STATE OF CALIFORNIA - THE RESOURCES AGENCY GRAY DAVIS, *Governor*

CALIFORNIA COASTAL COMMISSION

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November 2, 2000

TO: Commissioners and Interested Persons

FROM: Deborah Lee, Deputy Director
Pam Emerson, Los Angeles County Area Supervisor
Charles Posner, Coastal Program Analyst

ITEM TU 10e

SUBJECT: City of Los Angeles Land Use Plan for Venice (For Public Hearing and Commission Action at the November 14, 2000 meeting).

SUMMARY OF PROPOSED VENICE LAND USE PLAN

The City of Los Angeles submitted the proposed Land Use Plan (LUP) for Venice on November 29, 1999. On December 13, 1999, Commission staff determined that the submittal was incomplete. The City subsequently submitted the additional materials and information necessary to complete the LUP submittal. On March 24, 2000, the proposed City of Los Angeles 1999 LUP for Venice was officially deemed submitted. On June 15, 2000, the Commission established a one-year time period, pursuant to Section 30517 of the Coastal Act, during which the public hearing and Commission action on the proposed Venice LUP must be completed.

The City of Los Angeles has requested that the Commission certify the land use map and land use policies that comprise the proposed Venice LUP in order to establish the basis for the imminent completion of a certified Local Coastal Program (LCP) for Venice. The City plans to submit the implementing ordinances (LIP) portion of the proposed Venice LCP, comprised primarily of the Venice Specific Plan, subsequent to the Commission's certification of the LUP portion of the LCP.

The proposed Venice LUP contains land use designations (Exhibits 9-12 of Appendix A) and land use policies (Appendix A) that address the following Coastal Act issues: community character, visual resources, shoreline access, public recreation and visitor serving facilities, marine resources and environmentally sensitive habitat areas (ESHA), and public works. The Department of City Planning developed the currently proposed Venice LUP with ongoing citizen involvement and community participation that commenced in the early 1980's, was reinvigorated in 1995, and finally completed in 1999.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission modify the proposed LUP and supplement the proposed LUP with policies that are necessary to: protect marine resources and ESHA from impacts of development, maintain community character, and to maintain and improve the public access and recreational opportunities provided in Venice, particularly in the Marina Peninsula area. In order to carry out this recommendation, staff is recommending that the Commission, after public hearing:

Deny the proposed LUP as submitted, and Certify the proposed LUP if modified.

See **Page 2 for a summary** of the staff recommendation, and **Page 6 for the motions** to accomplish this recommendation. The LUP modifications are necessary to bring the LUP into conformance with the Chapter 3 policies of the Coastal Act. See **Page 7 for selected suggested modifications** related to controversial issues. All suggested modifications are contained in attached **Appendix A.**

SUMMARY OF SUGGESTED MODIFICATIONS RELATED TO CONTROVERSIAL COASTAL ISSUES

Based on staff meetings with the City of Los Angeles Planning Department and a review of correspondence received from the public, Commission staff anticipates that the following topics will be raised at the Commission meeting. Selected suggested modifications to address the following anticipated areas of controversy start on page 7. See Appendix A for all suggested modifications.

TOPIC	STAFF RECOMMENDATION
COMMUNITY CHARACTER & RESIDENTIAL HEIGHT LIMITS	Section 30251 of the Coastal Act requires that development be sited and designed to protect visual resources and community character. Residential building standards that limit building height and bulk are necessary to preserve the unique character and scale of Venice neighborhoods. Although the proposed LUP contains residential height limits, it does not include provisions to adequately limit the height and bulk of allowable roof access structures. Therefore, suggested modifications are recommended to control the design and bulk of roof access structures that exceed the height limit. In this case, Commission staff is recommending that roof access structures on residential development be limited to a height of no more than ten feet over the flat roof height limit, a maximum footprint of 100 square feet, and be set back from ESHA and public walkways and recreation areas. See modified LUP Policy I.A.1.a (Appendix A, p.2-17), modified LUP Policy I.E.2 (Appendix A, p.2-42), and staff report pages 37 (Scale) and 43-44.
COMMUNITY CHARACTER & RESIDENTIAL LOT CONSOLIDATION LIMITS	Section 30253 of the Coastal Act requires the protection of special coastal communities. The major threat to the unique character of the small pedestrian oriented scale of many Venice neighborhoods is lot consolidations. Very large new residential projects built across two or more consolidated lots would be substantially out of scale and character with the older small-lot Venice neighborhoods. The proposed LUP does not contain a policy to control residential lot consolidations. Therefore, suggested modifications are recommended to restrict residential lot consolidations in order to protect the character and scale of existing neighborhoods. See modified LUP Policy I.A.1.b (Appendix A, p.2-17), modified LUP Policy I.E.2 (Appendix A, p.2-42), and staff report pages 38 and 44-45.
ESHA PROTECTION & RESIDENTIAL DEVELOPMENT STANDARDS	Section 30240 of the Coastal Act requires that ESHA be protected and that development adjacent to ESHA be designed to prevent impacts that significantly degrade the ESHA. In order to protect the ESHA in Ballona Lagoon and the Venice Canals and their banks, adequate habitat buffers and building setbacks must be provided. For that reason, Commission staff recommends that the LUP be modified to require, when necessary, the dedication of a lagoon buffer strip to the City to protect habitat and public access. Additionally, the setback and height requirements for buildings adjacent to Ballona Lagoon and the Venice Canals shall be modified to minimize adverse impacts to ESHA. See modified LUP Policies I.A.4 and I.A.7 (Appendix A, p.2-19 to 2-25), modified LUP Policy Group IV (Appendix A, p. 5-10), and staff report pages 48-54 and 104-109

PUBLIC ACCESS & RECREATION ON THE MARINA PENINSULA	Section 30212.5 of the Coastal Act requires that public recreation opportunities be distributed throughout the coastal zone to prevent overuse of any single area. Section 30213 requires that lower cost recreational facilities be encouraged. The North Venice beach area is one of the most heavily used beaches in the state. The southern end of Venice Beach located on the Marina Peninsula is relatively under-used. A primary reason for the difference in the north/south pattern of public beach use is the lack of a continuous boardwalk (Ocean Front Walk) and beach bike path to connect North Venice beach to the Marina Peninsula. For that reason, Commission staff recommends that the LUP be modified to encourage the completion of the boardwalk and the extension of the beach bike path to the south end of Venice beach. See modified LUP Exhibit 19 (Appendix A, p.3-10 & 3-10), modified LUP Policy II.C.5 (Appendix A, p.3-29), modified LUP Policy II.C.14 (Appendix A, p.3-34), and staff report pages 87 through 94.
PUBLIC ACCESS & PROTECTION OF PUBLIC PARKING	Section 30252 of the Coastal Act requires that public access to the coast be enhanced by providing adequate public parking facilities. One of the most controversial issues in Venice is the competition for public parking spaces between residents, beach goers and customers of commercial uses. Public access opportunities are negatively impacted by the lack of sufficient parking facilities. The proposed LUP does not include adequate provisions to protect the public parking opportunities that currently exist, and could potentially be expanded, on public streets and in public parking lots. Therefore, Commission staff recommends that the LUP be supplemented with specific policies to protect public parking opportunities. See suggested LUP Policies II.A.9 to II.A.11 (Appendix A, p.3-20 & 3-21) and staff report pages 95 through 99.
PUBLIC ACCESS & RECREATION TEMPORARY EVENTS	Sections 30220 and 30221 of the Coastal Act require that coastal areas be protected for recreational uses. The proliferation of special temporary events in some coastal areas has been determined to negatively impact public access and recreation. Although many temporary events have few, if any, negative impacts, some activities may not be appropriate in certain locations or at certain times of the year. The proposed LUP does not include a policy to address the issues of temporary events. Therefore, Commission staff recommends that the LUP be supplemented with a specific policy to regulate activities that involve the exclusive use of any public beach parking area or sandy beach area to protect public recreation opportunities. See suggested LUP Policy II.D.1 (Appendix A, p.3-35) and staff report page 81.
NONCONFORMING STRUCTURES	Structures that do not conform to the standards of a certified LCP may have negative effects on coastal resources. The proposed LUP does not include a policy to address the issues nonconforming structures. Therefore, Commission staff recommends that the LUP be supplemented with a specific policy to require that nonconforming structures be brought into conformance with the LCP whenever extensive renovation and/or a major addition is proposed, except in cases where the nonconformity achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing. See suggested LUP Policy I.E.5 (Appendix A, p.2-43) and staff report page 39.

WATER QUALITY PROTECTION	Sections 30230 and 30231 of the Coastal Act require that marine resources and water quality be protected and if feasible, enhanced. To achieve these goals staff recommends that proposed LUP Policy Group IV.C be supplemented with more specific and effective policy language to protect and improve water quality and marine resources. See modified LUP Policy Group IV.C (Appendix A, p.5-14 & 5-15) and staff report pages 108-109.
RESIDENTIAL DENSITY BONUSES	Government Code Section 65915 provides for certain incentives to be provided in order to increase the number of affordable housing units throughout the State of California. The proposed LUP is silent as to how Government Code Section 65915 would be implemented in the Venice coastal zone. Therefore, Commission staff recommends specific policy language be inserted into the modified LUP in order to ensure that coastal resources are adequately protected in the event that the City approves any density bonuses pursuant to Government Code Section 65915. See modified LUP Policy I.A.13 (Appendix A, p.2-29 to 2-31) and staff report page 58.

PUBLIC PARTICIPATION

The City of Los Angeles Planning Commission held public hearings for the proposed Venice LUP on May 21, 1998 and July 9, 1998. The City Council held public hearings for the proposed Venice LUP on October 6, 1998 and October 26, 1999. These public hearings are in addition to the hearings that the City held in 1990 and earlier (See Appendix A, p.1-20). On October 29, 1999, the Los Angeles City Council approved the proposed Venice LUP with City Council Resolution No. 98-0119, and forwarded it to the Commission for certification. The Commission's South Coast District office in Long Beach received the proposed Venice LUP, submitted with City Council Resolution No. 98-0119, on November 29, 1999. On December 13, 1999, Commission staff on determined that the submittal was incomplete. The City subsequently submitted the additional materials and information necessary to complete the LUP submittal. On March 24, 2000, Commission staff determined that the City's submittal of the proposed Venice LUP was consistent with the submittal requirements of the Coastal Act and the regulations that govern such proposals, and the proposed Venice LUP was officially deemed submitted. [See Sections 30501, 30510, 30514 and 30605 of the Coastal Act, and Sections 13551, 13552 and 13553 of the California Code of Regulations.]

ADDITIONAL INFORMATION

Copies of the staff report are available at the Coastal Commission's South Coast District office located in the ARCO Center Towers, 200 Oceangate, Suite 1000, Long Beach, 90802. To obtain copies of the staff report by mail, or for additional information, contact Charles Posner or Pam Emerson in the South Coast District office at (562) 590-5071.

STANDARD OF REVIEW

The standard of review for the proposed LUP, pursuant to Section 30512 of the Coastal Act, is that the proposed LUP meets the requirements of, and is in conformity with, the Chapter 3 policies of the Coastal Act.

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I. STAFF RECOMMENDATION

Staff recommends adoption of the following motions and resolutions:

A. Deny the Venice Land Use Plan as Submitted

MOTION: ***"I move that the Commission certify the Land Use Plan for Venice as submitted by the City of Los Angeles."***

Staff recommends a **NO** vote. Failure of this motion will result in denial of the Land Use Plan as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

Resolution to Deny Certification of the Venice Land Use Plan as Submitted

The Commission hereby denies certification of the Land Use Plan submitted for Venice and adopts the findings set forth below on grounds that the Land Use Plan as submitted does not meet the requirements of and is not in conformity with the Chapter 3 policies of the Coastal Act. Certification of the Land Use Plan as submitted would not meet the requirements the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse effects on the environment that will result from certification of the Land Use Plan as submitted.

B. Certify the Venice Land Use Plan if Modified

MOTION: ***"I move that the Commission certify the Land Use Plan for Venice if it is modified as suggested in this staff report."***

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Land Use Plan with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of a majority of the appointed Commissioners.

Resolution to Certify the Venice Land Use Plan with Suggested Modifications

The Commission hereby certifies of the Land Use Plan for Venice if modified as suggested and adopts the findings set forth below on grounds that the Land Use Plan with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan if modified. The Commission further finds that if the local government adopts and transmits its revisions to the Land Use Plan in conformity with the suggested modifications, then the Executive Director shall so notify the Commission.

II. SUGGESTED MODIFICATIONS

The suggested modifications to the proposed LUP are contained in attached Appendix A (Modified Venice LUP). Appendix A is a modified version of the officially submitted City of Los Angeles LUP for Venice (October 1999) which the City has submitted for Commission certification. All modifications contained in Appendix A are suggested modifications to the City's proposed LUP for Venice.

The suggested modifications listed below and contained in Appendix A are identified as follows:

> The strike-out line is used to identify suggested deletions: ~~deleted words~~.
> Underlining is used to identify suggested added language: added words.
> All modifications in Appendix A can also be identified by a vertical line to the right.>

A. Selected Modifications to Proposed LUP Policies

The suggested modifications to the proposed LUP Policies are contained in Appendix A (Modified Venice LUP) within the context of the City's proposed Venice LUP. The following is a list of selected suggested modifications that are related to controversial issues. Each LUP Policy has its own identifying number.

1. Development Controls - Modified LUP Policy I.E.2 (Appendix A, p.2-42)

Policy I.E.2 Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials.

2. Residential Height Controls - Suggested LUP Policy I.A.1.a (Appendix A, p.2-17)

I.A.1.a Roof Access Structures. Building heights and bulks shall be controlled to preserve the nature and character of existing residential neighborhoods. Residential structures may have an enclosed stairway (roof access structure) to provide access to a roof provided that:

a. the roof access structure shall not exceed the specified flat roof height limit by more than 10 feet;

b. the roof access structure shall be designed and oriented so as to reduce its visibility from adjacent public walkways and recreation areas;
c. the area within the outside walls of the roof access structure shall be minimized and shall not exceed 100 square feet in area as measured from the outside walls; and,
d. all roof access structures shall be set back at least 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal and the inland side of Esplanade (City right-of-way).

3. **Residential Lot Consolidations - Suggested LUP Policy I.A.1.b (Appendix A, p.2-17)**

I.A.1.b Residential Lot Consolidations. In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the following residential neighborhoods: Venice Canals, Silver Strand, Ballona Lagoon West, Southeast Venice, Milwood and the Oxford Triangle (Exception: two lots may be combined to form one lot that is equal in area or smaller than the majority of lots in the immediate area). Lot consolidations may be permitted in other residential neighborhoods subject to the following limitations:
a. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation with the exception of subterranean development that is entirely below street elevation.
b. Building facades shall be varied and articulated to provide visual interest to pedestrians with primary ground floor entrances to individual residential units and frequent windows facing the fronting street.
c. Front porches, bays and balconies shall be provided to maximize architectural variety.

4. **Ballona Lagoon ESHA Protections - Modified LUP Policy I.A.4.b.1 (Appendix A, p.2-19)**

I.A.4.b.1 Silver Strand

1) Lagoon Fronting Lots/Lots Adjacent to Esplanade East:

Use: Single-family dwelling / one unit per lot
Density: One unit per 4,000 square feet of lot area

Lagoon Buffer: No ~~project~~ development other than public access improvements and habitat restoration shall be permitted within a 40-foot strip immediately adjacent to the Ballona Lagoon, as established by amended Coastal Permit A-266-77. The City right-of-way ~~An undeveloped City-owned area~~ (Esplanade) comprises part of the 40-foot wide buffer. The remainder is comprised of 24 to 30-foot wide portions of the lagoon fronting lots over which easements have been, or shall be, dedicated to the City for ~~as~~ Open Space and public access per the requirements of amended Coastal Permit A-266-77. Easements shall be dedicated to the City to protect the lagoon buffer for public access and habitat as a condition of development.

Setback: All portions of a dwelling, except for a deck, shall be set back from the easterly edge of the Buffer Strip for a minimum setback of 10 feet or 15% of the depth

of the lot excluding the Buffer Strip, whichever is greater, but such setback need not exceed 15 feet. The total combined height of any deck, deck railings, garden walls and/or fences situated within the 10 to 15-foot setback from the Buffer Strip shall not exceed 6 feet above the elevation of the Buffer Strip located immediately adjacent to the setback area.

Height: Not to exceed 30 feet for any portion within 60 horizontal feet of the ~~inland edge of Esplanade East~~ of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water. Open decks including railings shall not extend more than six feet above natural grade. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be placed in the lagoon. No fill shall be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

5. **Ballona Lagoon ESHA Protections - Modified LUP Policy I.A.4.c (Appendix A, p.2-21)**

I.A.4.c Ballona Lagoon West Bank Properties Between Topsail and Via Marina

Use: Single-family dwelling / one unit per lot
Density: One unit per 3,000 square feet of lot area

Lagoon Buffer: No development other than public access improvements and habitat restoration shall be permitted within 15 feet of the lot line located nearest the water. Easements shall be dedicated to the City as a condition of development to protect the lagoon buffer for public access improvements and habitat restoration.

Setback: All portions of a dwelling, except for a ground level deck (no more than 18" high), shall be set back a minimum of 25 feet from the inland edge of Esplanade West, or where no Esplanade exists, from the property line which separates the parcel from the west bank of Ballona Lagoon. Ground level permeable decks, landscaping and railing and fences may encroach ten feet into the setback. The remaining 15 feet of the setback area nearest the water (lagoon buffer) shall be protected for public access and habitat restoration.

Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide of the Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 ~~45~~ feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill may be placed in the lagoon. No fill may be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

6. Grand Canal ESHA Protections - Modified LUP Policy I.A.7.a (Appendix A, p.2-23)

I.A.7.a Ballona Lagoon (Grand Canal) East Bank

Use: Two units per lot including duplexes

Density: One unit per 1,500 square feet of lot area

Grand Canal Esplanade: The Esplanade (City right-of-way) shall be maintained and improved in order to provide for continuous public pedestrian access along the Grand Canal waterway.

~~Setback/Yards: Minimum side yard of 3 ½ feet. Furthermore adjacent to the Grand Canal all portions of a dwelling, except for decks, shall be set back a minimum of 20 feet from the property line which separates the parcel from the east bank of the Grand Canal. Ground level permeable decks, landscaping and railing and fences may encroach five feet into the setback.~~

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

Yards: Minimum side yard of 3 ½ feet. An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the canal property line and the front of any structure. A minimum 10-foot front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of permeable decks. The total combined height of any deck, deck railings, garden walls and/or fences situated within the required permeable front yard area shall not exceed 6 feet above the elevation of the adjacent public walkway.

Height: Not to exceed ~~38~~ 30 feet within 60 horizontal feet of the inland side of the Esplanade (City right-of-way). Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the inland side of the Esplanade (City right-of-way). (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be permitted in Grand Canal.

7. **Ballona Lagoon/Grand Canal ESHA Protections - Modified LUP Policy I.A.7.b (Appendix A, p.2-24)**

I.A.7.b Ballona Lagoon and Grand Canal West Bank Property North of Ironsides

Use: Two units per lot including duplexes.
Density: One unit per 1,500 square feet of lot area

Esplanade: The Esplanade (City right-of-way) shall be maintained and improved in order to provide for continuous public pedestrian access along Ballona Lagoon and the Grand Canal waterway.

~~Setback/Yards: Minimum side yard equals 3 ½ feet except the yard next to the Esplanade West or Grand Canal. All portions of a dwelling, except for decks, shall be set back a minimum of 20 feet from the easterly edge of Esplanade West, or, where no Esplanade exists, from the property line which separates the parcel from the Grand Canal. Ground level permeable decks, landscaping and railing and fences may encroach five feet into the setback.~~

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

Yards: Minimum side yard of 3 ½ feet. An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the lagoon/canal property line and the front of any structure. A minimum 10- foot front yard setback, with a required 15- foot setback average, shall provide the required permeable front yard area. No building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of permeable decks. The total combined height of any deck, deck railings, garden walls and/or fences situated within the required permeable front yard area shall not exceed 6 feet above the elevation of the adjacent public walkway.

Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be permitted in the lagoon. No fill may be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access. ~~and buffer.~~

8. Ballona Lagoon ESHA Protections - Modified LUP Policy IV.B.2 (Appendix A, p.5-12 & 5-13)

Policy IV.B.2 Ballona Lagoon Buffer Strip. The City shall implement methods of permanent protection of the lagoon, including acceptance of all outstanding and future offers to dedicate open space and public access buffer strips along the east and west banks.

a. **East Bank.** ~~A~~ The habitat protection buffer strip, a 40-foot wide dedicated open space and public easement shall continue to be provided and maintained adjacent to the east bank of Ballona Lagoon, in the Silver Strand Subarea, as required by Coastal Development Permit (CDP) Nos. A-266-77, 5-87-112, and 5-86-691. For additional details, see Policy I.A.4b.

b. **West Bank.** A habitat protection buffer strip shall be provided and maintained between the lagoon and all development permitted on the properties situated on the west bank of Ballona Lagoon. Because of the steep embankment and the need to provide some buffering from the automobile traffic on Pacific Avenue, the strategy along the western shore is to limit physical access. Most of the lots located on the west side of the lagoon, particularly between Ironsides and Topsail Streets, are quite narrow. Given the location and size of these parcels, first priority for use of these parcels is permanent open space. However, in case of any development, all structures shall be set back at least twenty-five feet from the property line nearest the lagoon. ~~the setback from the lagoon shall be twenty feet from the easterly edge of Esplanade West~~. (~~Also s~~See LUP Policy~~ies~~ I.A.4.c & I.A.4.d for specific lagoon buffer and setback requirements).

c. **West Bank Properties South of Ironsides Street to Topsail Street.** These properties, commonly known as the Alphabet lots, consist of the vacant lots located on the west bank of Ballona Lagoon between Ironsides Street and Topsail Street. The use of these parcels shall be permanent Open Space with restoration of the native vegetation. Non-intrusive public access improvements may be permitted in a manner that protects the environmentally sensitive habitat areas (See also Policy I.A.4.d).

9. Completion of Boardwalk (Ocean Front Walk) - Modified Policy II.C.5 (Appendix A, p.3-29)

Policy II.C.5 Ocean Front Walk ~~North Venice~~. It is the policy of the City to complete a continuous public pedestrian walkway that extends from the boundary with City of Santa Monica to the Marina del Rey entrance jetty as indicated on Exhibit 19. Ocean Front Walk ~~north of Washington Boulevard~~ shall be preserved and enhanced for public access including but not limited to improvements, such as repaving and landscaping along Ocean Front Walk, development of a pedestrian plaza along Washington Boulevard ~~(previously Washington Boulevard)~~ and provision of landscaping and decorative treatments at Windward Avenue as outlined in the 1995 Venice Beach Ocean Front Walk Refurbishment Plan.

10. Beach Bike Path Extension - Modified LUP Policy II.C.14 (Appendix A, p.3-34)

Policy II.C.14 Bikeway South of Washington Boulevard. The LUP designates a Class II bikeway south of Washington Boulevard, along Via Dolce, Marquesa Way and Via Marina. This bike path will provide ~~adequate~~ public access to the Jetty and to the south part of Marina Peninsula Beach. The City may permit the extension of the beach bicycle path in order to improve public access opportunities on the Marina Peninsula beach between the Venice Pier and the Jetty.

11. Protection of Public Parking – Suggested LUP Policy II.A.9 (Appendix A, p.3-20)

Policy II.A.9 Protection of Public Parking. The following policies shall be implemented and enforced in order to protect and enhance public parking opportunities provided on public rights-of-way and in off-street parking areas:

a. Beach Parking Lots. The beach parking lots located at Washington Boulevard, Venice Boulevard and Rose Avenue shall be protected for long-term (4-8 hours) public beach parking. No parking spaces in the beach parking lots shall be used to satisfy the parking requirements of Policies II.A.3 and II.A.4. The temporary short-term lease or reservation of parking spaces in the beach parking lots may be permitted if the proposed temporary use of the parking supply does not conflict with the need for public parking by beach goers. Any proposal to allow overnight residential parking in the beach parking lots shall include provisions to enforce a prohibition against the storage of vehicles in the lots during the daylight hours by non-beach goers.

b. Street Ends. It is the policy of the City to not permit privatization of street ends. Public parking opportunities shall be protected and encouraged at improved and unimproved street-ends that abut Ocean Front Walk and/or the beach.

c. Rights-of-ways. In order to maintain and increase the public parking supply, the City shall maximize and protect the availability of public parking opportunities on City streets that currently accommodate vehicular traffic.

d. Curb cuts. In order to protect on-street parking opportunities, curb cuts shall not be permitted where vehicular access can be provided from an alley. When vehicular access cannot be safely provided from an alley, curb cuts shall be limited to the minimum amount necessary to provide safe vehicular access to a site. Old curb cuts shall be restored to curbside public parking when feasible.

e. Private parking. Existing ordinances shall be enforced to ensure that parking areas situated on street-ends and on public rights-of-way are protected for public use and shall not be privatized or posted for private use.

12. Protection of Public Parking – Suggested LUP Policy II.A.10 (Appendix A, p.3-21)

Policy II.A.10 Valet Parking. Valet parking programs may be permitted and implemented in order to increase the amount of available public parking in parking impacted areas. In order to ensure that any valet parking program that is permitted to

operate in the Venice Coastal Zone does not negatively impact coastal access opportunities, all approved valet parking programs shall comply with the following policies:

a. The use of public parking areas for valet vehicle Drop-off/Pick-up stations shall be limited to the minimum area necessary and occupy the fewest number of public parking spaces.

b. Vehicle Storage/Parking. The storage of vehicles by valets is prohibited in public parking lots, on public rights-of-way and in on-street parking spaces (except for loading and unloading) unless it is determined that use of the public parking area will not conflict with the need for public parking by beach goers.

c. A valet parking program that utilizes public property in the coastal zone shall be available for use by the general public with no preference granted to any group or type of use (i.e., restaurant customers vs. beach goers).

13. Temporary Events – Suggested LUP Policy II.D.1 (Appendix A, p.3-35)

Policy II.D.1 Temporary Events. Activities or events that involve the reservation or exclusive use of any public beach parking area or sandy beach area shall be regulated in order to protect public access to the shoreline and public access to parking supplies that support recreational opportunities. Public access and recreation shall have priority over other uses on the beach and in the public beach parking areas.

14. Nonconforming Structures – Suggested LUP Policy I.E.5 (Appendix A, p.2-43)

Policy I.E.5 Nonconforming Structures. Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply: Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

15. Water Quality Protections – Modified LUP Policy IV.C.1 (Appendix A, p.5-14)

Policy IV.C.1 Stormwater Runoff. All new public and private development, substantial rehabilitation, redevelopment or related activity, which discharges stormwater runoff into the Ocean, Ballona Lagoon, Grand Canal south of Washington Boulevard ~~and~~ or the Venice Canals shall be designed and conducted in compliance with the ~~regulated for public and private developments in order to protect the water quality and habitat of these waterways. Methods to improve and regulate the water quality of the first flush stormwater runoff entering coastal waterways shall be developed and implemented by the City of Los Angeles Department of Public Works, Bureau of Engineering in~~

~~accordance with the requirements of the~~ County-wide Municipal National Pollution Discharge Elimination System (NPDES) Stormwater Permit, issued by the California Regional Water Quality Control Board (RWQCB), the RWQCB approved Standard Urban Stormwater Mitigation Plan, and the NPDES General Permit for Stormwater Discharges Associated with Construction Activity, issued by the State Water Resources Control Board (SWRCB), where applicable. Methods to improve water quality, such as the mitigation of the first-flush stormwater runoff entering coastal waterways, shall be imposed as conditions of development by the City of Los Angeles in accordance with SWRCB and RWQCB recommendations and regulations, and the Santa Monica Bay Restoration Project Action Plan in order to protect, restore, and where feasible, enhance the water quality and habitat of these waterways.

16. Water Quality Protections – Suggested LUP Policy IV.C.2 (Appendix A, p.5-15)

Policy IV.C.2 Water Quality. The methods to improve water quality, recommended in California's Plan for the Control of Non-Point Source Pollution (January 2000), such as watershed planning and management programs, and habitat restoration projects, shall be considered and implemented by the City of Los Angeles where feasible opportunities exist.

17. Density Bonus Provisions – Modified LUP Policy I.A.13 (Appendix A, p.2-29)

Policy I.A.13 Density Bonus Applications. Required replacement dwelling units shall be counted as reserved units in any state mandated density bonus application for the same project. In order to encourage the provision of affordable housing units in the areas designated as "Multiple Family Residential" and in mixed-use developments, the City may grant incentives such as reduced parking, additional height or increased density consistent with Government Code Section 65915 provided that the affordable housing complies with the following:

(a) This is an incentive program that allows developers of any one of the types of residential projects described in Government Code Section 65915(b), and which complies with all standards set forth in Government Code Section 65915, to build no more than 25 percent more units than a property's zoning would ordinarily allow. In exchange for this density bonus, the owners must make the units affordable for 30 years if an incentive is utilized in addition to a density bonus specified in Government Code Section 65915(b) or for 10 years if a second incentive is not utilized.

(b) In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan. In the Coastal Zone, the otherwise maximum allowable residential density shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the coastal zoning ordinances and land use element certified by the Coastal Commission. The density bonus shall be applicable to housing development consisting of five or more units.

(c) In the coastal zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent, to the maximum extent feasible and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and development standards. If the City approves development with a density bonus, the City must find that the development, if it had been proposed without the 25 percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. If the City determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the City shall require that the density increase be accommodated by those means. If, however, the City determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a 25 percent density increase, the City shall identify all feasible means of accommodating the 25 percent density increase and consider the effects of such means on coastal resources. The City shall require implementation of the means that are most protective of significant coastal resources.

(d) The City may prepare an LCP amendment for certification by the Commission for specific areas or subregions within the planning area where density bonuses in excess of 25 percent may be permitted based on a finding that no adverse impacts on coastal resources would result.

(e) In addition to a 25 percent density bonus, a qualifying housing development shall receive one of the incentives identified in Government Code Section 65915(h), unless it is found that the additional incentive is not required in order to provide for affordable housing costs or rents. If the City determines that the additional development incentive requested by an applicant pursuant to this section will not have any adverse effects on coastal resources, the City may grant the requested incentive. If the City determines that the requested incentive will have an adverse effect on coastal resources, the City shall consider all feasible alternative incentives and the effects of such incentives on coastal resources. The City may grant one or more of those incentives that do not have an adverse effect on coastal resources. If all feasible incentives would have an adverse effect on coastal resources, the City shall grant only that additional incentive which is most protective of significant coastal resources.

(f) For the purposes of this section, "coastal resources" means any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Public Resources Code section 30200 *et seq.*, including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

B. Summary of Modifications to Proposed LUP Exhibits (including Land Use Maps)

The suggested modifications to the proposed LUP Exhibits are identified on the LUP Exhibits in attached Appendix A (Modified Venice LUP). The following is a list of all the City's proposed LUP Exhibits with a description of the modification or modifications suggested for each exhibit. Each LUP Exhibit has a number, a title and a page number (or set of pages).

LUP Exhibit # (Appendix A, Page #)	Suggested Modifications
1. Vicinity Map (Appendix A, Page 1-1)	No Suggested Modification.
2. Venice Coastal Zone Map (Pages 1-2 & 1-3)	1) Add Note: Map does not show area of Palms/Del Rey portion of coastal zone that is located inland of Lincoln Boulevard. 2) Insert border to define limits of Oakwood, Milwood and Southeast Venice.
3 Summary of Venice Coastal Issues (Pages 1-6 to 1-10)	No Suggested Modification
4. Marina Peninsula, Silver Strand, Ballona Lagoon West Bank, and Ballona Lagoon (Grand Canal) East Bank Subareas (Page 1-13)	Add (Grand Canal) to correctly identify the location of the subarea.
5. North Venice & Venice Canals Subareas (Pages 1-14&15)	No Suggested Modification.
6. Oakwood, Milwood, and Southeast Venice Subareas (Pages 1-16 & 1-17)	No Suggested Modification.
7. Oxford Triangle Subarea (Page 1-18)	No Suggested Modification.
8. Relevant Documents (Pages 1-21 & 1-22)	Add reference to Coastal Commission Findings for Venice Canals Marina Peninsula Proposed LCP (7/28/83).
9. Venice Coastal Land Use (Map) - Marina Peninsula, Silver Strand, Ballona Lagoon West Bank, and Ballona Lagoon (Grand Canal) East Bank Subareas (Page 2-5)	1) Add (Grand Canal) to correctly identify the location of the subarea. 2) Designate the Venice Sewer Pump Plant as Public Facility, not Residential land use.
10. Venice Coastal Land Use (Map) - North Venice and Venice Canals Subareas (Pages 2-6 & 2-7)	No Suggested Modification.
11. Venice Coastal Land Use (Map) - Oakwood, Mil-Wood, Southeast Venice Subareas (Pages 2-8 & 2-9)	Identify the Medium Density Residential lots referred to by LUP Policy I.A.8.a.2.
12. Venice Coastal Land Use (Map) - Oxford Triangle Subarea (Page 2-10)	No Suggested Modification.
13. Height - Marina Peninsula, Silver Strand, Ballona Lagoon West Bank, and Ballona Lagoon (Grand Canal) East Bank Subareas (Page 2-11)	1) Add (Grand Canal) to correctly identify the location of the subarea. 2) Add text to clarify the height limits applicable to these subareas pursuant to modified LUP Policies I.A.4 and I.A.7. 3) Add Note to state from where building heights are measured. 4) Add references to LUP Policies I.A.1 and I.B.7.
14. Height - North Venice and Venice Canals Subareas	1) Add "or stepped back" roofline for 35'

(Pages 2-12 & 2-13)	allowance. 2) Delete "38' Architectural features" allowance. 3) Add Note to state from where building heights are measured. 4) Add references to LUP Policies I.A.1 and I.B.7.
15. Height - Oakwood, Milwood, Southeast Venice Subareas (Pages 2-14 & 2-15)	1) Add "or stepped back" roofline for 30' allowance. 2) Add Note to state from where building heights are measured. 3) Add references to LUP Policies I.A.1 and I.B.7.
16. Height - Oxford Triangle Subarea (Page 2-16)	1) Add "or stepped back" roofline for 30' allowance. 2) Add text to clarify the height limit applicable to commercial buildings in the Oxford Triangle subarea pursuant to modified LUP Policy I.B.6.b. 3) Add Note to state from where building heights are measured. 4) Add references to LUP Policies I.A.1, I.B.6.b and I.B.7.
17. Coastal Access Map - Parking and Beach Impact Zone (Pages 3-5 & 3-6)	1) Identify public parking near intersection of Windward Avenue and Pacific Avenue. 2) Correctly indicate that the Los Angeles County parking lot on Via Marina (south of Via Dolce) is a public lot.
18. Coastal Access Map - Existing Public Transit Routes (Pages 3-7 & 3-8)	Identify remote beach parking reservoir(s) served by the DASH shuttle (referred to at end of 5th paragraph on LUP page 3-1).
19. Coastal Access Map - Pedestrian Access and Bikeways (Pages 3-9 & 3-10)	1) Identify existing beach bikeway south of Washington Boulevard. 2) Identify future beach bikeway extension on Marina Peninsula. 3) Identify Lighthouse Street Bridge as a coastal accessway. 4) Identify Marina del Rey jetty as a coastal accessway.
20. Recreation and Visitor-Serving Facilities (Pages 4-4 & 4-5)	1) Correctly identify location of Linnie Canal Park on northeast corner of Linnie Canal and Dell Avenue. 2) Identify segment of Grand Canal east bank walkway between 28th Avenue and Washington Boulevard. 3) Identify segment of Ballona Lagoon east bank sidewalk next to Via Dolce at north end of lagoon. 4) Identify the Grand Canal public boat launch and canal walkways at North Venice Boulevard. 5) Include the Venice Pier and Marina del Rey jetty in the Shoreline Recreation Area.

21. Existing Shoreline Recreational Areas (Pages 4-6 & 4-7)	1) "Washington Boulevard Parking", not Washington Street. 2) Delete demolished "Venice Pavilion" and identify newly improved recreation area. 3) Identify "Oil Drilling Area" as future recreation area. 4) Update map to include new public restrooms.
22. Environmentally Sensitive Habitat Areas (Pages 5-7 to 5-9)	1) Designate the least tern nesting area as an ESHA. 2) Designate the Ballona Lagoon west bank buffer as an ESHA. 3) Include the section of Grand Canal between North and South Venice Boulevards in the Venice Canals' designated ESHA.
23. Circulation Map (Page 6-3)	No Suggested Modification.

C. Summary of Modifications to LUP Definitions – Appendices B & C

The definitions of relevant terms used in the proposed LUP shall be inserted into the definition section of the LUP or modified as recommended (Appendix A, p.1-23). The definitions of words and phrases not contained in pages 1-23 through 1-27 of Appendix A, shall be construed as defined in attached Appendix B. In addition, the City's Trip Calculation Table (Appendix C) shall be added to the LUP by reference in order to provide the basis for the LUP definitions of the terms "Change of Use" and "Increase in Intensity of Use" (Appendix A, p.1-23).

D. Summary of Modifications to Non-policy Text of the Proposed LUP

The suggested modifications to the non-policy text of the proposed LUP are also identified throughout the attached modified Venice LUP (Appendix A). Each modification to the non-policy text of the proposed LUP is a correction, clarification, information update, or change to the text resulting from a suggested modification to the LUP Policies or LUP Exhibits.

The suggested modifications include corrections to the descriptive text of the proposed LUP in order to update the LUP and to eliminate factual errors. Modifications are also recommended for the sections of the proposed LUP entitled "Implementation Strategies" in order to provide the City the appropriate direction to implement the proposed LUP in a manner consistent with the requirements of the Coastal Act. The suggested formatting modification would insert "Land Use Plan" into all chapter, policy and exhibit headings in order to clearly identify the title of the City's LUP for Venice. References to the appropriate LUP exhibits and relevant coastal development permits shall be inserted in the LUP policies and the non-policy text in order to make the proposed LUP easier to use. The appropriate dates shall be inserted to correctly update the document, where necessary. All of the suggested modifications to the non-policy text of the proposed LUP are identified Appendix A.

III. Proposed Land Use Plan for Venice – General Overview

A. History of Venice as a Special Coastal Community

Venice is built on the salt marshes, dunes and lagoons that formerly occupied the west coast of Los Angeles County between the City of Santa Monica and the bluffs of Playa del Rey. At one time, Native Americans were the only people who inhabited this bountiful coastal area. More recently, the nations of Spain, Mexico, and finally, the United States of America have administered this part of the California coast.

Venice was largely undeveloped until the late 1800's when a developer by the name of Abbot Kinney convinced a railroad company to put a line through present day Venice. Abbot Kinney then proceeded to plan, subdivide and develop a new coastal resort and village called "Venice of America." Most of the newly created subdivisions were comprised of small lots which were developed with apartments, hotels and summer beach cottages. The new Venice development was characterized by its small scale and pedestrian oriented streets and walkways. The Venice Canals were constructed, in the style of Venice, Italy, as the marshes were dredged in order to create fill upon which the new town was being built. This new town and its resort economy soon attracted large numbers of visitors and workers with wide-ranging and diverse backgrounds. The working class community of Oakwood, located several blocks inland of the shoreline, grew as the need for workers increased.

Throughout the twentieth century, Venice has continued to grow in population while enduring alternating periods of prosperity and decay. The small lots and small homes attracted a diverse group of lower income people that included new immigrants, transplants from the south, artists and bohemians. Until recently, Venice was one of the only California beach communities with a large percentage of lower income residents and a sizable minority population. In 1927 most of the original canals were filled in and the rights-of-way converted to streets. The development of the Venice Oil Field in the 1930's brought rapid change to the area in the form of blighting oil wells and new oil money. As in the rest of Southern California, population growth and the construction of new homes spurted in Venice after World War II.

During the 1960's, a City code enforcement program brought the demise of many original "Venice of America" landmarks, leaving scores of vacant lots along the Venice Boardwalk. Shortly thereafter, the Marina del Rey Small Craft Harbor was constructed and opened on the County lands located immediately south of Venice. Urban renewal and neighborhood gentrification of the older Venice neighborhoods commenced during the late 1960's and continues at a rapid pace as land values rapidly increase in this popular coastal area. Cultural diversity, however, still remains as one of the overriding themes of Venice.

Today, all areas of Venice are completely built-out and most new development involves the recycling of older developments within existing residential neighborhoods or in-fill development of the vacant lots along the Venice Boardwalk.

Venice Beach is currently one of the most popular beaches in the State. Much of its attraction is due to a lively pedestrian oriented commercial area along Ocean Front Walk in North Venice, where dense housing and small stores and restaurants face a 20 to 30-foot wide paved boardwalk.

Directly inland of Ocean Front Walk, duplexes and older six to ten-unit "hotels" face pedestrian walks that occupy dedicated streets. It is these paved and landscaped streets that are identified as "Walk Streets" in the proposed LUP. Individual property owners have fenced off all but the paved walkways, and landscaped the areas adjacent to their homes. The result is a dense, small grained, varied pedestrian environment that is linked to Ocean Front Walk and similar environments further inland. The typical Venice lot is thirty feet wide and 90 feet deep. Newer duplexes and single family homes usually have adequate on-site parking, older structures do not.

Other walk streets are found on the Marina Peninsula and eight blocks inland of North Venice, between Lincoln Boulevard and Electric Avenue in a community identified as Milwood.

The southern portion of Venice reflects it proximity to the Ballona wetlands. In the years around the turn of the century speculators crated a resort community bordered by canals by dredging the northern part of the Ballona wetlands. Due to water quality problems many of the canals were filled when the City of Los Angeles annexed Venice, but six canals remained. These canals drain through Ballona Lagoon and from there into the marina (Marina del Rey) entrance channel. Like houses in many other Venice neighborhoods, the canal houses front the sidewalks that line all the canals, and have their vehicular access via an alley. The canal walkways parallel narrow 50-foot wide canals. The canal walkways were subject to controversy. After an earlier project to close the walkways and develop the canals as a marina did not succeed, the principal landowner, Xerox Corporation sold the lots to individuals who developed somewhat larger houses on individual lots. In the mid 1970's, the Commission responded to the first of these individual requests by permitting houses, but requiring setbacks and provisions to improve the water quality conditions. The Commission's special conditions (1) limited the scale of development so that the new houses did not dwarf the canals, and (2) required water quality protection by the maintenance of pervious yard areas. The canal walkways remained open, but deteriorated. In 1996, the City of Los Angeles in cooperation with the homeowners rebuilt the canal walkways as public ways.

In 1977, the Commission permitted a consortium of about 105 homeowners to pave streets on an undeveloped, but previously subdivided area of about 350 lots that bordered Ballona Lagoon, the southernmost water body in Venice. The Department of Fish and Game and the USFWS identified Ballona Lagoon as an environmentally sensitive habitat area (ESHA). Numerous fish and 100 species of birds were identified using or visiting the lagoon, which is also listed by the Department of Fish and Game as critical habitat for the California least tern, an endangered seabird that nests on beaches. The Commission, after several actions permitted the homeowners to develop on condition that they would maintain, and in the case of the homeowners adjacent to the lagoon, dedicate a strip land for a public walkway and a buffer. A lawsuit challenging the terms to the approval was settled; the walkway and buffer was installed; and houses were constructed. The walkway is heavily used. Migratory birds continue to visit the lagoon. In 1998 the city and the California coastal conservancy revegetated the banks with native dune plants.

Two other areas of Venice that have not been the subject of the same amount of permit controversy before the Commission are addressed in the LUP. Oakwood, which has had an established community of African American and Mexican American homeowners since the 1920's, has not been the subject of very many permit applications in the past. Southeast Venice, and the Oxford Triangle communities that were built with slightly larger houses on slightly larger lots in the 1950's has similarly not seen very much recycling. In Oakwood, community leaders, early in the process, expressed concern not about the scale of development, but about the pressure for

gentrification that might be created by too rapid development. In response to these concerns, the Commission limited heights and the numbers of units to a density below the R-3 zoning that applied, but allowed flexibility, when the Coastal Act still allowed it, for density incentives to construct low and moderate cost housing. The Oxford Triangle was built out and stable and experienced little pressure to recycle.

In response to local concerns about gentrification, the Commission has granted density incentives that allowed the construction of four subsidized or public housing complexes for the elderly in Venice. After responsibility for administering housing incentives was transferred to HCD, the Commission extended previously approved projects for which it had granted the incentives and approved one public housing project that had entered planning before the rules changed. Since no other projects came before it, the Commission has taken no further actions to replace lower-cost housing opportunities that were being removed by recycling or upgrading existing housing.

The Commission has in its actions in Venice:

1) Attempted to maintain the existing scale and character of the community.
2) Attempted to maintain the existing system of walk streets and the small-scale development that helps make these walk streets public recreational resources.
3) Encouraged visitor serving and commercial development along Ocean Front walk
4) Attempted to maintain public parking and auto dependent visitor parking when the existing pattern of development did not provide adequate parking.
5) Attempted to preserve the Venice Canals as a public recreation area and a habitat resource.
6) Identified and protected Ballona Lagoon as an environmentally sensitive habitat area (ESHA) and public access area.
7) When it was in its jurisdiction, attempted to reduce the impacts of economic displacement on an established moderate-income community.

In examining the proposed LUP, the Commission will evaluate the LUP policies to see how the development allowed will be consistent with the protection of the recreational, visual and habitat resources identified by the Commission during the permit process.

B. Venice LCP History

The City's effort to develop a certified Local Coastal Program (LCP) for Venice dates back to the late 1970's. In 1978, the Commission approved a work program for the City of Los Angeles to prepare a total LCP for eight coastal zone areas situated within the City. The work program included funding for the development of a Specific Plan for each coastal area, and also included funding to amend the pre-existing Community Plans (General Plan), in order to develop a certifiable LCP for each segment of the coastal zone. At that time, the Venice area was split into different subareas reflecting the unique neighborhoods that comprise the Venice coastal zone.

The City submitted the proposed LCP for the Venice Canals Marina Peninsula segment of Venice for Commission certification on December 23, 1982. On July 28, 1983, the Commission, after a public hearing, denied the proposed LCP for the Venice Canals Marina Peninsula segment of Venice as submitted and approved it with suggested modifications. Six months later, however, the

Commission's certification of the proposed LCP lapsed due the City's lack of acceptance of the Commission's suggested modifications.

Currently, the entire coastal zone area of Venice remains uncertified. In 1988, the City embarked on a new effort to develop a certified LCP for the Venice coastal zone area. The City released the Draft Venice Coastal Land Use Plan for public comment in April 1988. From 1988 until 1992, the City Planning Department held numerous public workshops and hearings for the proposed LUP in the various Venice neighborhoods. The City made little progress on the draft Venice LUP effort after 1992 due to staff changes and budgetary restraints.

In 1995, the City Planning Department revived its effort to develop a certified LCP for the Venice coastal zone area by coordinating its efforts with the Commission's staff. New public workshops and hearings were held throughout the Venice area in 1998 and 1999. The City's most recent efforts have resulted in the development of the currently proposed LUP for Venice (the subject of this staff report), and the adoption of the Venice Specific Plan which the City intends to submit to the Commission as part of the LCP Implementing Ordinances (LIP).

The City of Los Angeles Planning Commission held public hearings for the proposed Venice LUP on May 21, 1998 and July 9, 1998. The City Council held public hearings for the proposed Venice LUP on October 6, 1998 and October 26, 1999. The currently proposed Venice LUP was approved by the Los Angeles City Council on October 29, 1999 with the adoption of City Council Resolution No. 98-0119. On March 24, 2000, the City's submittal of the proposed Venice LUP was officially deemed submitted by the Coastal Commission's South Coast District office in Long Beach.

C. Venice LCP - Geographic Area

The Venice coastal zone area of the City of Los Angeles is bordered on the north by the City of Santa Monica, on the east by Lincoln Boulevard (State Highway One), on the south by the Los Angeles County Marina del Rey Small Craft Harbor, and on the west by the Pacific Ocean (Appendix A, Exhibit 2). The portion of the City of Los Angeles coastal zone located inland of Lincoln Boulevard (near Marina del Rey) is the Del Rey/Palms segment of the coastal zone, and is not part of the geographic area covered by the proposed Venice LUP. The geographic area covered by the proposed Venice LUP includes the following Venice neighborhoods: North Venice, Oakwood, Milwood, Southeast Venice, Oxford Triangle, Venice Canals, Marina Peninsula and the Silver Strand area (Appendix A, Exhibit 2).

The proposed Venice LUP divides the Venice neighborhoods into the following eight LCP subareas:

1. Ballona Lagoon West Bank Subarea (Appendix A, Exhibit 4).
2. Ballona Lagoon (Grand Canal) East Bank Subarea (Appendix A, Exhibit 4).
3. Silver Strand Subarea (Appendix A, Exhibit 4).
4. Marina Peninsula Subarea (Appendix A, Exhibit 4).
5. Venice Canals Subarea (Appendix A, Exhibit 5).
6. North Venice Subarea (Appendix A, Exhibit 5).
7. Oakwood-Milwood-Southeast Venice Subarea (Appendix A, Exhibit 6).
8. Oxford Triangle Subarea (Appendix A, Exhibit 7).

The beach and recreation areas located seaward of the Venice Boardwalk (Ocean Front Walk) are included within the geographic area that is subject to the proposed Venice LUP, but are not included in any of the eight above-listed Venice Neighborhood LCP subareas. The beach and recreation areas located seaward of the Venice Boardwalk are identified in the proposed LUP as the Shoreline Recreational Area (Appendix A, Exhibit 20).

Although Venice does not yet have a certified LCP, the City currently processes local coastal development permits under the provisions of Section 30600(b) of the Coastal Act. Upon Commission certification of a complete Venice LCP, the responsibility for processing coastal development permit applications (except for development in the Commission's retained jurisdiction) will be delegated from the Commission to the City of Los Angeles under the provisions of Section 30600(d) of the Coastal Act. The City's local coastal development permit jurisdiction would begin at the mean high tide line of the Pacific Ocean and extend inland to include all land areas subject to the certified Venice LCP. The Commission will retain its original jurisdiction over development proposed on submerged lands, public trust lands and tidelands, and over appeals of locally issued coastal development permits. The Commission also retains jurisdiction over coastal development permits that were previously approved by the Commission as well as amendments to such permits.

D. Venice LCP - Organization

The proposed Venice LUP consists of Venice LCP Chapters 1 and 2, including the maps entitled "Venice Coastal Land Use Plan Maps" (Appendix A, Exhibits 9-12), and all LUP Exhibits (See Appendix A). The proposed Venice LUP contains land use maps and land use policies with an emphasis placed upon establishing plan goals and defining policy. The LUP indicates the kinds, location, and intensity of appropriate land uses, the applicable resource protection measures, development policies, and where necessary, a listing of implementing actions. The proposed LUP must conform to the Chapter 3 policies of the Coastal Act.

The LIP, to be submitted separately from the LUP for Commission certification, will comprise LCP Chapter 3 and will contain the specific regulatory controls and incentives for the systematic implementation of the certified LUP. The City's future LIP submittal will include zoning maps, the Venice Specific Plan, the Oxford Triangle Specific Plan, the Los Angeles Coastal Transportation Corridor Specific Plan, and a permit issuing ordinance. Prior to certification of a complete Venice LCP, the City may be required to amend its current zoning maps and specific plans in order for the LIP to conform to and adequately carry out the land use policies and maps of the certified LUP.

E. Venice LUP - Issues

The proposed Venice LUP contains land use maps and land use policies that address the Coastal Act issues that were identified in 1978 when the Commission approved the City of Los Angeles work program to prepare a total Venice LCP. The specific Coastal Act issues addressed by the proposed Venice LUP include[1]:

Preservation of the unique character of Venice neighborhoods
Encouragement of neighborhood-serving and visitor-serving commercial uses

[1] See Appendix A, pages 1-6 through 1-10 for Summary of Venice Coastal Issues.

Enhancement of public recreation facilities
Improved utilization of public parking resources
Protection of environmentally sensitive habitat areas (ESHA)
Maintenance and improvement of public access opportunities

The land use maps and land use policies contained in the proposed Venice LUP are intended to preserve the existing character of the Venice residential neighborhoods by limiting residential density and building bulks and heights. The proposed land use maps would maintain existing commercial areas and nodes, but would not expand the existing commercial areas into residential neighborhoods. Strict parking requirements for new commercial development proposed in the LUP may also limit further intensification of existing commercial areas.

In regards to public access, the proposed Venice LUP includes policies to address: off-street parking near or on the beach for visitors and residents, conflicts between residential and visitor parking, signage of available parking on weekends, intrusion of non-resident vehicles on residential and business streets, alternate transportation modes, walkway and street access points to beach areas, and use of publicly owned parcels as beach access points. A common theme of the proposed LUP is the protection of Venice residents from the impacts of caused by the existing and future high levels of public beach use. There are also proposed LUP policies to protect public shoreline access, including sections of the proposed LUP that are devoted to parking improvements, public transportation, traffic management, non-vehicular coastal access, pedestrian access, bicycle ways and skate ways.

The proposed LUP endeavors to map and identify the public recreation facilities in Venice, and includes policies that are intended to protect and enhance the recreational areas and facilities. Proposed LUP Policy Group IV addresses the Environmentally Sensitive Habitat Areas (ESHA) in the Venice Coastal Zone, and includes LUP policies relating to the protection of the identified ESHA.

The City's proposed Venice LUP document, which was developed with a significant amount of public participation, provides a very good basis for the protection of coastal resources in the Venice coastal zone. The standard of review for the proposed LUP, however, is that it meets the requirements of, and is in conformity with, the Chapter 3 policies of the Coastal Act. Although the City's proposed LUP for Venice addresses each of the above-stated coastal issues, it does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act. The suggested modifications to the proposed Venice LUP contained in Appendix A would bring the proposed LUP into conformity with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act. The following section of the staff report contains the findings to support the staff recommendation to deny the proposed Venice LUP as submitted.

IV. FINDINGS FOR DENIAL AS SUBMITTED

The following findings support the Commission's denial of the proposed Venice LUP as submitted. The standard of review for the proposed LUP, pursuant to Section 30512 of the Coastal Act, is that it meets the requirements of, and is in conformity with, the Chapter 3 policies of the Coastal Act. As proposed, the Venice LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act. The suggested modifications to the proposed Venice LUP contained in Appendix A would bring the proposed LUP into conformity with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act. The following findings to support the staff recommendation to deny the proposed Venice LUP as submitted. Refer also to staff report Section V (Findings for Certification of LUP if Modified) for additional analysis of the proposed LUP maps, policies and exhibits in relation to the requirements of the Chapter 3 policies of the Coastal Act. The Commission hereby finds and declares as follows:

A. Preservation of the Unique Character of Venice Neighborhoods

Section 30251 of the Coastal Act requires that development be sited and designed to protect visual resources and community character. Section 30253 of the Coastal Act requires that special communities and neighborhoods be protected from negative effects of new development. The land use maps and land use policies contained in the proposed Venice LUP are intended to carry out the requirements of Sections 30251 and 30253 of the Coastal Act.

Section 30251 of the Coastal Act:

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, 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 government shall be subordinate to the character of its setting.

Section 30253 of the Coastal Act:

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 areas or in any way require the construction of protective devices that would substantially alter natural land forms 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 vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

In order to preserve the visual resources and unique character of Venice, the proposed LUP includes policies to residential neighborhoods by limiting residential density and building bulks and heights. The proposed land use maps would maintain existing commercial areas and nodes, but would not expand the existing commercial areas into residential neighborhoods. Strict parking requirements for new commercial development proposed in the LUP may also limit further intensification of existing commercial areas.

The proposed residential building standards that limit building height and bulk are necessary to preserve the unique character and scale of Venice neighborhoods. Although the proposed LUP contains residential height limits, it does not include provisions to adequately limit the height and bulk of allowable roof access structures. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

Section 30253 of the Coastal Act requires that Venice be protected because it is a special coastal community. The major threat to the unique character of the small pedestrian oriented scale of many Venice neighborhoods is lot consolidations. Very large new residential projects built across two or more consolidated lots would be substantially out of scale and character with the older small-lot Venice neighborhoods. The proposed LUP does not contain a policy to control residential lot consolidations. The proposed LUP also does not include adequate provisions to regulate residential density in mixed-use developments permitted in commercial land use designations. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

Refer to staff report pages 35 through 74 (Findings for Certification of LUP if Modified) for details and specific analysis of the proposed LUP maps, policies and exhibits in relation to the Chapter 3 policies of the Coastal Act.

B. Visitor-Serving Commercial Uses

Section 30222 of the Coastal Act states that visitor-serving commercial uses shall have priority over other land uses.

Section 30222 of the Coastal Act:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreational shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

The proposed land use policies that are applicable to properties designated for commercial uses do not conform to Section 30222 of the Coastal Act because they do not give priority to visitor-serving commercial uses in areas proposed to be designated for commercial uses. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act. Refer to staff report pages 61 through 70 (Findings for Certification of LUP if Modified) for details and specific analysis of the proposed LUP maps, policies and exhibits in relation to the requirements of the Chapter 3 policies of the Coastal Act.

C. Public Recreation

Sections 30212.5, 30213, 30214, 30220 and 30221 of the Coastal Act protect recreational opportunities for the public.

Section 30212.5 of the Coastal Act:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.

Section 30213 of the Coastal Act:

Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Development providing public recreational opportunities are preferred. Neither the commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low- or moderate-income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30214 of the Coastal Act:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstance in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize costs and encourage the use of volunteer programs.

Section 30220 of the Coastal Act:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30212.5 of the Coastal Act requires that public recreation opportunities be distributed throughout Venice Beach to prevent overuse of any single area. Section 30213 requires that lower cost recreational facilities be encouraged. The proposed LUP endeavors to map and identify the public recreation facilities in Venice, and includes policies that are intended to protect and enhance the recreational areas and facilities. The proposed LUP, however, does not include adequate provisions to improve public access and recreation on the Marina Peninsula, or to address specific improvements to existing recreational facilities that are anticipated to occur in the near future. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

Sections 30220 and 30221 of the Coastal Act require that coastal areas be protected of recreational uses. The proliferation of special temporary events in some coastal areas has been determined to negatively impact public access and recreation. The proposed LUP does not include a policy to address the issues of temporary events. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

Refer to staff report pages 78 through 94 (Findings for Certification of LUP if Modified) for details and specific analysis of the proposed LUP maps, policies and exhibits in relation to the public access and recreation policies of the Coastal Act.

D. Public Access and Parking

Section 30252 of the Coastal Act requires that public access to the coast be enhanced by providing adequate public parking facilities.

Section 30252 of the Coastal Act:

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 non automobile 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 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 on-site recreational facilities to serve the new development.

One of the most controversial issues in Venice is the competition for public parking spaces between residents, beach goers and customers of commercial uses. Public access opportunities are negatively impacted the lack of sufficient parking facilities. A common theme of the proposed LUP is the protection of Venice residents from the impacts of caused by the existing and future high levels of public beach use. The proposed LUP does not include adequate provisions to protect the public parking opportunities that currently exist, and could potentially be expanded, on public streets and in public parking lots. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

Refer to staff report pages 94 through 99 (Findings for Certification of LUP if Modified) for details and specific analysis of the proposed LUP maps, policies and exhibits in relation to the public access requirements of the Chapter 3 policies of the Coastal Act.

E. Environmentally Sensitive Habitat Areas (ESHA)

Sections 30230, 30231 and 30240 of the Coastal Act protect marine resources and Environmentally Sensitive Habitat Areas (ESHA).

Section 30230 of the Coastal Act:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act:

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

Section 30240 of the Coastal Act:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30240 of the Coastal Act requires that ESHA be protected and that development adjacent to ESHA shall be designed to prevent impacts that would significantly degrade the ESHA. Proposed LUP Policy Group IV addresses the Environmentally Sensitive Habitat Areas (ESHA) in the Venice Coastal Zone, and includes LUP policies relating to the protection of the identified ESHA. In order to protect the ESHA in Ballona Lagoon and the Venice Canals and their banks, adequate habitat buffers and building setbacks shall be provided. The proposed building setbacks, height limits, and habitat buffer requirements contained in the proposed LUP would not adequately protect the ESHA in Ballona Lagoon and the Venice Canals. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

Refer also to the findings on staff report pages 101 through 109 (Findings for Certification of LUP if Modified) for details and specific analysis of the proposed LUP maps, policies and exhibits in relation to the marine resource and ESHA protection policies of the Coastal Act.

Sections 30230 and 30231 of the Coastal Act require that marine resources and water quality be protected and if feasible, enhanced. The proposed LUP policy that addresses the protection of water quality is not adequate to meet the requirements of Sections 30230 and 30231 of the Coastal Act. Therefore, the proposed LUP does not meet the requirements of, and is not in conformity with, the Chapter 3 policies of the Coastal Act.

The findings in the following section of the staff report (Section V - Findings for Certification if Modified) contain specific analysis of the specific parts of the Venice that do not meet the requirements of the Coastal Act, and suggests specific modifications that would bring the Venice LUP into conformance with the Chapter 3 policies of the Coastal Act.

V. FINDINGS FOR CERTIFICATION IF MODIFIED

The following findings support the Commission's certification of the proposed Venice LUP if it is modified as indicated in Section II (SUGGESTED MODIFICATIONS) of this report. The Commission hereby finds and declares as follows:

A. Community Character and Visual Resources

The overriding theme and goal of the proposed Venice LUP is the preservation of Venice as a special coastal community. To this end, the LUP contains land use policies that protect the natural, visual, cultural and recreational resources in Venice, as well as the existing unique character of the individual neighborhoods that exist in Venice.

Although the proposed Venice LUP is organized into five different policy groups that address new development, shoreline access, recreation, environmentally sensitive habitat areas and public works, the policies in each LUP policy section substantially overlap one another in order to meet the City's goal of preserving Venice as a special coastal community. For example, the proposed LUP policies that are applicable to residential, commercial and industrial land uses contained in LUP Policy Sections I.A, I.B and I.C will not only protect the unique character of the individual Venice neighborhoods by controlling development, but will also protect the natural, cultural and recreational resources in Venice by regulating the kinds, location, and intensity of residential, commercial and industrial land uses. The environmentally sensitive habitat areas and public recreation areas are protected by the proposed LUP's setback requirements and height limits that are set forth in the LUP sections that control residential, commercial and industrial land uses. Additionally, the provisions of proposed LUP Policy Section II.C that preserve the unique character of the Venice walk streets also protect pedestrian and bicycle access to the shoreline. There are numerous other examples of LUP policies that protect the unique character of Venice as a whole, as well as protecting public access and recreational opportunities.

This section of the staff report analyzes the proposed LUP Map and LUP policies that are contained in proposed LUP Policy Group I (New Development, Visual Resources and Special Communities). Proposed LUP Policy Group I addresses the following Coastal Act policies, which are included as part of the proposed Venice LUP:

Section 30244 of the Coastal Act:

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

Section 30250 of the Coastal Act:

(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.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30251 of the Coastal Act:

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, 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 government shall be subordinate to the character of its setting.

Section 30252 of the Coastal Act:

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 non automobile 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 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 on-site recreational facilities to serve the new development.

Section 30253 of the Coastal Act:

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 areas or in any way require the construction of protective devices that would substantially alter natural land forms 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 vehicle miles traveled. (5) Where appropriate, protect special

communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30254 of the Coastal Act:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the services would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30255 of the Coastal Act:

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30260 of the Coastal Act:

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Section 30261 and 30262 if:

(1) alternative locations are infeasible or more environmentally damaging;
(2) to do otherwise would adversely affect the public welfare; and
(3) adverse environmental effects are mitigated to the maximum extent feasible.

1. Preservation of Venice as a Special Coastal Community

The proposed LUP Map and the proposed policies contained in LUP Policy Group I (New Development, Visual Resources and Special Communities) are intended to preserve Venice as a special coastal community by establishing land use categories and land use policies that regulate new development in manner that that is protective of the existing unique character of each LUP subarea. The City's proposed land use designations and LUP policies are generally thorough and well written, however, several suggested modifications to the proposed LUP are necessary in order for the Venice LUP to be found to be in conformance with the Chapter 3 policies of the Coastal Act.

Land Use Plan Map (Appendix A, p. 2-5 to 2-10, Exhibits 9-12)

The proposed LUP Map proposes to designate each property in Venice with one of the following twelve proposed land use categories:

Residential Land Uses	Commercial Land Uses	Other Land Uses
Single Family – Low Density	Artcraft	Limited Industry
Single Family – Low Medium I	General Commercial	
Multi-Family – Low Medium I	Neighborhood Commercial	Open Space
Multi-Family – Low Medium II	Community Commercial	Public Facility
Multi-Family – Medium Density		

The designation of each property with one of the above-listed land use categories on the proposed LUP Map, in association with the applicable specific and general LUP policies, would establish the types of land uses that are permitted and prohibited on each property based on its land use designation. The land use designation on each property also determines the density limit, maximum floor area ratio (FAR), and special development standards that are applicable to the property.

In general, the land use designations identified on the proposed LUP Map closely reflect the current use and existing density of the designated property. The City's proposed LUP Map does not propose any major changes in existing land uses. The proposed land use designations would protect the unique character of each Venice neighborhood, protect and enhance public access and recreation, and protect sensitive coastal resources. Two modifications to the proposed LUP Map are necessary, however, in order for the map to conform to the Chapter 3 policies of the Coastal Act.

The first suggested modification, which is the only suggested change to a proposed land use designation, is necessary to correctly designate the Venice Sewer Pump Plant, located on the west bank of Grand Canal at Hurricane Street, with the Public Facility land use category. The City proposes to designate this single block with the Single Family Residential – Low Medium I land use category, which does not correspond to the existing and historic use of this property, nor does it correspond with the proposed land use designation of the adjacent lots in the neighborhood which is Single Family Residential – Low Medium II (Appendix A, Exhibit 9). Therefore, the proposed LUP Map shall be modified in order to designate the property where the Venice Sewer

Pump Plant is located with the Public Facility land use category. Only as modified can the proposed LUP Map be found to be consistent with the Chapter 3 policies of the Coastal Act.

The second suggested modification to the proposed LUP Map is necessary to identify the specific properties where higher residential densities would be permitted pursuant to proposed LUP Policy I.A.8.a.2 (Appendix A, p.2-27). The proposed written description of the properties subject to proposed LUP Policy I.A.8.a.2 is not adequate to clearly identify the properties that are currently shown as Medium Density Residential properties. A map or exhibit with the subject properties highlighted would remove any confusion as to which lots are being described in the text of proposed LUP Policy I.A.8.a.2. Therefore, the proposed LUP Map shall be modified in order to identify the specific Medium Density Residential designated properties where higher residential densities would be permitted pursuant to proposed LUP Policy I.A.8.a.2 (Appendix A, Exhibit 11b). Only as modified can the proposed LUP Map be found to be consistent with the Chapter 3 policies of the Coastal Act.

Land Use Plan Policy Groups (Appendix A, p. 2-1 to 6-7)

The land use designation specific to each property, as shown on the proposed LUP Map, and the associated LUP policies establish which land uses are permitted on each property. The LUP policies set forth the permitted and prohibited land uses, density limits, maximum floor area ratios (FAR), and the special development standards for each land use category. Some LUP policies are applicable only to specific land use categories, while other LUP policies are applicable to all land use categories. In addition, some LUP policies are applicable only to specific land use categories within specific geographic areas.

Sections I.D, I.E and I.F of proposed LUP Policy Group I (New Development, Visual Resources and Special Communities) contain the LUP policies that would be applicable in general to all twelve proposed land use categories in order to protect the unique character of Venice, preserve public views of coastal resources, and to protect cultural resources. Proposed LUP Policy Group II (Shoreline Access), LUP Policy Group III (Recreation and Visitor-Serving Facilities), LUP Policy Group IV (Water and Marine Resources, ESHA and Hazards), and LUP Policy Group V (Public Works) contain the proposed LUP policies that could be applicable to any property or development depending on the property's location and a development's potential impacts to coastal resources.

Sections I.A, I.B and I.C of proposed LUP Policy Group I (New Development, Visual Resources and Special Communities) contain the LUP policies that would be applicable specifically to the residential, commercial and industrial land use categories respectively. Sections I.A, I.B and I.C of proposed LUP Policy Group I area further divided, in some case, into subsections that apply to specific LUP subareas.

Policies I.E.1 through I.E.5 Preservation of Venice as a Special Community (Appendix A, p. 2-42)

Proposed LUP Policies I.E.1 through I.E.5, part of proposed LUP Policy Group I, are general land use policies that would be applicable in all land use categories in order to preserve Venice as a special coastal community.

Policy I.E.1 General (Appendix A, p. 2-42)

Proposed LUP Policy I.E.1states clearly and succinctly that Venice's unique social and architectural diversity should be protected as a special coastal community pursuant to the requirements of the Coastal Act. No modification is necessary.

Policy I.E.2 Scale (Appendix A, p. 2-42)

Proposed LUP Policy I.E.2 establishes in the Venice LUP the general development policy contained in Coastal Act Section 30251, which requires that new development shall respect the existing scale and character of the community. The proposed policy, however, lacks the specific policy language that is necessary to adequately regulate the scale of development to ensure that the existing character of the community is protected as required by the Coastal Act. Therefore, proposed LUP Policy I.E.2 shall be modified to include general policy language that addresses common development scale issues that have arisen in past Commission hearings for proposed development in Venice.

The development issues involving building scale that could have a negative impact on community character are: lot consolidations that result in massive structures built over more than one lot, and large roof access structures that add bulk to a building above the normal height limit. The height limits established by the proposed LUP are consistent with the height limits imposed by the Commission since 1980, with the exception of a proposed 5-foot additional height allowance to encourage varied and sloped roofs instead of flat roofed projects. In addition, the City proposes to reduce the height limit on walk streets to 28 feet for fire safety purposes.

As defined by the suggested modification to the LUP definition section, a roof access structure is, "an enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area." **Roof access structures** that exceed the maximum height limits can significantly add to a structure's height and bulk because they are typically 8-10 feet higher than the flat roof level (which is usually at the maximum elevation allowed under the City's height limit). Past proposals for roof access structures in Venice have been as large as 150 square feet in area, and have included bathrooms, sunrooms, and equipment storage areas. The roof access structures are routinely allowed to exceed the maximum height limit by up to ten feet. In several cases, the City has approved such large exceptions to the City's height limit under the allowances permitted by the Municipal Code.

The proposed LUP does not conform to the requirements of the Chapter 3 policies of the Coastal Act because it does not contain a policy to address the size and location of roof access structures in order to protect neighborhood and community character as required by Section 30251 of the Coastal Act. Therefore, proposed LUP Policy I.E.2 shall be modified to state that roof access structures shall be limited in size and location to reduce visual impacts.

The suggested policy to limit the size and location of roof access structures would protect the scenic and visual qualities of Venice by limiting the height of roof access structures to 10 feet above the flat roof height limit, by limiting the area within the walls of the roof access, and by requiring that roof access structures be set back from ESHA (Ballona Lagoon and Venice Canals) and adjacent public sidewalks and recreation areas. By definition, there would be no storage,

habitable or living area permitted in roof access structures. The ten-foot above the height limit provision is consistent with current and past City and Commission approvals.

It should be noted that, as proposed by the City, the LUP permits residential buildings in most LCP subareas to exceed the flat roof height limit by five feet if the structure has a varied or stepped back roofline (as defined by the LUP definition section). As modified, the LUP would allow roof access structures to exceed only the flat roof height limit by 10 feet, so as to not gain an additional 15 feet above the height limit by placing a ten foot high roof access structure on top of a varied or stepped back roofline that is already permitted to exceed the flat roof height limit by five feet.

Lot consolidations can negatively affect community character as older buildings are demolished to build new larger structures. Lot consolidations typically involve the consolidation and clearing of several small buildings on small lots, which in Venice are typically 3000-4000 square feet in area, and the construction of a massive building with a building footprint several times larger than the typical lot size. This type of development can significantly alter the character of an existing neighborhood.

Without lot consolidation, the new modern homes and other structures are limited in size and bulk by the area of the small lots that are typical of Venice neighborhoods. If lot consolidations are permitted, new modern structures could be built across two lots that formerly had two separate homes. A new structure built across two lots could contain more than twice the bulk and floor area that could be built on one typical small Venice lot. While conforming to the same height limit, a structure on a small lot is limited by the buildable area of the lot, while a structure built across two or more lots could have a much larger building footprint and a resulting bulk that is out of character with the rest of the neighborhood. This type of development involving lot consolidations is a growing trend in many small lot residential areas where the existing small homes were constructed early in the twentieth century.

The proposed LUP does not conform to the requirements Section 30251 of the Coastal Act because it does not contain a policy to protect neighborhood and community character by controlling or limiting lot consolidations in residential areas. Therefore, proposed LUP Policy I.E.2 shall be modified to state that lot consolidations shall be restricted in order to protect the scale of existing neighborhoods. Only as modified can proposed LUP Policy I.E.2 be found to be consistent with Section 30251 of the Coastal Act.

Policy I.E.3 Architecture (Appendix A, p. 2-42)

Proposed LUP Policy I.E.3 would encourage varied styles of architecture while maintaining the existing scale and massing of the neighborhood consistent with Section 30251 of the Coastal Act. The City's proposed LUP height limits include a five-foot height incentive for residential buildings that do not have flat roofs. No modification is necessary.

Policy I.E.4 Redevelopment (Appendix A, p. 2-43)

Proposed LUP Policy I.E.4 would protect the existing community character of Venice by discouraging any project that involves large-scale land acquisition and clearance. The maintenance of existing single family neighborhoods is encouraged. No modification is necessary.

Policy I.E.5 Nonconforming Structures (Appendix A, p. 2-43)

Suggested LUP Policy I.E.5 shall be added to the proposed Venice LUP in order to clearly state that nonconforming structures shall be brought into conformity with current building standards when substantial improvements or additions are proposed.

> **Policy I.E.5. Nonconforming Structures.** Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:
>
> Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

Only as modified can the proposed Venice LUP be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.E.6 Constitution (Appendix A, p. 2-43)

Suggested LUP Policy I.E.6 shall be added to the proposed Venice LUP in order to clearly state that nothing in the LUP would authorize the City to take property in a manner that is inconsistent with the constitutions of the United States of America and the State of California. Thus, the LUP recognizes that the City cannot require dedication of land in a particular instance if it would constitute an unconstitutional taking of private property.

> **Policy I.E.6. Constitution.** This LUP/LCP is not intended, and shall not be construed, as authorizing the City to exercise its power to grant or deny a permit in a manner which will constitute an unconstitutional taking of private property for public use. This policy is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

Only as modified can the proposed Venice LUP be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policies I.D.1 through I.D.4 Protection of Views (Appendix A, p. 2-41 & 2-42)

Proposed LUP Policies I.D.1 through I.D.4 contain the land use policies that are specifically applicable to the properties that are proposed to be designated with the Open Space land use category on the LUP Map. This set of LUP policies also protect the public's views of scenic coastal areas as required by Section 30251 of the Coastal Act.

The City proposes to designate Venice Beach, the Venice Canals (including all of Grand Canal), and Ballona Lagoon with the Open Space land use category on the proposed LUP Map (Appendix

A, Exhibits 9-12). The City also proposes to designate public parks and public parking lots with the Open Space land use category. Proposed LUP Policies I.D.1 and I.D.2 address the use and protection of the beach and waterways designated as Open Space. The proposed LUP policies that address the use and maintenance of the City parks and public parking areas that are designated as Open Space are contained in proposed LUP Policy Group II (Shoreline Access) and proposed LUP Policy Group III (Recreation and Visitor-Serving Facilities).

Policy I.D.1 Canals & Ballona Lagoon Waterways (Appendix A, p. 2-41)

Proposed LUP Policy I.D.1 addresses the use and protection of the Venice Canals and Ballona Lagoon, which have been designated in past Commission actions as environmentally sensitive habitat areas. Additional policies that relate to the canals and lagoon are contained in proposed LUP Policy Group III (Recreation and Visitor-Serving Facilities) and proposed LUP Policy Group IV (Water and Marine Resources, ESHA and Hazards).

Proposed LUP Policy I.D.1 would limit development adjacent to the waterways. The only uses permitted adjacent to canals and the lagoon would be single family residences, public parks, parking lots, and maintenance and repair activities to single family residences, public parks, parking areas. New construction would be required to provide adequate setbacks, landscaping, pervious areas for the percolation of storm water, and buffers in order to protect these environmentally sensitive habitat areas from the negative impacts of adjacent development.

Suggested modifications are necessary in order to ensure that the proposed policy does not exclude existing and future beneficial uses from the list of permitted uses contained in LUP Policy I.D.1. Therefore, habitat restoration and public walkways shall be added to the list of permitted uses adjacent to the waterways that is contained in LUP Policy I.D.1. In addition, in order to protect the water quality and marine resources of the canals and lagoon, the proposed policy shall be modified to require that parking areas adjacent to the waterways comply with standards for filtering storm water runoff and directing drainage away for the these environmentally sensitive habitat areas. A reference to LUP Policy IV.C.2 (Storm Water Runoff and Circulation) shall be inserted into the modified policy. Only as modified can proposed LUP Policy I.D.1 be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.D.2 Venice Beach (Appendix A, p. 2-41)

Proposed LUP Policy I.D.2 addresses the use and protection of the beach, which the City proposes to be designated as Open Space on the LUP Map (Appendix A, Exhibit 9&10). Venice Beach runs the entire length of Venice from Navy Street (City boundary with Santa Monica) on the north, to the Marina del Rey entrance jetty on the south. The beach is also identified on proposed LUP Exhibit 20 as the Shoreline Recreation Are (Appendix A, p.4-4). Venice Beach is one of the most popular visitor destinations in the state.

Proposed LUP Policy I.D.2 state that the beach shall be zoned Open Space and used for public recreation. The only permitted development would be additional recreation facilities, including bikeways, playgrounds and restrooms, and a police substation and City and County operational offices. One suggested modification is required in order to acknowledge and protect the California least tern nesting area located on the Marina Peninsula (Appendix A, Exhibit 21b). The California least tern is a state and federally listed endangered species that has historically nested on Venice

Beach and foraged in Ballona Lagoon, the Venice Canals, and the ocean. Only as modified can proposed LUP Policy I.D.2 be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.D.3 Views of Natural & Coastal Recreation Resources (Appendix A, p. 2-42)

Proposed LUP Policy I.D.3 protects visual the resources of scenic coastal areas and vista points as required by Section 30251 of the Coastal Act. The proposed policy requires that development must comply with the height limits, setbacks and standards for building massing as specified in proposed Policy Groups I.A and I.B, which contain the building standards applicable to residential and commercial development. A suggested modification is necessary to add Ocean Front Walk and the walk streets to the list of scenic coastal areas where public views must be protected. The proposed list of scenic coastal areas includes, but is not limited to: the canals, lagoon, jetty, pier, and pedestrian oriented special communities. The reference to the LIP shall be deleted because it has not been submitted for certification by the Commission and may not be consistent with the certified LUP. Only as modified can proposed LUP Policy I.D.3 be found to be consistent with Section 30251 of the Coastal Act.

Policy I.D.4 Signs (Appendix A, p. 2-42)

Proposed LUP Policy I.D.4 also protects the visual resources of scenic coastal areas, as required by Section 30251 of the Coastal Act, by limiting the heights of signs. This proposed policy requires that signs comply with height limits and development standards to ensure they do not adversely affect view sheds and view corridors

Proposed LUP Policy I.D.4 must be modified because it incorrectly implies that billboards can be permitted if they comply with the height limit. This is incorrect. Proposed LUP Policy I.B.7, which contains the development standards for properties designated for commercial uses, clearly states: No rooftop or billboard signs. Therefore, the proposed Venice LUP does not permit rooftop or billboard signs on properties designated for commercial uses. The proposed Venice LUP also does not permit rooftop or billboard signs on properties designated for residential or other land uses. The design and scale of billboard and rooftop signs is not compatible with the existing character of Venice.

Therefore, proposed LUP Policy I.D.4 shall be modified to state that rooftop and billboard signs are prohibited in all land use categories, and that business identification signs shall comply with height limits and development standards of the LUP to ensure they do not adversely affect view sheds and view corridors. The prohibition on rooftop and billboard signs is necessary to protect the scenic resources of Venice as required by Section 30251 of the Coastal Act, and LUP Policies I.A.2, I.B.7, I.D.3, I.E.1 and I.E2. Only as modified can proposed LUP Policy I.D.4 be found to be consistent with Section 30251 of the Coastal Act.

