

**CALIFORNIA COASTAL COMMISSION**

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Staff: CP-LB  
Staff Report: 12/13/2000  
Hearing Date: January 11, 2001


**RECORD PACKET COPY****ITEM Th3a****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-00-440**APPLICANT:** MFC Properties, LLC (Michael F. Connell)**AGENT:** Robert MacKenzie, Alegre MacKenzie, LLC**PROJECT LOCATION:** 123 Via Marina (Lot 11, Block 17 Del Rey Beach Tract), Venice, City of Los Angeles, Los Angeles County.**PROJECT DESCRIPTION:** Construction of a four-level, 45-foot high, 4,928 square foot single family residence with an attached three-car garage and 6-foot high decorative wall on a vacant lot.

Lot Area	2,888 square feet
Building Coverage	1,820 square feet
Pavement Coverage	727 square feet
Landscape Coverage	341 square feet
Parking Spaces	3 On-site
Zoning	R1-1
Plan Designation	Single Family Residential (Low Medium Density)
Height from Street	45 feet

**LOCAL APPROVAL:** City of Los Angeles Planning Department, Project Permit Compliance, Case No. DIR2000-3910 (SPP), 10/30/00.**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to the maintenance of public areas, compliance with underlying permit requirements, maintenance of the landscaping on the proposed 6-foot high wall, and provision of adequate on-site parking. The applicant agrees with the staff recommendation.

**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit A-266-77 (ILA) & amendment.
2. Coastal Development Permit 5-87-112 (Del Rey Assoc.) & amendment.
3. Coastal Development Permit 5-86-641 (Lee) & amendments.
4. Coastal Development Permit 5-00-047 (Wilson).

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. Approval with Conditions**

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

**II. Standard Conditions**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**III. Special Conditions****1. Maintenance of Public Areas**

A) In order to maintain the public areas designated in the Silver Strand and Del Rey Beach tracts, the applicant and his successors in interest shall participate in the private homeowners association established under amended Coastal Development Permit A-266-77 (ILA) on a fair and equitable basis in the maintenance of all public areas and landscaping (including pedestrian malls, parking nodes, and the lagoon buffer and pathway) installed pursuant to Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee) and 5-87-112 (Del Rey Assoc.). The public areas shall be identified in the deed restriction as shown on the attached "Public Areas Exhibit - Del Rey/Silver Strand."

B) Prior to authorization of the coastal development permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

**2. Coastal Development Permit 5-87-112 (Del Rey Assoc.)**

Through the acceptance of this coastal development permit, the applicant acknowledges and agrees as follows:

A) The project site is subject to Coastal Development Permit 5-87-112 (Del Rey Assoc.) and that all must be consistent with Coastal Development Permit 5-87-112 (Del Rey Assoc.), and;

B) All public areas provided and improved pursuant to Coastal Development Permit 5-87-112 (Del Rey Assoc.), including Channel Pointe (Yawl) Mall, Westwind Mall, and the public streets and alleys, shall remain open and available for use by the general public on the same basis as similar public areas within the City.

**3. On-site Parking**

A) The applicant shall provide at least three off-street parking spaces on the project site. These parking spaces shall take access from the alleys (also called courts). The courts and street ends shall not be used as parking for the residence approved by this coastal development permit. This condition shall serve as notification that amended Coastal Development Permit A-266-77 (ILA) reserves parking on the street ends in the Silver Strand area for public parking, and that these public parking areas shall not be used for preferential parking. It also serves notice that the street and street ends adjacent to the project site shall not be reserved to any homeowner(s).

B) Prior to authorization of the coastal development permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

4. Wall Height and Landscaping Adjacent to Public Sidewalk

Through the acceptance of this coastal development permit, the applicant acknowledges and agrees as follows:

A) The maximum height of the wall proposed between the approved single family residence and the public sidewalk adjacent to Via Marina shall not exceed a height of six feet, as measured from the abutting Via Marina public sidewalk.

B) The landscaping within the planter area of the wall will be maintained in good growing conditions throughout the life of the project. New plant materials shall be installed whenever necessary.

C) Prior to any changes to the design features of the proposed wall, the applicant/property owner shall submit plans to the Executive Director to determine whether the proposed changes require an amendment to this coastal development permit.

5. Permit Compliance

All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

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

The Commission hereby finds and declares:

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

The applicant proposes to construct a four-level, 45 foot high, 4,928 square foot single family residence on a 2,888 square foot vacant lot in the interior of the Del Rey Beach Tract in Venice (Exhibit #2). The proposed residence provides three on-site parking spaces within a three-car garage accessed from the rear alley (Exhibit #3). A proposed 6-foot high decorative privacy wall, which faces the fronting street Via Marina, encloses the front yard.

The project site is situated within the Del Rey Beach Tract between Via Marina Court and Via Marina (Exhibit #2). Via Marina, the street which fronts the site, is the first public road inland of the Marina del Rey entrance channel. The Via Marina right-of-way provides direct vehicular and pedestrian access to the Marina del Rey, Ballona Lagoon and Venice Beach shorelines. Pedestrian access is available via sidewalks located along both sides of the street. The south side of Via Marina is also improved with 60 metered public parking spaces which face the waterway (marina entrance channel).

The proposed project is located within the area generally referred to as the "Silver Strand" area. The actual Silver Strand subdivision is located three blocks north of the site. The proposed residence is located about eighty feet inland of the Marina del Rey entrance channel and about two hundred feet east of Ballona Lagoon (Exhibit #2).

##### **B. Project Background**

The Silver Strand subdivision and the Del Rey Beach Tract share a long history before the Coastal Commission. Both subdivisions, referred to together as the Silver Strand area, are located along the east bank of Ballona Lagoon and have only recently been developed with single family residences (Exhibit #2). Although the subdivisions were created in the early 1900's, the development of the area did not commence until the late 1970's. Therefore, the Commission has reviewed and permitted the development of the subdivisions with single family residences.

