

Th 3i

**CALIFORNIA COASTAL COMMISSION**

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



Filed: 8/12/99  
49th Day: 9/30/99  
180th Day: 2/8/00  
Staff: CP-LB  
Staff Report: 8/20/99  
Hearing Date: Sept. 14-17, 1999  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-99-274

**APPLICANT:** Dr. Marcia Bieber

**AGENT:** Lord-Swanborn Architects

**PROJECT LOCATION:** 2403 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County.

**PROJECT DESCRIPTION:** Construction of a three-level, 30 foot high, 3,216 square foot single family residence with an attached four-car garage on a vacant lot.

Lot Area	2,529 square feet
Building Coverage	1,524 square feet
Pavement Coverage	707 square feet
Landscape Coverage	298 square feet
Parking Spaces	4
Zoning	RD1.5-1
Plan Designation	Medium Density Residential
Ht above final grade	30 feet

**LOCAL APPROVAL:** City of Los Angeles Approval in Concept #99-073, 7/23/99.

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to residential density, building height and parking. The applicant agrees with the staff recommendation.

101

**SUBSTANTIVE FILE DOCUMENTS:**

1. California Coastal Commission Regional Interpretive Guidelines for Los Angeles County, 10/14/80.
2. Coastal Development Permit 5-95-173 (Wilton Corp.).
3. Coastal Development Permit application 5-99-273 (Bieber).

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. Approval with Conditions**

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

**II. Standard Conditions**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date 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.

### III. Special Conditions

#### 1. Residential Density

The permitted use of the approved structure is limited to one single family residence. 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. Parking

A minimum of three parking spaces shall be provided and maintained on the site to serve the approved single family residence.

#### 3. Height

The top of the roof shall not exceed thirty (30') feet in elevation above the centerline of the Speedway Alley right-of-way. No portion of the structure, except for a chimney, shall exceed thirty (30') feet in elevation above the centerline of the Speedway Alley right-of-way (as shown on the approved plans), unless approved by an amendment to this coastal development permit.

#### **IV. Findings and Declarations**

(b)(2)

The Commission hereby finds and declares:

##### **A. Project Description**

The applicant proposes to construct a three-level, 30 foot high, 3,216 square foot single family residence on a vacant beachfront lot in North Venice (See Exhibits). The 2,529 square foot lot is located on the inland side of Ocean Front Walk. Ocean Front Walk is an improved public pedestrian right-of-way that separates the residential development from the public beach (Exhibit #2). On-site parking for the proposed single family residence is provided within a four-car garage located on the ground floor, with vehicular access from Speedway Alley (Exhibit #3).

The Commission has recognized in both prior permit and appeal decisions that the North Venice area is a special coastal neighborhood. In 1980, when the Commission adopted the Regional Interpretive Guidelines for Los Angeles County, a set of building standards was adopted for the North Venice area in order to protect public access to the beach. These building standards, which apply primarily to density, height and parking, reflect conditions imposed in a series of permits heard prior to 1980. Since then, these density, height and parking standards have been routinely applied to coastal development permits in the North Venice area in order to protect public access and community character. Special conditions are imposed on coastal development permits ensure that the projects are consistent with the Coastal Act and the Commission's guidelines. In order to mitigate the identified impacts, the appropriate special conditions have also been applied to this permit.

##### **B. Community Character/Density**

Section 30251 of the Coastal Act states:

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

In order to protect public access, community character and visual quality in the North Venice area, the Commission has consistently limited residential density and structural height. Residential density in the North Venice area is limited to two units per lot. The proposed single family residence complies with the density limit for the site.

The Commission has consistently limited new development in the North Venice area to a height of thirty feet measured above the fronting right-of-way. The City of Los Angeles

Venice Interim Control Ordinance (ICO) also limits building heights in the North Venice area to thirty feet. The proposed project has a roof height of thirty feet (Exhibit #4). Only a chimney exceeds the thirty-foot roof height.