Policies I.F.1 through I.F.6 Preservation of Cultural Resources (Appendix A, p. 2-43 to 2-46)

Proposed LUP Policies I.F.1 through I.F.6, part of proposed LUP Policy Group I, are general land use policies that would be applicable in all land use categories in order to preserve the historic and cultural resources of Venice as required by Sections 30244 and 30251 of the Coastal Act. These

proposed LUP policies calls for the identification, protection and restoration of historical, architectural and cultural structures and landmarks.

Policy I.F.1 Historic and Cultural Resources (Appendix A, p. 2-43)

Proposed LUP Policy I.F.1 includes a specific list of structures, buildings, places and streets that have been identified by various entities as significant historical, architectural and cultural structures and/or landmarks. No modification is necessary.

Policy I.F.2 Reuse and Renovation of Historic Structures (Appendix A, p. 2-44)

Proposed LUP Policy I.F.2 encourages the restoration of historic structures by outlining a rehabilitation strategy. No modification is necessary.

Policy I.F.3 Venice Canals (Appendix A, p. 2-45)

Proposed LUP Policy I.F.3 requires that the historic integrity of the Venice Canals be preserved. The Venice Canals, which are listed on the National Register of Historic Places, are an example of early community planning in a coastal wetland area. No modification is necessary.

Policy I.F.4 Windward Historic Arcade (Appendix A, p. 2-45)

Proposed LUP Policy I.F.4 identifies the boundaries of the Windward Historic Arcade District, which is located near the intersection of Ocean Front Walk and Windward Avenue. The proposed policy states that guidelines shall be developed to maintain and preserve the historic arcade area, and where possible, restore or replicate the arcade. A suggested modification is necessary to clearly state that policy of the Venice LUP is that "new development shall maintain and preserve the historic arcade area, and where feasible, restore or replicate the arcade." Only as modified can proposed LUP Policy I.F.4 be found to be consistent with Section 30251 of the Coastal Act.

Policy I.F.5 Historic Street Lighting (Appendix A, p. 2-45)

Proposed LUP Policy I.F.5 addresses the issue of ornamental street lighting and its relation to the character of the community and safety to motorists and pedestrians. No modification is necessary.

Policy I.F.6 Archeological Resources (Appendix A, p. 2-46)

Proposed LUP Policy I.F.6 protects significant archaeological resources as required by Section 30244 of the Coastal Act. The proposed LUP policy would require an archaeological record search prior to anything more than minimal grading. A mitigation plan for the protection of archaeological resources is also required. One suggested modification is necessary to state that work shall be stopped if any archaeological resources are discovered during construction, and the proper authorities shall be notified immediately. Only as modified can proposed LUP Policy I.F.6 be found to be consistent with Section 30244 of the Coastal Act.

2. Residential Land Use and Development Standards

Residential

The proposed LUP policies for residential development call for the protection of stable single-family and multi-family residential neighborhoods. The specific height limits, density limits and yard requirements for each subarea of Venice are included in the actual LUP policies for the five proposed residential land use designations:

Single-Family Dwelling – Low Density
Single-Family Dwelling – Low Medium I Density
Duplex & Multi-Family Residential – Low Medium I Density
Multi-Family Residential – Low Medium II Density
Multi-Family Residential – Medium Density

Residential density generally limited to one or two units per lot except on R3 zoned lots and on large lots (4,000-5,000 square feet or larger) in medium density zones. Most, not all, lots less than 4,000-5,000 square feet have a two-unit limit. Highest density (R3 lots: 1 unit/800–1,200 square feet of lot area) are proposed by the City to be designated in the Silver Strand LUP subarea next to Marina del Rey and several areas in Southeast Venice.

The proposed LUP includes Mello Act provisions that would require the on-site replacement (1:1 ratio) of affordable housing units that are demolished or converted. Replacement housing units are defined as "any affordable housing unit to be provided as replacement for an existing unit on a project site". The proposed LUP would allow replacement units to exceed the normal density limits. The proposed LUP would allow additional density (one additional unit per lot in most cases) for units designated for low and very low income persons. Reduced parking requirements would be allowed only for low and low-moderate income units. The LUP would also allow in lieu fees in lieu of actual construction of replacement units.

Policy I.A.1 Residential Development (Appendix A, p. 2-17)

As proposed by the City, the intent of this policy is not entirely clear, and would therefore be subject to interpretations that may not conform to the requirements of Sections 30250 and 30251 of the Coastal Act that control residential development and protect community character.

The suggested modification to the first paragraph of LUP Policy I.A.1 is necessary to specify that the policy applies generally to all residential development in Venice, including new development and improvements to existing residential structures, and that the densities, building heights and bulks of residential structures are controlled by the policies and exhibits of the LUP in order to conform to the requirements of Sections 30250 and 30251 of the Coastal Act. The City's proposed reference to the LIP Specific Plan Ordinance shall be deleted because the LIP and the Specific Plan Ordinance have not been submitted for certification by the Commission and may not be consistent with the certified LUP.

Part A **(Roof Access Structures)** shall be added to LUP Policy I.A.1 as a suggested modification in order to control building heights and bulks by limiting exceptions that may be granted to the residential height limits contained in LUP Exhibits 9 through 16. As proposed, the LUP does not

clearly state what parts of structures may or may not exceed the maximum height limits. In practice, both the City and Commission have routinely allowed certain parts of buildings to exceed the maximum height limits. Chimneys, roof deck railings and roof access structures are the parts of buildings that have been allowed in the past to exceed the maximum height limits. The City intends to continue to permit roof access structures to exceed the maximum height limits.

As defined by the suggested modification to the LUP definition section, a roof access structure is, "an enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area." Roof access structures that exceed the maximum height limits can significantly add to a structure's height and bulk because they are typically 8-10 feet higher than the flat roof level (which is usually at the maximum elevation allowed under the City's height limit). Past proposals for roof access structures in Venice have been as large as 150 square feet in area, and have included bathrooms, sunrooms, and equipment storage areas. The roof access structures are routinely allowed to exceed the maximum height limit by up to ten feet. In several cases, the City has approved such large exceptions to the City's height limit under the allowances permitted by the Municipal Code.

In order to control residential development and protect community character as required by Sections 30250 and 30251 of the Coastal Act, LUP Policy I.A.1 shall be modified to clearly state that roof access structures shall be limited in size and location. LUP Exhibits 9 through 16, which designate the maximum residential height limits, shall be modified to refer to LUP Policy I.A.1 in order to clearly state the limits on roof access structures. The suggested policy to limit the size and location of roof access structures would protect the scenic and visual qualities of Venice by limiting the height of roof access structures to 10 feet above the flat roof height limit, by limiting the area within the walls of the roof access structure to 100 square feet or less and by requiring that roof access structures be set back from ESHA (Ballona Lagoon and Venice Canals) and adjacent public sidewalks and recreation areas. By definition, there would be no storage, habitable or living area permitted in roof access structures. The ten-foot above the height limit provision is consistent with current and past City and Commission approvals. The 100 square foot footprint limit is consistent with the Commission's current and past approvals and is a standard based on the amount of area that is necessary for the three different types of roof access stairways [round spiral, square spiral, and in-line stairways] that are typically proposed in Venice. A 100 square foot area provides enough space for all three designs while minimizing the amount of area (additional bulk) that could be used for other purposes other than roof access (i.e. storage, bathrooms, living area).

It should be noted that, as proposed by the City, the LUP permits residential buildings in most LCP subareas to exceed the flat roof height limit by five feet if the structure has a varied or stepped back roofline (as defined by the LUP definition section). As modified, the LUP would allow roof access structures to exceed only the flat roof height limit by 10 feet, so as to not gain an additional 15 feet above the height limit by placing a ten foot high roof access structure on top of a varied or stepped back roofline that is already permitted to exceed the flat roof height limit by five feet.

Part B **(Lot Consolidations)** shall be added to LUP Policy I.A.1 as a suggested modification in order to protect community character by limiting lot consolidations. As defined by the suggested modification to the LUP definition section, a lot consolidation occurs when: (1) one or more structures are built over a lot line dividing two lots created in a previous subdivision; or (2) a lot

line is abandoned, a lot line is adjusted, lots are merged, or other action is taken, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.

Lot consolidations can negatively affect community character as older homes are demolished to build new modern homes. Without lot consolidation, the new modern homes are limited in size and bulk by the area of the small lots that are typical of Venice neighborhoods. If lot consolidations are permitted, new modern homes can be built across two lots that formerly had two separate homes. The new home across two lots can be built with more than twice the floor area that could be built on one typical small Venice lot. While conforming to the same height limit, a home on a small lot is limited by the buildable area of the lot, while a home across two or more lots would have a much larger building footprint and a resulting bulk that is out of character with the rest of the neighborhood.

Therefore, if existing residential structures are demolished in order to combine two or more lots together to build a house that is substantially larger than the characteristic house in the neighborhood, then the formerly stable neighborhoods will be dramatically altered by a trend of recycling the typical sized home into the larger homes that seem to be gaining popularity in coastal neighborhoods.

In order to control residential development and protect community character as required by Sections 30250 and 30251 of the Coastal Act, LUP Policy I.A.1 shall be modified to prohibit lot consolidations in the following stable residential neighborhoods:

> Venice Canals, Silver Strand, Ballona Lagoon West, Southeast Venice, Milwood and Oxford Triangle

Lot consolidations up to two lots may be permitted in all other residential neighborhoods if the buildings are designed to provide visual interest to pedestrians including street level entrances, porches and frequent windows.

Policy I.A.2 Residential Development (Appendix A, p. 2-18)

The suggested modifications to proposed LUP Policy I.A.1 are consistent with the City's proposed LUP Policy I.A.2 which calls for the preservation of character and scale of existing singe family neighborhoods. The proposed height limits and land use designations, and the suggested controls on roof access structures and lots consolidations, will effectively control the character and scale of existing singe family neighborhoods as required by LUP Policy I.A.2.

A suggested modification to LUP Policy I.A.2 is necessary, however, to establish the LUP policy for when second residential units are permitted, or not permitted, on lots designated by the LUP for single family residential units. As proposed, the LUP is silent on this issue. State Government Code Section 65852.2 requires that second residential units are permitted with single family homes unless specifically prohibited by local ordinance.

The suggested modification to LUP Policy I.A.2 would allow second residential units on single family lots that have at least 4,600 square feet. Most single family lots in Venice are smaller than 4,600 square feet. Therefore, the suggested modification would effectively prohibit new second residential units on single family lots. The figure of 4,600 square feet is the City's current zoning

code threshold for permitting second residential units in the RW-1 zone. The RW-1 zone is currently applied to the lots in the Venice Canals neighborhood which is one of Venice's most stable single family neighborhood. In order to preserve the character of this unique neighborhood, both the City and the Commission have not approved new second residential units in the Venice Canals neighborhood for several decades.

As modified, the LUP policy would allow the few lots in Venice that are larger that 4,599 square feet and are designated for single family residential uses to have second residential units provided that both units on the lot conform to the height limit, parking requirements and other development standards that are applicable to the site. The proposed modification to allow second residential units under these circumstances would not have a negative effect on community scale or character.

Policies I.A.3 through I.A.8 Residential Development (Appendix A, p. 2-18 to 2-29)

Proposed LUP Policies I.A.3 through I.A.8 contain the land use policies and general development standards that are specific for each of the five following residential land use categories proposed in the Venice LUP:

Single-Family Dwelling – Low Density
Single-Family Dwelling – Low Medium I Density
Multi-Family Residential – Low Medium I Density
Multi-Family Residential – Low Medium II Density
Multi-Family Residential – Medium Density

Proposed LUP Policies I.A.3 through I.A.8 contain the permitted use, permitted density, yard and setback policy language, maximum height limits and the special land use restrictions and requirements that are applicable to each property in Venice that is designated for residential use by the proposed LUP.

Policy I.A.3 Single Family Dwelling – Low Density (Appendix A, p. 2-18)

Proposed LUP Policy I.A.3 is applicable to the single family neighborhoods proposed to be designated as "Single Family Dwelling – Low Density." This land use category is the most restrictive of all land use categories. The permitted use is one unit per lot with a density limit of one unit per 5,000 square feet of lot area. The residential neighborhoods that the City proposes to designate with this land use category are the single family neighborhoods located in the Southeast Venice and Oxford Triangle LUP subareas (Appendix A, Exhibit 11).

The proposed height limit for the "Single Family Dwelling – Low Density" land use category is proposed to be 25 feet for flat roofs and 30 feet for buildings with varied rooflines. This proposed 25 to 30-foot height limit is consistent with past City and Commission actions in the Southeast Venice and Oxford Triangle LUP subareas and will maintain the existing character and scale of the existing singe family neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2. Proposed LUP Height Exhibits 13-16 contain the maximum height limits for all the residential neighborhoods in Venice (Appendix A, p. 2-12 to 2-16).

The first suggested modification to LUP Policy I.A.3 would eliminate the reference to the LIP that has not yet been submitted to the Commission for certification. The second suggested

modification to LUP Policy I.A.3 would insert general policy language to address the provision of yards and eliminate the reference to a section of the Municipal Code that has not been submitted to the Commission for certification. Since the LIP and the Municipal Code have not been submitted to the Commission for certification as part of the LUP, any reference to the LIP or a section of the Municipal Code cannot be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act. This modified policy regarding yards shall replace all references to the yard requirement section of the Municipal Code throughout the LUP.

The third suggested modification to LUP Policy I.A.3 would replace the term "project" with the term "buildings" in the section of LUP Policy I.A.3 that addresses maximum building heights because the City uses a limited definition of "project" that would not apply to all buildings or additions to existing buildings (See Appendix B). The term "buildings" is the correct term since it is buildings, and not projects, that is the subject of the section of LUP Policy I.A.3 that addresses maximum building heights. Signs are not a permitted use in the "Single Family Dwelling – Low Density" land use category.

The fourth suggested modification to LUP Policy I.A.3 would clarify the section of LUP Policy I.A.3 that addresses maximum building heights by allowing stepped back rooflines to reach the 30-foot maximum building height in addition to varied rooflines. The additional five feet in height (30' vs. 25') would be permitted by the proposed LUP in order to encourage architectural variation beyond the flat roofed buildings that are often built to maximize floor area within the maximum height limit. The additional five feet in height allowed for both varied rooflines and stepped back rooflines is consistent with the City's intent to encourage architectural variation. Both varied rooflines and stepped back rooflines are defined in the definition section of the LUP (Appendix A, p.1-23 through 1-27).

The final suggested modification to LUP Policy I.A.3 would also clarify the section of LUP Policy I.A.3 that addresses maximum building heights by adding a reference to inform readers of the location of the LUP height limitations for all Venice residential neighborhoods that area contained in LUP Policy I.A.1 and LUP Height Exhibits 13-16 (Appendix A). The reference LUP Policy I.A.1 and LUP Height Exhibits 13-16 shall be inserted in all sections of the LUP that address residential building height limits.

Only as modified can LUP Policy I.A.3 can be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act.

Policy I.A.4 Single Family Dwelling – Low Medium I Density (Appendix A, p. 2-19 to 2-22)

Proposed LUP Policy I.A.4 is applicable to the single family neighborhoods proposed to be designated as "Single Family Dwelling – Low Medium I Density." This land use category is similar to the other single family land use designation, "Single Family Dwelling – Low Density" in that the permitted use is one unit per lot. The "Single Family Dwelling – Low Medium I Density" land use category allows a higher density of single family units at the rate of one unit per 2,300-3,000 square feet of lot area, depending on which LUP subarea the property is located. The residential neighborhoods that the City proposes to designate with this land use category are the single family neighborhoods located in the Venice Canals and Silver Strand LUP subareas, and the Ballona Lagoon West Bank properties located south of Topsail Street (Appendix A, Exhibits 9&10).

The proposed height limits applicable in the "Single Family Dwelling – Low Medium I Density" land use category vary according to LUP subarea and a site's proximity to an environmentally sensitive habitat area such as a Venice Canal of the Ballona Lagoon. Buildings near environmentally sensitive habitat areas have setback requirements and more restrictive height limits near the resource in order to limit building encroachments and to protect bird flyways. The setback requirements and building height limits for each Venice neighborhood proposed to be designated with the "Single Family Dwelling – Low Medium I Density" land use category are contained in subsections a through d of LUP Policy I.A.4.

Policy I.A.4.a - Venice Canals (Appendix A, p. 2-19)

The suggested modifications to subsection a of LUP Policy I.A.4, which is applicable to the Venice Canals LUP subarea, are necessary to clarify the proposed LUP policy that requires the provision and maintenance of a permeable yard area in the front yard setback of all lots in the Venice Canals LUP subarea. The amount of the permeable yard area varies according to the width of the lot: 450 square feet on 30-foot wide lots or 600 square feet of permeable yard area on 40-foot wide lots. Permeable decks less than 18 inches in height are permitted within the permeable yard area. The permeable yards, which the Commission has required on all new residences in the Venice Canals neighborhood since the mid-1970's, provide an area on each lot for on-site percolation of stormwater runoff in order to reduce the amount of stormwater runoff that enters the Venice Canals.

The proposed 30-foot maximum height limit for the Venice Canals neighborhood, along with the proposed second story setback (from the fronting canal) is consistent with past City and Commission actions in the area and will maintain the existing character and scale of the existing singe family neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2. The LUP Height Exhibits 13-16 contain the maximum height limits for all the residential neighborhoods in Venice (Appendix A).

Policy I.A.4.b - Silver Strand (Appendix A, p. 2-19)

The proposed LUP policy that addresses residential development in the Silver Strand LUP subarea is divided into two sections: one section for lagoon fronting lots (east bank) and one section for lots that are not located adjacent to Ballona Lagoon. Ballona Lagoon and its banks is an environmentally sensitive habitat area. The proposed building standards for lots situated next to the lagoon are more restrictive in order to protect the environmentally sensitive habitat area of Ballona Lagoon and its banks.

The proposed building standards for lots situated on the east bank of Ballona Lagoon include a requirement for the provision of a buffer between private development and the lagoon, a height limit, and building setback requirement to protect the bird flyway above the lagoon. The requirement for the provision of a lagoon buffer strip between the lagoon and private development was established in 1979 with the Commission approval of Coastal Development Permit A-266-77 which approved the streets, grading, public improvements and utilities for the development of the Silver Strand subdivision east of Ballona Lagoon. The lagoon buffer strip is 40 feet wide and comprised of City property (Esplanade) and portions of the private lots that have been dedicated to the City for habitat restoration and public access purposes as conditions of development. The

lagoon buffer strip provides a buffer between the developed area and its activities and the environmentally sensitive habitat area.

The suggested modifications to subsection b of LUP Policy I.A.4, which is applicable to the Silver Strand LUP subarea, are necessary to clarify the proposed LUP policy that requires the provision and maintenance of a lagoon buffer strip. The suggested modification clarifies that public access improvements and habitat restoration are permitted uses in the lagoon buffer, and that future dedications shall be required as a condition of development in order to complete a continuous buffer strip along the entire lagoon bank pursuant to the requirements of Coastal Development Permit A-266-77. Policy I.A.4.b shall also be modified to include in the policy a 6-foot height limit for decks, walls and railings in the building setback area located inland of the lagoon buffer strip. The 6-foot height limit is necessary to protect the pedestrian scale and character of the public access path that runs through the lagoon buffer parallel to the shoreline (Appendix A, Exhibit 19b).

The section of LUP Policy I.A.4.b that contains the height limit for buildings on lots on the east bank of Ballona Lagoon shall be modified to clarify that the proposed 30-foot height limit applies to all areas within 60 horizontal feet of the City Esplanade and within 60 horizontal feet of the water, whichever is more protective of the environmentally sensitive habitat area. The height limit shall also be modified to clearly state that no portion of a structure may exceed the 30-foot height limit. Normally, the City would allow roof access structures, chimneys, and other appurtenances to exceed the height limit. The 30-foot height limit next to Ballona Lagoon is a strict limit with no exception due to the fact that the height limit is for the purpose of protecting the bird flyway above the lagoon and its banks. The inland portion of the lagoon fronting lots, and all the Silver Strand lots that are not located adjacent to the lagoon, have a 45-foot height limit as proposed by the City. The proposed 45-foot height limit is consistent with the existing character of the Silver Strand LUP subarea.

A section shall be added to Policy I.A.4.b that prohibits the placement of fill in the lagoon. Fill may be placed in the lagoon buffer strip only for habitat restoration and public access. The prohibition and restriction on fill is necessary to protect the environmentally sensitive habitat area.

Policy I.A.4.c – Ballona Lagoon West Bank Properties Between Topsail and Via Marina (Appendix A, p. 2-21)

Proposed LUP Policy I.A.4.c addresses residential development on the properties located on the west bank of Ballona Lagoon between Topsail Street and Via Marina (Appendix A, p.2-21). These properties are located adjacent to Ballona Lagoon, an environmentally sensitive habitat area. The proposed building standards for these lots are more restrictive in order to protect the environmentally sensitive habitat area of Ballona Lagoon and its banks.

The proposed building standards for the lots situated on the west bank of Ballona Lagoon in this area include a requirement for the provision of a buffer between private development and the lagoon, a height limit, and building setback requirement to protect the bird flyway above the lagoon similar to the standards proposed for the Silver Strand lots on the east bank of the lagoon.

The existing residential buildings in this area were built after 1972 and all have been required to provide and maintain a lagoon buffer strip between the lagoon and the private development. The lagoon buffer strip on the west bank was modeled after the buffer strip on the east bank that was

established in 1979 with the Commission approval of Coastal Development Permit A-266-77. The lagoon buffer strip on the west bank varies in width due to the variance in the shoreline of the lagoon relative to property lines. The Commission's past approvals for residential development on the west bank have included offers to dedicate fifteen feet of the lagoon fronting lots for the purpose of completing the lagoon buffer strip. The lagoon buffer strip provides a buffer between the developed area and its activities and the environmentally sensitive habitat area. The permitted uses in the lagoon buffer strip, which is comprised of City property (Esplanade) and portions of the private lots that have been offered to be dedicated, are limited to habitat restoration and public access purposes.

The suggested modifications to subsection c of LUP Policy I.A.4 would require that new development on the lagoon fronting lots continue to protect the environmentally sensitive habitat area of Ballona Lagoon and its banks by offering to dedicate, as a condition of approval, the portion of the property for an easement to extend (and ultimately complete) the lagoon buffer strip on the west bank. The modification shall include the provision that uses in the lagoon buffer strip are limited to habitat restoration and public access improvements.

The section of LUP Policy I.A.4.c that contains the height limit for buildings on lots on the west bank of Ballona Lagoon shall be modified to clarify that the proposed 30-foot height limit applies to all areas within 60 horizontal feet of the City Esplanade and within 60 horizontal feet of the water, whichever is more protective of the environmentally sensitive habitat area. The height limit shall also be modified to clearly state that no portion of a structure may exceed the 30-foot height limit. Normally, the City would allow roof access structures, chimneys, and other appurtenances to exceed the height limit. The 30-foot height limit next to Ballona Lagoon is a strict limit with no exception due to the fact that the height limit is for the purpose of protecting the bird flyway above the lagoon and its banks. The inland portion of the lagoon fronting lots on the west bank is proposed to be limited to 45 feet. The proposed 45-foot height limit is not consistent with the existing character of the west bank of Ballona Lagoon where the existing buildings are 38 feet or less in height. Therefore, the maximum height limit shall be reduced to 38 feet in this area. Only as modified can LUP Policy I.A.4 can be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act.

Policy I.A.4.d – Ballona Lagoon West Bank Properties South of Ironsides to Topsail (Appendix A, p. 2-21 & 2-22)

Proposed LUP Policy I.A.4.d addresses residential development on the properties located on the west bank of Ballona Lagoon between Topsail Street and Ironsides Street (Appendix A, p.2-21). These lots, however, where purchased by the City in c.1998 in order to protect the environmentally sensitive habitat area of Ballona Lagoon and its banks. Parts of these lots are actually under the water of Ballona Lagoon, while the remainder of each lot is primarily the bank of the lagoon. The City has proposed to designate these lots as Open Space (OS) in the Venice LUP.

Therefore, LUP Policy I.A.4.d shall be modified to reflect the proposed open space land use designation of these lagoon-fronting lots and all references to residential development on these lots shall be deleted. There are currently no buildings on the lots subject to this proposed LUP policy. No residential uses would be permitted on properties designated with the Open Space (OS) land use designation. Therefore, no residential building standards are applicable in this area. The policy shall be modified to allow only habitat restoration and non-intrusive public access

amenities (such as a public access path and/or curbside parking) in a manner that protects the environmentally sensitive habitat area. Fill may be allowed only for wetland restoration and public access consistent with Section 30233 of the Coastal Act.

Policy I.A.6 Multi-Family Residential – Low Medium I Density (Appendix A, p. 2-22 & 2-23)

Proposed LUP Policy I.A.6 is applicable to the multi-family neighborhoods proposed to be designated as "Multi-Family Residential – Low Medium I Density." Properties designated with this land use category could be developed with single family residences, duplexes, and in some cases, multiple unit apartments and condominiums. The proposed density limit for this category of residential land use is one unit per 2,500 square feet of lot area. Lots with 5,000 square feet or less would be limited to two units. The residential neighborhoods that the City proposes to designate with this land use category are located in the Southeast Venice and Milwood LUP subareas (Appendix A, Exhibit 11b).

Proposed LUP Policy I.A.6 would allow additional density on lots larger than 5,000 square feet if the extra density is a replacement affordable unit for low and very low income persons. See proposed LUP Policies I.A.9 through I.A.16 for more information regarding replacement affordable units. A suggested modification to this policy is necessary to clarify the intent of the proposed density bonus for replacement affordable units, including the reference to the LUP policies that specifically address replacement affordable units and density bonuses.

The proposed height limit for the "Multi-Family Residential – Low Medium I Density" land use category is proposed to be 25 feet for flat roofs and 30 feet for buildings with varied rooflines. This proposed 25 to 30-foot height limit is consistent with past City and Commission actions in the Southeast Venice and Oxford Triangle LUP subareas and will maintain the existing character and scale of the existing singe family neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2. The LUP Height Exhibits 13-16 contain the maximum height limits for all the residential neighborhoods in Venice (Appendix A, p. 2-11 to 2-16).

A suggested modification is necessary to clarify the height limit contained in proposed LUP Policy I.A.6. The suggested modification clarifies that the additional five feet in height is permitted for both varied rooflines and stepped back rooflines is consistent with the City's intent to encourage architectural variation. Both varied rooflines and stepped back rooflines are defined in the definition section of the LUP (Appendix A, p.1-23 through 1-27). The suggested modification also adds the reference to LUP Policy I.A.1 and LUP Height Exhibits 13-16 which contain the height limits maps and additional height limit policy language. Only as modified can LUP Policy I.A.6 be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act.

Policy I.A.7 Multi-Family Residential – Low Medium II Density (Appendix A, p. 2-23 to 2-27)

Proposed LUP Policy I.A.7 is applicable to the multi-family neighborhoods that the City proposes to designate as "Multi-Family Residential – Low Medium II Density." The City proposes to designate more properties with this land use category than any other category. Properties designated with this land use category could be developed with single family residences, duplexes, and in some cases, multiple unit apartments and condominiums. The proposed density

limit for this category of residential land use varies depending on which LUP subarea the property is located, as follows:

a. Ballona Lagoon (Grand Canal) East Bank:	1 unit per 1,500 square feet (2 unit max.)
b. Ballona Lagoon & Grand Canal West Bank:	1 unit per 1,500 square feet (2 unit max.)
c. Marina Peninsula:	1 unit per 1,200 square feet (2 units max. per 4,000 square foot lot)
d. Oakwood, Milwood, Southeast & North Venice:	1 unit per 1,500-2,000 square feet (2 units max. per 4,000 square foot lot)

All lots with 4,000 square feet or less would be limited to two units in the "Multi-Family Residential – Low Medium II Density" land use category. The maximum height limits vary according to which LUP subarea the building is located.

The lagoon fronting lots along the west bank of Ballona Lagoon (north of Ironsides Street), and the canal fronting lots along both banks of Grand Canal (south of Driftwood Street) are proposed to be designated with the "Multi-Family Residential – Low Medium II Density" land use category (Appendix A, Exhibit 9). Proposed LUP Policy I.A.7 would allow only two units per lot on these waterfront lots. The primary issues addressed by the proposed policy and the suggested modifications are: public access along the water, height limits, building setback and permeable yard area requirements. The building height, setback and yard requirements are necessary to mitigate negative impacts of development on the lots adjacent to the environmentally sensitive habitat areas of Ballona Lagoon, Grand Canal, and their banks.

Policy I.A.7.a – Ballona Lagoon (Grand Canal) East Bank (Appendix A, p. 2-23 & 2-24)

Subsection a of LUP Policy I.A.7 is applicable to the lots situated on the east bank of Grand Canal between the north end of Ballona Lagoon and Driftwood Street (Appendix A, Exhibit 9). All but four or five of these lots have been developed, all with single family residences and duplexes. The Grand Canal Esplanade, a City right-of-way, provides public pedestrian access along both sides of Grand Canal, although the walkway is in need of substantial repairs on the east bank. The building setback from the Grand Canal Esplanade, which has been established by the prior Commission permits for the existing residential development, is 10 to 15 feet. The height limit established by the prior Commission permits for the existing residential development is 36 feet. [See Coastal Development Permits 5-87-657, 5-87-658, 5-87-659, 5-87-965, 5-87-966, 5-87-967, 5-87-968, 5-87-969, 5-98-193 and Permit Amendments 5-95-019-A1 through A5.]

The proposed LUP would establish a new 20-foot building setback requirement, even though the existing pattern of development would not conform to this new proposed standard. The City also proposes to increase the height limit to 38 feet, even though the existing development is held to 36 feet or lower by the prior Commission-approved coastal development permits. Approximately 20 of the 24 lots subject to proposed LUP Policy I.A.7.a are developed with residences built since 1977.

The suggested modifications for the east bank of Grand Canal would require the provision of a 450 square foot permeable front yard area, within the required 15-foot average (10-foot minimum) building setback. This is the same setback and permeable yard area requirement that the Commission has required for all development along Grand Canal north of Washington Boulevard

and the rest of the Venice Canals. The amount of the permeable yard area varies according to the width of the lot: 450 square feet on 30-foot wide lots or 600 square feet of permeable yard area on 40-foot wide lots. Permeable decks are permitted within the permeable yard area. The permeable yards, which the Commission has required on all new residences in the Venice Canals neighborhood since the mid-1970's, provide an area on each lot for on-site percolation of stormwater runoff in order to reduce the amount of stormwater runoff that enters the adjacent waterway. Only as modified can LUP Policy I.A.7.a can be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act.

The proposed 38-foot maximum height limit for the area subject to proposed LUP Policy I.A.7.a would encroach into the bird flyway that exists above Ballona Lagoon and this section of Grand Canal, and would not conform with the existing character of development. Therefore, a suggested modification is necessary that would limit building height to 30-feet within 60 horizontal feet of the Esplanade. Beyond 60 horizontal feet, buildings could extend to 38 feet as proposed by the City. This height limit is similar to the height limit imposed on development along Ballona Lagoon, as recommended by the California Department of Fish and Game, to protect the bird flyway from taller structures. Only as modified can LUP Policy I.A.7.a be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act.

Proposed LUP Policy I.A.7.a shall also be modified in order to insert policy language that protects the existing public pedestrian access opportunities on the Esplanade (City right-of-way) that runs along both banks of Grand Canal. The City is currently working on a plan that would include the improvement of these walkways, some of which are nearly 100 years old. Finally, a modification is necessary to prohibit the placement of fill in Grand Canal. The prohibition on fill is necessary to protect the environmentally sensitive habitat area.

Policy I.A.7.b – Ballona Lagoon and Grand Canal West Bank Property North of Ironsides Street (Appendix A, p. 2-24 & 2-25)

Subsection b of proposed LUP Policy I.A.7 is applicable to the lots situated on the west bank of Ballona Lagoon and Grand Canal between Ironsides Street and Driftwood Street (Appendix A, Exhibit 9). The properties subject to proposed LUP Policy I.A.7.b abut the environmentally sensitive habitat areas of Ballona Lagoon, Grand Canal and their banks. Most of these lots have already been developed with single family residences and duplexes. The Grand Canal Esplanade, a City right-of-way, provides public pedestrian access along both sides of Grand Canal.

The suggested modifications for proposed LUP Policy I.A.7.b are the same as suggested for the above subsection (LUP Policy I.A.7.a) because of the similarity in neighborhood character and sensitive resources, and the proximity to the environmentally sensitive habitat areas of Ballona Lagoon, Grand Canal and their banks. The suggested modifications would establish the requirements for the permeable yard area to protect the water quality of the lagoon and canal, the building setback, and the building height limit to protect the bird flyway from encroachments. The suggested building setback, which is consistent with the existing pattern of development, is the 15-foot average (10-foot minimum) setback that the Commission has required for all development along Grand Canal north of Washington Boulevard and the rest of the Venice Canals. The suggested 30-foot height limit within 60 horizontal feet of the Esplanade would be the same on both sides of Grand Canal south of Washington Boulevard.

Proposed LUP Policy I.A.7.b shall also be modified with the policy language that would protect the existing public pedestrian access opportunities on the Esplanade (City right-of-way) that runs along both banks of Grand Canal. A modification is necessary to prohibit the placement of fill in Grand Canal. The prohibition on fill is necessary to protect the environmentally sensitive habitat area. Only as modified can LUP Policy I.A.7.b be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act.

Policy I.A.7.c – Marina Peninsula (Appendix A, p. 2-25 & 2-26)

Subsection c of proposed LUP Policy I.A.7 is applicable to the Marina Peninsula neighborhood, the most densely populated area of Venice (Appendix A, Exhibit 9). Duplexes and multi-unit apartments and condominiums on walk streets dominate this beachfront neighborhood. Many multi-unit residential buildings were constructed on the Marina Peninsula in the 1960's and 1970's when the City permitted higher residential densities throughout Venice (prior to the Coastal Act). Since the mid-1970's, both the Commission and the City have limited residential density in this area to two units per lot.

The proposed LUP would generally maintain the existing two-unit per lot density limit. As proposed, the LUP would allow a maximum of two units on all lots smaller than 4,000 square feet. The majority of lots are less than 4,000 square feet in area on the Marina Peninsula. The proposed LUP, however, would allow higher density on lots larger than 4,000 square feet at the rate of one unit per 1,200 square feet of lot area. For example, lots with at least 4,000 square feet of area would be permitted to have three residential units, provided that adequate parking is provided. A lot with 4,800 square feet would be permitted to have four residential units.

The proposed density limit of one unit per 1,200 square feet of lot area is a higher density than what the City and Commission have permitted since the mid-1970's. It is not, however, inconsistent with the high-density character of the existing Marina Peninsula area. The proposed additional density allowed for lots larger than 4,000 square feet will not have a significant effect on coastal resources due to the fact that the majority of lots are less than 4,000 square feet in area and that adequate parking must be provided for each residential unit that is permitted. Modified LUP Policy I.A.1.b would limit lot consolidations in the Marina Peninsula LUP subarea to a maximum of two lots (Appendix A, p. 2-17)

The proposed height limit of 35 feet is consistent with the past Commission actions and the existing character of the Marina Peninsula. The City, however, proposes to reduce the maximum height limit to 28 feet for buildings on walk streets. Most of the streets on the Marina Peninsula are walk streets (Appendix A, Exhibit 19b). The alleys, especially Speedway, provide vehicular access to the residences. The City asserts that the proposed 28-foot height limit along walk streets is necessary for safety reasons. Because of their narrow width, the walk streets are not accessible by standard fire fighting vehicles and their ladders. The proposed reduction in maximum building heights along walk streets is intended to make the City's use of alternative fire fighting equipment more effective in case of emergency. The proposed 28-foot height limit along walk streets does not conflict with any policy of the Coastal Act.

The suggested modifications to proposed LUP Policy I.A.7.c are: 1) the elimination of the reference to the Municipal Code in regards to yard requirements and the insertion of a general yard policy, and 2) the addition of the reference to LUP Policy I.A.1 and LUP Exhibits 13-16 into the

height limit policy language. The suggested modifications would not result in any substantial change to the City's proposed policy for the Marina Peninsula residential area.

Policy I.A.7.d – Oakwood, Milwood, Southeast & North Venice (Appendix A, p. 2-26 & 2-27)

Subsection d of proposed LUP Policy I.A.7 is applicable to the Oakwood, Milwood, Southeast Venice and North Venice LUP subareas (Appendix A, Exhibits 10&11). These LUP subareas are characterized by a diverse mixture of single family homes, duplexes and multi-unit residential developments. The proposed LUP policy would allow a maximum of two units on all lots smaller than 4,000 square feet. The majority of lots in these LUP subareas are less than 4,000 square feet in area. As in other LUP subareas, the proposed LUP would allow higher density on lots larger than 4,000 square feet at the rate of one unit per 1,200-1,500 square feet of lot area. Bonus density could be permitted on lots larger than 4,000 square feet if the extra density is a replacement affordable unit for low and very low-income persons. See proposed LUP Policies I.A.9 through I.A.16 for more information regarding replacement affordable units. A suggested modification to this policy is necessary to clarify the intent of the proposed density bonus for replacement affordable units, including the reference to the LUP policies that specifically address replacement affordable units and density bonuses.

The residential height limit for the Oakwood, Milwood, and Southeast Venice LUP subareas is proposed to be 25 feet for flat roofs and 30 feet for buildings with varied rooflines. This proposed 25 to 30-foot height limit is consistent with past City and Commission actions in these LUP subareas and will maintain the existing character and scale of the existing singe family neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2.

A higher residential height limit is proposed for the North Venice LUP subarea. The Commission has consistently limited building height in North Venice to 30 feet in past actions. The proposed LUP would maintain the current 30-foot height limit for flat roofed buildings, but proposes to grant an additional five feet (up to 35 feet) in height for buildings with varied rooflines. The City, however, proposes to reduce the maximum allowable height for structures along walk streets from the current Commission standard of 30 feet to 28 feet for safety reasons. The additional five feet in height (35' vs. 30') would be permitted by the proposed LUP in order to encourage architectural variation beyond the flat roofed buildings that are often built to maximize floor area within the maximum height limit. The additional five feet in height allowed for both varied rooflines and stepped back rooflines is consistent with the City's intent to encourage architectural variation. Both varied rooflines and stepped back rooflines are defined in the definition section of the LUP (Appendix A, p.1-23 through 1-27).

Suggested modifications are necessary to clarify the height provisions of proposed LUP Policy I.A.7.d. The modifications would clarify that that the height limits apply to all buildings, not just projects. Some additions would not be considered to be a project by the City. References are added to inform the reader of the location of the specific LUP policy and maps that address maximum building heights. As modified, the proposed 28 to 35-foot height limit for North Venice will maintain the existing character and scale of the existing residential neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2.

Policy I.A.8 – Multi-Family Residential – Medium Density (Appendix A, p. 2-27 to 2-29)

Proposed LUP Policy I.A.8 is applicable to the multi-family neighborhoods that the City proposes to designate as "Multi-Family Residential – Medium Density." This land use designation would allow the highest residential density of the five proposed residential land categories. Properties designated with this land use category could be developed with single family residences, duplexes, and in some cases, multiple unit apartments and condominiums. The proposed density limit for this category of residential land use varies depending on which LUP subarea the Medium Density designated property is located, as follows:

a.1.	Southeast Venice:	1 unit per 1,200 square feet (2 units max. per 4,000 sq. ft. lot)
a.2.	Southeast Venice:	1 unit per 800-1,200 square feet
b.	Silver Strand:	1 unit per 800-1,200 square feet
c.	North Venice:	1 unit per 1,200 square feet (2 units max. per 4,000 sq. ft. lot)

The maximum height limits vary according to which LUP subarea the building is located.

Policy I.A.8.a – Southeast Venice (Appendix A, p. 2-27 & 2-28)

The Southeast Venice areas proposed to be designated with the "Multi-Family Residential – Medium Density" land use category area have two different density limits. Proposed LUP Policy I.A.8.a.1 is applicable to all Southeast Venice properties designated as "Multi-Family Residential – Medium Density" except for the specific lots that are identified by proposed LUP Policy I.A.8.a.2. A suggested modification to the proposed Land Use Plan Maps (Appendix A, p.2-9, Exhibit 11b) is necessary to identify exactly which lots are subject to proposed LUP Policy I.A.8.a.2. These lots are located near Lincoln Boulevard, the inland extent of the Venice coastal zone.

The proposed density limit for the lots that are identified by proposed LUP Policy I.A.8.a.2 is one unit per 800-1,200 square feet of lot area. The proposed range of permitted density between 800 and 1,200 square feet would allow the City to use discretion in determining the proper density for a specific development using specific project data including size of units, affordability, and number of proposed bedrooms. It is the City's intent to encourage high-density residential project on the lots identified by proposed LUP Policy I.A.8.a.2. The height limit is proposed to be 25 feet for buildings with flat roofs, and 35 feet for buildings with varied rooflines. A suggested modification is necessary to limit the maximum height of all buildings to 30 (with a varied roofline) in order to protect the character of the existing community from new buildings with excessive height.

The proposed density limit for to all other Southeast Venice properties designated as "Multi-Family Residential – Medium Density" (lots not identified by proposed LUP Policy I.A.8.a.2) is one unit per 1,200 square feet of lot area. Lots subject to proposed LUP Policy I.A.8.a.1 with 4,000 square feet or less would be limited to two units per lot. A density bonus could be obtained for the replacement of affordable units on lots larger than 4,000 square feet. The suggested modifications to proposed LUP Policy I.A.8.a.1 are the suggested modifications that are necessary throughout the proposed LUP to clarify the residential bonus density provisions, the yard requirement policy, and the height limit policy. As modified, proposed LUP Policy I.A.8.a will maintain the character and scale of the existing Southeast Venice residential neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2.

Policy I.A.8.b - Silver Strand (Appendix A, p. 2-28)

Proposed LUP Policy I.A.8.b is applicable to a strip of high-density condominiums and apartments that currently exist next to the unincorporated Marina del Rey area of Los Angeles County. The certified Marina del Rey LCP designates the adjacent county-controlled area for high-density residential use. The proposed density limit for the area subject to proposed LUP Policy I.A.8.b is one unit per 800-1,200 square feet of lot area. The proposed range of permitted density between 800 and 1,200 square feet would allow the City to use discretion in determining the proper density for a specific development using specific project data including size of units, affordability, and number of proposed bedrooms. The proposed density limit is consistent with the existing development on these properties. The proposed 45-foot height limit is also consistent with the existing development on these properties. Suggested modifications are necessary to this subsection to delete the reference to a zoning designation that is not defined in the proposed LUP and to add a reference to the LUP Height Exhibits 13-16.

Policy I.A.8.c – North Venice (Appendix A, p. 2-28)

Proposed LUP Policy I.A.8.c is applicable to several blocks in the North Venice LUP subarea. The proposed density limit for the area subject to proposed LUP Policy I.A.8.c is one unit per 1,200 square feet of lot area. Lots subject to proposed LUP Policy I.A.8.c with 4,000 square feet or less would be limited to two units per lot. A density bonus could be obtained for the replacement of affordable units on lots larger than 4,000 square feet. The proposed height limit of 30 feet for flat roofed buildings and 35 feet for buildings with varied rooflines is consistent with the proposed height limit for the other parts of the North Venice LUP subarea that are proposed to be designated with the lower density land use categories. A suggested modification is necessary to insert the City's proposed 28-foot height limit for North Venice walk streets that is contained in other sections of the proposed LUP. The only other suggested modifications to proposed LUP Policy I.A.8.c are the suggested modifications that are necessary throughout the proposed LUP to clarify the residential bonus density provisions and the height limit policy. As modified, proposed LUP Policy I.A.8.c will maintain the character and scale of the existing North Venice residential neighborhoods as required by Section 30251 of the Coastal Act and proposed LUP Policy I.A.2.

Policies I.A.9 through I.A.16 Affordable Housing (Appendix A, p. 2-29 to 2-31)

Proposed LUP Policies I.A.9 through I.A.16 are applicable to all development that involves the demolition or conversion of residential units occupied by low or very low-income persons. The City, in its application of the Mello Act (Section 65590 of the California Government Code), requires the replacement of residential units occupied by low or very low-income persons that are demolished or converted to market rate or other uses. As proposed by the City, the replacement of such units is mandatory at a minimum one-to-one ratio. Density bonuses may be granted in some circumstances for the replacement of such units as permitted in the LUP policies for individual LUP subareas (Appendix A, p. 2-18 to 2-31).

Policy I.A.13 Density Bonuses for Affordable Housing (Appendix A, p.2-29 to 2-31)

Government Code §65915 requires local governments to provide residential density increases to developers who agree to develop low-income and senior housing. The statute requires that local governments grant a density bonus of "at least 25 percent" to developers who agree to make a

specified percentage of new units affordable to low income or senior households. Government Code §65915(b) also requires local governments to grant at least one other incentive, in addition to the density bonus, unless the local government finds that the additional incentive is not necessary to allow for affordable housing.

Modifications are suggested, however, in order to include in the LUP policy language to address the granting of density bonuses for units other than the mandatory replacement units. The proposed LUP does not contain any such policy and is silent as to how density incentives may or may not be granted consistent with Government Code Section 65915. Government Code Section 65915 requires local governments to encourage the provision of affordable housing by granting incentives. Therefore, proposed LUP Policy 1.A.13 shall be modified in order to include in the Venice LUP the provisions under which density incentives may be granted consistent with Government Code Section 65915. The suggested modification would allow the City to grant an incentive to provide additional affordable housing, such as increased density, additional height or reduced parking, in a manner that has the least adverse impact on coastal resources when required by with Government Code Section 65915.

As proposed, the City's proposed LUP does not indicate how density increases will be applied consistent with policies of Chapter 3 of the Coastal Act. As a result, the proposed LUP does not ensure that the application of density increases and incentives will occur in a manner that conforms with the policies of Chapter 3 of the Coastal Act. For example, the proposed policy language regarding density bonus incentives could be interpreted as allowing otherwise prohibited fill of a wetlands for purposes of accommodating a 25 percent increase in residential density.

To conform with the Coastal Act, an LCP must contain provisions that harmonize the requirements of both Government Code §65915 and the Coastal Act, including §30250 of the Coastal Act. Harmonization of the two statutes is achieved by provisions that give effect to the mandatory provisions of Government Code §65915, while implementing all discretionary provisions of Government Code §65915 in a manner that also conforms with Chapter 3 policies.

The mandatory provisions of Government Code §65915(b) are: (1) the requirement that local governments grant a density increase of 25 percent to developers who agree to make specified percentages of new units affordable to low income and/or senior households, and (2) the requirement that local governments grant an incentive in addition to the density increase unless the incentive is not necessary to make the housing affordable. Government Code §65915 mandates an increase in density of 25 percent but does not require a density increase beyond 25 percent. Further, the Government Code does not specify how the 25 percent density bonus is to be accommodated. Accordingly, how the increase is accommodated and whether to provide an increase beyond 25 percent are within local government's discretion. Therefore, under the Coastal Act, local coastal programs must insure that if there are means of accommodating the 25 percent density bonus without creating inconsistencies with the policies and development standards of the certified local coastal program, those means shall be used. Coastal resources can be adversely affected only when it is impossible to accommodate the density increase without such impacts. In those situations, the density increase must be accommodated by those means that are the most protective of significant coastal resources. For example, if the density bonus can be accommodated only by either increasing building heights thereby reducing public view to the ocean, or filling wetlands, the increase must be accommodated by the height increase, since

that will be most protective of significant coastal resources. If relief from more than one standard is necessary to accommodate the 25 percent density bonus, the LCP may provide for such relief.

Government Code §65915(f) requires the increase in density granted to a developer be 25 percent over the "maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan." Many local government general plans and ordinances address residential densities by identifying both a density range that indicates the approximate density for an area, as well as a list of the development standards and other factors (e.g., setbacks, heights, yard size, proximity to circulation element roads, etc.) that will be applied to determine the maximum density that will be allowed on any particular site within the area. The Government Code requires that the 25 percent density increase be applied to the density that will be the maximum allowed under the general plan and zoning ordinances. Therefore, the base density to which the density bonus will be applied is the density that would be identified after application of both the density range for an area and the factors applicable to the developer's particular site.

Government Code §65915(b) requires local governments to provide not only a density bonus but also "at least one of the concessions or incentives identified in [§65915(h)]" unless the local government finds that the additional concession or incentive is not required to provide for affordable housing. Thus, the provisions of at least one incentive is mandatory unless the local government finds that the additional incentive is unnecessary. However, Government Code §65915 does not require local governments to provide more than once incentive in addition to the density bonus. Further, it does not indicate how a local government is to choose which incentive to provide. Therefore, whether to award more than one incentive and which incentive to award are discretionary under the Government Code.

Therefore, under the Coastal Act, LCPs may not provide for more than once incentive unless it can be demonstrated that the grant of additional incentives will not result in inconsistencies with the policies and development standards of the certified local coastal program. Similarly, in applying the one incentive, LCPs must insure that if there are incentives that will encourage development of low income or senior housing without adversely affecting coastal resources, those incentives will be used. If all possible incentives will have an adverse effect on coastal resources, the LCP must provide for use of the incentive that is the most protective of significant coastal resources.

For example, if the potential incentives are: (1) a reduction in parking standards that may impede coastal access, and (2) allowing otherwise impermissible fill of wetlands, the first incentive should be awarded, rather than the second, since the Coastal Act places greater restrictions upon the filling of wetlands. Local Coastal Programs should either rank incentives in terms of impacts on coastal resources or identify criteria or a process for determining which incentives will be used. This will insure that incentives that impose either no burden or lesser burdens will be granted instead of incentives that impose a greater burden on coastal resources.

Because the proposed Venice LUP fails to include provisions that insure that density bonus requirements will be harmonized with requirements of the Coastal Act in the above-described manner, the Commission finds that this proposed LUP does not conform with the policies of Chapter 3 of the Coastal Act. Without provisions for harmonizing the requirements of the density bonus statute and the Coastal Act, the density bonus provisions of the LUP do not conform with policies of Chapter 3 of the Coastal Act. The Commission has suggested modifications to the LUP that will conform the LUP with the Coastal Act. These suggested modifications harmonize the

requirements of the density bonus statute with the Coastal Act. The legal basis supporting these suggested modifications is set forth in the memorandum to Coastal Commissioners from Ralph Faust, Chief Counsel, Dorothy Dickey and Amy Roach, dated October 10, 1995, which is hereby incorporated by reference.

First, the suggested modifications limit the density bonus for both low income and senior housing to the mandatory 25 percent density increase. This limit is necessary to insure that only the mandatory provisions of Government Code §65915 are automatically implemented, while the discretionary provisions of Government Code 65915 are implemented only after taking into account the protection of coastal resources. The modifications indicate that if the City can demonstrate that there are areas that can accommodate density increases beyond 25 percent the City may amend their LCP in the future to allow for density increases beyond 25 percent in those areas. The suggested modifications also include a provision regarding the number of years that density bonus projects must be made affordable, consistent with Government Code §65915.

Second, the suggested modifications indicate that the base density upon which the 25 percent density increase is to be calculated is the maximum allowable density for a particular site under the certified local coastal program policies and ordinances. This modification reflects the requirement of Government Code §65915(f) that the density bonus be applied to the otherwise maximum allowable density under the applicable zoning ordinances and land use element. The Venice LUP sets forth various provisions that are applied to determine the maximum allowable density on a particular site. These provisions include the density ranges for various areas of the community, which are identified in the LUP. The City also uses the development standards set forth in its zoning ordinances. The maximum allowable density of a particular development project is determined by application of all of these provisions, not just the density range specified in the LUP. Thus, under Government Code §65915(f), the "otherwise maximum allowable residential density under the applicable zoning ordinance and the land use element of the general plan" is the maximum density determined after application of both the density range and the development standards set forth in the zoning ordinance. The suggested modifications are intended to insure that the base density to which the density increase is applied is the maximum allowable under both the land use plan and the zoning ordinances.

Third, the suggested modifications provide that development projects that benefit from the density bonus and incentive requirements are consistent with the applicable policy and development standards to the maximum extent possible. This modification insures both that relief from development standards is granted only as allowed under Government Code §65915 and that the relief granted is that which is most protective of coastal resources. The suggested modifications also require a finding that the development would have been fully consistent with policies and developments standards of the LCP if the development had been proposed without the density bonus. This modification insures that proper base density and the applicable development standards are identified. This enables an understanding of how the density increase was accommodated and how incentives were applied. This modification is consistent with the legal requirement that local governments adopt findings to explain their decisions, and is not intended to require developers to submit two separate plans for a project, one with the density bonus and one without.

Fourth, the suggested modifications provide that the 25 percent density increase will be accommodated using those means that do not adversely affect coastal resources. If the only

means of accommodating the density increase are means that will adversely affect coastal resources, then those means that are the most protective of significant coastal resources will be used to accommodate the density increase. This modification insures that the City will exercise its discretion to determine how to accommodate the 25 percent density increase in a manner that conforms with the policies of Chapter 3 of the Coastal Act.

Fifth, the suggested modifications provide that if an incentive is offered in addition to the density increase, that incentive will not have an adverse effect on coastal resources. If the City determines that there is no feasible, available incentive that will not have an adverse effect on coastal resources but an incentive is necessary to make housing affordable, the City will offer the incentive that is the most protective of significant coastal resources. This modification also indicates that more than one incentive may be granted if there are additional incentives that will not have an adverse effect on coastal resources. The determination of which incentive to grant and whether to grant more than once incentive are within the City's discretion. Thus, these modifications insure that the City will exercise its discretion in a manner that conforms with the policies of Chapter 3 of the Coastal Act. With these modifications, the proposed LUP harmonizes the requirements of the density bonus statute and complies with requirements of the Coastal Act. Accordingly, if the modifications are adopted the proposed LUP will conform with the policies of Chapter 3 of the Coastal Act.

Policies I.A.14 and I.A.16 Affordable Housing (Appendix A, p.2-31)

Proposed LUP Policy 1.A.14 shall be modified in order to limit the circumstances under which reduced parking can be permitted in order to ensure that there is a minimal negative impact to coastal access opportunities. Reduced parking for low-income units can be permitted only if it is demonstrated that there will be a reduced demand for parking and the project is consistent with modified LUP Policy I.A.13. The suggested modification to proposed LUP Policy 1.A.16 is necessary to clarify the intent of the proposed policy not to allow any exceptions to the replacement housing policies of the LUP. Only as modified can proposed LUP Policies I.A.13 and I.A.16 be found to be in conformity with the public access policies of the Coastal Act.

Policy I.A.17 Youth Hostels and Hotels (Appendix A, p.2-31)

Proposed LUP Policy I.A.17 states that hotels and youth hostels may be permitted in the Medium Density Residential and Community Commercial land use categories through the conditional use permit process. A suggested modification is necessary to clarify that a coastal development permit would be a necessary part of the City's permit process for such uses. Additionally, consistent with Section 30222 of the Coastal Act, this policy shall be modified to state that overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in all commercial land use categories. The provision of overnight visitor-serving uses in appropriate land use categories is necessary to support public access to the shoreline. The City proposes to allow hotels and youth hostels on properties designated with the Medium Density Residential and Community Commercial land use categories. The suggested modification would allow hotels and youth hostels on properties designated with the General Commercial and Neighborhood Commercial land use categories as well. Only as modified can proposed LUP Policy I.A.17 be found to be consistent with the Chapter 3 Policies of the Coastal Act.

3. Commercial Land Use and Development Standards

The proposed Venice LUP matches four proposed commercial land use designations with the existing commercial strips and nodes in Venice. The proposed commercial land uses and development standards are contained in proposed LUP Policies I.B.1 through I.B.10 (Appendix A, p. 2-32 to 2-39).

Policy I.B.1 Commercial Intensity (Appendix A, p. 2-32)

Proposed LUP Policy I.B.1 establishes the following four commercial land use designations in the Venice coastal zone:

Commercial Artcraft
General Commercial (Lincoln Blvd.)
Neighborhood Commercial
Community Commercial (OFW & Washington Blvd.)

The permitted uses for each of the four proposed commercial land use categories are set forth in proposed LUP Policies I.B.2 through I.B.10 (Appendix A, p. 2-32 to 2-39). The development standards applicable to all four proposed commercial land use categories are set forth in proposed LUP Policy I.B.7 (Appendix A, p. 2-36 to 2-38).

One suggested modification to proposed LUP Policy I.B.1 is necessary to clarify that parking is a permitted use in all commercial land use categories. Because adequate parking must be provided for all new commercial development (See LUP Policies II.A.3 & II.A.4), the LUP must clearly state that parking is a permitted use in commercially designated areas. The reference to the LIP shall be deleted because the LIP has not yet been submitted to the Commission for certification. Since the LIP and the Municipal Code have not been submitted to the Commission for certification as part of the LUP, any reference to the LIP or a section of the Municipal Code cannot be found to be in conformance with the Chapter 3 policies of the Coastal Act as required by Section 30512 of the Coastal Act. Only as modified can proposed LUP Policy I.B.1 be found to be in conformity with the Chapter 3 policies of the Coastal Act.

Policy I.B.2 Mixed-Use Development (Appendix A, p. 2-33)

Proposed LUP Policy I.B.2 would encourage mixed-use (residential with commercial) development on all commercially zoned properties in order to encourage pedestrian activity and reduce the use of automobiles. The resulting reduction in vehicular traffic would improve the public's ability to access the Venice shoreline.

As proposed, the LUP would defer to the LIP the establishment of a specific residential density limit for the type of mixed-use development that is encouraged by this proposed LUP policy. It is, however, the LUP that must establish the appropriate density limit for each land use category. Therefore, LUP Policy I.B.2 shall be modified to state that the residential density in commercial land use designations shall not exceed one unit per 800-1,200 square feet of lot area and shall also comply with the commercial Floor Area Ratio (FAR) limits set forth in proposed LUP Policy I.B.7 (Appendix A, p.2-36 to 3-38). Proposed LUP Policy I.B.7 permits commercial FAR between

0.5 and 1.5, depending on the mix of retail, office and residential uses. The greater FAR of 1.5 is allowed for mixed uses.

The residential density limit of one unit per 800-1,200 square feet of lot area is based on the City's proposed density limit for the residential properties designated in the LUP with the Multi-Family Residential Medium Density land use category. This density limit is highest residential density proposed in the Venice LUP. Such a high-density limit is appropriate for mixed-use developments in commercial areas where land use intensity is already greater than the residential areas. However, because mixed-use developments would also have to provide parking and some commercial uses, it is unlikely that such a development could reach the maximum permitted density of one unit per 800-1,200 square feet of lot area. The reference to the LIP in this policy shall be deleted because the LIP has not been submitted to the Commission for certification as part of the LUP. Only as modified can proposed LUP Policy I.B.2 be found to be in conformity with the Chapter 3 policies of the Coastal Act.

Policy I.B.3 Commercial Artcraft Land Use Designation (Appendix A, p. 2-33)

The proposed Commercial Artcraft land use designation allows mixed-use residential and commercial uses that emphasize artist-in-residence uses, small businesses, light industrial and artisan activities. The Commercial Artcraft designations are proposed to be concentrated primarily in the historically artisan areas along Abbot Kinney Boulevard and in the Windward Avenue/Ocean Front Walk area (Appendix A, p.2-6 & 2-7, Exhibit 10). The City also proposes to designate the lots along both sides of North Venice Boulevard south of Pacific, where several art museums exist, with the Commercial Artcraft land use designation.

The proposed LUP policy for the Commercial Artcraft land use category also does not include a specific residential density limit for the type of mixed-use development that the policy encourages. Therefore, LUP Policy I.B.3 shall be modified to state that the residential density in the Commercial Artcraft land use category shall not exceed the residential density limit established in LUP Policy I.B.2 for mixed-use development, which is one unit per 800-1,200 square feet of lot area (Appendix A, p. 2-33).

A suggested modification is also necessary to list uses that area prohibited uses in the proposed Commercial Artcraft land use category. Because this is a land use category that encourages mixed uses with the stated intent of reducing the use of automobiles, drive-through facilities shall be prohibited. Drive-through facilities encourage the use of automobiles and are not consistent with the pedestrian scale of development that is encouraged by the proposed Venice LUP. Another prohibited use is billboards. The prohibition on billboards in LUP Policy I.B.3 reiterates the proposed prohibition on billboards contained in proposed LUP Policy I.B.7 which is applicable to all commercial land use designations in general (Appendix A, p.2-36 to 2-38). Venice has been subject to a recent proliferation of new billboards that were erected without coastal development permits. A strong LUP policy is necessary to clarify that the visual resources and community character of Venice shall be protected from the negative impacts of billboards. Only as modified can LUP Policy I.B.3 be found to be consistent with the visual resources and community character policies of the Coastal Act.

Policy I.B.4 General Commercial Land Use (Appendix A, p. 2-33 & 2-34)

The proposed General Commercial land use category is intended to maintain the density and character of existing low-intensity commercial areas. Neighborhood-serving uses are encouraged in this designation. The General Commercial designations are typically "strip" developments along major streets and are concentrated in the Venice LUP area primarily along Lincoln Boulevard, the inland part of Washington Boulevard, with a few pockets along North Venice Boulevard and Main Street (Appendix A, p. 2-6 to 2-10, Exhibits 10-12).

A suggested modification is necessary to this policy in order to eliminate the reference to the Oxford Triangle Specific Plan, which is not part of the proposed LUP. The LUP Policy must stand on its own and not reference another document or plan that the City has not yet submitted to the Commission for certification as part of the LUP. The Oxford Triangle Specific Plan may be included as part of the LIP if the City submits it for Commission certification along with the rest of the proposed LIP. In order to apply this land use category consistently where additional restrictions are proposed along Washington Boulevard, the suggested modification that deletes the reference to the Oxford Triangle Specific Plan must also clarify that the list of prohibited uses applies to both sides of Washington Boulevard. Billboards shall be added to the list of prohibited uses along Washington Boulevard to clarify that the visual resources and community character of Venice shall be protected from the negative impacts of billboards. Only as modified can LUP Policy I.B.4 be found to be consistent with the visual resources and community character policies of the Coastal Act.

Policy I.B.5 Neighborhood Commercial Land Use (Appendix A, p. 2-34)

The Neighborhood Commercial land use category is intended to encourage and maintain existing small-scale neighborhood-serving uses. The Neighborhood Commercial land use category is the least used of the four proposed commercial land use categories of the proposed Venice LUP (Appendix A, p. 2-5 to 2-10, Exhibits 9-12). As proposed, the policy would discourage drive-through facilities on properties designated for Neighborhood Commercial land uses, but not prohibit them. In order to strengthen the small-scale and pedestrian oriented character of the neighborhood serving commercial uses, a suggested modification is necessary to prohibit drive-through facilities and billboards in the proposed Neighborhood Commercial land use categories. Only as modified can LUP Policy I.B.5 be found to be consistent with the visual resources and community character policies of the Coastal Act.

Policy I.B.6 Community Commercial Land Use (Appendix A, p. 2-34 to 2-36)

The Community Commercial land use category would accommodate community-serving commercial uses, residences and visitor-serving uses which would be a focal point for activities that are more intense and larger than the Neighborhood Commercial land use category. The Community Commercial land use category is the most intense and most common commercial land use category used in the proposed Venice LUP. The City proposes to designate properties along Ocean Front Walk in North Venice, the Washington Boulevard area near the Venice Pier, Rose Avenue, and portions of Lincoln Boulevard with the Community Commercial land use category. (Appendix A, p. 2-5 to 2-10, Exhibits 9-12).

The first suggested modification to proposed LUP Policy I.B.6 is necessary to encourage visitor-serving uses on all properties designated as Community Commercial. As proposed by the City, visitor-serving uses would be permitted only where specifically identified within the areas designated as Community Commercial land uses. Only the Community Commercial designated properties in the North Venice area are identified in the proposed LUP for visitor-serving uses. The suggested modification would insert into the policy a statement that overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses throughout the entire Community Commercial land use category. The Coastal Act states that overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in the coastal zone. The proposed Community Commercial land use category, which allows the most intense development, is an appropriate land use category for such uses. In order to conform to the Coastal Act, the LUP shall encourage hotels and youth hostels in all areas of Venice that area designated for Community Commercial land uses.

Secondly, the list of permitted uses, prohibited uses and the residential density limit shall be relocated into the main policy so that the list applies to all properties that the City proposes to designate with the Community Commercial land use category. As proposed, the list of permitted uses, prohibited uses and the residential density limit would apply only to a fraction of the Venice commercial properties proposed to be designated with the Community Commercial land use category. The list shall also be modified to prohibit drive-through facilities and billboards. Drive-through facilities and billboards are not appropriate uses in the Community Commercial land use category. The residential density limit shall be clearly stated at the maximum rate of one unit per 800-1,200 square feet of lot area, consistent with the residential limit for all mixed-use developments on properties designated for commercial use.

Policy I.B.6.a-d Community Commercial Areas of Special Interest (Appendix A, p. 2-35 & 2-36)

The City proposes to include in the Venice LUP special requirements that would be applicable to properties designated with the Community Commercial land use category and located in the following specific geographic areas within Venice:

a. Marina Peninsula
b. Oxford Triangle
c. North Venice
d. Oakwood

Policy I.B.6.a Marina Peninsula Community Commercial Areas (Appendix A, p. 2-35)

In the Marina Peninsula LUP subarea, the City's proposed special requirements would be applicable to the properties located along Washington Boulevard inland of Ocean Front Walk that are proposed to be designated with the Community Commercial land use category (Appendix A, p. 2-5, Exhibit 9). This northern end of the Marina Peninsula is a popular destination for beach goers during the day, and for diners at night. These properties are developed with commercial and residential uses, including a mix of retail, restaurants and offices. In order to encourage to provision of visitor-serving uses in this popular commercial and beach area, and to protect the existing visitor-serving uses from being converted to non visitor-serving commercial uses, a suggested modification is necessary to discourage office uses in favor of visitor-serving commercial uses. Only as modified can LUP Policy I.B.6.a be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.B.6.b Oxford Triangle Community Commercial Areas (Appendix A, p. 2-35 & 2-36)

Proposed LUP Policy I.B.6.b contains the City's proposed special requirements that would be applicable to the properties located in the Oxford Triangle LUP subarea that are proposed to be designated with the Community Commercial land use category (Appendix A, p. 2-10, Exhibit 12). The Oxford Triangle Community Commercial area, part of the commercial strip that exists along Lincoln Boulevard, has recently been developed with a new high-rise (200') condominium building and several other high-density residential projects with some commercial components. These high-density developments in the Oxford Triangle abut a single family residential neighborhood.

The stated intent of proposed LUP Policy I.B.6.b to protect this stable single family residential neighborhood from the adjacent commercially designated properties. A suggested modification is necessary to clarify the land use policy so that it can be implemented to meet the City's stated intent (Appendix A, p.2-35). Therefore, the policy shall be modified by adding the following supplemental policy language:

> Mixed-use development shall be encouraged within Oxford Triangle Community Commercial designated area to create a lively urban environment; to maximize residential development potential and take advantage of the transportation infrastructure; and to encourage innovative design integrating residential, retail, recreational and commercial uses. Incentives such as increased floor area ratios (3:1 for mixed use projects and 1.5:1 for commercial-only projects) and building heights may be granted within the Oxford Triangle Community Commercial designated area in order to encourage these goals. However, a progressive height limitation shall be imposed within the Oxford Triangle Community Commercial designated area in order to buffer the single-family residential neighborhood located in the Oxford Triangle subarea from higher buildings and more intense commercial uses.

The above-stated policy language corresponds with the City's goals for the development of the Oxford Triangle Community Commercial area with high-density mixed-use developments. Increased floor area ratios and taller buildings would be permitted within the Oxford Triangle Community Commercial designated area to encourage these goals. In order to protect the adjacent single family residential area from the taller buildings and intense commercial uses, the suggested policy includes a progressive height limit that requires smaller and less intense development near the low-density residential area. This policy is consistent with the City current specific plan for the Oxford Triangle which contains the progressive height limit that requires buildings nearest the adjacent single family residential area to be shorter in order to prevent shading of the low density residential area.

The proposed high intensity commercial and residential uses proposed for the Oxford Triangle Community Commercial area are appropriate due to the existing character of this area located on Lincoln Boulevard (Highway One) and at the terminus of 90 Freeway. The suggested modification also provides protection for the low-density character of the adjacent single family residential neighborhood. Therefore, as modified, LUP Policy I.B.6.b can be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.B.6.c North Venice Community Commercial Areas (Appendix A, p. 2-36)

In the North Venice LUP subarea, the City's proposed special requirements would be applicable to the properties that are designated as Community Commercial and located along the inland side of Ocean Front Walk, from the city boundary with Santa Monica to 17th Avenue (Appendix A, p. 2-6 & 2-7, Exhibit 10). Ocean Front Walk is the beach-fronting boardwalk that extends from Santa Monica to the Marina Peninsula. These properties, located in the heart of the Venice Beach area, are currently developed with a mix of visitor-serving commercial uses and residential uses. Many of the residential units are rented seasonally due to the popularity of this coastal area. The commercial uses cater primarily to the beach goers and people watchers that inundate the boardwalk area each weekend.

The proposed LUP policy would protect the existing character of the Venice Boardwalk commercial area by encouraging the provision and maintenance of visitor-serving commercial uses, especially restaurants and retail uses. No suggested modifications are necessary.

Policy I.B.6.d Oakwood Community Commercial Areas (Appendix A, p. 2-36)

In the Oakwood LUP subarea, the City's proposed special requirements would be applicable to the properties located along Rose Avenue, between Fourth and Seventh Avenues, that are proposed to be designated with the Community Commercial land use category (Appendix A, p. 2-8 & 2-9, Exhibit 11). The existing character of this length of Rose Avenue would be maintained by the policy which encourages small scale businesses oriented to the local community. No suggested modifications are necessary.

Policy I.B.7 Commercial Development Standards (Appendix A, p. 2-36 to 2-38)

Proposed LUP Policy I.B.7 contains the development standards that are applicable to all four proposed commercial land use categories. In lieu of a height limit for commercial buildings, the City is proposing to limit the bulk of commercial buildings by imposing a Floor Area Ratio (FAR) limit. The maximum permitted FAR would vary depending on the mix of uses. Retail only buildings would have the most restrictive FAR limit (0.5:1), while retail and/or office uses mixed with residential uses would be allowed a greater FAR (1.5:1) in order to encourage mixed-use development.

In the past, the Commission and the City have imposed the same general height limits on all developments in Venice, regardless of the proposed use. The height limits imposed by both the City and Commission in Venice have generally ranged between 25 and 35 feet, depending on which subarea the proposed building is located. The proposed LUP, as modified, would maintain the current residential height limits for most of the Venice LUP subareas.

The use of the proposed FAR to limit commercial building bulk is expected, in most cases, to limit the height and bulk of commercial and mixed-use buildings to a similar height and bulk that is characteristic of the existing commercial buildings in Venice. The height and bulk of recently constructed commercial and mixed-use structures is typically two to three stories, depending on the availability of on-site parking. In some cases, an additional story has been permitted as an incentive for providing additional parking and/or affordable residential units. Ultimately, it is

usually the availability of on-site parking that limits the amount of floor area, and thus the number of stories, that is permitted in Venice.

The commercial FAR proposed in the Venice LUP, which would range from 0.5:1 to 1.5:1 would permit a one to three story structure over subterranean parking. Therefore, the proposed FAR would permit commercial and mixed-use developments similar in height and bulk to past City and Commission approval and consistent with the existing character of Venice. As previously stated, it is the availability of on-site parking that ultimately limits the amount of permitted floor area in most commercial developments.

A suggested modification is necessary to apply a maximum FAR to restaurant uses. As modified, the maximum permitted FAR for restaurant uses would be the same as the retail FAR (0.5:1). The 0.5:1 FAR is the most restrictive, and is therefore appropriate for one of the most intensive commercial uses in Venice: restaurants. A second suggested modification is necessary to reference the parking requirements for all commercial and other uses that are contained in proposed LUP Policies II.A.3 and II.A.4. This modification is necessary due to the importance of the parking standards as building standards. Without the modification, there is no mention of the parking requirements in the proposed LUP policy that portends to list the development standards for commercial uses.

Proposed LUP Policy I.B.7 would allow lot consolidation, under certain circumstances, for all lots that the City proposes to designate for commercial land uses. Mitigation measures are required by the proposed LUP policy in order to ensure that development that includes the consolidation of commercial lots conforms to the existing scale and character of the surrounding community, including a three-lot limit on commercial lot consolidation (except for mixed-use projects) and a requirement for ten-foot breaks between all buildings to prevent the construction of excessively large and bulky buildings across several lots. A suggested modification is required in order to delete the reference to the LIP, which has not been submitted for Commission certification at this time, and to instead insert direct policy language that requires that lot consolidations of more than two lots conform to the existing scale and character of the surrounding community and provide adequate on-site parking.

The policy language in proposed LUP Policy I.B.7 that requires the provision of yards on commercial properties shall be modified to delete the reference to the Municipal Code, which is not part of the City's LUP submittal to the Commission, and to instead insert general policy language that requires commercial development to be designed in scale with, and oriented to, the adjacent public accessways (i.e. sidewalks). This modification is necessary to protect the existing scale of development in Venice from excessively large buildings and buildings that do not conform to the character of the existing community. Policy I.B.7, as proposed, does include specific development standards proposed by the City to ensure that all commercial development be designed in scale with, and oriented to, the adjacent public accessways. These standards include landscaping requirements and specific street wall design requirements.

Proposed LUP Policy I.B.7 also includes policy language that addresses lighting, signage trash enclosures and vehicular access. Rooftop and billboard signs are prohibited by the proposed LUP policy. Regarding vehicular access, the LUP would require that vehicular access to commercial developments be provided from alleys, when possible. The requirement for access from the alley is necessary to protect the limited number of existing on-street parking spaces from being

eliminated by new curb cuts. In order to protect on-street public parking opportunities, and to protect public pedestrian access along Ocean Front Walk, the proposed LUP policy shall be supplemented with suggested modifications that discourage curb cuts and prohibit vehicular access from Ocean Front Walk. The provision regarding lighting, which requires that lighting be directed away from residential properties, shall be modified to also require that lighting be directed away from sensitive environmental habitat areas. Only as modified can LUP Policy I.B.7 be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policies I.B.8 through I.B.12 Other Commercial Land Use Policies (Appendix A, p. 2-38 & 2-39)

Proposed LUP Policies I.B.8 through I.B.10, and suggested LUP Policies I.B.11 and I.B.12, address common land use issues that have arisen in Venice and must be addressed by the Venice LUP. These issues include: weekend arts and crafts fairs, artcraft overlay zones, open-air sales along Ocean Front Walk, intensification of commercial uses, and parking structures.

Policy I.B.8 Weekend Arts and Crafts Fair (Appendix A, p. 2-38 & 2-39)

Proposed LUP Policy I.B.8 suggests that the City investigate the possibility of establishing a weekend arts and crafts fair on City property. The proposed policy does not state whether a such an activity is, or is not, a permitted use. In reality, arts and crafts fairs are already permitted in Venice, including ones on City property.

In order to clarify and strengthen the proposed LUP policy, it shall be modified to state that arts and crafts fairs may be permitted on City property, but only if compatible with neighboring uses, public recreation, and public beach access. Only as modified can LUP Policy I.B.8 be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.B.9 Artcraft Overlay District Uses (Appendix A, p. 2-39)

Proposed LUP Policy I.B.9 requires that the City evaluate whether uses permitted by an artcraft overlay district (which the City uses in other parts of the City) are appropriate in Venice. The proposed policy also requires that residentially zoned areas be protected from any potentially detrimental uses. In order to clarify and strengthen the proposed LUP policy, it shall be modified to state that residents, not residentially zoned areas, shall be protected from any potentially detrimental uses. This suggested modification is consistent with proposed LUP Policy I.C.6 which prohibits the location of hazardous industrial uses next to residential uses. This suggested modification is necessary due to the numerous existing residences that exist, and would be encouraged by the proposed LUP, in commercial land use designations. These potentially detrimental uses shall be eliminated or restricted in the Venice coastal zone. Only as modified can LUP Policy I.B.9 be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.B.10 Open Air Sales Ocean Front Walk (Appendix A, p. 2-39)

Proposed LUP Policy I.B.10 addresses the issue of open-air sales that are permitted and have historically taken place on the vacant private properties located on the inland side of the boardwalk (Ocean Front Walk). Such activities are commercial uses that must be regulated in order to protect public access and public recreation. The City has regulated these activities through the conditional use permit process, as the proposed policy states. A suggested

modification is necessary to state that the coastal development permit process shall also be used to regulate such commercial activities. Open-air sales do constitute development that must obtain a coastal development permit pursuant to the requirements of the Coastal Act.

A second and related activity that is addressed by proposed LUP Policy I.B.10 are the vending and constitutionally protected free speech activities that take place on the public property on and adjacent to the boardwalk. These activities often include speeches, rapping, performances, passing of leaflets, picket lines and begging. Related activities have, in the past, included, unregulated hair braiding and massages, art sales, and sales of various other merchandise on the public property. The City proposes to administer the activities that occur on public property through the Department of Recreation and Parks, which has jurisdiction on the boardwalk. The Police Department is also responsible for law enforcement.

In order to clarify and strengthen the proposed LUP policy, it shall be modified to state that free speech activities, and not open air vending, are permitted on the seaward side of the boardwalk. The Department of Recreation and Parks would regulate these activities to ensue that public access and recreational opportunities are protected. Only as modified can LUP Policy I.B.10 be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy I.B.11 Intensification of Commercial Uses (Appendix A, p. 2-39)

Suggested LUP Policy I.B.11 shall be added to the proposed Venice LUP in order to ensure that public access opportunities to the shoreline are protected through the regulation of the intensification of commercial uses that are often proposed in the older commercial building of Venice.

Intensification of commercial uses, including expansion of existing commercial activities and conversions of retail spaces or bakeries to sit-down restaurants, have the potential to negatively impact coastal access by increasing the demand for the limited number of public parking spaces in the coastal area. In order to ensure that public access opportunities to the shoreline are protected, this LUP policy states that the intensification of a commercial use shall be required to provide adequate parking to meet the parking demands consistent with proposed LUP parking Policies II.A.3 and II.A.4.

> **Policy I. B. 11. Intensification of Commercial Uses.** Intensification of existing commercial uses, including, but not limited to additions to commercial structures, expansion of indoor or outdoor dining areas, and conversions of retail uses to sit-down restaurants, shall be required to provide adequate parking to meet the demands of the intensification consistent with LUP Policies II.A.3 and II.A.4.

Only as modified can the proposed Venice LUP be found to be consistent with the public access policies of the Coastal Act.

Policy I.B.12 Parking Structures (Appendix A, p. 2-39)

Suggested LUP Policy I.B.12 shall be added to the proposed Venice LUP in order to clearly state that multi-level parking structures may be permitted on properties designated for commercial uses provided that the use, design, scale and height of the structure is compatible with adjacent uses

and the neighboring community. The provision of additional parking in Venice is one of the methods identified in the LUP to improve public access. Therefore, the provision of additional parking shall be allowed in the appropriate land use categories in order to protect and maintain the public's ability to access the coast.

Since the existing and future commercial land uses will continue to generate a substantial demand for parking, there must be provisions in the LUP to accommodate the parking that is necessary to these uses as well as public access to the coast. The character of the community must also be taken into account and protected from the potential negative impacts of parking structures. Therefore, parking shall be an allowable use on properties designated for commercial uses, and parking structures shall also be permitted in a manner that is protective of the character and scale of adjacent uses and the neighboring community.

The following LUP policy shall be added to the Venice LUP:

> **Policy I. B. 12. Parking Structures.** Multi-level parking structures may be permitted in all commercially designated areas provided that the use, design, scale and height of the structure is compatible with adjacent uses and the neighboring community.

Only as modified can the proposed Venice LUP be found to be consistent with the public access and community character policies of the Coastal Act.

4. Industrial and Right-of-Way Land Use and Development Standards

The proposed Venice LUP includes one land use designation for industrial uses: Limited Industry. The proposed LUP includes approximately 53 acres of properties proposed to be designated for industrial land use. The two largest areas of Venice properties that are proposed to be designated for industrial land uses are the two existing industrial areas located along Hampton Drive in North Venice and Oakwood, and near the intersection of North and South Venice Boulevards and Abbot Kinney Boulevard (Appendix A, Exhibits 10&11). A small strip of industrially designated properties is also located on Market Street, between Speedway Alley and Pacific Avenue (Appendix A, Exhibit 10b).

The proposed policies that would be applicable to industrial land uses are contained in proposed LUP Policies I.C.1 through I.C.7 (Appendix A, p. 2-39 & 2-40). The LUP policies (Policies I.C.8 and I.C.9) that would be applicable to railroad rights-of-way and other rights-of-way are included within the industrial land use section of the proposed LUP (Appendix A, p.2-40 & 2-41).