The first Commission approval in the area occurred in 1977 when the Commission approved the "Silver Strand Permit" [Coastal Development Permit A-266-77 (ILA)], which was brought before the Commission on an appeal. Prior to the Commission's action on Coastal Development Permit A-266-77 (ILA) in 1977, the Commission and its predecessor denied several applications to improve the streets and supply utilities within portions of the Silver Strand subdivision and the Del Rey Beach Tract to make residential development possible. The previous projects were denied because of adverse impacts on traffic, recreation and wetland habitat.

The projects were proposed by a consortium comprised of the owners of the approximately three hundred undeveloped lots located on Blocks 7 through 18 of the Silver Strand subdivision and Blocks 13 through 15 of the Del Rey Beach Tract (Exhibit #2). Most of the lot owners were represented by the consortium, although the Gas Company which owned

several lots and a few other individual lot owners refused to join. The consortium was judged to have the legal ability to apply for a permit to grade the lots, improve the streets, and supply utilities within the Silver Strand area so that individual lot owners would eventually be able to build homes under separate permits.

The Commission's 1977 approval of Coastal Development Permit A-266-77 (ILA) permitted the consortium of applicants, organized as the Isthmus Landowners Association (ILA), to develop the infrastructure necessary for the development of single family homes on approximately three hundred lots located on Blocks 7 through 18 of the Silver Strand subdivision and Blocks 13 through 15 of the Del Rey Beach Tract (Exhibit #2).

The currently proposed project is located on a lot (Lot 11 of Block 17, Del Rey Beach Tract) which is outside of the project area of approved Coastal Development Permit A-266-77 (ILA) (Exhibit #2). The Commission's approval of Coastal Development Permit A-266-77 (ILA), however, is still relevant as it remains the basis for the development of the Silver Strand area under subsequent approvals.

Coastal Development Permit A-266-77 (ILA) was subject to conditions addressing lagoon protection, maintenance of public areas, public access, and public parking. In its approval of Coastal Development Permit A-266-77 (ILA), the Commission found that Ballona Lagoon, located adjacent to the Silver Strand and Del Rey Beach subdivisions and about two hundred feet west of the subject site, was critical habitat area and an important coastal resource. The Commission further found that residential development of the Silver Strand area would have major adverse cumulative impacts on the lagoon and that several measures were necessary to mitigate the adverse impacts of development.

One of the mitigation measures was the requirement for the dedication of an easement for a habitat protection and public access as part of a lagoon buffer to reduce the impacts of the residential development on the lagoon. The protective lagoon buffer area was to be restored according to the Ballona Lagoon Preserve Plan in order to improve the degraded habitat area.

Another mitigation measure was a condition of Coastal Development Permit A-266-77 (ILA) which required the owners of the lots subject to Coastal Development Permit A-266-77 (ILA) to establish a private homeowners association sufficient to maintain all public areas and landscaping approved and required by the permit. Because all of the owners of the lots subject to Coastal Development Permit A-266-77 (ILA) would benefit from the permitted tract improvements, the Commission required each lot owner to contribute to the maintenance of the improvements.

Coastal Development Permit A-266-77 (ILA) was amended in 1979 in response to litigation. The amended permit still allowed the ILA to develop the infrastructure necessary for the development of approximately three hundred lots with single family homes. As amended, Coastal Development Permit A-266-77 (ILA) required the permittee (ILA) to perform all grading in a single contract, to improve a public access path on the east bank of the lagoon, restore the lagoon buffer, to improve the streets and malls for public access and parking, and to establish a private homeowners association sufficient to maintain all public areas and landscaping including the lagoon buffer. A finding stated that the individual lagoon fronting lot owners would be required to dedicate an easement for a

habitat protection and public access as a condition of their individual permits for residences.

Since 1980, the approved grading has been completed, the public access path along Ballona Lagoon has been improved, and the permittee (ILA) established itself as the private homeowners association of the Isthmus Landowners Association (ILA) to maintain the lagoon buffer and other public areas.

The amendment of Coastal Development Permit A-266-77 (ILA) also required that the lot owners located in the area subject to the permit to contribute equally for the restoration and maintenance of the lagoon buffer. Because all of the owners of the lots subject to Coastal Development Permit A-266-77 (ILA) would benefit from the permitted tract improvements, including the lagoon buffer restoration, the Commission required each lot owner to contribute to the maintenance of the improvements. The Commission found that the development of the area with homes would have an impact on the lagoon and public access. The improvements would mitigate these impacts. Without the improvements, no lot could be developed. The lagoon buffer was landscaped in an effort to restore the habitat in the mid-1980's, but that effort was not successful.

The conditions of approval for Coastal Development Permit A-266-77 (ILA) provided the basis for the mitigating special conditions which have been routinely applied to all subsequent Coastal Development Permits in the area. This set of special conditions ensure that the Chapter 3 policies of the Coastal Act and the intent of Coastal Development Permit A-266-77 (ILA) is carried out as individual lots are developed.

The findings and special conditions of approval established through the Commission's approval of Coastal Development Permit A-266-77 (ILA) have become the standard by which subsequent permits in the area are reviewed in order to ensure consistency with the Chapter 3 policies of the Coastal Act. Using the standards set by its approval of Coastal Development Permit A-266-77 (ILA), the Commission approved permits for the development of two sets of lots in the southern portion of the Del Rey Beach tract which were not subject to Coastal Development Permit A-266-77 (ILA) (Exhibit #2). The currently proposed project is located in the area that is subject to one of those approvals: Coastal Development Permit 5-87-112 (Del Rey Assoc.)(Exhibit #2).

