

**Thurs 3a**

**San Diego Coast District**

**ADMINISTRATIVE CALENDAR**

**Thursday, June 10, 1999**

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**6-99-46**

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
3111 CAMINO DEL RIO NORTH, SUITE 200  
SAN DIEGO, CA 92108-1725  
(619) 521-8036



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Permit Application No. 6-99-46/DL  
Date May 19, 1999

ADMINISTRATIVE PERMIT

APPLICANT: Wenetta Childs

PROJECT DESCRIPTION: Construction of an approximately 748 sq.ft. second-story addition to an existing one-story 2,414 sq.ft. single-family residence including an attached garage on a 6,236 sq.ft. lot.

PROJECT LOCATION: 663 Circle Drive, Solana Beach (San Diego County) APN 263-021-10

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

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

DATE and TIME: June 10, 1999  
9:00 a.m., Thursday

LOCATION: Radisson Hotel  
1111 East Cabrillo Blvd.  
Santa Barbara, CA 95405

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

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS  
Executive Director

By: Diana Lilly

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, 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, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The proposed project involves construction of an approximately 748 sq.ft. new second-story to an existing 1,994 sq.ft. one-story single-family residence with an attached 420 sq.ft. garage. The addition would be a maximum of 25 feet high. The proposed residential addition requires a coastal development permit because the project involves an increase in more than 10% of the existing floor area and the subject site is located

between the first public roadway and the sea. The 6,236 sq.ft. lot is located on the north side of West Circle Drive in the City of Solana Beach. The site is surrounded by one and two story single-family residences on the east, west, and south, and by the Cardiff State Beach parking lot to the north.

Section 30253 of the Coastal Act requires that new development assure stability and minimize risks in areas of high geologic hazard. Although the site is in a coastal bluff area, the base of the bluff below the subject site is bordered by the State beach parking lot and the ocean lies approximately 300 feet to the west. Thus, the bluff is not subject to erosion from wave action and development on the site does not raise the same issues of geologic stability as development on coastal blufftop site would. All new construction will take place a minimum of 25 feet back from the slope edge. Therefore, the proposed addition is consistent with Section 30253 of the Coastal Act.

Section 30251 of the Coastal Act provides that the scenic and visual qualities of coastal areas be protected and that new development be sited to protect views. The existing residence is visible from southbound Highway 101 and the beach parking area, and the new 748 sq.ft. second story will also be somewhat visible from these locations. However, there is existing landscaping on the site and on the State Parks-owned slope north of the site which will help reduce the visual prominence of the site. The residence will be consistent with the character of the surrounding community, which consists of one and two-story residences in a variety of architectural styles. There are no existing public views across the site which would be blocked by the proposed addition. Therefore, the project is consistent with Section 30251 of the Coastal Act.

Section 30604(c) of the Coastal Act requires that a specific public access finding be made for any development located between the first public roadway and the sea. In the case of the proposed project, adequate public access is provided less than ¼ mile south of the subject site at the Tide Park Beach stairway. The proposed addition will not affect or reduce public access in the area. Therefore, the proposed project can be found consistent with the public access policies of the Coastal Act.

The site has been planned and zoned for residential uses in the City of Solana Beach General Plan and Zoning Ordinance and in the previously certified County of San Diego Local Coastal Program, which is used for guidance in the City of Solana Beach. The site is located within the Coastal Resource Protection overlay designation of the County LCP; however, as discussed above, the site is not subject to wave action and the lot itself does not contain any steep slopes. The proposed development is compatible with current and past zoning and planning designations and with all applicable Chapter 3 policies of the Coastal Act. Thus, the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

SPECIAL CONDITIONS: NONE

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

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

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing

**CALIFORNIA COASTAL COMMISSION**

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

Permit Application No. **5-99-088**  
Date: May 7, 1999  
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**ADMINISTRATIVE PERMIT**

**APPLICANT:** Enrique Martinez-Celaya

**PROJECT DESCRIPTION:** Construction of a 1,300 square foot second floor addition, and conversion of an existing one-story, 2,649 square foot commercial structure with one parking space to a single artist-in-residence unit.

**PROJECT**

**LOCATION:** 1346 Abbot Kinney Boulevard, City of Los Angeles, Los Angeles County.

**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination, and for any special conditions, appear on subsequent pages.