Policy I.C.1 Industrial Land Use (Appendix A, p. 2-39 & 2-40)

Proposed LUP Policy I.C.1 is the policy that defines the proposed Limited Industry land use category. The policy states that commercial uses will be restricted in this land use designation in order to preserve space for industrial uses and to ensure the development with high quality industrial uses. The proposed policy must be modified, however, to delete the reference to MR zones, which are not defined anywhere in the proposed LUP. The City's zoning designations, which will be used to implement the land use categories and maps that are approved pursuant to the certified Venice LUP, will be part of the LIP which the City has not yet submitted for Commission certification. Therefore, all references to City zoning designations must be deleted from the proposed LUP.

Proposed LUP Policy I.C.1 shall also be modified to include the actual title of the proposed industrial land use category, Limited Industry, as it is titled on the proposed land use maps (Appendix A, p. 2-5 to 2-10. Exhibits 9-12).

A third suggested modification is required in order to clarify the City's intent to permit artist studios with residences in the proposed Limited Industry land use category. The proposed Limited Industry land use category is an appropriate land use category for artist studios because many arts potentially involve the use of toxic substances or involve excessive noise that is not appropriate in areas designated for residential or commercial land uses.

Proposed LUP Policy I.C.1 shall also be modified to require that new or expanded industrial uses provide adequate off-street parking to meet the parking demands of the use consistent with proposed LUP parking Policies of II.A.3 and II.A.4. This modification is necessary to protect the public's ability to access the coast. In order to protect the character of the community, the policy shall be modified to require that the design, scale and height of structures in the land use category be compatible with adjacent uses and the neighboring community. Only as modified can LUP Policy I.C.1 be found to be consistent with the public access and community character policies of the Coastal Act.

Policies I.C.2 & I.C.3 Coastal Industry (Appendix A, p. 2-40)

Proposed LUP Policies I.C.2 and I.C3 encourage marine-related and coastal-dependent industries in the Venice coastal zone consistent with Sections 30255 and 30260 of the Coastal Act. No modification is required.

Policy I.C.4 Accessory Retail Use (Appendix A, p. 2-40)

Proposed LUP Policy I.C.4 would permit and encourage the on-site sales of goods produced in areas designated for industrial and commercial artcraft land uses. Such sales would be restricted, consistent with proposed LUP Policy I.C.1, to goods that area produced on the site. In order to protect public access to the coast, this policy shall be modified to include the requirement that adequate off-street parking be provided to meet the parking demands of all uses on the site (including the accessory use) consistent with proposed LUP parking Policies of II.A.3 and II.A.4. Only as modified can LUP Policy I.C.4 be found to be consistent with the public access policies of the Coastal Act.

Policy I.C.5 Oil Wells (Appendix A, p. 2-40)

Proposed LUP Policy I.C.5 requires the removal of idle, non-operational oil wells from the Marina Peninsula and the beach area adjacent to the former Venice Pavilion. Policy I.C.5 shall be modified to require the safe removal of <u>all</u> idle, non-operational oil wells.

Policy I.C.6 Hazardous Uses (Appendix A, p. 2-40)

Proposed LUP Policy I.C.6 prohibits the location of hazardous industrial uses next to residential uses. No modification is required.

Policy I.C.7 Bus Yard Redevelopment (Appendix A, p. 2-40)

Proposed LUP Policy I.C.7 lists the priority uses for the property that us currently used for bus maintenance by the Metropolitan Transit Authority (MTA), should the land become available. Although the bus yard is proposed to be designated with the Limited Industry land use category on the land use map, the City includes affordable housing (with some commercial uses) and a public parking structure as the priority uses. The MTA has recently invested a substantial amount of capital in improvements to the facility and is unlikely to sell or lease the property for other uses. In any case, this proposed LUP policy would allow additional uses on this property in the future that may be more appropriate than the limited uses permitted in the Limited Industry land use category. No modification is required.

Policy I.C.8 Railroad Rights-of-Way (Appendix A, p. 2-40)

Proposed LUP Policy I.C.8 addresses the use and development of railroad rights-of-way in Venice. The proposed policy states that the railroad rights-of-way should be developed with transportation, residential, parking and/or open space land uses. Commercial and industrial uses are not included on the list of uses allowed on railroad rights-of-way. Most of the abandoned railroad rights-of-way in Venice have been developed with residential uses approved through the coastal development permit process.

A suggested modification is required to replace the word "should" with "shall" in order to clarify that this LUP Policy includes a list of permitted uses, not just suggestions as to how the remaining railroad rights-of-way should be developed. Another modification is necessary to replace "existing" with "abandoned" in reference to the railroad rights-of-way that are the subject of this LUP policy. It is the abandoned railroad rights-of-way that would be developed and subject to this LUP policy.

Policy I.C.9 Public Rights-of-Way (Appendix A, p. 2-41)

Suggested LUP Policy I.C.9 shall be added to the proposed Venice LUP in order to address the issues involved with the use of public rights-of-way. Permitted uses in rights-of-way shall be limited to transportation, which most public rights-of-way are used, and any other use that does not interfere with coastal access, transportation and visual quality. In order to protect the public's ability to access the shoreline, this LUP policy would prohibit vacations of public rights-of-way located between the first public road and the sea, Ballona Lagoon, or any canal, except for public purposes found to be consistent with all applicable laws.

> **Policy I. C. 9. Public Rights of Way.** Public rights-of-way in the Venice Coastal Zone shall be reserved for public transportation uses including use by private vehicles, pedestrians and bicyclists. Uses that do not interfere with coastal access, transportation and visual quality may be permitted, subject to a discretionary review by means of a coastal development permit. Vacations of public rights-of-way shall not be permitted in the area between the first public road and the sea, Ballona Lagoon or any canal except for public purposes consistent with all applicable local, state and federal laws.

Only as modified can the proposed Venice LUP be found to be consistent with the public access policies of the Coastal Act.

B. Recreation and Public Access

This section of the staff report analyzes the proposed LUP policies that are contained proposed LUP Policy Group III (Recreation and Visitor-Serving Facilities) and proposed LUP Policy Group II (Shoreline Access). The issues and policies that relate to public access and recreation are very closely related, and in many cases, overlapping, especially in Venice. Proposed LUP Policy Groups II and II address the following Coastal Act policies, which are included as part of the proposed Venice LUP:

Section 30210 of the Coastal Act:

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

Section 30211 of the Coastal Act:

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

Section 30212 of the Coastal Act:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated access way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.
Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by section 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30212.5 of the Coastal Act:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.

Section 30213 of the Coastal Act:

Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Development providing public recreational opportunities are preferred. Neither the commission nor any regional commission shall either: (1) require

that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low- or moderate-income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30214 of the Coastal Act:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstance in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize costs and encourage the use of volunteer programs.

Section 30220 of the Coastal Act:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 of the Coastal Act:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreational shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223 of the Coastal Act:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30224 of the Coastal Act:

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30250.c of the Coastal Act:

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30252 of the Coastal Act:

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 non automobile 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 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 on-site recreational facilities to serve the new development.

1. Recreational Opportunities

The existing recreation and visitor-serving facilities in Venice include: 2.9 miles of sandy beach, the Venice Pier, the beach bike path, the Grand Canal public boat launch, public parks, numerous pedestrian accessways, the restaurants and shops along the boardwalk (Ocean Front Walk), and the water areas of the Pacific Ocean, Ballona Lagoon and the Venice Canals including Grand Canal (Appendix A, Exhibits 20&21). Residents and visitors alike can be seen taking advantage of the many recreational opportunities in Venice, including: swimming, surfing, boating, biking, skating, walking, jogging, fishing, bird watching, sunbathing, picnicking, shopping, dining and sightseeing in general. The Venice Athletic Center, located seaward of Ocean Front Walk near Windward Plaza, provides additional recreational opportunities including: weightlifting, graffiti arts, a children's playground, and public courts for basketball, volleyball, handball and paddle tennis (Appendix A, Exhibit 21a).

Venice Beach is an international tourist attraction and one of the most visited destinations in Southern California. The proposed LUP states that the estimated summertime attendance *averages* 100,000 visitors on Saturdays and 150,000 on Sundays (County of Los Angeles, Dept. of Beaches & Harbors). The estimated annual attendance was 5.5 million visitors in 1993. The boardwalk (Ocean Front Walk), which is lined with vendors, performers, restaurants and shops, is the main attraction and the center of activity for most visitors to Venice. Many hotels, motels and youth hostels are located within walking distance of the boardwalk and beach.

Ocean Front Walk, Venice Pier, Windward Circle Plaza, and the adjacent landscaped public park area are administered and maintained by the City of Los Angeles Department of Recreation and Parks. The sandy beach and public beach parking lots are administered and maintained by the County of Los Angeles Department of Beaches and Harbors, even though the beach parking lots and the sandy beach are owned by the City. The County of Los Angeles Department of Beaches and Harbors also provides the lifeguards for Venice Beach. Public restrooms, including several new facilities, are provided at regular intervals near the beach parking lots and along the beach (Appendix A, Exhibit 21).

Recently, the City has invested several million dollars in the improvement of the recreation facilities at Venice Beach. In 1997, the Venice Pier was reopened after being closed for several years and finally renovated using funds from Proposition A (See Coastal Commission Coastal Development Permit 5-95-293). This year, the City has completed the refurbishment of Ocean Front Walk and the improvement of the recreational facilities located adjacent to the boardwalk, including the landscaped public park at Windward Plaza and the Venice Athletic Center (See Coastal Commission Coastal Development Permits 5-96-176 & 5-99-427). Future plans include the construction of an additional paved beach path to separate bicyclists and skaters from pedestrians, the demolition and removal of the Damson Oil Facility from the beach, and the improvement of the public beach parking lot located next to Venice Pier.

Policy Group III Recreation and Visitor-Serving Facilities (Appendix A, p. 4-8 to 4-13)

Proposed LUP Policy Group III (Recreation and Visitor-Serving Facilities) contains the LUP policies that protect the recreational opportunities in Venice. Proposed LUP Policy Group II (Shoreline Access), is discussed in the following sections of the staff report, contains the LUP policies that address public access to the recreational opportunities in Venice. Proposed LUP Exhibits 20 and

21, and proposed LUP Policy Groups III.A, III.B, III.C and III.D include specific provisions, as discussed below, to protect and enhance the public recreational opportunities in Venice.

LUP Exhibits 20 and 21 Recreation and Visitor-Serving Facilities (Appendix A, p.4-4 to 4-7)

Proposed LUP Exhibits 20 and 21 identify the recreational opportunities in Venice. Proposed LUP Policy II.A.1 states that the recreation areas shown on LUP Exhibits 20 and 21 shall be protected, maintained and enhanced for residents and visitors, as required by Section 30213 of the Coastal Act. The recreational facilities and opportunities shown on proposed LUP Exhibits 20 and 21 are all no cost or low cost recreational facilities.

Proposed LUP Exhibit 20 designates the entire area seaward of Ocean Front Walk as the Shoreline Recreation Area. Proposed LUP Exhibit 21 shows the existing recreational facilities in this Shoreline Recreation Area. The public park facilities, coastal waterways, and the existing public walkways along the Venice Canals and Ballona Lagoon are also highlighted on proposed LUP Exhibit 20. Proposed LUP Exhibit 20, however, contains errors and omissions that must be corrected in order for the proposed LUP to be found to be consistent with the public access and recreation policies of the Coastal Act.

Therefore, proposed LUP Exhibit 20 shall be modified to correctly identify the following recreation facilities in the correct locations on the exhibit:

> Linnie Canal Park: Linnie Canal Park is located on northeast corner of Linnie Canal and Dell Avenue.
>
> Grand Canal East Bank Walkway: Segment between 28th Avenue and Washington Boulevard.
>
> Grand Canal Public Boat Launch and Canal Walkways: Grand Canal segment between North and South Venice Boulevard.
>
> Ballona Lagoon Public Sidewalk: Sidewalk along Via Dolce on the east bank of the lagoon turning basin near the intersection of Via Dolce and Marquesa Way.

Only as modified can proposed LUP Exhibit 20 be found to be consistent with the public access and recreation policies of the Coastal Act.

Proposed LUP Exhibit 21 shows the existing recreational facilities that currently exist in the Shoreline Recreation Area. As shown on proposed LUP Exhibits 20 and 21, the Shoreline Recreation Area is comprised of the sandy beach, public beach parking lots, Venice Athletic Center, and all landscaped public park areas located seaward of the boardwalk (Ocean Front Walk). The proposed LUP Map designates the Shoreline Recreation Area with the Open Space land use category (Appendix A, Exhibit 9). Proposed LUP Policy I.D.2, which contains the land use policy for Venice Beach, states that the beach shall be zoned Open Space and used for public recreation. The only permitted development on the beach would be additional recreation facilities, including bikeways, playgrounds and restrooms, and a police substation and City and County operational offices.

The existing public recreational facilities, public beach parking lots and public restrooms are identified on proposed LUP Exhibit 21. Proposed LUP Exhibit 21, however, contains errors and is outdated due to several major improvements that the City has recently completed in the Shoreline Recreation Area. Proposed Exhibit 21 must be corrected in order for the proposed LUP to be found to be consistent with the public access and recreation policies of the Coastal Act.

Therefore, proposed LUP Exhibit 21 shall be modified in order to correct and update the map of the Shoreline Recreation Area as follows:

Item #3 – Washington ~~Street~~ **Boulevard** Parking Lot.

Item #4 – ~~Venice Pavilion~~ **Windward Plaza Recreation Area**: Venice Pavilion was demolished in 2000 and the area has been improved as a public park.

Item #8 – Oil Drilling Area: The Damson Oil facility currently located on this site is proposed to be demolished. The site shall be identified as a future recreation area.

New Public Restrooms and Picnic Areas: Update exhibit to correctly identify current locations of all public restrooms and picnic areas.

Only as modified can proposed LUP Exhibit 21 be found to be consistent with the public access and recreation policies of the Coastal Act.

Policy III.A.1. General (Appendix A, p. 4-8)

Proposed LUP Policy III.A.1 states that new recreational opportunities should be provided, and requires that the existing recreational areas and facilities identified on proposed LUP Exhibits 20 and 21 be protected, maintained and enhanced for both residents and visitors. Proposed LUP Policy III.A.1 also contains the following provisions to meet the requirements of Sections 30212.5, 30213, 30220 and 30221 of the Coastal Act:

a. Recreation and visitor-serving facilities shall be encouraged, provided they retain the existing character and housing opportunities of the area, and provided there is sufficient infrastructure capacity to service such facilities.

b. Acquisition, expansion and improvement of parks and facilities throughout the Venice Coastal Zone shall be encouraged and accelerated, subject to the availability of funds.

c. Where feasible and compatible with the surrounding neighborhood, recreational uses shall be located in conjunction with other new public facilities, such as public parking lots.

d. Recreation facilities shall be refurbished and constructed to maximize recreational opportunities.

Two suggested modifications are necessary in order for proposed LUP Policy III.A.1 to conform to the public access and recreation policies of the Coastal Act. The first suggested modification is

necessary to protect the recreational facilities identified on proposed LUP Exhibit 19. Proposed LUP Exhibit 19 identifies the existing bikeways, future bikeways, and coastal accessways including the numerous Venice walk streets (Appendix A, p. 3-9 & 3-10). The bikeways and coastal accessways identified on proposed LUP Exhibit 19 shall be protected by the provisions of proposed LUP Policy III.A.1. Therefore, proposed LUP Policy III.A.1 shall be modified to reference LUP Exhibits 19, 20 and 20 for the identification of the recreation facilities that must be protected, maintained and enhanced for both residents and visitors as required by the public access and recreation policies of the Coastal Act.

The second suggested modification to proposed LUP Policy III.A.1 would insert the following provision into the policy in order to protect public access and recreational opportunities on the sandy beach:

> e. Beach Hours: Public access and recreational opportunities on the sandy beach shall be protected and encouraged. Any limitations to public access, including changes to the hours of operation, shall be subject to a coastal development permit.

The suggested modification is necessary to ensure that public use of the sandy beach is protected as required by the Coastal Act, and to require that any proposed change to the hours of beach access shall be subject to coastal development permit process which involves a public hearing. In the past, coastal residents have requested that coastal areas be closed to the public at night, and even in the evenings and early mornings, because they perceive visitors and their activities as nuisances. Local jurisdictions in Los Angles County have responded, in some cases, by restricting public access and use of the beach during non-daylight hours. The coastal development permit process would provide the proper forum for such proposals to be analyzed for consistency with the public access and recreation policies of the Coastal Act. Only as modified can proposed LUP Policy III.A.1 be found to be consistent with the public access and recreation policies of the Coastal Act.

Policy II.D.1 Temporary Events (Appendix A, p. 3-35)

Suggested LUP Policy II.D.1 shall be added to the proposed Venice LUP in order to address the negative impacts to public access and recreation that could occur when beach areas and/or parking lots are used exclusively for events or activities that exclude the public. The suggested policy would strengthen the City's ability regulate such activities in order to protect public access and recreational opportunities as required by the Chapter 3 policies of the Coastal Act. In order for the proposed LUP to be found in conformance with the Chapter 3 policies of the Coastal Act, the following LUP policy shall be added to the LUP:

> **Policy II. D. 1. Temporary Events.** Activities or events that involve the reservation or exclusive use of any public beach parking area or sandy beach area shall be regulated in order to protect public access to the shoreline and public access to parking supplies that support recreational opportunities. Public access and recreation shall have priority over other uses on the beach and in the public beach parking areas.

Policy Group III.B North Venice (Appendix A, p. 4-9 to 4-11)

Proposed LUP Policy Group III.B contains the City's proposed policies for the recreation and visitor-serving facilities in the North Venice LUP subarea. The recreation facilities located in the North Venice LUP subarea, other than walk streets and public parks located in inland areas, are situated within the portion of the Shoreline Recreation Area located north of the Marina Peninsula (Appendix A, p. 4-4 to 4-7, Exhibits 19-21). The use of Venice Pier, which the proposed LUP considers to be part of North Venice, is addressed by proposed LUP Policy III.B.2.

Policy III.B.1 1990 Waterfront Restoration Plan & 1995 Venice Beach Ocean Front Walk Refurbishment Plan (Appendix A, p. 4-9 to 4-11)

Proposed LUP Policy III.B.1 states that the City shall support the public access and recreation improvements proposed by the 1990 Waterfront Restoration Plan, which was developed by the Coastal Conservancy, and the 1995 Venice Beach Ocean Front Walk Refurbishment Plan. Both of these plans have been reviewed by the Coastal Commission and have been partially implemented by the City pursuant to Commission-approved Coastal Development Permits 5-96-176 and 5-99-427.

The continuing implementation of the 1990 Waterfront Restoration Plan and the 1995 Venice Beach Ocean Front Walk Refurbishment Plan by the City would improve public access and recreation opportunities in North Venice. The construction of an additional paved beach path to separate bicyclists and skaters from pedestrians, the demolition and removal of the Damson Oil Facility from the beach, and the improvement of the public beach parking lot located next to Venice Pier, are three of the plans' recommended public improvement projects that have not yet been implemented by the City.

The only suggested modifications to proposed LUP Policy III.B.1 are the updates to the policy that area necessary to correctly reference the Commission actions that have approved some of the plans' components, like recently completed refurbishment of Ocean Front Walk (Coastal Development Permit 5-96-176 and amendment) and the demolition of the Venice Pavilion and restoration of the site to a public recreation area (Coastal Development Permit 5-99-427). As modified, proposed LUP Policy III.B.1 can be found to be consistent with the public access and recreation policies of the Coastal Act.

Policy III.B.2 Venice Pier (Appendix A, p. 4-11)

Proposed LUP Policy III.B.2 states that the pier has been restored and open since November 1997, and that it shall remain open to the public. The renovation of the Venice Pier was approved pursuant to Commission-approved Coastal Development Permit 5-95-293. Coastal Development Permit 5-95-293 contains a specific provision that requires that the City shall provide and maintain free unobstructed public access and recreational fishing access to and upon the Venice Pier, subject only to temporary limitations for public safety necessitated by unsafe conditions. This provision, and the reference to Coastal Commission Coastal Development Permit 5-95-293, shall be added to proposed LUP Policy III.B.2 as a suggested modification in order for the policy to be consistent with the public access and recreation policies of the Coastal Act.

Policy III.B.3 Venice Pier Parking Lot (Appendix A, p. 4-11)

Suggested LUP Policy III.B.3 shall be added to the proposed Venice LUP in order to address the issues involved with the future improvement of the public beach parking lot located next to the pier (Appendix A, p.4-7, Exhibit 21b). Although the City and County have been considering the improvement of this public parking lot for several years, there is no provision in the proposed LUP to address the issues involved with the future project. The coastal issues involved with the improvement of the parking lot, which is built over the sandy beach, include: displacement of sand area, use of public land (Ocean Front Walk right-of-way) where private encroachments continue to exist, public access, water quality and shoreline erosion. In order for the proposed LUP to be found in conformance with the Chapter 3 policies of the Coastal Act, the following LUP policy shall be added to the LUP:

> **Policy III.B.3. Venice Pier Parking Lot.** The public beach parking lot located south of Venice Pier may be renovated and improved in its current location, but shall not be expanded outside of its 1982 footprint. Any private encroachments over the portion of the Ocean Front Walk right-of-way abutting this parking lot shall be removed concurrently with the improvement of the parking lot in order to restore public pedestrian access to the Ocean Front Walk right-of-way. The placement of riprap or other hard shoreline protection device on the beach between the parking lot and the sea shall be discouraged. The operation and any improvements to this parking lot shall be consistent with the water quality and public access policies of this LUP.

As modified, the proposed LUP can be found to be in conformance with the Chapter 3 policies of the Coastal Act because the coastal resources involved with the improvement of the Venice Pier parking lot would be adequately protected by the above-stated policy.

Policy Group III.C Marina Peninsula (Appendix A, p. 4-12)

Proposed LUP Policy Group III.C contains the City's proposed policies for the recreation and visitor-serving facilities in the Marina Peninsula LUP subarea. The recreation facilities located in the Marina Peninsula LUP subarea are the walk streets, public accessways along Grand Canal and Ballona Lagoon, and the portion of the Shoreline Recreation Area located south of the Venice Pier and parking lot (Appendix A, p. 4-4 to 4-7, Exhibits 19-21). The wide sandy beach and the limited number recreation facilities on the Marina Peninsula are used by fewer people than the beach and facilities located north of the pier. The primary reason for this is the lack of public parking, lack of visitor-serving commercial uses, and the lack of a beach bicycle path. The Venice Beach bike path terminates at the Venice Pier public beach parking lot and does not continue south onto the Marina Peninsula (Appendix A, p.3-10, Exhibit 19b).

The proposed LUP, in regards to recreational use of the Marina Peninsula, states: "More intensive use is limited due to restricted access, parking, and lack of recreation facilities", and "The area provides a respite from the activity of the northern portion and a more serene coastal experience." As proposed, the Venice LUP would maintain the status quo and would do little to improve public access to the Marina Peninsula. Therefore, a suggested modification proposed LUP Policy Group III.C is necessary in order to maintain and enhance public access and recreational opportunities on the Marina Peninsula as required by the Chapter 3 policies of the Coastal Act. In addition,

additional modifications are suggested in the following public access sections of this staff report to improve public access to the Marina Peninsula.

Policy III.C.1 Visitor-Serving Facilities (Appendix A, p. 4-12)

Proposed LUP Policy III.C.1 states:

> Additional visitor-serving recreation facilities shall be encouraged and provided on the Marina Peninsula south of Washington Boulevard. A minimum of one additional restroom facility including drinking fountains, trash receptacles, and bicycle racks shall be constructed on the Peninsula Beach, preferably within the vicinity of the mid-beach area, to support beach access and protect the public health.

Additional visitor-serving recreation facilities area encouraged on the Marina Peninsula consistent with the public access and recreation policies of the Coastal Act. No suggested modification to proposed LUP Policy III.C.1. The additional modifications suggested in the public access section of the staff report (LUP Policy Group II) would require or encourage the provision of additional visitor-serving recreation facilities on the Marina Peninsula consistent with proposed LUP Policy III.C.1. The additional visitor-serving recreation facilities recommended for the Marina Peninsula include the extension of the boardwalk and beach bike path to the southern extension of the peninsula and the provision of additional public parking opportunities on existing public rights-of-way.

Policy III.C.2 Least Tern Nesting Area (Appendix A, p. 4-12)

Proposed LUP Policy III.C.2 would prohibit development that would negatively impact the California least tern nesting ground that exists near the southern end of the Marina Peninsula beach. The California least tern is a state and federally listed endangered bird species that nests on the beach and is known to forage for small fish in the ocean, Ballona Lagoon and the Venice Canals. No modification is necessary.

Policy III.C.3 Marina del Rey Entrance Jetty (Appendix A, p. 4-12)

Suggested LUP Policy III.C.3 shall be added to the proposed Venice LUP in order to protect the public access and recreation opportunities that currently exist on the jetty located at the southern end of the Marina Peninsula at the entrance to the Marina del Rey (Appendix A, p.4-7, Exhibit 21b). This jetty, which has a paved walkway over most of its length, is used by the public as a vista point, fishing area and exercise area. In order for the proposed LUP to be found in conformance with the Chapter 3 policies of the Coastal Act, the following LUP policy shall be added to the LUP:

> **Policy III.C.3. Marina del Rey Entrance Jetty.** Public access, public parking, and fishing opportunities shall be protected, encouraged and maintained on the Marina del Rey entrance jetty. Any changes or limitations to public access shall be subject to a coastal development permit.

Only as modified can the proposed LUP be found to adequately protect public access to the shoreline as required by the Chapter 3 policies of the Coastal Act.

Policy Group III.D Coastal Waterways (Appendix A, p. 4-12 & 4-13)

Proposed LUP Policies III.D.1 through III.D.6 contain the City's proposed policies for the regulation and protection of recreational opportunities in the coastal waterways of Venice. The coastal waterways in Venice are listed in proposed LUP Policy III.D.1 (see below).

Policy III.D.1 General (Appendix A, p. 4-12)

Proposed LUP Policy III.D.1 states that the following coastal waterways shall remain open to the public for recreational uses: Venice Canals including Grand Canal, Ballona Lagoon and Pacific Ocean and its beaches (Appendix A, p. 4-4 & 4-5, Exhibit 20). No modification is necessary.

Policy III.D.2 Boating Use of Canals and Lagoon (Appendix A, p. 4-12)

Proposed LUP Policy III.D.2 would prohibit motorized boating in the Venice Canals, and prohibit all boating in Ballona Lagoon and the section of Grand Canal south of Washington Boulevard in order to protect the environmentally sensitive habitat areas of the canals and lagoon. This proposed policy reflects the current City ordinances that regulate boating in the canals and lagoon.

Proposed LUP Policy III.D.2 also describes the Grand Canal public boat launch that was constructed in 1996 for the launching of non-motorized boats in the canals. The policy states that adequate public parking shall be provided at the boat launch, but does not include a provision to require the protection of public access to the boat launch. Therefore, proposed LUP Policy III.D.2 shall be modified to include the following provision to protect public access to the shoreline:

> <u>The City shall protect the public's ability to access the canals by boat by maintaining public access to the Grand Canal public boat launch.</u>

Only as modified can the proposed LUP Policy III.D.2 be found to adequately protect public access to the shoreline as required by the Chapter 3 policies of the Coastal Act.

Policy III.D.3 Venice Canals Boat Docks (Appendix A, p. 4-13)

Proposed LUP Policy III.D.3 states that the construction of small private non-commercial boat docks shall be permitted in the Venice Canals (not including the section of Grand Canal south of Washington Boulevard). The Venice Canals, being submerged lands, are within the Commission's area of original jurisdiction. In 1992, the Commission approved Coastal Development Permit 5-92-377 to permit the City and residents of the Venice Canals neighborhood (north of Washington Boulevard) to construct a limited number of small boat docks in the canals. Seventeen private docks have been permitted pursuant to Coastal Development Permit 5-92-377. Pursuant to a special condition of Coastal Development Permit 5-92-377, the Commission's authorization for the construction of new boat docks in the canals is due to expire at the end of 2000. The seventeen docks permitted prior to the expiration of the permit term may remain, but any docks proposed in the canals after 2000 must be authorized by a new Commission-approved coastal development

permit. The issues involved with permitting docks include: safety, impacts on the ESHA, and encroachment into the rights-of-way which are the waterways.

Because there are significant coastal issues that must be addressed prior to the approval of any additional boat docks, a suggested modification is necessary to state that:

> ...private boat docks **may** ~~shall~~ be permitted, subject to the approval of the Department of Public Works **and a coastal development permit**...

Because the Venice Canals, being submerged lands, are within the Commission's area of original jurisdiction, the coastal development permit process will determine whether any additional private docks in the canals can be constructed in a manner consistent with the Chapter 3 policies of the Coastal Act. The Venice LUP may provide guidance, but the standard of review in the area of original jurisdiction is the Chapter 3 policies of the Coastal Act. Only as modified can the proposed LUP Policy III.D.3 be found to adequately protect coastal resources as required by the Chapter 3 policies of the Coastal Act.

Policy III.D.4 Boating & Recreational Use of Pacific Ocean & Beaches (Appendix A, p. 4-13)

Proposed LUP Policy III.D.4 states that boating is permitted in the ocean, but prohibit the launching of boats from the sandy beach in order to protect swimming, surfing, water sports, picnicking, sunbathing and fishing. No modification is necessary.

Policy III.D.5 Educational & Passive Recreational Use Waterways (Appendix A, p. 4-13)

Proposed LUP Policy III.D.5 would encourage educational use of the waterways and the public accessways that currently exist along the banks of Grand Canal and Ballona Lagoon. The proposed policy calls for enhanced public access through the provision of new observation areas near the water.

The proposed policy shall be modified to state that the privacy of adjacent residents shall be considered when planning new observation areas, instead of the proposed policy language that would prevent public access improvements that would interfere with the privacy of residents. As proposed, the language of proposed LUP Policy III.D.5 could be interpreted to deny public access improvements next to Ballona Lagoon, even if the public improvements are located entirely on public rights-of-way like the Esplanade that exists on both banks of Ballona Lagoon. Therefore, the suggested modification is necessary to protect public access to the shoreline of Ballona Lagoon.

Policy III.D.6 Venice Canals Parks (Appendix A, p. 4-13)

Proposed LUP Policy III.D.6 would encourage the development of new parks, with public parking, on City-owned lots in the Venice Canals LUP subarea. Very few, if any, City-owned lots remain in the Venice Canals LUP subarea. In 1998, the City swapped several City-owned lots in the Venice Canals LUP subarea in order to obtain ownership of the alphabet lots on the west bank of Ballona Lagoon. The alphabet lots that are now City-owned would be protected as open space by modified LUP Policy I.A.4.d (Appendix A, p.2-21). No modification is necessary.

2. Pedestrian and Bicycle Access

One of the primary issues addressed by the proposed Venice LUP is the ability of the public to access the numerous recreational facilities in Venice, especially the beach and boardwalk (Ocean Front Walk). Although Venice Beach is one of the most accessible and most visited sections of coastline in California, the area currently has a very unbalanced use pattern. North Venice (north of Venice Pier at Washington Blvd.) receives the overwhelming majority of visitors while the wide sandy beaches of the Marina Peninsula (south of Venice Pier) are underutilized and receive a very small proportion of the visitors. This unbalanced beach use pattern is caused primarily by a lack of public amenities on the Marina Peninsula (i.e. public parking, boardwalk, beach bicycle path and visitor-serving commercial uses).

This section of the staff report analyzes the proposed Venice LUP in regards to pedestrian and bicycle access opportunities. The pedestrian and bicycle policies are contained in proposed LUP Policy Group II.C (Appendix A, p. 3-26 to 3-35). The access issues and LUP policies related to parking (LUP Policy Group II.A), public transportation (LUP Policy Group II.B), and traffic (LUP Policy Group II.B) are discussed in the following two sections of this staff report.

Venice, since it was developed as a seaside community at the turn of the twentieth century, has always been a very pedestrian oriented community. The boardwalk (Ocean Front Walk) extends from the City boundary with Santa Monica to the Venice Pier area at the terminus of Washington Boulevard. The numerous walk streets that were part of the original layout of Venice are still off-limits to motorized vehicles (Appendix A, p.3-9, Exhibit 19). Public sidewalks and unpaved public pathways exist along all of the Venice Canals, including Grand Canal south of Washington Boulevard. Public pathways also exist along the entire east bank of Ballona Lagoon and most of the west bank too. A paved walkway leads to the water on the Marina del Rey entrance jetty, and most of the City streets have ample sidewalks.

There are, however, still three main areas in Venice that currently lack adequate pedestrian access: the incomplete sections (gaps) in the boardwalk (Ocean Front Walk) on the Marina Peninsula, the dilapidated public sidewalk (Esplanade) on the east bank of Grand Canal south of Washington Boulevard, and the unimproved path on the west bank of Ballona Lagoon.

The contiguous (north/south) beach boardwalk (Ocean Front Walk) that extends south from Santa Monica terminates near the Venice Pier, and therefore does not provide pedestrian access southward to the underutilized Marina Peninsula beaches. A City right-of-way exists for the future extension of Ocean Front Walk, but it is currently not improved south of Anchorage Street (except for a few short segments). In addition, private residential encroachments have been built over several portions of the Ocean Front Walk right-of-way on the Marina Peninsula.

The (north/south) beach bicycle path, which also extends south along the beach from Santa Monica, terminates near the Venice Pier after more than four uninterrupted miles from northern Santa Monica. From the pier area bicyclists can continue southward on City streets, typically on Speedway Alley or Pacific Avenue, neither of which have a bicycle lane. Cyclists can take Washington Boulevard, the major east-west thoroughfare that links the pier to the City's inland areas, to the bike path on the old railroad right-of-way that provides access along the north end of the Marina del Rey area (Appendix A, p.3-9, Exhibit 19). After looping around the entire marina, bicyclists can continue south to the Playa del Rey area where another bike path exists on the

beach. From Playa del Rey, bicyclists can continue to ride south on the beach bike path to the South Bay communities of El Segundo, Hermosa Beach, and Redondo Beach.

Policy Group II.C Pedestrian and Bicycle Access (Appendix A, p. 3-26 to 3-35)

Proposed LUP Policy Group II.C contains the City's proposed policies that address the public access and recreational opportunities provided in Venice for bicyclists and pedestrians. The boardwalk, walk streets, and the pedestrian walkways that lead to and along the waterways are protected by the policies for public access. The existing beach bike path and on-street bike routes that provide access and recreational opportunities for bicyclists are also protected.

The proposed LUP does not, however, include adequate provisions to enhance public access opportunities in the underutilized beach area on the Marina Peninsula as required by the Coastal Act. Therefore, suggested modifications are required to proposed LUP Exhibit 19 and LUP Policy Group II.C in order for the proposed LUP to be found to be consistent with the public access and recreation policies of the Coastal Act. The suggested modifications, as discussed below, include: 1) provisions to complete the boardwalk and extend the beach bike path, so that they both extend without gaps along the entire length of Venice Beach, 2) improve the dilapidated walkways along Grand Canal south of Washington Boulevard, and 3) strengthen the policies that protect the existing pedestrian and bicycle accessways for public use.

Public Access to the Marina Peninsula

The suggested modifications to proposed LUP Exhibit 19 and LUP Policy Group II.C are necessary to improve public access to the recreation and visitor-serving facilities in the Marina Peninsula LUP subarea. The recreation facilities located in the Marina Peninsula LUP subarea are the walk streets, public accessways along Grand Canal and Ballona Lagoon, and the portion of the Shoreline Recreation Area located south of the Venice Pier and parking lot (Appendix A, Exhibits 19-21). The wide sandy beach and the limited number recreation facilities on the Marina Peninsula are used by fewer people than the beach and facilities located north of Venice Pier. The primary reason for this is the lack of public parking, lack of visitor-serving commercial uses, and the lack of a beach bicycle path. The Venice Beach bike path terminates at the Venice Pier public beach parking lot and does not continue south onto the Marina Peninsula (Appendix A, p. 3-10, Exhibit 19b).

During the City's hearing on the proposed Venice LUP, several residents of the Marina Peninsula neighborhood expressed the opinion that they prefer the less intensive public use that the Marina Peninsula beach receives in comparison to the crowds and activities of the North Venice Beach (For examples of public input see Appendix D: Correspondence). The Marina Peninsula residents have stressed the following points to the City and Commission staffs: 1) there should be no paving of the beach for new public parking lots, 2) there should be no extension of the beach bike path onto the Marina Peninsula beach, and 3) there should be no further improvement of the existing Ocean Front Walk City right-of-way to extend the beach boardwalk onto the Marina Peninsula.

As a result of the public's strong input regarding the enhancement of public access to the Marina Peninsula LUP subarea, the City revised the draft LUP in order to delete a proposed public parking lot on the Marina Peninsula beach, and to delete the proposed southward extension of the beach

bike path. As currently proposed by the City, the LUP, in regards to recreational use of the Marina Peninsula, states: "More intensive use is limited due to restricted access, parking, and lack of recreation facilities", and "The area provides a respite from the activity of the northern portion and a more serene coastal experience." As proposed, the Venice LUP would maintain the status quo and would do little to improve public access to the Marina Peninsula.

The public access and recreation policies of the Coastal Act, however, require that public access be maintained and enhanced, and that public facilities be distributed throughout an area to prevent overcrowding or overuse by the public of any single area. Therefore, in order to improve public access to the Marina Peninsula beach as required by the Coastal Act, proposed LUP Exhibit 19 and LUP Policy Group II.C must be modified as described in the following section of the staff report.

LUP Exhibit 19 Pedestrian Access and Bikeways (Appendix A, p. 3-9 & 3-10)

Proposed LUP Exhibit 19 identifies the existing coastal accessways, walk streets and bikeways in Venice, and the proposed bikeway and future extension of the boardwalk on the Marina Peninsula. The existing and future accessways, walk streets and bikeways identified on proposed LUP Exhibit 19 would be protected by proposed LUP Policy II.C.1 (Appendix A, p. 3-27). Proposed LUP Policy II.C.1 states that that the identified pedestrian an bicycle accessways shall be developed, protected, and maintained as required by the public access and recreation policies of the Coastal Act.

Proposed LUP Exhibit 19 provides for a continuous coastal accessway (Ocean Front Walk) that runs the entire length of Venice Beach connecting north Venice to the Marina Peninsula. A proposed bike route on the Marina Peninsula is proposed to be located within the vehicular streets of Via Marina and Via Dolce. The City eliminated a proposed southern extension of the beach bike path on the Marina Peninsula in response to opposition from local residents. The canal walkways and improved accessways along Grand Canal and Ballona Lagoon are identified on LUP Exhibit 19.

Four suggested modifications to proposed LUP Exhibit 19 are recommended in order to improve public access to the Marina Peninsula and to correctly identify the existing public accessways on the marina entrance jetty and Lighthouse Street Bridge. In addition, the portion of the beach bike path that currently extends two blocks south of Washington Boulevard shall be identified on proposed LUP Exhibit 19. Therefore, proposed LUP Exhibit 19 shall be modified as follows in order for the proposed LUP to be found to be consistent with the public access and recreation policies of the Coastal Act:

> Beach Bike Path: Identify portion of the beach bike path that currently extends two blocks south of Washington Boulevard, and a future beach bike path extension to connect the Venice Pier area to the marina entrance jetty (Marina Peninsula Beach Bikeway). See findings for modified LUP Policy II.C.14 (Bikeway South of Washington) for discussion of the beach bike path extension (Staff Report page 93).
>
> Marina del Rey Entrance Jetty: Identify the walkway that currently exists on the marina entrance jetty beach as a protected coastal accessway. The Marina del Rey entrance channel jetty, located on the southern end of the Marina Peninsula, has a paved pedestrian accessway that provides public access to the peninsula beach and the Pacific Ocean.

Lighthouse Street Bridge: Identify the bridge that provides pedestrian access between the east bank of Ballona Lagoon and the beach as a protected coastal accessway.

Only as modified can proposed LUP Exhibit 19 be found to be consistent with the public access and recreation policies of the Coastal Act.

Policy II.C.1 General Non-Vehicular Coastal Access Policy (Appendix A, p. 3-27)

Proposed LUP Policy II.C.1 would protect the existing and future pedestrian and bicycle access ways are identified on LUP Exhibit 19. The proposed LUP policy states that that the identified pedestrian and bicycle accessways shall be developed, protected, and maintained, and new development adjacent to the coast and coastal waterways shall be required to provide public access in a manner that is consistent with the policies of the Coastal Act. The policy also calls for a network of pedestrian and bicycle routes to be developed, enhanced and maintained to provide linkages within residential neighborhoods and between visitor-serving commercial areas and coastal recreational access points, transit routes, existing and projected parking facilities, and areas of historical significance to facilitate circulation of visitors within the heavily congested areas in Venice.

Venice LUP Exhibit 19, as modified, and proposed LUP Policy II.C.1 would protect the existing pedestrian accessways along the Venice Canals and Ballona Lagoon, as well as the existing boardwalk and beach bicycle path. The modifications suggested to proposed LUP Exhibit 19, including the future extension of the beach bike path onto the Marina Peninsula, would enhance public access and recreational opportunities in Venice. Therefore, no modification is necessary to proposed LUP Policy II.C.1.

Policy II.C.2 Grand Canal ~~Marina Peninsula~~ Pedestrian Access (Appendix A, p. 3-28)

The three public accessways identified by proposed LUP Policy II.C.2 are located between Grand Canal and Pacific Avenue at 25th Avenue, 27th Avenue and 29th Avenue (Appendix A, p.3-10, Exhibit 19). Proposed LUP Policy II.C.2 states that these three existing public rights-of-way shall be improved and appropriately signed. The proposed policy shall be modified to correct the title of the policy. These public accessways, all located north of Washington Boulevard, are within the Venice Canal and North Venice LUP subareas. Therefore, they are not in the Marina Peninsula LUP subarea, and do not provide direct access to the Marina Peninsula, as implied by the proposed title of the policy.

A second suggested modification to proposed LUP Policy II.C.2 is necessary to protect the public's ability to access the public walkways that exist on both banks of Grand Canal south of Washington Boulevard. Although these walkways are in need of substantial improvements, they currently provide uninterrupted pedestrian access along the shoreline of Grand Canal as shown on proposed LUP Exhibit 19 (Appendix A, p.3-10). The suggested modification states:

South of Washington Boulevard, the public walkways that provide pedestrian access along both sides of Grand Canal shall be improved and appropriately signed.

Only as modified can proposed LUP Policy II.C.2 adequately protect public access to and along Grand Canal as required by the public access and recreation policies of the Coastal Act.

Policy II.C.3 Ballona Lagoon Enhancement Plan Pedestrian Access (Appendix A, p. 3-28)

Proposed LUP Policy II.C.3 states that public pedestrian access to and along Ballona Lagoon shall be enhanced without invading the privacy of adjoining residents. The policy shall be modified in order to identify and protect the public access improvements that currently exist next to Ballona Lagoon, including the public walkway on the east bank and the overlook on the south end that was built as part of the Ballona Lagoon Enhancement Plan. Only as modified can proposed LUP Policy II.C.3 adequately protect public access to and along Ballona Lagoon as required by the public access and recreation policies of the Coastal Act.

Policy II.C.4 Venice Canals (Appendix A, p.3-29)

Proposed LUP Policy II.C.4 would protect public access on the Venice Canal walkways that exist along both sides of all the canals in Venice. The Venice Canals Walkways north of Washington Boulevard were rehabilitated for public access as part of the Venice Canals Rehabilitation Plan in 1993, pursuant to Commission-approved Coastal Development Permit 5-91-584. The proposed policy also states that the Department of Transportation shall provide signs on Venice Boulevard which direct the public to the Venice Canals Historic District and the existing Venice Canal walkways. No modification is necessary to proposed LUP Policy II.C.4.

Policy II.C.5 Ocean Front Walk (Appendix A, p.3-29)

Proposed LUP Policy II.C.5 would protect public access on the boardwalk (Ocean Front Walk) in North Venice. As proposed, the policy adequately protects pedestrian access on the portion of the Ocean Front Walk that currently extends north of Washington Boulevard as shown on proposed LUP Exhibit 19 (Appendix A, p.3-10). The proposed LUP, however, lacks an LUP policy to protect and enhance public access to the Marina Peninsula on the unfinished portion of the boardwalk (Ocean Front Walk) that is shown on proposed LUP Exhibit 19 as extending south of Washington Boulevard to the marina entrance jetty (Appendix A, p.3-10). The boardwalk south of Washington Boulevard exists as a City right-of-way where a few short segments have been improved pursuant to the requirements of permits that were granted for the development of the beach-fronting lots. Many of these short segments of the boardwalk are being used as porches serving only the beachfront residences.

The completion of the unfinished Ocean Front Walk accessway on the Marina Peninsula, as shown on proposed LUP Exhibit 19, is a public access improvement that is necessary to enhance public access onto the under-utilized beach area of the Marina Peninsula as required by the Coastal Act. Therefore, proposed LUP Policy II.C.5 shall be modified to clearly state that it is the policy of the City to:

> <u>...complete a continuous public pedestrian walkway that extends from the boundary with the City of Santa Monica to the Marina del Rey entrance jetty as indicated on LUP Exhibit 19.</u>

The proposed LUP policy shall also be modified to provide protection of public access along the entire length of Ocean Front Walk, and not just the portion located north of Washington Boulevard. Only as modified can proposed LUP Policy II.C.5 adequately protect public access on Ocean Front Walk as required by the public access and recreation policies of the Coastal Act.

Policy II.C.12 Ocean Front Walk Pedestrian Amenities (Appendix A, p. 3-33)

Proposed LUP Policy II.C.12 is closely related to LUP Policy II.C.5 because both address the protection of public access on Ocean Front Walk. Proposed LUP Policy II.C.12 would protect pedestrian activities along Ocean Front Walk by requiring that commercial development, where it is a permitted use in North Venice, be designed with elements aimed at providing for pedestrian safety and convenience, such as shade, seating, directional sign, courtyards and walkways. The City's LUP Map does not propose to designate any properties for commercial uses along Ocean Front Walk south of the Venice Pier area (Appendix A, p.2-5, Exhibit 9). The proposed LUP Map encourages visitor-serving commercial uses on many of the lots along Ocean Front Walk north of the pier area (LUP Policy I.B.6.c, Appendix A, p.2-36). No modification is necessary to proposed LUP Policy II.C.12.

Policy II.C.6 Disabled/Elderly Access Paths (Appendix A, p. 3-29)

Proposed LUP Policy II.C.6 calls for the provision of new vertical public access paths to the shoreline that would be accessible to all persons, including disabled persons, people dependent on wheelchairs, and the elderly. The proposed policy states that such accessways should be provided near the Venice Pier and be compatible with the California least tern nesting area on the southern section of the Marina Peninsula beach. A suggested modification is necessary to protect the existing paved public access path on the marina entrance jetty that currently provides shoreline access to disabled persons, people dependent on wheelchairs, and the elderly. Only as modified can proposed LUP Policy II.C.6 adequately protect public access to the shoreline for all people as required by the Coastal Act and the California Constitution.

Policies II.C.7 through II.C.11 Walk Streets (Appendix A, p. 3-29 to 3-33)

Proposed LUP Policies II.C.7 through II.C.11 address the preservation and development of the Venice walk streets. The walk streets, which are identified on proposed LUP Exhibit 19, are remnants of the original pattern of development of Venice as a coastal community at the turn of the twentieth century. Most of the residential streets perpendicular to, and immediately inland of, Ocean Front Walk are landscaped public rights-of-way with a 10 to 15-foot wide paved walkway that provides direct pedestrian access to the boardwalk and beach (Appendix A, p.3-9, Exhibit 19). Individual property owners have fenced-off all but the paved walkways, and have landscaped the public areas adjacent to their homes. Vehicular access to the residences that line the walk streets is provided by the alleys.

The walk streets that provide access to the shoreline are located in the North Venice, Marina Peninsula and Silver Strand LUP subareas. The Milwood community, located about eight blocks inland of the beach, also has numerous historic walk streets (Appendix A, p.3-9, Exhibit 19).

The Venice walk streets, and the private landscaped yards on the public rights-of-way, are protected by the policies of the LUP in order to protect the existing character of the community and to protect pedestrian access to the shoreline. Proposed LUP Policies II.C.7 and II.C.11 would limit the permitted private uses (encroachments) on the portion of the public rights-of-way not used for the walkway to landscaping, patios, gardens, decks, and fences that do not exceed 42 inches in height. The City currently controls new development on the walk streets through a revocable encroachment permitting process. The proposed LUP policies applicable to the walk streets are

consistent with the Commission past actions to protect the unique character of the Venice walk streets and are also consistent with the public access policies of the Coastal Act. Therefore, no modifications are necessary.

Policies II.C.13 through II.C.15 Venice Bikeways (Appendix A, p. 3-33 & 3-34)

Proposed LUP Policies II.C.13 through II.C.15 address the issue of bikeways and other bicycle facilities. The primary issue involved with proposed LUP Policies II.C.13 through II.C.15 is how to provide adequate bicycle facilities in the Marina Peninsula LUP subarea. The City streets provide the necessary bicycle routes in the inland areas of Venice (Appendix A, p.3-9, Exhibit 19). In North Venice, the heavily-used beach bike path provides the public with recreational opportunities and public access. The beach bike path ends near the Venice Pier. South of the pier, the City proposes to provide bicycle access on the streets (Via Marina and Via Dolce). Speedway Alley, the first road inland of the beach, is currently used by many bicyclists to access the under-used beach area on the Marina Peninsula.

A prior version of the draft Venice LUP included the future southern extension of the beach bike path in order to provide access the Marina Peninsula consistent with the bike plan contained in the Transportation Element of the City of Los Angeles General Plan. The beach on the Marina Peninsula is three hundred to four hundred feet wide. The objections of Marina Peninsula residents resulted in the City deleting the southward extension of beach bicycle path from the draft LUP prior to being submitted for Commission certification.

Instead, proposed LUP Policies II.C.13 and II.C.14 encourage the development of future bikeways and would route a Class II (on-street route) bikeway along Via Dolce, Marquesa Way and Via Marina that would dead-end at the south end of the Marina Peninsula (Appendix A, p. 3-9 & 3-10, Exhibit 19). Policy 11.C.14 states that this route would provide adequate public access to the south part of the Marina Peninsula.

The unbalanced pattern of beach use in Venice, and the lack of public access on the Marina Peninsula, have been identified as important coastal issues that must be addressed by the proposed Venice LUP. The proposed LUP would not improve bicycle access to the peninsula by routing bicycles onto the City streets because the streets are already used by bicyclists who have no other available route. The extension of the beach bike path would provide direct bicycle access on to the under-used and very wide Marina Peninsula beach, and would also provide an additional route for bicyclists to partake in their recreational activity.

The City attempted to balance the concerns of the Marina Peninsula residents with the need for improved public access and bicycle routes on the Marina Peninsula by directing bicycle traffic onto the streets. The streets can provide bicycle access, but the on-street routes do not provide the same type of recreational opportunities that are provided by the beach bike path in North Venice and other beaches throughout the state. The southern extension of the beach bike path would provide enhanced public access and an improved recreational facility consistent with the public access and recreation policies of the Coastal Act.

Therefore, proposed LUP Exhibit 19 and Policy II.C.14 shall be modified to provide for the future extension of the beach bike path should the City have the funding and will to implement the plan. The following text shall be added to proposed LUP Policy II.C.14 as a suggested modification:

The City may permit the extension of the beach bicycle path in order to improve public access opportunities on the Marina Peninsula beach between the Venice Pier and the jetty.

Only as modified can the proposed Venice LUP be found to be consistent with the public access and recreation policies of the Coastal Act.

3. Parking

The public access policies of the Coastal Act require that public shoreline access shall be maintained and enhanced by protecting existing public parking facilities, and by improving signage and management of parking facilities. The proposed LUP includes a parking requirement table and policies to require that new development provide adequate on-site parking. The proposed LUP also calls for new intercept parking areas at remote locations, in association with signs and a shuttle bus service, to improve beach access on summer weekends and holidays.

One of the primary issues addressed by the proposed Venice LUP is the ability of the public to access the numerous recreational opportunities. Although Venice Beach is one of the most accessible and most visited sections of coastline in California, the area currently has a very unbalanced use pattern. North Venice (north of Venice Pier at Washington Blvd.) receives the overwhelming majority of visitors while the wide sandy beaches of the Marina Peninsula (south of Venice Pier) are underutilized and receive a very small proportion of the visitors. This unbalanced beach use pattern is caused primarily by a lack of public amenities on the Marina Peninsula (i.e. public parking, boardwalk, beach bicycle path and visitor-serving commercial uses).

The Marina Peninsula is a fully developed medium/high density residential area with virtually no commercial uses (Appendix A, Exhibit 9). There is a severe public parking shortage on the Marina Peninsula because: 1) many of the primary City rights-of-way are walk streets with no vehicular access and very little parking (except at street ends), 2) the vehicular accessways are primarily alleys with no curbside parking spaces, 3) many of the streets ends of the City rights-of-way where parking is available have been privatized for residential parking, and 4) there are no public parking lots.

The southernmost public parking lot on Venice Beach is located at the Venice Pier. Pacific Avenue and a few street ends on the Marina Peninsula provide additional public parking, but the competition for public parking is intense. In fact, the proposed LUP contains several provisions that are intended to discourage the use of on-street parking by beach goers in order to protect the parking opportunities for residents that have inadequate parking facilities. The suggested modifications discussed in the following paragraphs are necessary to protect the public parking facilities on which the public's ability to access the coast are dependent.

Policy Group II.A Parking (Appendix A, p. 3-11 to 3-21)

Proposed LUP Policy Group II.A contains the City's proposed policies that address the public access issues as they relate to the provision and protection of public parking opportunities in Venice. The proposed LUP policies include a parking space requirement table, additional parking requirements for development in the Beach Impact Zone (BIZ), provisions to encourage beach-goers to use off-street and inland parking facilities, and a policy to regulate the establishment of preferential parking districts in Venice.

Suggested modifications are required to proposed LUP Policy Group II.A in order for the proposed LUP to be found to be consistent with the public access and recreation policies of the Coastal Act. The suggested modifications, as discussed below, include supplemental LUP policies to protect existing public parking facilities, encourage the provision of new public parking on City rights-of-way, and to regulate private use of public parking (valet parking programs).

Policy II.A.1 General Parking Policy (Appendix A, p. 3-11)

Proposed LUP Policy II.A.1 would establish the City's goal of providing increased parking opportunities in Venice for all users. The policy also calls for a shuttle system to serve visitors who are directed to the parking facilities that are located in the less crowded inland areas of Venice. A suggested modification is necessary to eliminate proposed policy language that is inconsistent with the public access policies of the Coastal Act. The Coastal Act requires that public access opportunities, including access to public parking, be enhanced. The proposed LUP would discourage the use of public on-street parking by beach goers. Only as modified can proposed LUP Policy II.A.1 adequately protect public access to the shoreline for all people as required by the Coastal Act and the California Constitution.

Policy II.A.2 Expansion of Public Beach Parking Supply (Appendix A, p. 3-11)

Proposed LUP Policy II.A.2 contains the City's proposed policy to increase the supply of parking for beach goers. One suggested modification is necessary to add a reference to the LUP policies in regards to the expansion of beach parking. As modified, proposed LUP Policy II.A.2 can be found to be consistent with the public access policies of the Coastal Act.

Policy II.A.3 Parking Requirements (Appendix A, p. 3-12 to 3-16)

Proposed LUP Policy II.A.3 contains the City's proposed parking requirement table that would be used to determine the parking space requirements for new development, additions and change of use. The proposed parking requirement table is consistent with the parking requirement table that has been used by the Commission since 1980 (Commission's Interpretive Guidelines for Los Angeles County), and by City pursuant to the Venice Interim Control Ordinance (ICO) and the Venice Specific Plan. These parking space requirements have been found on numerous occasions to be consistent with Section 30252 of the Coastal Act.

Suggested modifications are necessary, however, in order to protect public parking facilities from being used to meet the parking requirements of the LUP. The policy shall be modified to insert the following policy language into the LUP:

> <u>The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of this policy.</u>

The proposed policy would allow an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for parking deficiencies associated with extensive remodeling of an existing use or change of use. A suggested modification is necessary to ensure that any fees paid into the City's parking fund are used to improve public access to the Venice coastal zone as follows:

> <u>The Venice Coastal Parking Impact Trust Fund will be utilized for improvement and development of public parking facilities that improve public access to the Venice coastal zone.</u>

The proposed parking table shall also be modified in order to clarify its requirements and to add a specific parking requirement for a type of manufacturing use that is not currently listed in the table: the manufacturing of computer software, music, film and video. Because this use is similar

to other manufacturing uses, the parking requirement is the same: 3 spaces plus one space per 350 square feet of floor area. As modified, proposed LUP Policy II.A.3 can be found to be consistent with the public access policies of the Coastal Act.

Policy II.A.4 Parking Requirements in the Beach Impact Zone (Appendix A, p. 3-17)

Proposed LUP Policy II.A.4 contains the City's policy to require additional parking spaces for development in the Beach Impact Zone (BIZ). The area included in the BIZ, identified on proposed LUP Exhibit 17, is the area nearest the beach where parking demands are greatest (Appendix A, p.3-5). The proposed policy would allow an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for a portion of the BIZ parking requirement. A suggested modification is necessary to ensure that any fees paid into the City's parking fund are used to improve public access to the Venice coastal zone. A suggested modification is also required in order to delete the references to requirements of the LIP because the LIP and its provisions have not been submitted to the Commission for certification at this time. As modified, proposed LUP Policy II.A.4 can be found to be consistent with the public access policies of the Coastal Act.

Policy II.A.5 Intercept Parking Lots (Appendix A, p. 3-17)

Proposed LUP Policy II.A.5 would improve public access to by encouraging the provision of additional remote parking facilities connected to the beach with a shuttle bus service on summer weekend days and holidays. A signage plan proposed by LUP Policy II.A.8 (see below) would advertise and inform the public of the remote beach parking program, and the availability of parking and the beach shuttle. No modification is necessary.

Policy II.A.6 Preferential Parking (Appendix A, p. 3-18)

Proposed LUP Policy II.A.6 would establish parameters for the establishment of preferential parking districts. In order for proposed LUP Policy II.A.6 to be consistent with the public access policies of the Coastal Act, based on prior Commission approvals of preferential parking districts, it must be modified to require the replacement of all displaced public parking spaces with new public parking at a minimum one-to-one ratio. Only as modified can proposed LUP Policy II.A.6 can be found to be consistent with the public access policies of the Coastal Act.

Policy II.A.7 Metered Parking on Abbot Kinney Boulevard (Appendix A, p. 3-18)

Proposed LUP Policy II.A.7 addresses the metered on-street parking on Abbot Kinney Boulevard, a street lined with a mix of small shops, artist residences and restaurants. No modification is necessary.

Policy II.A.8 Signage & Management of Public Beach Parking (Appendix A, p. 3-19)

Proposed LUP Policy II.A.8 would improve public access to by establishing a signage program to advertise the availability of beach parking through the use of signs and ads. The use of signs and ads would be part of the remote parking and beach shuttle service called for in proposed LUP Policy II.A.5. No modification is necessary.

Policy II.A.9 Protection of Public Parking (Appendix A, p. 3-20 &3-21)

As proposed, the Venice LUP does contain adequate provisions to protect the existing beach parking lots and the on-street parking spaces from the impacts of new development and competing uses as required by the Chapter 3 policies of the Coastal Act. Therefore, suggested LUP Policy II.A.9 is necessary to protect the public beach parking supply from being usurped by other uses by protecting beach parking lots for beach goers, prohibiting the privatization of street-ends and rights-of-way, and by discouraging curb cuts that eliminate on-street parking spaces. As modified by the following suggested LUP policy, the Venice LUP will protect the public's ability to access the shoreline.

> **Policy II.A.9. Protection of Public Parking.** The following policies shall be implemented and enforced in order to protect and enhance public parking opportunities provided on public rights-of-way and in off-street parking areas:
>
> **a. Beach Parking Lots.** The beach parking lots located at Washington Boulevard, Venice Boulevard and Rose Avenue shall be protected for long-term (4-8 hours) public beach parking. No parking spaces in the beach parking lots shall be used to satisfy the parking requirements of Policies II.A.3 and II.A.4. The temporary short-term lease or reservation of parking spaces in the beach parking lots may be permitted if the proposed temporary use of the parking supply does not conflict with the need for public parking by beach goers. Any proposal to allow overnight residential parking in the beach parking lots shall include provisions to enforce a prohibition against the storage of vehicles in the lots during the daylight hours by non-beach goers.
>
> **b. Street Ends.** It is the policy of the City to not permit privatization of street ends. Public parking opportunities shall be protected and encouraged at improved and unimproved street-ends that abut Ocean Front Walk and/or the beach.
>
> **c. Rights-of-ways.** In order to maintain and increase the public parking supply, the City shall maximize and protect the availability of public parking opportunities on City streets that currently accommodate vehicular traffic.
>
> **d. Curb cuts.** In order to protect on-street parking opportunities, curb cuts shall not be permitted where vehicular access can be provided from an alley. When vehicular access cannot be safely provided from an alley, curb cuts shall be limited to the minimum amount necessary to provide safe vehicular access to a site. Old curb cuts shall be restored to curbside public parking when feasible.
>
> **e. Private parking.** Existing ordinances shall be enforced to ensure that parking areas situated on street-ends and on public rights-of-way are protected for public use and shall not be privatized or posted for private use.

Policy II.A.10 Valet Parking (Appendix A, p. 3-21)

Valet parking programs, as approved by the Commission under the provisions of the Coastal Act, have been found to increase the parking supply and improve the public's ability to access the coast. In order to be found to be consistent with the public access policies of the Coastal Act, a

valet parking program must increase the availability of parking for the public and minimize any associated negative impacts. Suggested LUP Policy II.A.10, which is based on a recent Commission approval in Venice (Appeal A5-00-173), contains guidelines for the implementation of valet parking programs in order to increase the public parking supply and limiting negative impacts to coastal parking supplies. Suggested LUP Policy II.A.10 states:

> **Policy II.A.10. Valet Parking.** Valet parking programs may be permitted and implemented in order to increase the amount of available public parking in parking impacted areas. In order to ensure that any valet parking program that is permitted to operate in the Venice Coastal Zone does not negatively impact coastal access opportunities, all approved valet parking programs shall comply with the following policies:
>
> a. The use of public parking areas for valet vehicle Drop-off/Pick-up stations shall be limited to the minimum area necessary and occupy the fewest number of public parking spaces.
>
> b. Vehicle Storage/Parking. The storage of vehicles by valets is prohibited in public parking lots, on public rights-of-way and in on-street parking spaces (except for loading and unloading) unless it is determined that use of the public parking area will not conflict with the need for public parking by beach goers.
>
> c. A valet parking program that utilizes public property in the coastal zone shall be available for use by the general public with no preference granted to any group or type of use (i.e., restaurant customers vs. beach goers).

As modified, the proposed Venice LUP can be found to be consistent with the public access policies of the Coastal Act.

Policy II.A.11 Protection of Public Parking (Appendix A, p. 3-21)

In order to address a parking issue that arises frequently in Venice, the following suggested LUP policy would allow the approval of shared parking arrangements that do not negatively effect coastal access. Suggested LUP Policy II.A.11 states:

> **Policy II. A. 11. Shared Parking.** Shared parking arrangements may be permitted to accommodate new commercial uses and intensification of existing commercial uses provided that a detailed parking study demonstrates that the proposed shared parking arrangement will not negatively affect coastal access or access to public recreational facilities. Public beach parking lots shall not be used for shared parking arrangements.

As modified, the proposed Venice LUP can be found to be consistent with the public access policies of the Coastal Act.

4. Public Transportation and Traffic Management

The existing high level of rush-hour traffic on Lincoln Boulevard (Route 1) and the area's freeways (I-405, I-10 & 90) is a problem that can make coastal access more difficult in Venice. The traffic issue negatively affects coastal access by private vehicles as well as public transportation [i.e. buses operated by L.A. Co. Metropolitan Transportation Authority (MTA), Santa Monica Municipal Bus Lines (SMMBL), Culver City Municipal Bus (CCMB) & Los Angeles Dept. of Transportation (LADOT)].

The proposed Venice LUP includes provisions to improve public access to the Venice coastal zone through the provision of public transportation options that would reduce the demand for public parking and decrease traffic congestion.

Policies II.B.1, II.B.2 & II.B.3 Public Transportation (Appendix A, p.3-21 to 3-23)

Proposed LUP Policies II.B.1, II.B.2 and II.B.3 contain the City's policies to address the public access issues as they relate to the provision and availability of public transportation. Proposed LUP Exhibit 18 shows the existing public transportation routes in Venice provided by the Los Angeles County Metropolitan Transportation Authority (MTA), Santa Monica Municipal Bus Lines (SMMBL), Culver City Municipal Bus (CCMB) & Los Angeles Dept. of Transportation (LADOT) (Appendix A, p.3-7, Exhibit 18).

Proposed LUP Policy II.B.1 calls for the maintenance and improvement of the existing public transportation system through the establishment of a subregional system that coordinates the efforts of the individual transportation authorities.

Proposed LUP Policies II.B.2 and II.B.3 would improve the public's ability to access the shoreline, consistent with Section 30252 of the Coastal Act, by requiring the provision of special bus services and beach shuttles to connect people to the beach. The City of Los Angeles Department of Transportation (LADOT) currently provides a beach shuttle service between remote beach parking lots and the shoreline. Proposed LUP Exhibit 18 shall be modified to identify remote beach parking reservoir(s) served by the DASH shuttle (referred to at end of 5th paragraph on Appendix A, page 3-1 (Appendix A, p.3-7, Exhibit 18). As modified, the public transportation provisions of the proposed Venice LUP can be found to be consistent with the public access policies of the Coastal Act.

Policy II.B.4 Traffic Management (Appendix A, p. 3-23)

Proposed LUP Policy II.B.4 contains the City's proposed policy for addressing the issue of traffic in Venice. The high level traffic on Lincoln Boulevard can negatively impact the public's ability to access the shoreline. Proposed LUP Policy II.B.4 calls for the City to develop and implement traffic management programs to improve and facilitate coastal access in Venice. This includes development of a Transportation Demand Management (TDM) program to more efficiently utilize available parking and street capacities and to encourage beach visitors to alter their mode of travel. A list of improvements to specific intersections and traffic signals is contained in the proposed LUP policy, as are potential revenue sources to implement the list of traffic mitigation measures. No modification is required.

C. Environmentally Sensitive Habitat Areas (ESHA)

This section of the staff report analyzes the proposed LUP policies that are contained proposed LUP Policy Group IV (Water and Marine Resources, Environmentally Sensitive Habitat Areas, and Hazards). Proposed LUP Policy Group IV addresses the following Coastal Act policies, which are included as part of the proposed Venice LUP:

Section 30230 of the Coastal Act:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act:

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

Section 30236 of the Coastal Act:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240 of the Coastal Act:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30411.b of the Coastal Act:

(b) The Department of Fish and Game, in consultation with the Commission and the Department of Boating and Waterways, may study degraded wetlands and identify those which can most feasibly be restored in conjunction with development of a boating facility as provided in subdivision (a) of Section 30233. Any such study shall include consideration of all of the following: (1) Whether the wetland is so severely degraded and its natural processes so substantially impaired that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities. (2) Whether a substantial portion of the degraded wetland, but in no event less than 75 percent, can be restored and maintained as a highly productive wetland in conjunction with a boating facilities project. (3) Whether restoration of the wetland's natural values, including its biological productivity and wildlife habitat features, can most feasible be achieved and maintained in conjunction with a boating facility or whether there are other feasible ways to achieve such values.

Section 30233 of the Coastal Act:

(a) The diking, filling, dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramp.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource-dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

(d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the Littoral Zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method or placement, time of year of placement, and sensitivity of the placement area.

Section 30235 of the Coastal Act:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253 of the Coastal Act:

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 areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.

Policy Group IV Marine Resources and Environmentally Sensitive Habitat Areas (ESHA) (Appendix A, p. 5-7 to 5-16)

This section of the staff report analyzes the proposed LUP policies that are contained LUP Policy Group IV (Water and Marine Resources, Environmentally Sensitive Habitat Areas). Hazards (LUP Policy Group IV.G) are discussed in the subsequent section of this staff report.

The environmentally sensitive habitat areas (ESHA) in the Venice coastal zone include Ballona Lagoon and Grand Canal south of Washington Boulevard, Venice Canals north of Washington Boulevard, habitat buffer areas on the east and west banks of Ballona Lagoon, and the California least tern nesting area on Venice Beach. The proposed LUP designates the Venice ESHA on LUP Exhibit 22 (Appendix A, p. 5-7 to 5-9).

The Venice Canals, along with the attached Ballona Lagoon, support some of the last remaining pockets of coastal wetland habitat in Los Angeles County. The Venice Canals are part of the Ballona Lagoon seawater system and are connected with Ballona Lagoon via Grand Canal. For over sixty years the canals waterways had been subject to bank erosion, runoff and stagnant water conditions. The Venice Canals Rehabilitation Project was completed in 1993 to rectify these conditions. The Venice Canals Rehabilitation Plan was approved pursuant to Coastal Commission Coastal Development Permit 5-91-584 and amendments.

In September 1986, a supplemental environmental impact report was prepared for the Venice Canals Rehabilitation Project (City of Los Angeles, Department of Public Works). According to this report, six species of fish were present in the canal system: topsmelt, California killifish, arrow goby, bay pipefish, longjaw mudsucker and diamond turbot. According to the same study, a great array of bird species have been identified in the immediate vicinity of the canal system. Most of these species are observed in the southern portion of Ballona Lagoon. The majority of the bird utilization of the Venice Canals is by domestic birds such as ducks and geese. California least terns, a state and federally listed endangered bird species, have been observed as they forage for small fish in Ballona Lagoon and the canals.

Ballona Lagoon is an easily accessible natural area of estuarine and intertidal habitat. Currently, the lagoon environment is degraded by bank erosion, poor water quality, inadequate tidal exchange, and invasion of non-native plant species. The Ballona Lagoon Enhancement Plan has been prepared for the lagoon to improve water quality and habitat values, and provide public access. The plan also includes measures to increase biological productivity of Ballona Lagoon and the section of Grand Canal connected to the north end of the lagoon. The first phases of the Ballona Lagoon Enhancement Plan, approved pursuant to Coastal Commission Coastal Development Permit 5-95-153 and amendments, has been implemented. The implemented phases include the restoration of native plants along the east bank of the lagoon and the improvement of the channel at both ends of the lagoon to improve flushing and water quality. An improved gravel public access path runs the entire length of the east bank of the lagoon, and a public observation deck was constructed at the southern end where the tidal gates connect the lagoon to the Marina del Rey entrance channel. The unimplemented phase of the Ballona Lagoon Enhancement Plan involves the restoration of the west bank of the lagoon with native vegetation and the improvement of the existing unimproved public access trail on the west bank.

The Coastal act requires that the existing and potential sensitive values in ESHA be protected, enhanced, and where feasible, restored. Potential negative impacts to the resources in the ESHA include: encroaching residential development, polluted runoff, recreational activities (motorized boats), erosion, fill, non-native plants, and domestic animals.

Proposed LUP Policy Group IV contains several policies that are intended to protect the ESHA from the harmful impacts of development and other activities. The other policy groups in the proposed LUP also contain specific policies that are protective of the ESHA. For example, proposed LUP Policy Section I.A (Residential Land Use and Development Standards) includes height limit and setback provisions to protect ESHA from encroaching residential uses, and proposed LUP Policy Section I.D (Development within Natural and Recreational Resource Areas/Protection of Views) includes additional policies to protect the ESHA. Proposed LUP Policy III.D.2 is also protective of the ESHA by prohibiting the use of motorized boats in the canals, and prohibiting all boats in Ballona Lagoon.

Policies IV.A.1 through IV.A.5 Venice Canals (Appendix A, p. 5-10 & 5-11)

Proposed LUP Policies IV.A.1 through IV.A.5, part of proposed LUP Policy Group IV, are specific LUP policies that would be applicable to the Venice Canals and the properties adjacent the Venice Canals in order to protect and enhance the marine resources, water quality and environmental habitat area of the canals.

Policy IV.A.1 Canals Rehabilitation Project (Appendix A, p. 5-10)

Proposed LUP Policy IV.A.1 would require that the coastal resources in the Venice Canals area north of Washington Boulevard be maintained as provided by the Venice Canals Rehabilitation Plan in order to protect and enhance the marine resources, water quality and environmental habitat area of the canals. The Venice Canals Rehabilitation Plan was approved pursuant to Coastal Commission Coastal Development Permit 5-91-584 and amendments. The proposed policy shall be modified to refer to the Commission permit that approved the Venice Canals Rehabilitation Plan. This permit and its conditions require that the canals be maintained with specific provisions that address the issues of this policy: water quality, bank stability, public access and biological productivity. The permit also includes provisions that require the tidal gates to be operated in a manner that sustains and enhances the biological productivity of the canals by ensuring maximum water circulation. The policy shall be modified to include a provision that requires the tidal gates to continue to be operated consistent with this requirement. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.A.2 Permitted Uses (Appendix A, p. 5-10)

Proposed LUP Policy IV.A.2 would limit uses in and adjacent to the canals consistent with Sections 30230 and 30231 of the Coastal Act. No modification is required.

Policy IV.A.3 Venice Canals Landscape Buffer (Appendix A, p. 5-11)

Proposed LUP Policy IV.A.3 would require the maintenance of the landscaped buffer strip on the banks of the canals. This buffer strip is required to be maintained with native Southern California

wetland vegetation consistent with the marine resource policies of the Coastal Act and the requirements of Coastal Commission Coastal Development Permit 5-91-584 and amendments. The suggested modification is the addition of a reference to Coastal Commission Coastal Development Permit 5-91-584 and amendments. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.A.4 Venice Canals Setback and Yard Area (Appendix A, p. 5-11)

Proposed LUP Policy IV.A.4 would require the maintenance of the historically required setback (10-foot minimum, 15-foot average) in the residential yard areas adjacent to the canals. These required setback areas provide a permeable yard area on each property along on the banks of the canals in order to allow the percolation of storm water into the ground and reduce the amount of runoff that enters the canals. The setback also provides open space that maintains the existing pedestrian scale of the neighborhood, provides a wider flyway for the birds that use the canals for foraging, and enhances public access along the canals. A suggested modification is necessary to clarify the location ands size of the required setback. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.A.5 Canal Zoning (Appendix A, p. 5-11)

Proposed LUP Policy IV.A.4 states that the canals are to be zoned as Open Space, consistent with the City's proposed Open Space land use designation on the proposed LUP Map (Appendix A, Exhibit 10b). No modification is required.

Policies IV.B.1 to IV.B.7 Ballona Lagoon and Grand Canal South of Washington Boulevard (Appendix A, p. 5-11 to 5-14)

Proposed LUP Policies IV.B.1 through IV.B.7, part of proposed LUP Policy Group IV, are specific LUP policies that would be applicable to Ballona Lagoon, Grand Canal south of Washington Boulevard, and the properties adjacent these waterways in order to protect and enhance the marine resources, water quality and environmental habitat area of Ballona Lagoon and Grand Canal. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.B.1.a Ballona Lagoon Enhancement Plan (Appendix A, p. 5-12)

Proposed LUP Policy IV.B.1.a would require that the coastal resources in Ballona Lagoon be maintained as provided by the Ballona Lagoon Enhancement Plan in order to protect and enhance the marine resources, water quality and environmental habitat area of the lagoon and its banks. The Ballona Lagoon Enhancement Plan was approved pursuant to Coastal Commission Coastal Development Permit 5-95-152 and amendments. The proposed policy shall be modified to refer to the Commission permit that approved the Ballona Lagoon Enhancement Plan. This permit and its conditions require that the lagoon be maintained with specific provisions that address the issues of this policy: water quality, bank stability, sediment, public access and biological productivity. The permit also includes provisions that require the tidal gates to be operated in a manner that sustains and enhances the biological productivity of the lagoon by ensuring maximum water circulation. The policy shall be modified to include a provision that requires the tidal gates to

continue to be operated consistent with this requirement. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.B.1.b Permitted Uses (Appendix A, p. 5-12)

Proposed LUP Policy IV.B.1.b would limit uses in and adjacent to the lagoon as required by the marine resource and ESHA provisions of the Coastal Act. A suggested modification is necessary to state that any proposed fill in the lagoon must be consistent with the limitations and requirements of Section 30233 of the Coastal Act, and that no untreated runoff shall be directed into the lagoon. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.B.2 Ballona Lagoon Buffer Strip (Appendix A, p. 5-12 & 5-13)

Proposed LUP Policy IV.B.2 would protect the Ballona Lagoon Buffer strip that exists between the lagoon and all Commission approved residential development on the east and west banks of the lagoon. The buffer strip is comprised of City property (Esplanade) and dedicated easements on the lagoon side of private lagoon-fronting properties. The lagoon buffer strip on the east bank was established pursuant to the requirements of Commission approved Coastal Development Permit A-266-77 and amendments. Subsequent Commission approvals for development on both the east and west banks of the lagoon have required the provision of the buffer between the lagoon and the approved residential development. Individual property owners are required to offer to dedicate a portion of their lot, as a condition of development, in order to provide a lagoon buffer strip for protection of the adjacent EHSA.

A suggested modification is required in order for the LUP to continue to protect the ESHA by requiring the provision of the lagoon buffer, as a condition of approval for development, between the lagoon and any residential development approved on lagoon-fronting lots on both sides of the lagoon. The building setback on the west bank of Ballona lagoon shall be modified to be consistent with the current 25-foot setback that the Commission has established through prior approvals in order to protect the bird flyway, lagoon banks and public access on the west bank. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

A suggested modification is also required in order for the LUP to provide adequate protection of the City-owned Open Space lots situated on the west bank of Ballona Lagoon between Topsail Street and Ironsides Street (Appendix A, Exhibit 9). The suggested modification is consistent with the City's proposed Open Space land use designation for these properties, known as the alphabet lots. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.B.3 Ballona Lagoon Development Standards (Appendix A, p. 5-13)

Proposed LUP Policy IV.B.3 references LUP Policies I.A.4.b, c and d (Appendix A, p.2-19 to 2-22) which contain the development standards for residential uses permitted on lagoon-front lots that are necessary to protect the ESHA in Ballona Lagoon and Grand Canal. The suggested modifications to proposed LUP Policies I.A.4.b, c, which are necessary to protect the ESHA in Ballona Lagoon and Grand Canal, are discussed in Section V.A.2 (Residential Land Use and

Development Standards) of this staff report. Only as modified can the proposed LUP be found to be consistent with the marine resource and ESHA policies of the Coastal Act.

Policy IV.B.4 Lagoon and Grand Canal Zoning (Appendix A, p. 5-14)

Proposed LUP Policy IV.B.4 states that submerged portion of the lots under the waters of Ballona Lagoon are to be zoned as Open Space, consistent with the City's proposed Open Space land use designation on the proposed LUP Map (Appendix A, Exhibit 9). No modification is required.

Policy IV.B.5 Boating Prohibited (Appendix A, p. 5-14)

Proposed LUP Policy IV.B.5 would prohibit boating in Ballona Lagoon in order to protect marine resources consistent with the marine resource policies of the Coastal Act. Proposed LUP Policy III.D.2 also would prohibit all boating in Ballona Lagoon and the section of Grand Canal south of Washington Boulevard in order to protect the environmentally sensitive habitat areas of the canals and lagoon. These proposed policies reflect the current City ordinances that regulate boating in the canals and lagoon. Non-motorized boating has historically been allowed in the Venice Canals north of Washington Boulevard, and the proposed LUP would continue to protect boating in the Venice Canals north of Washington Boulevard as a public recreational activity. The existing Grand Canal public boat launch, constructed in 1996, provides public access for the launching of non-motorized boats in the Venice Canals north of Washington Boulevard. No modification is required to proposed LUP Policy IV.B.5.

Policy IV.B.6 Domestic Animals (Appendix A, p. 5-14)

Proposed LUP Policy IV.B.6 calls for a program to protect the ESHA from the negative effects of intruding domestic animals, particularly dogs and cats. No modification is required.

Policy IV.B.7 Grand Canal Rehabilitation (Appendix A, p. 5-14)

The City is currently planning to improve the section of Grand Canal between Washington Boulevard and Ballona Lagoon. This section of Grand Canal, originally constructed in 1905, is in a state of disrepair. The dilapidated public sidewalks (on the City-owned Esplanade) on both banks of Grand Canal are in need of substantial repairs. A suggested modification is necessary to ensure that the historic public access opportunities along the shoreline of Grand Canal are protected and enhanced, while being sensitive to the privacy of the adjacent residents. Only as modified can the proposed LUP policy be found to be consistent with the marine resource and public access policies of the Coastal Act.