The Commission approved two permits, both modeled by Coastal Development Permit A-266-77 (ILA), for the development of the southern portion of the Del Rey Beach Tract which was not subject to Coastal Development Permit A-266-77 (ILA). Coastal Development Permit 5-86-641 (Lee) allowed the development of ten single family residences on ten lots situated along the east bank of Ballona Lagoon, and Coastal Development Permit 5-87-112 (Del Rey Assoc.) allowed the development of streets, utilities, and 36 lots with single family residences on a southern portion of the Del Rey Beach Tract (Exhibit #2). The currently proposed project is located on one of the 36 lots subject to Coastal Development Permit 5-87-112 (Del Rey Assoc.) (Exhibit #2).

#### Coastal Development Permit 5-87-112

The currently proposed project is located on one of the 36 lots that are subject to Coastal Development Permit 5-87-112 (Del Rey Assoc.) (Exhibit #2). The applicant's current

proposal is similar in size and design to the previously approved single family residences in the area.

The Commission approved Coastal Development Permit 5-87-112 (Del Rey Assoc.) in 1987 for the development of streets, utilities, and single family residences on Blocks 16 and 17 in the southern portion of the Del Rey Beach Tract. The 36 lots subject to Coastal Development Permit 5-87-112 (Del Rey Assoc.) are located near Ballona Lagoon, but not adjoining it (Exhibit #2). In its approval, the Commission found that residential development of this portion of the Del Rey Beach Tract, like the development approved under Coastal Development Permit A-266-77 (ILA), would have cumulative adverse impacts on the lagoon and mitigation measures were necessary to mitigate those cumulative adverse impacts of development.

One of the mitigation measures was a condition which required the permittee (Del Rey Assoc.) and all members of the Del Rey Association to join with the private homeowners association established under Coastal Development Permit A-266-77 (ILA) to participate equally in the maintenance of the public areas and landscaping (including malls, parking nodes, lagoon buffer and path) approved and required by the Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee), and 5-87-112 (Del Rey Assoc.). That condition is also applied to this permit.

The owners of the ten lots subject to Coastal Development Permit 5-86-641 (Lee) are also required by their permits to join with the private homeowners association established under Coastal Development Permit A-266-77 (ILA) to participate equally in the maintenance of the public areas and landscaping (including malls, parking nodes, lagoon buffer and path) approved and required by the Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee), and 5-87-112 (Del Rey Assoc.).

### **C. Maintenance of Public Areas**

When the Commission approved Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee), and 5-87-112 (Del Rey Assoc.), it found that the residential development of the Silver Strand area would have major cumulative impacts on Ballona Lagoon and that several measures were necessary to mitigate the adverse impacts of development. The mitigation measures included a requirement for the ongoing maintenance of the Silver Strand and Del Rey Beach public areas including the protective lagoon buffer, the public pedestrian malls, public parking spaces, the public access path along the lagoon, and the area's drainage devices. The Commission found that the ongoing maintenance of these public areas was necessary to mitigate the cumulative adverse impacts of the development of the Silver Strand area as a residential area.

Therefore, the Commission required the establishment of a homeowners association to maintain the public areas. The Isthmus Landowners Association (ILA) was named as the homeowners association which would maintain the public areas as required. The ILA has the responsibility for the ongoing maintenance of the public areas because it is the property owners comprising the ILA whom benefit most from the development of the area as a residential area.



After the Commission's approval of the amendment to Coastal Development Permit A-266-77 (ILA) in 1979, the Commission began conditioning all individual Coastal Development Permits for single family residences in the Silver Strand area to require a deed restriction stating that each applicant is required to participate with the other lot owners in the maintenance of the public areas. The purpose of the condition is to ensure that all lot owners who benefit from development of their property participate in the mitigation of the cumulative impacts of the development of the area.

As required on the previous Commission approvals in the area, the applicant is required to record a deed restriction stating that it will participate with the lot owners of the Silver Strand on a fair and equitable basis in the maintenance of the public areas, buffers and drainage devices prescribed by Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee), and 5-87-112 (Del Rey Assoc.). The requirement to participate with the other lot owners of the Silver Strand on a fair and equitable basis in the maintenance of the public areas runs with the land as the approved residences are sold to new owners.

The applicant is also required to acknowledge that the public areas provided and improved pursuant to Coastal Development Permit 5-87-112 shall remain open and available for use by the general public on the same basis as similar public areas within the City.

The required deed restriction ensures that the applicant and its successors meets the obligation to participate in the mitigation of the cumulative impacts which the development of the Silver Strand area, including the subject lots, has had on the coastal resources in the area as identified in Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee), and 5-87-112 (Del Rey Assoc.). Only as conditioned is the proposed development consistent with the Chapter 3 policies of the Coastal Act.

#### **D. Visual Resources and Community Character**

Section 3025I of the Coastal Act states:

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

The Commission has previously approved a number of residences within the interior lots of the Del Rey Beach Tract and the nearby Silver Strand subdivision. The proposed project is one of the first residences proposed along the row of nine lots that front Via Marina within the Del Rey Beach Tract (Exhibit #2). Via Marina is an improved public street providing vehicular and pedestrian access to the shoreline. A County linear park, Aubrey Austin Park, is located across from the residential lots on the south side of Via Marina. The park provides view piers, benches, promenade, and lawn areas along the Marina del Rey entrance channel. Pedestrian access is available via sidewalks located along both sides of Via Marina. Sixty metered public parking spaces exist on the south side of Via Marina adjacent to the park and waterway. The project site is one of nine lots that abut the sidewalk on the inland side of Via Marina.

In order to protect public access, community character and visual quality in the Silver Strand area, the Commission has consistently limited residential density and structural height. The Venice LUP limits all lots in the Silver Strand to a density of one unit per lot. The height limit on Silver Strand lots not located next to Ballona Lagoon is 45 feet. The proposed 45-foot high single family residence conforms to the height and density limits contained in the Venice LUP as approved by the Commission on November 14, 2000 with suggested modifications. Special Condition five of this permit requires that all development must occur in strict compliance with the proposal set forth in the permit application, subject to any special conditions of approval, and that any deviation from the approved plans will require review by the Executive Director to determine if an amendment to this permit will be required. Only as conditioned will the proposed project be consistent with the Chapter 3 policies of the Coastal Act.