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

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

Friday, June 11, 1999 9:00 a.m.  
Radisson Hotel-Santa Barbara (805) 963-0744  
1111 East Cabrillo Blvd., Santa Barbara

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

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

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

PETER DOUGLAS  
Executive Director

By: Charles Posner  
Title: Coastal Program Analyst

**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 this permit is reported to the Commission. 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. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **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.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**SPECIAL CONDITIONS:** See page six.

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

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

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

**A. Project Description and Background**

The proposed project involves the addition of a second floor to an existing commercial structure, and a change of use of the entire structure to a single artist-in-residence unit. The proposed artist-in-residence use combines one single-family residential unit with a large artist studio workspace. No retail sales from the structure are proposed or permitted. One on-site parking space is provided on the rear of the property with access from the alley (Exhibit #3).

The project site is a 2,700 square foot lot located on the south side of Abbot Kinney Boulevard (Exhibit #2). This section of Abbot Kinney Boulevard in Venice was originally developed with single family homes early in the 1900's. The street is now comprised of a mix of small retail establishments and residential uses. Several artist-in-residence structures have been established in the area in the past few years (See Coastal Development Permits 5-97-390, 391 & 392). Abbot Kinney Boulevard is a pedestrian oriented street with most of the buildings built with a zero front yard setback between the sidewalk and the facade. The garages and parking areas are accessed from the rear alleys. The site is located approximately one-half mile from the beach (Exhibit #1).

**B. Public Access and Parking**

The Commission has consistently found that a direct relationship exists between residential density, the provision of adequate parking, and the availability of public access to the coast. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities....

The Commission has consistently required that new single family residences in the Venice area provide at least two on-site parking spaces in order to meet the parking demands of the development and comply with Section 30252 of the Coastal Act. Commercial uses are generally required to provide more parking than residential uses. Artist workspaces inside of artist's homes are not considered commercial uses by the Commission and do not usually increase the parking demand above that of the residential use. Artist studios with art sales components are considered commercial retail uses and must provide additional parking to meet the needs of the commercial component.

The proposed project is a residential use with an artist's work area included in the floor plan (Exhibit #3). The applicant states that there will be no retail sales use in the proposed



structure. The proposed project provides one on-site parking space (Exhibit #3). The footprint of the existing structure precludes the provision of any additional parking spaces. Because the proposed project is an improvement to an existing structure, it may retain its existing parking deficiency as long as the use of the structure is not intensified. The proposed artist-in-residence use is less intense than the previous commercial use. Therefore, the proposed project is permitted with one on-site parking space.

The one parking space must be maintained to meet the needs of the proposed artist-in-residence. The one parking space, however, is not adequate to meet the needs of a retail establishment. Therefore, in order to limit the use of the proposed structure to the use proposed by the applicant, and to ensure that the use of the site does not overburden coastal access parking supply in the area, the permitted use of the approved structure is limited to one single family residential unit with a combined living and working area for the resident and family. No commercial retail use is permitted. Any intensification or change in use of the structure will require an amendment to the permit or a new Coastal Development Permit. As conditioned, the proposed project will not overburden street parking or impede beach access, and is found to be consistent with the public access policies of the Coastal Act.

### **C. Community Character and Scale**

Section 30251 of the Coastal Act states in part that:

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...be visually compatible with the character of surrounding areas...

Section 30253 of the Coastal Act states:

New development shall:

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

The proposed project is situated on Abbot Kinney Boulevard (formerly West Washington Boulevard) in the North Venice area of Los Angeles. The North Venice community is comprised of both old and new one to three story single and multi-family residences as well as commercial structures of varying heights and age.

Abbot Kinney Boulevard is a commercial street in the area comprised of small shops and community institutions, many of which inhabit older converted single family residences. The North Venice area has historically been a prime destination for tourists and day users since

the late nineteenth century when the area was developed as a beach resort. Even though the area has undergone profound change, the area still retains its unique character and popularity. Artist residences are currently part of the existing unique character of the area.

Many of the older structures in the area are being replaced by new development. It is important that the new developments are carefully planned so that the area can be improved while still retaining its special character. For this reason, the Commission has adopted Interpretive Guidelines for developments in the North Venice area which limit building design and scale.