Policy Group IV.C Storm Water Runoff and Circulation (Appendix A, p. 5-14 & 5-15)

The proposed LUP policy group that addresses the issue of storm water runoff shall be modified to read as follows in order to adequately meet the requirements of Sections 30230 and 30231 of the Coastal Act. Only as modified can the proposed LUP policy be found to be consistent with the marine resource policies of the Coastal Act.

> **Policy IV. C. 1. Stormwater Runoff.** All new public and private development, substantial rehabilitation, redevelopment or related activity, which discharges

stormwater runoff into the Ocean, Ballona Lagoon, Grand Canal south of Washington Boulevard or the Venice Canals shall be designed and conducted in compliance with the County-wide Municipal National Pollution Discharge Elimination System (NPDES) Stormwater Permit, issued by the California Regional Water Quality Control Board (RWQCB), the RWQCB approved Standard Urban Stormwater Mitigation Plan, and the NPDES General Permit for Stormwater Discharges Associated with Construction Activity, issued by the State Water Resources Control Board (SWRCB), where applicable. Methods to improve water quality, such as the mitigation of the first-flush stormwater runoff entering coastal waterways, shall be imposed as conditions of development by the City of Los Angeles in accordance with SWRCB and RWQCB recommendations and regulations, and the Santa Monica Bay Restoration Project Action Plan in order to protect, restore, and where feasible, enhance the water quality and habitat of these waterways.

Policy IV. C. 2. Water Quality. The methods to improve water quality, recommended in California's Plan for the Control of Non-Point Source Pollution (January 2000), such as watershed planning and management programs, and habitat restoration projects, shall be considered and implemented by the City of Los Angeles where feasible opportunities exist.

Policy Group IV.D California Least Tern (Appendix A, p. 5-15)

Proposed LUP Policy Group IV.D would protect the waterways of the Venice Canals and Ballona Lagoon for foraging by the endangered California least tern. The California least tern nesting area, located on the Marina Peninsula area of Venice Beach, is also protected. No modification is required.

Policy Group IV.E Maintenance (Appendix A, p. 5-16)

Proposed LUP Policy IV.E.1 states that the City is responsible for maintaining the banks, waterways and public walkways in and adjacent to the Venice Canals and Ballona Lagoon, unless another appropriate entity is authorized to do so. No modification is required.

Policy Group IV.F Diking, Dredging, Filling & Shoreline Structures (Appendix A, p. 5-17)

Proposed LUP Policy IV.F.1 states that diking and dredging activities shall be permitted, but only in conjunction with an approved restoration and maintenance plan. Filling of coastal waterways would not be permitted. As proposed, this LUP policy is not consistent with the provisions of Section 30233 of the Coastal Act because it does not contain the specific limitations on diking and dredging activities that are necessary to protect marine resources, and it would not allow any fill that may be a necessary component of a restoration project or other allowable use. Therefore, the proposed LUP policy shall be modified to allow diking, dredging and filling activities only if they are found to be consistent with Section 30233 of the Coastal Act. Only as modified can the proposed LUP policy be found to be consistent with the marine resource policies of the Coastal Act.

D. Public Works

This section of the staff report analyzes the proposed LUP policies that are contained proposed LUP Policy Group V (Public Works). Proposed LUP Policy Group V addresses the following Coastal Act policy, which is included as part of the proposed Venice LUP:

Section 30254 of the Coastal Act:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not include new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Policy Group V Public Works (Appendix A, p. 6-3 to 6-7)

Policy Group V (Public Works) addresses the following issues: the appearance of streets, landscape, street improvements, street lighting, public services and utilities (roadways, drainage, domestic water and sewer systems). Public works issues related to the Venice Canals, Ballona Lagoon and storm water management are discussed in Policy Group IV.

Policy V.A.1 General (Appendix A, p. 6-4)

Proposed LUP Policy V.A.1 generally states that the various City service departments will provide public services for both residents and visitors, including streets, parking, water and restrooms, in a manner that will not adversely affect residents. A suggested modification is necessary to state that public works projects shall be reviewed for consistency with the Coastal Act and the Venice LUP through the coastal development permit process. This modification will ensure that public works projects are analyzed for potential negative impacts to public access, marine resources and other coastal resources. Only as modified can LUP Policy Group V.A be found to be consistent with the Chapter 3 policies of the Coastal Act.

Policy V.A.2 Street and Highway Improvements (Appendix A, p. 6-4)

Proposed LUP Policy V.A.2 states that streets and highways shall be designed to accommodate development. A suggested modification is necessary to state that streets and highways shall be designed to accommodate development and to enhance public access to the coast. Only as modified can LUP Policy V.A.2 be found to be consistent with the public access policies of the Coastal Act.

Policy V.A.3 Infrastructure (Appendix A, p. 6-4)

Proposed LUP Policy V.A.3 states that utilities shall be install using the least environmentally disturbing method feasible. The policy also calls for the Department of Public Works to develop a Storm Water Management Program. No modification is necessary.

Policy V.A.4 Conservation Programs (Appendix A, p. 6-5)

Proposed LUP Policy V.A.4 encourages the development and implementation of water conservation programs for public works services. No modification is necessary.

Policy V.A.5 Streetscapes (Appendix A, p. 6-6)

Proposed LUP Policy V.A.5 calls for streetscape improvements in Venice in order to enhance pedestrian activity and improve visual resources for residents and visitors. No modification is necessary.

E. Hazards

This section of the staff report analyzes the proposed LUP policies that are contained proposed LUP Policy Group IV.G (Hazards). Proposed LUP Policy Group V addresses the following Coastal Act policy, which is included as part of the proposed Venice LUP:

Section 30253 of the Coastal Act:

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 areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.

Policy Group IV.G Hazards (Appendix A, p. 5-17 & 5-18)

Proposed LUP Policy Group IV.G addresses the potential hazards involved with development in the Venice coastal zone. Flooding and liquefaction are the potential hazards that the City has identified for Venice.

Policy IV.G.1 Flood Setback (Appendix A, p. 5-17)

Proposed LUP Policy IV.G.1 addresses the potential for flooding in the low elevation areas located adjacent to the west bank of Ballona Lagoon and the east bank of Grand Canal by setting development back from the waterways. The City proposes to use native plants to control erosion of the banks. No modifications are necessary.

Policy IV.G.2 Hazard Mitigation for New Construction (Appendix A, p.5-18)

Proposed LUP Policy IV.G.2 calls for special development standards for areas where potential flood and liquefaction exist. No modifications are necessary.

Policy IV.G.3 Shoreline Protection (Appendix A, p.5-17)

Suggested LUP Policy IV.G.3 shall be added to the proposed LUP in order to require the City to study the potential hazards to property that could result from wave erosion, tsunamis and flooding. No new shoreline protection projects shall be approved until such studies are completed. Only as modified can LUP Policy Group IV.G be found to be consistent with Coastal Act Section 30253.

F. California Environmental Quality Act (CEQA)

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. However, the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP. Nevertheless, the Commission is required in an LCP submittal to find that the LCP does conform with the provisions of CEQA.

As outlined in this staff report, the proposed City of Los Angeles Land Use Plan (LUP) for Venice as modified, preserves the unique character of Venice as a special coastal community, maintains and improves public access to the shoreline, increases public recreational opportunities, and protects environmentally sensitive habitat areas. As modified, the proposed Venice LUP also minimizes risk to life and property from flooding and geologic hazards, provides incentives for affordable housing to the extent required by the Government Code, preserves historic structures, and controls development to the level of intensity that can be accommodated by the existing transportation system.

Therefore the Commission finds that the proposed Venice LUP, as modified, is in conformity with the policies of Chapter 3 of the Coastal Act. The Commission's certification of the proposed Venice LUP, as modified, will not result in significant adverse environmental effects under the meaning of CEQA.

The Commission finds that for the reasons discussed in this report, if the LCP amendment is modified as suggested, there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed LCP amendment is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

INDEX OF VENICE LUP POLICIES

No Mod: This LUP Policy **not modified** (no suggested modification).
Mod a: This LUP Policy is modified by a **substantive change** to wording and/or intent.
Mod b: This LUP Policy is modified by a **non-substantive change** to wording.
Mod c: This LUP Policy is a suggested **supplemental LUP Policy** to be added into the LUP.

LUP Policy Section I.A: Residential Land Use and Development Standards (Appendix A, P. 2-17 to 2-32)

Policy I.A.1.	Residential Development	Mod a
Policy I.A.2.	Preserve Stable Single Family Residential Neighborhoods	Mod a
Policy I.A.3.	Single Family Dwelling – Low Density	Mod b
Policy I.A.4.	Single Family Dwelling – Low Medium I Density	Mod a
Policy I.A.5.	Preserve and Protect Stable Multi-Family Neighborhoods	No Mod
Policy I.A.6.	Multi-Family Residential – Low Medium I Density	Mod b
Policy I.A.7.	Multi-Family Residential – Low Medium II Density	Mod a
Policy I.A.8.	Multi-Family Residential - Medium Density	Mod b
Policy I.A.9.	Replacement of Affordable Housing	No Mod
Policy I.A.10.	Location of Replacement Housing	No Mod
Policy I.A.11.	Replacement Ratios for Replacement Units	No Mod
Policy I.A.12.	Displaced Residents Priority	No Mod
Policy I.A.13.	Density Bonus Applications	Mod a
Policy I.A.14.	Parking Requirements for Affordable Housing	Mod a
Policy I.A.15.	In-lieu Credits for Replacement Housing	No Mod
Policy I.A.16.	Exceptions	Mod b
Policy I.A.17.	Youth Hostels and Hotels	Mod a

LUP Policy Section I.B: Commercial Land Use and Development Standards (Appendix A, P. 2-32 to 2-39)

Policy I.B.1.	Commercial Intensity	Mod a
Policy I.B.2.	Mixed-Use Development	Mod a
Policy I.B.3.	Commercial Artcraft Land Use Designation	Mod a
Policy I.B.4.	General Commercial Land Use	Mod a
Policy I.B.5.	Neighborhood Commercial Land Use	Mod a
Policy I.B.6.	Community Commercial Land Use	Mod a
Policy I.B.7.	Commercial Development Standards	Mod a
Policy I.B.8.	Weekend Arts and Crafts Fair	Mod a
Policy I.B.9.	Artcraft Overlay District Uses	Mod a
Policy I.B.10.	Open Air Sales Ocean Front Walk	Mod a
Policy I.B.11.	Intensification of Commercial Uses	Mod c
Policy I.B.12.	Parking Structures	Mod c

LUP Policy Section I.C: Industrial and Rights-of-Way Land Use and Development Standards (Appendix A, P. 2-39 to 2-41)

Policy I.C.1.	Industrial Land Use	Mod a
Policy I.C.2.	Coastal Industry	No Mod
Policy I.C.3.	Coastal Dependent Facilities	No Mod
Policy I.C.4.	Accessory Retail Use	Mod a
Policy I.C.5.	Oil Wells	Mod b
Policy I.C.6.	Hazardous Uses	No Mod

Policy I.C.7. Bus Yard Redevelopment	No Mod
Policy I.C.8. Railroad rights-of-way	Mod b
Policy I.C.9. Public Rights-of-way	Mod c

LUP Policy Section I.D: Development Within Natural and Recreational Resource Areas/Protection of Views (Appendix A, P. 2-41 to 2-42)

Policy I.D.1. Canals and Ballona Lagoon Waterways	Mod b
Policy I.D.2. Venice Beach	Mod b
Policy I.D.3. Views of Natural and Coastal Recreation Resources	Mod b
Policy I.D.4. Signs	Mod a

LUP Policy Section I.E: Preservation of Venice as a Special Coastal Community (Appendix A, P. 2-42 to 2-43)

Policy I.E.1. General	No Mod
Policy I.E.2. Scale	Mod a
Policy I.E.3. Architecture	No Mod
Policy I.E.4. Redevelopment	No Mod
Policy I.E.5. Nonconforming Structures	Mod c
Policy I.E.6. Constitution	Mod c

LUP Policy Section I.F: Preservation of Cultural Resources (Appendix A, P. 2-43 to 2-46)

Policy I.F.1. Historic and Cultural Resources	No Mod
Policy I.F.2. Reuse and Renovation of Historic Structures	No Mod
Policy I.F.3. Venice Canals	No Mod
Policy I.F.4. Windward Historic Arcade	Mod b
Policy I.F.5. Historic Street Lighting	No Mod
Policy I.F.6. Archaeological Resources	Mod a

LUP Policy Section II.A: Shoreline Access - Parking (Appendix A, P. 3-11 to 3-21)

Policy II.A.1. General	Mod a
Policy II.A.2. Expansion of Public Beach Parking Supply	Mod b
Policy II.A.3. Parking Requirements	Mod a
Policy II.A.4. Parking Requirements in the Beach Impact Zone	Mod a
Policy II.A.5. Intercept Parking Lots	No Mod
Policy II.A.6. Preferential Parking	Mod a
Policy II.A.7. Metered parking on Abbot Kinney Boulevard	No Mod
Policy II.A.8. Signage and Management of Public Beach Parking	No Mod
Policy II.A.9. Protection of Public Parking	Mod c
Policy II.A.10. Valet Parking	Mod c
Policy II.A.11. Shared Parking	Mod c

LUP Policy Section II.B: Alternative Transit and Traffic Management (Appendix A, P. 3-21 to 3-25)

Policy II.B.1. Public Transportation	No Mod
Policy II.B.2. Beach Bus Service	No Mod
Policy II.B.3. Shuttle System	No Mod
Policy II.B.4. Traffic Management	No Mod

LUP Policy Section II.C: Shoreline Access - Pedestrian and Bicycle Access (Appendix A, P. 3-26 to 3-35)

Policy II.C.1. General Non-Vehicular Coastal Access Policy	No Mod
Policy II.C.2. Grand Canal Pedestrian Access	Mod a
Policy II.C.3. Ballona Lagoon Enhancement Plan (Pedestrian Access)	Mod a
Policy II.C.4. Venice Canals	No Mod
Policy II.C.5. Ocean Front Walk	Mod a
Policy II.C.6. Disabled/Elderly Access Paths	Mod a
Policy II.C.7. Walk Streets	No Mod
Policy II.C.8. Emergency Vehicle Access	No Mod
Policy II.C.9. Alley Access and Improvement	Mod b
Policy II.C.10. Walk Streets – Residential Development Standards	No Mod
Policy II.C.11. Encroachments into Walk Street Right-of-way	No Mod
Policy II.C.12. Ocean Front Walk Pedestrian Amenities	Mod b
Policy II.C.13. Bikeways	No Mod
Policy II.C.14. Bikeway South of Washington Boulevard	Mod a
Policy II.C.15. Bicycle Support Facilities	No Mod
Policy II.C.16. Bicycles on Public Transport	No Mod

LUP Policy Section II.D: Shoreline Access - Temporary Events (Appendix A, Page 3-35)

Policy II.D.1. Temporary Events	Mod c

LUP Policy Section III.A: Recreational Opportunities (Appendix A, Page 4-8)

Policy III.A.1. General	Mod a

LUP Policy Section III.B: Recreational Opportunities – North Venice (Appendix A, P. 4-9 to 4-11)

Policy III.B.1. Waterfront Restoration Plan & Venice Beach OFW Refurbishment Plan	Mod b
Policy III.B.2. Venice Pier	Mod a
Policy III.B.3. Venice Pier Parking Lot	Mod c

LUP Policy Section III.C: Recreational Opportunities – Marina Peninsula (Appendix A, Page 4-12)

Policy III.C.1. Visitor Serving Facilities	No Mod
Policy III.C.2. Least Tern Nesting Area	No Mod
Policy III.C.3. Marina del Rey Entrance Jetty	Mod c

LUP Policy Section III.D: Recreational Opportunities – Coastal Waterways (Appendix A, P. 4-12 & 4-13)

Policy III.D.1. General	No Mod
Policy III.D.2. Boating Use of Canals and Lagoon	Mod a
Policy III.D.3. Venice Canals Boat Docks	Mod b
Policy III.D.4. Boating and Recreational Use of Pacific Ocean & Adjacent Beaches	No Mod
Policy III.D.5. Educational and Passive Recreational Use of Waterways	Mod a
Policy III.D.6. Venice Canals Parks	No Mod

LUP Policy Section IV.A: Water, Marine Resources & ESHA – Venice Canals (Appendix A, P. 5-10 & 5-11)

Policy IV.A.1. Canals Rehabilitation Project	Mod a
Policy IV.A.2. Permitted Uses	No Mod

Policy IV.A.3. Venice Canals Landscape Buffer	No Mod
Policy IV.A.4. Venice Canals Setback and yard Area	Mod b
Policy IV.A.5. Canal Zoning	Mod b

LUP Policy Section IV.B: Water, Marine Resources & ESHA – Ballona Lagoon & Grand Canal South of Washington Boulevard (Appendix A, P. 5-12 to 5-14)

Policy IV.B.1. Ballona Lagoon	Mod a
Policy IV.B.2. Ballona Lagoon Buffer Strip	Mod a
Policy IV.B.3. Ballona Lagoon Development Standards	No Mod
Policy IV.B.4. Lagoon and Grand Canal Zoning	No Mod
Policy IV.B.5. Boating Prohibited	No Mod
Policy IV.B.6. Domestic Animals	No Mod
Policy IV.B.7. Grand Canal Rehabilitation	Mod a

LUP Policy Section IV.C: Water, Marine Resources & ESHA – Stormwater Runoff & Circulation (Appendix A, P. 5-14 & 5-15)

Policy IV.C.1. Stormwater Runoff	Mod a
Policy IV.C.2. Water Quality	Mod c

LUP Policy Section IV.D: Water, Marine Resources & ESHA- California Least Tern (Appendix A, Page 5-16)

Policy IV.D.1. Venice Canals Habitat	No Mod
Policy IV.D.2. Ballona Lagoon Habitat	No Mod
Policy IV.D.3. Venice Beach	No Mod

LUP Policy Section IV.E: Water, Marine Resources & ESHA - Maintenance (Appendix A, Page 5-16)

Policy IV.E.1. Maintenance	No Mod

LUP Policy Section IV.F: Water, Marine Resources & ESHA – Diking, Dredging, Filling & Shoreline Structures (Appendix A, Page 5-17)

Policy IV.F.1. Diking, Dredging and Fill	Mod a

LUP Policy Section IV.G: Water, Marine Resources & ESHA - Hazards (Appendix A, P. 5-17 & 5-18)

Policy IV.G.1. Flood Setback	No Mod
Policy IV.G.2. Hazard Mitigation for New Construction	No Mod
Policy IV.G.3. Shoreline Protection	Mod c

LUP Policy Section V.A: Public Works (Appendix A, P. 6-4 to 6-6)

Policy V.A.1. General	Mod a
Policy V.A.2. Street and Highway Improvements	Mod a
Policy V.A.3. Infrastructure	No Mod
Policy V.A.4. Conservation Programs	No Mod
Policy V.A.5. Streetscapes	Mod b

End/cp

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APPENDIX A

MODIFIED VENICE LOCAL COASTAL PROGRAM

LAND USE PLAN
SUGGEST MODIFICATIONS (NOVEMBER 1, 2000)

This document is a modified version of the official October 1999 City of Los Angeles LUP for Venice which the City has submitted for Commission certification.

The suggested modifications (edits) contained in this discussion draft include:

a) Substantive suggested modifications to the City's proposed LUP policies;
b) Suggested additional LUP policies;
c) Substantive factual corrections and updates to non-policy text;
d) Substantive suggested modifications to the City's proposed LUP exhibits;
e) Non-substantive corrections and updates to non-policy text and exhibits.

All suggested modifications (edits) are identified as follows:

The strike-out line is used to identify suggested deletions: ~~deleted words~~.
Underlining is used to identify suggested added language: added words.
All modifications can also be identified by the vertical line to the right >.

cp

VENICE

LOCAL COASTAL PROGRAM

LAND USE PLAN

CITY OF LOS ANGELES
Department of City Planning
Community Planning Bureau
221 S. Figueroa Street, Room 310
Los Angeles, CA 90012

October 1999*

Suggested Modifications (CP) November 1, 2000

*Adopted by the Los Angeles City Council on October 29, 1999. This version includes modifications approved by the Planning and Land Use Management Committee of the Los Angeles City Council on October 6, 1998.

VENICE LOCAL COASTAL PROGRAM

~~OCTOBER 1999~~ INSERT NEW DATE

CITY OF LOS ANGELES PLANNING DEPARTMENT

This publication was prepared with financial assistance from the U.S. Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, under the provisions of the Federal Coastal Zone Management Act of 1972, as amended, and from the California Coastal Commission under the provisions of the Coastal Act of 1976.

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~~B. Post Certification Program~~

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Venice Coastal
Land Use Plan

City of Los Angeles
Department of City Planning
(New Date)October 1999*

*Adopted by the Los Angeles City Council on October 29, 1999. This version includes modifications approved by the Planning and Land Use Management Committee of the Los Angeles City Council on October 6, 1998.

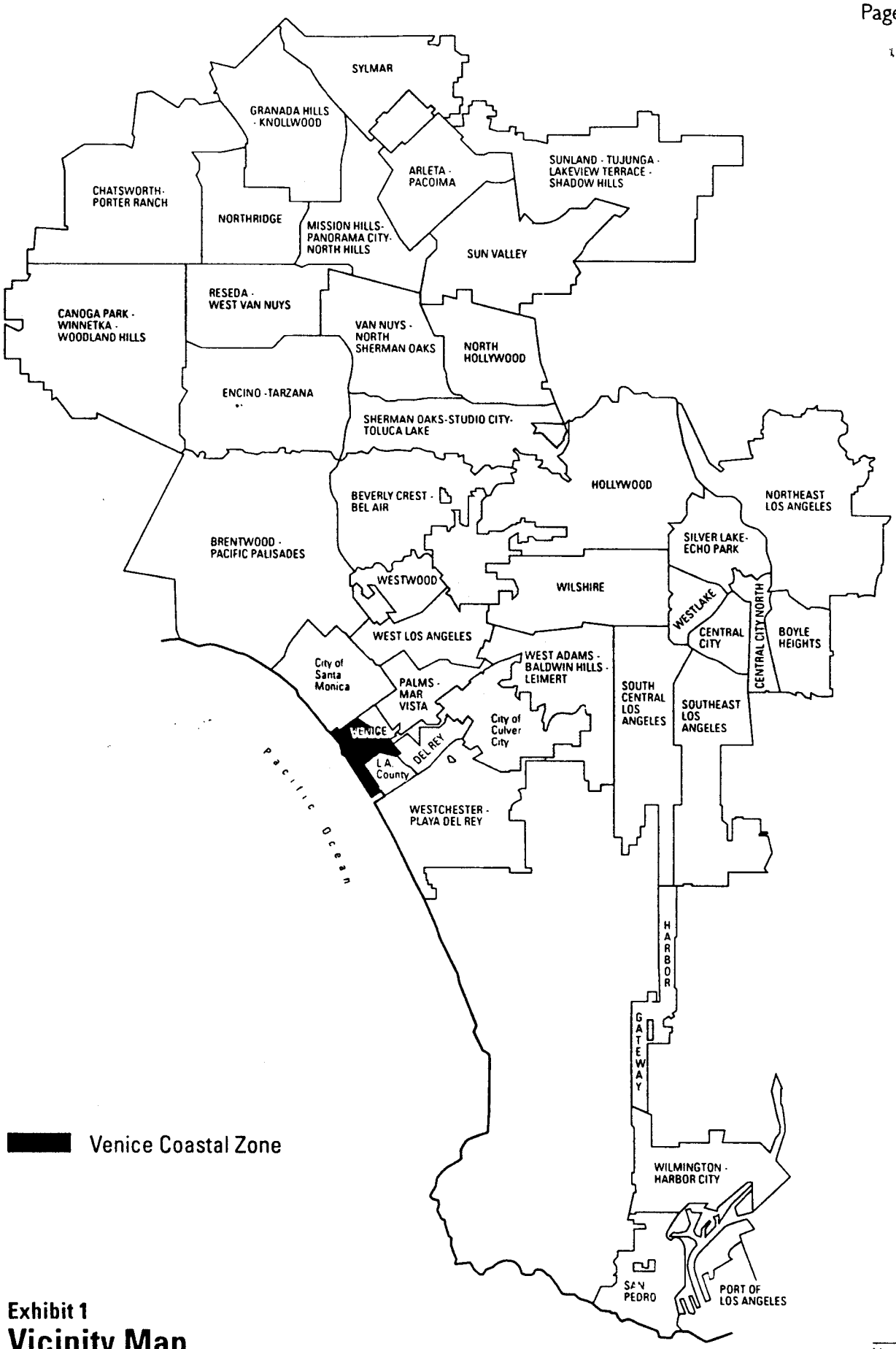

Exhibit 1
Vicinity Map

Suggested Modifications to LUP Exhibit 2:

1) Add Note: Map does not show area of Palms/Del Rey portion of coastal zone that is located inland of Lincoln Boulevard.
2) Insert borders to define limits of Oakwood, Milwood and Southeast Venice as individual communities.

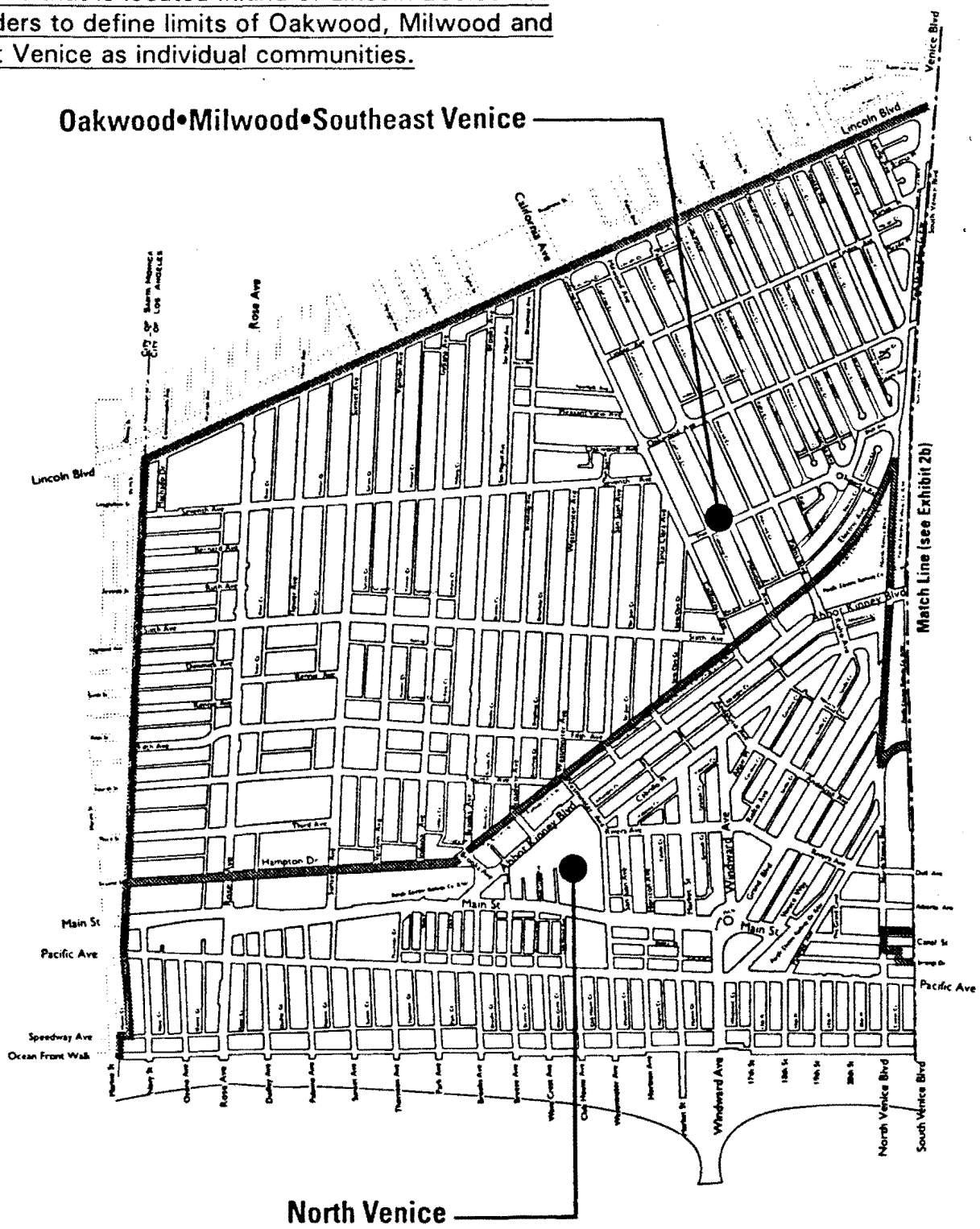

Exhibit 2a

Venice Coastal Zone

Not to Scale

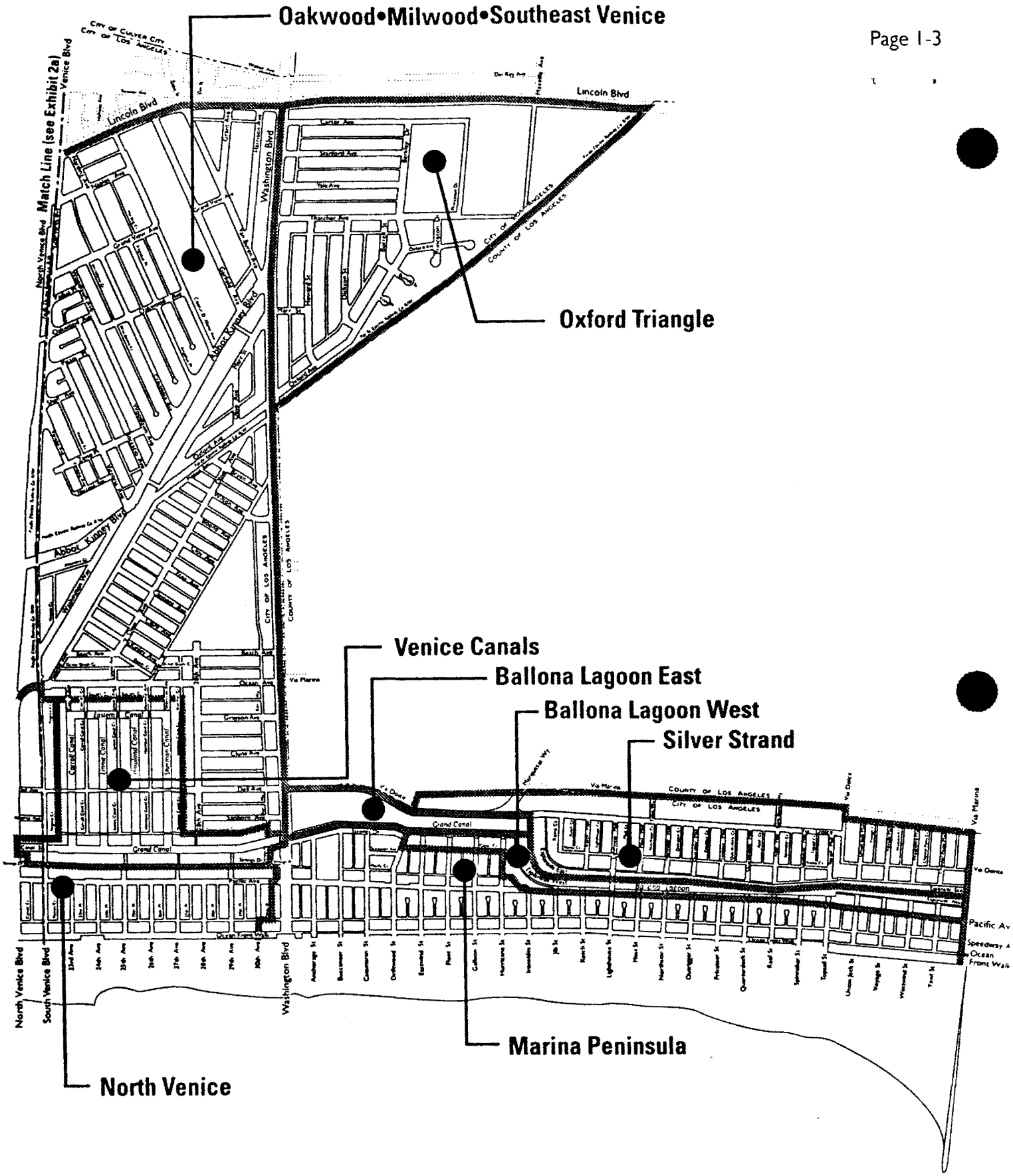

Exhibit 2b

Venice Coastal Zone

Not to Scale

CHAPTER 1. INTRODUCTION

A. The Coastal Act

This plan has been prepared to comply with the California Coastal Act of 1976. The Coastal Act directs each local government lying wholly or partly within the Coastal Zone to prepare a Local Coastal Program (LCP) for those areas located in the State's designated Coastal Zone. The Venice Coastal Zone is the area generally bounded by Marine Street on the north, the City-County boundary, Washington Boulevard and Via Marina on the south, Lincoln Boulevard and Via Dolce on the east, and the Pacific Ocean on the west (see Exhibit 1, Vicinity Map and Exhibit 2, Venice Coastal Zone Map).

B. Organization of the Venice Local Coastal Program

The Local Coastal Program (LCP) consists of a local government's land use plans, zoning ordinances, zoning district maps, and other implementing actions which implement the provisions and policies of the California Coastal Act at the local level. The LCP contains a Land Use Plan (LUP) and a Local Implementation Plan (LIP).

The LUP consists of LCP Chapters 1 and 2, ~~and~~ the maps entitled "Venice Coastal Land Use Plan Maps", and ~~(~~Exhibits 1~~9~~ through 23 ~~12)~~ with the emphasis placed upon establishing plan goals and defining policy. It indicates the "kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions."

The LIP will consist of LCP Chapter 3 and will contain the regulatory controls and incentives for the systematic implementation of the LUP. The LIP will be comprised of a specific plan and related implementing ordinances and zoning map. The LIP will implement the certified LUP with specific ~~establishes~~ zoning designations and development standards for all uses within the Venice Coastal Zone.

C. Summary of Coastal Issues

Chapter 3 of the California Coastal Act outlines the following 14 policy groups which must be addressed, if applicable, in the LCP.

1) Shoreline Access
2) Recreation and Visitor-Serving Facilities
3) Housing
4) Water and Marine Resources
5) Diking, Dredging, Filling and Shoreline Structures
6) Commercial Fishing and Recreational Boating
7) Environmentally Sensitive Habitat Areas
8) Agriculture
9) Hazards
10) Forestry and Soils Resources
11) Locating and Planning New Development
12) Coastal Visual Resources and Special Communities

13) Public Works
14) Industrial and Energy Development

The City and California Coastal Commission seek the widest possible public input to identify local coastal issues. To this end, the Department of City Planning has had an ongoing program of citizen involvement. Starting in 1978 seven public meetings were held in both coastal and inland communities. The 14 policy groups were distributed at the meetings to inform the public of the general scope of the coastal issues. In addition, federal, state and local agencies were contacted for their input. City staff and Coastal Commission staff held several subsequent meetings to determine which of the 14 California Coastal Act policies applied in Venice, to identify the extent to which existing plans met Coastal Act requirements, and to delineate any potential conflicts between existing plans, development proposals and the policies of the Coastal Act. The resulting local issues were translated into a Work Program, which was approved in 1979 by the City and the California Coastal Commission. The Work Program issues are outlined in Exhibit 3. Coastal policy groups which were considered inapplicable to the Venice Coastal Zone are Commercial Fishing, Agriculture, Forestry and Soils, and Energy Development.

Since 1979, the Coastal Act has been amended to remove the policies that related to the protection of affordable housing in the coastal zone. The responsibility for carrying-out the provisions of Government Code Section 65915 (Affordable Housing) now rests with local government.

EXHIBIT 3

Summary of Venice Coastal Issues

Locating and Planning New Development

Residential Land Use and Development

- Preservation of existing housing stock, and discouragement of conversion of residential uses to commercial use where appropriate.
- Provision of very low, low, and moderate income housing for a cross-section of the population, including persons with special needs.
- Illegal conversion of residential uses to commercial uses and illegal provision of residential uses.
- Enforcement and regulation of encroachments into public rights-of-way.

Commercial Land Use and Development

- Encouragement of coastal development, recreation, neighborhood- and visitor-serving facilities.
- Regulation of development which is out of scale with existing community character.
- Regulation of open-air vendors along Ocean Front Walk.
- Over-development of the Coastal Zone resulting in traffic congestion.
- Over-intensification of commercial uses.

Industrial and Railroad Rights-of-Way Land Use and Development

- Preservation of the existing industrial land use base and employment opportunities.
- Regulation of the location and types of non-coastal-dependent industrial uses.
- Appropriate use of railroad rights-of-way.

Development within Natural and Recreational Resource Areas/Protection of Views

- Protection of existing natural and recreational resources, including the Venice Canals, Ballona Lagoon, Grand Canal south of Washington Boulevard, and Venice Beach.

- Protection of coastal views and vistas.

Preservation of Venice as a Special Coastal Community

- Preservation of community character, scale and architectural diversity.
- Development of appropriate height, density, buffer and setback standards.
- Development of a landscape plan.

Preservation of Cultural Resources

- Preservation and restoration, where feasible and necessary, of historical landmarks.
- Designation of historical sites as historic-cultural monuments.
- Preservation of significant archeological sites.

Shoreline Access

Parking

- Conflict between residential and beach visitor parking.
- Inadequate signage of available parking for beach visitors on weekends resulting in added traffic congestion.
- Inadequate parking provided by non-conforming uses.
- Inadequate off-street parking near or on the beach frontage for visitors and residents.
- Intrusion of non-resident vehicles on residential streets to locate available parking spaces.
- Preventing polluted stormwater runoff from parking lots from entering the Venice Canals and Ballona Lagoon.

Alternate Transit and Traffic Management

- Lack of adequate alternate public transportation systems, including shuttle systems; park and ride facilities; (bikeways;) and public bus services.
- Lack of an adequate traffic management program to facilitate coastal access to and within the Venice Coastal Zone.

Pedestrian and Bicycle Access

- Inadequate access to walkways due to lack of adequate parking facilities.
- Walk streets are often illegally used as private driveways and parking.
- Open areas in activity nodes and special districts are often completely surfaced with asphalt and concrete without provisions for pedestrian relief from the sun's heat and reflected glare. Resting places or other people-oriented accommodations are seldom provided.
- The eastern sidewalk of Pacific Avenue from Via Marina to Jib Street and the western sidewalk of Pacific Avenue from Driftwood Avenue to Mildred Street is unimproved and cannot be used for public pedestrian uses due to encroachments on public right-of-way and requirements for buffers for habitat protection.
- Lack of pedestrian walkways along the banks of the Venice Canals where the deteriorated sidewalks have been withdrawn from public use,* and along the banks of the Ballona Lagoon.
- Lack of bicycle routes to complement existing and future transportation modes.
- Inadequate maintenance of walkways and bikeways.
- Lack of convenient and secure bicycle (parking/storage) facilities provided at public buildings, retail uses, parks and multiple family housing developments.
- Inadequate handicap access (e.g. vertical ramps) to the beach.

Recreation and Visitor-Serving Facilities

- Inadequate public support facilities, such as bike racks and storage lockers, public restrooms, outdoor eating areas, trash cans, recycling bins, etc.
- Inadequate visitor facilities on or near the Peninsula south of Washington Boulevard.
- Utilization of vacant, publicly owned lots on the Peninsula for recreational purposes.
- Identification, preservation and enhancement of existing recreational and visitor serving facilities, both private and public (including water faucets and restrooms).
- Inadequate recreational opportunities and pedestrian amenities, such as walkways, bikeways, walk street improvements, open space and viewing areas.

- Inadequate maintenance of public recreational facilities.

Water and Marine Resources, Environmentally Sensitive Habitat Areas

- Enhancement and maintenance of habitat value, including foraging habitat for the Least Tern, an endangered species.
- Invasion of non-native plant species along the banks of the Venice Canals, Ballona Lagoon and in the intertidal habitat zone.
- Regulation of surface runoff into the canals and the provision of adequate drainage.*
- Regulation of tidal exchange between Ballona Lagoon and the sea.
- Poor circulation and water stagnation in Ballona Lagoon.
- Contamination of Ballona Lagoon from accidental raw sewage discharge from the Venice Pumping Plant.*
- Erosion of the banks along Ballona Lagoon.

Diking, Dredging, Filling, Shoreline Structures

- Provision of adequate regulation of diking, dredging and placement of fill in coastal waterways.
- Regulations regarding placement of shoreline structures.
- Prevention of hazards, such as liquefaction and flooding.

Environmentally Sensitive Habitat Areas

- Identification of existing clam beds and domestic duck feeding and nesting areas, if any, in the Ballona Lagoon and adjoining canals, and protection and preservation of same.

Public Works

- Adequacy of public facilities in terms of stormwater drainage, water supply, sewer capacity, and roadway capacity and maintenance.
- Lack of adequate and regular maintenance program for the Venice Canals* and Ballona Lagoon. Effluvium (odors) resulting from poor circulation, lack of maintenance, and occasional accidental sewage discharges in the Venice Canals* and Ballona Lagoon.

- Deteriorated canal sidewalks, currently withdrawn from public use, requiring restoration.*
- Development and implementation of a comprehensive streetscape plan.

* This issue has been resolved as indicated in the LUP text; it is mentioned for historical reference.

D. Venice Coastal Zone Setting

To facilitate discussion of issues, policies and development standards, the Venice Coastal Zone has been divided into eight (8) subareas, as follows:

- **Ballona Lagoon West Bank Subarea**, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon and Grand Canal on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 4.

- **Ballona Lagoon (Grand Canal) East Bank Subarea**, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 4.

- **Silver Strand Subarea**, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County line on the east, and Ballona Lagoon on the west, as shown on Exhibit 4.

- **Marina Peninsula Subarea**, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the east, and the Pacific Ocean on the west, as shown on Exhibit 4.

- **Venice Canals Subarea**, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eterna (Eastern) Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 5b.

- **North Venice Subarea**, generally bounded by the City of Los Angeles boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 5a and 5b.

- **Oakwood-Milwood-Southeast Venice Subarea**, generally bounded by the City of Los Angeles boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court, and Strongs Drive on the west, as shown on Exhibits 6a and 6b.

- **Oxford Triangle Subarea**, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 7.

~~The LIP will consist of a specific plan which addresses each of the eight subareas reflecting the geographic clusters of issues identified in the work program.~~ These eight specific plan subareas roughly follow the boundaries of the older neighborhoods previously used by the City Council and neighborhood groups for public participation in neighborhood issues.

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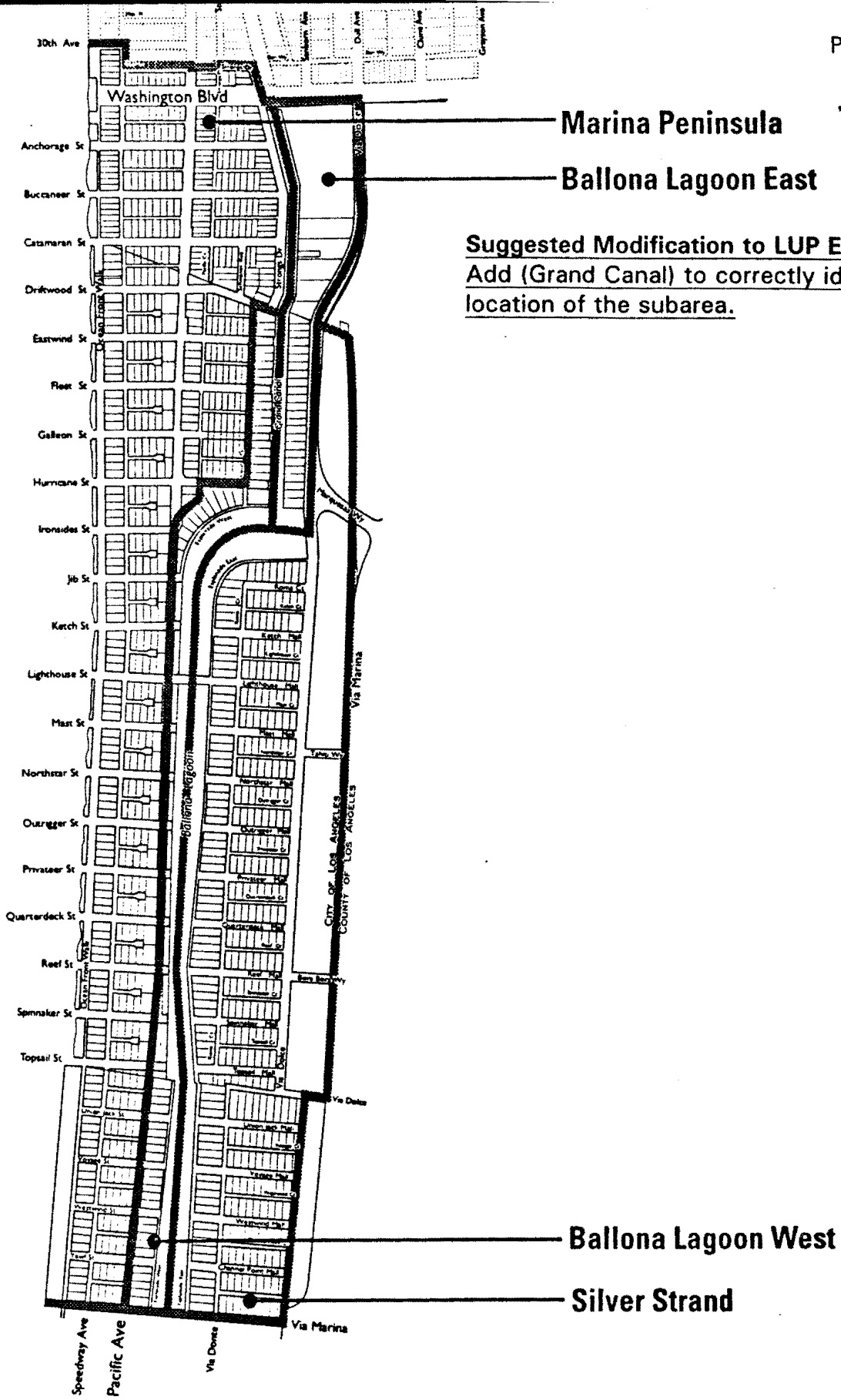

Suggested Modification to LUP Exhibit 4:
Add (Grand Canal) to correctly identify location of the subarea.

Exhibit 4

Subarea: Marina Peninsula • Silver Strand • Ballona Lagoon West • Ballona Lagoon East

Not to Scale

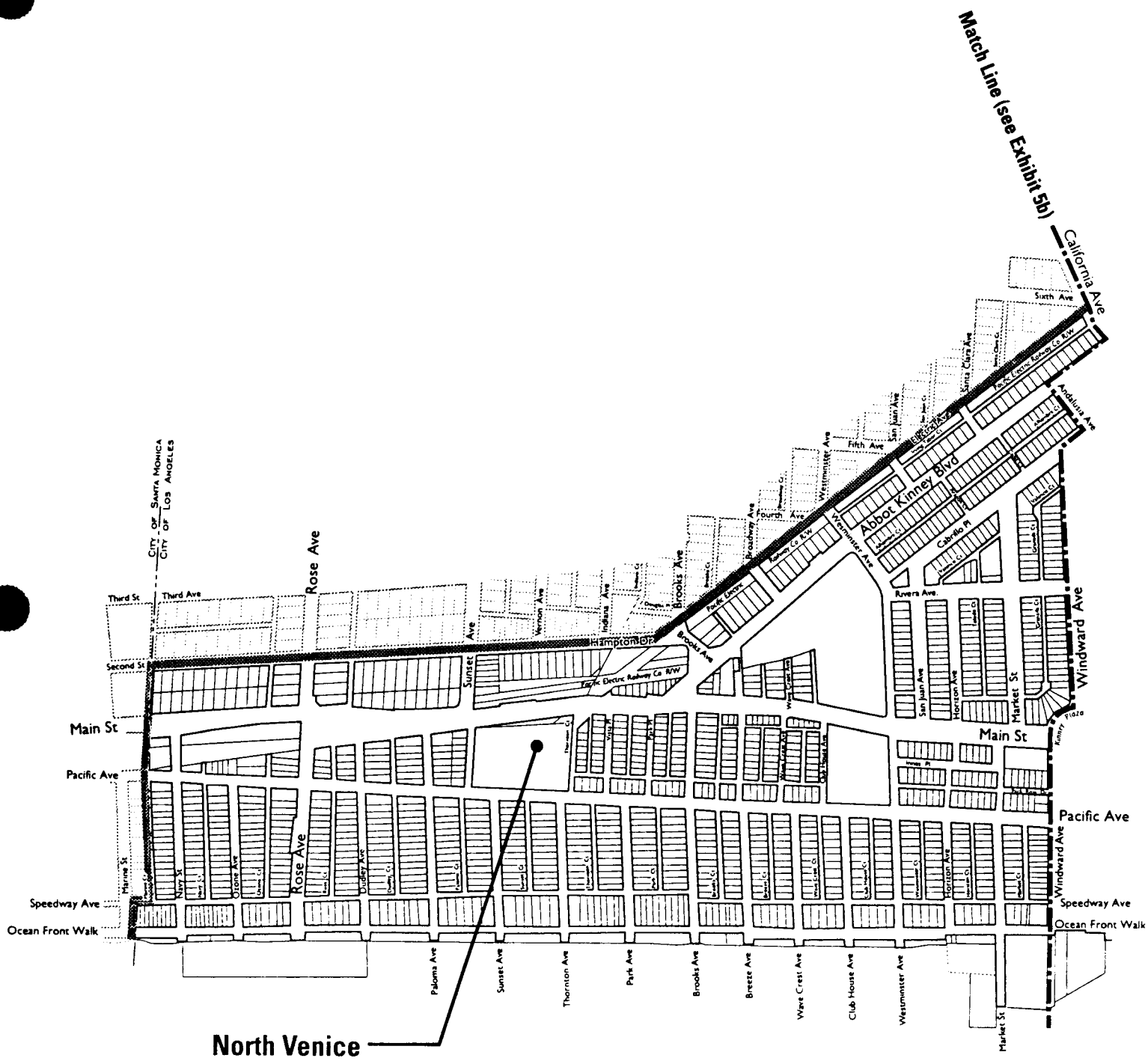

Exhibit 5a

Subarea: North Venice • Venice Canals

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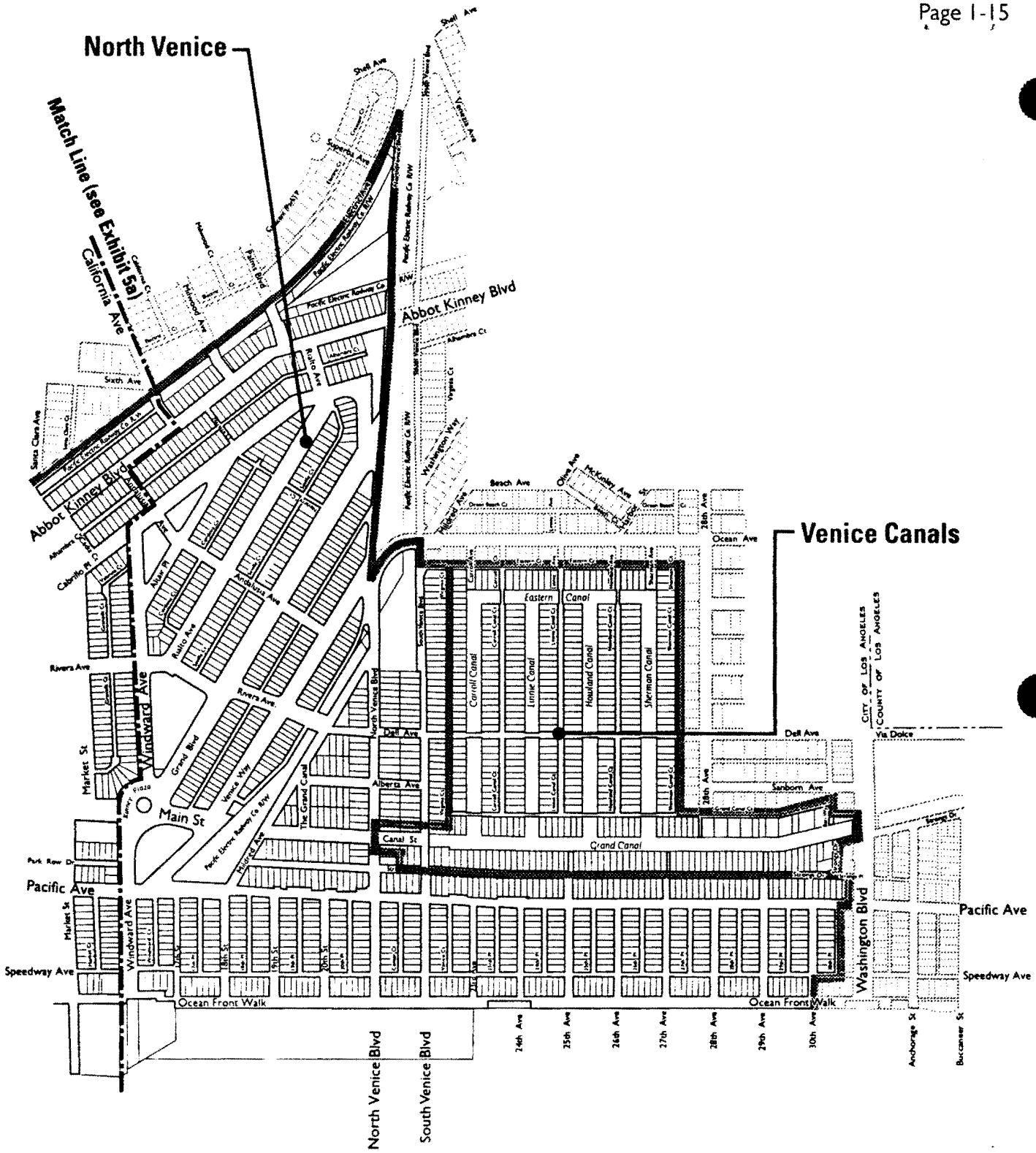

Exhibit 5b

Subarea: North Venice • Venice Canals

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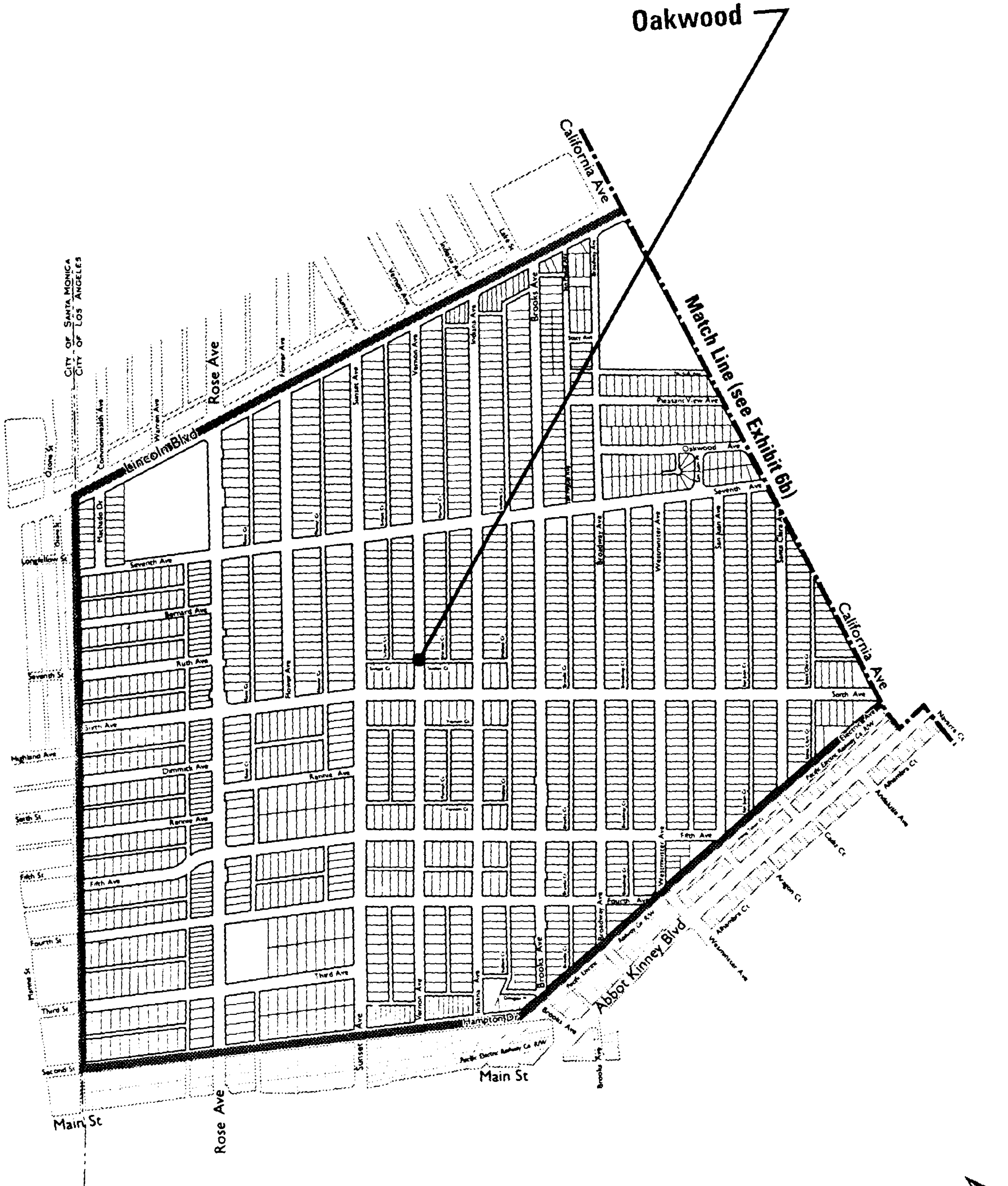


Exhibit 6a

Subarea: Oakwood • Milwood • Southeast Venice

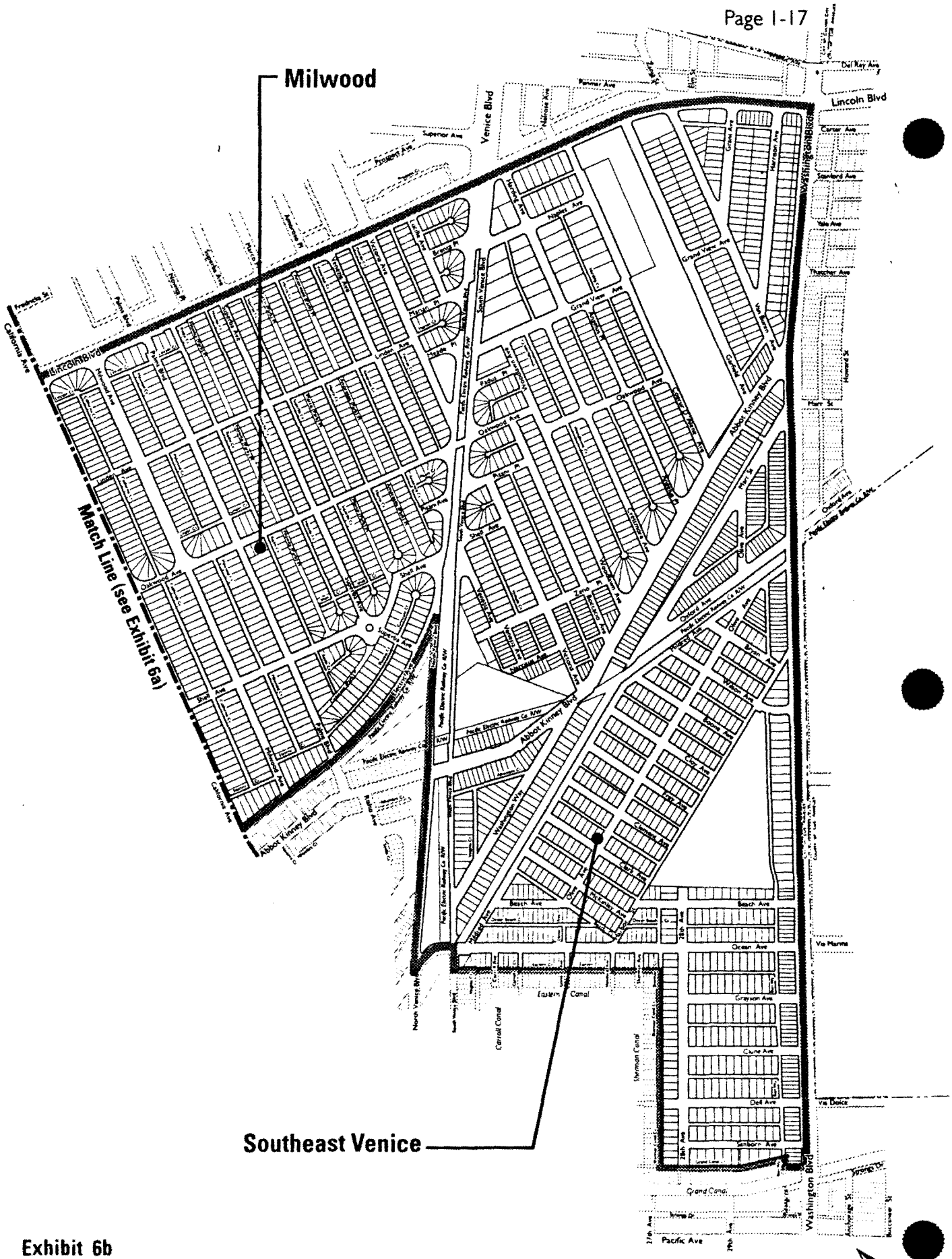


Exhibit 6b

Subarea: Oakwood • Milwood • Southeast Venice

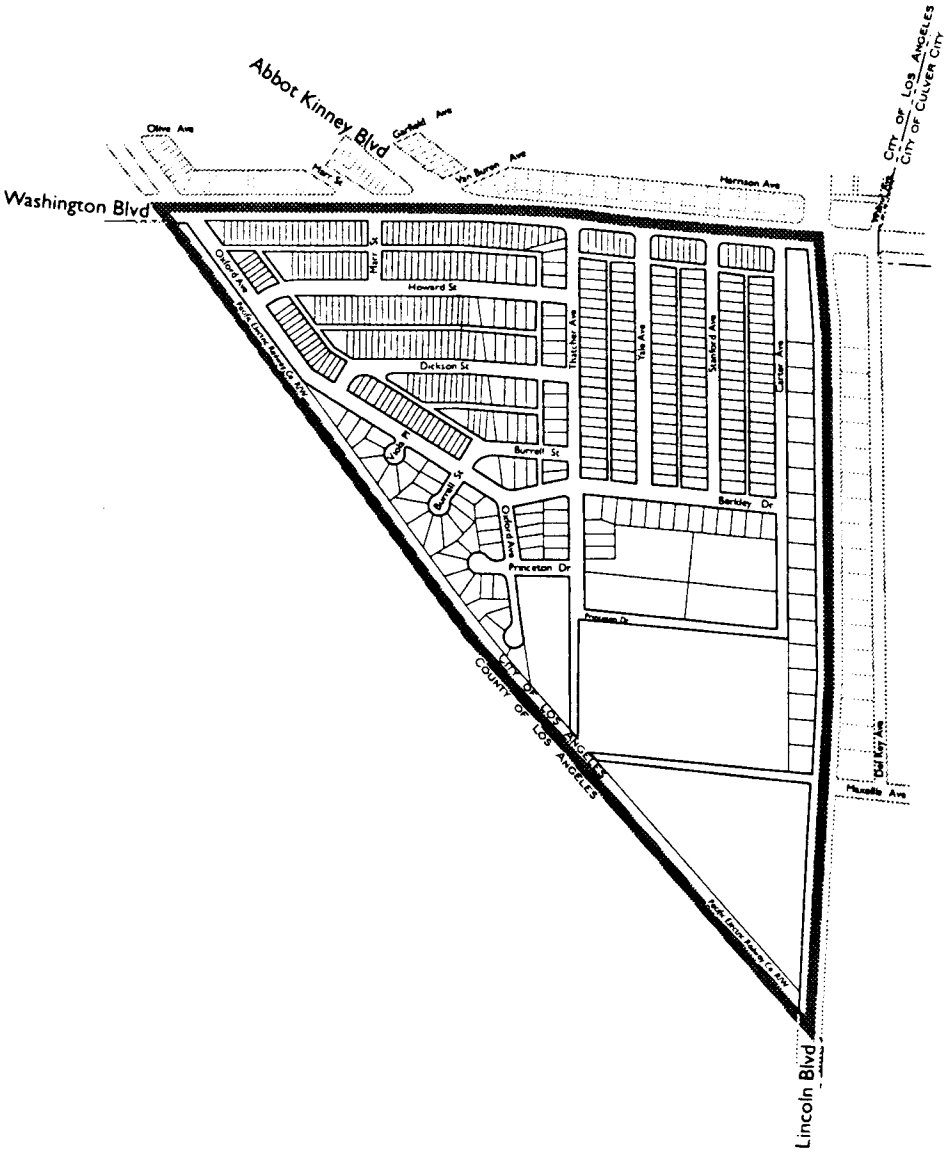


Exhibit 7

Subarea: Oxford Triangle

Not to Scale

E. Relationship to Other City Plans and Procedures

The most effective means of addressing the largest number of issues identified in the work program is ~~the~~ through the development of the Venice LCP ~~which contains~~ and the associated general plan amendments and the adoption of implementing ordinances including a Venice specific plan ~~process~~. Detailed and specific coastal issues can be addressed in the LUP through general plan amendments including policy statements and specific programs. The LIP will contain~~s~~ a specific plan process to address development standards and other implementation tools to implement the policies of the LUP ~~proposals~~.

The Land Use Plan is adopted by means of a plan amendment to the Venice Community Plan. The specific plan ordinance adopts zoning and development standards which carry the full weight of zoning law. All new development within the boundaries of the specific plan must comply with the ordinance. The specific plan ordinance is an integral part of the Los Angeles Municipal Planning and Zoning Code, and is enforced accordingly.

Wherever the specific plan contains provisions which differ from provisions contained in Chapter I of the Los Angeles Municipal Code, the specific plan shall prevail and supersede the applicable provisions of the Code. In order to be certified by the Coastal Commission, the specific plan must conform to, and be adequate to carry out, the policies and land uses maps of the certified LUP.

After certification of the LCP, permit processing procedures for coastal permits in the Venice Coastal Zone are controlled by the Coastal Act and the California Code of Regulations. The~~se~~ City's permit issuing ordinances must be certified as part of the Local Implementation Plan (LIP). After certification of the Local Coastal Program by the Coastal Commission, the authority of the Coastal Commission is limited to development within the retained, or original jurisdiction (i.e. Submerged lands, public trust lands and tidelands) and to appeals of locally issued coastal development permits.~~to review and approve or deny coastal development permits is removed~~. The Coastal Commission will also retain jurisdiction over amendments to coastal development permits that it approved before certification of the LCP. Section 30519(a) of the Coastal Act provides that, except for appeals to the Commission (as provided in Section 30603) after a LCP, or any portion thereof, has been certified and all implementing actions have become effective, the development review authority provided for in Chapter 7 (commencing with Section 30600) of the Coastal Act shall no longer be exercised by the Coastal Commission and shall at that time be delegated to the local government that is implementing the LCP. Section 30519(b) states that 30519(a) does not apply to development proposed or undertaken on any tidelands, submerged lands, or on public trust lands. The Commission also retains jurisdiction over coastal development permits that were previously approved by the Commission as well as amendments to such permits.

All development, land use and coastal-related activities (including but not limited to maintenance and recreational activities) in the Venice Coastal Zone will be required to be consistent with the certified LCP.

The Oxford Triangle Specific Plan (OTSP) (Ordinance 162,509) was adopted by the City Council on June 30, 1987 and includes the area bounded by Lincoln Boulevard, Washington Boulevard and the

City-County of Los Angeles boundary. The OTSP established the C4(OX)-2-D zone. The primary purpose of the OTSP as it relates to the C4(OX)-2-D zone is to encourage mixed-use developments on properties designated for Community Commerce to create a lively urban environment. Upon adoption by the City Council and certification by the Coastal Commission, the Venice Local Coastal Program will incorporate the OTSP as part of the LIP. The OTSP may have to be modified in order to conform to and be adequate to carry out the policies of the certified LUP.

The Los Angeles Coastal Transportation Corridor Specific Plan (CTCSP) (Ordinance 168,999) was adopted by the City Council on August 4, 1993 and includes the areas governed by the Westchester-Playa Del Rey District Plan, the Palms-Mar Vista-Del Rey District Plan, the Venice Community Plan and the Los Angeles International Airport Interim Plan. ~~The Venice Local Coastal Program will be consistent with the CTCSP~~. The CTCSP may have to be modified in order to conform to and be adequate to carry out the policies of the certified LUP.

F. Citizen Participation/Adoption Process: LCP

The Department of City Planning has had an ongoing program of citizen involvement. (For more information refer to Chapter 1.C, Summary of Coastal Issues.) In 1988, a total of 27 public meetings and workshops were held to solicit information from the community and to present the Draft Venice Coastal Land Use Plan (LUP) which was released to the public in April 1988. Numerous public comments were received on the Draft LUP between April and August 1988. The comments were summarized and organized by coastal policy group in the document, "Summary of Community Comments Received on the Draft Venice Coastal Land Use Plan," dated January 1989.

A Preliminary LUP was prepared and released to the public in March 1990. The Preliminary LUP incorporated information contained in the April 1988 Draft LUP and the summary of comments, in addition to the following reports and documents identified in Exhibit 8.

A public workshop on the Preliminary LUP was held on March 19, 1990. The workshop was attended by approximately 100 persons. A public hearing on the Preliminary LUP was held by a Hearing Officer on March 28, 1990, during which 65 of the approximately 150 persons who attended, testified.

Ninety-six written communications were received at the public hearing and during the Preliminary LUP public review period held between March 5, 1990 and April 12, 1990. A summary of the comments raised during the public hearing and in the written communications, along with the Department of City Planning's response to those comments, are provided in the Preliminary LUP "Response Document," dated October 1990.
The Preliminary LUP was transmitted to the City Planning Commission on January 3, 1991.
In the Spring of the 1992, staff held several workshops with members of the community to discuss and clarify development standards for each of the eight subareas.

The Department of City Planning received the California Coastal Commission staff's comments on June 22, 1994.
The Department of City Planning continued the development of the proposed Venice LUP with several more public workshops and public hearings in 1998-99.

EXHIBIT 8

Relevant Documents

1. Coastal Commission Findings for rejection of Venice Canals Marina Peninsula proposed LCP as submitted and approval of LCP with suggested modifications, July 28, 1983.
1. Venice Coastal Interim Control Ordinance (Ord. No. 172,019).
2. Coastal Conservancy Urban Waterfront Restoration Plan Policies.
3. North Venice B and C Areas Planning Committee report, Oct. 30, 1988.
4. Milwood Planning Committee report, Nov. 2, 1988.
5. Development Standards and the Local Coastal Program, Venice Neighborhood Study, Central Area, Nov. 5, 1988.
6. Planning Workshop Summary for Oakwood, Nov. 5, 1988.
7. Report of South-East Venice Specific Plan Study Group, Nov. 1988.
8. Oxford Triangle Neighborhood Study Presentation - Development Standards and the Local Coastal Program, Nov. 5, 1988.
9. Venice Neighborhood Design Workshop Standards and Recommendations for the Local Coastal Plan - North Beach Area "A", Nov. 2, 1988.
10. Preserving the Future, North Venice Beach Area 'A' Design Study Group Development Standards and the Local Coastal Program, Oct. 1988.
11. Development Standards and the Local Coastal Program, Venice Canals Neighborhood Study Group, Nov. 1988.
12. Marina Peninsula Development Outline, Nov. 1988.
13. Addendum from the Silver Side of Upper East Peninsula - Development Standards, Dec. 1988.
14. West Washington Boulevard Ad Hoc Sub-Committee - Venice Neighborhood Study - Local Coastal Program, Nov. 1988.
15. Preliminary Background Report, Venice Local Coastal Program, May 1988.
16. Venice Parking - Venice Area Parking Task Force Report, March 1987.
17. Draft Waterfront Restoration Plan, May 1990.
18. Venice Canals Rehabilitation Plan, 1991.
19. Community Working Papers, 1992.
20. Ballona Lagoon Enhancement Plan, 1992.
21. Walk Streets Preservation Committee Report, 1993.
22. Venice Beach Ocean Front Walk Refurbishment Plan, November 1995.
23. Venice Traffic and Parking Study: Prepared for City of Los Angeles, Department of City Planning. The study consists of the following working papers:

    Venice Traffic and Parking Study, Existing Traffic Conditions Background Working Paper, May 1991.

    Venice Traffic and Parking Study, Existing Parking Conditions Background Working Paper, March 1992.

    Venice Traffic and Parking Study, Future Weekday Traffic Conditions Background Working Paper, June 1992.

Venice Traffic and Parking Study, Transportation Improvement Plan Working Paper, March 1995.

Venice Traffic and Parking Study, Final Report, April 1995.

DEFINITIONS

The following words or phrases, whenever used in this land use plan, shall be construed as defined in this section. Words and phrases not defined herein shall be construed as defined in Section 12.20.2B, 12.03 and 12.40 D of the Los Angeles Planning and Zoning Code (See Definitions Appendix). Words and phrases not defined therein shall be construed as defined in Chapter 4 of the Los Angeles Building Code, if defined therein.

Affordable Unit: dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth in the rent schedule prepared by the City's Housing Department or its successor agency. In order for a development project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy.

Architectural Features: features including, but not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.

Athletic Facility: a facility which offers the use of the premises and equipment to the general public for physical exercise, dance, or sports activities.

Beach Impact Zone: the area which includes all lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice Subareas (see Exhibits ~~13~~, 17a and 17b).

Blank Wall: a street wall or vehicular entry facing the street and having no architectural detailing, ~~artwork, landscaping~~, windows, doors or similar features.

Change in Intensity of Use: A change in intensity of use includes, but is not limited to, any addition, expansion or change in use on a site that involves: (a) an chnage in the total number of dwelling units; or (b) a change in the amount of floor area or customer area to a commercial or industrial use; or (c) a change in the number of trips as calculated by the Trip Table (Appendix C); or (d) a change in the number of provided or required parking spaces as calculated by the LUP parking requirements contained in LUP Policies II.A.3 and II.A.4.

Change of Use: A change from (a) an existing residential use to a new residential use resulting in an increase in the total number of dwelling units; or (b) an existing residential use to a commercial or industrial use; or (c) an existing commercial use to a residential use or industrial use; or (d) an existing industrial use to a residential use or commercial use; or (e) an existing industrial use to a new industrial use, when an increase in the number of trips results from the new use, as calculated by the Trip Table (Appendix C); or (f) an existing commercial use to a new commercial use, when an increase in the number of Trips results from the new use, as calculated by the Trip Table (Appendix C), or when an increase in the number of required

parking spaces results, as calculated by the LUP parking requirements contained in LUP Policies II.A.3 and II.A.4.

Coastal-Dependent Development or Use: any development or use which requires a site on, or adjacent to the sea to be able to function at all (See Coastal Act Section 30101).

Coastal-Related Development: any use that is dependent on a coastal-dependent development or use.

Coastal Development Permit: a permit for any development within the Coastal Zone that is required pursuant to subdivision (a) of Section 30600 of the California Coastal Act.

Development: ~~as defined in L.A.M.C. Section 12.20.2.B~~ (See Coastal Act Section 30106) "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (PRC§ 30106).

Encroachment: any structure or building or portion of a structure or building which projects into a right-of-way or required setback.

Environmentally Sensitive Habitat Area: any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Fill: earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area.

Feasible: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Flat Roof: any roof form which has a slope of 2 inches to 12 inches or less.

Height: Height shall be measured as the vertical distance from base elevation (as specified in LUP Exhibits 13 through 16) to the highest point of the roof or parapet wall, excluding roof deck railings that do not exceed 36 inches and are of a open design. Roof access structures may exceed the otherwise allowable height limit only as specified in LUP Exhibits 13 through 16.

Implementing Actions: the ordinances, regulations, zoning maps, and ~~or~~ programs which implement ~~either the provisions of~~ the Land Use Plan portion of a certified Local Coastal Program ~~or the policies of this division and which are submitted pursuant to Section 30502~~.

Lagoon Buffer: The land area that separates the developable portion of a lot from the waters of Ballona Lagoon.

Lagoon Lot: any lot ~~within the Silver Strand Residential Subarea~~ which is immediately adjacent to the Ballona Lagoon (as shown on Exhibit 4 of this land use plan).

Lot Consolidation: Lot consolidation occurs when: (1) one or more structures are built over a lot line dividing two lots created in a previous subdivision; or (2) a lot line is abandoned, a lot line is adjusted, lots are merged, or other action is taken, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.

Permeable: A paving material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface collectively comprising less than two-thirds of the total surface area of the lot and loosely laid materials, such as crushed stone or gravel.

Public Utilities: All production, storage, transmission, and recovery facilities for water, oil, gas, sewage, telephone, and other similar utilities owned or operated by any utility company subject to the jurisdiction of the Public Utilities Commission.

Public works:

(a) All production, treatment, storage, transmission, conveyance, and recovery facilities for water, sewerage, stormwater, telephone, and other similar utilities owned or operated by a public agency.

(b) All public transportation facilities, including streets, roads, highways, streetlights, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.

(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

(d) All community college facilities.

Remodel: In the coastal zone, a remodel is an improvement to an existing structure in which no more than fifty percent (50%) of the exterior walls are removed or replaced.

Replacement Unit: any affordable housing unit to be provided as replacement for an existing unit on a project site.

Replacement Parking Space: any parking space to be provided as replacement for an existing parking space on a project site.

Roof Access Structure: An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.

Sensitive Coastal Resource Areas: those identifiable land and water areas within the Coastal Zone of vital interest and sensitivity, including the following:

(a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the Coastal Plan.

(b) Areas possessing significant recreational value.

(c) Highly scenic areas.

(d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.

(e) Special communities or neighborhoods which are significant visitor destination areas.

(f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.

(g) Areas where divisions of land could substantially impair or restrict coastal access.

Service Floor: All areas where the customer can be served, except the bathroom, including the indoor and outdoor dining area, bar, waiting room and tavern.

Seven-Foot Contour: the mean sea level as defined by the U.S. Geological Survey.

Silver Strand Lagoon ~~Residential~~ Buffer Strip: the strip of land (lagoon buffer) immediately adjacent to the Ballona Lagoon as approved in Coastal Commission Permit No. A 266-77, Permit Amendment No. A 266-77, and Appeal No. A-266-77.

Special Coastal Community: an area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is

distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the visual attractiveness of the coast.

Street Wall: an exterior wall of a building that faces a street.

Subarea: one of the areas in the Venice Coastal Zone within which a project is located as defined in the "Locating and Planning New Development" Section of the Venice Land Use Plan, as shown in Exhibits 4 through 7.

Stepped Back Roofline: a roof on which the portion that exceeds the flat roof height limit is set back from the required front yard one foot for every foot in height above the flat roof height limit.

Trip: a single or one direction vehicle movement with either origin or destination (exiting or entering) generated by the use of a subject site.

Varied Roofline: any roof which has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped, curved, or stepped back roofline.

Venice Coastal Zone: the area within the Venice community planning area west of Lincoln Boulevard, including those lots fronting on the west side of Lincoln Boulevard (See Exhibits 2a and 2b of this land use plan).

Walk Street: a public street in the Coastal Zone and/or beach area that has been improved for public pedestrian use over part of its width and is landscaped (privately or publicly) over the remainder, but which has not been improved for vehicular access.

Wetland: Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or support the growth of hydrophytes, and shall include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. Wetlands include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

POLICY GROUP I. LOCATING AND PLANNING NEW DEVELOPMENT / COASTAL VISUAL RESOURCES AND SPECIAL COMMUNITIES

Introduction

Developed as a beach resort, Venice was known as the Coney Island of the Pacific. Historically it has attracted people from all social and ethnic groups to the coast to live, work and play. While little remains of the "Venice of America" that was built by Abbot Kinney, Venice is still strongly influenced by its past. Each weekend hundreds of thousands of people are still attracted to the shore to enjoy the ambience of this coastal community. Kinney envisioned Venice to be more than a resort and today it is home to 32,270 permanent residents many of whom inhabit the small summer homes built on substandard lots along paved streets over canals. Others live on substandard lots (many are less than 3,000 square feet in area) that have been redeveloped with more substantial single-family homes and multi-unit structures. Yet Venice remains the quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing. Diversity of lifestyle, income and culture typifies the Venice community. United by the term Venetians with all its connotative meanings, Venice is really a group of identifiable neighborhoods with unique planning and coastal issues.

