjunction with the above RCMs and compliance with other applicable regulations, the Project will not result in a significant impact based on its location.

The project site is an undeveloped lot within the Coastal Zone. The Applicant provided an Owner's Declaration of Biological Resources, dated June 24, 2024, stating that no known biological resources are contained on the site, and a Tree Disclosure Statement, dated June 24, 2024, stating that no protected trees or shrubs are contained on the site. Thus, in conjunction with the above RCMs and compliance with other applicable regulations, the Project will not result in a significant impact based on its location.

- b. *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The proposed project is consistent with the type of development permitted for the area zoned R1-1 and designated for Low Residential land uses. The proposed project includes the construction of a new single-family dwelling with an attached ADU in an urbanized area, including an attached garage with space for two vehicles, patios and balconies, retaining wall(s), and on-grade stairs, and will not exceed thresholds identified for impacts to the area (i.e., traffic, noise, etc.). Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

- c. *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The Project proposes to construct a new single-family dwelling with attached ADU in an area zoned and designated for such development. All adjacent lots are developed with single-family or multi-family dwellings or small commercial and mixed-use buildings with surface parking, and the subject site is of a similar size and slope to nearby properties. The Project proposes to be 3,194 square feet on a site that is permitted to have a maximum Floor Area of 6,387 square feet. This type of project is not unusual for the vicinity of the subject site and is similar in scope to other existing residential uses in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment, and this exception does not apply.

- d. *Scenic Highways. A categorical exemption shall not be used for a project, which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The only State Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The subject site is located about 9.4 miles southeast of this State

Scenic Highway. Therefore, the subject site will not create any impacts within a designated State Scenic Highway, and this exception does not apply.

- e. *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The subject site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code, and the building permit history does not indicate that the site may be hazardous or otherwise contaminated. Therefore, this exception does not apply.

- f. *Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.*

The subject site is undeveloped and has not been identified as a potential historic resource or within a historic district by the City (SurveyLA, 2015), the project site is not listed on the National or California Register of Historic Places or identified as a Historic Cultural Monument (HCM). Therefore, the Project will not result in a substantial adverse change to the significance of a historical resource and this exception does not apply.

## 5. **Additional Mandatory Finding**

- a. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 186,952, have been reviewed and it has been determined that this project is located in Zone X, areas of minimal flood hazard. The proposed project shall conform with both the specific provisions and the intent of the Floodplain Hazard Management Ordinance.