The proposed project includes a 6-foot decorative perimeter wall with a landscape planter adjacent to the public sidewalk along the inland side of Via Marina (Exhibit #3). The proposed wall is designed with a 4.5-foot high flag stone veneer, a thirteen inch high natural color precast concrete planter, and a stucco finish block wall with cap extending four inches above the planter, for a total height of 6 feet (Exhibit #6).

Via Marina is an access and view corridor along the Marina del Rey entrance channel [See Coastal Development Permit 5-00-047 (Wilson)]. Excessive heights of structures adjacent to Via Marina can adversely impact access and views by creating a psychological barrier to pedestrians traveling along the five-foot wide public sidewalk. Therefore, because the proposed wall is situated immediately adjacent to a public accessway and is highly visible from the shoreline area, it is important that the proposed wall be designed to minimize its visual impact and to enhance the public access and visual resources of the shoreline area. An excessively high and unrelieved stucco wall extending over one or more lots would present a cold and institutional appearance and impact views from the park and along the inland sidewalk.

The proposed wall's appearance is attractive due to the proposed landscaping in its planter, and its 6-foot height is consistent with the prior Commission approval for the immediate area [See Coastal Development Permit 5-00-047 (Wilson)]. In past coastal development permit actions in the Silver Strand area, the Commission has approved walls at a height of 6 to 6.5-feet for residences along Ballona Lagoon which has an improved public trail. In this location, adjacent to a heavily used vehicle and pedestrian view corridor and public park, a maximum height of 6-feet is appropriate for the area, as long as the design includes variations and textures as proposed.

Therefore, as a condition of this permit the height of the wall is limited to a maximum height of 6 feet, as measured from the adjoining sidewalk along Via Marina. Furthermore, the applicant shall maintain the planting in the landscaped planter atop the approved wall and any change in the design of the wall will require review by the Executive Director to determine if an amendment to this permit will be required. Only as conditioned is the proposed project consistent with the Section 30251 of the Coastal Act.

**E. Public Access and Parking**

The Commission has consistently found that a direct relationship exists between residential density, the provision of adequate parking, and the availability of public access to the coast.

Section 30211 of the Coastal Act states:

*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 30252 of the Coastal Act states, in part:

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

In order to protect coastal access, all new development on lots in the Silver Strand area is required to provide adequate on-site parking in order to comply with Section 30252 of the Coastal Act. In previous actions, the Commission has determined that three on-site parking spaces are adequate to serve single family residences in the area. The Venice LUP requires the provision of three on-site parking spaces for single family residences in the Silver Strand area. The proposed project provides three on-site parking spaces in the attached garage (Exhibit #3).

For previous projects in the area, applicants have been required to record a deed restriction that assures the provision of at least three on-site parking spaces. The same requirement applies to this permit. The deed restriction requirement for parking includes a statement acknowledging that the courts and street ends in the tract are designated for public parking and shall not be used for preferential parking (i.e., permitted or restricted parking).

Therefore, approval of the permit is conditioned to record the deed restriction for parking currently required by the Commission for projects in the Silver Strand and Del Rey Beach Tracts. The required deed restriction states that at least three on-site parking spaces will be provided, and that they shall take access from the alley, not from the paved street ends designated for public parking. The deed restriction shall also note that the street ends of the tract are designated for public parking and shall not be used for preferential parking. Only as conditioned to provide at least three on-site parking spaces and to record the deed restriction addressing parking, is the proposed project consistent with the coastal access policies of the Coastal Act and the Commission's prior actions.

**F. Local Coastal Program**

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

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

The Venice area of the City of Los Angeles does not have a certified Local Coastal Program. The Los Angeles City Council adopted a proposed Land Use Plan (LUP) for Venice on October 29, 1999, and submitted it for Commission certification. On November 14, 2000, the Commission approved the Venice LUP with suggested modifications. The Venice LUP will become certified if the City accepts the Commission's suggested modifications and transmits them to the Commission with six months of November 14, 2000.