As a result of prior development and changes in land use, there has emerged a blend of residential uses of various intensities, commercial uses and some minor industrial uses. Housing is located in single-family homes, multi-family dwellings, and mixed-use structures including live/work artist studios. Although many of the commercial uses are oriented to the automobile traffic, there are numerous instances of commercial uses which are more pedestrian oriented, particularly near the beach. While Venice contains traditional light industrial uses it also has a concentration of industrial structures which house artist galleries and live/work studios. Much of this unusual mixture of uses has its origin in the area's initial amusement park activities.

The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines. Lots range in size from less than 3,000 square feet near the beach to 5,000 square feet closer to Lincoln Boulevard. Few of the original canals remain. Most have been filled in and have become streets for vehicular traffic, while others are now part of the system of walk streets.

The requirements of the California Coastal Act, the historic development of the community, and the traffic study conducted for the LCP in conjunction with numerous planning workshops held in the community were among the factors considered in assigning Land Use Categories in the plan. Residential land use densities in this LCP have been assigned in the Venice coastal area to reflect the year 2010 Venice population as projected by the Southern California Association of

Governments (SCAG). Based on circulation and infrastructure limitations, the assigned Land Use Categories result in substantially lower build out densities than current zoning capacity. The development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass. New residential development is linked to the availability of public services and infrastructure, and in addition to traffic consideration, environmental and coastal access concerns as required by the Coastal Act.

Based upon the SCAG projections, the coastal zone within the Venice Community Plan area has a projected (year 2010) population of approximately 38,325 persons. This represents an increase of approximately 19 percent (or 6,055 persons) over the existing population of approximately 32,270 persons (as of 1990). This is based upon a constant rate of projected growth to all Los Angeles communities and assumes a projected growth which would occur if current trends remain unchanged.

Coastal Act Policies

The policy groups covered by this part of the LUP address the following Sections of the California Coastal Act, which are included as part of the Land Use Plan:

Section 30244. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Officer, reasonable mitigation measures shall be required.

Section 30250.

(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.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) *Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

Section 30251. 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, 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 government shall be subordinate to the character of its setting.

Section 30252. 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 non-automobile 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 on-site recreational facilities to serve the new development.*

Section 30253. 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 areas or in any way require the construction of protective devices that would substantially alter natural land forms 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 vehicle miles traveled.

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

Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the services would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Section 30261 and 30262 if:

(1) alternative locations are infeasible or more environmentally damaging;
(2) to do otherwise would adversely affect the public welfare; and
(3) adverse environmental effects are mitigated to the maximum extent feasible.

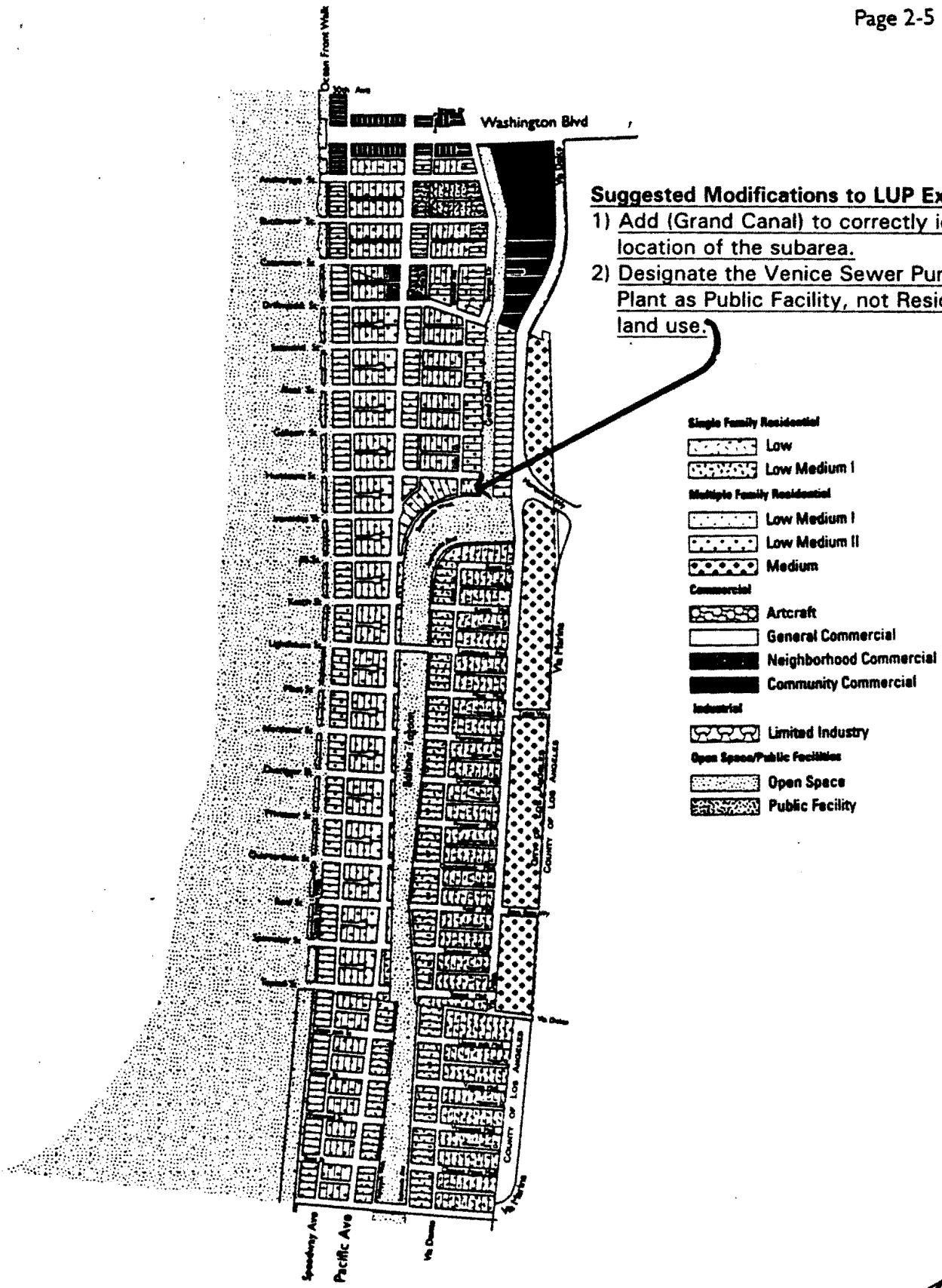


Exhibit 9

Land Use Plan (Map): Marina Peninsula • Silver Strand • Ballona Lagoon West•Ballona Lagoon East

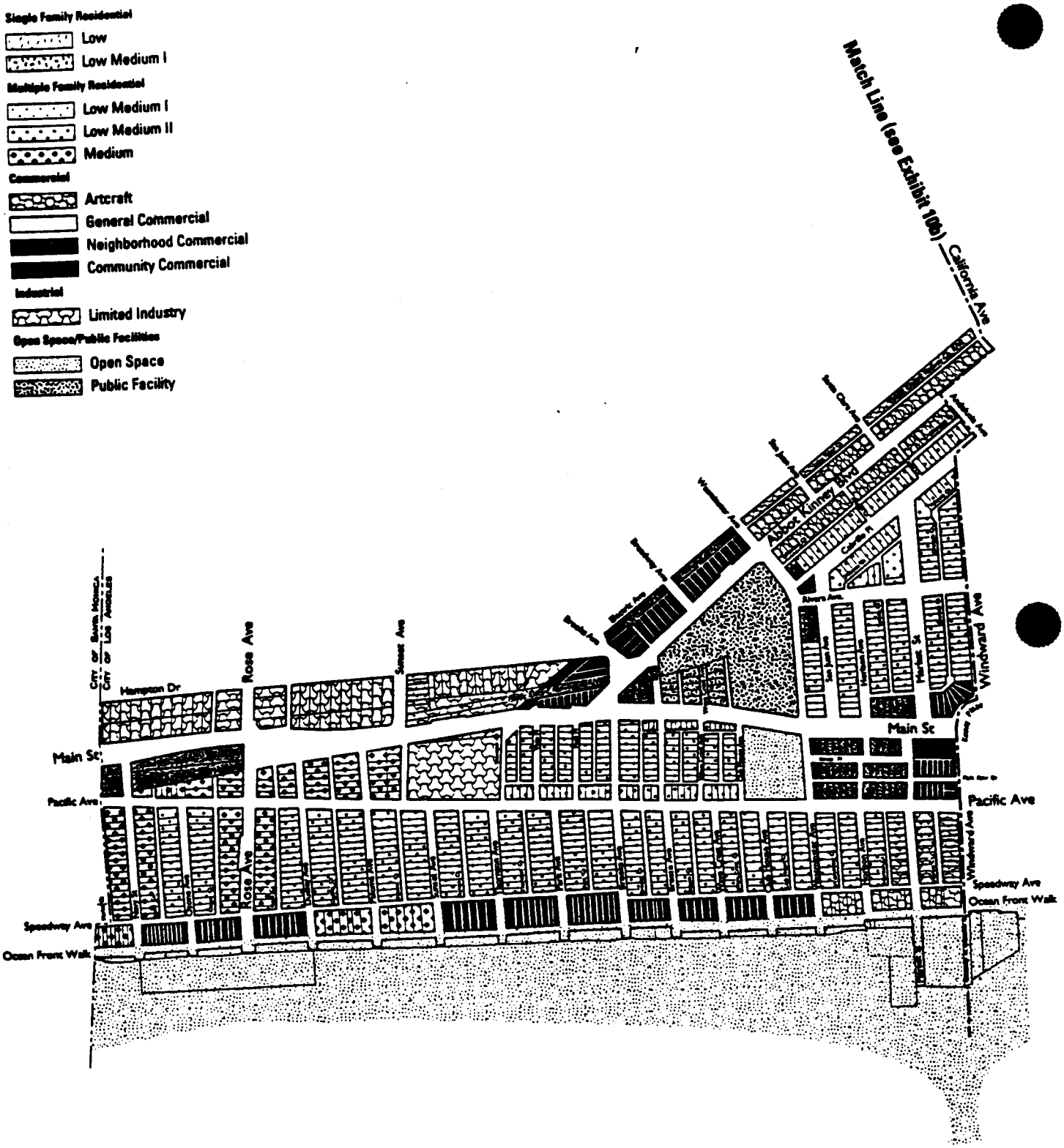


Exhibit 10a

Land Use Plan (Map): North Venice • Venice Canals

Not to Scale

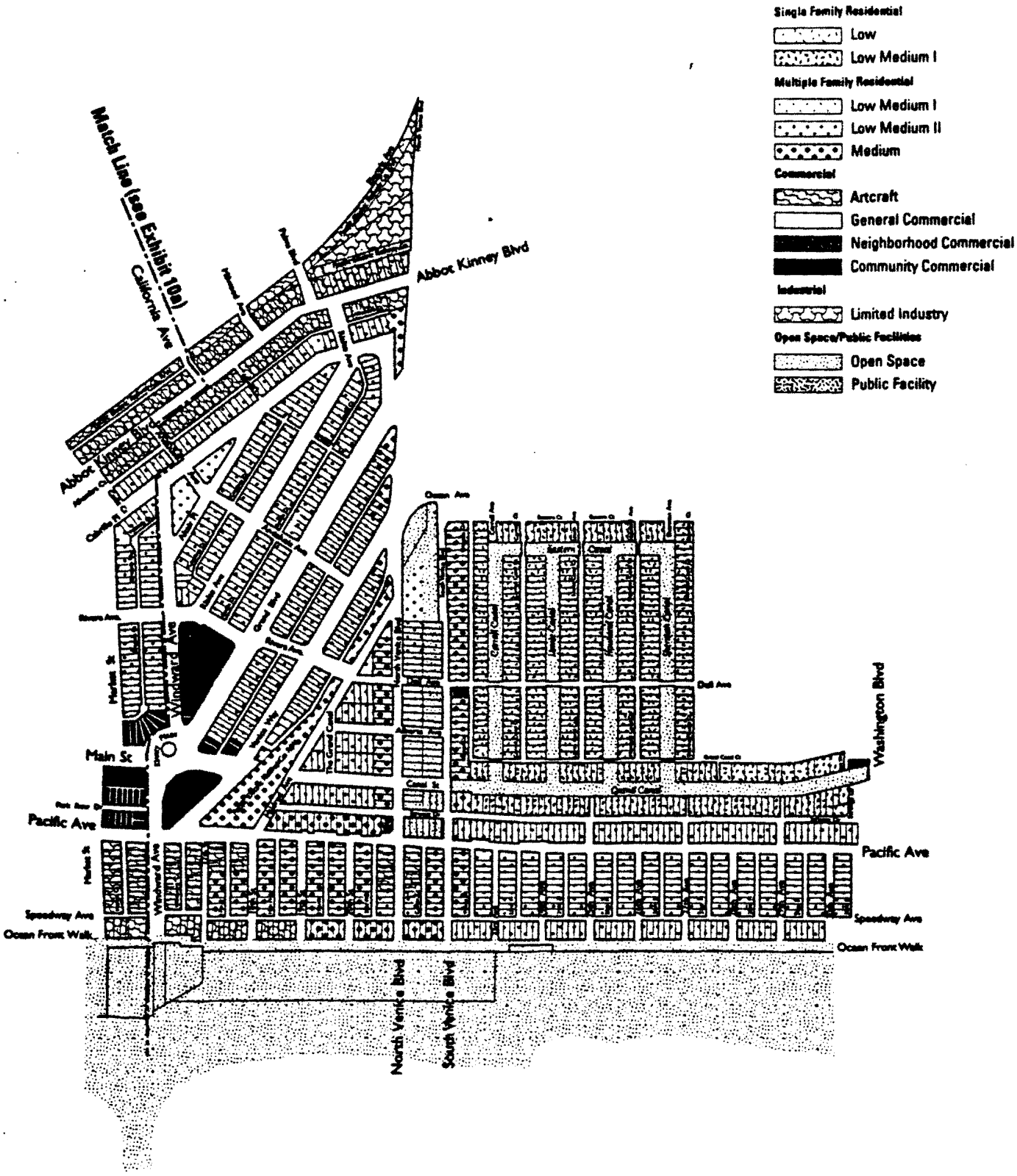


Exhibit 10b

Land Use Plan (Map): North Venice • Venice Canals

Not to Scale

Suggested Modification to LUP Exhibit 11:
Identify the Medium Density Residential lots referred to by LUP Policy I.A.8.a.2.

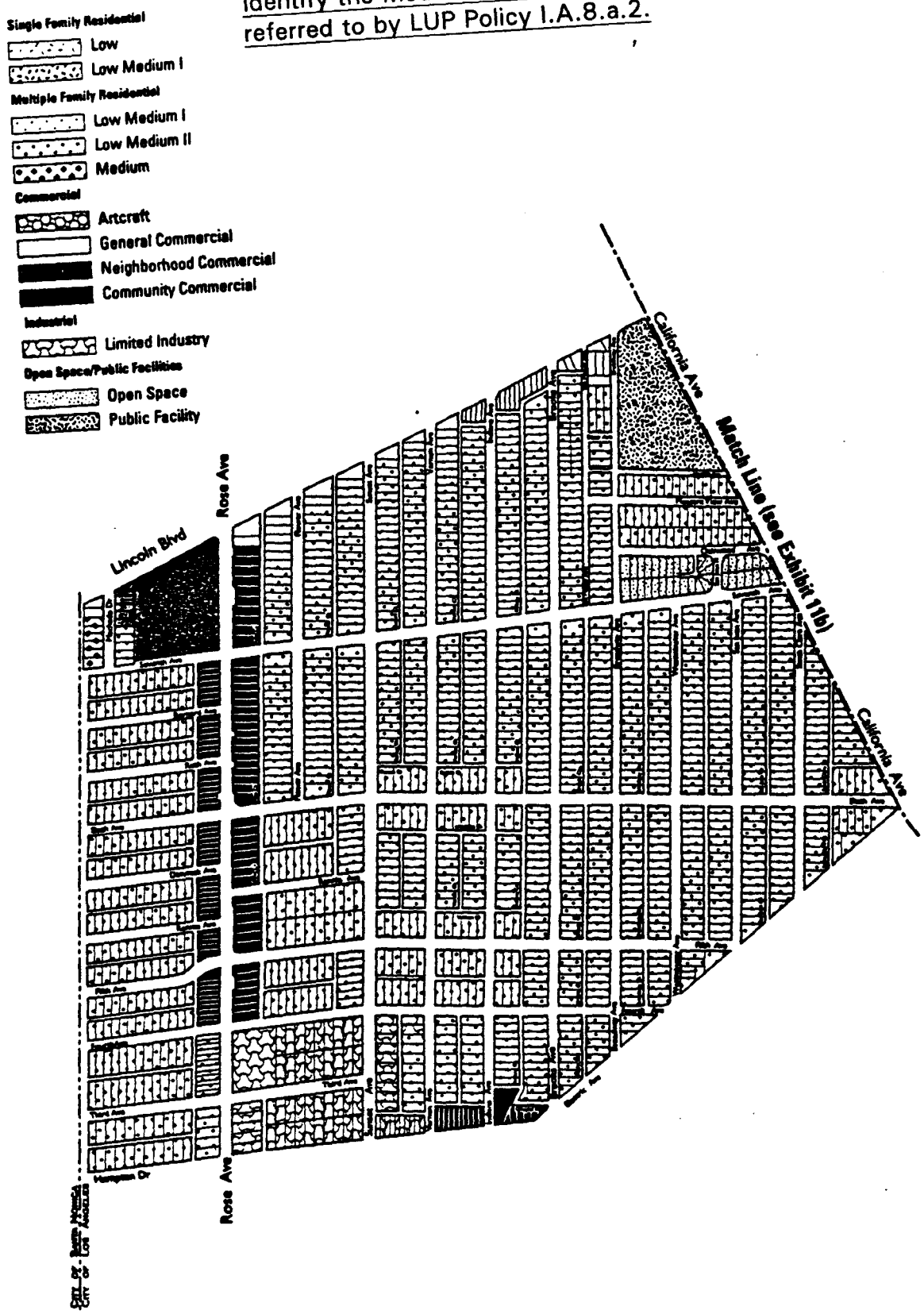


Exhibit 11a
Land Use Plan (Map): Oakwood • Millwood • Southeast Venice

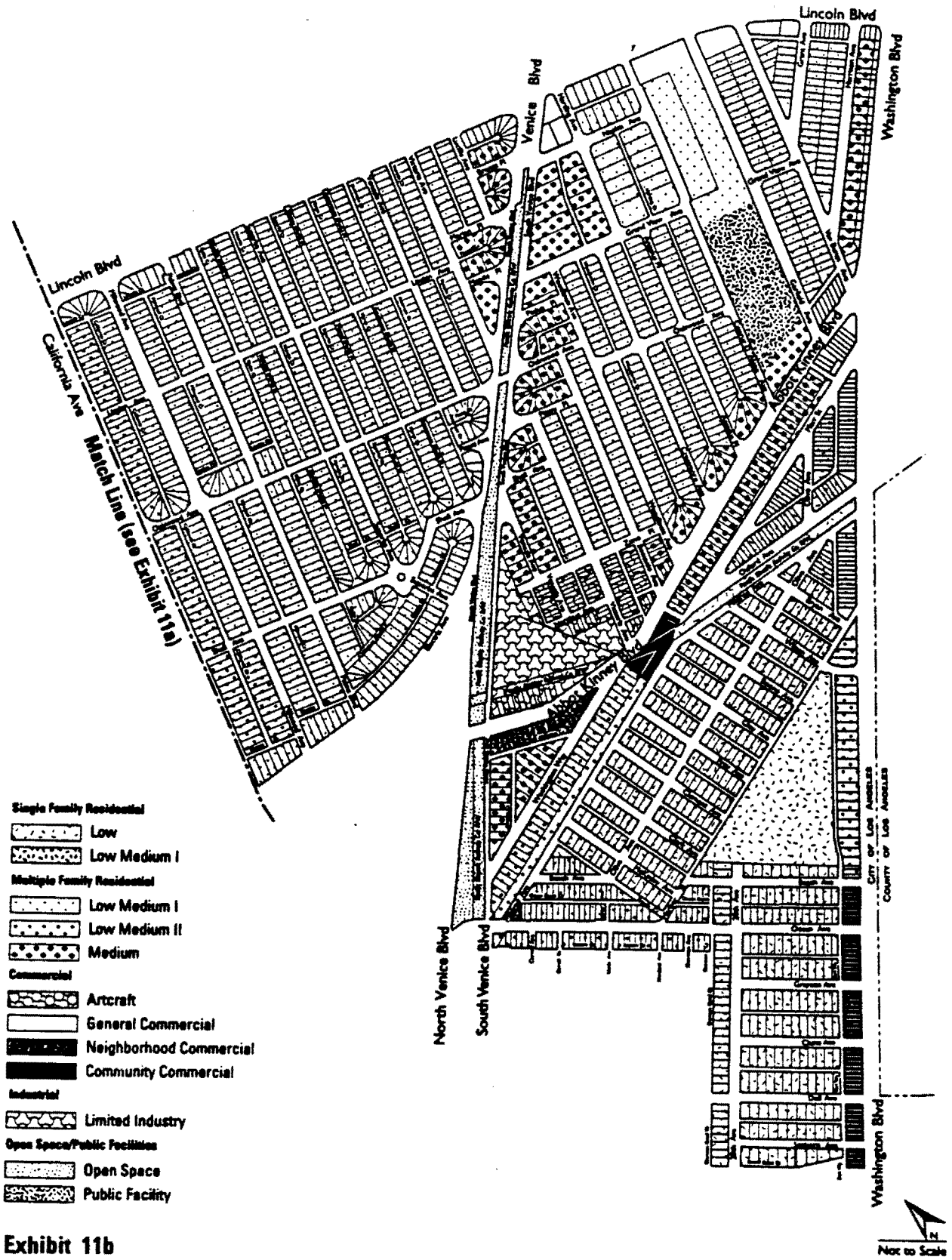


Exhibit 11b

Land Use Plan (Map): Oakwood • Millwood • Southeast Venice

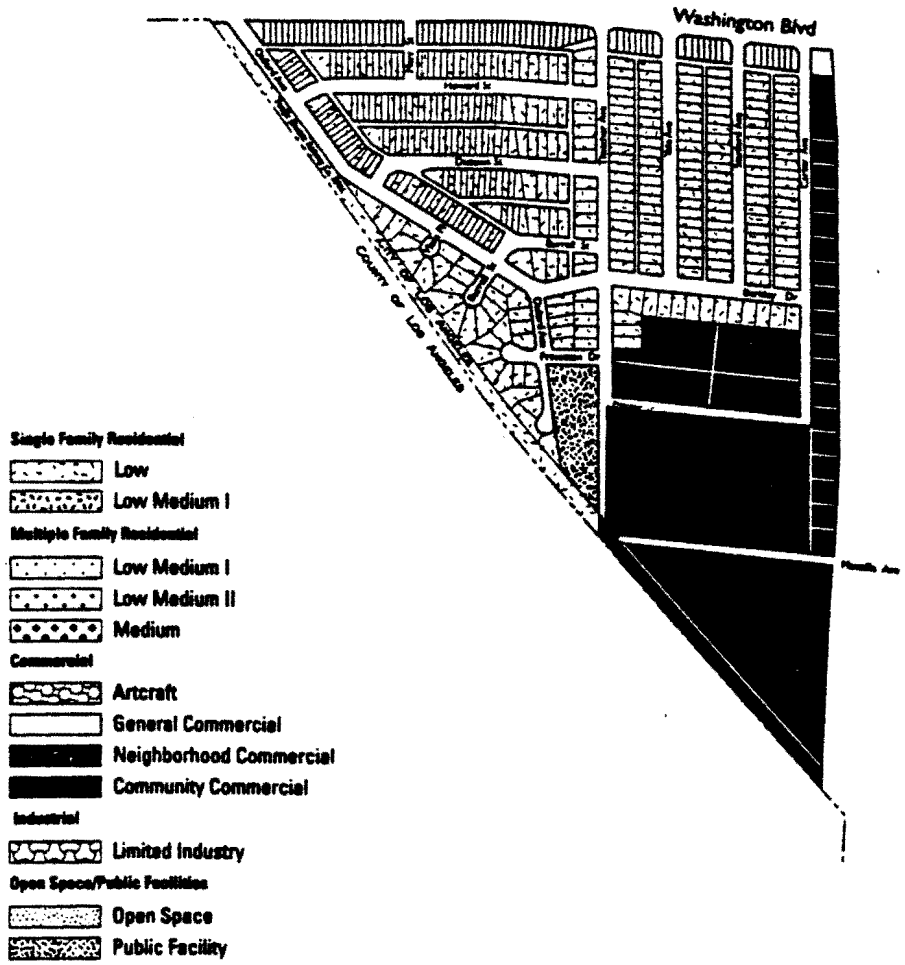
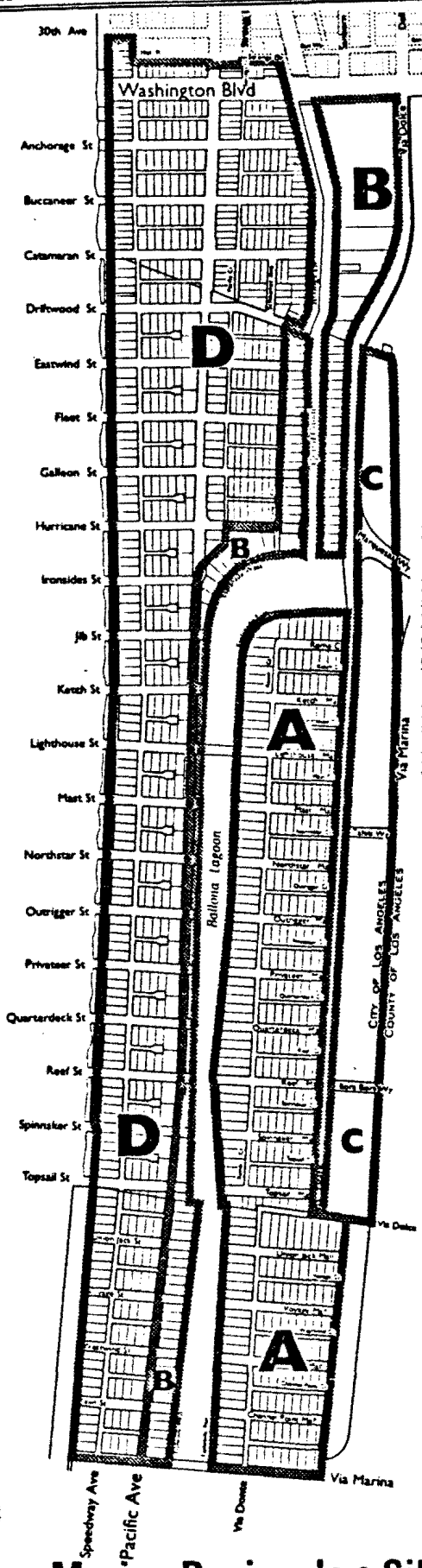


Exhibit 12

Land Use Plan (Map): Oxford Triangle

Not to Scale



Suggested Modifications to LUP Exhibit 13:

1) Add (Grand Canal) to correctly identify location of the subarea.
2) Add text to clarify the height limits applicable to these subareas pursuant to modified LUP Policies I.A.4 and I.A.7.
3) Add Note to state from where building heights are measured.
4) Add references to LUP Policies I.A.1 and I.B.7.

Exhibit 13

Maximum Building Height

A: 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45'. 45-foot limit for structures or portions of structures located further than 60 horizontal feet of the mean high tide line of Ballona Lagoon and the inland side of the Esplanade.

B: ~~38' North of Ironsides St.,~~ 30' ~~45' south of Ironsides St.~~ within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet.

C: 45'
D: 35', 28' along Walk Streets

Notes:

All building heights shall be measured from the elevation of the fronting right-of-way, except on lagoon lots where all building heights shall be measured from the average existing natural grade.
No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30' height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way).
See Policy I.A.1 for policy limiting roof access structures.
See Policy I.B.7 for commercial and mixed-use development standards.

Exhibit 13
Height
Subarea: Marina Peninsula, Silver Strand, Ballona Lagoon West, Ballona Lagoon (Grand Canal) East

Exhibit 13
Height
Subarea: Marina Peninsula • Silver Strand • Ballona Lagoon West • Ballona Lagoon East

N
Not to Scale

Suggested Modifications to LUP Exhibit 14:

1) Add "or stepped back" roofline for 35' allowance.
2) Delete "38' Architectural features" allowance.
3) Add Note to state from where building heights are measured.
4) Add references to LUP Policies I.A.1 and I.B.7.

Exhibit 14a

Maximum Building Height

F. 30' with a Flat roof
35' with varied or stepped back roofline
28' along walk streets
~~38' Architectural features~~

Notes:

All building heights shall be measured from the elevation of the fronting right-of-way.
See Policy I.A.1 for policy limiting roof access structures.
See Policy I.B.7 for commercial and mixed-use development standards.

Exhibit 14a
Height
Subarea: North Venice, Venice Canals

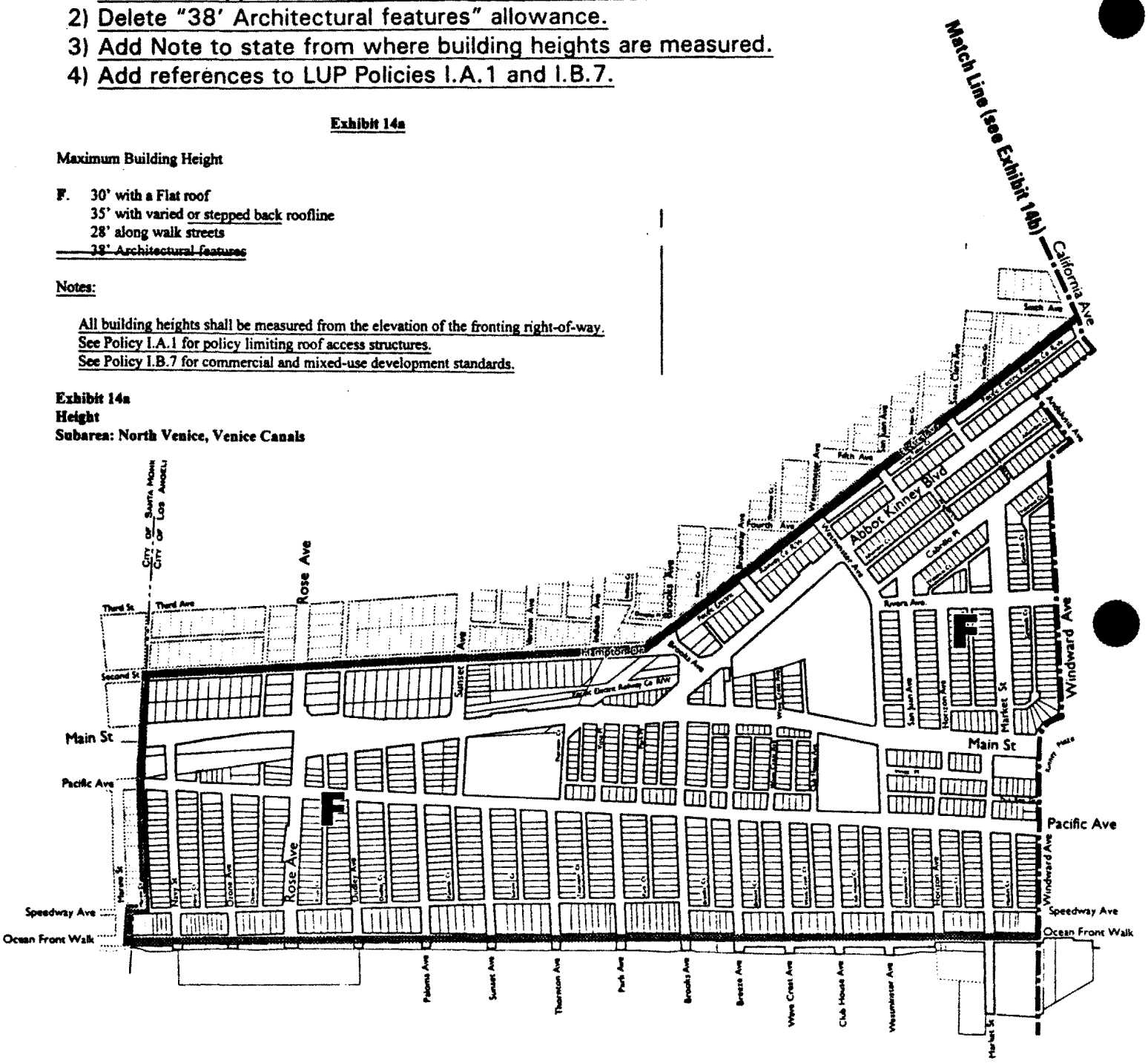


Exhibit 14a
Height
Subarea: North Venice • Venice Canals

Not to Scale

Exhibit 14b

Maximum Building Height

E. 22'-30'

F. 30' with a Flat roof
35' with varied or stepped back roofline
28' along walk streets
~~38' Architectural features~~

Notes:

All building heights shall be measured from the elevation of the fronting right-of-way, except in the Venice Canal Subarea (F) where all building heights shall be measured from the elevation of the adjacent alley.
See Policy I.A.1 for policy limiting roof access structures.
See Policy I.B.7 for commercial and mixed-use development standards.

Exhibit 14b
Height
Subarea: North Venice, Venice Canals

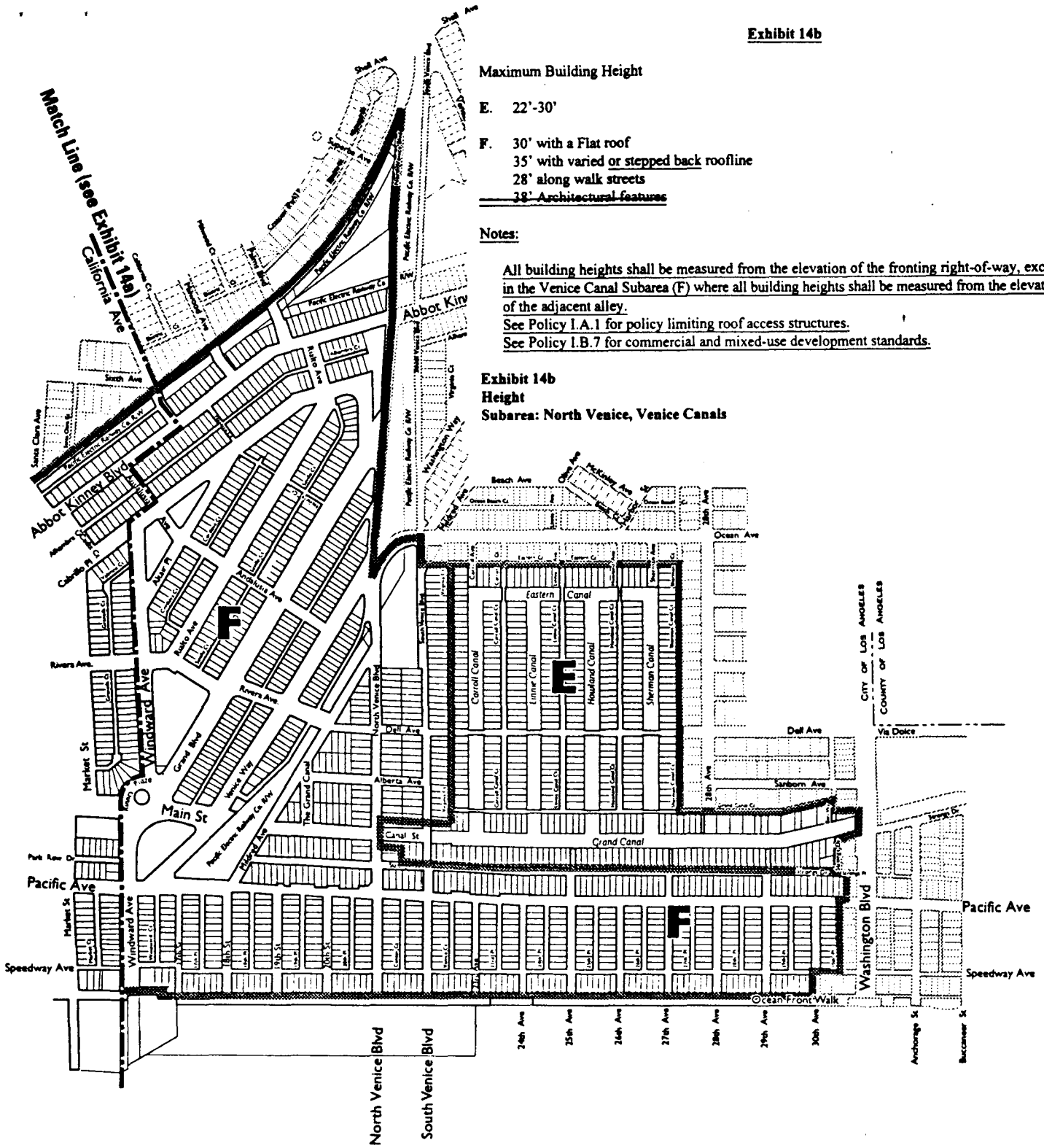


Exhibit 14b
Height
Subarea: North Venice • Venice Canals

Not to Scale

Suggested Modifications to LUP Exhibit 15:

1) Add "or stepped back" roofline for 30' allowance.
2) Add Note to state from where building heights are measured.
3) Add references to LUP Policies I.A.1 and I.B.7.

Notes:

All building heights shall be measured from the elevation of the fronting right-of-way.
See Policy I.A.1 for policy limiting roof access structures.
See Policy I.B.7 for commercial and mixed-use development standards.

Maximum Building Height

G — 25' with a Flat Roof
30' with a Varied Roofline
28' along Walk Streets

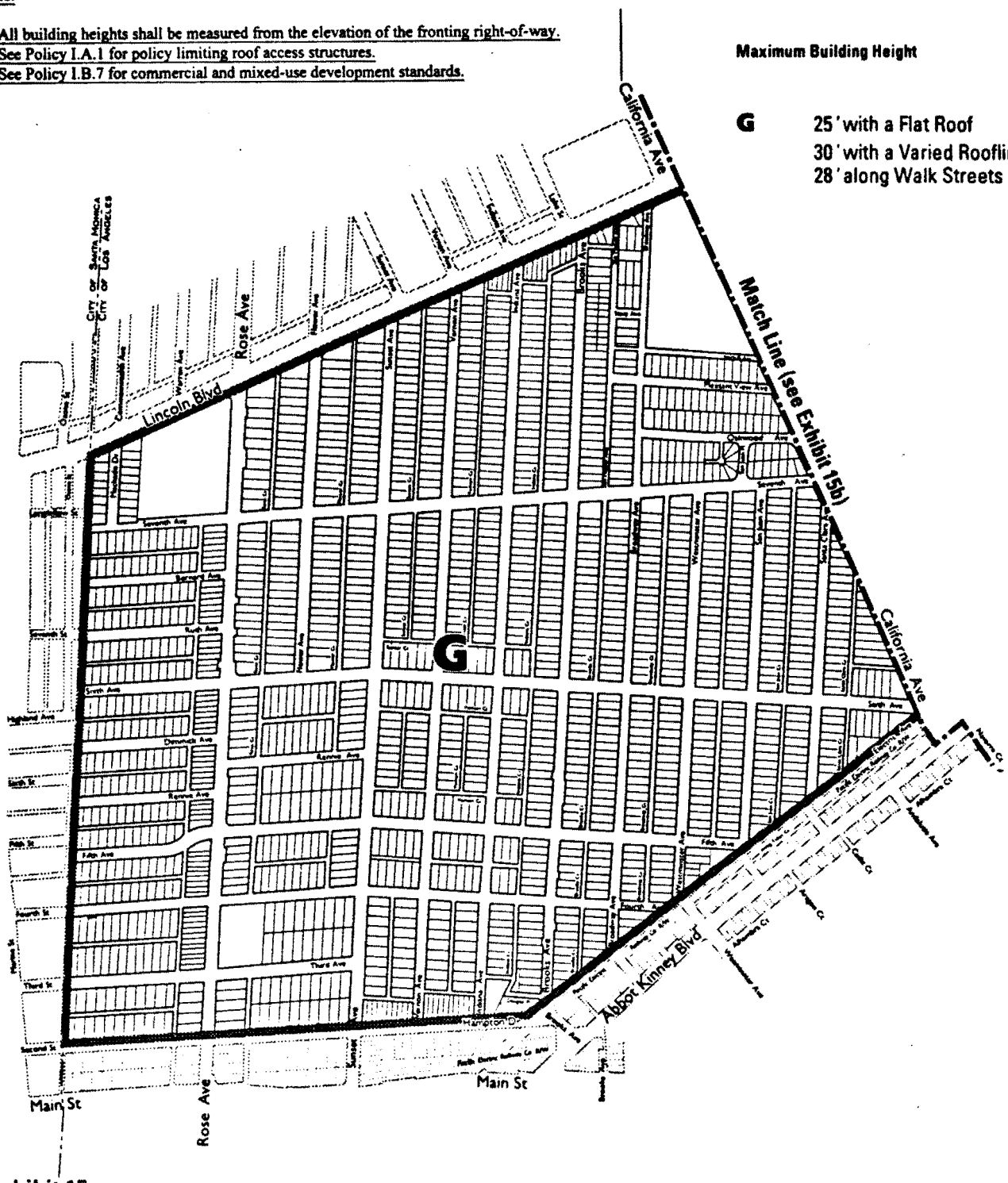


Exhibit 15a
Height
Subarea: Oakwood•Milwood•Southeast Venice

Not to Scale

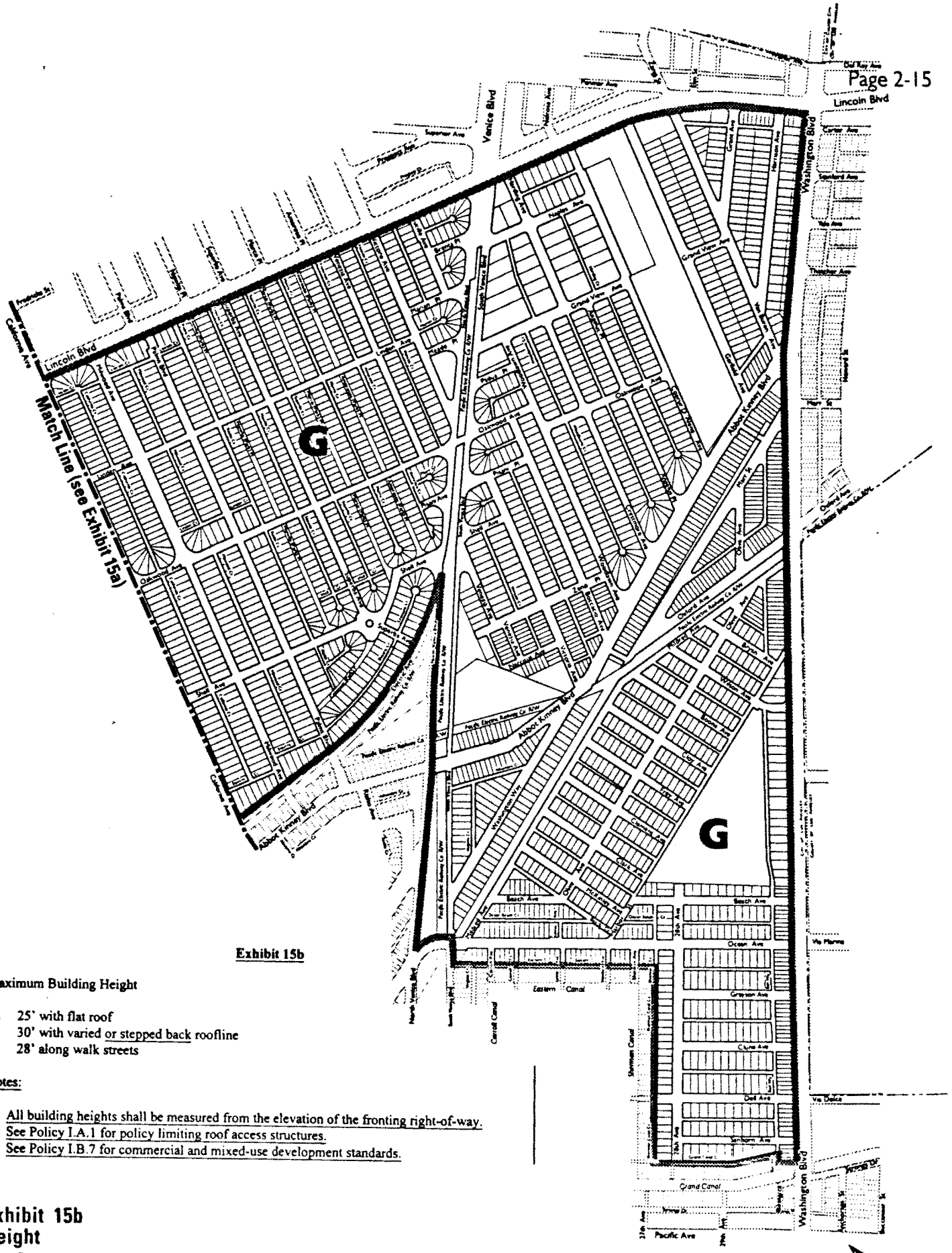


Exhibit 15b

Maximum Building Height

G. 25' with flat roof
30' with varied or stepped back roofline
28' along walk streets

Notes:

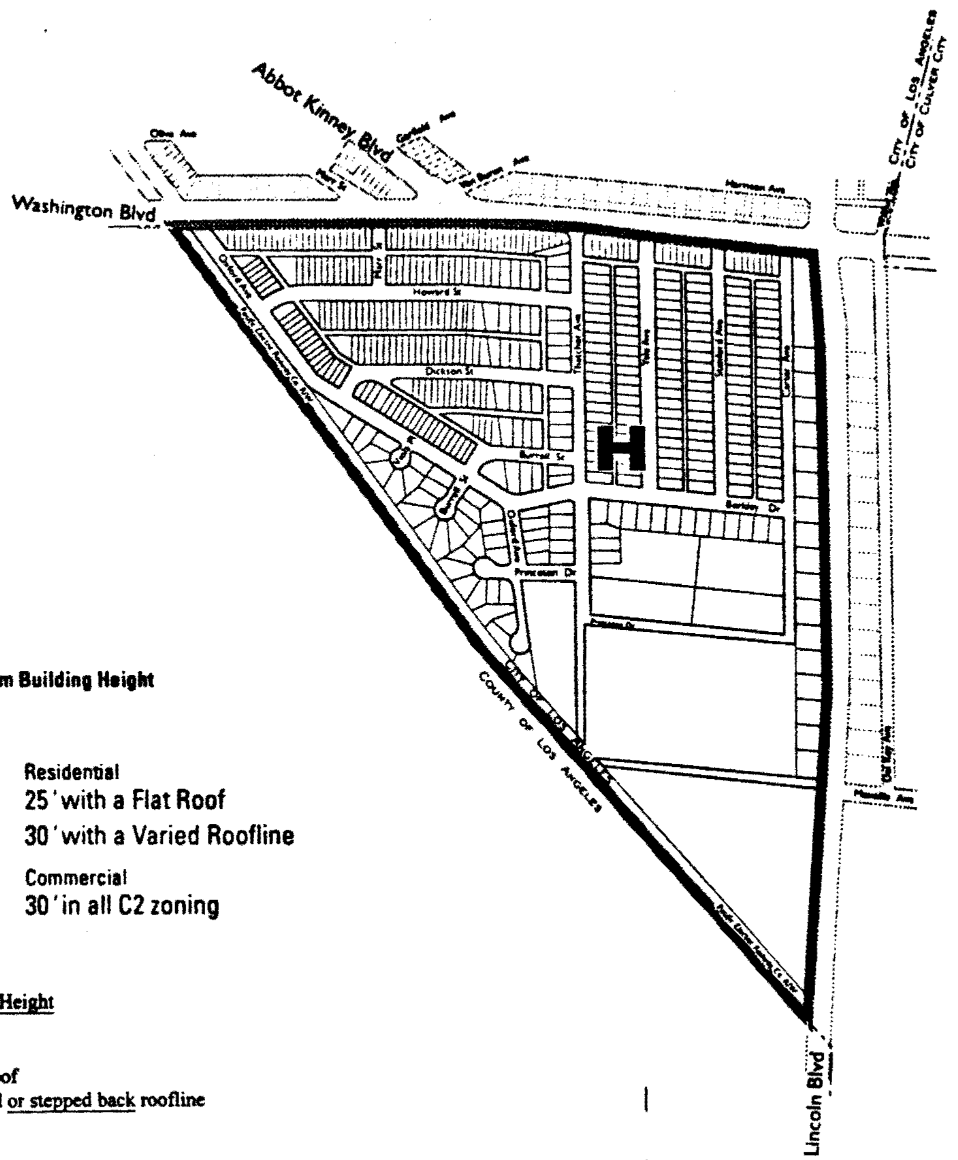
All building heights shall be measured from the elevation of the fronting right-of-way.
See Policy I.A.1 for policy limiting roof access structures.
See Policy I.B.7 for commercial and mixed-use development standards.

Exhibit 15b
Height
Subarea: Oakwood • Milwood • Southeast Venice

Not to Scale

Suggested Modifications to LUP Exhibit 16:

1) Add "or stepped back" roofline for 30' allowance.
2) Add text to clarify the height limit applicable to commercial buildings in the Oxford Triangle subarea pursuant to modified LUP Policy I.B.6.b.
3) Add Note to state from where building heights are measured.
4) Add references to LUP Policies I.A.1, I.B.6.b and I.B.7.



Maximum Building Height

H Residential
25' with a Flat Roof
30' with a Varied Roofline

Commercial
30' in all C2 zoning

Maximum Building Height

H: **Residential**
25' with flat roof
30' with varied or stepped back roofline

Commercial
30' ~~in all C2 zoning~~ or as permitted consistent with Policy I.B.6.b.

Notes:

All building heights shall be measured from the elevation of the fronting right-of-way.
See Policy I.A.1 for policy limiting roof access structures.
See Policies I.B.6.b and I.B.7 for commercial and mixed-use development standards.

Exhibit 16
Height
Subarea: Oxford Triangle

N
Not to Scale

Land Use Plan Policies and Implementation Strategies

A. Residential Land Use and Development Standards

• **Policy I. A. 1. Residential Development.** The maximum densities, building heights and bulks for ~~New~~ residential development in the Venice Coastal Zone shall be defined by the Land Use Plan Maps and Height Exhibits (Exhibits 9 through 16), and the corresponding land use categories and the development standards as described in this LUP.~~section and as further defined in the LIP Specific Plan Ordinance~~. Refer to Policies II.C.10 for development standards for walk streets and to Policies II.A.3 and 4 for parking requirements.

a. Roof Access Structures

Building heights and bulks shall be controlled to preserve the nature and character of existing residential neighborhoods. Residential structures may have an enclosed stairway (roof access structure) to provide access to a roof provided that:

a. the roof access structure shall not exceed the specified flat roof height limit by more than 10 feet;

b. the roof access structure shall be designed and oriented so as to reduce its visibility from adjacent public walkways and recreation areas;

c. the area within the outside walls of the roof access structure shall be minimized and shall not exceed 100 square feet in area as measured from the outside walls; and,

d. all roof access structures shall be set back at least 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal and the inland side of Esplanade (City right-of-way).

b. Residential Lot Consolidations

In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the following residential neighborhoods: Venice Canals, Silver Strand, Ballona Lagoon West, Southeast Venice, Milwood and the Oxford Triangle (Exception: two lots may be combined to form one lot that is equal in area or smaller than the majority of lots in the immediate area). Lot consolidations may be permitted in other residential neighborhoods subject to the following limitations:

a. No building or structure shall be constructed on more than two contiguous lots with the exception of subterranean development that is entirely below street elevation.

b. Building facades shall be varied and articulated to provide visual interest to pedestrians with primary ground floor entrances to individual residential units and frequent windows facing the fronting street.

c. Front porches, bays and balconies shall be provided to maximize architectural variety.

Single-Family Residential

The Venice LUP recognizes the importance of the existing pedestrian scale single-family residential neighborhoods and the need to conserve them. As most communities, the greater portion of Venice was originally developed with single-family homes for both permanent residents and as temporary resort housing. Today stable single-family neighborhoods continue to exist in portions of Venice. While the standard low density, one unit per 5,000 square foot lot is common in Venice, single-family homes on lots as small as 2,500 square feet are just as common and a reminder of the community's origin as a resort town. The maintenance of the character and density of these stable single-family neighborhoods is consistent with the objectives of the State Coastal Act and the City's General Plan.

• **Policy I. A. 2. Preserve Stable Single-Family Residential Neighborhoods.** Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development. A second residential unit or an accessory living quarter may be permitted on lots designated for single-family residence land uses, provided that the lot has a minimum lot area of 4,600 square feet and all units conform to the height limit, parking requirements, and other development standards applicable to the site.

• **Policy I. A. 3. Single-Family Dwelling - Low Density.** Accommodate the development of single-family dwelling units in areas designated as "Single-family Residential" and "Low Density" on the Venice Coastal Land Use Plan. (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.~~section and further defined in the LIP.~~

Southeast Venice and the Oxford Triangle

Use: Single-family dwelling / one unit per lot

Density: One unit per 5,000 square feet of lot area

Yards: ~~Per Section 12.08 C of the LAMC~~ Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 25 feet for buildings ~~projects~~ with flat roofs or 30 feet for buildings ~~projects~~ with a varied or stepped back roof line. (See Policy I.A.1 and LUP Height Exhibits 13-16).

• **Policy I. A. 4. Single-Family Dwelling - Low Medium I Density.** Accommodate the development of single-family dwelling units in areas designated as "Single-family Residential" and "Low Medium I Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.~~section and further defined in the LIP~~.

a. Venice Canals

Use: Single-family dwelling / one unit per lot

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

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

Yards: An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the canal property line and the front of any structure. A minimum 10-foot ~~feet~~ front yard setback, with a required 15-foot setback average, shall provide~~s the subject site with~~ the required permeable ~~450 square foot pervious~~ front yard area. No fill nor building extensions, including stairs and balconies, shall be placed in or over the required permeable ~~pervious~~ front yard area with the exception of 42-inch high fences or permeable decks at grade (no more than 18" high).

Height: Not to exceed 22 feet for any portion within 10 feet from the canal property line. Thereafter, an ascending height equal to one half the horizontal depth from this 10-foot line with a maximum height of 30 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16).

b. Silver Strand

1) Lagoon Fronting Lots/Lots Adjacent to Esplanade East:

Use: Single-family dwelling / one unit per lot

Density: One unit per 4,000 square feet of lot area

Lagoon Buffer: No ~~project~~ development other than public access improvements and habitat restoration shall be permitted within a 40-foot strip immediately adjacent to the Ballona

Lagoon, as established by amended Coastal Permit A-266-77. The City right-of-way ~~An undeveloped City-owned area~~ (Esplanade) comprises part of the 40-foot wide buffer. The remainder is comprised of 24 to 30-foot wide portions of the lagoon fronting lots over which easements have been, or shall be, dedicated to the City for ~~as~~ Open Space and public access per the requirements of amended Coastal Permit A-266-77. Easements shall be dedicated to the City to protect the lagoon buffer for public access and habitat.

Setback: All portions of a dwelling, except for a deck, shall be set back from the easterly edge of the Buffer Strip for a minimum setback of 10 feet or 15% of the depth of the lot excluding the Buffer Strip, whichever is greater, but such setback need not exceed 15 feet. The total combined height of any deck, deck railings, garden walls and/or fences situated within the 10 to 15-foot setback from the Buffer Strip shall not exceed 6 feet above the elevation of the Buffer Strip located immediately adjacent to the setback area.

Height: Not to exceed 30 feet for any portion within 60 horizontal feet of the ~~inland edge of Esplanade East~~ of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water. Open decks including railings shall not extend more than six feet above natural grade. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be placed in the lagoon. No fill shall be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

2) All other single-family lots:

Use: Single-family dwelling / one unit per lot

Density: One unit per 3,000 square feet of lot area

Yards: ~~Per Section 12.08-C of the LAMC~~ Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 45 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16). Open decks including railings shall not extend more than six feet above natural grade.

c. Ballona Lagoon West Bank Properties Between Topsail and Via Marina

Use: Single-family dwelling / one unit per lot

Density: One unit per 3,000 square feet of lot area

Lagoon Buffer: No development other than public access improvements and habitat restoration shall be permitted within 15 feet of the lot line located nearest the water. Easements shall be dedicated to the City to protect the lagoon buffer for public access improvements and habitat restoration.

Setback: All portions of a dwelling, except for a ground level deck (no more than 18" high), shall be set back a minimum of 25 feet from the inland edge of Esplanade West, or where no Esplanade exists, from the property line which separates the parcel from the west bank of Ballona Lagoon. Ground level permeable decks, landscaping and railing and fences may encroach ten feet into the setback. The remaining 15 feet of the setback area nearest the water (lagoon buffer) shall be protected for public access and habitat restoration.

Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide of the Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 ~~45~~ feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill may be placed in the lagoon. No fill may be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

d. Ballona Lagoon West Bank Properties South of Ironsides to Topsail.

These properties, commonly known as the Alphabet lots, consist of ~~16~~ the lagoon lots located between Ironsides and Topsail Streets. ~~A land swap between these parcels and City-owned parcels is currently under review by the City of Los Angeles Bureau of Engineering Real Estate Section.~~ The City shall retain ownership of ~~Given the location of~~ these parcels adjacent to the

environmentally sensitive habitat area.~~, it is recommended that first priority for~~ The use of the subject parcels shall be permanent Open Space with restoration of the native vegetation. Non-intrusive public access amenities may be permitted in a manner that protects the environmentally sensitive habitat area. ~~However, if these parcels can not be used for public use they shall be subject to the following restrictions:~~

~~Use: Single-family dwelling / one unit per lot. (The existing lots shall not be subdivided.)~~

~~Density: One unit per 2300 square feet of lot area~~

~~Setback from Lagoon: Not less than 25 feet from the inland edge of Esplanade West, or, where no Esplanade West exists, from the property line which separates the parcel from the west bank of the Ballona Lagoon.~~

~~Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide of the Lagoon. Beyond 60 horizontal feet one additional foot in height for each two additional horizontal feet to a maximum height of 45 feet.~~

Fill: No fill may be placed in the lagoon and buffer except for the minimum necessary for wetland restoration and public access.

Duplex/Multi-Family Residential

It is the intent of Venice LUP to maintain existing stable multi-family residential neighborhoods. In those stable neighborhoods characterized by a mix of densities and dwelling types, permitted densities may be reduced to levels consistent with the character of the entire area in order to minimize impacts on infrastructure, services, and to maintain or enhance the residents' quality of life. The loss of potential units in these locations can be offset by the provision of new housing opportunities via bonuses for the replacement of affordable housing and in mixed-use development.

• **Policy I. A. 5. Preserve and Protect Stable Multi-Family Neighborhoods.** Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained and improved.

• **Policy I. A. 6. ~~Duplex &~~ Multi-Family Residential-Low Medium I Density.** Accommodate the development of duplexes and multi-family dwelling units in the areas designated as "Multiple -F~~f~~amily Residential" and "Low Medium I" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.~~section and further defined in the LIP.~~

a. Southeast Venice and Milwood

Use: Two units per lot, duplexes and multi-family structures

Density: One unit per 2,500 square feet of lot area. Lots smaller than 5,000 square feet are limited to a maximum density of two units per lot.

Replacement Units/Bonus Density: Lots greater than 5,000 square feet can add extra density at the rate of one unit for each 2,000 square feet in excess of 5,000 square feet in lot area if the unit is a replacement affordable unit reserved for low and very low income persons. (See Policies I.A.9 through I.A.16).

Yards: ~~Per Section 12.09C of the LAMC~~ Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 25 feet for buildings ~~projects~~ with flat roofs, or 30 feet for buildings ~~projects~~ with stepped back or varied rooflines. (See Policy I.A.1 and LUP Height Exhibits 13-16).

• **Policy I. A. 7. Multi-family Residential - Low Medium II Density.** Accommodate the development of multi-family dwelling units in the areas designated as "Multiple-F~~f~~amily Residential" and "Low Medium II Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.~~section and further defined in the LIP.~~

a. Ballona Lagoon (Grand Canal) East Bank

Use: Two units per lot including duplexes

Density: One unit per 1,500 square feet of lot area

Grand Canal Esplanade: The Esplanade (City right-of-way) shall be maintained and improved in order to provide for continuous public pedestrian access along the Grand Canal waterway.

~~Setback/Yards: Minimum side yard of 3 ½ feet. Furthermore adjacent to the Grand Canal all portions of a dwelling, except for decks, shall be set back a minimum of 20 feet from the~~

~~property line which separates the parcel from the east bank of the Grand Canal. Ground level permeable decks, landscaping and railing and fences may encroach five feet into the setback.~~

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

Yards: Minimum side yard of 3 ½ feet. An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the canal property line and the front of any structure. A minimum 10-foot front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of permeable decks. The total combined height of any deck, deck railings, garden walls and/or fences situated within the required permeable front yard area shall not exceed 6 feet above the elevation of the adjacent public walkway.

Height: Not to exceed ~~38~~ 30 feet within 60 horizontal feet of the inland side of the Esplanade (City right-of-way). Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the inland side of the Esplanade (City right-of-way). (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be permitted in Grand Canal.

b. Ballona Lagoon and Grand Canal West Bank Property North of Ironside

Use: Two units per lot including duplexes.

Density: One unit per 1,500 square feet of lot area

Esplanade: The Esplanade (City right-of-way) shall be maintained and improved in order to provide for continuous public pedestrian access along Ballona Lagoon and the Grand Canal waterway.

~~Setback/Yards: Minimum side yard equals 3 ½ feet except the yard next to the Esplanade West or Grand Canal. All portions of a dwelling, except for decks, shall be set back a minimum of 20 feet from the easterly edge of Esplanade West, or, where no Esplanade~~

~~exists, from the property line which separates the parcel from the Grand Canal. Ground level permeable decks, landscaping and railing and fences may encroach five feet into the setback.~~

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

Yards: Minimum side yard of 3 ½ feet. An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the lagoon/canal property line and the front of any structure. A minimum 10- foot front yard setback, with a required 15- foot setback average, shall provide the required permeable front yard area. No building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of permeable decks. The total combined height of any deck, deck railings, garden walls and/or fences situated within the required permeable front yard area shall not exceed 6 feet above the elevation of the adjacent public walkway.

Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be permitted in the lagoon. No fill may be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.~~and buffer.~~

c. Marina Peninsula

Use: Two units per lot, duplexes and multi-family structures.

Density: One unit per 1,200 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units per lot.

Yards: ~~Per LAMC.~~ Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 35 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16).

d. Oakwood, Milwood, Southeast and North Venice

Use: Duplexes and multi-family structures.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units.

Replacement units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5, or one unit for each 2,000 square feet of lot area in excess of 4,000 square feet on parcels zoned RD2, ~~in excess of 4,000 square feet of lot area~~ if the unit is a replacement affordable unit reserved for low - and very- low- income persons. (See Policies I.A.9 through I.A.16).

Yards: ~~Per LAMC~~. Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height:

Oakwood, Milwood, and Southeast Venice: Not to exceed 25 feet for buildings ~~projects~~ with flat roofs; or 30 feet for buildings ~~projects~~ utilizing a stepped back or varied roofline ~~set back provisions~~. The portion that exceeds 25 feet in height shall be set back from the required front yard one foot for every foot in height above 25 feet. Structures located along walk streets are limited to a maximum of 28 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16).

North Venice: Not to exceed 30 feet for buildings ~~projects~~ with flat roofs; or 35 feet for buildings ~~projects~~ utilizing a stepped back or varied roofline ~~set back provisions~~. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet. Structures located along walk

streets are limited to a maximum height of 28 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16).

• **Policy I. A. 8. Multi-Family Residential-Medium Density.** Accommodate the development of multi-family dwelling units in the areas designated as "Multiple-Ffamily Residential" and " Medium Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP~~section and further defined in the LIP~~.

a. Southeast Venice

1. For all multi-family residential lots designated Medium Density Residential except the ones defined below in Policy I.A.8.a.2 (See Exhibit 11b).

   Use: Two units per lot, duplexes and multi-family structures.

   Density: One unit per 1,200 square feet of lot area ~~per unit~~. Lots smaller than 4,000 square feet in lot area are limited to a maximum density of two units per lot.

   Replacement units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,200 square feet in excess of 4000 square feet of lot area if the unit is a replacement affordable unit reserved for low- and very-low-income persons. (See Policies I.A.9 through I.A.16).

   Yards: ~~Per Section 12.10C of LAMC~~ Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

   Height: Not to exceed 25 feet for buildings ~~projects~~ with flat roofs, or 30 feet for buildings ~~projects~~ with stepped back or varied rooflines ~~or for projects utilizing set back provisions~~. The portion that exceeds 25 feet in height shall be set back one horizontal foot from the required front yard for every foot in height above 25 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16).

2. The lots designated Medium Density Residential north of North Venice Boulevard and south of Victoria Avenue; lots south of South Venice Boulevard and north of Harding and Woodlawn Avenues, east of Zeno Place only; and the lots north of

Washington Boulevard, and south of Van Buren and Harrison Avenues (See Exhibit 11b).

Uses: Multi-family structures.

Density: One unit per 800-1,200 square feet of lot area ~~per unit as permitted by the R3 zone~~.

Height: Not to exceed 25 feet for buildings ~~projects~~ with flat roofs, or 30 ~~35~~ feet for buildings ~~projects~~ with stepped back or varied rooflines. (See Policy I.A.1 and LUP Height Exhibits 13-16).

b. Silver Strand

Use: Multi-Family structures.

Density: One unit per 800-1,200 square feet of lot area ~~per unit as permitted by the R3 zone~~.

Height: Not to exceed 45 feet. (See LUP Height Exhibits 13-16).

c. North Venice

Use: Two units per lot, duplexes and multi-family structures.

Density: One unit per 1,200 square feet of lot area ~~per unit~~. Lots smaller than 4,000 square feet are limited to a maximum density of two units per lot.

Replacement units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one additional unit for each 1,200 square feet in excess of 4000 square feet of lot area if the unit is a replacement affordable unit reserved for low- and very-low- income persons. (See Policies I.A.9 through I.A.16).

Height: Not to exceed 30 feet for buildings ~~projects~~ with flat roofs or 35 feet for buildings ~~projects~~ utilizing stepped back or varied rooflines~~set back provisions~~. The portion of the structure that exceeds 30 feet in height shall be set back one horizontal foot for every foot in height above 30 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See Policy I.A.1 and LUP Height Exhibits 13-16).

Implementation Strategies

Specific regulations for the implementation of the development standards for new residential developments shall be contained in the LIP ~~and set forth in a specific plan as provided for in Section 11.5.7 of the LAMC~~.

Replacement of Affordable Housing

• **Policy I. A. 9. Replacement of Affordable Housing.** Per the provisions of Section 65590~~.C~~ of the State Government Code, referred to as the "Mello Act", the conversion or demolition of existing residential units occupied by persons and families of very low or low income shall not be permitted unless provisions have been made for replacement of those dwelling units which result in no net loss of affordable housing in the Venice Community.

• **Policy I. A. 10. Location of Replacement Housing.** The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

• **Policy I. A. 11. Replacement Ratios for Replacement Units.** Replacement ratios shall be at a minimum of 1:1 (one unit replaced for each unit removed). Replacement ratios shall increase according to how far from the affected site replacement units are located as defined in the Mello Act.

• **Policy I. A. 12. Displaced Residents Priority.** Displaced residents shall be given right of first refusal on the new replacement units.

• **Policy I. A. 13. Density Bonus Applications.** Required replacement dwelling units shall be counted as reserved units in any related State-mandated density bonus application for the same project. In order to encourage the provision of affordable housing units in the areas designated as "Multiple Family Residential" and in mixed-use developments, the City may grant incentives such as reduced parking, additional height or increased density consistent with Government Code Section 65915 provided that the affordable housing complies with the following:

(a) This is an incentive program that allows developers of any one of the types of residential projects described in Government Code Section 65915(b), and which complies with all standards set forth in Government Code Section 65915, to build no more than 25 percent more units than a property's zoning would ordinarily allow. In exchange for this density bonus, the owners must make the units affordable for 30 years if an incentive is utilized in

addition to a density bonus specified in Government Code Section 65915(b) or for 10 years if a second incentive is not utilized.

(b) In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan. In the Coastal Zone, the otherwise maximum allowable residential density shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the coastal zoning ordinances and land use element certified by the Coastal Commission. The density bonus shall be applicable to housing development consisting of five or more units.

(c) In the coastal zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent, to the maximum extent feasible and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and development standards. If the City approves development with a density bonus, the City must find that the development, if it had been proposed without the 25 percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. If the City determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the City shall require that the density increase be accommodated by those means. If, however, the City determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a 25 percent density increase, the City shall identify all feasible means of accommodating the 25 percent density increase and consider the effects of such means on coastal resources. The City shall require implementation of the means that are most protective of significant coastal resources.

(d) The City may prepare an LCP amendment for certification by the Commission for specific areas or subregions within the planning area where density bonuses in excess of 25 percent may be permitted based on a finding that no adverse impacts on coastal resources would result.

(e) In addition to a 25 percent density bonus, a qualifying housing development shall receive one of the incentives identified in Government Code Section 65915(h), unless it is found that the additional incentive is not required in order to provide for affordable housing costs or rents. If the City determines that the additional development incentive requested by an applicant pursuant to this section will not have any adverse effects on coastal resources, the City may grant the requested incentive. If the City determines that the requested incentive

will have an adverse effect on coastal resources, the City shall consider all feasible alternative incentives and the effects of such incentives on coastal resources. The City may grant one or more of those incentives that do not have an adverse effect on coastal resources. If all feasible incentives would have an adverse effect on coastal resour ces, the City shall grant only that additional incentive which is most protective of significant coastal resources.

(f) For the purposes of this section, "coastal resources" means any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Public Resources Code section 30200 *et seq.*, including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

• **Policy I. A. 14. Parking Requirements for Affordable Housing.** Reduced parking is permitted ~~only~~ for low ~~and low-moderate~~ income units only if: a) the project is consistent with LUP policy I.A.13; and b) it is demonstrated that the prospective occupants of the project will have a reduced demand for parking. However, if a unit changes its status from low or low-moderate income to market rate unit, parking should be provided for market rate units according to the parking standards listed in LUP Policies II.A.3 and II.A.4. ~~set in the LIP~~.

• **Policy I. A. 15. In-Lieu Credits for Replacement Housing.** In-lieu of construction of the required affordable replacement units as set forth above, residential projects shall be permitted to pay a fee, equivalent to the cost to subsidize each required dwelling unit. The in-lieu fee shall be set forth in the Citywide guidelines for the implementation of the Mello Act.

• **Policy I. A. 16. Exceptions.** No exceptions~~, including duration of vacancy, of any affordable housing units as provided for in the Mello Act~~ to the replacement housing policies of this LUP shall be permitted within the Venice Coastal Zone.

• **Policy I. A. 17. Youth Hostels and Hotels.** Development of temporary housing opportunities, such as hotels and youth hostels, shall be permitted through the conditional use permit/coastal development permit process in the Medium Density Residential and Community Commercial categories. The capacity of the proposed youth hostel shall be a factor of consideration for residential zones. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in all commercial land use categories.

Implementation Strategies

Specific conditions in lieu fees, and findings for the replacement of affordable housing have been proposed by the City Planning Department, Citywide Division, to implement the

requirements of the Mello Act. As permitted by the Mello Act and where appropriate, the City may set forth more restrictive replacement housing criteria and enforcement procedures in the LIP in order to ensure the continued availability of affordable housing in the Venice Coastal Zone.

The criteria contained in the Citywide guideline shall set forth a maximum time period during which the replacement dwelling units shall be provided and available for use following the date work commenced on the conversion or demolition of the residential dwelling unit, and shall set forth minimum time periods which the affordable units are to remain reserved. The Mello Act and any additional affordable housing policies shall be enforced by the City Departments of Building and Safety and Planning.

To preserve existing rental housing stock and prevent excessive conversion of permanent rental housing to youth hostels, the LIP may set forth a maximum number of youth hostel units (based on a percentage of total number of existing rental units) permissible in the Venice Coastal Zone.

B. Commercial Land Use and Development Standards

• **Policy I. B. 1. Commercial Intensity.** New commercial development in the Venice Coastal Zone shall be located as defined by the Land Use Policy Maps (Exhibits 9 through 12). The LUP designates approximately 160 acres of commercial and related parking uses in the following commercial land use categories: Commercial Artcraft, General Commercial, Neighborhood Commercial and Community Commercial. The land uses permitted within these categories are set forth in this section within each category. Development standards and intensities are set forth in Policy I.B.7 ~~and further defined in the LIP~~. Parking is a permitted use in all commercial land use categories.

Mixed-Use Development.

Mixed-use development provides an on-site mix of housing, retail, jobs and recreational opportunities consistent with the character of the Venice commercial areas, the City's General Plan Framework Element and Coastal Act Policy Section 30252. The Venice Community has many structures both older and newer containing various forms of mixed use development. This is particularly true in the Commercial Artcraft districts where artisans live and work in their studios.

• **Policy I. B. 2. Mixed-Use Development.** Mixed-use residential-commercial development shall be encouraged in all areas designated on the Land Use Policy Map for commercial use. Residential density in commercial land use designations shall not exceed one unit per 800-1200 square feet of lot area and shall comply with the Floor Area Ratio (FAR) limits set forth in Policy I.B.7. The design of mixed-use development is intended to help mitigate the impact of the traffic generated by the development on coastal access roads and reduce parking demand by reducing the need for automobile use by residents and encouraging pedestrian activity. Such development shall comply with the density and development standards set forth in this LUP~~section and further defined in the LIP~~.

Implementation Strategy

The LIP (Specific Plan) shall include specific ~~sets forth a land use designation and~~ standards which provide for mixed-use development in commercial areas.

Mixed-Use - Commercial Artcraft Designation

• **Policy I. B. 3. Commercial Artcraft Land Use Designation.** The purpose of this land use designation is to create enclaves in which the artisan segments of the population may live, create, and market their work, to maintain the variety and distinctiveness of Venice's lifestyles. Residential density in the Commercial Artcraft designation shall not exceed one unit per 800-1200 square feet of lot area.

Land designated Commercial Artcraft in the Venice Coastal Zone shall include the following areas:

~~a.~~ **North Venice:** As indicated on the Land Use Policy Maps (Exhibits 10a and 10b), p~~P~~roperties located along Abbot Kinney Boulevard from North Venice Boulevard to Westminster Avenue, along Windward Avenue from Ocean Front Walk to Pacific Avenue, and along Ocean Front Walk in that vicinity, including a small site at North Venice Boulevard and Pacific Avenue.

Uses: Artcraft activities including mixed-use, combining residential and commercial uses which emphasize artist-in-residence uses, small businesses, light industrial and artisan activities are permitted in these areas. Drive-thru facilities and billboards shall be prohibited in the Commercial Artcraft land use designation.

General Commercial Areas

• **Policy I. B. 4. General Commercial Land Use.** This land use designation is intended to maintain the uses, density, and character of existing low intensity commercial areas. Neighborhood commercial facilities shall also be encouraged within designated General Commercial corridors

which are adjacent to residential neighborhoods. This designation primarily occurs at the intersections of major and secondary streets, or as low rise, low density linear "strip" development along major and secondary streets, and includes areas identified as "Mixed-Use Boulevards". Land designated for General Commercial in the Venice Coastal Zone is shown on Exhibits 9 through 12.

~~Oxford Triangle~~ Additional restrictions for General Commercial designated p~~P~~roperties along both sides of Washington Boulevard.

> Prohibited Uses: ~~Consistent with the provisions of the Oxford Triangle Specific Plan~~ the following uses shall be prohibited: adult entertainment, automobile repair and testing, fraternity/sorority houses, rescue missions, car wash, drive-thru restaurants, dance halls, motels or hotels, nightclubs or bars, convenience stores, gas stations, recyclable materials collection, freestanding commercial sales or establishments dispensing alcoholic beverages for consumption off-site, grocery stores, billboards, and video arcades.

Neighborhood Commercial Areas

• **Policy I. B. 5. Neighborhood Commercial Land Use.** The Neighborhood Commercial designation is intended to accommodate local neighborhood commercial facilities and services which provide daily convenience goods and services to persons living in nearby residential areas. Small scale neighborhood stores and community services shall be preserved and encouraged. Neighborhood retail goods and services include, but are not limited to the following: art galleries; barber shops or beauty parlors; dry cleaners; laundry services; shoe repair; tailors; florists; hardware stores; drug stores; food/grocery stores; newsstands; medical facilities; and job service centers. Drive-thru facilities and billboards shall be prohibited ~~discouraged in those areas~~ on properties designated as neighborhood commercial. Community services include day-care, community-meeting rooms, recreational, religious or cultural facilities and similar uses. The clustering of uses minimizes multiple vehicle trips and encourages walking to and from adjacent residential neighborhoods. Areas designated for Neighborhood Commercial Land Use are shown in Exhibits 9 through 12.

Physically, Neighborhood Commercial areas are generally characterized by one and two story low-rise structures. Pedestrian activities shall be encouraged by the emphasis on local serving uses, design of buildings, and the incorporation of streetscape amenities.

Community Commercial Areas

• **Policy I. B. 6. Community Commercial Land Use.** The areas designated as Community Commercial on the Land Use Policy Map (Exhibits 9 through 12) will a~~A~~ccommodate the

development of community-serving commercial uses and services, with a mix of residential dwelling units and, ~~where specified,~~ visitor-serving uses ~~in the areas designated as "Community Commercial"on the Land Use Policy Map (Exhibits 9 through 12).~~ The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and for visitor-serving commercial uses. They differ from Neighborhood Commercial areas in their size and intensity of business and social activities. The existing community centers in Venice are most consistent with, and should be developed as, mixed-use centers that encourage the development of housing in concert with multi-use commercial uses. The integration and mixing of uses will increase opportunities for employees to live near jobs and residents to live near shopping. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in the Community Commercial land use category.

~~**a. Marina Peninsula/Ballona Lagoon/Southeast Venice [Washington Blvd.] The commercial frontage on Washington Boulevard from Ocean Front Walk to Via Dolce is a mix of retail, restaurants, and small offices with an eight-story office structure.**~~

Uses~~/~~Density: Community commercial uses shall accommodate neighborhood and visitor-serving commercial and personal service uses, emphasizing retail and restaurants; and mixed residential/commercial use with retail on the ground floor and personal services and residential uses on upper floors. Drive-thru facilities and billboards shall be prohibited in the Community Commercial land use category. On a commercial lot, residential uses shall not exceed one unit per 800-1200 square feet of lot area~~R3 density~~.

Community Commercial Areas of Special Interest

a. Marina Peninsula [Washington Blvd.] (Exhibit #9). The commercial frontage on Washington Boulevard from Ocean Front Walk to Via Dolce is a mix of retail, restaurants, and small offices with an eight-story office structure. Office uses shall be discouraged in this popular coastal recreation area in favor of visitor-serving commercial uses.

b. Oxford Triangle Community Commercial (Exhibit #12). The scenic and visual qualities of the Oxford Triangle subarea shall be considered and protected. The intent of the Oxford Triangle Community Commercial designation is to protect the existing single-family residential neighborhood located in the Oxford Triangle subarea from adjacent incompatible and more intense scale and uses. Mixed-use development shall be encouraged within Oxford Triangle Community Commercial designated area to create a lively urban environment; to maximize residential development potential and take advantage of the transportation infrastructure; and to encourage innovative design integrating residential, retail, recreational and commercial uses. Incentives such as increased floor area ratios (3:1 for mixed use

projects and 1.5:1 for commercial-only projects) and building heights may be granted within the Oxford Triangle Community Commercial designated area in order to encourage these goals. However, a progressive height limitation shall be imposed within the Oxford Triangle Community Commercial designated area in order to buffer the single-family residential neighborhood located in the Oxford Triangle subarea from higher buildings and more intense commercial uses.

c. North Venice Community Commercial

Properties located along Ocean Front Walk from 17th Avenue to the Santa Monica City Line (Exhibit #10).