The Commission's Interpretive Guidelines for the North Venice area state that building heights should be limited to thirty feet above street level in order to maintain the existing character of the neighborhood. The applicant's proposal to add a 29.5-foot high second story for an artist-in-residence is consistent with the height and density standards contained in the Commission's Interpretive Guidelines (Exhibits #4&5). Therefore, the proposed project conforms to the Commission's guidelines and previous actions, and is consistent with Sections 30253 and 30251 of the Coastal Act.

#### D. Local Coastal Program

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

- (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The Venice area of the City of Los Angeles does not have a certified Local Coastal Program. The proposed project, as conditioned, is consistent with the coastal access and community character policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

**E. California Environmental Quality Act (CEQA)**

Section 13096(a) of the Commission's administrative 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). Section 21080.5(d)(2)(A) of CEQA 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 proposed project has been conditioned in order to be found consistent with the public access and community character policies of the Coastal Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

**SPECIAL CONDITIONS:**

**1. Permitted Use of Structure**

The permitted use of the structure is limited to one single-family residential unit with combined living and working area for the resident and family. No commercial retail use is permitted. Any change in density, number of units, 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.

**2. Height**

The height of the structure shall not exceed thirty (30) feet above the centerline of the fronting roadway.

**3. Parking**

A minimum of one parking space shall be provided and maintained on the site.

**ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:**

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

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing



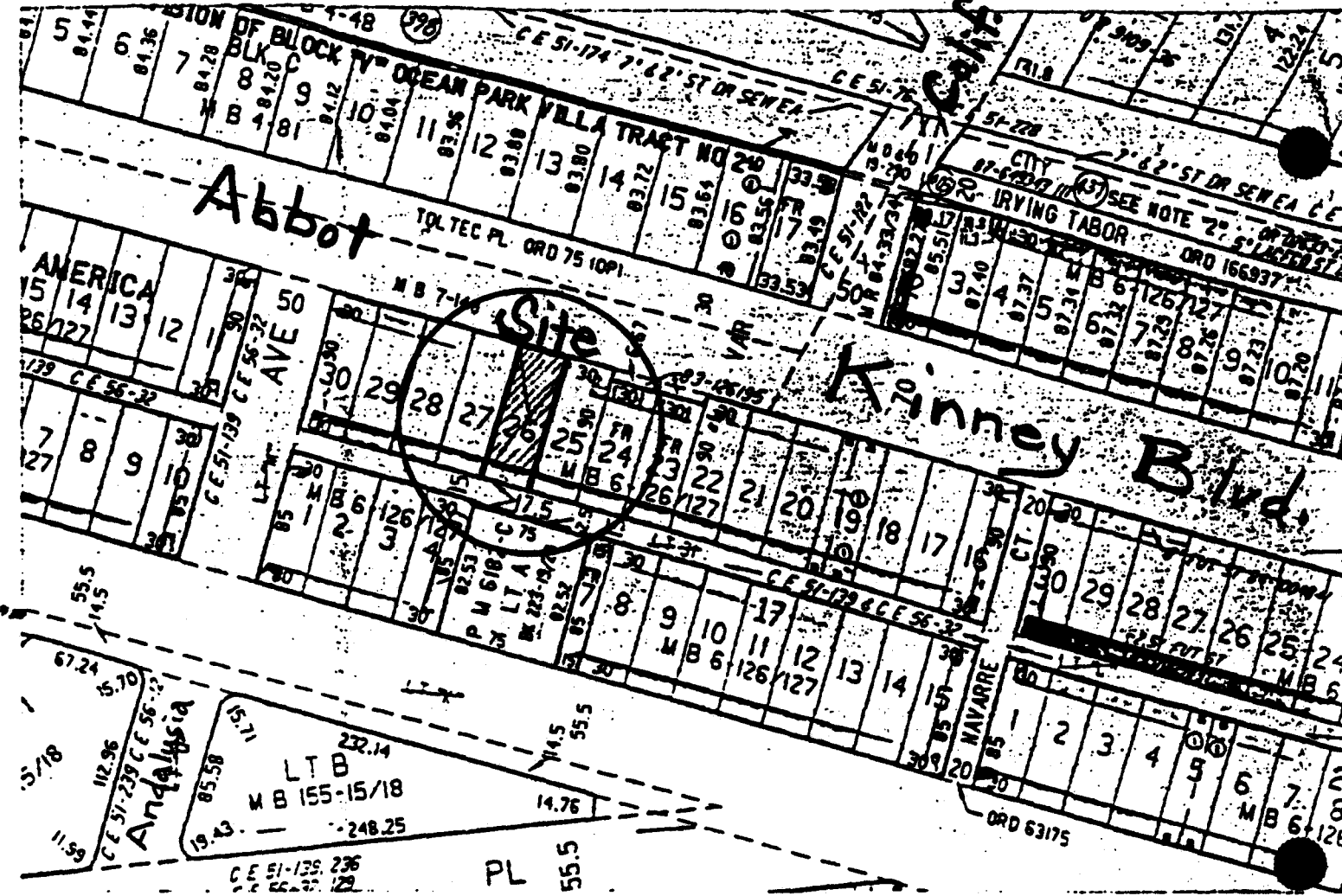
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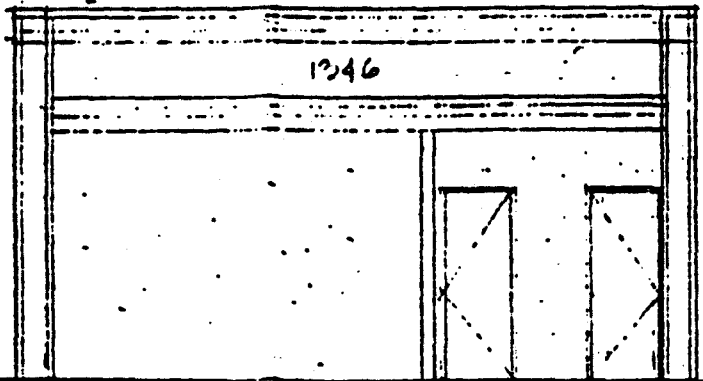
COASTAL COMMISSION  
5-99-088