Therefore, the proposed single family residence complies with the thirty-foot height limit for North Venice. In order to ensure that the proposed project is constructed as approved, the approval is conditioned to limit the roof height to thirty feet above the centerline of the Speedway Alley right-of-way. No portion of the proposed structure, except for a chimney, shall exceed thirty (30') feet in elevation above the centerline of the Speedway Alley right-of-way (as shown on the approved plans), unless approved by an amendment to this coastal development permit. Only as conditioned is the proposed project consistent with the Coastal Act's visual resource policies.

### C. 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....

Many of the older developments in the North Venice area do not provide adequate on-site parking. As a result, there is a parking shortage in the area and public access has been negatively impacted. The small amount of parking area that may be available for the general public on the surrounding streets is being used by guests and residents of the area.

To mitigate this problem, the Commission has consistently conditioned new development within the North Venice area to provide two parking spaces per residential unit and provide one guest parking space. All residential parking must be provided on the site. The proposed project provides four on-site parking spaces within the ground floor garage which is accessed from Speedway alley (Exhibit #3). The proposed four-car garage provides an adequate parking supply for the proposed single family residence. Therefore, the proposed project conforms to the Commission's parking standards for the North Venice area.

The Commission finds that, only as conditioned to ensure the continued provision of adequate on-site parking, is the proposed project consistent with the public access policies 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 North Venice area of the City of Los Angeles does not have a certified Local Coastal Program. The proposed project, only as conditioned, is consistent with the Chapter 3 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**

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application 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, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and 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.