Uses: Visitor-serving and personal services emphasizing retail and restaurants. Mixed-use with retail and/ or personal services on the ground floor with either residential or personal services on upper floors.

d. Oakwood Community Commercial

Properties located along Rose Avenue between Fourth and Seventh Avenues (Exhibit #11a).

Uses: Residential use, neighborhood retail and services, personal services, and small scale businesses oriented to the local community.

• **Policy I. B. 7. Commercial Development Standards.** The following standards shall apply in all commercial land use designations, unless specified elsewhere within this Land Use Plan.

Density/Intensity: Maximum Floor Area Ratio (FAR)~~= 1.5 to 1~~

0.5 to 1 for retail only (including restaurants)
1.0 to 1 for retail / office
1.5 to 1 for retail and/or office and residential

Parking: See Land Use Plan Policies II.A.3 and II.A.4.

Lot Consolidation. Two commercial lots may be consolidated, or three with subterranean parking with the following restrictions:

1. Methods for insuring that the structure does not look consolidated (breaks in front wall of ten feet minimum) shall be utilized.

2. Subterranean parking shall be fully depressed with roof at natural grade.

Exception: Lot consolidation of more than two lots shall be permitted for mixed-use projects which conform to the existing scale and character of the surrounding community and ~~meet the requirements set forth in the LIP, in order to~~ provide ~~for~~ adequate on-site parking.

Building Separation: A minimum of five feet between commercial and residential buildings (except for mixed-use projects).

Yards: Per ~~Section 12.14 of LAMC (C-2 Zone), and also as required under~~ the following Ground Level Development Policy which requires that commercial development be designed in scale with, and oriented to, the adjacent pedestrian accessways (i.e. sidewalks).

Ground Level Development: Every commercial structure shall include a Street Wall, which shall extend for at least 65% of the length of the street frontage, and shall be located at the property line or within five feet of the property line, except on Ocean Front Walk, where all commercial buildings shall have the Street Wall set zero (0) feet from the building line. The required Street Wall at sidewalk level shall be a minimum of 13 feet high. (A Street Wall is the exterior wall of a building that faces a street.)

Street Walls adjacent to a sidewalk café, public plaza, retail courtyard, arcade, or landscaped area may be setback a maximum of 15 feet along the project which consists of the sidewalk café, public plaza, retail courtyard, arcade, or landscaped area. Such areas shall not be considered in calculating the buildable area of a project but, with the exception of areas used only for landscaping, shall be considered in calculations for required parking.

At least 50% of the area of the ground floor Street Wall shall be devoted to pedestrian entrances, display windows, and/or windows affording views into retail, office, gallery, or lobby space.

Blank walls shall be limited to segments of 15 feet in length, except that walls containing a vehicle entry shall be limited to the width of the door plus five feet.
All projects shall provide at least one pedestrian entrance into each business or use for each street frontage.

Landscaping:

Where possible, parkways shall be created as buffer zones between commercial and residential properties.

Any portion of the lot not used for parking, buildings, driveways or other features shall be landscaped.

A landscape development plan prepared by a State licensed landscape architect, architect or landscape contractor shall be submitted to the City Planning Department for review and approval.

Access: Driveways and vehicular access to projects shall be provided from alleys unless the Department of Transportation determines that it is not possible. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities. Driveways and vehicular access to projects adjacent to Ocean Front Walk shall be provided from Speedway, unless the Department of Transportation determines that it is not possible. In no case shall vehicular access be permitted from Ocean Front Walk.

Driveways and vehicular access to projects adjacent to Pacific Avenue shall be provided from streets other than Pacific, unless the Department of Transportation determines that it is not possible.

Trash: Projects shall be required to provide and maintain ~~have~~ trash enclosures for all ~~regular~~ trash including ~~and~~ recyclables ~~trash~~.

Light: Lighting from Commercial projects shall be directed away from residential properties and environmentally sensitive habitat areas (Exhibit #22).

All lighting equipment installed in the public right-of-way shall be designed to minimize glare and light trespass. Equipment~~s~~ will be approved by the Bureau of Street Light~~t~~ing.

Signage: No roof top or billboard signs.

All sign lighting shall be designed to minimize glare and prevent light pollution.

Implementation Strategies

Specific regulations for the implementation of development standards for new commercial development shall be contained in the LIP ~~and set forth in a Specific Plan in accordance with Section 11.5.7 of the Los Angeles Municipal Code.~~

• **Policy I. B. 8. Weekend Arts and Crafts Fair.** To reinforce the intent of the artcraft district and to provide a visitor-serving attraction, ~~the possibility of establishing a~~ weekend arts and crafts fairs

may be permitted on City-owned property ~~in vicinity of Abbot Kinney Boulevard, and east of Ocean Front Walk shall be investigated~~ only if compatible with neighboring uses, public recreation, and public beach access.

• **Policy I. B. 9. Artcraft Overlay District Uses.** Uses currently permitted by code in citywide designated artcraft overlay districts shall be evaluated for their appropriateness in the Venice Coastal Zone. In order to protect residents~~ially-zoned areas~~ from the adverse effects of potentially detrimental uses (i.e.~~, such as~~ those that require use of toxic substances or create excessive noise), such ~~certain~~ uses ~~currently permitted by code~~ shall either be eliminated or restricted ~~to non-residentially-zoned areas~~ in the Venice Coastal Zone. ~~The existing designated commercial artcraft areas may be expanded as set forth in the LIP.~~

• **Policy I. B. 10. Open Air Sales Ocean Front Walk.** Ocean Front Walk is a significant tourist attraction where the operation of vendors shall be permitted at certain times of the year, with appropriate temporary use and parking requirements for vendors and their employees to ensure they are compatible with neighboring uses. Open air sales on private property shall be permitted through the City's conditional use permit/coastal development permit procedure. Constitutionally protected free speech activities ~~Open air vending~~ on the seaward side of Ocean Front Walk shall be allowed and regulated ~~administered~~ by the Department of Recreation and Parks in order to ensure that public access and recreational opportunities are protected. Restaurant dining areas and other encroachments in front of commercial establishments on the inland side of Ocean Front Walk shall not be permitted to interfere with pedestrian access along the boardwalk. ~~The Department of Recreation and Parks and the City Attorney are currently reviewing policies to regulate open air vendors along the seaward side of Ocean Front Walk. No existing building may be removed to establish additional land for open air sales.~~

• **Policy I. B. 11. Intensification of Commercial Uses.** Intensification of existing commercial uses, including, but not limited to additions to commercial structures, expansion of indoor or outdoor dining areas, and conversions of retail uses to sit-down restaurants, shall be required to provide adequate parking to meet the demands of the intensification consistent with LUP Policies II.A.3 and II.A.4.

• **Policy I. B. 12. Parking Structures.** Multi-level parking structures may be permitted in all commercially designated areas provided that the use, design, scale and height of the structure is compatible with adjacent uses and the neighboring community.

C. Industrial and ~~Railroad~~ Rights-of-Way Land Use and Development Standards

• **Policy I. C. 1. Industrial Land Use.** The Land Use Plan designates approximately 53 acres of land for Limited Industry ~~industrial~~ land uses. It is the policy of the City t~~T~~o preserve this valuable

land resource from the intrusion of other uses, and to ensure its development with high quality industrial uses~~, the plan classifies some industrial land in restricted zoning categories, such as the MR zones wherever possible~~. Commercial use of industrially designated land shall be restricted ~~within MR zones~~. Artist studios with residences may be permitted in the Limited Industry land use category. Adequate off-street parking shall be required for all new or expanded industrial land uses consistent with Policies II.A.3 and II.A.4. The design, scale and height of structures in areas designated for industrial land uses shall be compatible with adjacent uses and the neighboring community.

• **Policy I. C. 2. Coastal Industry.** Boat building, servicing, supply, and marine support industry, as they are considered a coastal-related use and are particularly suitable for the industrially designated lands in the Venice Coastal Zone, shall be encouraged.

• **Policy I. C. 3.** Coastal-dependent industrial facilities, multi-company use of existing industrial facilities, hazardous industrial development and the expansion and location of non-coastal-dependent industrial development shall be placed in appropriate land use categories and maintained or eliminated when appropriate.

• **Policy I. C. 4. Accessory Retail Use.** On-site retail sale of goods produced in industrially designated lands and in areas recommended for artcraft shall be encouraged. Adequate off-street parking shall be required for all uses consistent with Policies II.A.3 and 4.

• **Policy I. C. 5. Oil Wells.** All ~~The~~ idle, non-operational oil wells ~~which currently remain on the Peninsula and adjacent to the Pavilion~~ shall be safely removed.

• **Policy I. C. 6. Hazardous Uses.** Hazardous industrial uses shall not be located adjacent to residential uses.

• **Policy I. C. 7. Bus Yard Redevelopment.** Should the site become available, priority uses for the future redevelopment of the former MTA (formerly Southern California Rapid Transit District (RTD)) bus service maintenance and storage facility, located on Main Street, between Sunset Avenue and Thornton Place, include affordable housing, which may be a mixed-use residential-commercial project, and public parking structure as a measure to improve public access.

• **Policy I. C. 8. Railroad Rights of Way.** Abandoned ~~Existing~~ railroad rights-of-way in the Venice Coastal Zone shall ~~should~~ be developed with public transit including bikeways, residential uses, parking and/or open space uses, subject to a discretionary review by means of a coastal development permit. Compatibility with adjacent land uses and potential as a coastal resource shall be factors considered in evaluating use permits for railroad rights-of-way.

• **Policy I. C. 9. Public Rights of Way.** Public rights-of-way in the Venice Coastal Zone shall be reserved for public transportation uses including use by private vehicles, pedestrians and bicyclists. Uses that do not interfere with coastal access, transportation and visual quality may be permitted, subject to a discretionary review by means of a coastal development permit. Vacations of public rights-of-way shall not be permitted in the area between the first public road and the sea, Ballona Lagoon or any canal except for public purposes consistent with all applicable local, state and federal laws.

D. Development Within Natural and Recreational Resource Areas/Protection of Views

• **Policy I. D. 1. Canals and Ballona Lagoon Waterways.** The Venice estuaries and wetlands including the Ballona Lagoon, Venice Canals, and Grand Canal south of Washington Boulevard, are designated in the Land Use Plan as natural and coastal recreational resources, and are rezoned to the "Open Space" designation.

Adjacent Use/Development: The only permitted development adjacent to the canals and lagoon shall be habitat restoration, single-family dwellings, public parks and walkways, subterranean or surface public parking lots, maintenance activities and emergency repairs. Surface public parking lots shall be permitted only where sufficient access and roadway capacity exists to accommodate such parking. New construction along the Canals, and Ballona Lagoon shall comply with standards for setbacks, noise barriers, landscape plan, pervious surfacing with drainage control measures to filter ~~direct~~ storm run-off and direct it away from environmentally sensitive habitat areas, buffer areas in permanent open space, land dedication for erosion control, and wetland restoration including off-site drainage improvements. For more details refer to the provisions contained in Policy Group I.A., Residential Land Use and Development Standards, and Policies~~y~~ IV.C.1 and IV.C.2, Stormwater Runoff and Circulation.

• **Policy I. D. 2. Venice Beach.** Venice Beach stretches along the coast from Navy Street on the north to the entrance channel of Marina Del Rey.

Use/Density: The beach shall be zoned Open Space and used for public recreation. There should be no further construction on the beach other than police substation, City's and County's operational and management offices, recreational and accessory facilities such as playground equipment, athletic facilities, restrooms, lifeguard stations, bikeways, related short-term bicycle parking, walkways, lighting facilities where appropriate, and necessary expansion of existing or installation of new infrastructure. Reconstruction and rehabilitation of existing facilities shall be encouraged. Development shall be sited to protect Least Tern nesting areas and other environmentally sensitive habitat areas.

• **Policy I. D. 3. Views of Natural and Coastal Recreation Resources.** The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A and I.B, Residential and Commercial Land Use and Development Standards of this LUP ~~and the LIP~~, in order to protect public views of highly scenic coastal areas and vista points, including, but not limited to, the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

• **Policy I. D. 4. Signs.** Roof top signs and billboards are prohibited in all land use categories. Business identification signs ~~New signage and billboards~~ shall comply with the height limits and development standards specified in the LUP ~~LIP~~ to ensure they do not adversely affect view sheds and view corridors.

E. Preservation of Venice as a Special Coastal Community

• **Policy I. E. 1. General.** Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

• **Policy I. E. 2. Scale.** New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials.

Implementation Strategies

> The LIP shall includes development regulations and procedures (with respect to bulk, scale, height, setbacks, density, landscaping and types of use) to implement these policies.

• **Policy I. E. 3. Architecture.** Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

• **Policy I. E. 4. Redevelopment.** Projects involving large-scale land acquisition and clearance shall be discouraged in favor of rehabilitation, restoration and conservation projects, especially those involving single-family dwellings.

• **Policy I. E. 5. Nonconforming Structures.** Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:

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

• **Policy I. E. 6. Constitution.** This LUP/LCP is not intended, and shall not be construed, as authorizing the City to exercise its power to grant or deny a permit in a manner which will constitute an unconstitutional taking of private property for public use. This policy is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

F. Preservation of Cultural Resources

• **Policy I. F. 1. Historic and Cultural Resources.** The historical, architectural and cultural character of structures and landmarks in Venice should be identified, protected and restored where appropriate, in accordance with historical preservation guidelines.

The following buildings, streets, and trees have been identified through the coordinated efforts of surveys performed by the Venice Historical Society, Venice Community, State Coastal Conservancy and City of Los Angeles as significant architectural, historical and cultural landmarks in the Venice Coastal Zone.

Venice City Hall
Lighthouse Street Bridge
Eastwind Community Gardens
Crown Arms (Catamaran St.)
Bay Cities Laundry
Sidewalk Café (1915)
Waldorf Hotel (1913)
St. Charles Hotel (1905) - (St. Marks Annex).

Abbot Kinney Boulevard between Venice Boulevard and Brooks Avenue
Old Venice Jail
Breakwater (1905)
Brick Street - 18th Street
64-72 Market Street (1913-14)
Canals Bridges
Old Venice Library
The Windward area, including the Windward Colonnades, Windward Apartments (1906), 52 Windward Avenue and 80 Windward Avenue (constructed in 1905 and housed the Venice First National Bank).
Walk streets (as shown in the LUP on Exhibit 19, Pedestrian Access and Bicycle Trails).

• **Policy I. F. 2. Reuse and Renovation of Historic Structures.** Wherever possible, the adaptive reuse and renovation of existing historic structures shall be encouraged so as to preserve the harmony and integrity of historic buildings identified in this LUP. This means:

a. Renovating building facades to reflect their historic character as closely as possible, and discouraging alterations to create an appearance inconsistent with the actual character of the buildings.

b. Protecting rather than demolishing historic or culturally significant properties by finding compatible uses which may be housed in them that require a minimum alteration to the historic character of the structure and its environment.

c. Rehabilitation shall not destroy the distinguishing feature or character of the property and its environment and removal or alteration of historical architectural features shall be minimized.

d. The existing character of building/house spaces and setbacks shall be maintained.

e. The existing height, bulk and massing which serves as an important characteristic of the resource shall be retained.

Implementation Strategies

Where appropriate, historic preservation overlay zones, historic districts or historic-cultural monuments shall be designated within the Venice Coastal Zone, which will be afforded

special regulations governing demolition or alteration. Nominated significant historic sites for official designation as City Historic-Cultural Monuments shall be processed through the City's Cultural Heritage Commission.

Properties not eligible for monument status, as well as monuments, will be flagged for review by the Department of Building and Safety and the Cultural Heritage Commission for all building and demolition permits.

Guidelines providing for the protection and restoration of these resources shall be developed to protect architecture and historic character of buildings. These guidelines shall include provisions for rehabilitation and new construction, demolition controls and use regulation.

• **Policy I. F. 3. Venice Canals.** The historic integrity of the Venice Canals shall be preserved. The canals are deemed to be significant as an early example of community recreational planning in a coastal marshlands area. Included in the historic district are the six canals, their associated sidewalks and a number of pedestrian and vehicular bridges. The Venice Canals are listed on the National Register of Historic Places as an historic district (August 30, 1982). Additionally, the City of Los Angeles Cultural Heritage Commission declared the Venice Canal System a Los Angeles City Historic-Cultural Monument (HCM No. 270, August 2, 1983).

• **Policy I. F. 4. Windward Historic Arcade.** The Windward Historic Arcade District boundaries are the south side of Market Street between Pacific Avenue and Ocean Front Walk on the north, the east side of Ocean Front Walk between Horizon Avenue and the 17th Avenue on the West, both sides of Windward Avenue between Pacific Avenue and Ocean Front Walk on the south, and the east side of Pacific Avenue between Market Street and Windward Avenue on the east. New development shall ~~Guidelines shall be adopted as part of the LIP to~~ maintain and preserve the historical arcade area of Venice and ~~to~~ be required, where feasible, ~~new developments~~ to restore or replicate the arcade if they fall within the historic arcade locations.

Implementation Strategy

Guidelines for arcade location and design, street widths and designation and development standards for the building in the Windward Historic Arcade District shall be developed in the LIP.

• **Policy I. F. 5. Historic Street Lighting.** Consideration shall be given as to whether ornamental street lighting shall be refurbished and/or reinstalled to preserve the character of the community, in addition to providing adequate lighting for motorists and pedestrians.

• **Policy I. F. 6. Archaeological ~~and~~ Resources.** Significant archaeological resources shall be protected from permanent loss. A preliminary cultural resources record search to determine the existence of significant archeological sites shall be required for developments which require more than minimal grading. Mitigation plans for the protection of such resources shall be required. If, during construction, any archaeological resources are discovered, work shall be stopped to prevent further disturbance of the resources, and the proper authorities shall be immediately notified.

Implementation Strategy

Prior to the issuance of coastal development permits, grading, demolition, or building permits, applicants of all projects located in the Venice Coastal Zone which propose to grade more than one cubic yard ~~a specified quantity~~ of material ~~or size of area (as set forth in the LIP)~~ shall submit a preliminary cultural resources record search from the South Central Coast Archeological Information Center located at the University of California, Los Angeles. If this search reveals that cultural resources may be located on the site, the applicant shall file an Environmental Assessment Form (EAF) with the Planning Department and be subject to the applicable provisions of the California Environmental Quality Act.

Chap2
Venice LUP
October 99

POLICY GROUP II. SHORELINE ACCESS

Introduction - Setting

Shoreline resources in the Venice Coastal Zone are: Venice Beach, ~~the~~ Ballona Lagoon, ~~and~~ the Venice Canals, and the ~~. The~~ Marina del Rey north jetty which lies partly in the jurisdiction of the City of Los Angeles.

Public access to the shoreline is provided through a variety of transportation modes as shown on Exhibits 17a through 19b. Regional access is provided through a network of three freeways: the Santa Monica Freeway (Interstate 10), the San Diego Freeway (Interstate 405), and the Marina Freeway/Expressway (State Route 90). In addition, Lincoln Boulevard (State Highway No. 1), Venice Boulevard, and Washington Boulevard serve as major routes into and out of the Venice Coastal Zone. Detailed descriptions of the principal highways and streets serving the area, including number of lanes, roadway widths, median types, intersection controls, on-street parking and speed limits, are contained in the Venice Traffic and Parking Study, Existing Traffic Conditions Background Working Paper, dated May 1991. Local shoreline access is provided by local streets, walk streets, pedestrian walkways and paths, and bikeways. Venice Beach is a publicly owned sandy beach which provides direct access to the entire oceanfront shoreline. (Refer also to Policy Section II.C, the Pedestrian and Bicycle Access Section of this LUP.)

The Venice Coastal Zone is serviced by the regional transit lines. In addition, the area is serviced by a local shuttle service "LADOT" in summer time. The regional service is provided by four bus operators and consists of the following:

- Los Angeles County Metropolitan Transportation Authority (MTA).
- Santa Monica Municipal Bus Lines (SMMBL), also known as the "Big Blue Bus".
- Culver City Municipal Bus (CCMB), also known as the "Culver City Bus".
- Los Angeles Department of Transportation (LADOT).

As shown on Exhibit 18, these operators collectively provide a total of ten regional lines serving the Venice Coastal Zone, with the majority of these primarily operating along Pacific Avenue, Main Street, Lincoln Boulevard, and Washington Boulevard. (For more information, including hours of operation and ridership data, refer to the Venice Traffic and Parking Study, Final Report, dated April 1995.) Along with the regional transit service, a local shuttle service operated by LADOT serves the area. The LADOT DASH was designed explicitly to provide beach access from a remote parking lot. (Exhibit 18a and b, Existing Public Transit Routes.)

According to the parking study (inventory in Summer 1991), a total of approximately 18,153 parking spaces were found to exist within the Venice Coastal Zone. Of these, about 11,486 were on-street and 6,667 were off-street. Of the 11,486 on-street parking spaces, 10,253 were unmetered and

unrestricted, 543 were unmetered but had limitations on length of stay, and 690 were metered with limitations on length of stay. Of the 6,667 off-street spaces, 2,555 were available for public use (consisting of 1,393 spaces in publicly-owned lots and 1,162 spaces in privately-owned lots open to the public) while 4,112 were for customer parking only. The publicly-owned lots include the Los Angeles County lots located on the beach at the ends of Rose Avenue (289 spaces), Venice Boulevard (321), Washington Boulevard (302), and parking along the Marina and Pacific Avenues (60 spaces); and lots owned by the City of Los Angeles between North and South Venice Boulevards and at Pacific Avenue and Windward Avenue. Additional data regarding the locations, restrictions, and types of on-street and off-street parking spaces is contained in the Venice Traffic and Parking Study, Existing Parking Conditions Background Working Paper, dated March 1992.

As a result, the Venice Coastal Zone is one of the most heavily utilized beach recreation areas in Southern California. The County Department of Beaches and Harbors estimates that Venice Beach is visited by 250,000 people on a typical summer weekend.

The intent of the Shoreline Access Section of the LUP is to insure and improve this continued accessibility while minimizing negative impacts on the residential and business community. The shoreline access issues in the Venice Coastal Zone include on-street and off-street parking near or on the beach frontage for visitors and residents, conflicts between residential and beach visitor parking, signage of available parking on weekends, intrusion of non-resident vehicles on residential and business streets, alternative transportation modes, walkway and street access points to beach areas, and use of publicly-owned parcels as beach access points.

This section presents policies and implementation strategies to maintain and enhance public shoreline access, including portions devoted to parking improvements, public transportation, traffic management solutions, non-vehicular coastal access, pedestrian access, and bicycle ways and skate ways.

The land use and development standard policies in Section I of the LUP also relate directly to shoreline access issues, since they involve controls on development density. Required parking provisions for private development are addressed in this Section (Policies II.A.3 and 4).

The Venice Parking and Traffic Study was prepared to determine the extent of existing traffic capacity, the degree of congestion on local streets, the adequacy of off-street parking, the effectiveness of the public transportation system, and to define a range of possible mitigation measures. The study defines and analyses traffic and parking conditions in the Beach Impact Zone and Expanded Beach Impact Zone (See Exhibit 17a and 17b). The Beach Impact Zone (BIZ) is defined as the area west of Main Street from Marine Street to Abbot Kinney Boulevard, southeast on Abbot Kinney Boulevard to Venice Boulevard, west along South Venice Boulevard to Eternal (Eastern) Canal, south to the Sherman Canal, west to the Grand Canal, and south along the Esplanade to the Marina del Rey Channel entrance. The Expanded Beach Impact Zone includes the

Beach Impact Zone plus the area bounded by North and South Venice Boulevards from Abbot Kinney Boulevard east to Lincoln Boulevard. The implementation strategies outlined in this section of the LUP are partially based on the recommendations of the study.

Coastal Act Policies

The policy groups covered by this section of the LUP address the following Coastal Act Policies, which are included as part of the Land Use Plan:

Section 30210. In carrying out the requirement of Section 4 of Article 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resources areas from overuse. (Amended by Ch, 1075, Stats. 1978)

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212. Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or

(3) agriculture would be adversely affected. Dedicated access way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.

Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by section 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.
(Amended by Ch. 1075, Stats, 1978.)
(Amended by Ch. 919, Stats, 1979.)
(Amended by Ch. 744, Stats, 1983.)

Section 30214.

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstance in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

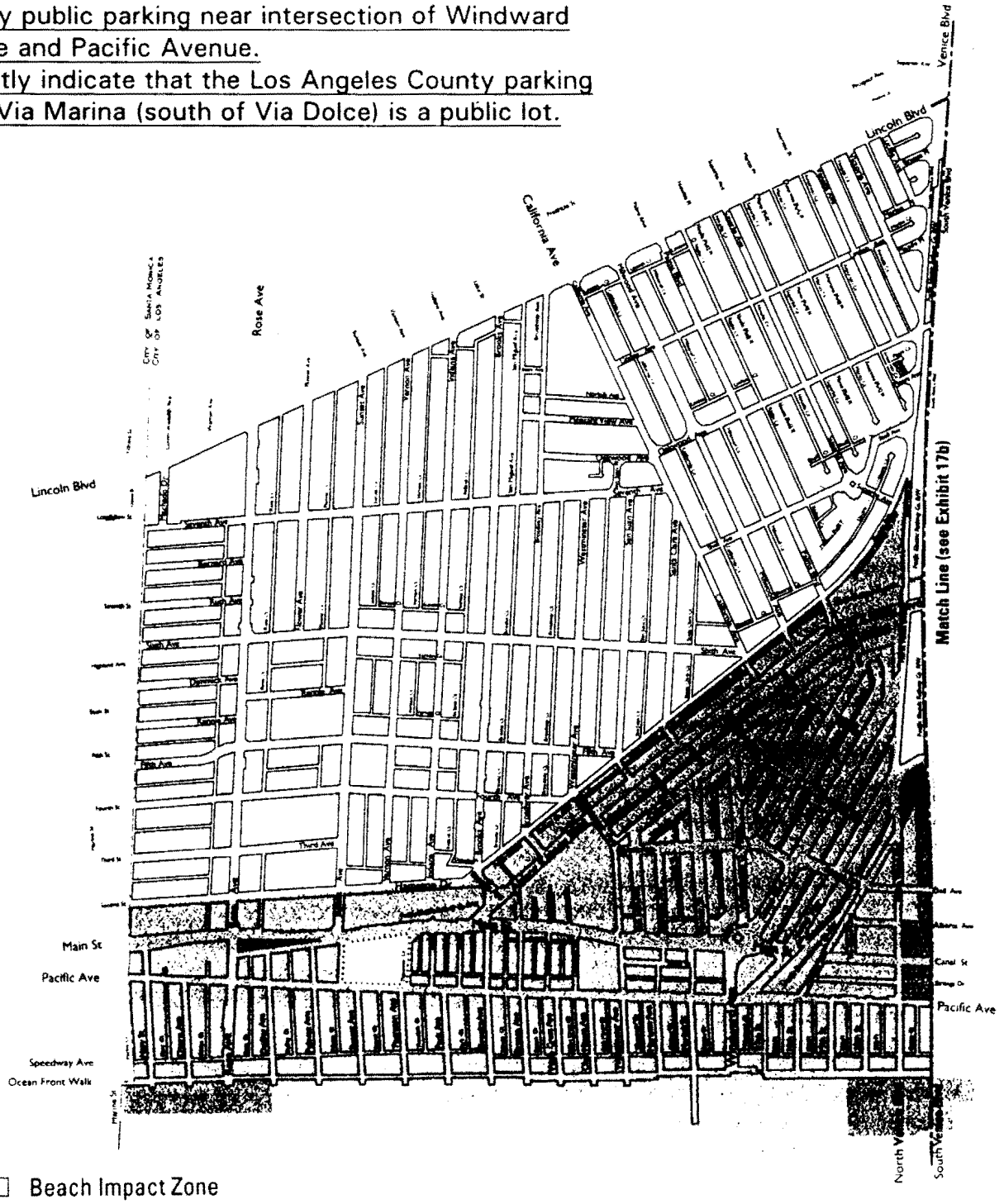
(c) In carrying out the public access of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize costs and encourage the use of volunteer programs.

(Amended by Ch, 919, Stats,, 1979.)

Section 30252. 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 non automobile 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 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 on-site recreational facilities to serve the new development.

Suggested Modifications to LUP Exhibit 17:

1) Identify public parking near intersection of Windward Avenue and Pacific Avenue.
2) Correctly indicate that the Los Angeles County parking lot on Via Marina (south of Via Dolce) is a public lot.



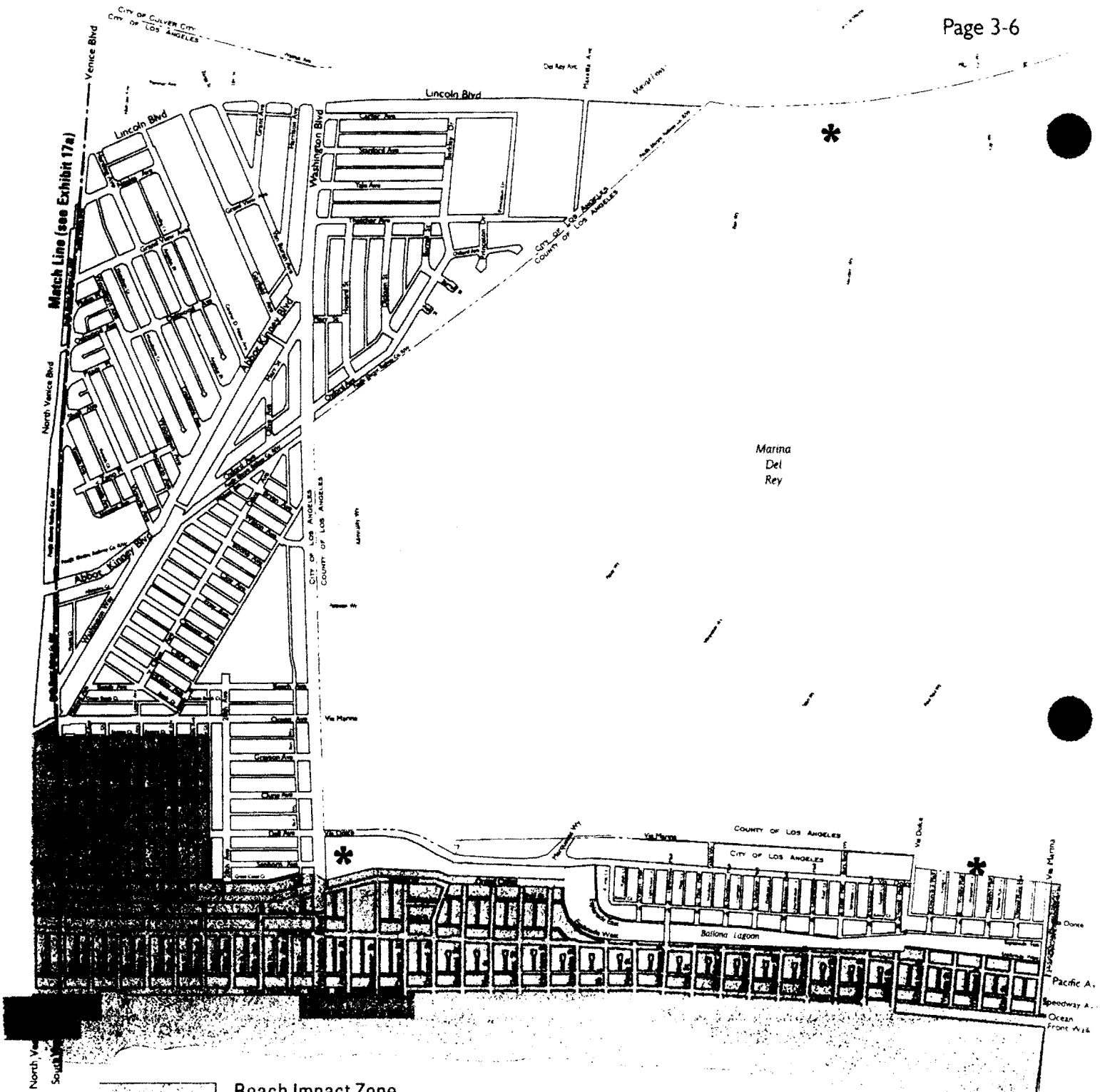
Beach Impact Zone
Expanded Beach Impact Zone
Existing Public Parking
Potential New or Expanded Surface Parking Site
Potential Public Parking Structure Site
* Privately Owned Public Parking

Exhibit 17a

Coastal Access Map

Parking and Beach Impact Zone

Not to Scale



Beach Impact Zone

Expanded Beach Impact Zone

Existing Public Parking

Potential New or Expanded Surface Parking Site

Potential Public Parking Structure Site

* Privately Owned Public Parking

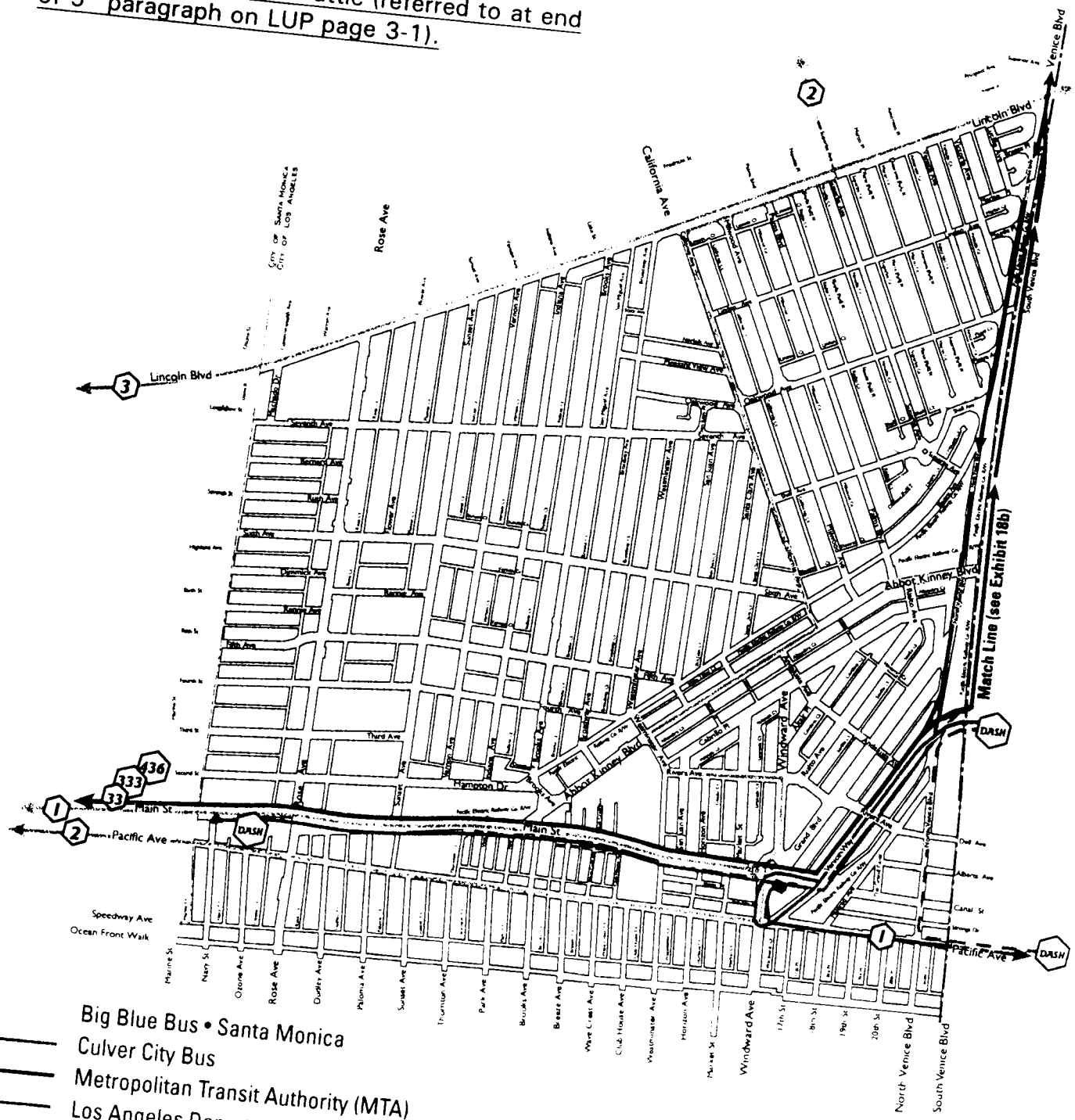
Exhibit 17b

Coastal Access Map

Parking and Beach Impact Zone

Not to Scale

Suggested Modification to LUP Exhibit 18: Identify remote beach parking reservoir(s) served by the DASH shuttle (referred to at end of 5th paragraph on LUP page 3-1).

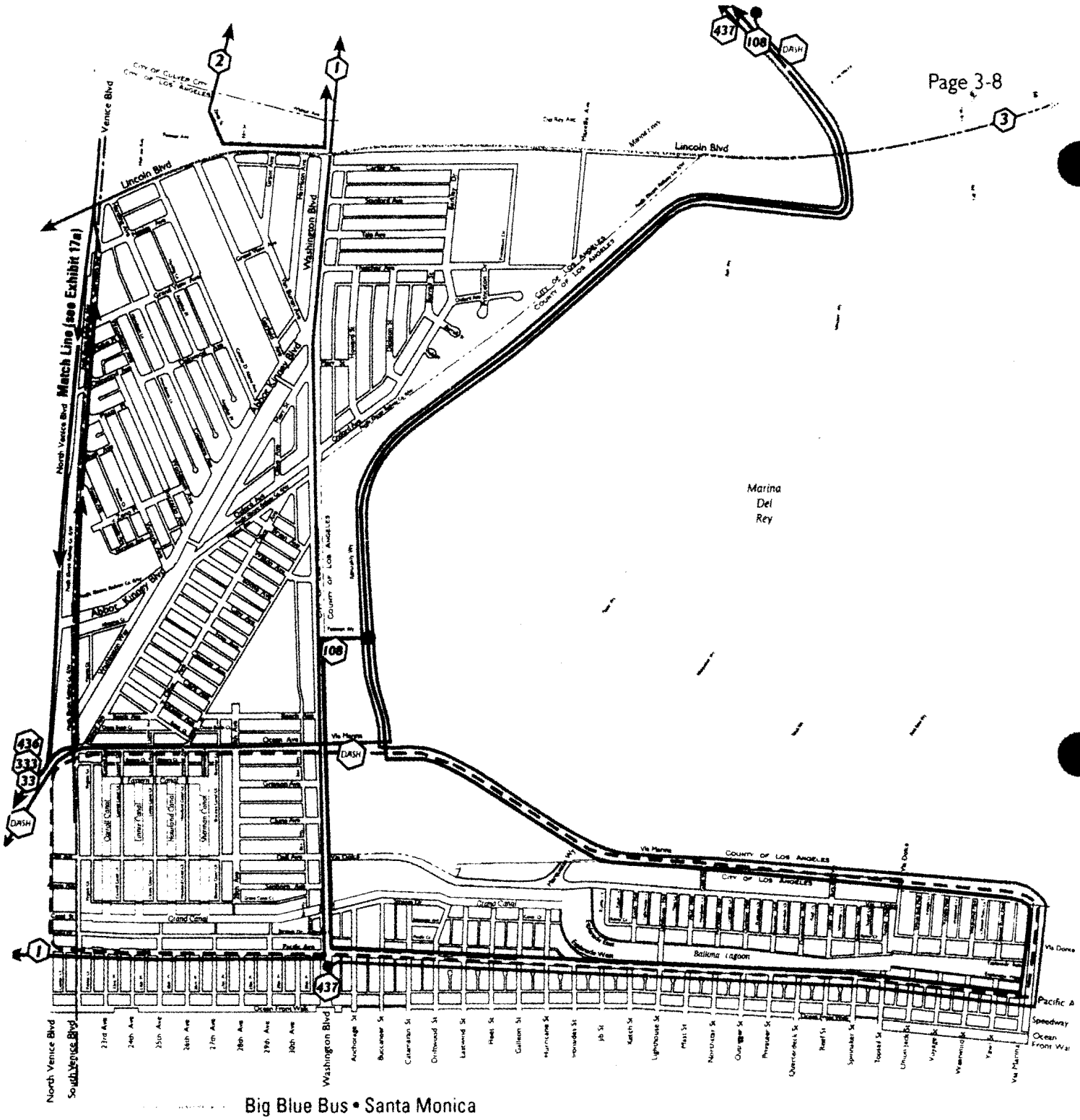


Big Blue Bus • Santa Monica
Culver City Bus
Metropolitan Transit Authority (MTA)
Los Angeles Department of Transportation (LADOT)
Including Existing DASH Routes
Proposed LADOT DASH additional route
(The DASH is a Summer only transit service)

Exhibit 18a

Existing Public Transit Routes

Not to Scale



Big Blue Bus • Santa Monica

Culver City Bus

Metropolitan Transit Authority (MTA)

Los Angeles Department of Transportation (LADOT)

Including Existing DASH Routes

Proposed LADOT DASH additional route

(The DASH is a Summer only transit service)

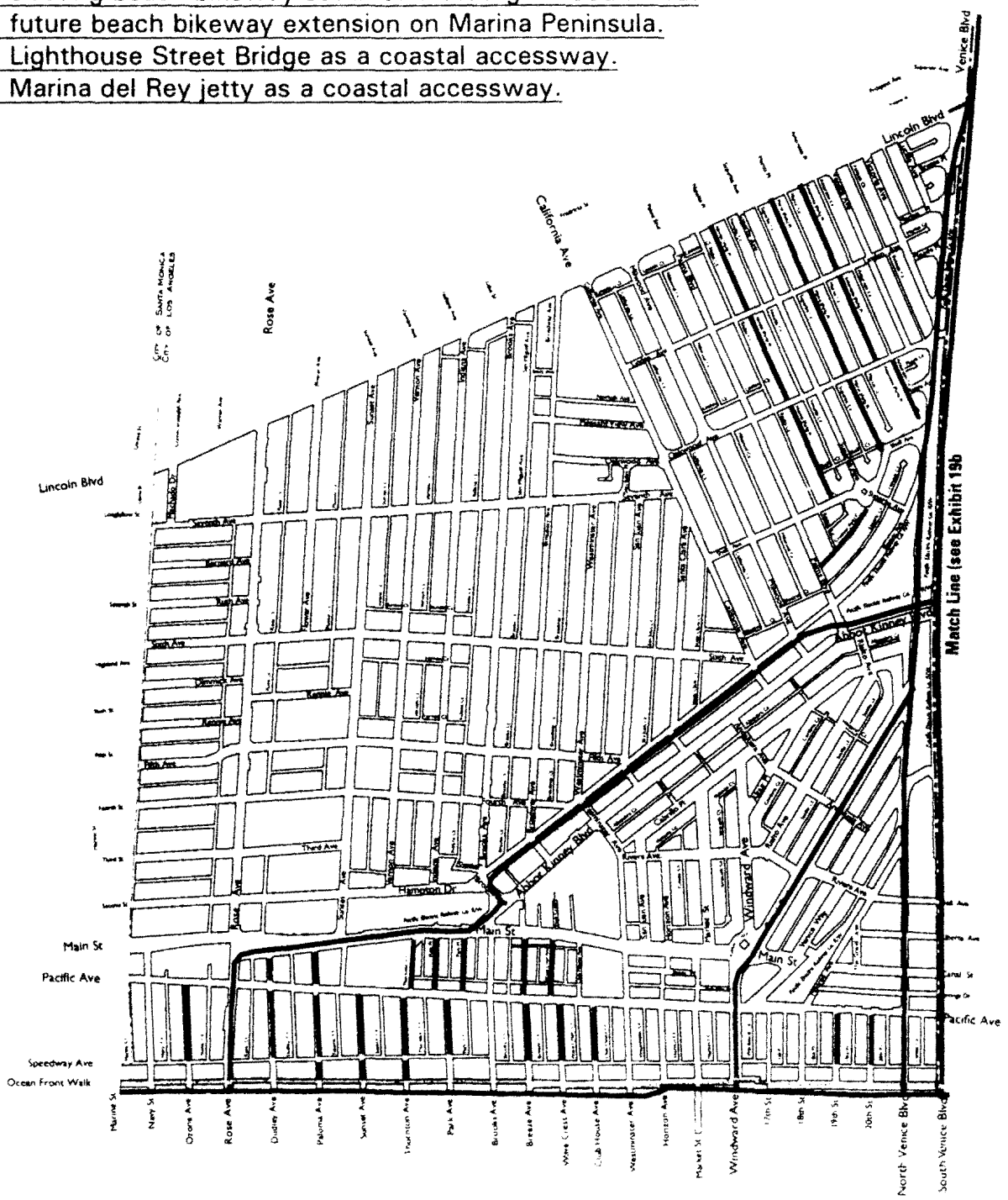
Exhibit 18b

Existing Public Transit Routes

Not to Scale

Suggested Modifications to LUP Exhibit 19:

1) Identify existing beach bikeway south of Washington Boulevard.
2) Identify future beach bikeway extension on Marina Peninsula.
3) Identify Lighthouse Street Bridge as a coastal accessway.
4) Identify Marina del Rey jetty as a coastal accessway.



Coastal Accessways

Walkstreets

Existing Bikeways

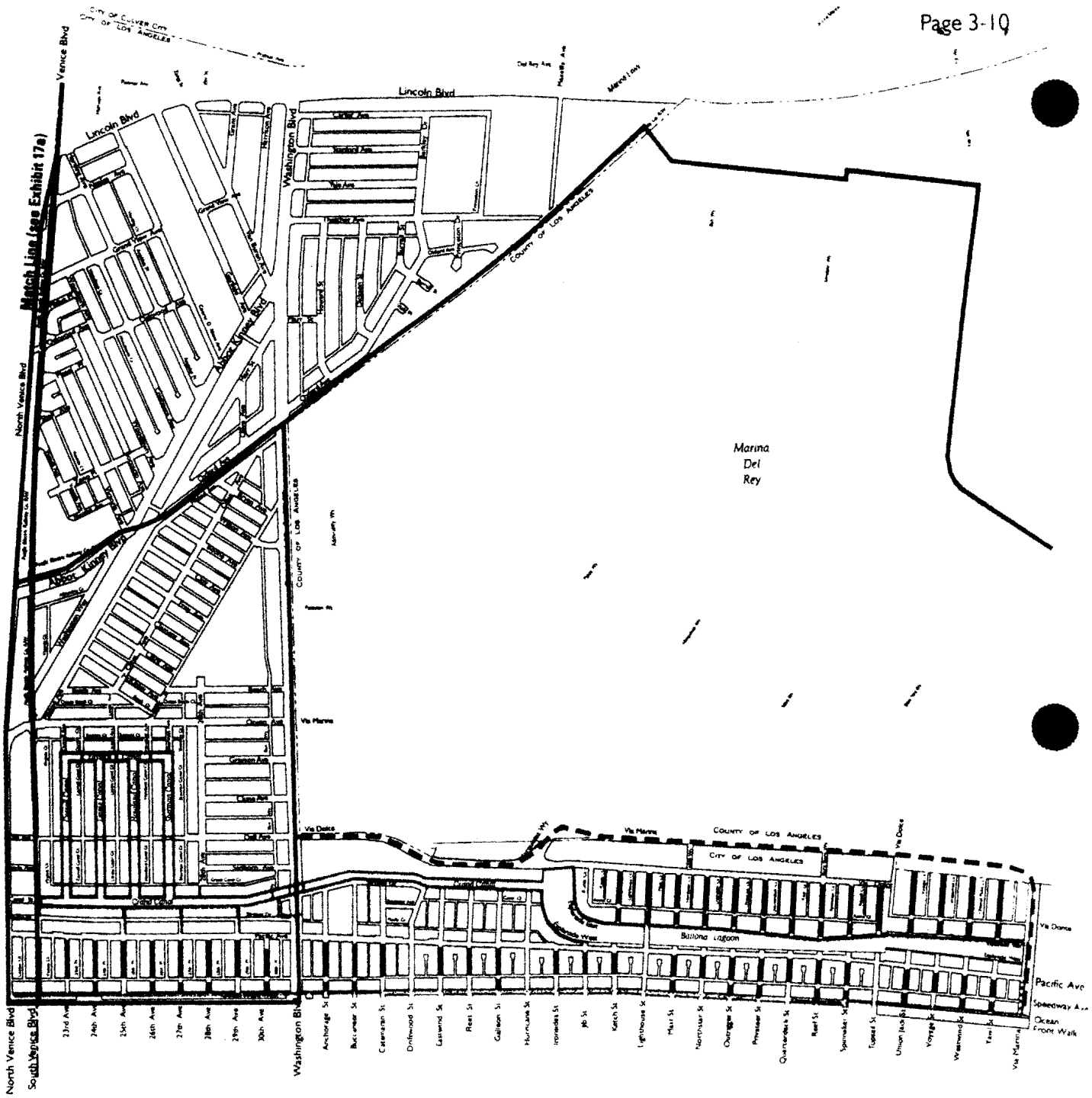
Proposed Bikeway

Exhibit 19a

Coastal Access Map

Pedestrian Access and Bikeways

Not to Scale



Coastal Accessways

Walkstreets

Existing Bikeways

Proposed Bikeway

Exhibit 19b

Coastal Access Map

Pedestrian Access and Bikeways

Not to Scale

Land Use Plan Policies and Implementation Strategies

A. Parking

• **Policy II. A. 1. General.** It is the policy of the City to ~~intent that the LUP~~ provide ~~plans for~~ increased parking opportunities for both visitors and residents of Venice, and ~~to~~ improve summer weekend conditions with respect to Venice Beach parking and traffic control.

A comprehensive package of parking measures and strategies that addresses the needs and balances the competing demands of residents and beach visitors is proposed. Parking facilities shall be increased, subject to the availability of funding, to meet existing unmet needs for residents and beach visitors in order to improve public access opportunities and reduce conflicts between residential and beach visitor parking. Parking facilities for beach overload parking shall be located outside of the Beach Impact Zone. To facilitate ingress and egress to the beach area, a shuttle system that serves outlying parking areas, lots or structures should be developed and maintained. The development of parking facilities shall be consistent with Coastal Act policies.

The City's policy is to provide ~~A summer weekend parking and traffic control plan for Venice should address both the provision of~~ sufficient parking for beach goers outside of local streets, and encourage the use of this parking ~~by discouraging the use of on-street parking~~ (simply restricting use of on-street parking without providing an alternative would diminish public access to the beach). An integrated plan should contain the following types of measures:

- Provision of new parking supply for beach goers;
- Measures to encourage beach goers to use the new supply ~~and to refrain from parking on residential or commercial streets~~;
- Measures to reduce parking demand; and
- Management and coordination of the parking and traffic system.

• **Policy II. A. 2. Expansion of Public Beach Parking Supply.** The construction of new public parking facilities should be implemented, as well as maximizing the use of existing ones by restriping existing parking lots or converting them to multi-level structures where consistent with other Coastal Act policies. The parking lots located west of the Ocean Front Walk shall remain surface parking lots. In no case shall such structures obstruct ocean views or be inconsistent with other Coastal Act or LUP Policies.

Implementation Strategies

Public use of private parking facilities currently underutilized on weekends (i.e. serving office buildings) within the Beach Impact Zone shall be negotiated and included in the signing and advertising program (See Policy II.A.4). An example would be the existing 414-space subterranean parking garage serving the 330 Washington Boulevard office building (on the southwest corner of Washington Boulevard and Via Dolce). Public use of existing private parking facilities has the advantage of requiring little or no capital cost.

The site of the Los Angeles County Metropolitan Authority (MTA) bus maintenance yard located between Main Street and Pacific Avenue south of Sunset Avenue is a potential site for public parking. It is estimated that about 350 spaces could be provided on the approximately 3-acre site. This site affords good walking access to the beach, and good vehicular access via Main Street and Pacific Avenue.

School parking lots and playgrounds ~~shall~~ may be ~~considered for~~ used as parking areas during periods of high beach use providing vehicular access to such lots is sufficient. In the off-season, the existing parking areas ~~shall~~ may be ~~encouraged for~~ used for resident-serving needs, such as basketball courts and farmers' markets.

The established Venice Coastal Parking Impact Trust Fund, into which in-lieu parking fees shall be paid, will continue to be utilized for expenditure on improvement and development of public parking facilities that improve public access to ~~in~~ the Venice Coastal Zone as specified in the LUP~~LIP~~.

• **Policy II. A. 3. Parking Requirements.** The parking requirements outlined in the following table shall apply to all new development, any addition and/or change of use. The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of this policy. Extensive remodeling of an existing use or change of use which does not conform to the parking requirements listed in the table shall be required to provide missing numbers of parking spaces or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for the existing deficiency. The Venice Coastal Parking Impact Trust Fund will be utilized for improvement and development of public parking facilities that improve public access to the Venice Coastal Zone.

PARKING REQUIREMENT TABLE

USE ~~STRUCTURES~~	OFF-STREET PARKING REQUIRED
RESIDENTIAL USES:	
Single family dwelling	2 spaces; except projects in the Silver Strand and Venice Canals Residential Subareas, where three spaces are required.
Single family dwelling on lots of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	3 spaces
Artist in residence (no sales)	2 spaces for each dwelling unit.
Multiple dwelling~~/artist in residence~~	2 spaces for each dwelling unit.
Multiple dwelling and duplex on lots of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	2 spaces for each dwelling unit; plus a minimum of 1 (one) guest parking space for each 4 (four) or fewer units (i.e. 2.25 spaces per unit; always round-up to highest whole number of spaces).~~(or fraction thereof); except that for projects where all required parking spaces are fully enclosed, any required guest spaces may be paid for at the same in lieu fee rate defined for BIZ parking.~~
Mobile Home Park	2 spaces for each mobile home space.
Hotel	2 spaces; plus 2 spaces for each dwelling unit; plus 1 space for each guest room or each suite of rooms for the first 30; plus 1 space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; plus 1 space for each three guest rooms or suites of rooms in excess of 60; plus 1 space for each 100 square feet of floor area used for consumption of food or beverages, or public recreation areas; plus 1 space for each five fixed seats and for every 35 square feet of seating area where there are no fixed seats in meeting rooms or other places of assembly.

Motel or Motor Hotel	1 space for each guest room; plus 2 spaces for each dwelling unit
Boarding and Lodging House	2 spaces for each three guest rooms.
HEALTH USES:	
Veterinary Hospital	1 space for each 150 square feet of floor area.
Medical or Dental or Clinic	See office uses.
Health Studio or Club	1 space for each 150 square feet of floor area. (For purposes of these provisions, swimming pool area shall be counted as floor area).
EDUCATIONAL AND CULTURAL USES:	
Child Care Center, Day Nursery, Preschool or Nursery School	1 space for each 500 square feet of floor area.
Business, Professional or Trade School	1 space for each 25 square feet of floor area.
RECREATIONAL USES:	
Theater, Auditorium	1 space for each two fixed seats and for every 21 square feet of seating area where there are no fixed seats.
Dance Hall, Pool or Billiard Parlor, Roller or Ice Skating Rink, Exhibition Hall and Assembly Hall without fixed seats, including Community Center, Private Club, Lodge Hall and Union Headquarters	1 space for each 75 square feet of floor area.
OFFICE USES:	
Commercial Bank, Savings and Loan Office, other Financial Institutions, Public or Private Utility Office, Ticket Agency, other similar Window Service Offices	1 space for each 225 square feet of floor area of the main floor.

Professional Offices of Doctors, Dentists or similar professions	1 space for each 150 square feet of floor area.
General Office and other Business, Technical Service, Administrative or Professional Offices	1 space for each 250 square feet of floor area.
BUSINESS AND COMMERCIAL USES:	(For shared parking see Policy II.A.11)
Personal Service Establishment, Including Cleaning or Laundry Agency or similar use	1 space for each 250 square feet of floor area.
General Retail Store, except as otherwise provided	1 space for each 225 square feet of floor area.
Shopping Center	1 space for each 200 square feet of floor area within the center, or as otherwise required for each individual use within the center, whichever is greater.
Food Store, Grocery Store, Supermarket, or similar use	1 space for each 225 square feet of floor area.
Open Air Vending, Swap Meet	1.25 spaces per vending stall or sales space.
Restaurant, Night Club, Bar, and similar establishments and for the sale or consumption of food and beverages on the premises.	1 space for each 50 square feet of service floor area (including outdoor service areas).
Drive-in and Window Service Restaurant providing Outdoor Eating Area or Walk-up or Drive-up Window Service.	1 space for each 50 square feet of floor area, but not fewer than 10 spaces. The above may be modified for walk-up facilities with no seating area and beachfront walk-up with seating depending on the particulars of the individual case.
Laundromat and Coin-operated Cleaners	1 space for each 150 square feet of floor area

MANUFACTURING & RELATED USES:

Manufacturing and Industrial Establishment, including Offices and other than incidental operations.	3 spaces; plus 1 space for each 350 square feet of floor area.
Software, music, film and video manufacturing.	3 spaces; plus 1 space for each 350 square feet of floor area
Laboratory and Research Establishment	3 spaces; plus 1 space for each 300 square feet of floor area.
Warehouse Storage Building	3 spaces plus; 1 space for each 1,000 square feet of floor area
Public Utility Facility not having a Business Office on the premises	2 spaces; plus 1 space for each 500 square feet of floor area.
Other uses not listed	Parking shall be provided pursuant to a detailed parking study that demonstrates that the project will provide adequate parking to meet the needs of the development without causing negative impacts to coastal access or access to public recreational facilities.

• **Policy II. A. 4. Parking Requirements in the Beach Impact Zone.** Any new and/or any addition to commercial, industrial, and multiple-family residential development projects within the Beach Impact Zone shall provide additional (in addition to parking required by Policy II.A.3) parking spaces for public use or pay in-lieu fees into the Venice Coastal Parking Impact Trust Fund.

Beach Impact Zone (BIZ) Parking Impact Trust Fund criteria:

a. Commercial and industrial projects in the BIZ shall provide one additional parking space for each 640 square feet of floor area of the ground floor. Up to 50% of the total number of these additional parking spaces required in this section may be paid for, ~~at a rate to be established in the LIP,~~ in lieu of providing the spaces.

b. Multiple family residential projects in the BIZ shall provide an additional parking space for each 1,000 square feet of floor area of the ground floor for multiple dwelling projects of three units or more. Up to 100% of the total number of these additional parking spaces required in this section may be paid for ~~at the rate established in the LIP,~~ in lieu of providing the spaces. The recommended rates shall be established based upon the development cost study of the area.

c. All in-lieu fees shall be paid into the Venice Coastal Parking Impact Trust Fund to be administered by the City of Los Angeles Department of Transportation for improvement and development of public parking facilities that support public access to the Venice Coastal Zone.

d. In no event shall the number of BIZ parking spaces (over and above those spaces required by the parking requirements set forth in Policy II.A.3 ~~the LIP~~) required for projects of three or more dwelling units, or commercial or industrial projects, be less than one (1) parking space for residential projects and two (2) parking spaces for commercial and industrial projects.

Implementation Strategies

The ~~Parking Trust Fund,~~ in lieu fee for a BIZ parking space ~~and parking requirements~~ shall be established ~~set forth~~ in the ~~Specific Plan~~ (LIP) at a rate proportional to the cost of providing a physical parking space.

• **Policy II. A. 5. Intercept Parking Lots.** A limited number of large intercept parking facilities at remote locations shall be provided and connected to the beach with a shuttle bus service operated on summer weekend days and holidays, with a signing and advertising program to direct beach goers to the intercept parking lots.

Implementation Strategies

This measure should build upon the current system (which, in the summer of 1994, consisted of a Venice DASH shuttle bus service operating at 10-minute headway connecting a single remote lot located at the Marina Business Center on Glencoe Avenue near the Marina Freeway), by potentially adding more lots and modifying the shuttle routes accordingly. (Refer also to Implementation Strategies for Policy II.B.3, Shuttle System.)

The intercept parking lots may be public lots or private lots which are underutilized during weekends (i.e. office building parking) and should be located along major access streets, not within residential neighborhoods. Possible locations could include continued use of the Marina Business Center lot on Glencoe Avenue served by the existing Venice DASH shuttle service, future parking to be provided by the Channel Gateway project in accordance with its development agreement or other sites to be determined. (See Policy II.B.3 for further discussion of shuttle operations.)

The capital cost to implement this measure could be low, if the intercept lots are located at existing parking lots or City-owned parcels, or vacant parcels are leased. However, ongoing operating costs would be higher due to the operating and maintenance costs of the shuttle service. If private lots are to be used, their use would either have to be compelled through development agreements/developer requirements or negotiated with the owner, and the City may have to assume liability risk.

• **Policy II. A. 6. Preferential Parking.** Establishment of residential preferential parking districts shall be contingent upon ~~providing adequate visitor parking or~~ replacing displaced public parking spaces with new public parking at a minimum one-to-one ratio.

Implementation strategies

To provide adequate visitor parking, the preferential parking district(s) should be operated as follows:

- Parking restriction shall not be less than 4-hour within designated residential district(s); meters, if provided, shall be priced and enforced to encourage use of off-street lots and shall accept payment for time increments up to 4 hours.

- Require that the general public maintain the right to buy a day-permit allowing parking on all streets within the zone.

• **Policy II. A. 7. Metered Parking on Abbot Kinney Boulevard.** The City shall install 4-hour parking meters in the commercial district along Abbot Kinney Boulevard to encourage turnover and

discourage long-term beach parking, which in turn should help to increase parking availability for short-term commercial customers.

• **Policy II. A. 8. Signage and Management of Public Beach Parking.** The availability of alternative beach parking shall be advertised via ads and/or signs at the Venice beach and boardwalk, flyers distributed at local businesses and on the boardwalk.

To facilitate public parking, adequate signage with directions shall be installed to inform beach goers of the availability of public beach parking facilities and remote lots with shuttle service. A tiered system of lots shall be established, with beach goers directed to each tier in turn until it is full.

The use of traffic controls, special signing, and advance publicity in regional media will be utilized to direct traffic to the standby reservoir of inland parking facilities during peak holidays and to facilitate shuttle service to visitor-serving areas.

Implementation Strategies

A beach parking signage program will consist of the following:

Fixed guide signs on major arrival routes entering the Venice area (e.g. Lincoln Boulevard from the north and south, Marina Freeway from the east, Washington Boulevard from the east, Venice Boulevard from the east and possibly Main Street and Pacific Avenue from the north) identifying locations of and routes to alternative beach parking lots.

The tiered system of lots should operate as follows:

- 1st Tier - Public lots located on the beach (i.e. existing City-owned, County-leased beach parking lots located at the ends of Rose Avenue, Venice Boulevard and Washington Boulevard) and the existing City-owned public parking lots between North and South Venice Boulevards east of Pacific Avenue.

- 2nd Tier - Other public lots within the Beach Impact Zone (i.e. proposed new public parking lot on the former MTA bus yard site, private parking facilities with negotiated agreements for public use).

- 3rd Tier - Intercept/remote lots.

As the 1st tier lots fill up, the manually-operated guide signs at the respective lot and on Rose Avenue, Venice Boulevard, and Washington Boulevard (as appropriate) shall be changed to direct beach goers to the 2nd tier lots.

As the 2nd tier lots fill up, signs shall be posted at each lot in turn as it fills up directing beach goers to the 3rd tier lots. Also, the manually-operated guide signs at the tier 1 lots and on Rose Avenue, Venice Boulevard, Washington Boulevard, and the existing City-owned public parking lots between North and South Venice Boulevard (as appropriate) shall be changed to direct beach goers to 3rd tier lots rather than to the 2nd tier lots.

Hands-on operation of the management and signing program shall be required during the critical period between 10 A.M. and 2 P.M., when most people arrive and lots fill up.

Operation of County-owned beach parking lots with existing and/or new City-provided lots shall be coordinated. Parking lot attendants at both County-owned and City-provided lots shall keep track of how full the lots are, and report this information to the senior traffic enforcement officer in charge of the program.

• **Policy II. A. 9. Protection of Public Parking.** The following policies shall be implemented and enforced in order to protect and enhance public parking opportunities provided on public rights-of-way and in off-street parking areas:

a. Beach Parking Lots. The beach parking lots located at Washington Boulevard, Venice Boulevard and Rose Avenue shall be protected for long-term (4-8 hours) public beach parking. No parking spaces in the beach parking lots shall be used to satisfy the parking requirements of Policies II.A.3 and II.A.4. The temporary short-term lease or reservation of parking spaces in the beach parking lots may be permitted if the proposed temporary use of the parking supply does not conflict with the need for public parking by beach goers. Any proposal to allow overnight residential parking in the beach parking lots shall include provisions to enforce a prohibition against the storage of vehicles in the lots during the daylight hours by non-beach goers.

b. Street Ends. It is the policy of the City to not permit privatization of street ends. Public parking opportunities shall be protected and encouraged at improved and unimproved street-ends that abut Ocean Front Walk and/or the beach.

c. Rights-of-ways. In order to maintain and increase the public parking supply, the City shall maximize and protect the availability of public parking opportunities on City streets that currently accommodate vehicular traffic.

d. Curb cuts. In order to protect on-street parking opportunities, curb cuts shall not be permitted where vehicular access can be provided from an alley. When vehicular access cannot be safely provided from an alley, curb cuts shall be limited to the minimum amount necessary to provide safe vehicular access to a site. Old curb cuts shall be restored to curbside public parking when feasible.

e. **Private parking**. Existing ordinances shall be enforced to ensure that parking areas situated on street-ends and on public rights-of-way are protected for public use and shall not be privatized or posted for private use.

Policy II. A. 10. Valet Parking. Valet parking programs may be permitted and implemented in order to increase the amount of available public parking in parking impacted areas. In order to ensure that any valet parking program that is permitted to operate in the Venice Coastal Zone does not negatively impact coastal access opportunities, all approved valet parking programs shall comply with the following policies:

a. The use of public parking areas for valet vehicle Drop-off/Pick-up stations shall be limited to the minimum area necessary and occupy the fewest number of public parking spaces.

b. Vehicle Storage/Parking. The storage of vehicles by valets is prohibited in public parking lots, on public rights-of-way and in on-street parking spaces (except for loading and unloading) unless it is determined that use of the public parking area will not conflict with the need for public parking by beach goers.

c. A valet parking program that utilizes public property in the coastal zone shall be available for use by the general public with no preference granted to any group or type of use (i.e., restaurant customers vs. beach goers).

Policy II. A. 11. Shared Parking. Shared parking arrangements may be permitted to accommodate new commercial uses and intensification of existing commercial uses provided that a detailed parking study demonstrates that the proposed shared parking arrangement will not negatively affect coastal access or access to public recreational facilities. Public beach parking lots shall not be used for shared parking arrangements.

B. Alternative Transit and Traffic Management

• **Policy II. B. 1. Public Transportation.** It is necessary to maintain existing and develop new public transportation facilities to facilitate coastal access in Venice.

The City shall pursue establishment of a subregional transit system. The subregional system shall include Venice as one of the interconnecting destinations. Those portions of the system located within the Venice LCP area should be linked to those portions located within the County's Marina del Rey LCP area, to ensure a single, integrated system.

A public transit service within and to Venice to meet recreational needs is of prime importance and shall be maintained and expanded, subject to available funding. The City Department of

Transportation (LADOT) shall work with the regional bus operators, such as the Metropolitan Transportation Authority (MTA), Santa Monica Municipal Bus Lines, and Culver City Municipal Bus, inter-operator fare integration task force to provide peak period and event scheduling of bus services for the area and to develop park-and-ride lots.

Implementation Strategies

The funding and resources of various jurisdiction, such as Proposition A/C Local Discretionary Funds, shall be coordinated to maximize beach transit service.

• **Policy II. B. 2. Beach Bus Service.** Special beach bus service from targeted areas to Venice Beach shall be provided. The objective of the beach bus service would be to provide specialized bus service to the Venice beach area and offer beach goers an alternative means of accessing the beach.

Implementation Strategies

The beach bus service would be provided during summer weekends and holidays by using school buses or LADOT commuter express buses which are otherwise not utilized on weekends. High schools located in the targeted areas could serve as the pick-up/drop-off points for the beach bus service.

• **Policy II. B. 3. Shuttle System.** The City shall develop a comprehensive shuttle (DASH) system for the Venice Coastal Zone as a transit alternative to the automobile for use by beach visitors. Shuttles should be located along well-utilized routes to the beach to ensure adequate use of the system.

To serve Marina Peninsula, the current Venice DASH shuttle bus route shall be modified to operate along Pacific Avenue, south of Washington Boulevard to the Marina Jetty.

Implementation Strategies

The Venice intercept parking shuttle route(s) shall be designed to interface with regional transit routes. For example, the current Venice DASH shuttle bus route travels along Mindanao Way, Admiralty Way, Ocean Avenue and Venice Way to Pacific Avenue, interfacing with MTA line 33 via stops along Venice Way and with Culver City Municipal Bus line 1 and Santa Monica Municipal Bus Line 2 at Pacific Avenue. Adding stops within Marina del Rey along Admiralty Way and on Mindanao Way near Lincoln Boulevard would also allow transfers to/from MTA line 108 and Santa Monica Municipal Bus Line 3. If the shuttle route is modified or new shuttle routes are provided to serve new intercept parking lots, the new or modified routes should also coordinate with regional transit services. (See Exhibits 18a and 18b).

The shuttle system should be implemented as follows:

1. Shuttle bus operation on Venice Boulevard between beach and inland parking areas, including: (a) Venice Boulevard Median Lot expansion; (b) new Venice Branch Library lot; and (c) Electric Avenue lots.

2. Shuttle bus operation on Washington Boulevard between a prospective lot at Mildred Avenue, the Venice Pier, and the beach, with potential stops at existing available parking facilities (e.g., the 400-space Washington Square garage at Via Dolce and Washington Boulevard).

3. Other shuttle bus routes to connect inland standby parking facilities (e.g. school sites) during peak days (e.g. summer and holidays). Shuttle buses would operate on summer weekends and holidays plus other days that might be identified as periods of high public beach demand.

New commercial developments shall be required to contribute to the cost of funding a Venice coastal shuttle system. The City should support coordination and participation of privately operated shuttle systems.

Subject to availability of funding, the City should establish park-and-ride lots along regional bus line routes that could be served by commuters on weekdays and which could also be utilized by visitors to recreational areas on weekends.

Subject to availability of funding, the City should establish park-and-ride lots parallel to the Santa Monica Freeway route which could be utilized by car-poolers traveling to metropolitan Los Angeles on weekdays, and which could also be linked to the coastal area by a shuttle service on weekends.

The City shall continue coordination efforts with CALTRANS to design a park-and-ride lot on the median of the Marina Freeway.

• **Policy II. B. 4. Traffic Management.** The City shall develop and implement traffic management programs to improve and facilitate coastal access in Venice. This includes development of a Transportation Demand Management (TDM) program to more efficiently utilize available parking and street capacities and to encourage beach visitors to alter their mode of travel. It also should include the implementation of improvements to the street system and reduction of automobile congestion, including intersection signalization and improvement of traffic lane efficiency.

Implementation Strategies

The City shall submit the Coastal Transportation Corridor Specific Plan (CTCSP) (Ord. No. 168,999, which replaced Ord. No. 160,394) adopted by the Los Angeles City Council on August 13, 1993, as part of the LIP. The CTCSP is, in part, an effort to ensure implementation of transportation improvements with planned commercial and industrial development. The CTCSP is intended to provide for coastal access and to coordinate comprehensive transportation plans and programs with other jurisdictions and public agencies. Developers of commercial and industrial projects are required to contribute traffic impact assessment fees for transportation improvements to offset increased traffic demand. The coastal transportation plan will be periodically updated and revised to reflect current costs of proposed improvements and the feasibility thereof. The Coastal Transportation Corridor Trust Fund fees are levied by the City at the time of issuance of the local building permit and will be used to mitigate traffic impacts of new development to the maximum extent feasible.

Potential Traffic Mitigation Measures: Potential mitigation measures which could be implemented to alleviate project traffic impacts at the analyzed intersections are described below. (For detailed information refer to Draft Final Report, Venice Traffic and Parking Study, April, 1995.)

1) Signalization Improvements: The City is in process of implementing Automated Traffic Surveillance and Control (ATSAC) at the following 20 locations:

- Pacific Avenue & Rose Avenue
- Pacific Avenue & Brooks Avenue
- Pacific Avenue & Westminster Avenue
- Pacific Avenue & Windward Avenue
- Pacific Avenue & North Venice Boulevard
- Pacific Avenue & South Venice Boulevard
- Pacific Avenue & Washington Boulevard
- Main Street & Rose Avenue
- Main Street & Abbot Kinney Boulevard/Brooks Avenue
- Dell Avenue/Via Dolce & Washington Boulevard
- Ocean Avenue/Via Marina & Washington Boulevard
- Palawan Way & Washington Boulevard (includes installation of traffic signal)
- Abbot Kinney Boulevard & Venice Boulevard
- Mildred Avenue & Washington Boulevard
- Abbot Kinney Boulevard & Washington Boulevard
- Lincoln Boulevard & Brooks Avenue/Lake Street
- Lincoln Boulevard & California Avenue

- Lincoln Boulevard & Superba Avenue
- Ocean Avenue/Venice Way & North Venice Boulevard
- Ocean Avenue/Venice Way & South Venice Boulevard

2) Physical Mitigation Measures: The City shall implement restriping and lane improvements within existing pavement widths at the following locations, as recommended in the Venice Traffic and Parking Study. Public transportation and bicycle transportation opportunities shall be integrated into roadway designs.

- Pacific Avenue & Rose Avenue - Provide an exclusive left -turn on the westbound Rose Avenue approach.

- Pacific Avenue & Westminster Avenue - Restripe the eastbound Westminster Avenue approach to provide an exclusive left-turn lane.

- Pacific Avenue & North Venice Boulevard - Provide an additional northbound through lane on Pacific Avenue by restriping the northbound left-turn lane as a shared left-turn/through lane.

- Pacific Avenue & South Venice Boulevard - Provide an additional northbound through lane on Pacific Avenue by restriping the northbound approach for one through lane and a shared through/right- lane.

- Main Street & Rose Avenue - Restripe the westbound Rose Avenue approach to provide an exclusive left-turn lane.

Potential Revenue Sources: Potential revenue sources to finance Implementation Strategies as recommended in the Venice Traffic and Parking Study may include the following:

1. Developer in-lieu parking fees to help fund new public parking facilities (i.e. fees paid into the Venice Coastal Parking Impact Trust Fund).

2. Charge for parking in new City-provided beach parking lots in the Beach Impact Zone.

3. Charge for parking in intercept lots and/or to ride Venice intercept parking shuttle system (recent experience with the current Venice DASH system, however, indicates that farebox recovery is likely to be low).

4. Revenue from new parking meters installed as part of plan in both residential and commercial districts.

5. City parking meter fund.

6. Preferential parking permit fees (fee level should be set and used to offset administrative costs of issuing permits only).

7. Coastal Transportation Corridor Trust Fund.

8. City general fund.

9. Other cities served by potential sponsored beach bus service.

10. Fares for sponsored beach bus service (fare box recovery likely to be very low, however, if fares are to be set at an affordable level).

11. Benefit assessment district.

12. Los Angeles County (relative to signage improvements at the County-owned beach parking lots).

13. Proposition A and Proposition C local return funds.

14. Revenues available through MTA's biannual Multi-Year Call for Projects, including:

    - Proposition A and Proposition C discretionary funds

    - Flexible Congestion Relief (FCR) and Transportation System Management (TSM) funds (Propositions 108 and 111)

    - Federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds

C. Pedestrian and Bicycle Access

Venice Beach is readily accessible to pedestrians and cyclists. Pacific Avenue is the major paralleling street to the area. Direct access from the east is via Rose Avenue, Venice Boulevard, and Washington Boulevard.

The walk streets in North Venice, Marina Peninsula and Milwood neighborhoods are among the most pleasant pedestrian amenities in Los Angeles and provide excellent vertical access to the beach.

The Venice Boardwalk extends approximately 1.5 miles along the sand, providing immediate access to the beach. (See Exhibit 19a and 19b).

A segment of the Los Angeles South Bay bicycle trail runs through Venice for 1.5 miles along the beach, from the City boundary in the north to the Washington Boulevard parking lot.

Ballona Lagoon is accessible through a decomposed granite pedestrian path with a double rail wood fence along the entire eastern shoreline of the lagoon. The path is accessible at either end from Via Marina or Via Dolce and from numerous walk streets/malls within the existing development to the east of the lagoon.

The walkways along the banks of the Venice Canals (north of Washington Boulevard) ~~have been recently~~ were restored in 1996 and they provide public pedestrian access to and along the canals. The public walkways along Grand Canal (south of Washington Boulevard) also provide public pedestrian access along both sides of the waterway, but are in need of substantial repairs. The City is currently planning a Grand Canal rehabilitation project to improve the neglected walkways.

• **Policy II. C. 1. General Non-Vehicular Coastal Access Policy.** Pedestrian and bicycle access ways are identified on Exhibit 19. Pedestrian Access and Bicycle Trails shall be developed, protected and maintained, and new development adjacent to the coast and coastal waterways shall be required to provide public access in a manner that is consistent with the policies of the Coastal Act.

A network of pedestrian and bicycle routes shall be developed, enhanced and maintained to provide linkages within residential neighborhoods and between visitor-serving commercial areas and coastal recreational access points, transit routes, existing and projected parking facilities, and areas of historical significance to facilitate circulation of visitors within the heavily congested areas in Venice.

Implementation Strategies

Public Works Projects

To enhance pedestrian access, improvements should establish and reinforce pedestrian connections between Ocean Front Walk, existing walk streets, the Venice Canals, Grand Canal and Ballona Lagoon, West Washington Boulevard, and streets that were part of the original Kinney Canals.

Private Developments:

Development standards in this LUP and the LIP for the walkways along the canals, lagoon, and designated walk streets shall focus on preserving pedestrian orientation by preserving the walkways and limiting height and types of development permitted adjacent to the walkways. (For more detailed information refer to Policy II.C.10 and 11).

• **Policy II. C. 2. ~~Marina Peninsula~~ Grand Canal Pedestrian Access.** The three existing public rights-of-way from the Grand Canal to Strongs Drive and Pacific Avenue shall ~~also~~ be improved and appropriately signed. South of Washington Boulevard, the public walkways that provide public pedestrian access along both sides of Grand Canal shall be improved and appropriately signed.

• **Policy II. C. 3. Ballona Lagoon Enhancement Plan (Pedestrian Access).** Pedestrian access and interpretative overlooks to the Ballona Lagoon shall be enhanced without invading the privacy of adjoining residents. The existing public walkway on the east bank of Ballona Lagoon, and the overlook on the southern end of the lagoon near Via Marina, shall be maintained and protected for public access. (Refer also to Policy IV.B.1).

Implementation strategies

Eastern Shore:

The existing public path along the eastern shore is presently maintained by the homeowners association. (Refer to the Ballona Lagoon Enhancement Plan for specific proposals.) The portion of the restored Ballona Lagoon buffer that is situated between the public path and the water is maintained by the City pursuant to Coastal Commission Coastal Development Permit 5-95-152 and amendments.

North Lagoon:

1. The ~~A~~ new sidewalk ~~shall be~~ installed along the edge of Via Dolce where it fronts the lagoon shall be maintained and protected for public access. The sidewalk ~~will~~ connects the existing decomposed granite path at the eastern shore to the ~~proposed~~ public path at the northeastern edge of the lagoon.

2. At the end of Canal Court a secondary access point shall be provided to the western access paths.

3. ~~A~~ The existing footpath shall be ~~constructed~~ improved along the northwest shore of the lagoon from the Canal Court access point to Pacific Avenue where it is intersected by Jib Street and continue south along Pacific Avenue to Lighthouse Street. As elsewhere, regulatory signs and trash receptacles should be placed intermittently along the trail.

Western Shore:

Because of the steep embankment and the need to provide some buffering from the automobile traffic on Pacific Avenue, the strategy along the western shore is to limit physical access. A future study shall be done, as part of the Ballona Lagoon Enhancement Plan, before any public access along the western shore is improved.

• **Policy II. C. 4. Venice Canals.** The Venice Canals Walkways have been fully rehabilitated and shall be maintained for public access. The Department of Transportation shall provide signs on Venice Boulevard which direct the public to the Venice Canals Historic District and the existing Venice Canals Walkways.

• **Policy II. C. 5. Ocean Front Walk ~~North Venice~~.** It is the policy of the City to complete a continuous public pedestrian walkway that extends from the boundary with City of Santa Monica to the Marina del Rey entrance jetty as indicated on Exhibit 19. Ocean Front Walk ~~north of Washington Boulevard~~ shall be preserved and enhanced for public access including but not limited to improvements, such as repaving and landscaping along Ocean Front Walk, development of a pedestrian plaza along Washington Boulevard ~~(previously Washington Boulevard)~~ and provision of landscaping and decorative treatments at Windward Avenue as outlined in the 1995 Venice Beach Ocean Front Walk Refurbishment Plan.