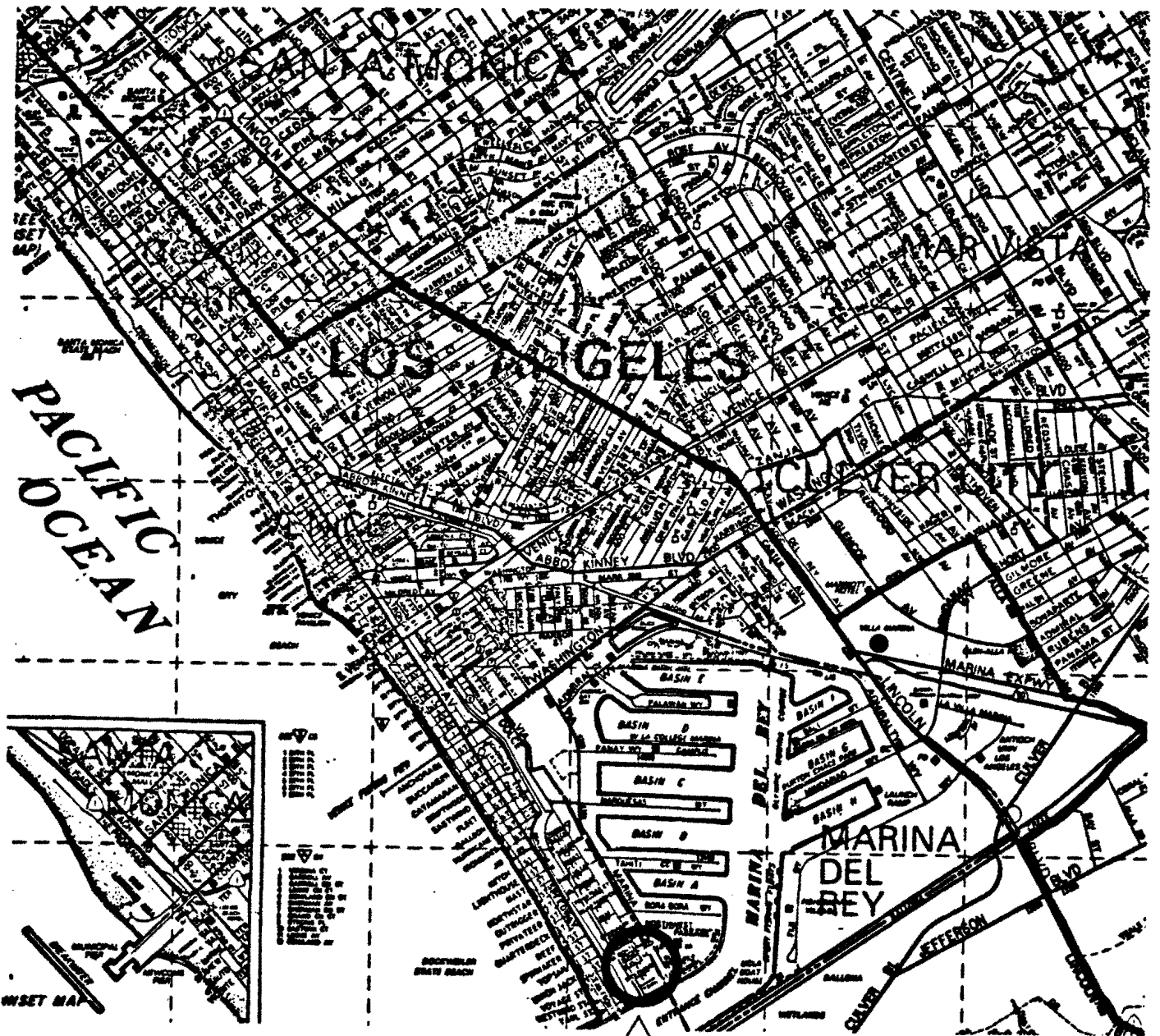
The proposed Venice LUP designates the project site for use as a single family residence. The proposed project, as conditioned, conforms to the proposed Venice LUP. The proposed project, as conditioned, is also consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

#### **G. California Environmental Quality Act**

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

# Silver Strand / Del Rey Beach Tracts



Site

COASTAL COMMISSION  
5-00-440

EXHIBIT # 1  
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# Site Lot 11 Block 17