EXHIBIT # 1

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Lot 26 BK 17



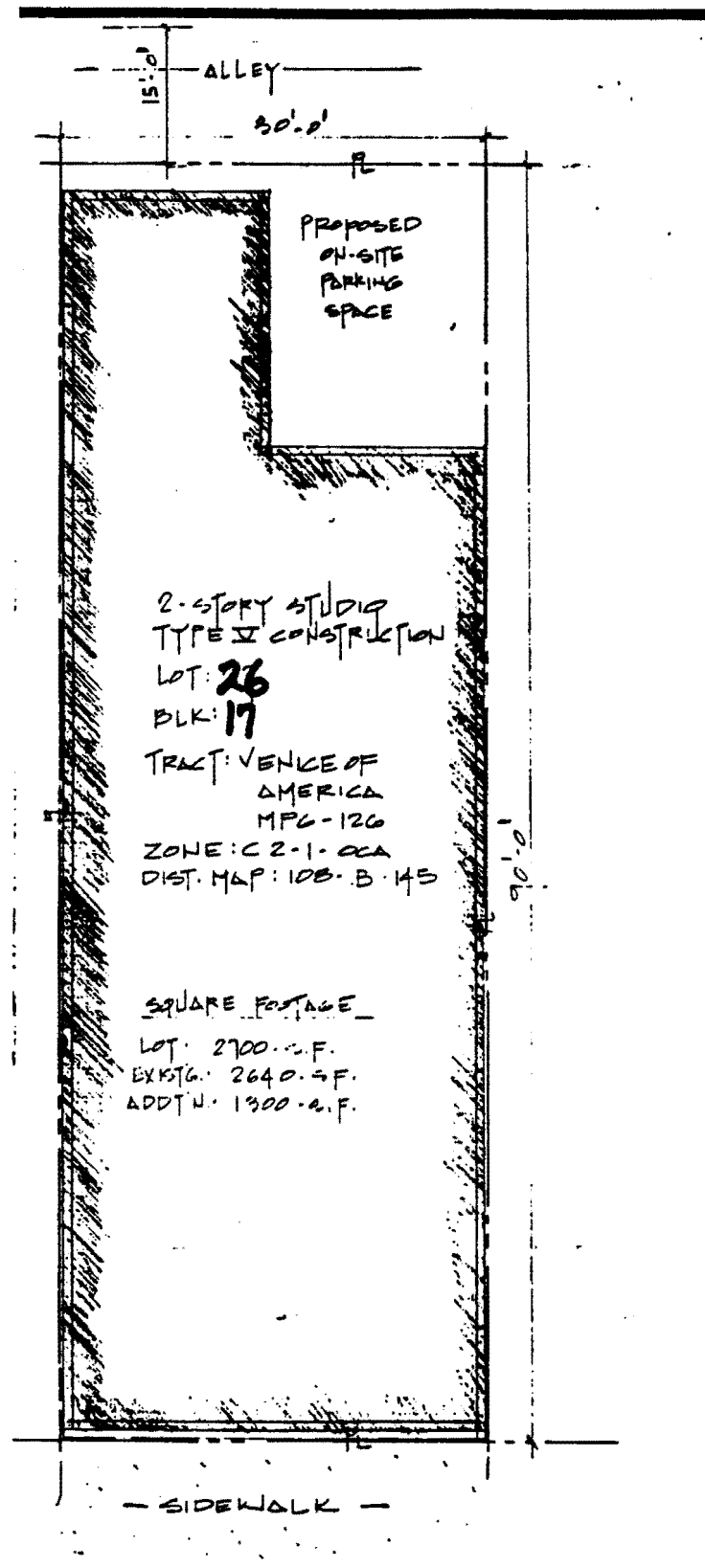
EXISTING STREET ELEVATION

COASTAL COMMISSION

5-99-088

EXHIBIT # 2

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ABBOTT KINNEY BLVD

70'-0" R.O.W.