Implementation Strategies

Conservancy Waterfront Restoration Plan and 1995 Venice Beach Ocean Front Walk Refurbishment Plan. Using the Proposition A money, the City of Los Angeles Recreation and Parks Department will implement the 1995 Venice Beach Ocean Front Walk Refurbishment Plan components designed to enhance pedestrian access.

• **Policy II. C. 6. Disabled/Elderly Access Paths.** Access paths should be provided across beach lands to the shoreline for use primarily by the elderly and disabled persons. Such paths should be located in the vicinity of the Venice Pier and be compatible with the Least Tern nesting ground. The existing public access path ~~near~~ on the Marina del Rey north entrance jetty shall be maintained and enhanced, and may also include a shaded overlook area, provided that public ~~coastal~~ views are not significantly impaired.

• **Policy II. C. 7. Walk Streets.** Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas and 4½ feet in the Milwood area. The remaining public right-of-way shall be limited to grade level uses including landscaping, patios, gardens and decks.

The following streets are designated as walk streets (as shown on Exhibit 19):

West of Pacific Avenue and east of Ocean Front Walk:

a. Twenty-fourth Avenue
b. Twenty-sixth Avenue
c. Twenty-seventh Avenue
d. Twenty-eighth Avenue
e. Thirtieth Avenue
f. Anchorage Avenue
g. Buccaneer Street
h. Catamaran Street
i. Sunset Avenue
j. Galleon Street
k. Mast Street
l. Outrigger Street
m. Privateer Street
n. Reef Street
o. Spinnaker Street
p. Union Jack Street
q. Westwind Street
r. Yawl Street
s. Via Marina

Between Lincoln Boulevard and Shell Avenue:

a. Nowita Place
b. Marco Place
c. Amoroso Place

West of Main Street and east of Speedway:

a. Dudley Avenue
b. Breeze Avenue
c. Wave Crest Avenue

West of Main Street and east of Ocean Front Walk:

a. Paloma Avenue
b. Thornton Avenue

West of Main Street and east of Pacific Avenue:

a. Park Place
b. Vista Place

West of Pacific Avenue and east of Speedway:

a. Nineteenth Avenue
i. Catamaran Street

b. Twentieth Avenue
c. Twenty-third Avenue
d. Eastwind Street
e. Twenty-fifth Avenue
f. Jib Street
g. Twenty-ninth Avenue
h. Northstar Street
j. Voyager Street
k. Fleet Street
l. Ironsides Street
m. Quarterdeck Street
n. Ketch Street
o. Park Avenue
p. Club House Avenue
q. Ozone Avenue

West of Via Dolce and east of Esplanade East:

a. Ironside Mall
b. Ketch Mall
c. Light House Mall
d. Mast Mall
e. Spinnaker Mall
f. Outrigger Mall
g. Northstar Mall
h. Privateer Mall
i. Quarterdeck Mall
j. Reef Mall
k. Topsail Mall

West of Los Angeles County boundary ~~Via Dolce~~ and east of Esplanade East ~~Via Donte~~:

a. Union Jack Mall
b. Voyager Mall
c. Westwind Mall
d. Channel Point Mall

And:

a. Crescent Place between Palms Boulevard and Shell Avenue.

• **Policy II. C. 8. Emergency Vehicle Access.** Adequate access for emergency vehicles shall be provided and maintained at all times to residences on walk streets while preserving the integrity and character of the walk streets to the extent feasible.

• **Policy II. C. 9. Alley Access and Improvements.** Alleyways shall remain clear of all vehicles, structures, storage and debris at all times so that fire apparatus may service all residences on walk streets. The alleyways may be used solely for ingress and egress to garages and to private parking areas. New development shall incorporate any improvements necessary to upgrade or retain alleys to current standards and to enhance public safety.

• **Policy II. C. 10. Walk Streets -- Residential Development Standards.** New residential development along walk streets shall enhance both public access and neighborhood character.

Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual

interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged. In case of duplexes and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, shall face walk streets, and be well-defined and separate.

• **Policy II. C. 11. Encroachments into Walk Street Right-of-Way.** Encroachments into City right-of-way shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences.

The gardens/patios in the right-of-way, between the fences and the buildings, shall be permitted to provide a transitional zone between the public path ways and private dwellings.

To create a defensible space, the planting along the walk streets shall not impede the view of walkways by the residents and the view of the gardens by the pedestrian.

Creative use and arrangement of permeable paving materials shall be encouraged.

Any fence, wall or hedge erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is encouraged. New fences shall be located in line with existing fences on the same side of the street.

Implementation Strategies

As part of the LIP, a~~A~~n ordinance should be adopted amending Bureau's Standard Plan D-22459 and creating a standard street category for walk streets. The Street Standards Committee should adopt improvement standard for walk streets.

The following criteria are recommended for walk streets:

a. The City of Los Angeles Department of Public Works, Fire Department, Department of City Planning, Department of Recreation and Parks, and Department of Cultural Affairs shall work cooperatively to maintain and enhance these walk streets as pedestrian rights-of-way.

b. No financing is currently allocated to improve the walk streets. Any improvements are likely to be the result of assessment financing or development conditions.

c. The City shall seek funding for regular maintenance (including tree trimming) and cleaning of walk streets shall be regulated.

Permanent encroachments within the existing public right-of-way of a designated walk street shall be permitted only by obtaining a revocable encroachment permit from the City Department of Public Works.

The City shall investigate the feasibility of purchasing special fire fighting vehicles and equipment which would permit the Fire Department to access structures along walk streets with narrower than 28-foot-wide rights-of-ways.

The City Department of Transportation shall investigate and install as appropriate 'No Parking' signs in public alleyways adjacent to walk streets to keep alleyways clear for emergency vehicles.

For eventual undergrounding of all wires in alleyways, the Department of Building and Safety shall require that for a permit for new construction and/or major remodeling a conduit be undergrounded in anticipation of later hook-up connection.

• **Policy II. C. 12. Ocean Front Walk Pedestrian Amenities.** In order to support pedestrian activities along Ocean Front Walk, commercial development should include design elements aimed at providing for pedestrian safety and convenience, such as shade, seating, directional signs, courtyards and walkways.

Implementation Strategy

Implementation strategies will be set forth in the LIP to encourage pedestrian activity. These implementation strategies shall include, but are not limited to, the following:

- Require that new commercial developments be consistent with the Development Standards for Ground-Level Development (See Policy I.B.7.)

- Support a Business Improvement District (BID) comprised of visitor-serving commercial properties. Funds obtained from this assessment district would be designated specifically for the Ocean Front Walk area and used for maintenance, improvement and development of public pedestrian amenities.

• **Policy II. C. 13. Bikeways.** The City shall develop and maintain those bikeways delineated on Exhibits 19a and 19b, Pedestrian Access and Bikeways and continue to identify future bikeway locations for potential bicycle trip demand.

Implementation Strategies

Bikeways shall be integrated with those in the communities of Westchester, Playa Vista, Palms, Mar Vista, Los Angeles County, Culver City, the City of Santa Monica and with existing and proposed recreation facilities.

Bikeways shall be selected to complement other present and future transportation modes such as, but not limited to walking, automobiles, buses, commuter rail and rapid transit.

To the extent feasible, complete separation of motor vehicle traffic from bicycle traffic should be achieved by making use of off-street rights-of-way, such as those associated with electric power transmission, drainage, public land and abandoned railways for class I bikeways (bike paths). Where the bikeway must be in the usable roadway and the pavement is sufficiently wide, a lane for the exclusive use of bicycles class II bikeways (bike lanes) should be designated and identified by striping and signs.

Bikeways and bicycle support facilities are funded primarily through Transportation Development Act (TDA) Article 3 funds; additional potential funding sources include Los Angeles County Proposition A as well as State and Federal programs for recreational bikeway development. (Refer also to the City of Los Angeles Bicycle Plan.)

• **Policy II. C. 14. Bikeway South of Washington Boulevard.** The LUP designates a class II bikeway south of Washington Boulevard, along Via Dolce, Marquesas Way and Via Marina. This bike path will provide ~~adequate~~ public access to the Jetty and to the south part of Marina Peninsula Beach. The City may permit the extension of the beach bicycle path in order to improve public access opportunities on the Marina Peninsula beach between the Venice Pier and the Jetty.

• **Policy II. C. 15. Bicycle Support Facilities.** Convenient and secure bicycle parking and storage facilities shall be provided at transit centers and public buildings, retail developments, theaters, parks and similar trip generators. Bike racks should be provided at the western terminus of streets at Ocean Front Walk and at the Jetty.

Landscaping and Lighting: Class I bikeways (bike paths) shall be landscaped whenever feasible. Landscaping may be used to emphasize the separation from motor traffic or from pedestrian traffic, but shall not impede coastal views. Where bike paths are isolated, as recommended by the Los Angeles Police Department, safety measures such as security lighting shall be included in their design.

Implementation Strategies

The LIP shall ~~Specific plan will~~ include standards for requiring new non residential development to provide additional bicycle access and support facilities, including bikeways,

bike racks, public restrooms, bike lockers, drinking fountains, trash cans, recycling bins, seats, etc.

The City shall investigate the feasibility of providing a "park-and-bike" lot on the abandoned Pacific Electric right-of-way along Mildred Avenue west of Washington Boulevard, as this lot could be linked with the beach bike path and Venice Pier via the bike lane along Washington Boulevard.

• **Policy II. C. 16.** The City shall work with the Metropolitan Transportation Authority (MTA) and other public transit agencies to provide the capability to transport bicycles to and in the area aboard public transit.

D. Temporary Events

Policy II. D. 1. Temporary Events. Activities or events that involve the reservation or exclusive use of any public beach parking area or sandy beach area shall be regulated in order to protect public access to the shoreline and public access to parking supplies that support recreational opportunities. Public access and recreation shall have priority over other uses on the beach and in the public beach parking areas.

Chap 3
Venice LUP
October 99

POLICY GROUP III. RECREATION AND VISITOR-SERVING FACILITIES

Introduction

Recreation and visitor-serving facilities in the Venice Coastal Zone include the opportunities offered by Venice Beach, Ocean Front Walk, and the bike path; the restaurants and shops along Ocean Front Walk and Main Street; and the walkways and waterways of the Venice Canals and Ballona Lagoon which offer sightseeing, birdwatching and boating. Existing recreation and visitor-serving facilities are shown in Exhibits 19a ~~20a~~ through 21b.

Venice Beach is acknowledged as one of the most popular attractions in Southern California. It extends along the coast from Navy Street to the Marina del Rey jetty and entrance channel, providing 2.9 miles of ocean frontage and 238 acres of sandy beach. The beach area, bike path and Ocean Front Walk are used by local, county-wide residents, and visitors from around the world. Summertime attendance is estimated to average 100,000 on Saturday and 150,000 on Sunday (County of Los Angeles, Department of Beaches and Harbors). According to the same source, annual attendance has been estimated to be around 5.5 million (1993). The beach is owned by the City of Los Angeles and operated by the county of Los Angeles.

The beach area is a vast, integrated recreation facility, providing free or low-cost opportunities for those who bike, skate, jog, walk, fly kites, picnic, swim, fish and sunbath along the Pacific shore. For participants and spectators, there are public courts for basketball, volleyball, handball and paddle tennis; weight lifting equipment, and children's play areas. Ocean Front Walk is a paved walkway located at the inland edge of the beach, used by pedestrians, roller skaters and skateboarders. Recreational and visitor support facilities along the beach and Ocean Front Walk include five restroom buildings, twenty lifeguard towers, concession stands, bicycle and roller skate rentals, drinking fountains, and refuse containers. (See Exhibit 21a and 21b).

Private businesses such as retail shops, restaurants and vendors along Ocean Front Walk and Main Street are also an attraction and service for residents and visitors alike. Hotels, motels and hostels are located within a walking distance from the beach and are also considered visitor-serving uses.

The Los Angeles County South Bay Bicycle Trail runs from Santa Monica to Torrance. Through Venice, a bike path runs 1.5 miles along the beach from the City boundary on the north, stopping at the Washington Boulevard parking lot. In order to continue across the Marina channel, cyclists continue inland to Lincoln Boulevard via bike lanes on Venice Boulevard or Washington Boulevard.

The Venice Pier, located at the terminus of Washington Boulevard, was constructed in 1964 and was used for concession, fishing, bait, and fishing equipment. The pier ~~has been~~ was closed in ~~since~~ 1989 due to structural deficiencies, and was slated for demolition by the City. However, in response to strong community sentiment to save the pier, the City Department of Recreation and Parks

renovated and reopened the Venice Pier in 1997 using ~~has prepared a restoration proposal based on~~ funding from Proposition A (See Coastal Commission Coastal Development Permit 5-95-293).

In general, public use of the beach in the Marina Peninsula south of Washington Boulevard is less intensive than that of the North Venice Beach portion. Uses are primarily sunbathing, swimming, picnicking, active recreational uses on the sand, and fishing from the Marina Channel jetty. More intensive use is limited due to restricted access, parking, and lack of recreation facilities. The area provides a respite from the activity of the northern portion and a more serene coastal experience.

In 1988, the State Coastal Conservancy initiated a collaborative planning and design project with the City of Los Angeles and the Venice community focused on improving public facilities and enhancing significant community spaces and recreational facilities. In May 1990, the State Coastal Conservancy released a draft Waterfront Restoration Plan. The draft plan presents conceptual design alternatives for improvements to the Venice Pier, the Venice Pavilion, Ocean Front Walk and related beach facilities, Windward Avenue Circle, Washington Boulevard, and Venice Boulevard median.

In March of 1995, the City of Los Angeles Recreation and Parks Department retained a team of private consultants to prepare a plan for the refurbishment of approximately 1.7 miles of Ocean Front Walk. (Refer to Venice Beach Ocean Front Walk Refurbishment Plan, November 3, 1995.) The improvements recommended in this plan are in keeping with the overall vision, goals and recommendation of Coastal Conservancy Waterfront Restoration Plan. The Refurbishment Plan was implemented and completed in 2000 (See Coastal Commission Coastal Development Permits 5-96-176 and 5-99-427).~~approved by the City of Los Angeles Recreation and Parks Commission, subject to a final action pending an expanded initial study under CEQA, on November 15, 1995~~.

In addition to the beach area, the walkways and waterways along the Venice Canals and Ballona Lagoon provide opportunities for more passive recreational and educational uses such as birdwatching, nature study, strolling, and sightseeing. Non-motorized boating is permitted in the Venice Canals. The waterways are a sensitive environmental habitat, and the Land Use Plan balances recreation uses with the need for habitat protection (See Sections I and IV for additional policies related to the Canals and Lagoon.)

Parking and access issues, including bikeways, are further discussed in Section II.

Coastal Act Policies

The policy groups covered by this section of the LUP address the following Coastal Act Policies, which are included as part of the Land Use Plan:

Section 30212.5. *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.*

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Development providing public recreational opportunities are preferred.*

Neither the commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low- or moderate-income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreational shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

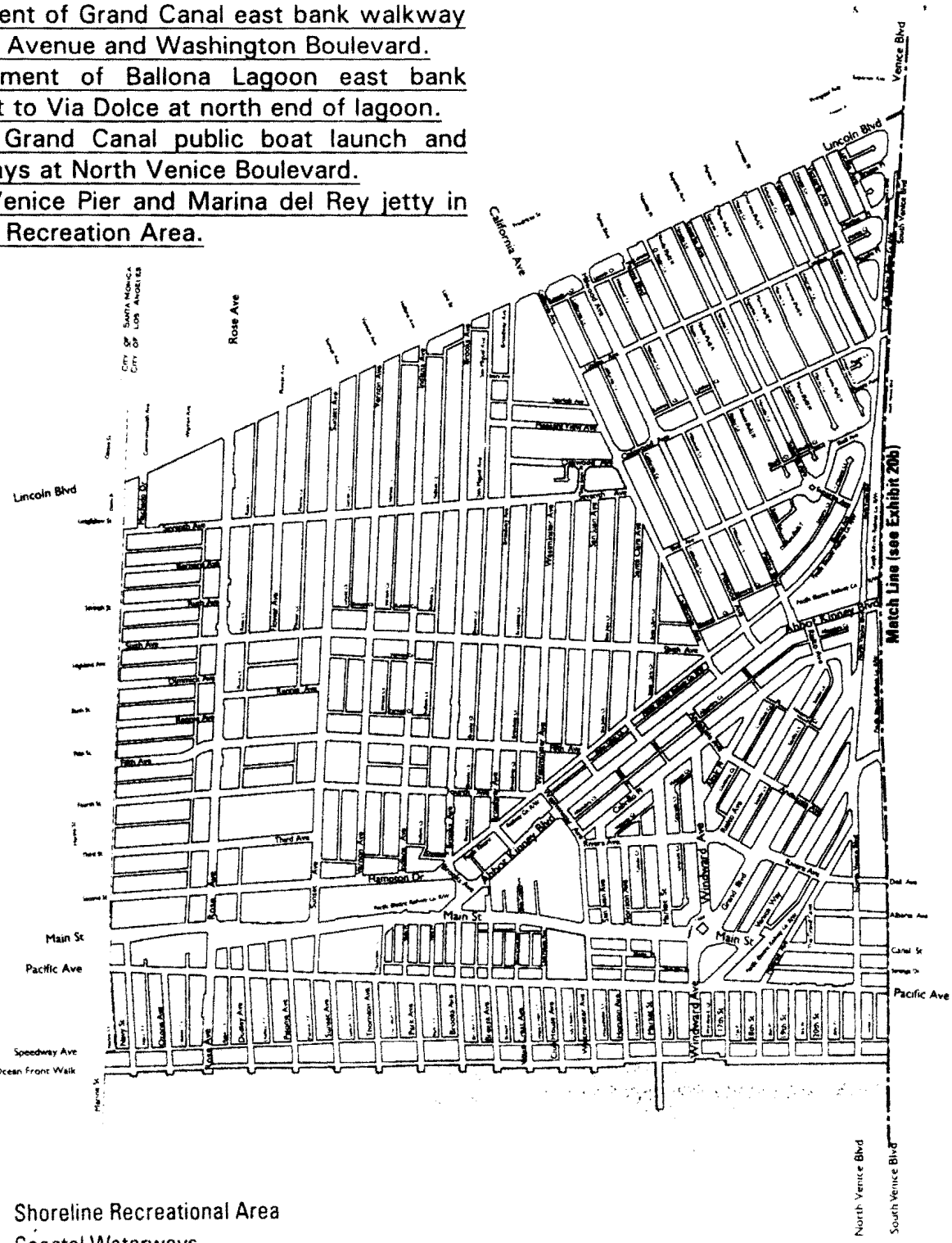
Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Section 30224. *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

Section 30250. *(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

Suggested Modifications to LUP Exhibit 20:

1) Correctly identify location of Linnie Canal Park on northeast corner of Linnie Canal and Dell Avenue.
2) Identify segment of Grand Canal east bank walkway between 28th Avenue and Washington Boulevard.
3) Identify segment of Ballona Lagoon east bank sidewalk next to Via Dolce at north end of lagoon.
4) Identify the Grand Canal public boat launch and canal walkways at North Venice Boulevard.
5) Include the Venice Pier and Marina del Rey jetty in the Shoreline Recreation Area.

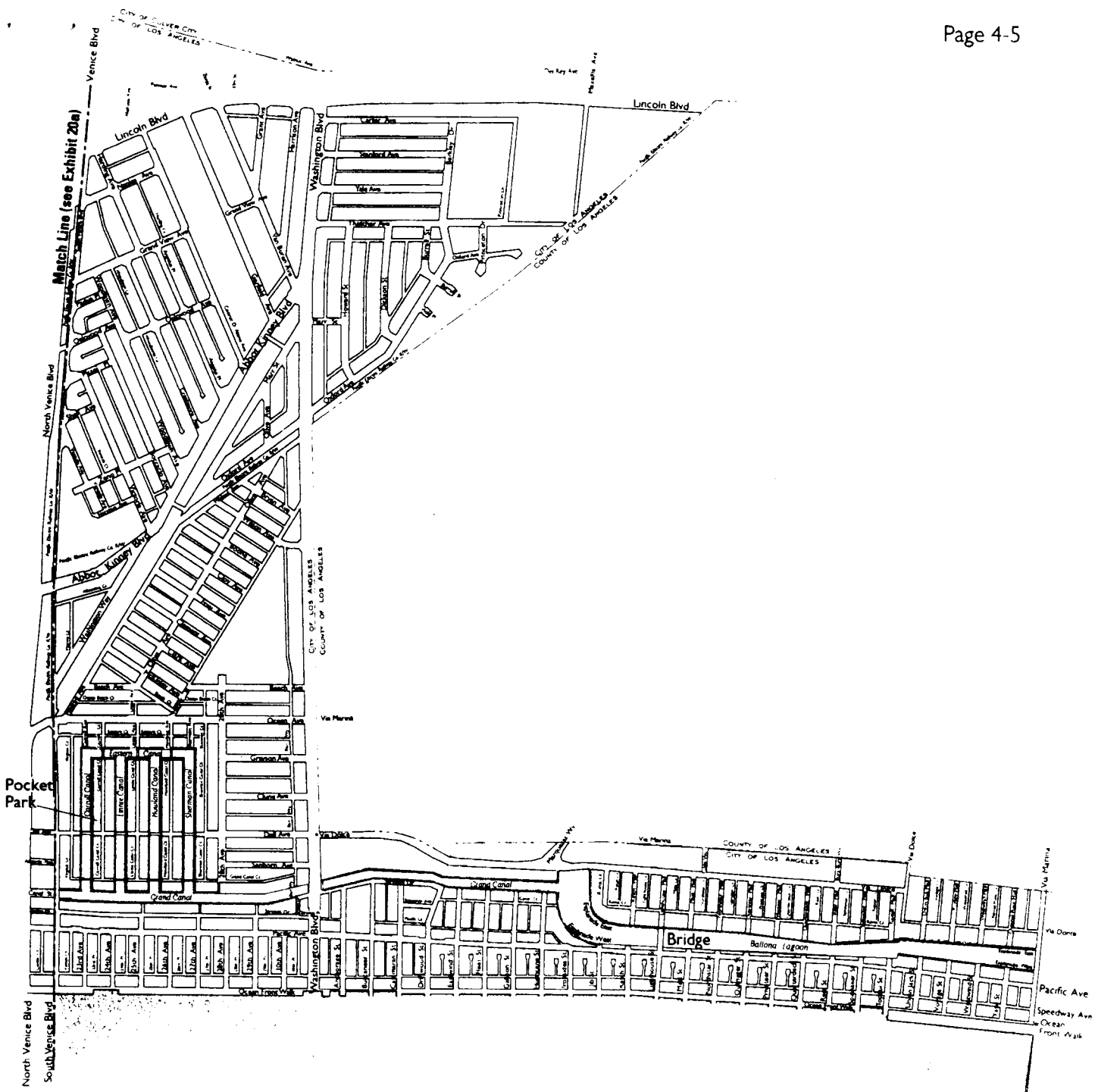


Shoreline Recreational Area
Coastal Waterways
Park Facilities
Pedestrian Path Along Ballona Lagoon and Venice Canals

Exhibit 20a

Recreation and Visitor Serving Facilities

N
Not to Scale



Shoreline Recreational Area
Coastal Waterways
Park Facilities
Pedestrian Path Along Ballona Lagoon and Venice Canals

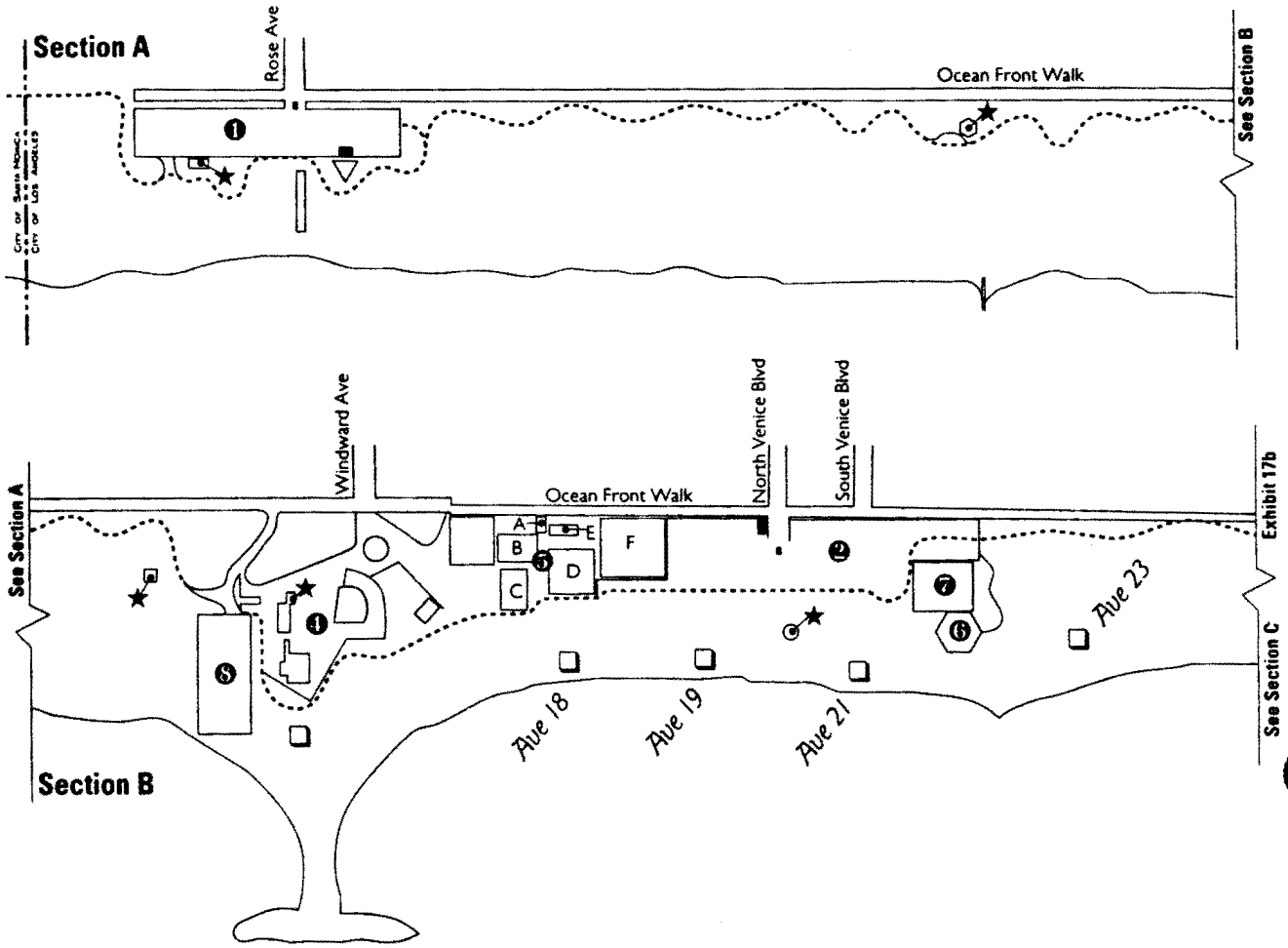
Exhibit 20b

Recreation and Visitor Facilities

Not to Scale

Suggested Modifications to LUP Exhibit 21:

1) "Washington Boulevard Parking", not Washington Street.
2) Delete demolished "Venice Pavilion" and identify newly improved recreation area.
3) Identify "Oil Drilling Area" as future recreation area.
4) Update map to include new public restrooms.



•	Parking Booths
▽	Covered Picnic Areas
❑	Lifeguard Towers
★	Restrooms
▬	Bike Rentals
⌒⌒⌒	Bike Path
❶	Rose Ave. Parking Lot
❷	Venice Blvd. Parking Lot
❸	Washington St. Parking (L.A. City Dept. of Parks and Recreation)
❹	Venice Pavillion
❺	Venice Athletic Center
A	Office/Restroom
B	Basketball
C	Handball
D	Swings
E	Weight Yard
F	Tennis
❻	Lifeguard Headquarters
❼	Maintenance Yard
❽	Oil Drilling Area

Exhibit 21a

Existing Shoreline Recreational Area

Source: Los Angeles County Department of Beaches and Harbors

Not to Scale

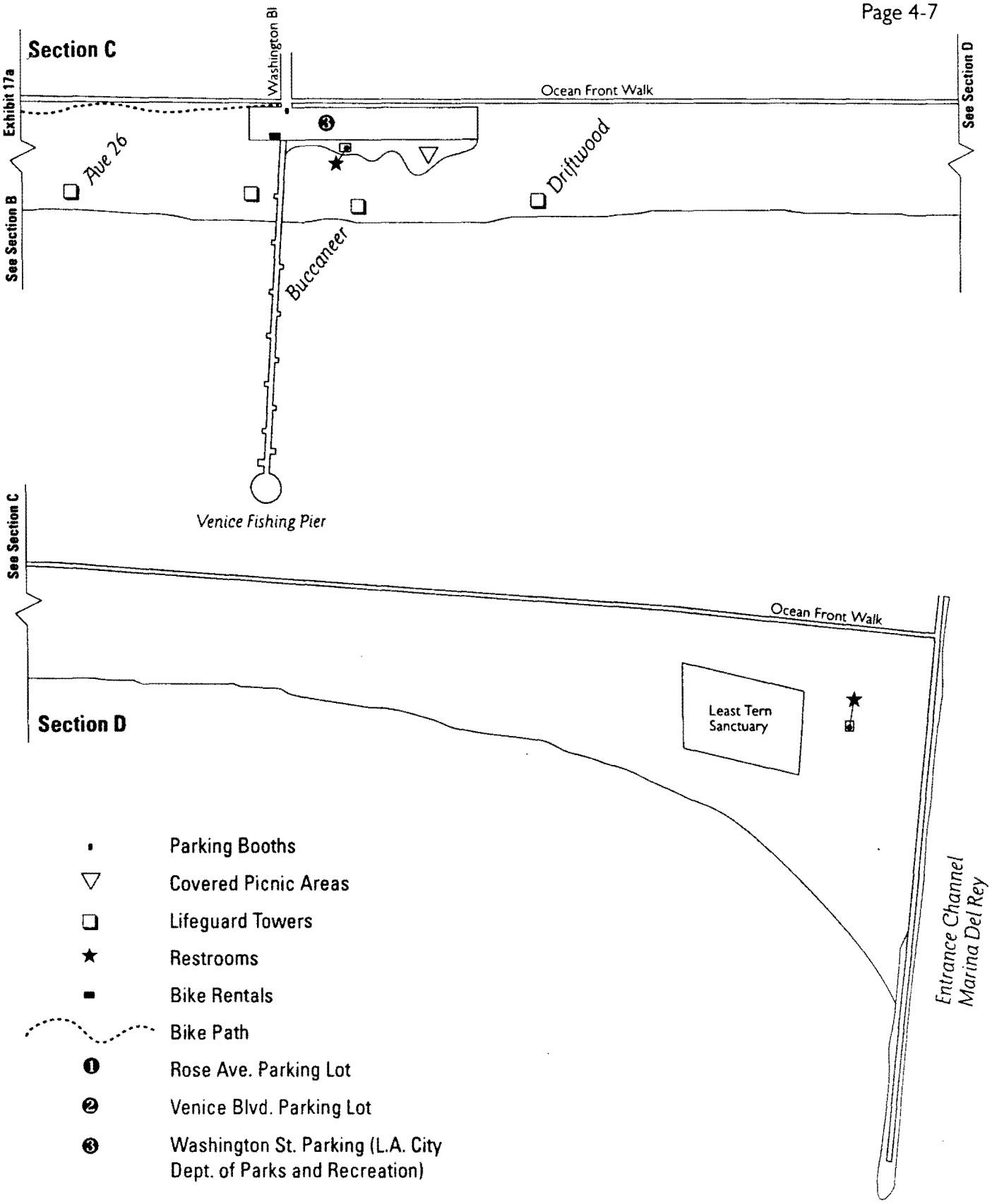


Exhibit 21b

Existing Shoreline Recreational Area

Source: Los Angeles County Deptartment of Beaches and Harbors

Not to Scale

Land Use Plan Policies and Implementation Strategies

A. Recreational Opportunities

• **Policy III. A. 1. General.** New recreational opportunities should be provided, and existing recreational areas, shown on Exhibits 19a~~20a~~ through 21b, shall be protected, maintained and enhanced for a variety of recreational opportunities for both residents and visitors, including passive recreational and educational activities, as well as active recreational uses.

a. Recreation and visitor-serving facilities shall be encouraged, provided they retain the existing character and housing opportunities of the area, and provided there is sufficient infrastructure capacity to service such facilities.

b. Acquisition, expansion and improvement of parks and facilities throughout the Venice Coastal Zone shall be encouraged and accelerated, subject to the availability of funds.

c. Where feasible and compatible with the surrounding neighborhood, recreational uses shall be located in conjunction with other new public facilities, such as public parking lots.

d. Recreation facilities shall be refurbished and constructed to maximize recreational opportunities.

e. Beach Hours: Public access and recreational opportunities on the sandy beach shall be protected and encouraged. Any limitations to public access, including changes to the hours of operation, shall be subject to a coastal development permit.

Implementation Strategies

The City shall designate and zone public recreation areas shown on Exhibits 20a and 20b, including Ocean Front Walk, as Open Space use.

The City shall maintain an inventory of vacant land suitable for potential acquisition as public open space, and shall encourage continuing efforts by County, State and Federal agencies to acquire such land and work with the Coastal Conservancy towards this end. Potential funding sources include: Quimby funds, the Tide-Lands Oil Trust Funds, and the Venice Surplus Real Property Fund. Unutilized or underutilized public land (including rights-of-way), particularly publicly-owned lands having potential for multiple uses, such as school playgrounds, should be made available for park and recreational uses.

Citizen groups and merchants' associations shall be encouraged to undertake private action for community improvements, such as: business improvement district's (BID's) initiation

of programs by property owners and merchants to increase off-street parking facilities serving adjacent shopping areas, promoting street tree planting programs, sponsoring clean-up and beautification programs to improve the general environment, and, development and maintenance of small parks.

B. North Venice

The Coastal Conservancy's 1990 Draft Waterfront Restoration Plan is a comprehensive program of public beach and related pedestrian, circulation and community improvements which could be developed over the next several years, subject to available funding. The 1990 Draft Waterfront Restoration Plan identifies conceptual design options and provides preliminary estimates of project costs. The Coastal Conservancy and City agencies will continue to refine conceptual designs based on costs, funding, design and engineering studies, and community and City priorities. The 1995 Venice Beach Ocean Front Walk Refurbishment Plan, prepared for the Department of Recreation and Parks, is a detailed plan for North Ocean Front Walk and bike paths. The 1995 Refurbishment Plan is an extension of the Coastal Conservancy's 1990 Plan, and they are not mutually exclusive plans. The 1995 Refurbishment Plan is the guiding document for implementation and refurbishment of the north segment of the Venice Beach Ocean Front Walk.

• **Policy III. B. 1. 1990 Waterfront Restoration Plan and 1995 Venice Beach Ocean Front Walk Refurbishment Plan.** The City shall support implementation of the Coastal Conservancy Waterfront Restoration Plan and related studies, such as the 1995 Venice Beach Ocean Front Walk Refurbishment Plan, which complements the Venice LUP policies for public and recreational facilities.

The two plans address the following facilities:

Ocean Front Walk: The 1990 Draft Waterfront Restoration Plan provided design options and concepts for Ocean Front Walk from North Venice to the Venice Pier at Washington Boulevard.

The 1995 Venice Beach Ocean Front Walk Refurbishment Plan is the ~~implementation~~ plan prepared for the City Department of Recreation and Parks, which includes design plans for North Ocean Front Walk and bike paths. The Plan proposes relocation, expansion of some existing recreational facilities and addition of new ones along North Ocean Front Walk and the adjoining beach area. Proposed improvements, approved pursuant to Coastal Commission Coastal Development Permit 5-96-176 and amendment, include:

- Ocean Front Walk resurfacing and lighting, street furniture, sand wall and trash and recycling containers.

- A new separate 10-14 foot bikepath west of the existing bikepath; allowing use of existing path for joggers and skaters.

- Relocation and expansion of the existing children's play area and creation of a new children's play area near the Rose Avenue parking lot.

- Handicapped access to the beach.

- Skate dance area, grandstand basketball court, resurfacing and lighting of existing basketball courts, handball court improvements and expansion.

- Reconstruction and addition of new restrooms.

- Pagoda restoration.

Venice Pavilion: The Venice Pavilion was demolished and the area restored to sandy beach and landscaped public park with public recreation improvements pursuant to Coastal Commission Coastal Development Permit 5-99-427/A5-99-449 (Jan. 2000).~~The Department of Recreation and Parks in cooperation with the Sixth District Council Office are currently exploring alternatives for this site.~~

Windward Avenue and Circle: In response to community support to create a pedestrian oriented environment in the area of Windward Avenue and Circle, the 1990 Draft Waterfront Restoration Plan proposes several conceptual designs. This would involve providing better linkage between the Ocean Front Walk and Pavilion area on the beach, and Windward Avenue from Speedway to Windward Circle. The Draft Plan would create a formal plaza between Speedway and Ocean Front Walk, create an enhanced pedestrian area from Speedway to Pacific Avenue, and establish pedestrian connections along Windward Avenue to Main Street at Windward Circle. The improvements to the Circle would establish it as a central focus for pedestrians and vehicles.

The 1995 Venice Ocean Front Walk Refurbishment Plan supported the idea of creating a formal plaza between Speedway and Ocean Front Walk and proposed a plaza park at this location which forms a staging area and pedestrian drop-off zone at Speedway.

A continuation of the arcaded-facade Venetian architecture is assumed in future restoration or new construction on Windward Avenue.

Washington Boulevard: The Draft Waterfront Restoration Plan has prepared conceptual illustrations of a redesigned Washington Boulevard between Pacific Avenue and the beach

parking lot at the Venice Pier. The improvements are designed to provide better connections between the existing beach facilities, including the pier and beach parking lot, and Washington Boulevard.

Implementation Strategies

Proposition A, approved by the voters of Los Angeles County in November 1992, included $10 million specifically for the Venice Beach area. The City Department of Recreation and Parks will implement the 1995 Refurbishment Plan components designed to enhance pedestrian access, as approved pursuant to Coastal Commission Coastal Development Permit 5-96-176 and amendment.

• **Policy III. B. 2. Venice Pier.** The Venice Pier has been restored and open since November 1997. The pier shall remain open to the public. Free unobstructed public access and recreational fishing access shall be provided and maintained to and upon the Venice Pier, subject only to temporary limitations for public safety necessitated by unsafe conditions (See Coastal Commission Coastal Development Permit 5-95-293).

Implementation Strategies

The Coastal Conservancy Waterfront Restoration plan found strong community sentiment for restoration and reopening of the Pier (providing there is no intensification of use over previous pier operation). ~~Provision of funding from the Proposition "A" has resulted in the proposal to restore the pier. The Department of Public Works, Bureau of Engineering was issued a Local Coastal Permit, CDP 95-04, for this project on January 19, 1996~~. Coastal Development Permit 5-95-293, approved by the Coastal Commission in 1996 for the restoration and reopening of the Venice Pier, has been issued and implemented. The terms and conditions of Coastal Commission Coastal Development Permit 5-95-293 remain in effect and still apply to the operation of the pier.

• **Policy III. B. 3. Venice Pier Parking Lot.** The public beach parking lot located south of Venice Pier may be renovated and improved in its current location, but shall not be expanded outside of its 1982 footprint. Any private encroachments over the portion of the Ocean Front Walk right–of-way abutting this parking lot shall be removed concurrently with the improvement of the parking lot in order to restore public pedestrian access to the Ocean Front Walk right–of-way. The placement of riprap or other hard shoreline protection device on the beach between the parking lot and the sea shall be discouraged. The operation and any improvements to this parking lot shall be consistent with the water quality and public access policies of this LUP.

C. Marina Peninsula

• **Policy III. C. 1. Visitor Serving Facilities.** Additional visitor-serving recreation facilities shall be encouraged and provided on the Marina Peninsula south of Washington Boulevard. A minimum of one additional restroom facility including drinking fountains, trash receptacles, and bicycle racks shall be constructed on the Peninsula Beach, preferably within the vicinity of the mid-beach area, to support beach access and protect the public health.

Implementation Strategies

The City shall request that the County of Los Angeles Department of Public Works or other appropriate entity construct a minimum of one additional restroom facility on the Peninsula Beach.

• **Policy III. C. 2. Least Tern Nesting Area.** No development permits shall be granted for development which would have a potential significant impact on the Least Tern nesting ground in the vicinity of the jetty at the Marina Channel.

• **Policy III. C. 3. Marina del Rey Entrance Jetty**. Public access, public parking, and fishing opportunities shall be protected, encouraged and maintained on the Marina del Rey entrance jetty. Any changes or limitations to public access shall be subject to a coastal development permit.

D. Coastal Waterways

• **Policy III. D. 1. General.** Existing bodies of water, including the Venice Canals, Grand Canal south of Washington Boulevard, Ballona Lagoon, and the Pacific Ocean and beaches, shall remain open to the public for recreational uses, as specified in this LUP.

• **Policy III. D. 2. Boating Use of Canals and Lagoon.** Recreational boating use of the Venice Canals shall be limited to non-commercial shallow-bottom, non-motorized boats such as canoes and rafts, in order to permit recreation while protecting the environmentally sensitive habitat area and maintain a quiet ambience within the neighborhoods of the plan area. No boating shall be permitted in Ballona Lagoon and the portion of Grand Canal ~~and Ballona Lagoon~~ south of Washington Boulevard.

A public boat launch facility was built as part of the Venice Canals Rehabilitation Project at the Grand Canal and North Venice Boulevard. The City shall protect the public's ability to access the canals by boat by maintaining public access to the Grand Canal public boat launch. The facility shall provide adequate on-site public parking consistent with the sizes and types of boats to be launched and frequency of launching pursuant to the County Department of Small Craft Harbors standards.

• **Policy III. D. 3. Venice Canals Boat Docks.** Construction of small non-commercial private boat docks along the restored canal banks may ~~shall~~ be permitted, subject to the approval of the Department of Public Works and a coastal development permit, to provide boating access while protecting habitat along the banks.

• **Policy III. D. 4. Boating and Recreational Use of Pacific Ocean and Adjacent Beaches.** The Pacific Ocean and adjacent beaches may be used for boating; however, no boat launching will be permitted from sandy beaches. Swimming, surfing, water sports, picnicking and sunbathing are encouraged on the beaches. Fishing from the piers and jetty shall be allowed.

• **Policy III. D. 5. Educational and Passive Recreational Use of Waterways.** Educational use of coastal waterways by schools and other groups shall be encouraged. Passive educational and recreational opportunities shall be maintained and enhanced via a public walkway along the Grand Canal and lagoon wetlands. The City shall establish observation areas with seating and shade, subject to the availability of sufficient space and funding, to provide opportunities for passive recreation in the lagoon and canals in such a manner as to provide public access, consider ~~and so as to not interfere with~~ the privacy of adjacent residences, and to protect ~~or obstruction of~~ public views.

Implementation Strategies

Venice Canals: Canals Rehabilitation Project (Department of Public Works). (Refer to Policy IV.A.I, Water and Marine Resources and Environmentally Sensitive Habitat Areas, of this LUP for a detailed discussion). The recently restored walkways in the canal area are open to the public for passive recreation and educational activities such as bird watching, strolling and sightseeing (Exhibit 20b, Recreation and Visitor-Serving Facilities). The Department of Transportation will maintain signs on Venice Boulevard to direct the public to the Venice Canals Walkways. (See Coastal Commission Coastal Development Permit 5-91-584).

Ballona Lagoon and Grand Canal south of Washington Boulevard: Ballona Lagoon Enhancement Plan (Ballona Lagoon Marine Preserve California State Coastal Conservancy, August, 1992). (Refer to Policy IV.B.1 of this LUP for a detailed discussion.) A 40-foot wide dedicated open space with a pedestrian trail has been provided adjacent to the east banks of the Ballona Lagoon in the Silver Strand Subarea, for passive recreational activities. This buffer strip shall be maintained by the City and the homeowners association. (See Coastal Commission Coastal Development Permit 5-95-152 and amendments).

• **Policy III. D. 6. Venice Canals Parks.** New parks, with parking to the rear, shall be considered on some of the City-owned lots on the canals, provided that such facilities are compatible with the existing residential use of the area.

POLICY GROUP IV. WATER AND MARINE RESOURCES, ENVIRONMENTALLY SENSITIVE HABITAT AREAS, AND HAZARDS

Introduction

This section of the LUP addresses water and marine resource issues relating to regulation of storm water runoff, tidal circulation, and protection and enhancement of environmentally sensitive habitat areas within the Venice Coastal Zone.

The environmentally sensitive habitat areas in the Venice Coastal Zone include Ballona Lagoon and Grand Canal south of Washington Boulevard, Venice Canals north of Washington Boulevard, habitat buffer areas on the east and west banks of Ballona Lagoon, and the California Least Tern nesting areas, as identified on the Environmentally Sensitive Habitat Area Map (Exhibits 22 a, b and c). The existing and potential sensitive values in these areas shall be protected, enhanced, and where feasible, restored.

The Venice Canals, along with the adjacent Ballona Lagoon, support some of the last remaining pockets of coastal wetland habitat in Los Angeles County. The Venice Canals are part of the Ballona Lagoon sea water system and are connected with Ballona Lagoon via Grand Canal. For sixty years the canals waterways had been subject to bank erosion, runoff and stagnant water conditions. The Venice Canals Rehabilitation Project was completed in 1993 to rectify these conditions. In September 1986, a supplemental environmental impact report was prepared for the Venice Canals Rehabilitation Project (City of Los Angeles, Department of Public Works). According to this report, six species of fish were present in the canal system: topsmelt, California killifish, arrow goby, bay pipefish, longjaw mudsucker and diamond turbot. According to the same study, a great array of bird species have been identified in the immediate vicinity of the canal system. Most of these species are observed in the southern portion of Ballona Lagoon. The majority of the bird utilization of the Venice Canals is by domestic birds such as ducks and geese. Yet, occasionally individual California Least Terns are observed in the canal area.

Ballona Lagoon is an easily accessible natural area of estuarine and intertidal habitat. Currently, the lagoon environment is degraded by bank erosion, poor water quality, inadequate tidal exchange, and invasion of non-native plant species. An enhancement plan has been prepared for the lagoon to improve water quality and habitat values, and provide public access. The plan also includes measures to increase biological productivity of the lagoon and Grand Canal. The following information relating to Ballona Lagoon is from this plan.

There are two vegetation types around Ballona Lagoon: upland terrestrial vegetation and intertidal salt marsh vegetation. The upland vegetation is dominated by exotic species, especially ice plant. Native plants include alkali weed, sand verbena, and alkali health. The intertidal salt marsh vegetation is dominated by pickleweed, with jaumea prevalent at the north end of the lagoon.

The lagoon is also rich in invertebrate and fish species, some of which are easily observable from the shore.

Mudflats in Ballona Lagoon are especially important to shorebirds, which forage there in the fall and winter in surprisingly high numbers considering the small size of the lagoon and the limited mudflats available. Open water in the lagoon is utilized by grebes, herons, egrets, gulls, and terns, all of which forage on fish. The green-backed heron, which is uncommon in the region, but occurs regularly on the lagoon, fishes from the shore in shallow water. Some waterfowl species, such as bufflehead and red-breasted mergansers, also forage for fish, while mallards feed on aquatic vegetation. (For more detail on existing water conditions, vegetation, wildlife and coastal strand habitat refer to the Ballona Lagoon Enhancement Plan and Coastal Commission Coastal Development Permit 5-95-152 and amendments.)

The California Least Tern (Sterna albifrons browni), is a Federal-and-State-listed endangered bird species. Although the Least Tern formerly nested on upper beaches at numerous locations along the California coast, breeding is now limited to a small number of managed sites in Southern California and around San Francisco Bay. Least Terns forage for small fish in the marina, Ballona Creek, Ballona Lagoon and the canals, and nest on a State-owned portion of Venice Beach just north of the Marina Del Rey main channel from late April to August. The Least Tern is afforded Federal and State protection under the Endangered Species Act of 1973 and the U.S. Fish and Wildlife Coordination Act of 1976.

The Venice Coastal Zone, except the area approximately north of Rose Avenue between Second and Sixth Avenues, is susceptible to liquefaction.

The area approximately west of Ocean Front Walk, between Marine Street on the north and Via Marina on the south, is in a 100-Year Flood Plain area according to the Federal Emergency Management Agency (FEMA) Flood Insurance Map.

Flood control along Grand Canal and Ballona Lagoon involves two mechanisms. Water from the ocean enters the lagoon and canals system through a set of gates between the lagoon and the Marina Entrance Channel. This gate is owned and operated by the County Department of Public Works. A second set of gates, on Grand Canal at Washington Boulevard, owned and operated by the City, regulates water levels in the Venice Canals.

The second mechanism is the network of drainage features and devices located in the land adjacent to Grand Canal and Ballona Lagoon. The Bureau of Engineering requires that drainage facilities be part of a private development in subdivisions or lot-splits. Runoff enters Grand Canal through several outlets that must be designed to be non-erosive. Dwellings in the area are generally elevated and inundation by floodwaters is limited to a few garages.

Coastal Act Policies

This part of the LUP addresses the following sections of the California Coastal Act, *which are included as part of the Land Use Plan:*.

Section 30230. *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30236. *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.*

Section 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30411.

(b) The Department of Fish and Game, in consultation with the Commission and the Department of Boating and Waterways, may study degraded wetlands and identify those which can most feasibly be restored in conjunction with development of a boating facility as provided in

subdivision (a) of Section 30233. Any such study shall include consideration of all of the following:

(1) Whether the wetland is so severely degraded and its natural processes so substantially impaired that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities.

(2) Whether a substantial portion of the degraded wetland, but in no event less than 75 percent, can be restored and maintained as a highly productive wetland in conjunction with a boating facilities project.

(3) Whether restoration of the wetland's natural values, including its biological productivity and wildlife habitat features, can most feasible be achieved and maintained in conjunction with a boating facility or whether there are other feasible ways to achieve such values.

Section 30233.

(a) The diking, filling, dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource-dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

(d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the Littoral Zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method or placement, time of year of placement, and sensitivity of the placement area.

Section 30235. *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in*

danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253. *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 areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.

Suggested Modifications to LUP Exhibit 22:

1) Designate the least tern nesting area as and ESHA.
2) Designate the Ballona Lagoon west bank buffer as an ESHA.
3) Include the section of Grand Canal between North and South Venice Boulevards in the Venice Canals ESHA designation.

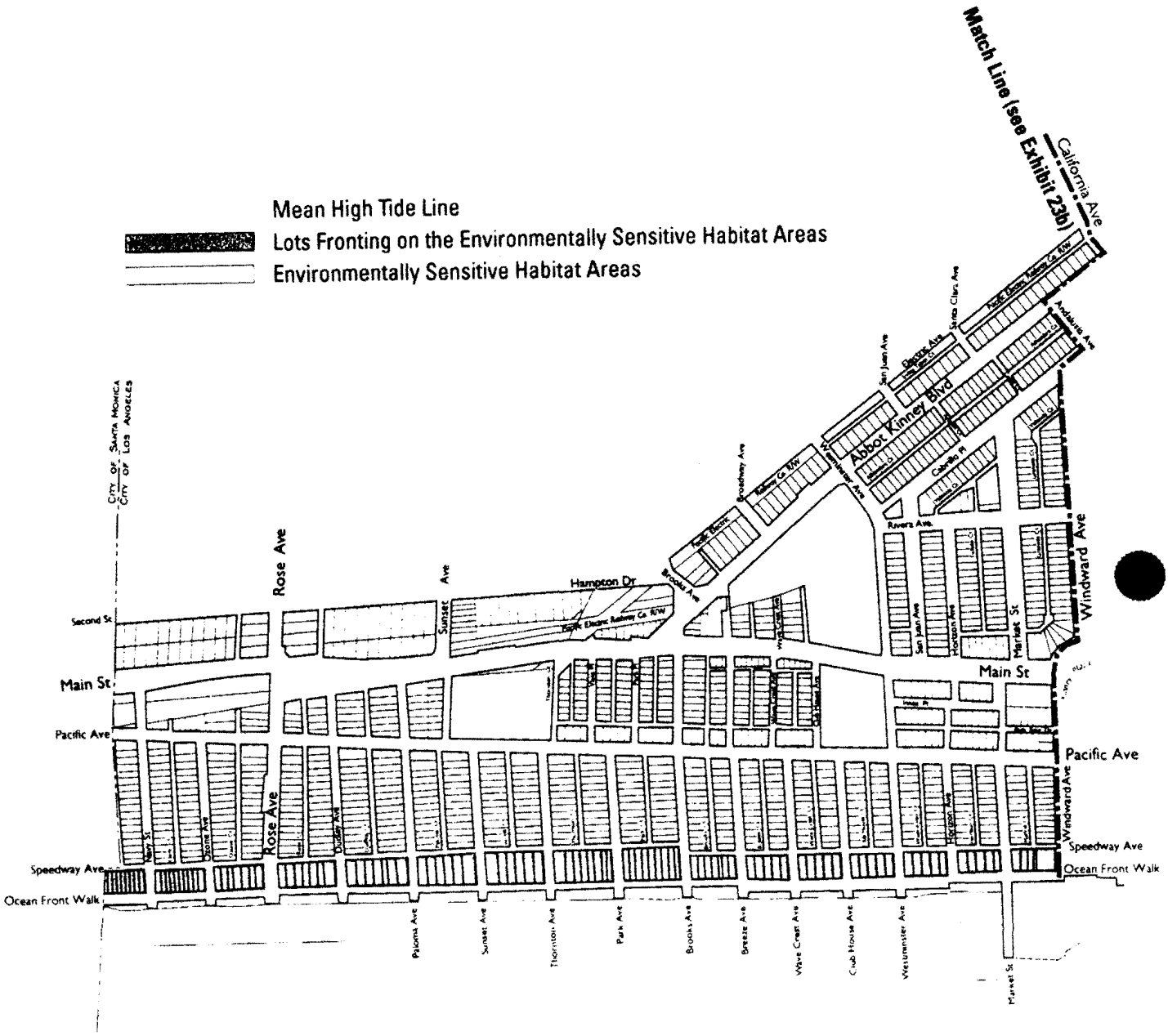


Exhibit 22a

Environmentally Sensitive Habitat Areas

Not to Scale

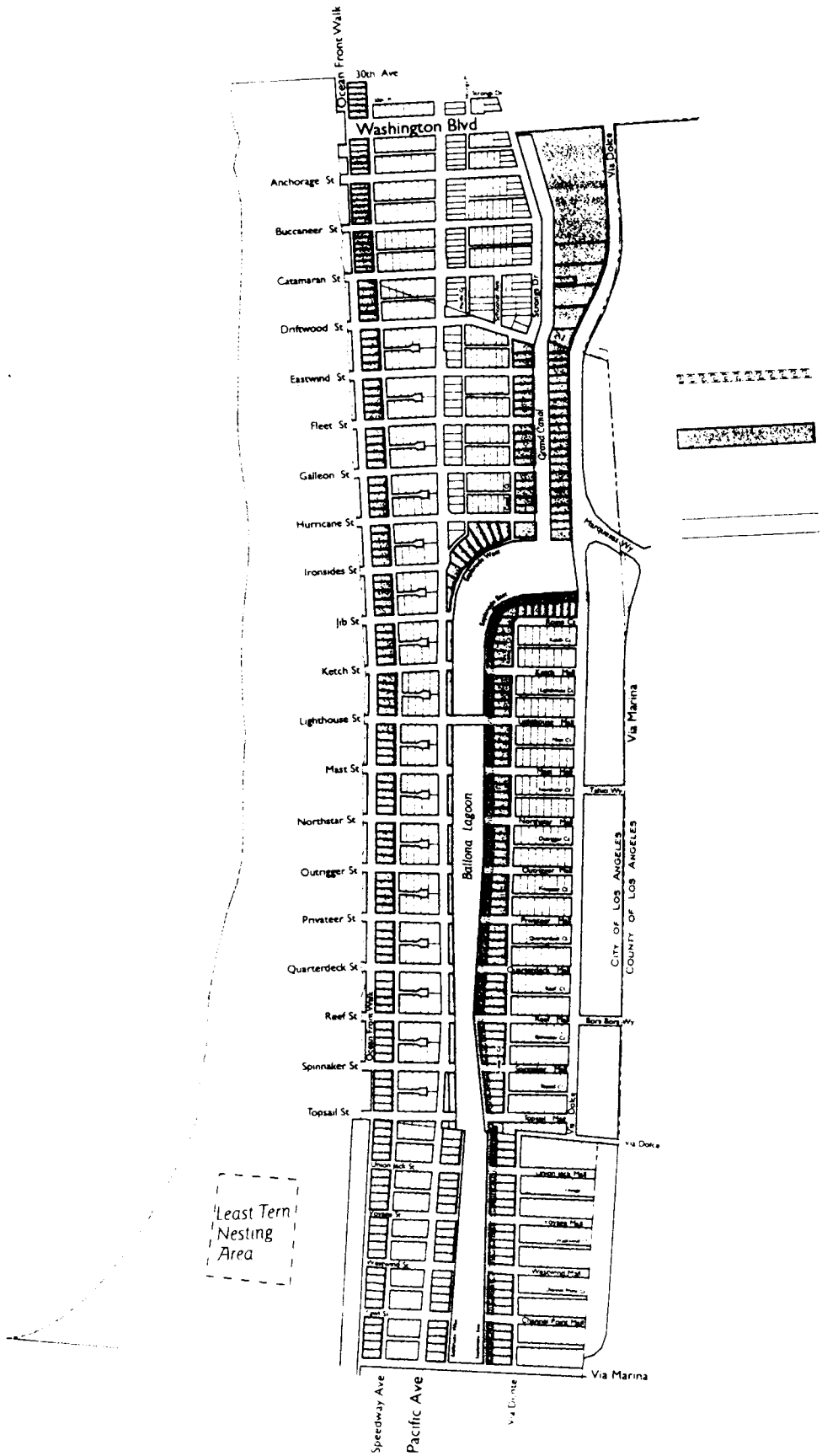


Exhibit 22b

Environmentally Sensitive Habitat Areas

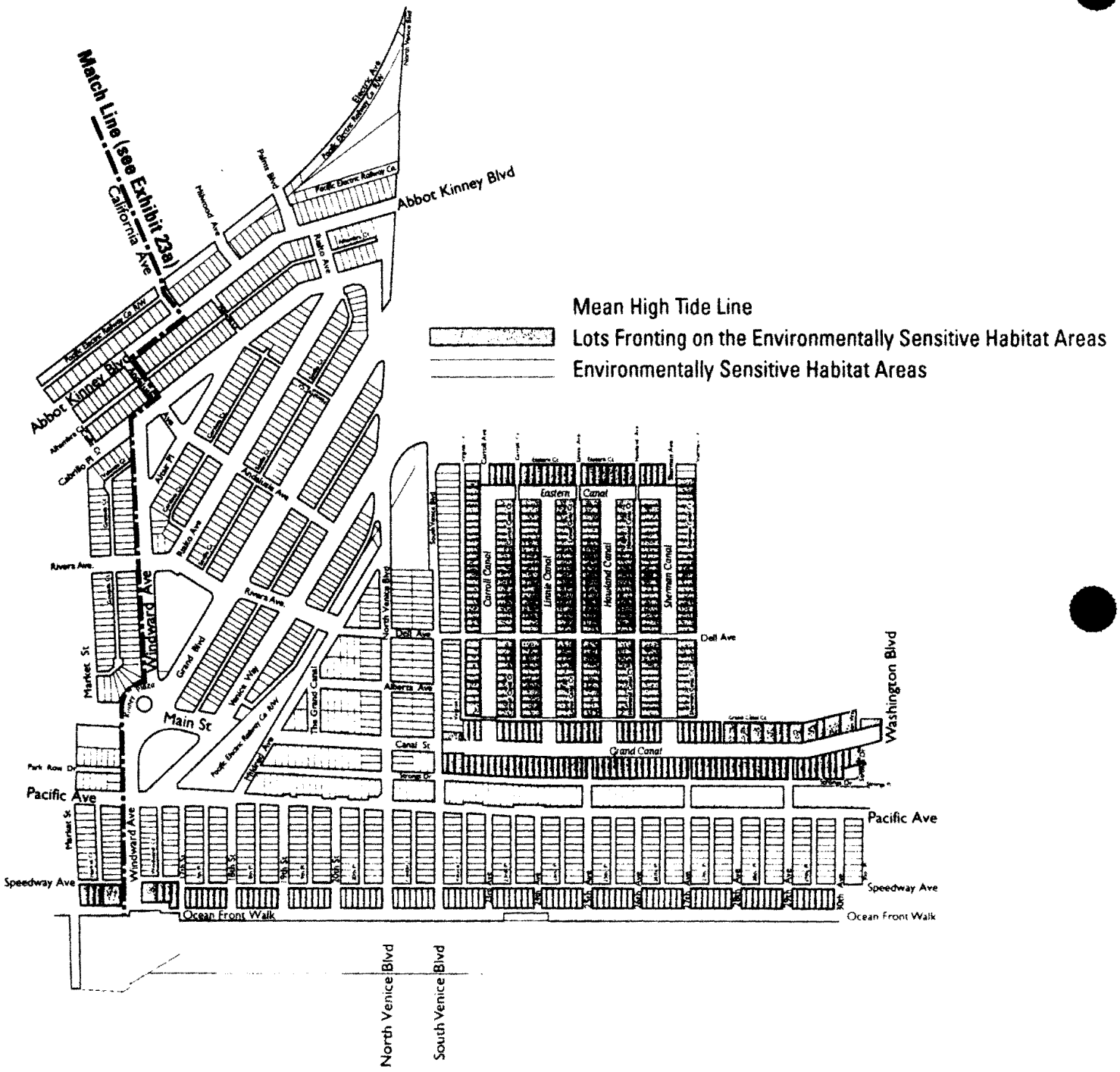


Exhibit 22c

Environmentally Sensitive Habitat Areas

Not to Scale

Land Use Plan Policies and Implementation Strategies

A. Venice Canals (Exhibit 22ca)

The Venice Canals Rehabilitation Plan, proposed by the City of Los Angeles, Department of Public Works was approved by the Coastal Commission in 1991 (See Coastal Commission Coastal Development Permit 5-91-584). The rehabilitation project, completed in December 1993, involved dredging of the canals, construction of new canal banks and new public walkways along the banks, reconstruction of several bridges and revegetation along the canal banks. The restoration of the Venice Canals was completed by the Bureau of Engineering. The Board of Public Works awarded a contract for regular maintenance of the waterways, landscaping and removal of litter and debris. The best approach to long-term maintenance of the canals is still being studied at this time. Prior to the rehabilitation project, the Bureau of Street Maintenance (BSM) maintained the canals. This responsibility fell to them because the canals are considered "streets". During construction, maintenance was handled by the Bureau of Engineering (BOE), through a restoration project contractor. BSM has indicated that they do not want to resume maintenance responsibility. BOE does not generally perform maintenance activities and does not have the appropriate staff for this operation. The Department of Recreation and Parks may have personnel that are adequately trained and equipped to maintain wetland habitat; however, they do not have funding.

The formation of a maintenance assessment district has been suggested but is controversial within the community. Ultimately, the City is responsible, under a Coastal Permit, for maintaining the canals. The Department of Public Works will continue to work on this issue with the community, the Council Office and California Coastal Commission staff. It should be noted that the Coastal Commission retains permit jurisdiction for tidelands and submerged lands.

• **Policy IV. A. 1. Canals Rehabilitation Project.** The canal area north of Washington Boulevard shall continue to be maintained as a unique coastal, environmental and social resource, as provided by the Venice Canals Rehabilitation Plan approved by Coastal Commission Coastal Development Permit 5-91-584. The goals and objectives of the rehabilitation plan ~~are designed~~ shall continue to be implemented in order to ~~rectify~~ improve water quality, bank stability, ~~and~~ public access, and ~~problems; to enhance~~ biological productivity ~~associated with the waterways; and are consistent with this LUP~~. The canal tidal gates located beneath the Washington Boulevard bridge shall be operated in a manner that sustains and enhances biological productivity in the canals by ensuring maximum water circulation.

• **Policy IV. A. 2. Permitted Uses.** Uses permitted in or adjacent to the canals shall be implemented in a manner to protect the biological productivity of marine resources and maintain healthy populations of marine organisms. Such uses as open space, habitat management, controlled nature study and interpretation, and passive public recreation use of walkways for birdwatching, photography, and strolling shall be encouraged and promoted.

• **Policy IV. A. 3. Venice Canals Landscape Buffer.** To protect the marine habitat, a one and one-half to two-foot-wide safety landscape buffer strip shall continue to be provided and maintained between the canal banks and sidewalks. Landscaping in the buffer strip shall consist of native coastal strand marshland or wetland vegetation as specified in the Venice Canals Rehabilitation Plan approved by Coastal Commission Coastal Development Permit 5-91-584.

• **Policy IV. A. 4. Venice Canals Setback and Yard Area.** In order to provide a setback for access, to protect visual quality and the biological productivity of the canals, and to limit water runoff, a setback with an average depth of 15 feet (and a minimum depth at any point of 10 feet) shall be provided and maintained in the front yard areas of private residences (adjacent to the canal property line). This setback shall provide a permeable yard with an area at least 15 feet times the width of the ~~(rear)~~ lot line at the canal side. (See also Policy I.A.4a for details).

• **Policy IV. A. 5. Canal Zoning.** The canal waterways are ~~is~~ rezoned Open Space(OS). This zoning designation serves to protect the recreational, residential and scenic uses of this coastal area while providing for other uses which would benefit the public without significant impairment of the recreational and residential uses.

B. Ballona Lagoon and Grand Canal South of Washington Boulevard (Exhibit 22b~~c~~)

Ballona Lagoon is an easily accessible natural area of estuarine and intertidal habitat. Currently, the lagoon environment is degraded by bank erosion, poor water quality, inadequate tidal exchange, and invasion of non-native plant species. In March 1988, the State Coastal Conservancy authorized a grant to the Ballona Lagoon Marine Preserve (BLMP) to prepare a resource enhancement plan for Ballona Lagoon. The Ballona Lagoon Enhancement Plan was completed on August 1992 and adopted by the Coastal Conservancy in October 1993. The overall goal of the Enhancement Plan is to clean up the lagoon for wildlife, fisheries and people. (See Coastal Commission Coastal Development Permit 5-95-152 and amendments).

The public streets, landscaped public pedestrian malls, public parking facilities, and infrastructure for ~~Most of~~ the lots located east of the lagoon, in the Silver Strand Subarea (Exhibit 4), are subject to the requirements of ~~developed under~~ Coastal Development Permit (CDP) Nos. A-266-77, 5-87-112, and 5-86-691 and amendments issued by the Coastal Commission. These ~~subject~~ permits have been granted ~~for a new development~~, subject to the conditions to ensure that the new development around the lagoon area ~~would~~ conforms to the public access and habitat protection policies of ~~Section 30240 of~~ the Coastal Act. The development approved by these permits has occurred. Refer to the Land Use and Development Standards Section (Policy Group I) of this LUP.

The portion of Grand Canal between Hurricane Street and Washington Boulevard has not been included in either the Venice Canals Rehabilitation Plan or the Ballona Lagoon Enhancement Plan. The Bureau of Engineering is working with the Sixth District Council Office, the Ballona Lagoon

Marine Preserve and the State Coastal Conservancy to improve this section of Grand Canal for improved public access and habitat protection.

• **Policy IV. B. 1. Ballona Lagoon.**

a. Ballona Lagoon Enhancement Plan. The Ballona Lagoon shall be restored, protected and maintained for shallow tidal and intertidal marine habitat, fisheries and public access as provided in the Ballona Lagoon Enhancement Plan (See Coastal Commission Coastal Development Permit 5-95-152 and amendments). The plan is intended to improve water quality and tidal flushing; reduce the amount of garbage, sediment and other pollutants in the lagoon; maintain and expand habitat values for the endangered least tern, shorebirds and fisheries; restore native vegetation; protect banks from erosion; maintain and if possible increase the existing 50-year flood protection; and enhance public trails and interpretative overlooks without invading the privacy of adjoining residents. The goals and policies of the Enhancement Plan shall be carried out in a manner ~~are~~ consistent with the policies of this LUP. The Ballona Lagoon tidal gates located beneath Via Marina shall be operated in a manner that sustains and enhances biological productivity in the lagoon by ensuring maximum water circulation.

b. Permitted Uses. Only uses compatible with preservation of this habitat shall be permitted in and adjacent to the lagoon. Uses permitted in or adjacent to the lagoon shall be carried out in a manner to protect the biological productivity of marine resources and maintain healthy populations of marine organisms. Such uses as open space, habitat management, controlled nature study and interpretation, and passive public recreation such as birdwatching, photography, and strolling shall be encouraged and promoted. No fill shall occur in Ballona Lagoon unless it is consistent with Coastal Act Section 30233 and is the least environmentally damaging alternative. No untreated runoff shall be directed into the lagoon.

Implementation Strategies

The California Coastal Commission reviewed the Enhancement Plan and on January 10, 1996, granted Coastal Development Permit No.5-95-152, for restoration of Ballona Lagoon and lagoon bluffs along the east bank, subject to conditions.

• **Policy IV. B. 2. Ballona Lagoon Buffer Strip.** The City shall implement methods of permanent protection of the lagoon, including acceptance of all outstanding and future offers to dedicate open space and public access buffer strips along the east and west banks.

a. East Bank. ~~A~~ The habitat protection buffer strip, a 40-foot wide dedicated open space and public easement shall continue to be provided and maintained adjacent to the east bank of Ballona Lagoon, in the Silver Strand Subarea, as required by Coastal Development Permit (CDP) Nos. A-266-77, 5-87-112, and 5-86-691. For additional details, see Policy I.A.4b.

b. West Bank. A habitat protection buffer strip shall be provided and maintained between the lagoon and all development permitted on the properties situated on the west bank of Ballona Lagoon. Because of the steep embankment and the need to provide some buffering from the automobile traffic on Pacific Avenue, the strategy along the western shore is to limit physical access. Most of the lots located on the west side of the lagoon, particularly between Ironsides and Topsail Streets, are quite narrow. Given the location and size of these parcels, first priority for use of these parcels is permanent open space. However, in case of any development, all structures shall be set back at least twenty-five feet from the property line nearest the lagoon. ~~the setback from the lagoon shall be twenty feet from the easterly edge of Esplanade West.~~ (~~Also s~~See LUP Policy~~ies~~ I.A.4.c & I.A.4.d for specific lagoon buffer and setback requirements).

c. West Bank Properties South of Ironsides Street to Topsail Street. These properties, commonly known as the Alphabet lots, consist of the vacant lots located on the west bank of Ballona Lagoon between Ironsides Street and Topsail Street. The use of these parcels shall be permanent Open Space with restoration of the native vegetation. Non-intrusive public access may be permitted in a manner that protects the environmentally sensitive habitat areas (See also Policy I.A.4.d).

d~~c~~. Permitted Uses. Permitted uses within the buffer strip shall be limited to open space, habitat management, nature study and interpretation for educational purposes and pedestrian walkways for passive recreation such as birdwatching, photography and strolling. Landscaping in the buffer strip shall consist of native plants and shrubs. Non-native species shall be phased out and the area restored as feasible. (For more detailed, refer to the Ballona Lagoon Enhancement Plan.)

• **Policy IV. B. 3. Ballona Lagoon Development Standards.** The setbacks and height of buildings adjacent to the lagoon shall continue to be limited as provided in Policies I.A.4b, c, and d so that development is compatible with the continuance of the environmentally sensitive habitat area and avoids adverse impacts on avian flight patterns.

Implementation Strategies

The lagoon waterway from Hurricane Street south to the Marina del Rey entrance channel, known as Lots R and C, has been recorded as permanent recreational open space and shall be maintained as a permanent conservation open space easement.

The City shall maintain ownership of the ~~continue to seek public acquisition of~~ vacant lots along the west side of the lagoon, between Ironsides ~~Jib~~ and Topsail Streets, known as the Alphabet Lots, for preservation as permanent open space. Most of these lots are narrow, between 3 feet and 30 feet wide. The Department of Fish and Game has consistently required a 30-40 foot wide minimum buffer along both sides of Ballona Lagoon to protect its habitat value. The development of these lots is difficult because of the buffer requirement, the narrowness of the lots and the steepness of the slope. The City shall ~~is~~

~~pursuing a possible exchange of these parcels with City-owned properties in order to~~ keep these sites for habitat conservation.

• **Policy IV. B. 4. Lagoon and Grand Canal Zoning.** The lots beneath the waterways of the Ballona Lagoon and Grand Canal south of Washington Boulevard shall be rezoned as Open Space (OS). This zone protects recreational and scenic uses of the coastal area while providing for other uses which would benefit the public without significant impairment of the recreational and residential uses.

• **Policy IV. B. 5. Boating Prohibited.** Boating shall not be permitted within the lagoon because of its disruption to wildlife utilizing this resource.

• **Policy IV. B. 6. Domestic Animals.** A program should be developed to protect the wetland area of Ballona Lagoon and the Grand Canal south of Washington Boulevard from intrusion by domestic animals and pets, particularly cats and dogs.

• **Policy IV. B. 7. Grand Canal Rehabilitation.** The Grand Canal between Hurricane Street and Washington Boulevard shall be restored and maintained in order to improve water quality, aquatic habitat, and public pedestrian access along the waterway in a manner that is sensitive to ~~while maintaining~~ the privacy of adjoining residents.

C. Storm Water Runoff and Circulation

• **Policy IV. C. 1. Stormwater Runoff.** All new public and private development, substantial rehabilitation, redevelopment or related activity, which discharges ~~S~~stormwater runoff into the Ocean, Ballona Lagoon, Grand Canal south of Washington Boulevard ~~and~~ or theVenice Canals shall be designed and conducted in compliance with the ~~regulated for public and private developments in order to protect the water quality and habitat of these waterways. Methods to improve and regulate the water quality of the first-flush stormwater runoff entering coastal waterways shall be developed and implemented by the City of Los Angeles Department of Public Works, Bureau of Engineering in accordance with the requirements of the~~ County-wide Municipal National Pollution Discharge Elimination System (NPDES) Stormwater Permit, issued by the California Regional Water Quality Control Board (RWQCB), the RWQCB approved Standard Urban Stormwater Mitigation Plan, and the NPDES General Permit for Stormwater Discharges Associated with Construction Activity, issued by the State Water Resources Control Board (SWRCB), where applicable. Methods to improve water quality, such as the mitigation of the first-flush stormwater runoff entering coastal waterways, shall be imposed as conditions of development by the City of Los Angeles in accordance with SWRCB and RWQCB recommendations and regulations, and the Santa Monica Bay Restoration Project Action Plan in order to protect, restore, and where feasible, enhance the water quality and habitat of these waterways.

• **Policy IV. C. 2. Water Quality.** The methods to improve water quality, recommended in California's Plan for the Control of Non-Point Source Pollution (January 2000), such as watershed planning and management programs, and habitat restoration projects, shall be considered and implemented by the City of Los Angeles where feasible opportunities exist.

Implementation Strategies

• Prior to issuance of building permits for all developments adjacent to the canals area, Grand Canal and Ballona Lagoon, a grading and drainage plan indicating that low flow surface runoff is prevented from traveling directly from the lot into the coastal waterways by one or more of the following methods are recommended:

Installation of green strip filters or equivalent pollution-reducing devices in all new private and public parking areas adjacent to the canals and lagoon; upgrading of existing illicit storm drain connections with french drains; surface runoff directed to an existing storm drain; lot sloped to drain toward the alley; and, front yards adjacent to the canals and lagoon shall be required to have a permeable surface, or where the surface is not permeable, provide a drainage system to prevent runoff directly into the lagoon or canals. An engineering and soils report to determine suitability of soils for french drains may be required.

• The Bureau of Sanitation's Stormwater Management Division is the lead City agency regarding the municipal NPDES requirements of the Federal Clean Water Act. This permit commits the City to a variety of activities designed to address stormwater issues, including the preparation of Citywide Stormwater Management Plans. These plans, in part, will address stormwater-related development issues, including a discussion of various regulatory options such as standards. Development activities within the Venice coastal area will be subject to the applicable provisions of this plan. Activities within the Venice coastal area will also be subject to statewide plan(s) generated under the Coastal Zone Management Act (CZMA) reauthorization of 1990. The required plan(s) will address stormwater management issues; the Coastal Commission is the lead agency for the State.

• Improvement of the water quality of storm drain runoff entering the canals, as well as the ocean from the drainage pipes at Thorton Avenue and Market Street, shall be achieved as part of the citywide Stormwater Management Program through the implementation plans and use of various Best Management Practices (BMPs). Funding is derived from various fees and grants.

• The City is an active member of the Santa Monica Bay Restoration Project, and is working to implement the Project's Action Plan. This plan includes many BMP's designed to reduce

pollution from storm drain runoff into the Santa Monica Bay, Venice Canals and Ballona Lagoon.

D. California Least Tern

• **Policy IV. D. 1. Venice Canals Habitat.** The Venice Canals have been identified by the Least Tern Recovery Team as a foraging habitat for the Least Tern. Development within or adjacent to the canals that might affect this foraging habitat shall not be permitted.

• **Policy IV. D. 2. Ballona Lagoon Habitat.** The Ballona Lagoon has been identified by the Least Tern Recovery Team as a critical habitat for the Least Tern for feeding. Development within or adjacent to the lagoon that might adversely impact the quality of this foraging habitat shall not be permitted.

• **Policy IV. D. 3. Venice Beach.** The Least Tern nesting habitat on Venice Beach shall be preserved and shall not be disturbed by encroachments of public improvements and activities.

Implementation Strategies

The California Department of Fish and Game and the U.S. Fish and Wildlife Service shall make the final determination as to whether or not there is an adverse impact to the habitat in accordance with the Endangered Species Act of 1973 and the U.S. Fish and Wildlife Coordination Act of 1976.

The City shall seek funding from various sources to implement the Ballona Lagoon Enhancement plan proposals which would enhance foraging habitat values.

The LUP ~~and LIP~~ contains appropriate development and activity regulations (e.g. setback requirements, restrictions on boating, etc.) for those areas adjacent to the Least Tern critical habitat.

E. Maintenance

• **Policy IV. E. 1.** The banks, waterways and public walkways of the Venice Canals, Ballona Lagoon and Grand Canal south of Washington Boulevard shall be periodically maintained by the City or other appropriate entity, to keep these areas free of accumulated trash and wastes, thereby maintaining the biological, water quality, recreational and aesthetic resources of these areas.

Implementation Strategies

The City shall seek permanent sources of funding to be used to provide cleanup and maintenance of the banks, waterways, and public walkways along the Venice Canals, Grand Canal south of Washington Boulevard and Ballona Lagoon.

Programs for public participation in periodic cleanup of these areas shall be encouraged, and the coastal shall explore opportunities for establishing permanent maintenance agreements with appropriate entities such as non-profit groups, Conservation Corps, etc.

The Department of Public Works shall continue to fund a maintenance contract for regular maintenance of the waterways, landscaping and removal of litter in Venice Canals area.

The Isthmus Landowners Association or their designee or successor shall maintain the 40-foot buffer strip and the trail area along east side of Ballona Lagoon in Silver Strand subarea.

F. Diking, Dredging, Filling and Shoreline Structures

• **Policy IV. F. 1.** Diking, dredging and fill shall be permitted only in conjunction with an approved restoration plan and maintenance activity consistent with Coastal Act Section 30233. No construction shall be permitted on sandy beaches, except for construction in conjunction with approved recreational, ecological, and erosion control facilities. No fill shall be permitted in coastal waterways or below the seven foot contour for structures adjacent to the lagoon unless it is consistent with Coastal Act Section 30233 and is the least environmentally damaging alternative.

Implementation Strategies

All diking and dredging shall be done in strict compliance with applicable State and Federal regulations. Further, diking and dredging is likely to occur in the area of retained Coastal Commission jurisdiction.

G. Hazards

• **Policy IV. G. 1. Flood Setback.** Potential flood hazard to residents along the west bank of the Ballona Lagoon and the east bank of the Grand Canal shall be alleviated by increasing the development setback in the Silver Strand area and along the banks of the Grand Canal and Ballona Lagoon (see Policies I.A.4 and 7), and by controlling erosion along the banks by the use of native flora.