CDP  
A-266-77

CDP  
5-87-112

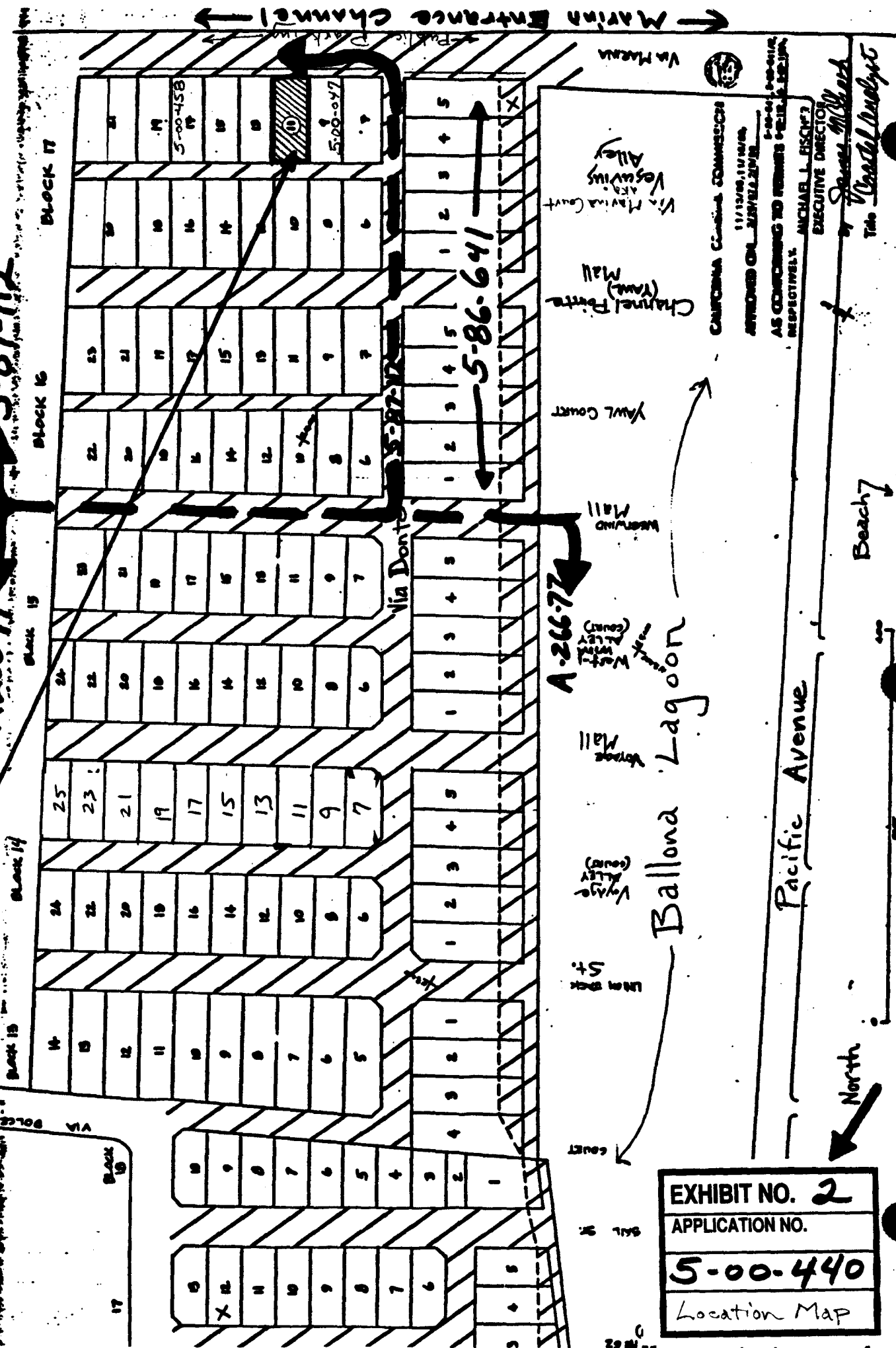


EXHIBIT NO. 2
APPLICATION NO.
5-00-440
Location Map

CALIFORNIA COUNTY COMMISSIONERS  
1112008, 1112009  
APPROVED ON 11/27/08  
AS COMMISSIONERS TO REMAIN IN OFFICE  
RESPECTIVELY. MICHAEL J. FISCHER  
EXECUTIVE DIRECTOR

of *Sharon M. [unclear]*  
The *Sharon M. [unclear]*

Beach 7

North

MARIN ENTRANCE CHANNEL

VIA MARINA COURT  
VIA MARINA ALLEY  
VIA MARINA MALL  
CHANNEL POINTE  
YAWL COURT  
VIA DONTA  
MORNING MALL  
VIA MARINA COURT  
VIA MARINA ALLEY  
VIA MARINA MALL

Ballona Lagoon

Pacific Avenue

BLOCK 17

BLOCK 16

BLOCK 15

BLOCK 14

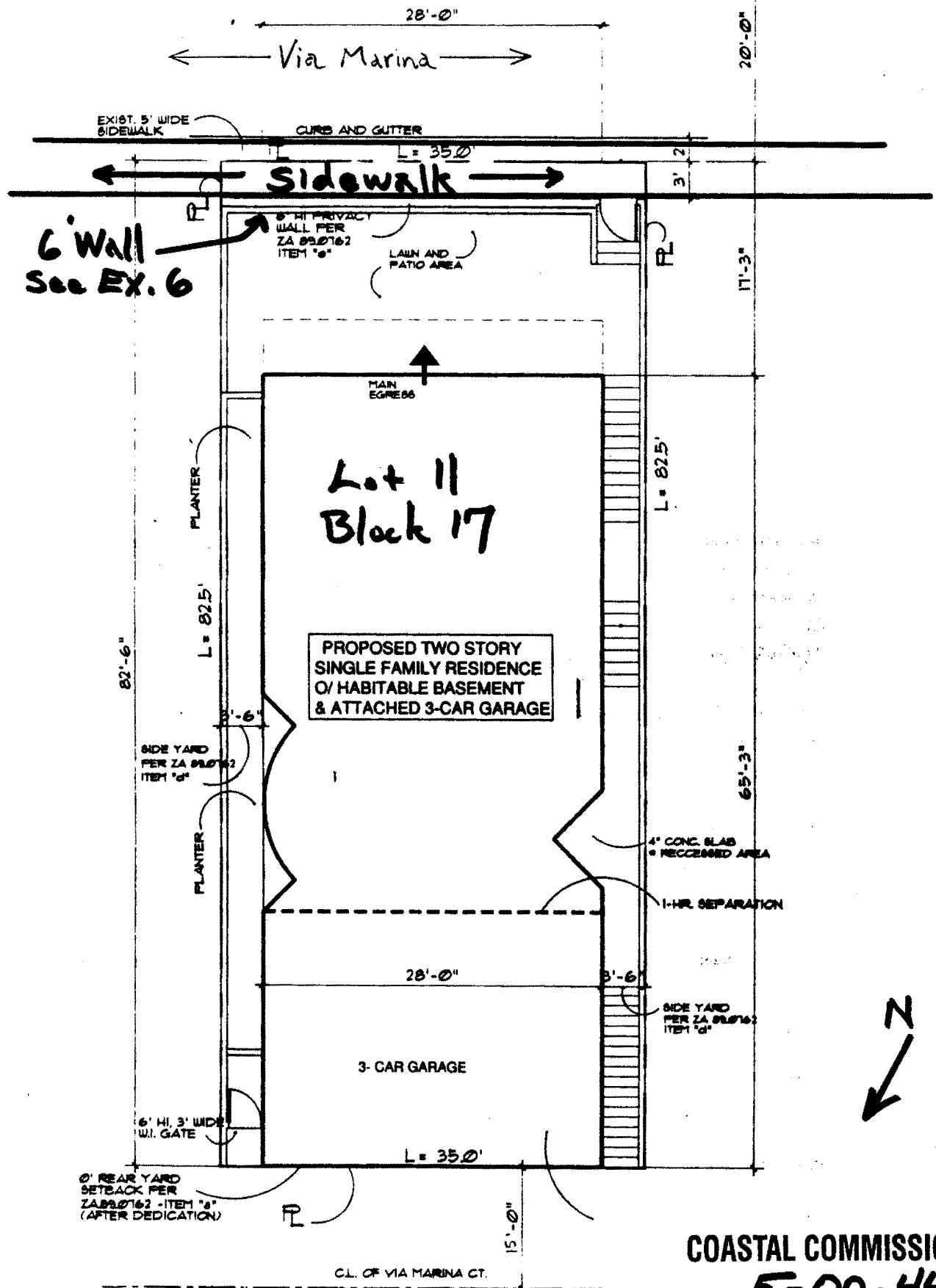
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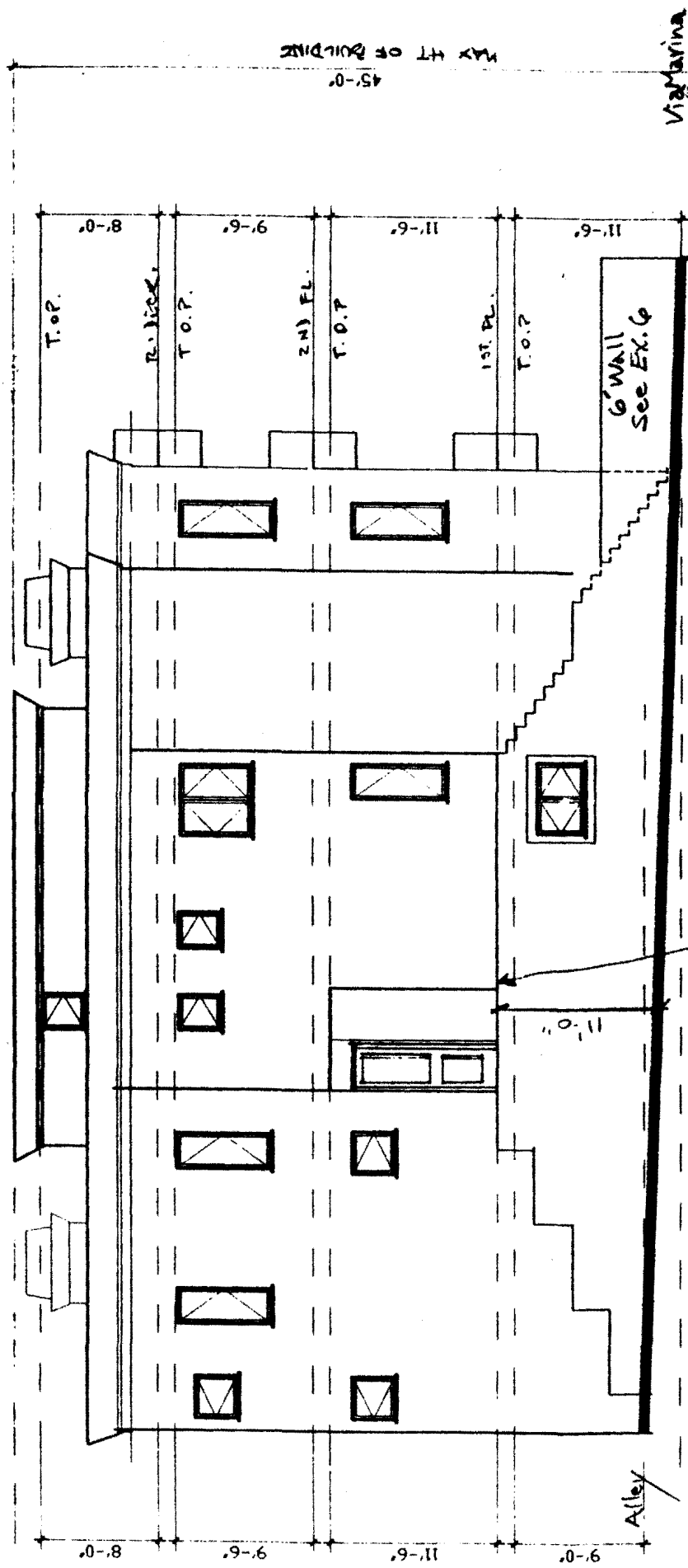
5-86-641