# VENICE BEACH, CA



Site

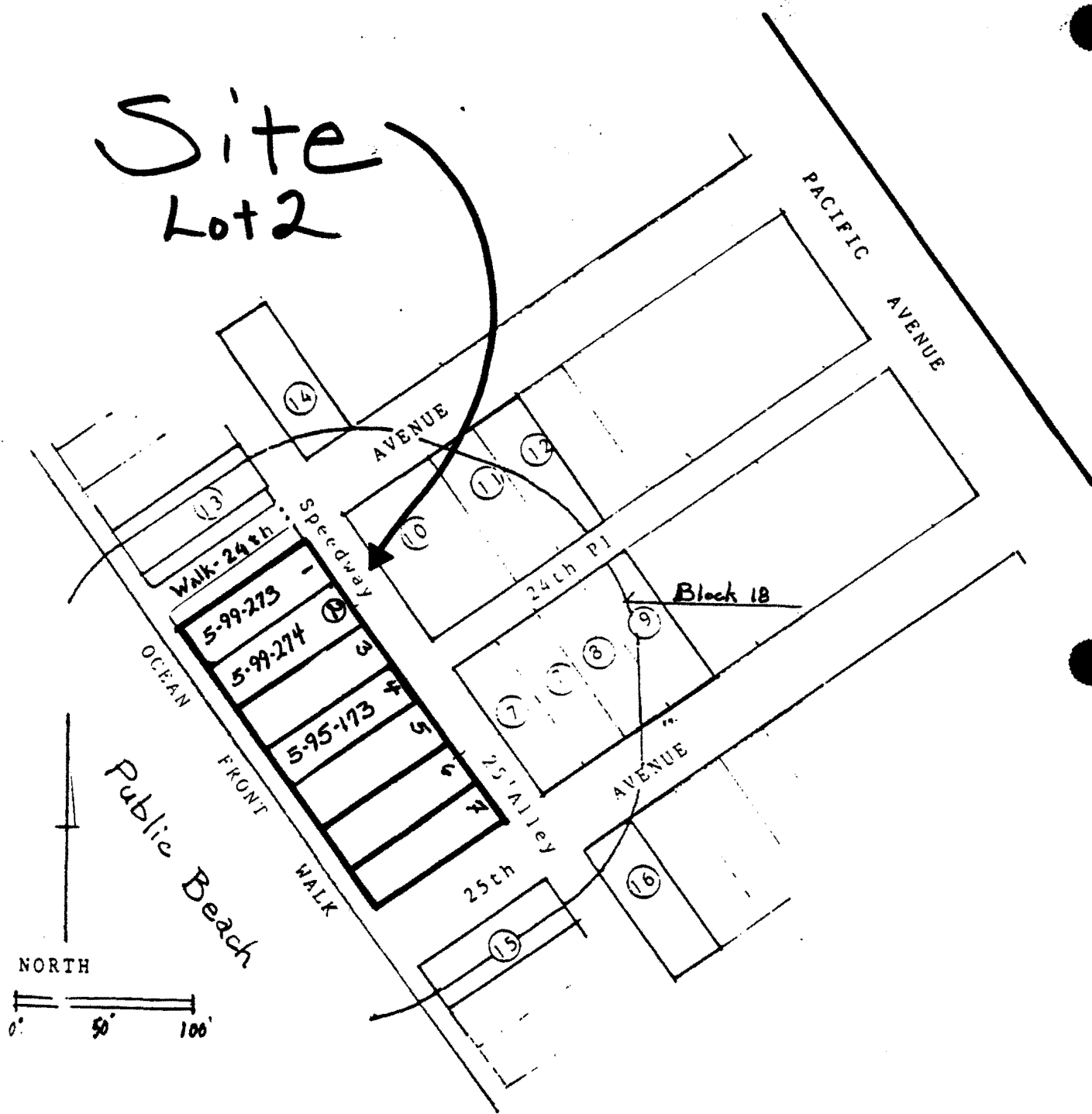
COASTAL COMMISSION

5-99-274

EXHIBIT # 1

PAGE 1 OF 1

Site  
Lot 2



COASTAL COMMISSION

5-99-274

EXHIBIT # 2

PAGE 1 OF 1



Public Beach

N 36°40'00"W 74.00'

Ocean Front Walk

N 36°40'00"W

56.00'

2403

2401

E.F. 11.37'

E.F. 12.37'

SURVEY

COURTYARD

ADJACENT PROPERTY

See 5-99-273

4 CAR GARAGE

ADJACENT PROPERTY

N 53°20'30"E

90.30'

N 53°20'30"E

24TH

AVENUE

(Ped Only)

107.78'

N 53°20'30"E

90.30'

28.00'

28.00'

N 36°40'45"W

56.00'

N 36°40'45"W

74.00'