Implementation Strategies

Regulations regarding the use of native flora, setbacks, and higher floor and driveway elevations to mitigate potential for erosion and flooding, and to provide for habitat

protection, shall be consistent with ~~as set forth in~~ the Venice Canals Rehabilitation Plan ~~Project~~ approved by Coastal Commission Coastal Development Permit 5-91-584, and the Ballona Lagoon Enhancement ~~Rehabilitation~~ Plan approved by Coastal Commission Coastal Development Permit 5-95-152 and amendments ~~and the LIP~~.

• **Policy IV. G. 2. Hazard Mitigation for New Construction.** Special development standards shall be developed for those areas within the Venice Coastal Zone which present potential flood and liquefaction hazards.

Implementation Strategies

A pre-grading inspection, subject to the satisfaction of the City of Los Angeles Department of Building and Safety, shall be required for those areas in the Venice Coastal Zone subject to potential liquefaction hazards.

The Department of Building and Safety (B&S) is responsible for determining that a possibility of inundation exists; B&S refers the applicant to Bureau of Engineering (BOE) who completes an inundation report; and B&S obtains any necessary waivers.

Potential flood areas shall be subject to the Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA).

• **Policy IV. G. 3. Shoreline Protection.** The City shall study potential hazards to oceanfront properties caused by wave erosion, tsunamis and flooding. No new shoreline protection projects shall be approved until such studies are completed.

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POLICY GROUP V. PUBLIC WORKS

Introduction

This section addresses the following issues: the appearance of streets, landscape, street improvements (including street lighting), public services and utilities (roadways, drainage, domestic water and sewer systems), and the competing needs of residents and visitors for roadway capacities. Public works issues related to the Venice Canals, Ballona Lagoon and stormwater management are discussed in Policy Group IV.

The adequacy of public facilities falls under the jurisdiction of a number of different City agencies. Water and electricity supply are within the purview of the Department of Water and Power (DWP); sewer capacity is evaluated by the Bureau of Engineering (BOE); roadway capacity is determined by the Department of Transportation (DOT); roadway maintenance falls to the Bureau of Street Maintenance (BSM) for minor repairs (potholes), and to BOE/BSM for other maintenance needs; roadway and sidewalk construction is regulated by the BOE; street lighting installation and maintenance is under jurisdiction of the Bureau of Street Lighting; law enforcement is provided by the City of Los Angeles Police Department; Fire protection is provided by the City of Los Angeles Fire Department; the Venice Coastal Zone is served by the Los Angeles Unified School District. Policies, and implementation strategies in this section are provided by and shall be implemented ~~evaluated~~ by the appropriate City agencies.

The Venice Traffic and Parking Study projected and evaluated Year 2000 traffic conditions for three different land use alternatives. These alternatives consist of: 1) build out of the current zoning code; 2) build out of Alternative A, for a more intense level of office/commercial and residential uses (as compared with the current zoning alternative); 3) build out of Alternative B, for a less intense development of residential dwelling units (as compared with the current zoning alternative) and less office/commercial uses. Alternative B results in substantially lower build out densities than current zoning. The traffic impacts of total build out of the Venice Coastal Zone under current zoning cannot be mitigated. Therefore, Alternative B has been selected as the project alternative and its traffic impact, for the Year 2000 has been analyzed. (Refer to Venice Parking and Traffic Study (April 1995) for details.) The streets and highway designations to accommodate the anticipated traffic levels are identified on the Circulation Map, Exhibit 23~~24~~.

Coastal Act Policies

The policies in this section of the LUP address the following Coastal Act Policy, which is included as part of the Land Use Plan:

Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of

this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not include new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

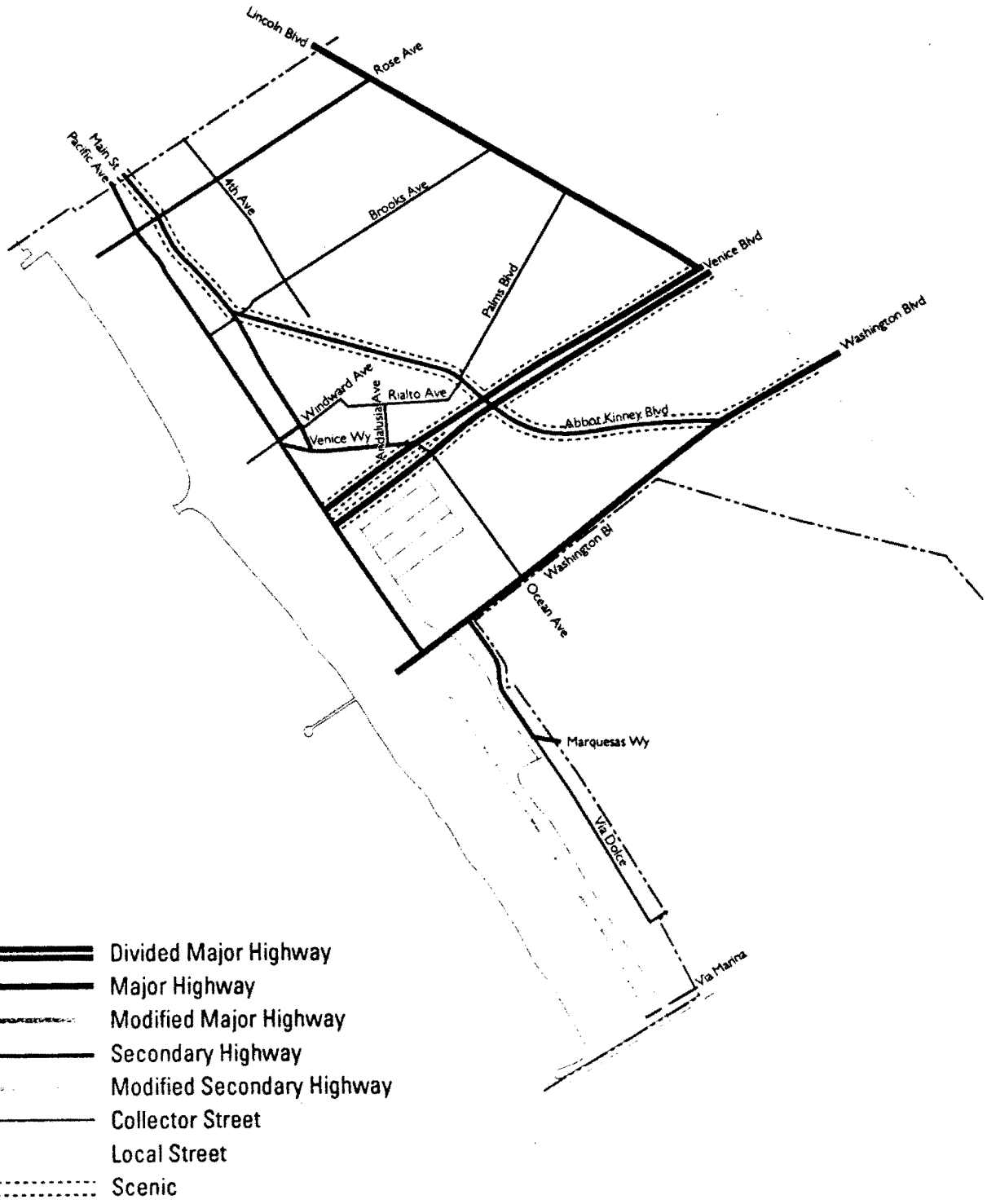

Exhibit 23
Circulation Map

Not to Scale

Land Use Plan Policies and Implementation Strategies

• **Policy V. A. 1. General.** Public services shall consider the competing needs of residents and visitors for use of roadways, existing parking, service systems, domestic water, public restrooms, etc., and shall allocate resources to expand the use of these existing facilities and create new facilities where necessary in a manner that they do not adversely affect residents. Public works projects shall be reviewed for consistency with the Coastal Act and the Venice Land Use Plan through the coastal development permit process.

• **Policy V. A. 2. Street and Highway Improvements.** Streets and highways shall be designed and improved to adequately accommodate development and to enhance public access to the shoreline. (Refer to Circulation Map, Exhibit 23, and ~~the standard street dimensions in the Bureau of Engineering's Standard Plan, D-22549.). Refer~~ to Policy II.B.4 for street and highway improvements).

Implementation Strategies

Street improvement projects can be divided into three general categories: capital improvement projects, assessment projects, and private development projects. Capital improvements are wholly financed by public monies and are generally restricted to non-local streets. Improvements to local streets must generally be paid for by local residents through one of several types of assessment proceedings. Private developers may be required to fund street improvements for subdivisions, parcel maps, zone changes or conditional use permits. ~~Specific policies regarding subdivisions are set forth in the Bureau of Engineering Manual-Part D: Land Development, Section D230.~~

In no case shall any density increase be effectuated by a zone change unless appropriate consideration has been given to adequately accommodate the traffic generated thereby on the local streets and major and secondary highways serving the property involved. Only that density shall be permitted that is consistent with this LUP.~~can accommodate the development regulations of the Local Implementation Plan (LIP)~~. Additional density considerations for affordable units shall be permitted along or near secondary and major highways.

• **Policy V. A. 3. Infrastructure.** New sewer, storm drain, and water lines shall be installed using the least environmentally disturbing method feasible. The City of Los Angeles Department of Public Works shall develop a comprehensive citywide Storm Water Management Program, as discussed further in Implementation Strategy of Policy IV.C.1 of this LUP, to control stormwater run-off from new public and private developments and, where feasible, to remove pollutants from that run-off. Development of infrastructure shall precede or be constructed concurrently with the construction of developments or in lieu-fee should be paid.

Implementation Strategies

The adequacy of existing infrastructure for all proposed developments shall be investigated during the environmental documentation stage. A full disclosure of all capacity inadequacies shall be discussed within the individual project environmental documents, together with activities and impact associated with appropriate mitigation measures.

The City of Los Angeles Department of Public Works shall study problems associated with salt water intrusion into sewer pipes and rectify identified problems where economically feasible.

The City of Los Angeles Department of Public Works shall coordinate the citywide Clean Water Program, which is a comprehensive 10-year plan to modernize and renovate the entire wastewater system, thereby enhancing and protecting coastal water quality.

The program includes a broad scope of projects and studies all focused on improving the quality of water returned to the environment by the mid-to-late 1990's. Included in the program are the following: (a) replacement of deteriorated sewer lines; (b) upgrading wastewater treatment plant to provide at least secondary treatment; (c) sealing some existing sewer lines to prevent stormwater and groundwater inflow from leaking into and over filling the lines; and, (d) recycling or recovery of biosolids and water; and expanding monitoring and enforcement programs.

• **Policy V. A. 4. Conservation Programs.** Conservation programs for public works services within the Venice coastal zone shall be encouraged and developed.

Implementation Strategies

Conservation policies that will facilitate efficient use of current public works capacities shall include, but not be limited to:

1. The citywide Water Conservation Ordinance, under the purview of the Department of Water and Power, promotes or requires:

   a. Low-flush toilets

   b. Low-flow shower heads

   c. Xeriscape (drought resistant low water landscaping)

   d. Mandatory recycling of water in water features.

2. The Bureau of Sanitation oversees recycling activities including the following:

   a. Mandatory recycling facilities in new developments~~, as set forth in the LIP~~.

   b. Establishment of a community-wide recycling program, including curbside recycling.

   c. Recycling or recovery of biosolids and water as proposed in the citywide Clean Water Program.

3. Encouraging use of native plants as a water-saving methodology.

• **Policy V. A. 5. Streetscapes ~~Conservation Programs~~.** Streetscape improvements throughout the Venice Coastal Zone shall be maintained and enhanced to enhance pedestrian activity and contribute to a high quality of life and visual image for residents and visitors.

Public and private developments within the Venice Coastal Zone shall be required to include elements that will contribute to and enhance streetscape improvements in accordance with a Venice Coastal Zone streetscape plan.

Implementation Strategies

A streetscape plan for public and private developments should be developed for the Venice Coastal Zone in conjunction with the Bureaus of Engineering, Street Maintenance, and other Departments with jurisdiction over street design should include the following:

> "It is the intent of the City that whenever a ... street ... is to be improved, complete street improvements should be installed whenever feasible whether a project is initiated by a public agency or a private party.... Any item may be eliminated from an improvement project if the item would not contribute to the safety or welfare of the community, or if unusual conditions make its installation impractical or unnecessary."

The Venice coastal zone streetscape plan should also include the following:

1. Consideration of roadway and sidewalk widths based on pedestrian and vehicular needs.

2. Promotion of pedestrian and bicycle access and transit use emphasizing circulation along major retail corridors, as well as establishing and reinforcing connections between the beach, walk streets, canals and lagoon, and other areas of pedestrian activity.

3. Provision of amenities for pedestrians, cyclists and transit users such as street trees, mini parks, improved lighting, special paving, graphics, and street furniture.

4. A boulevard beautification program should be included in the Local Implementation Plan involving street tree planting, landscaping, or construction of gardens. Trees which are a minimum of 24-inch box size are encouraged. Trees should be drought tolerant and associated with California coastal areas. A distinction should be made on the plan map between the species of trees to be planted along all major and secondary highways and local and collector streets. The following streets should be targeted for the beautification program.

   a. Lincoln Boulevard
   b. Rose Avenue
   c. Pacific Avenue
   d. Venice Boulevard
   e. Washington Boulevard
   f. Abbot Kinney Boulevard
   g. Main Street
   h. Venice Way

5. Require that all surface parking lots incorporate landscaping in their interior and along their perimeter.

6. Require that all new development in the Venice coastal zone provide open space and landscaping which contributes to a high quality visual environment. New residential developments should incorporate landscaping that supplements and enhances existing deficient landscaping or complements the existing landscape where a high visual quality exists. Commercial developments should provide landscaping along their street frontages such that it is designed to enhance pedestrian activity.

APPENDIX B

Definitions

B. **Definitions.** For the purpose of this section the following words and phrases are defined:

Aggrieved Person means any person who, in person or through a representative, appeared at a hearing on the application for a Coastal Development Permit, or appeal hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the permit issuing authority or appeal body of the nature of his or her concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a Coastal Development Permit.

Coastal Zone shall mean that land and water area within the City of Los Angeles as specified on maps prepared by the California Coastal Commission, copies of which are on file with the Department of City Planning and the Office of City Engineer. Such "coastal zone" extends seaward to the City's outer limit of jurisdiction, and generally extends inland 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat and recreational areas, it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas, the zone extends inland 1,000 yards.

Development means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of the use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including parcel maps and private street divisions, except where any land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the California Public Resources Code).

As used in this definition, *"structure"* includes, but is not limited to any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Feasible shall mean capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Local Coastal Program (LCP) shall mean the City's land use plans and other applicable general plan elements, zoning ordinances, zoning district maps, and proposed implementing actions, which when taken together, meet the requirements of, and implement the provisions and policies of, the California Coastal Act of 1976.

Permit means any license, certificate, approval, or other entitlement for use granted, conditionally granted, or denied by any public agency which is subject to the provisions of this section.

Public Project shall mean any development initiated by the Department of Public Works or any bureau thereof, any development initiated by any other department or agency of the City of Los Angeles, and any development initiated or to be carried out by any other governmental agency which is required to obtain a local government permit. Public project shall not include any development by any department or agency of the City of Los Angeles or any other governmental entity which otherwise requires action by or approval of the City Planning Commission or the Office of Zoning Administration, or any development by any department or agency of the City of Los Angeles or any other government entity for which a permit from the Department of Building and Safety is required. Public project shall also not include any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled.

Sea shall mean the Pacific Ocean and all harbors, bays, channels, canals, estuaries, salt marshes, sloughs and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

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D. **Definitions.** Whenever the following terms are used in Sections 12.40 through 12.43 they shall be construed as defined below. Words and phrases not defined herein shall be construed as defined in Sections 12.03, and in the Guidelines adopted by the City Planning Commission pursuant to Subsection F below.

Grass -- Any relatively low-growing living ground cover of the family Poaceae (Graminae), usually mown. Includes, but is not limited to, members of the species Agropyron (Wheat Grass), Agrostis (Bent Grass, Redtop), Bouteloua (Blue Grama Grass), Buchloe (Buffalo Grass), Cynodon (Bermudagrass), Festuca (Fescue), Lolium (Rye Grass), Poa (Bluegrass), Stenotaphrum (St. Augustine Grass), Zoysia (Korean Grass). Does not include members of the family Poaceae (Graminae), that are usually not mown, such as members of the species Aristidia (Triple-Awned Grass), Miscanthus (Eulalia Grass), Muhlenbergia (Deer Grass).

Landscape Practitioner -- Any person licensed by the State of California to design, install or maintain landscape or irrigation systems. Any person specifically exempted by the State from the licensing requirements in the field of landscape or land management. Any owner who designs, installs or maintains landscaping or irrigation systems on his or her own property.

Lawn Area -- Any relatively low-growing, living, ground cover, typically (but not necessarily) mown, that will withstand foot traffic, and that requires dry-season irrigation greater than that required by Common Bermudagrass (Cynodon dactylon). Includes Dichondra and Clovers (Trifolium species.)

Native (Plant) -- Any (plant) species indigenous to the Los Angeles area existing before European settlement, as identified in James Hendrickson's The Jepson Manual, or its successor standard reference, as adopted by the Director of Planning.

Native (Plant) Community -- A recurring combination of native (plant) species that reflects parallel responses to similar combinations of environmental conditions, as identified in Robert F. Holland's "Preliminary Descriptions of the Terrestrial Natural Communities of California," or its successor standard reference, as adopted by the Director of Planning.

Permeable -- A material that permits water penetration to a soil depth of 18 inches or more, including non porous surface material poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area of loosely laid material such as crushed stone or gravel.

Project -- Any use of land, construction or addition which includes more than 2,000 gross square feet of impermeable surface. A Project shall include new parking areas and additions to existing parking areas constructed with impermeable paving and new parking buildings. A Project shall not include construction of or addition to one-family dwellings, nor shall a Project include any structure or use of land which is permeable.

Stream -- Any perennial or intermittent stream or river identified on United States Geological Survey Maps.

Wetland -- Any natural lake, intermittent lake, pond, intermittent pond, marsh, swamp, seep or spring identified on United States Geological Survey Maps.

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SEC. 12.03 -- DEFINITIONS.

For the purpose of Articles 2 to 6 inclusive of this chapter, certain terms and words are herewith defined as follows:

Abandoned Automobile -- Any motor vehicle, which when operated upon a highway is required to be registered by the California Vehicle Code, whose registration has been expired for a period of six months or more. Notwithstanding the foregoing definition, a motor vehicle stored within a permitted building or structure shall not be considered to be an abandoned automobile. *(Added by Ord. No. 131,925, Eff. 4/11/66.)*

Accessory Building -- A detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located in the same or a less restrictive zone and on the same lot with the main building or use. The relationship between the more restrictive and the less restrictive zones shall be determined by the sequence of zones set forth in Sec. 12.23 B 1(c). *(Amended by Ord. No. 106,571, Eff. 1/1/56.)*

Accessory Living Quarters -- An accessory building used solely as the temporary dwelling of guests of the occupants of the premises; such dwelling having no kitchen facilities and not rented or otherwise used as a separate dwelling unit. *(Added by Ord. No. 107,884, Eff. 9/23/56.)*

Accessory Use -- A use which is customarily incidental to that of the main building or the main use of the land and which is located in the same zone or a less restrictive zone and on the same lot with a main building or use. The relationship between the more restrictive and the less restrictive zones shall be determined by the sequence of zones set forth in Section 12.23 B 1 (c) of this Code.

The garaging, maintaining or storage of any commercial vehicle on private property which exceeds a registered net weight of 5,600 pounds shall not be considered an accessory use in the R Zones. The rental, storage, or storage for rental purposes of a commercial vehicle which exceeds a registered net weight of 5,600 pounds shall not be considered an accessory use in any zone more restrictive than the MR-1 Zone, except as approved by conditional use. *(Amended by Ord. No. 158,939, Eff. 6/21/84.)*

Notwithstanding the above, an accessory use shall also include the maintenance of an Historic Vehicle Collection as defined by Section 12.03 of this Code if the Zoning Administrator finds that all of the following conditions are met: (a) All such vehicles and parts maintained in outdoor storage, whether currently licensed or unlicensed, or whether operable or inoperable constitute an Historic Vehicles Collection; (b) the Historic Vehicles Collection occupies less than 50 percent of the area of the lot for the first 10,000 square feet of the lot area plus 20 percent of additional lot area for lots in excess of 10,000 square feet; (c) the Historic Vehicle Collection is maintained in such manner as not to constitute a health or safety hazard; (d) the Historic Vehicle Collection is fully screened from ordinary public view by means of a suitable fence, trees, shrubbery, opaque covering or other appropriate means; (e) no portion of the Historic Vehicle Collection is located within five feet of any building or within any sideyards required by this Code; and (f) plans for the maintenance of the Historic Vehicle Collection have been submitted to and approved by the Zoning Administrator in accordance with the procedures and

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subject to the same fees for approvals of overheight fences and walls pursuant to Section 12.27 I 1 of this Code. *(Amended by Ord. No. 161,931, Eff. 3/2/87.)*

Any such approval of an Historic Vehicle Collection and any use allowed hereunder shall be subject to such conditions not in conflict herewith which the Zoning Administrator may deem necessary or advisable to impose in order to protect the peace and quiet of occupants of contiguous property. *(Amended by Ord. No. 161,931, Eff. 3/2/87.)*

An accessory use shall also include the keeping of domestic animals, subject to other provisions of this article; and the keeping of wild animals, under an appropriate permit issued by the Department of Animal Regulations as provided in Section 53.38 of this Code, but in no event including the following wild animals: bear, civet, coyote, eagle, eland, elephant, elk, giraffe, gnu, gorilla, hyena, hippopotamus, jaguar, leopard, lion, lynx, moose, orangutan, venomous reptile, puma, rhinoceros, sea lion, tiger, vulture, walrus, wart hog, wolf or yak. *(Amended by Ord. No. 162,702, Eff. 9/28/87.)*

The sale of not more than one dog or cat litter from a domestic household in a 12-month period shall be considered accessory to a residential use. *(Amended by Ord. No. 149,809, Eff. 7/15/77.)*

The non-commercial keeping of birds (not including fowl) without regard to their number shall be an accessory use in the RA, RE, RS, R1, RU and RZ Zones. However, if the Department of Animal Regulation determines that the keeping of birds or the keeping of a particular number of birds at a particular location constitutes a nuisance or a health or safety hazard, then the keeping of birds under those circumstances shall not be an accessory use. *(Amended by Ord. No. 162,702, Eff. 9/28/87.)*

For the purposes of this section, the occasional sale of birds which is incidental to the keeping of birds as a hobby does not constitute a commercial use. *(Amended by Ord. No. 162,702, Eff. 9/28/87.)*

Garage and/or yard sales shall be considered accessory to a residential use, if the sale is only incidental to the individual's residential occupancy of the premises; and

1. The sales are confined to the sale of used items which were originally received or purchased for use in the household; and

2. The sales are restricted to a maximum of five sales events per calendar year as a means of disposing of used items originally received or purchased for use in the household; and

3. The sales are limited to not more than two consecutive days per event; and

4. The sales are limited to not more than ten days per calendar year total; and

5. The sales are limited to the hours between 9 a.m. and 5 p.m.

For purposes of this section, the term accessory use shall not apply to any garage and/or yard sales where new goods or merchandise, or items that were not intended to be used in the household are offered or displayed for sale or exchange. *(Added by Ord. No. 171,309, Eff. 11/15/96.)*

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Addition, Ground Floor -- An expansion of the exterior perimeter of a building measured at five feet or more above adjacent grade at any point. *(Added by Ord. No. 169,775, Eff. 6/1/94.)*

Adjacent Ground Elevation -- Same as grade. *(Amended by Ord. No. 131,309, Eff. 4/24/66.)*

Administrator -- Shall mean the "Zoning Administrator."

Agricultural Waste -- All plant materials generated from the growing and harvesting of agricultural crops, vegetables and fruits. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Airport or Aircraft Landing Field -- Any runway landing area or other facility designed, used, or intended to be used either publicly or privately by any person for the landing and taking off of aircraft including all necessary taxiways, aircraft storage and tiedown areas, hangars and other necessary buildings and open spaces.

Animal Keeping Enclosure -- Any structure or fence which establishes the perimeter of an animal keeping and maintenance area. *(Added by Ord. No. 157,144, Eff. 11/23/82.)*

Animal Keeping Structure -- Any structure, as defined by this Code, which has a roof and may have one or more sides and is used in whole or in part for the housing or shelter of animals. *(Amended by Ord. No. 161,352, Eff. 7/20/86.)*

Apartment -- Same as dwelling unit. *(Added by Ord. No. 107,884, Eff. 9/23/56.)*

Apartment Hotel -- A residential building designed or used for both two or more dwelling units and six or more guest rooms or suites of rooms. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Apartment House -- A residential building designed or used for three or more dwelling units or a combination of three or more dwelling units and not more than five guest rooms or suites of rooms. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Automobile and Trailer Sales Area -- An open area other than a street, used for the display, sale or rental of new or used automobiles or trailers, and where no repair work is done except minor incidental repair of automobiles or trailers to be displayed, sold or rented on the premises.

Automobile Dismantling Yard -- Any property or place where the business of an automobile dismantler, as defined by California Vehicle Code Section 220, is conducted. *(Added by Ord. No. 152,770, Eff. 9/14/79.)*

Automobile For Hire -- An automobile for hire is a motor vehicle, other than a commercial vehicle with registered net weight in excess of 5,600 pounds, which is let or rented or offered for rental, lease or hire to another for consideration. *(Added by Ord. No. 148,857, Eff. 10/30/76.)*

Automotive Fueling and Service Station -- A business which dispenses automotive fuel to the public and may provide the following incidental services: tube and tire repairing, battery servicing, automotive lubrication, mechanical

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adjustments, changing of spark plugs and other similar maintenance activities. *(Added by Ord. No. 169,130, Eff. 12/11/93.)*

Automotive Repair -- A use involving the diagnosing of malfunctions, repairing or maintaining of motor vehicles. Included in this definition are body shops, paint shops, tire stores, muffler shops, auto electric shops, van conversions, lubrication centers, auto-sound shops, auto-alarm shops, auto upholstery shops, wheel alignment shops and other similar automotive related repair or installation businesses; automotive repair does not include automotive fueling and service stations as defined in this section and installers of automotive telecommunication devices and computers. *(Added by Ord. No. 169,130, Eff. 12/11/93.)*

Bachelor Apartment -- Same as Efficiency Dwelling Unit. *(Amended by Ord. No. 138,456, Eff. 5/30/69.)*

Basement -- Any story below the first story of a building. *(Amended by Ord. No. 131,309, Eff. 4/24/66.)*

Bloodmobile -- A vehicle, or portable structure transported by a vehicle, easily transportable in one or more sections, which is used to provide blood collection services on a temporary basis in any one location. *(Added by Ord. No. 166,045, Eff. 8/17/90.)*

Board -- Shall mean the "Board of Zoning Appeals." *(Amended by Ord. No. 138,800, Eff. 6/24/69.)*

Boarding or Rooming House -- A dwelling containing a single dwelling unit and not more than five guest rooms or suites of rooms, where lodging is provided with or without meals, for compensation. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Buildable Area -- All that portion of a lot located within the proper zone for the proposed main building, excluding those portions of the lot which must be reserved for yard spaces, building line setback space, or which may only be used for accessory buildings or uses. For the purpose of computing the height district limitations on total floor area in buildings of any height, the buildable area that would apply to a one-story building on the lot shall be used.

Notwithstanding the above, in computing the height district limitations on total floor area for any development of residential dwelling units, or of both residential dwelling units and commercial uses, in the C2, C4, or C5 Zones, buildable area shall have the same meaning as lot area. The additional square footage permitted by this calculation for residential use shall not result in an increase in the number of dwelling units beyond that which would have otherwise been permitted but may only be used to increase the floor area or number of habitable rooms within individual dwelling units.

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This alternate definition of buildable area shall not apply within the following specific plan areas: Central City West, Century City North, Century City South, Coastal Bluffs, Devonshire/Topanga Corridor, Foothill Boulevard Corridor, Granada Hills, Oxford Triangle, Pacific Palisades Commercial Village/Neighborhoods, Playa Vista Area D, Porter Ranch Land Use/Transportation, San Pedro, Valley Village, and Westwood Village. This alternative definition shall also not apply to any lot for which a "Q" or "D" limitation setting forth a floor area limitation had been imposed before July 1, 1997. In the event of a conflict with any other adopted specific plan, the most restrictive provision shall prevail.

(Amended by Ord. No. 171,662, Eff. 8/16/97.)

Building -- Any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any kind. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Cemetery -- Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Child Care Facility -- A facility in which nonresidential care is provided for children, 16 years of age or under, when licensed as a day care facility for children by the State of California or other agency designated by the State, under the categories defined in Section 30019 of Title 22 of the State of California Administrative Code. *(Added by Ord. No. 145,474, Eff. 3/2/74.)*

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Chipping/Grinding Facility -- Any facility which temporarily stores and/or processes source-separated green waste and/or wood waste by means of chipping, grinding, mixing and/or screening to produce a material of varying particle size. The material produced by the above described processes may be used as ground cover, biofuel, wood chips, animal bedding, worm food or other similar uses. This definition shall not include any chipping and/or grinding of green waste and/or wood waste conducted for noncommercial, nonprofit purpose. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Commercial Coach -- A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Commercial Corner Development -- A commercial or multi-family residential use on a C zoned corner lot, whose lot line adjoins, or is separated only by an alley, or is located across the street from any portion of a lot zoned RA or R or improved with a single-family residential use, unless that use is in the M Zones. *(Amended by Ord. No. 170,752, Eff. 12/10/95.)*

Commission -- Shall mean the "City Planning Commission."

Community Apartment Project -- The same as defined by Section 11004 of the California Business and Professions Code. *(Added by Ord. 151,432, Eff. 10/12/78.)*

Composting Facility -- Any facility which processes source-separated organic materials to a stabilized state through controlled biological decomposition where the resultant material is beneficial to plant growth or soil structure when used as a soil amendment. Materials may initially be chipped, shredded, and/or screened on site prior to being composted. Composting may be conducted in an in-vessel system or in the open, such as windrow composting or aerated static pile composting. This definition shall not include any composting of green waste and/or wood waste conducted for noncommercial, nonprofit purpose. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Condominium -- The same as defined by Section 783 of the California Civil Code. *(Added by Ord. No. 151,432, Eff. 10/12/78.)*

Conversion Project, Commercial/Industrial -- An existing building used exclusively for commercial or industrial purposes, or both, proposed for conversion to a condominium or stock cooperative to be used exclusively for such purposes through approval of a tract or parcel map. For purposes of this definition, the term "existing" means that the building was constructed prior to 1945, or if it was built after 1945, a certificate of occupancy was issued for the building prior to the time of map application. *(Added by Ord. No. 154,960, Eff. 4/2/81.)*

Conversion Project, Commercial/Industrial to Residential -- An existing building used exclusively for commercial or industrial purposes, or both, proposed for conversion to a condominium, stock cooperative or community apartment to be used exclusively for residential purposes through approval of a tract or parcel map. For purposes of this definition, the term "existing" means that the building was constructed prior to 1945 or, if it was built after 1945, a certificate of occupancy was issued for the building prior to the time of map application. *(Added by Ord. No. 154,960, Eff. 4/3/81.)*

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Conversion Project, Residential -- An existing apartment house, apartment hotel, hotel, multiple dwelling or group dwelling used exclusively for residential purposes proposed for conversion to a condominium, stock cooperative or community apartment project to be used exclusively for residential purposes through approval of a tract or parcel map. For purposes of this definition, the term "existing" means that the building was constructed prior to 1945 or, if it was built after 1945, a certificate of occupancy has been issued for the building prior to the time of map application. *(Added by Ord. No. 154,960, Eff. 4/3/81.)*

Conversion Project, Residential to Commercial/Industrial -- An existing apartment house, apartment hotel, hotel, multiple of dwelling or group dwelling used exclusively for residential purposes proposed for conversion to a condominium or stock cooperative which is to be used exclusively for commercial or industrial purposes through approval of a tract or parcel map. For purposes of this definition, the term "existing" means that the building was constructed prior to 1945 or, if it was built after 1945, a certificate of occupancy was issued for the building prior to the time of map application. *(Added by Ord. No. 154,960, Eff. 4/3/81.)*

Corporate Headquarters or Regional Home Office -- The main administrative center or centers of one or more enterprises whose day-to-day functions is the retrieval and/or dissemination of information to a subsidiary and/or client business in and outside the City's jurisdiction, through the means of electronic or data processing. *(Added by Ord. No. 169,366, Eff. 3/31/94.)*

Counseling and Referral Facility -- A neighborhood facility which provides counseling services and subsequently refers applicants to appropriate licensed social service agencies offering professional remedial assistance. Counseling and referral services may be offered in one or more of the following areas: welfare, housing, employment, health, education, legal matters, job development, consumer action, recreation, family problems, juvenile problems, probation and neighborhood improvement. Tutoring and legal aid shall be permitted as an accessory use only.

The facility may also administer the implementation of government funded programs established to provide low-income housing, job development classes and recreation.

The facility shall:

(a) permit no more than five employees; and,

(b) where located in a residentially developed area, maintain the residential character of the exterior of the building. *(Added by Ord. No. 149,517, Eff. 5/26/77.)*

Curb Level -- The level of the established curb in front of the building measured at the center of such front. Where no curb level has been established, the City Engineer shall establish such curb level or its equivalent for the purpose of this article.

Curing Facility -- Any composting facility, as defined by this Code, where additional and/or final biological stabilization is attained after most of the readily metabolized material has been decomposed, and where no chipping, grinding, or screening of material takes place. This definition shall not include any curing

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of green waste and/or wood waste conducted for noncommercial, nonprofit purpose. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Dance Hall -- Any place where public dances are held or conducted, other than when incidental to the operation of a hotel, apartment hotel, banquet room, catering hall, church, school or lodge. *(Added by Ord. No. 155,718, Eff. 8/6/81.) (Amended by Ord. No. 169,990, Eff. 9/15/94.)*

Dance Hall, Hostess -- Any dance hall or place conducting public dances where partners are provided for dancing or social contacts by those conducting, managing, maintaining or operating such public dances for patrons or guests and for which such patrons or guests pay a fee or other consideration. *(Added by Ord. No. 155,718, Eff. 8/6/81.)*

Dance, Public -- A gathering of persons in or upon any premises where dancing is participated in and to which premises the public is admitted. *(Added by Ord. No. 155,718, Eff. 8/6/81.)*

Day Care Facility -- Same as Child Care Facility. *(Amended Ord. No. 145,474, Eff. 3/2/74.)*

Day-Care Home -- As defined in Subsection a of Section 1596.78 of the California Health and Safety Code, a one-family dwelling, licensed in accordance with the provisions of the California Health and Safety Code, which regularly provides care, protection and supervision for fourteen or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away. *(Added by Ord. No. 165,477, Eff. 2/26/90.) (Amended by Ord. No. 171,514, Eff. 3/21/97.)*

Day-Care Home, Large Family -- As defined in Subsection b of Section 1596.78 and Section 1597.465 of the California Health and Safety Code, a home licensed in accordance with the provisions of the California Health and Safety Code, which provides family day-care for seven to fourteen children, inclusive, including children who reside at the home, in the provider's own home, for periods of less than 24 hours per day. *(Added by Ord. No. 165,477, Eff. 2/2/90.) (Amended by Ord. No. 171,514, Eff. 3/21/97.)*

Day-Care Home, Small Family -- As defined in Subsection c of Section 1596.78 and Section 1597.44 of the California Health and Safety Code, a home licensed in accordance with the provisions of the California Health and Safety Code which provides family day-care for eight or fewer children, inclusive, including children who reside at the home, in the provider's own home, for periods of less than 24 hours per day. *(Added by Ord. No. 165,477, Eff. 2/26/90.) (Amended by Ord. No. 171,514, Eff. 3/21/97.)*

Destroyed -- Damaged so as to not be habitable as determined by the Department of Building and Safety. *(Added by Ord. No. 153,144, Eff. 12/28/79.)*

Dining Area -- A recess from a room or an alcove adjoining and interconnected with the kitchen by a door or opening. *(Added by Ord. No. 146,421, Eff. 9/14/74.)*

Disaster -- Fire, flood, wind, earthquake or other calamity, act of God or the public enemy. *(Added by Ord. No. 153,144, Eff. 12/28/79.)*

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Dormitory -- A guest room designed, intended or occupied as sleeping quarters by more than two persons. Every 100 square feet of superficial floor area in a dormitory shall be considered as a separate guest room. *(Added by Ord. No. 107,884, Eff. 9/23/56.)*

Drive-Through Fast-food Establishment -- Any establishment which dispenses food for consumption on or off the premises to an individual in a vehicle. *(Added by Ord. No. 167,201, Eff. 9/29/91.)*

Dwelling -- Any residential building, other than an Apartment House, Hotel or Apartment Hotel. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Dwelling, Group -- Two or more one-family, two-family or multiple dwellings, apartment houses or boarding or rooming houses, located on the same lot. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Dwelling, Multiple -- A dwelling containing two dwelling units and not more than five guest rooms. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Dwelling, One Family -- A detached dwelling containing only one dwelling unit. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Dwelling, Two Family -- A dwelling containing two dwelling units. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Dwelling Unit -- A group of two or more rooms, one of which is a kitchen, designed for occupancy by one family for living and sleeping purposes. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Dwelling Unit, Low Income -- A dwelling unit at a rental or at a sales price which is eligible for subsidy under any public program to assist the occupancy of housing by households of low income who meet the current eligibility standards for low-rent public housing established by the Housing Authority.

Dwelling Unit, Moderate Income -- A dwelling unit at a rental or at a sales price eligible for subsidy under any public program to assist the occupancy of housing by persons or households of lower income who meet the current eligibility standards for such households established for the City of Los Angeles from time to time by HUD and as certified to the Housing Director. *(Added by Ord. No. 145,927, Eff. 6/3/74.)*

Educational Institutions -- Colleges or universities supported wholly or in part by public funds and other colleges or universities giving general academic instruction, as prescribed by the State Board of Education.

Efficiency Dwelling Unit -- A room located within an apartment house or apartment hotel used or intended to be used for residential purposes which has a kitchen and living and sleeping quarters combined therein, and which complies with the requirements of Section 91.4930.2 of this Code. *(Added by Ord. No. 138,456, Eff. 5/30/69.)*

Equine -- Any horse, pony, donkey, burro or mule which is 12 months of age or older and is issued a current Equine License by the City Department of Animal Regulation. An animal which is under 12 months of age and is the offspring of or is unweaned and being nursed by a female equine lawfully kept on the property where said animal is kept shall not be considered an equine

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and shall be allowed by right on said property. *(Added by Ord. No. 157,144, Eff. 11/23/82.) (Amended by Ord. No. 171,514, Eff. 3/21/97.)*

Equine Enclosure -- Any structure or fence which establishes the perimeter of an equine keeping and maintenance area. *(Added by Ord. No. 157,144, Eff. 11/23/82.)*

Factory-Built Home -- A residential building, dwelling unit, or individual dwelling room or combination of rooms, or building component, assembly, or system manufactured in such a manner that all concealed parts or processes

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of manufacture cannot be inspected before installation at the building site without disassembly or damage or destruction to the part. This home shall comply with all applicable provisions of the California State Factory-Built Housing Law. The term "factory-built home" shall not include a mobilehome, mobile accessory building or structure, recreational vehicle, or commercial coach. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Family -- An individual or two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit, except that there may be up to four foster children 16 years of age or under where the total number of persons living in a dwelling unit does not exceed eight and providing the keeping of the foster children is licensed by the State of California as a full-time foster care home. *(Amended by Ord. No. 133,173, Eff. 11/12/66.)*

Floor Area -- Is that area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas. *(Added by Ord. No. 163,617, Eff. 6/21/88.)*

Foster Care Home -- A dwelling unit in which full-time care is provided for unrelated children, 16 years of age or under, as part of the family, when such use is licensed by the State of California or other agency designated by the State as a full-time foster home. Foster care children may be in addition to those permitted under the definition of "Family" contained in this section. *(Amended by Ord. No. 145,474, Eff. 3/2/74.)*

Frontage -- All property fronting on one side of a street between intersecting or intercepting streets, or between a street and right-of-way, waterway, end of dead-end street, or city boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

Garage, Private -- An accessory building or portion of a main building designed or used for the parking or storage of motor vehicles of the occupants of a residential use. *(Amended by Ord. No. 144,082, Eff. 12/11/72.)*

Garage, Public -- A building or portion of a building designed or used for the repairing, equipping or servicing of motor vehicles, or for the parking or storage of motor vehicles for remuneration, hire, sale or convenience of the occupants of the premises or the general public, but not including a private garage. *(Amended by Ord. No. 144,082, Eff. 12/11/72.)*

General Plan -- A General Plan is a comprehensive declaration of purposes, policies and programs for the development of the city, which includes, where applicable, diagrams, maps and text setting forth objectives, principles, standards and other features, and which has been adopted by the City Council. *(Added by Ord. No. 138,800, Eff. 6/24/69.)*

Grade (Adjacent Ground Elevation) -- is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

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This definition does not apply to any building or structure located within the boundaries of the Century City North or Century City South Specific Plans and which is subject to Section 12.21.2 of this Code. *(Amended by Ord. No. 160,657, Eff. 2/17/86, Oper. 6/17/86.)*

Green Wastes -- All yard trimmings and/or leaves, grass clippings, agricultural wastes and vegetative landscaping materials generated from the maintenance of yards, parks or other similar facilities. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Guest House -- A dwelling containing not more than five guest rooms or suites of rooms, but with no kitchen facilities. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Guest Room -- Any habitable room except a kitchen, designed or used for occupancy by one or more persons and not in a dwelling unit. *(Added by Ord. No. 107,884, Eff. 9/23/56.)*

Height of Building or Structure -- 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 for the purpose of raising the effective elevation of the finished grade for purposes of measuring the height of a building or structure. This definition does not apply to any building or structure located within the boundaries of the Century City North and Century City South Specific Plans and which is subject to Section 12.21.2 of this Code. *(Added by Ord. No. 160,657, Eff. 6/17/86, Oper. 6/17/86.)*

Highway-Major -- Any street designated as a major highway on the "Highways and Freeways Element of the General Plan." *(Amended by Ord. No. 141,821, Eff. 5/24/71.)*

Highway-Secondary -- Any street designated as a secondary highway on the "Highway and Freeways Element of the General Plan." *(Amended by Ord. No. 141,821, Eff. 5/24/71.)*

Hillside Area -- Any land designated as a Hillside Area on the Bureau of Engineering Basic Grid Map, Map. No. A-13372, excluding those areas specifically identified in maps entitled Hillside Ordinance Amended Exhibit A attached to Council File No. 91-1621. *(Added by Ord. No. 168,159, Eff. 9/14/92.) (Amended by Ord. No. 168,728, Eff. 5/29/93.)*

Historic Vehicle Collection -- One or more vehicles, as defined by Sections 5004(a)(1), (2), and (3) of the California Vehicle Code, special interest vehicles, as defined by Section 5051(b) of the California Vehicle Code, out-of-production vehicles of historical importance, as determined by the Zoning Administrator or parts cars, as defined in Section 5051(c) of the California Vehicle Code, which are collected, restored, or maintained for non-commercial hobby or historical purposes. *(Added by Ord. No. 161,931, Eff. 3/2/87.)*

Home Occupation -- An occupation carried on by the occupant or occupants of a dwelling as a secondary use in connection with the main use of the property, subject to the regulations of Section 12.05 A 16 of this Code. For dwelling units where a home occupation is conducted, the home occupation shall be considered a residential use for zoning purposes. *(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)*

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Hostel -- A one-family dwelling, boarding or rooming house, dormitory, apartment hotel or apartment house which is advertised as a hostel or which is listed with any recognized national or international hostel organization. *(Added by Ord. No. 167,689, Eff. 5/8/92.)*

Hotel -- A residential building designed or used for or containing six or more guest rooms or suites of rooms, which may also contain not more than one dwelling unit, but not including any institution in which human beings are housed or detained under legal restraint. *(Amended by Ord. No. 138,685, Eff. 7/10/69.)*

Household, Low Income -- A household which meets the current eligibility standards for low-rent public housing established by the Housing Authority. *(Added by Ord. No. 145,927, Eff. 6/3/74.)*

Household, Moderate Income -- A household which meets the current eligibility standards for such households established for the City of Los Angeles from time to time by HUD and as certified to the Housing Director. *(Added by Ord. No. 145,927, Eff. 6/3/74.)*

Household Moving Rental Truck -- Any motor vehicle which is displayed, stored or offered for rental without a driver, used and maintained solely for the transportation of property, primarily used for the do-it-yourself movement of personal or household goods by private individuals on a short-term basis, having only two axles, and equipped with a body of no more than 22 feet in length measured at the vehicle chassis, no more than 12 feet in height measured from the surface upon which the involved truck rests. Such vehicle may exceed 5,600 pounds in registered net weight. *(Amended by Ord. No. 151,717, Eff. 1/12/79.)*

Housing Authority -- The Housing Authority of the City of Los Angeles. *(Added by Ord. No. 145,927, Eff. 6/3/74.)*

Housing Development -- The construction, pursuant to a building permit, of or the proposed conversion to condominium ownership pursuant to a final subdivision tract map submitted for approval, of any apartment house, apartment motel, multiple dwelling or group dwelling residential condominium development or cooperative apartment home having five or more dwelling units. *(Added by Ord. No. 145,927, Eff. 6/3/74.)*

Housing Director -- The Executive Director of the Housing Authority. *(Added by Ord. No. 145,927, Eff. 6/3/74.)*

In-Vessel Composting -- A process in which compostable material is enclosed in a drum, silo or similar structure where the environmental conditions are controlled and the compostable material is aerated and mechanically agitated. This process allows for accelerated decomposition. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Junk Yard -- Any property or place where the business of a junk dealer, as defined by either Section 21601 of the California Business and Professions Code or Section 103.305 of the Los Angeles Municipal Code, is conducted -- other than wholly within an enclosed building. In addition, a junk yard shall include property used for the storage of impounded, abandoned, partially dismantled, obsolete or wrecked automobiles -- other than wholly within an enclosed building. Junk Yard does not include an Historic Vehicle Collection

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when maintained as an Accessory Use as defined by Section 12.03 of the Municipal Code, or Scrap Metal Processing Yard as defined in the Municipal Code. *(Amended by Ord. No. 161,931, Eff. 3/2/87.)*

Kennel -- Any lot or premises on which four or more dogs, at least four months of age, are kept.

A municipality may lawfully regulate the number of dogs that may be kept and may also prescribe on age limit.

Miller vs. City of Arcadia (1932), 121 Cal. App. 660.

Kitchen -- Any room or any portion of a dwelling unit, whether an enclosing subdivision thereof or otherwise, used or intended or designed to be used for cooking and preparing food, except a light housekeeping room or that portion of a recreation room in a multiple residential use, or in an accessory building appurtenant thereto, containing facilities for the cooking and preparation of food. *(Amended by Ord. No. 140,191, Eff. 5/15/70, Oper. 10/12/70.)*

Leachates -- Any liquid which has come into contact with or percolated through composting or curing materials and contains extracted or dissolved substances therefrom, or any other liquid which has been generated by the decomposition process. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Light Housekeeping Room -- Any guest room which is designed and used both as a bedroom and for the cooking and preparing of food, in conformance with the provisions of Section 91.4930.1 of Article 1, Chapter 9 of this Code. For the purpose of applying the lot area and automobile parking space requirements of the various zones, each light housekeeping room shall be considered as a separate guest room. *(Amended by Ord. No. 113,548, Eff. 6/10/59.)*

Loading Space -- An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

Lot -- A parcel of land occupied or to be occupied by a use, building or unit group of buildings and accessory buildings and uses, together with such yards, open spaces, lot width and lot area as are required by this chapter, and fronting for a distance of at least 20 feet upon a street as defined herein, or upon a private street as defined in Article 8 of this chapter. The width of an access-strip portion of a lot shall not be less than 20 feet at any point. In a residential planned development a lot for a townhouse need have only such street frontage or access as is provided on the approved plans for the development. *(Amended by Ord. No. 141,474, Eff. 2/27/71.)*

Lot-Air Space -- A division of the space above or below a lot (as defined in this section) with a finite width, length and upper and lower elevation occupied or to be occupied by a use, building or portion thereof, unit group of buildings or portions thereof, and accessory buildings or portions thereof or accessory uses. An air space lot shall be identified on a final map or a parcel map recorded in the office of the County Recorder with a separate and distinct number or letter.

An air space lot shall have such access to a street (as defined in this section) or private street (as defined in Article 8 of this chapter) by means of one or

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more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer. *(Added by Ord. No. 156,681, Eff. 6/20/82.)*

Lot, Flag -- A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip not less than 20 feet in width at any point connecting the main building site area to the frontage street. *(Added by Ord. No. 137,956, Eff. 3/2/69.)*

Lot Line, Front -- In the case of an interior lot, a line separating the lot from the street or place; and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street, except in those cases where the latest tract deed restrictions specify another line as the front lot line.

Lot Line, Rear -- A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular or gore-shaped lot, a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot Line, Side -- Any lot boundary line not a front lot line nor a rear lot line.

Lot Width -- The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Lot Depth -- The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Lot Area -- The total horizontal area within the lot lines of a lot.

Lot, Corner -- A lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.

Lot, Reversed Corner -- A corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

Lot, Interior -- A lot other than a corner lot.

Lot, Key -- The first interior lot to the rear of a reversed corner lot and not separated therefrom by an alley.

Lot, Through -- A lot having frontage on two parallel or approximately parallel streets, but not including those lots having frontage on a street and frontage on a navigable public canal or waterway parallel or approximately parallel to said street. *(Amended by Ord. No. 138,095, Eff. 4/19/69.)*

Lot, Transitional -- The first 100 feet of a lot in an RA or R Zone having a side line adjoining or separated only by an alley from a lot in a C or M Zone. *(Added by Ord. No. 111,049, Eff. 5/3/58.)*

Lot, Vacant -- A lot on which no building, temporary or permanent, is erected. *(Added by Ord. No. 153,361, Eff. 3/2/80.)*

Low to Moderate Cost Housing -- Housing for which the rent does not exceed the current Fair Market Rent for Existing Housing standards applicable to Los Angeles City as established for Section 8 and 23 Housing Assistant Payments Programs by the United States Department of Housing and Urban Development. *(Added by Ord. No. 151,432, Eff. 10/12/78.)*

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Major Remodel, Hillside -- Any remodelling of a main building on a lot in the Hillside Area whenever the aggregate value of all alterations within a one-year period exceeds 50 percent of the replacement cost of the main building. *(Added by Ord. No. 168,159, Eff. 9/14/92.)*

Manufactured Home -- The term "manufactured home" shall include a factory-built home and mobilehome but shall not include a recreational vehicle, or commercial coach. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Mini-Shopping Center -- A building or group of buildings located on a lot or lots which lot or lots have all of the following characteristics: (1) Size: contains less than 65,000 square feet of area before any dedications required in connection with the building permit or other permits for the Mini-Shopping Center; (2) Use: used for more than one retail establishment, such as a store, shop, business, service or facility; (3) Zoning: located in the C, M1, M2 or M3 Zones; and (4) Improvements: lot or lots improved with a structure or structures which do not exceed a height of three stories. This definition shall not include the following:

An automobile service station, including service bay areas, where accessory food sales do not exceed 600 square feet of floor area and other accessory uses do not exceed 500 square feet of floor area; or

Commercial buildings composed exclusively of general business or professional offices, including those of a real estate of stock broker, or an insurance or building and loan company, and accessory parking.

For purposes of this definition, a Mini-Shopping Center can be located on more than one lot only if the lots are adjacent, not divided by a public street, have a common parking area, and one or more buildings are erected or are proposed to be erected upon such lots. *(Added by Ord. No. 164,201, Eff. 1/10/89.) (Amended by Ord. No. 170,752, Eff. 12/10/95.)*

Minor Emergency Repairs -- Those repairs to a currently State licensed motor vehicle owned by the occupants of the property which do not require the complete immobilization of the vehicle in excess of 24 hours duration or does not require the removal of the engine, transmission, rear end or more than one wheel. Minor emergency repairs does not include body and fender work. *(Added by Ord. No. 137,210, Eff. 10/12/68.)*

Mobile Medical Facility -- A vehicle, or portable structure transported by a vehicle, easily transportable in one or more sections, which is used to provide primarily diagnostic or preventive medical services on a temporary basis in any one location. *(Added by Ord. No. 166,045, Eff. 8/17/90.)*

Mobilehome -- When used in Sections 12.08.1, 12.09.3, and 12.24 of this Code, this term shall mean a structure transportable in one or more sections, designed and equipped to be used as a dwelling unit or accessory to a dwelling unit. This structure shall comply with all applicable provisions of the California State Mobilehomes-Manufactured Housing Act. The term "mobilehome" shall not include a factory-built home, recreational vehicle, or commercial coach. *(Amended by Ord. No. 164,904, Eff. 7/7/89.)*

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Mobilehome Park -- When used in Sections 12.09.3, 12.24, and 17.50 of this Code, this term shall mean any lot or portion of a lot used to provide rental or lease sites for two or more individual mobilehomes or trailers used as one-family dwellings. *(Amended by Ord. No. 164,904, Eff. 7/7/89.)*

Mobilehome Site -- When used in Section 12.24 of this Code, this term shall mean that portion of a mobilehome park set aside and designated for the occupancy of a mobilehome or trailer and including the area set aside or used for parking and buildings or structures such as awnings, cabanas or ramadas which are accessory to the mobilehome or trailer. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Model Dwelling -- A one-family residential unit which:

1. Is being constructed or maintained within the boundaries of the Council-approved Community Redevelopment Agency Project area; or
2. Is not being constructed or maintained within the boundaries of a Council-approved Community Redevelopment Agency project area, but has all the following characteristics:

(a) Said unit is constructed upon a proposed lot or in a proposed building previously designated as a model dwelling site by the Advisory Agency as a subdivision or a multiple unit development for which the Advisory Agency has approved or conditionally approved a tentative tract map, for which a final map has not yet been recorded.

(b) The proposed lot upon which the unit is constructed is recognized as a legal building site for the duration of the model dwelling permit.

(c) No certificate of occupancy for such unit has been issued by the Superintendent of Building.

(d) Where applicable, temporary access thereto is permitted over future streets previously restricted to public access.

(e) Said unit is intended to be temporarily utilized as an example of the dwellings which have been built or which are proposed to be built in the same subdivision or multiple-unit development. *(Amended by Ord. No. 154,583, Eff. 12/5/80.)*

Mulch -- A woody vegetative material used as a nonnutritive ground cover to control erosion, improve water retention and retard weed growth. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Mulching Facility -- Any facility which receives, temporarily stores and processes primarily source-separated carbonaceous wood waste and/or yard trimmings into a mulch. Examples of such materials include clean wood waste, tree and shrub trimming, leaves and other high carbon, low nitrogen material which decompose at a slow rate and have little leachate or odor-causing potential. Processing of such materials is achieved by chipping and screening to attain a uniform particle size and may include limited aging of the material to achieve a desired appearance. This definition shall not include any mulching of green waste and/or wood waste conducted for noncommercial, nonprofit purpose. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

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Nature Preserve -- An area in its natural state which serves as a habitat for flora and/or fauna indigenous to the area, or as a corridor linking such habitats, including but not limited to a bird sanctuary, and which is designated as a nature preserve on the applicable community or district plan by footnote or other means, and where permitted uses are only incidental to the preservation and enhancement of the preserve. *(Added by Ord. No. 166,168, Eff. 10/4/90.)*

Nonconforming Building -- A building, structure or portion thereof, which does not conform to the regulations of this chapter and which lawfully existed at the time the regulations, with which it does not conform, became effective.

Nonconforming Lot -- A lot whose width, area or other dimension does not conform to the regulations of this chapter and which lawfully existed at the time the regulations with which it does not conform became effective. *(Added by Ord. No. 127,777, Eff. 8/1/64.)*

Nonconforming Use -- A use of a building or land which does not conform to the regulations of this chapter and which lawfully existed at the time the regulations, with which it does not conform, became effective.

Outdoor Eating Area -- When used in Sections 12.12.2, 12.13, 12.14, 12.21.1 and 12.24, this term shall refer to a covered or uncovered portion of a ground floor restaurant which is not completely enclosed within the building; is used primarily for the consumption of food and/or drinks by the patrons of the restaurant; and is not larger than 50 percent of the dining area of the ground floor restaurant. A "ground floor" restaurant refers to any restaurant with an average finished floor elevation either below or not more than three feet above natural grade as measured from any point along the exterior building wall closest to the restaurant. *(Added by Ord. No. 165,403, Eff. 2/17/90.)*

Parallel Parking Stall -- A parking stall having its length parallel with its access aisle. *(Added by Ord. No. 142,306, Oper. 2/9/72.)*

Parking Area, Private -- An open area located on the same lot with a dwelling, apartment house, hotel, or apartment hotel, for the parking of automobiles of the occupants of such buildings. *(Amended by Ord. No. 138,859, Eff. 8/21/69.)*

Parking Area, Public -- An open area, other than a street or a private parking area, used for the parking of more than four automobiles.

Parking Bay -- The width of two rows of parking stalls and the aisle between, or on a single-loaded aisle with width of one row of parking stalls and the access aisle. *(Added by Ord. No. 142,306, Eff. 2/9/72.)*

Parking Building -- Any garage designed and used primarily for parking of automobiles. *(Amended by Ord. No. 144,082, Eff. 12/11/72.)*

Parking Space, Automobile -- Space within a building or a private or public parking area, exclusive of driveways, ramps, columns, office and work areas, for the parking of one automobile.

Parking Stall -- Same as Parking Space, Automobile. *(Added by Ord. No. 142,306, Oper. 2/9/72.)*

Philanthropic Institution -- A nonprofit, charitable institution devoted to the housing, training or care of children, or of aged, indigent, handicapped or underprivileged persons, but not including the following: office buildings, except

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as an accessory to and located on the same lot with an institutional activity, as listed above; hospitals, clinics or sanitariums, correctional institutions; institutions or homes for the insane or those of unsound mind; lodging houses or dormitories providing temporary quarters for transient unemployed persons; organizations devoted to collecting and salvaging new or used materials; or organizations devoted principally to distributing food, clothing or supplies on a charitable basis.

Pool -- Any constructed pool used for swimming, bathing or wading or as a fishpond or similar use. *(Added by Ord. No. 109,714, Eff. 8/26/57.)*

Principal Use -- The main permitted use of land or structures as distinguished from an accessory use. *(Added by Ord. No. 152,467, Eff. 7/13/79.)*

Recreation Room -- A room, contained in either a main building or an accessory building, designed to be utilized primarily for games, the pursuit of hobbies, social gatherings, and such activities. Such a room may contain such plumbing fixtures as are utilized in a bar or for hobby activities. Such a room in a single-family or two-family dwelling, or in an accessory building appurtenant to a single-family or two-family dwelling, may not include facilities for the cooking and preparation of food. However, in a multiple residential use or in an accessory building appurtenant thereto, a recreation room which is for the common use of all the dwelling units therein, may contain facilities for the cooking and preparation of food. *(Added by Ord. No. 138,685, Eff. 7/10/69.)*

Recreational Vehicle -- A portable vehicle mounted on wheels, with or without motive power, and primarily designed and constructed to provide human habitation for recreational, camping, travel or emergency purposes. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Recreational Vehicle Park -- Any lot or portion of a lot permitted by conditional use to provide rental or lease sites for individual recreational vehicles which are occupied for temporary purposes. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Recyclable Materials -- Items or materials to be recycled or reused, including but not limited to yard waste, paper, plastic, glass, metal, newspaper, and cardboard. *(Added by Ord. No. 171,687, Eff. 8/19/97.)*

Recycling Area or Room -- An outdoor space or a room within a building which is designated for the collection of Recyclable Materials generated by the use(s) occupying only that site, is approved by the Fire Department and the Department of Building and Safety, and has the space to accommodate Recycling Receptacles. *(Added by Ord. No. 171,687, Eff. 8/19/97.)*

Recycling Center, Mobile -- A receptacle, usually a trailer, for the collection of recyclable materials that is drawn by motor power and bears a valid state license. *(Added by Ord. No. 158,503, Eff. 1/1/84.)*

Recycling Center Operator or Junk Dealer -- A person having a fixed place of business in the City and engaging in, conducting, managing or carrying on the business of buying, selling or otherwise charging or re-selling for reuse, materials approved for collection at an approved Recycling Center or Buyback Center, Recycling Materials Processing Facility, Recycling Materials Sorting Facility or Junk Yard as defined by this Code. *(Added by Ord. No. 158,503, Eff. 1/1/84.) (Amended by Ord. No. 171,687, Eff. 8/19/97.)*

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Recycling Center or Site -- *(Repealed by Ord. No. 171,687, Eff. 8/19/97.)*

Recycling Collection or Buyback Center -- A facility where Recyclable Materials are deposited or redeemed for monetary value, and which may include baling or crushing operations for the purposes of efficiency of storage and transfer (volume reduction), but shall not include sorting or processing activities for other than temporary storage purposes. *(Added by Ord. No. 171,687, Eff. 8/19/97.)*

Recycling Materials Processing Facility -- A facility which accepts Recyclable Materials for sorting and processing on the site. For the purpose of this definition, processing shall mean the process of changing the physical characteristics of a Recyclable Material, including the shredding, smelting, grinding and crushing of cans, bottles, and other materials, for other than temporary storage purposes. *(Added by Ord. No. 171,687, Eff. 8/19/97.)*

Recycling Materials Sorting Facility -- A facility which accepts commingled or source-separated Recyclable Materials of various types, which are separated on the site using a manual or automated system. For the purpose of this definition, source-separated Recyclable Materials are those which are separated from the waste stream at their point of generation for the purpose of recycling. This may include baling or crushing operations for the purposes of efficiency of storage and transfer (volume reduction), but shall not include processing activities for other than temporary storage purposes. *(Added by Ord. No. 171,687, Eff. 8/19/97.)*

Recycling Receptacle -- A container which is suitable for the collection of Recyclable Materials. Containers shall be covered, durable, waterproof, rustproof, and of incombustible construction, and shall provide protection against the environment or be in completely enclosed indoor recycling areas. Containers must be clearly labeled to indicate the type of material to be deposited. *(Added by Ord. No. 171,687, Eff. 8/19/97.)*

Registered Net Weight -- Registered net weight of a commercial vehicle is the unladen weight, as that term is defined by State Vehicle Code Section 660 and evidenced on the registration card kept within a commercial vehicle pursuant to State Vehicle Code Section 4454 or 4455 as the registration weight of a commercial vehicle pursuant to State Vehicle Code Section 9400. *(Added by Ord. No. 148,857, Eff. 10/30/76.)*

Rentable Floor Area -- The floor area in a building, exclusive of corridors, stairs, elevator shafts, lavatories, flues and janitors' storage closets.

Residential Building -- A building or portion thereof designed or used for human habitation. *(Added by Ord. No. 107,884, Eff. 9/23/56.)*

Residential Planned Development -- A group of residential buildings and appurtenant structures located and arranged in accordance with the requirements of the RPD Residential Planned Development District (Sec. 13.04) in which the property is located. A residential planned development may include schools. It may also include churches, hospitals, infirmaries, recreational and commercial uses, as an integral part of the development and intended for use by its occupants, to an extent commensurate with the planned population of the RPD district. *(Added by Ord. No. 141,474, Eff. 2/27/71.)*

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For the purpose of applying the automobile parking space requirements of this article, any kitchen as defined herein shall be considered a habitable room and, if it is a part of a room designed for other than food preparation or eating purposes, such remaining portion shall also be considered a separate habitable room.

For the purpose of applying the lot area requirements of this article, a kitchen less than 100 square feet of room area from wall to wall shall not be considered a habitable room. *(Added by Ord. No. 146,421, Eff. 9/14/74.)*

For the purpose of applying the open space requirements of Section 12.21 G, a kitchen as defined herein shall not be considered a habitable room. *(Added by Ord. No. 171,753, Eff. 11/16/97.)*

Schools, Elementary and High -- An institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California. High schools include Junior and Senior.

Scrap Metal Processing Yard -- Any establishment or place of business which is maintained, used or operated solely for the processing and preparing of scrap metals for remelting by steel mills and foundries. *(Added by Ord. No. 145,040, Eff. 10/15/73.)*

Servants Quarters -- An accessory building located on the same premises with the main building, used solely as the dwelling of persons employed on the premises; such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling unit. *(Added by Ord. No. 107,884, Eff. 9/23/56.)*

Shelter for the Homeless -- A residential facility operated by a "provider," other than a "community care facility" as defined in California Health and Safety Code Section 1502, which provides temporary accommodations to homeless persons and/or families and which meets the standards for shelters contained in Title 25, California Administrative Code, Part 1, Chapter F, Subchapter 12, Section 7972. The term "temporary accommodations" means that a homeless person or family will be allowed to reside at the shelter for a time period not to exceed six months. For the purpose of this definition, a "provider" shall mean a government agency or private nonprofit organization which provides, or contracts with recognized community organizations to provide emergency or temporary shelter for the homeless, and which has been certified by the Community Development Department of the City of Los Angeles to meet all applicable requirements as such which are contained in the California Health and Safety Code and the California Administrative Code. *(Added by Ord. No. 161,426, Eff. 8/2/86.)*

Showcase Theater -- A theater which meets all of the following criteria: (1) seats 99 persons or less; (2) is nonprofit and tax exempt; (3) provides live entertainment; and (4) employs fewer than five persons (exclusive of performers). *(Added by Ord. No. 148,910, Eff. 11/17/76.)*

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Specific Plan -- Specific Plan is a definite statement adopted by ordinance of policies, standards and regulations, together with a map or description defining the location where such policies, standards and regulations are applicable. *(Added by Ord. No. 138,800, Eff. 6/14/69.)*

Stable, Private -- A detached accessory building which has a roof and may have one or more sides and is used in whole or in part for the housing or shelter of an equine or equines owned by the occupants of the premises and not kept for remuneration, hire or sale. *(Amended by Ord. No. 157,219, Eff. 12/3/82.)*

Stable, Public -- A stable other than a private stable.

Standard Hillside Limited Street -- A street (public or private) with a minimum width of 36 feet and paved to a minimum roadway width of 28 feet, as determined by the Bureau of Engineering. *(Added by Ord. No. 168,159, Eff. 9/14/92.) (Amended by Ord. No. 169,961, Eff. 8/28/94.)*

Stock Cooperative -- The same as defined by Section 11003.2 of the California Business and Professions Code. *(Added by Ord. 153,024, Eff. 1/10/79.)*

Story -- That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than 50% of the total perimeter, or is more than twelve feet above grade as defined herein at any point, such basement, cellar, or unused underfloor space shall be considered as a story. *(Amended by Ord. No. 131,309, Eff. 4/24/66.)*

Street -- Any public thoroughfare other than an alley or walk, except that in those cases where a subdivision has been recorded containing lots which abut only on an alley or walk, said alley or walk may be considered to be a street.

Street-Collector -- Any street designated as a collector street on an adopted community plan element of the General Plan. *(Added by Ord. No. 150,799, Eff. 6/5/78.)*

Structure -- Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

Structural Alterations -- Any change which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

Substandard Hillside Limited Street -- A street which does not meet the minimum requirements of a Standard Hillside Limited Street as defined in Section 12.03. *(Added by Ord. No. 168,159, Eff. 9/14/92.) (Amended by Ord. No. 169,961, Eff. 8/28/94.)*

Suite -- A group of habitable rooms designed as a unit, and occupied by only one family, but not including a kitchen or other facilities for the preparation of food, with entrances and exits which are common to all rooms comprising the suite. *(Added by Ord. No. 138,685, Eff. 7/10/69.)*

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Temporary Geological Exploratory Core Hole -- A seismic test hole or exploratory core hole used or intended to be used exclusively for geophysical, geological and other exploratory testing for oil, natural gas or other hydrocarbon substances. *(Amended by Ord. No. 152,744, Eff. 9/10/79.)*

Tenant -- A person who rents, leases or sub-leases, through either a written or oral agreement, residential real property from another. *(Added by Ord. No. 151,432, Eff. 10/12/78.)*

Tennis or Paddle Tennis Court -- A game court designed for the purpose of playing tennis, paddle tennis or similar game, utilizing a concrete-slab or other conventionally accepted hard playing surface, an enclosing fence and frequently overhead lighting fixtures. *(Added by Ord. No. 151,466, Eff. 10/27/78.)*

Townhouse -- A dwelling unit, structurally separated from another dwelling unit or other dwelling units in a building containing two or more dwelling units, and complying with the provisions of Section 91.2305 (k) 2 of this Code, and which may be sold jointly with the lot upon which the dwelling unit is situated. Provided, however, that common roofing, flashing and siding are permitted so as to enclose the airspace resulting from said structural separation. *(Added by Ord. No. 141,474, Eff. 2/27/71.)*

Trailer or Automobile Trailer -- A vehicle without motive power, designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property; the terms "trailer" and "automobile trailer" shall not include a mobilehome. *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

Transient Occupancy Residential Structure -- A residential building designed or used for one or more dwelling units or a combination of three or more dwelling units and not more than five guest rooms or suites of rooms wherein occupancy, by any person by reason of concession, permit, right of access, license, or other agreement is for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. *(Added by Ord. No. 167,689, Eff. 5/8/92.)*

Underfloor Space -- A space between the ground and the floor directly above. *(Added by Ord. No. 109,714, Eff. 8/26/57.)*

Use -- The purpose for which land or a building is arranged, designed or intended or for which either land or a building is or may be occupied or maintained.

Utility Rental Trailer -- Any non-passenger-carrying, box-type open trailer or van designed to be towed by a passenger vehicle, not exceeding 3,500 pounds gross vehicle weight (GVW), and not exceeding 96 inches in total width, nor 72 inches in box width, nor 14 feet in box length. *(Added by Ord. No. 148,857, Eff. 10/30/76.)*

Vehicle, Commercial -- Any vehicle, excluding Household Moving Rental Trucks, and Utility Rental Trailers, which when operated upon a highway is required to be registered as a commercial vehicle by the Vehicle Code of the State of California or any other jurisdiction and which is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used or maintained primarily for the transportation of property. *(Amended by Ord. No. 148,857, Eff. 10/30/76.)*

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Windrow Composting -- The process in which compostable material is placed in elongated piles or windrows which are mechanically turned or aerated to encourage decomposition and to reduce odors. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Wood Wastes -- Any untreated and/or unpainted wood material such as pallets, plywood and other construction related scrap lumber, stumps and tree trimming. *(Added by Ord. No. 170,054, Eff. 11/12/94.)*

Yard -- An open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this article.

Yard, Front -- A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

Yard, Rear -- A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto on the lot. *(Amended by Ord. No. 121,925, Eff. 6/4/62.)*

Yard, Side -- A yard more than six inches in width between a main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

Zoning Administrator -- Shall mean the Chief Zoning Administrator or an Associate Zoning Administrator. *(Amended by Ord. No. 112,909, Eff. 3/19/59.)*

~~SEC. 12.04. ZONES, DISTRICTS, SYMBOLS.~~

A. ~~In order to regulate the use of property, as provided for in this Article, the City is hereby divided into 35 zones, to be known as: 1. OS Open Space Zone; 2. A1 Agricultural Zone; 3. A2 Agricultural Zone; 4. RA Suburban Zone; 5. RE Residential Estate Zone; 6. RS Suburban Zone; 7. R1 One-Family Zone; 8. RU Residential Urban Zone; 9. RZ Residential Zero Side Yard Zone; 10. RW1 One-Family Residential Waterways Zone; 11. R2 Two-Family Zone; 12. RD Restricted Density Multiple Dwelling Zone; 13. RMP Mobilehome Park Zone; 14. RW2 Two-Family Residential Waterways Zone; 15. R3 Multiple Dwelling Zone; 16. R4 Multiple Dwelling Zone; 17. R5 Multiple Dwelling Zone; 18. P Automobile Parking Zone; 19. PB Parking Building Zone; 20. CR Limited Commercial Zone; 21. C1 Limited Commercial Zone; 22. C1.5 Limited Commercial Zone; 23. C2 Commercial Zone; 24. C4 Commercial Zone; 25. CW Central City West Specific Plan Zone; 26. C5 Commercial Zone; 27. CM Commercial Manufacturing Zone; 28. CM(GM) Commercial Manufacturing (Glencoe/Maxella) Zone; 29. MR1 Restricted Industrial Zone; 30. CCS Century City South Studio Zone; 31. MR2 Restricted Light Industrial Zone; 32. M1 Limited Industrial Zone; 33. WC Warner Center Specific Plan Zone; 34. M2 Light Industrial Zone; 35. M3 Heavy Industrial Zone; 36. PF Public Facilities Zone; and 37. SL Ocean-Submerged Land Zone. The order of restrictiveness of zones for the purposes of this Article is set forth in Section 12.23 B 1 (c). *(Amended by Ord. No. 169,103, Eff. 11/21/93.)*~~

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APPENDIX C

Trip Calculations

APPENDIX C

LAND USE	VEHICLE TRIPS PER PEAK HOUR
Shopping Center (A group of architecturally combined commercial establishments built on a site which is planned, developed, and managed as a unit.)	
More than 300,000 sq. ft of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
200,000 to 300,000 sq. ft. of Gross Floor Area	4.8 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	5.5 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	6.9 per 1,000 sq. ft. of Gross Floor Area
Less than 50,000 sq. ft. of Gross Floor Area	7.9 per 1,000 sq. ft. of Gross Floor Area
Commercial establishments not in a Shopping Center:	
Automobiles Uses	
Car Wash	81.0 per car wash
Gas Station:	
without convenience store or car wash	14.6 per fueling position
with convenience store	13.4 per fueling position
with convenience store and car wash	13.2 per fueling position
Repair/Service sq. ft. of Gross Floor Area	3.4 per 1,000 sq. ft.
Banking Uses	
Walk-in Bank	17.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	43.6 per 1,000 sq. ft. of Gross Floor Area
Savings & Loan	5.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	6.8 per 1,000 sq. ft. of Gross Floor Area
Supermarket (larger than 5,000 sq. ft. of Gross Floor Area)	11.5 per 1,000 sq. ft. of Gross Floor Area

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Convenience Market (5,000 sq. ft. of Gross Floor Area or smaller)	
Open 24 hours/day	53.7 per 1,000 sq. ft. of Gross Floor Area
Open 15-16 hours/day	34.6 per 1,000 sq. ft. of Gross Floor Area
Wholesale Market	0.5 per 1,000 sq. ft. of Gross Floor Area
Movie Theater	0.15 per seat
Hospital	
General	1.2 per bed
Convalescent	0.2 per bed
Church	0.7 per 1,000 sq. ft. of Gross Floor Area
Synagogue	3.1 per 1,000 sq. ft. of Gross Floor Area
Storage (Household Goods)	0.3 per 1,000 sq. ft. of Gross storage area
Lodging	
Hotel	0.61 per guest room
Motel or Apartment Hotel	0.73 per guest room or dwelling unit
Offices	
Commercial Office	
under 25,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
25,000 to 50,000 sq. ft. of Gross Floor Area	3.2 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	2.2 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	1.6 per 1,000 sq. ft. of Gross Floor Area
over 200,000 sq. ft. of Gross Floor Area	1.5 per 1,000 sq. ft. of Gross Floor Area

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Government Office	3.6 per 1,000 sq. ft. of Gross Floor Area
Medical Office	3.7 per 1,000 sq. ft. of Gross Floor Area
Artist in Residence plus 5 trips per 1,000 sq. ft. of other than habitable floor area.	0.7 trips per dwelling unit,
Restaurants	
Low turnover (sit-down restaurant with no counter service)	7.5 per 1,000 sq. ft. of Gross Floor Area
High turnover (sit-down restaurant with counter service)	10.9 per 1,000 sq. ft. of Gross Floor Area
Fast food (high turnover restaurant with automobile service)	33.5 per 1,000 sq. ft. of Gross Floor Area
Fast food (without drive-through)	26.1 per 1,000 sq. ft. of Gross Floor Area
Other Commercial Specialty retail establishments	5.0 per 1,000 sq. ft. of Gross Floor Area
Warehouse	0.51 per 1,000 sq. ft. of Gross Floor Area
Manufacturing (transforming raw materials into finished products)	0.74 per 1,000 sq. ft. of Gross Floor Area
General industrial	0.98 per 1,000 sq. ft. of Gross Floor Area

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APPENDIX D

Correspondence

[illegible] approximately [illegible] letters received by Commission During City's hearings on proposed Venice [illegible]

July 6,1998

RECEIVED
JUL 14 1998
CALIFORNIA
COASTAL COMMISSION

City Planning Commission
Dept. of Building and Safety
210 N. Figueroa Street, South Tower
Ninth Floor, Room 900
Los Angeles, CA 90012

Dear Commissioners:

As resident of the the Marina Del Rey Peninsula, area of the City of Los Angeles, I am very disappointed in your recent decision to extend the Venice bike path into the Marina Peninsula, and to extend the Venice Board Walk, into the Marina Peninsula, and to add public restrooms in the Marina Peninsula and to add more shuttle bus routes into the Marina Peninsula.

I am specially disappointed that you have made this decision in direct opposition to the wishes expressed at the various open houses and meetings which were held for discussing the Local Access Plan for the Coastal Commission.

I am also disturbed at the fact that you mention that you gave us two weeks notice each time you had meetings, when many times, I found out through other members in the community and not directly from you.

I strongly object to your decision and hope that you will reconsider.

Sincerely,

Signature: R J Bryant
Name: Robert J. Bryant
Address: 24 Galleon St., Marina Peninsula, CA 90292
Phone: 310-578-1448

Dear Coastal Commission:
We need your help in preserving the Marina Peninsula.
Please help us to stop this blight upon our community.
Yours very truly,
R J Bryant

COASTAL COMMISSION
EXHIBIT # D
PAGE 1 OF

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FYI - Pam Emerson

July 13, 1998

City Planning Commission
Dept. of Building and Safety
210 N. Figueroa Street, South Tower
9th Floor, Room 900
Los Angeles, CA 90012

Dear Commissioners:

I have been a resident of the Marina Del Rey Peninsula for over seven years, and have enjoyed not only tranquil, beautiful surroundings but also a unique environment within Los Angeles, that has fostered a close, community spirit mostly due to the lack of commercial enterprise and active concern to protect the area.

I am shocked to say the least, and extremely alarmed with your recent decision to extend the Venice bike path, Board Walk, along with shuttle buses and public rest rooms into the Marina Peninsula. What are you guys thinking!!!

I am appalled that this decision has been made against the wishes expressed at many community open houses and meetings that have been held to discuss the Local Access Plan for the Coast Commission.

Shame on you, for utilizing backhanded ploys to prevent the Marina Peninsula community members from vocalizing concerns by not properly providing adequate advance notice of your meetings.

I strongly object to this decision and demand that you re-evaluate your plan to destroy the Marina Del Rey Peninsula.

Sincerely,

Madeline Di Nonno

Madeline Di Nonno
31 Spinnaker St. #16
Marina Del Rey, CA 90292

COASTAL COMMISSION
EXHIBIT # D
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20 IRONSIDES STREET, #18
MARINA DEL REY, CALIFORNIA 90292
(310)827-4319 FAX: (310)822-0940

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JUL 27 1998
CALIFORNIA
COASTAL COMMISSION

July 23, 1998

Re: Revised Preliminary Venice Coastal Program #98-0119 CPU, April 1998

Dear: Coastal Commission

I have lived at the Marina Peninsula for the past 20 years. My attraction to the Marina Peninsula has been its natural beauty, its serene, untouched character and its privacy.

The City of LA Department of Planning has proposed and passed a specific plan which includes the following; a continuation of the bike path to the jetty and the continuation of the walk path from Venice to the jetty. These changes will undoubtedly change the quality of my life and that of my neighbors. Also, these additional paths would create a safety hazard for the many people who visit and live near the marina beach. The high speed riders and skaters in this area would be a liability to all.

In addition, the beach front lots from Washington South to Via Marina are an Environmentally Sensitive Habitat. How is the construction of a cement bike path, plus the infusion of bikes, skates, noise, dogs, and trash supposed to preserve this pristine, tranquil, beach area.

The Marina Peninsula is the last unspoiled stretch of beach in all of Los Angeles. Please leave this area alone, undeveloped, and protect it the way nature intended it to be.

Sincerely,

Andrew J Freedman
Resident of Marina Peninsula

COASTAL COMMISSION

EXHIBIT # D
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