A-266-77



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 EXHIBIT # 3  
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SITE PLAN



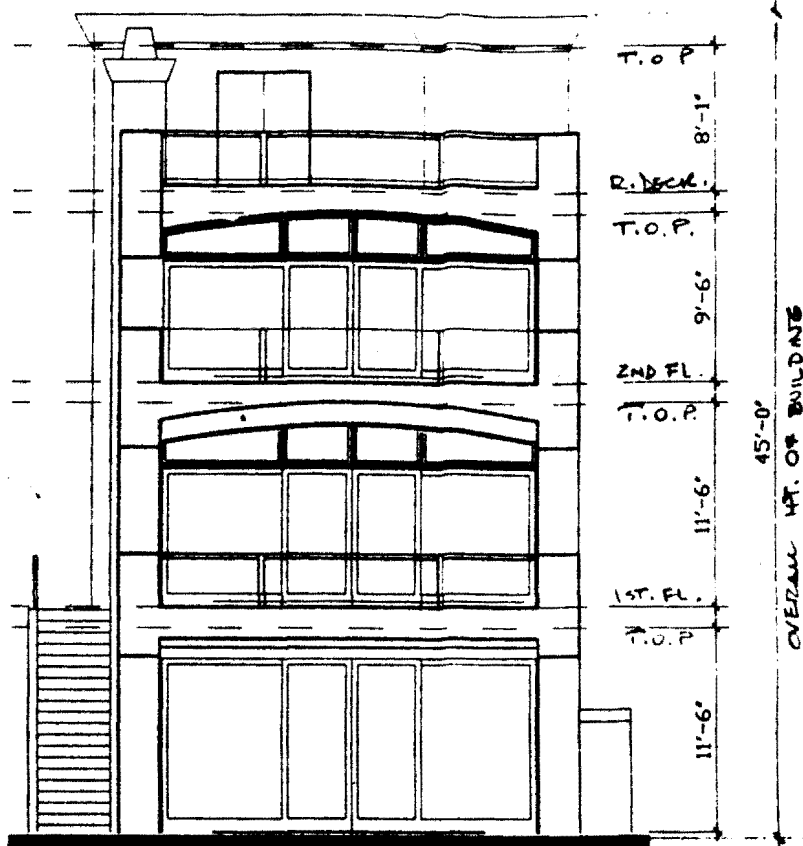
**SIDE ELEVATION**

RAISED PLATFORM  
PER ZAI 89-07102 (TV)