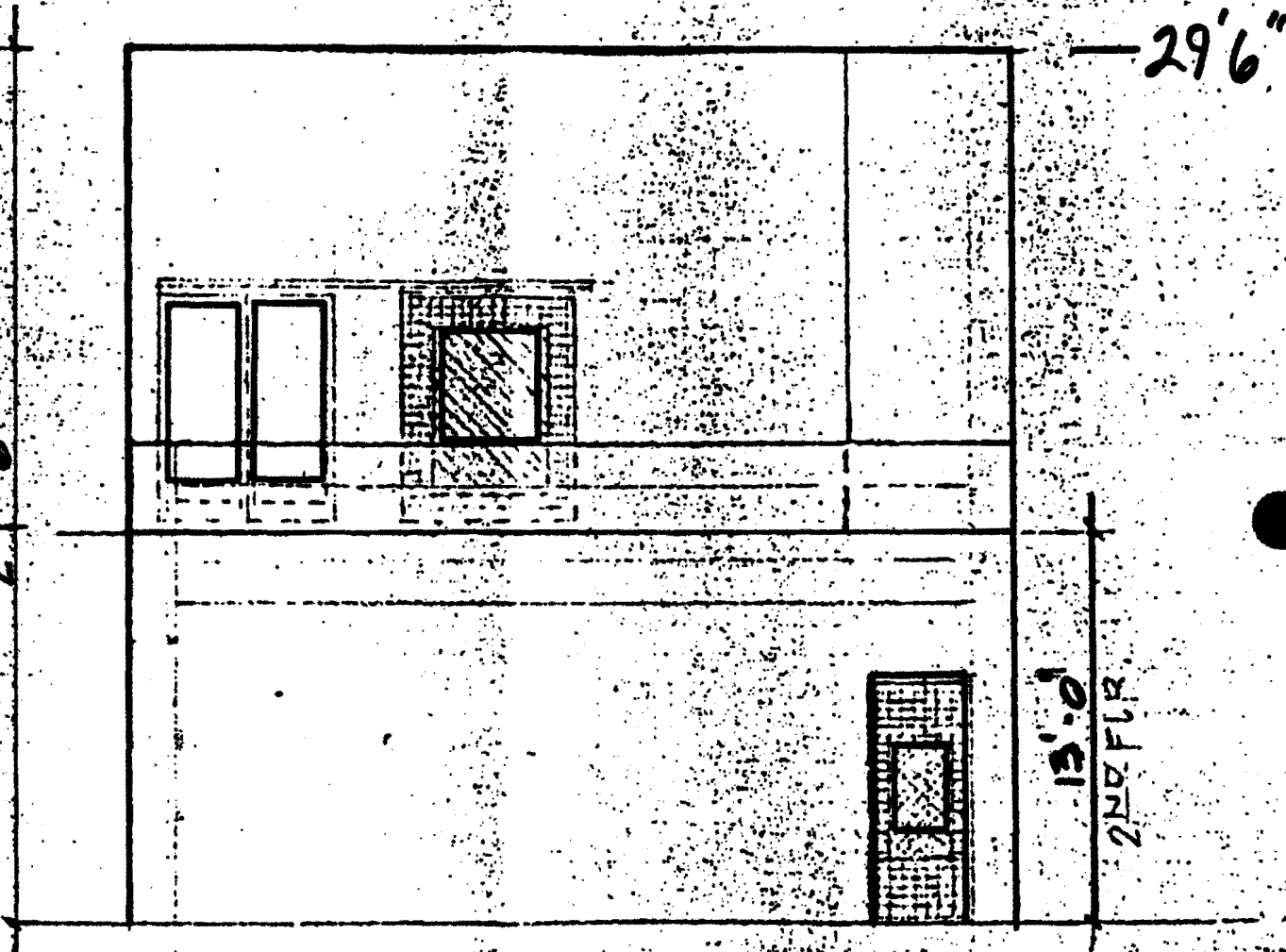
PLOT PLAN

COASTAL COMMISSION

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EXHIBIT # 3

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PROPOSED