SPEEDWAY

Site Lot 2



COASTAL COMMISSION

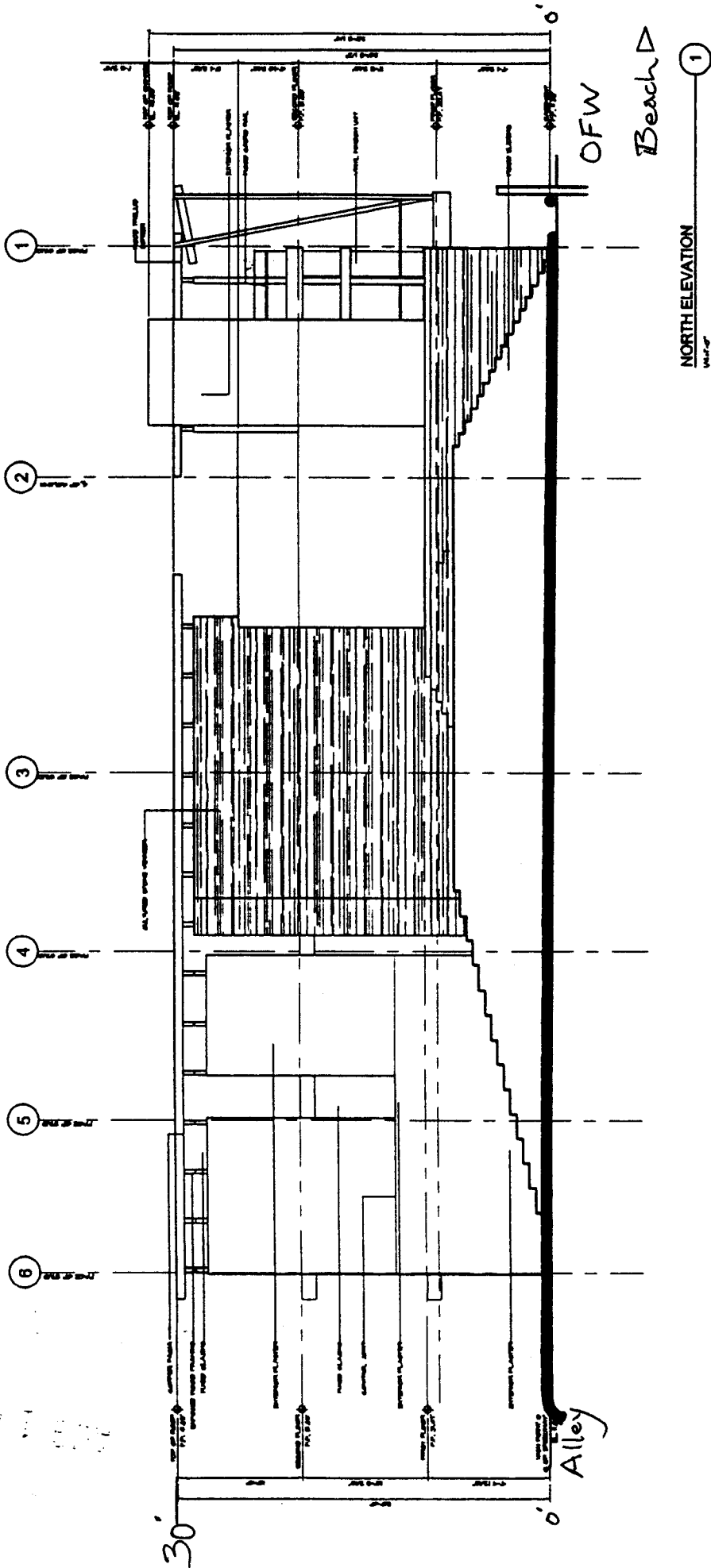
5-99-274

EXHIBIT # 3

PAGE 1 OF 1

TOP

6866 1 1988

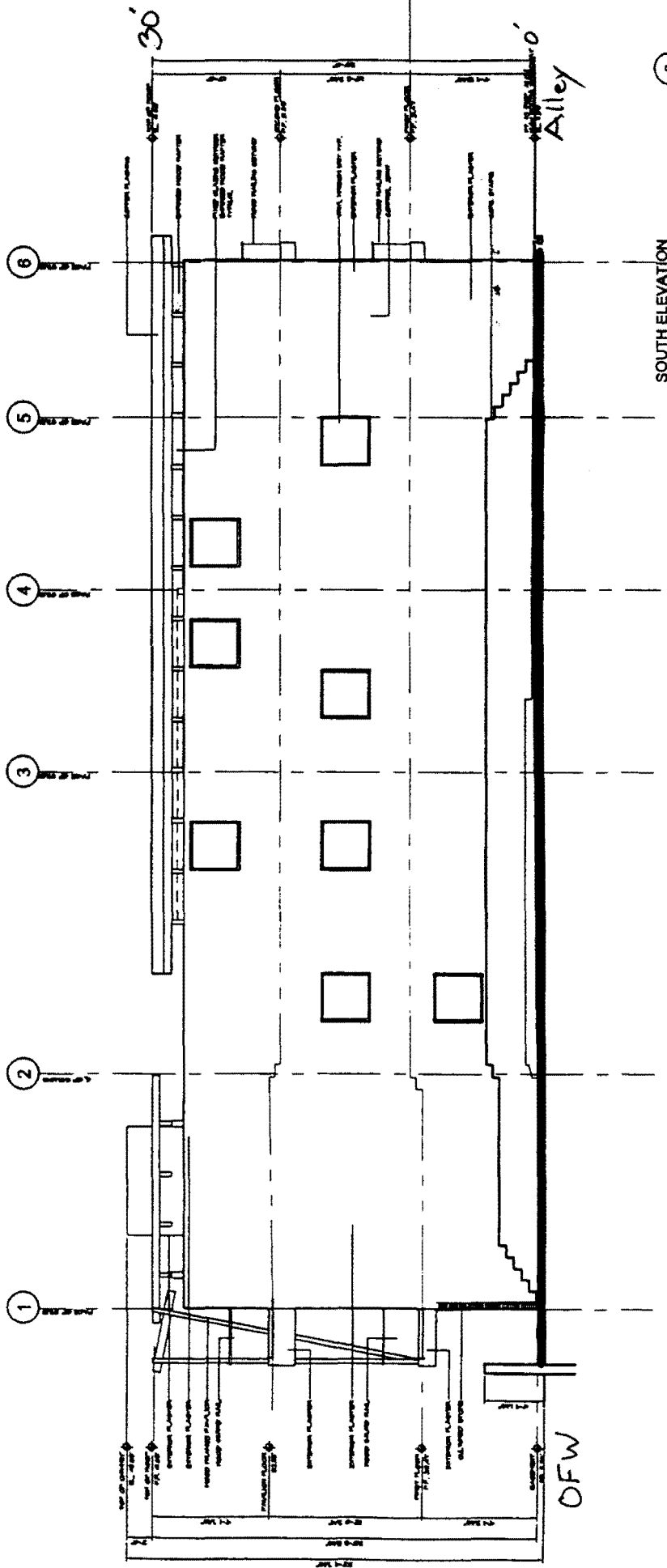


COASTAL COMMISSION  