STREET ELEVATION

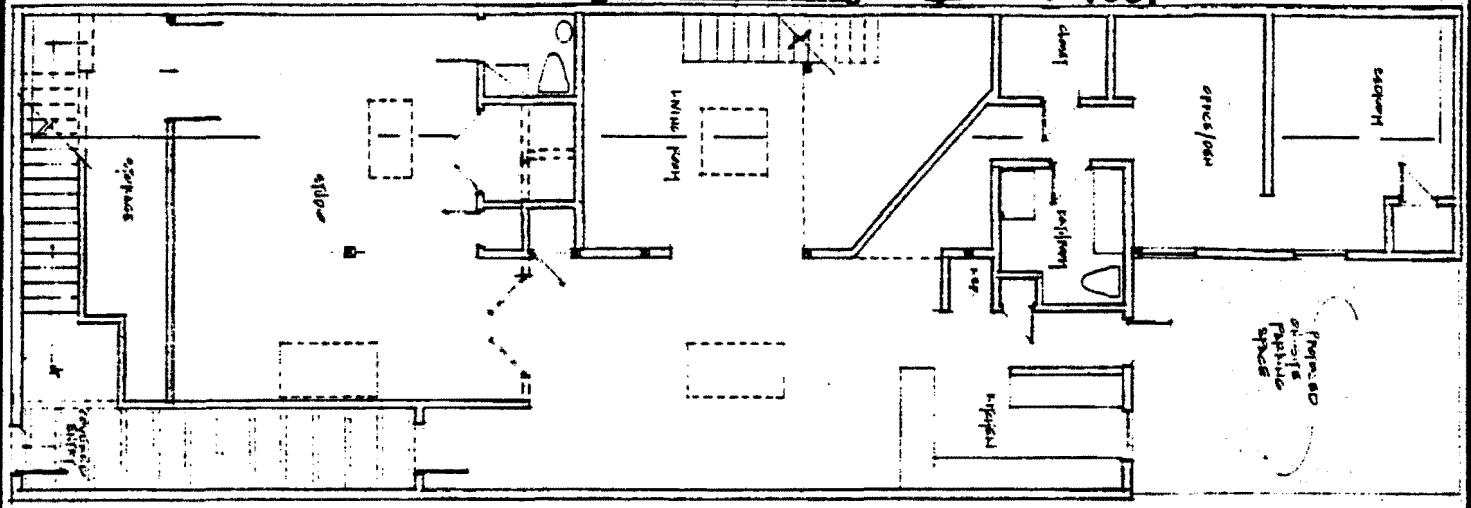
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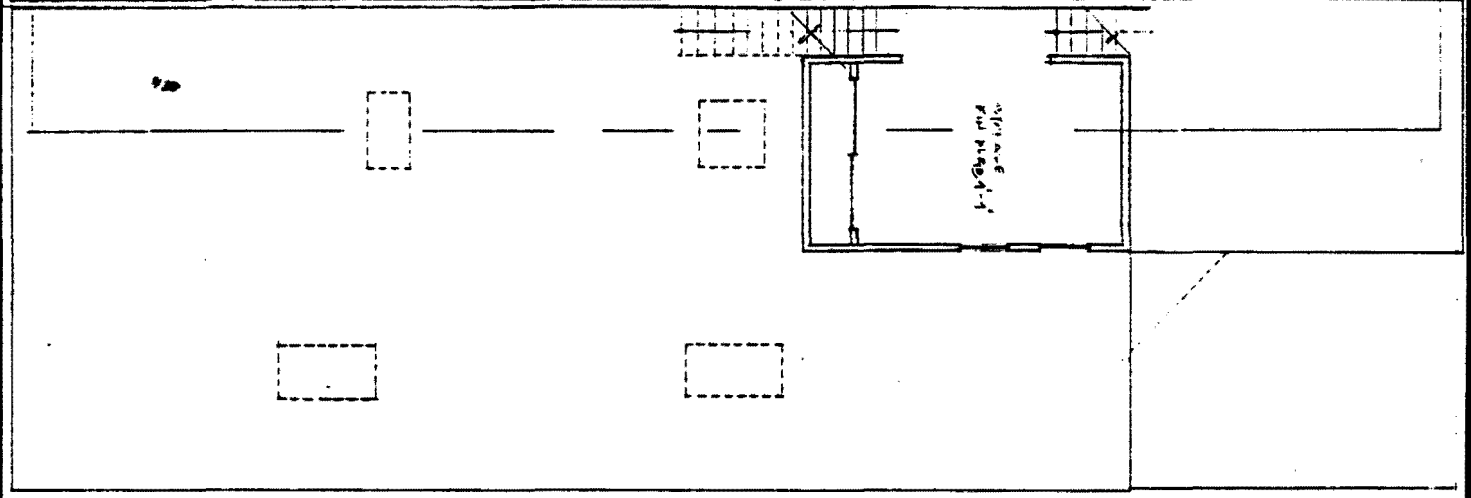
EXHIBIT # 4