5-99-274

EXHIBIT # 4

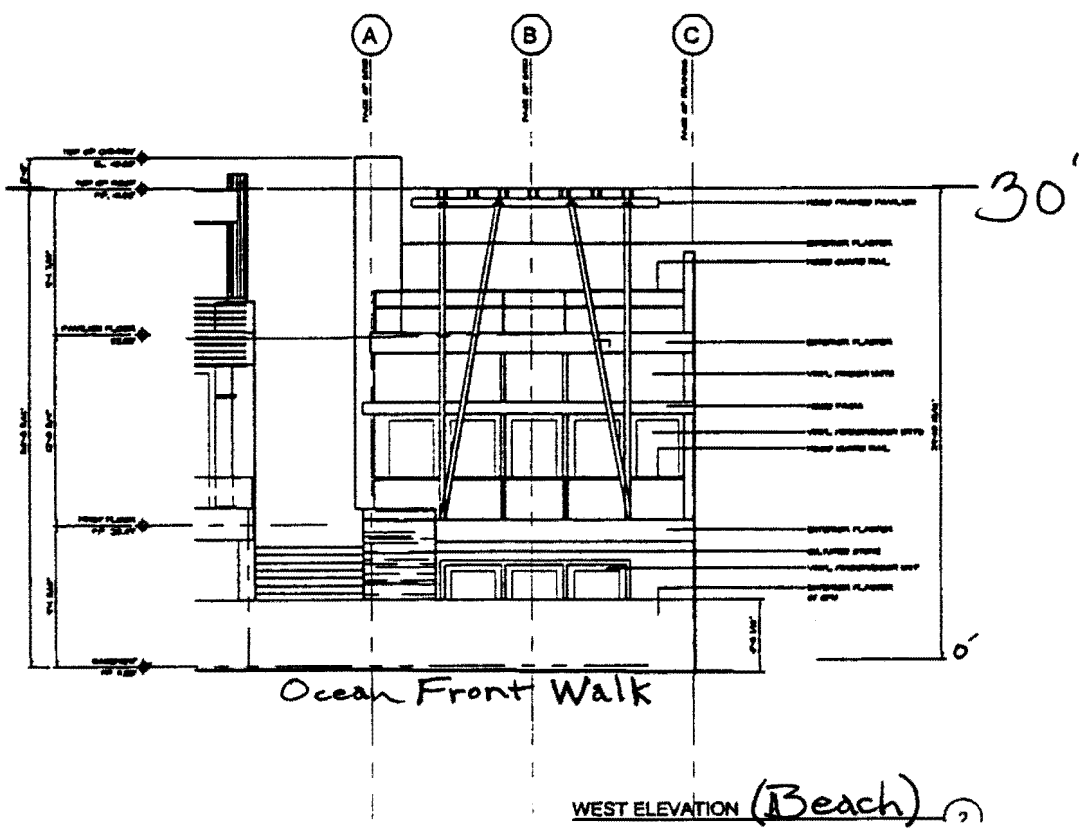
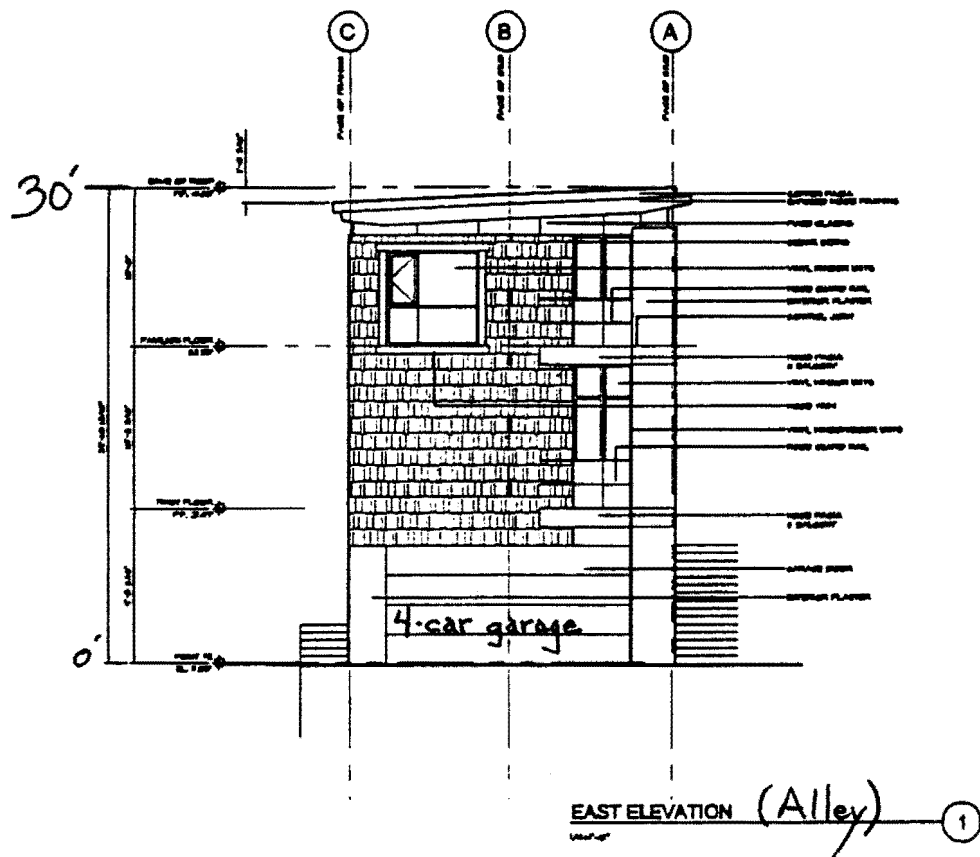
PAGE 1 OF 1

Top



COASTAL COMMISSION  
5-99-274

EXHIBIT # 5  
PAGE 1 OF 1



CONCRETE

THE BIEBER  
BEACH HOUSE  
2403 OCEAN FRONT WALK  
VENICE CALIFORNIA

SHEET

EXTERIOR  
ELEVATIONS

SCALE 1/8"=1'-0"

A3.02

2403 OFW  
COASTAL COMMISSION  
5-99-274

EXHIBIT # 6

PAGE 1 OF 1