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1st Floor

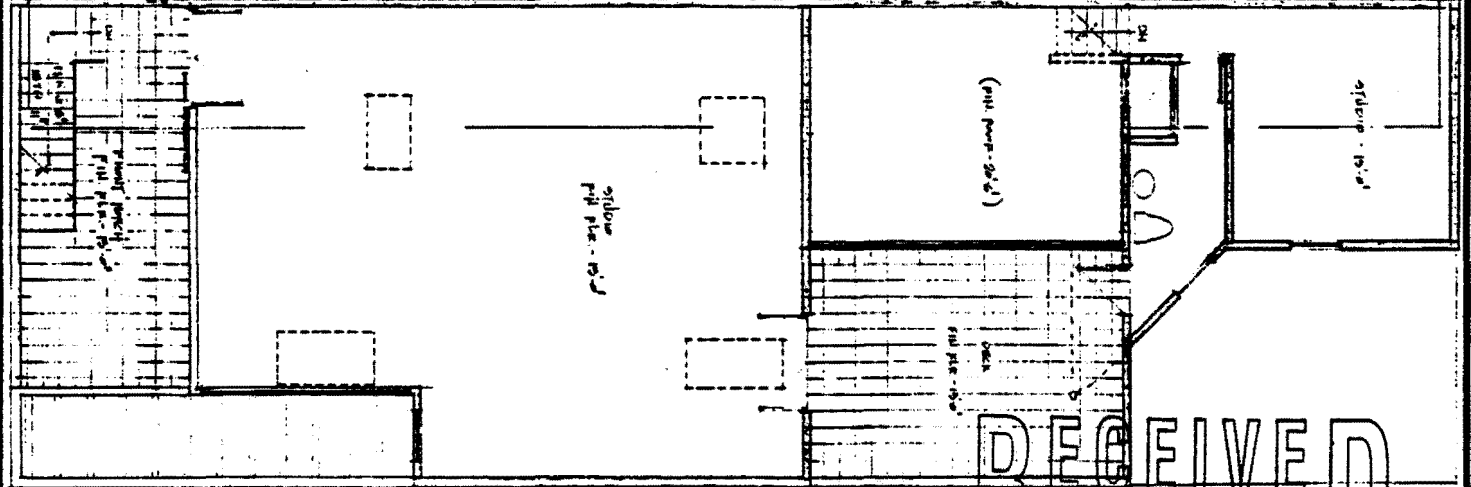


Garage Storage Plan



2nd Floor

Proposed Second Floor Plan



Proposed Floor Plans

RECEIVED  
COASTAL COMMISSION

5-99-088

EXHIBIT # 5

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