COASTAL COMMISSION  
5-00-440

EXHIBIT # 4  
PAGE 1 OF 1





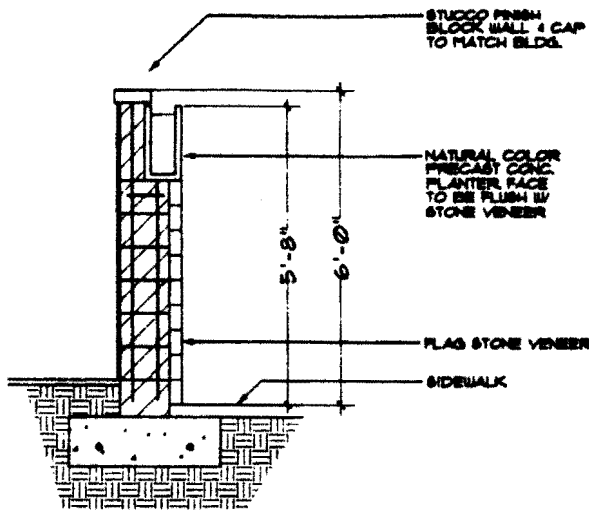
FRONT ELEVATION  
~~XXXXXXXXXX~~  
 Via Marina



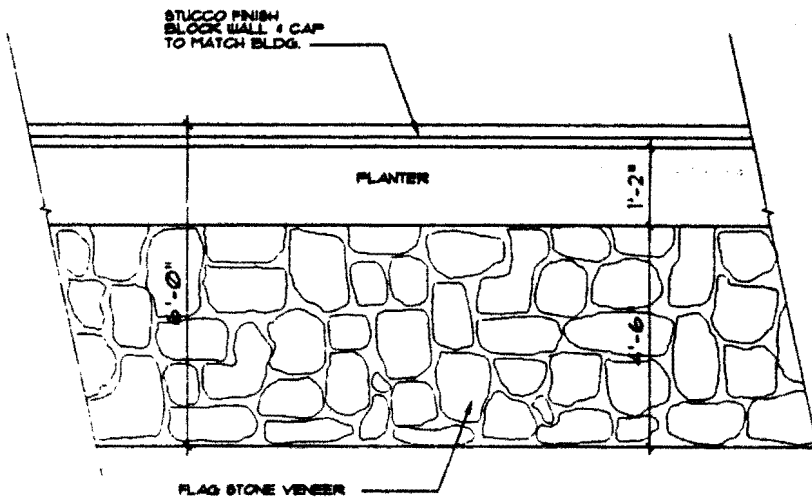
Alley

COASTAL COMMISSION  
 5-00-440

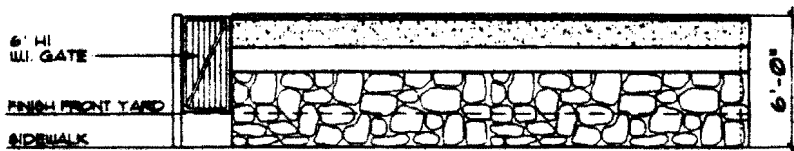
EXHIBIT # 5  
 PAGE 1 OF 1



**PRIVACY WALL & PLANTER DETAIL**



**ENLARGED PRIVACY WALL & PLANTER**



**PRIVACY WALL & PLANTER**  
View from Via Marina

COASTAL COMMISSION

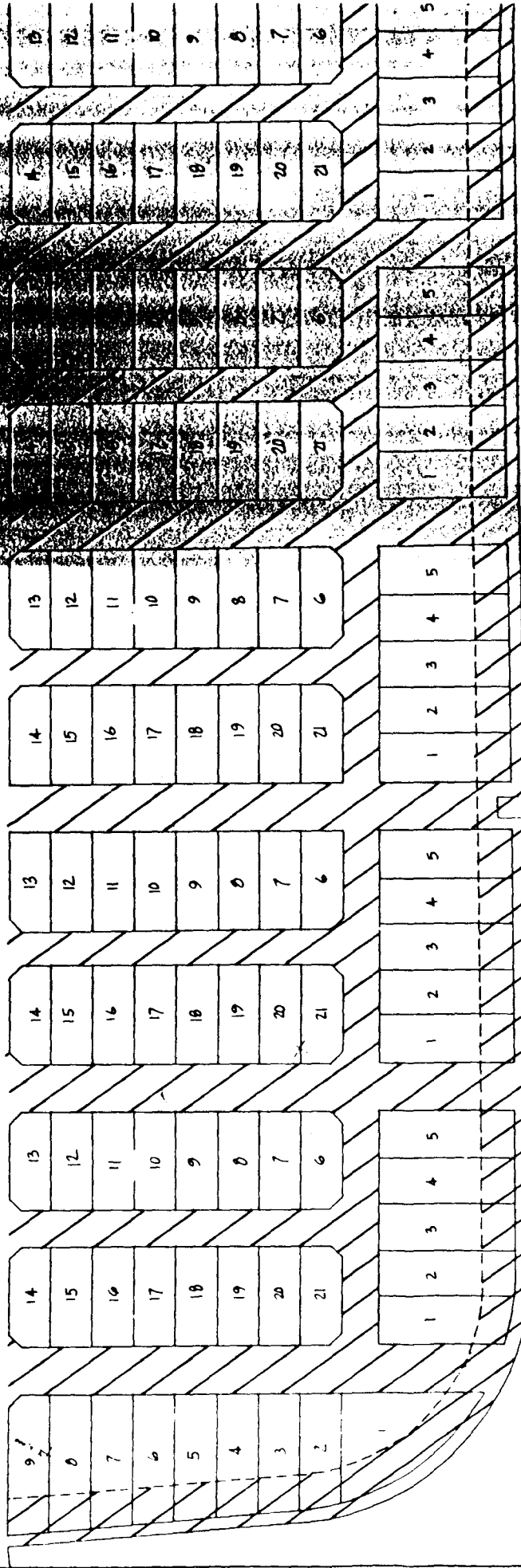
5-00-440

EXHIBIT # 6

PAGE 1 OF 1

VIA

DOLCE



ALLEY # 45 (court)

ALLEY # 44 (court)

ALLEY # 43 (court)

ALLEY # 42 (court)

ALLEY # 41 (court)

ALLEY # 40 (court)

ALLEY # 39 (court)

ALLEY # 37 (court)

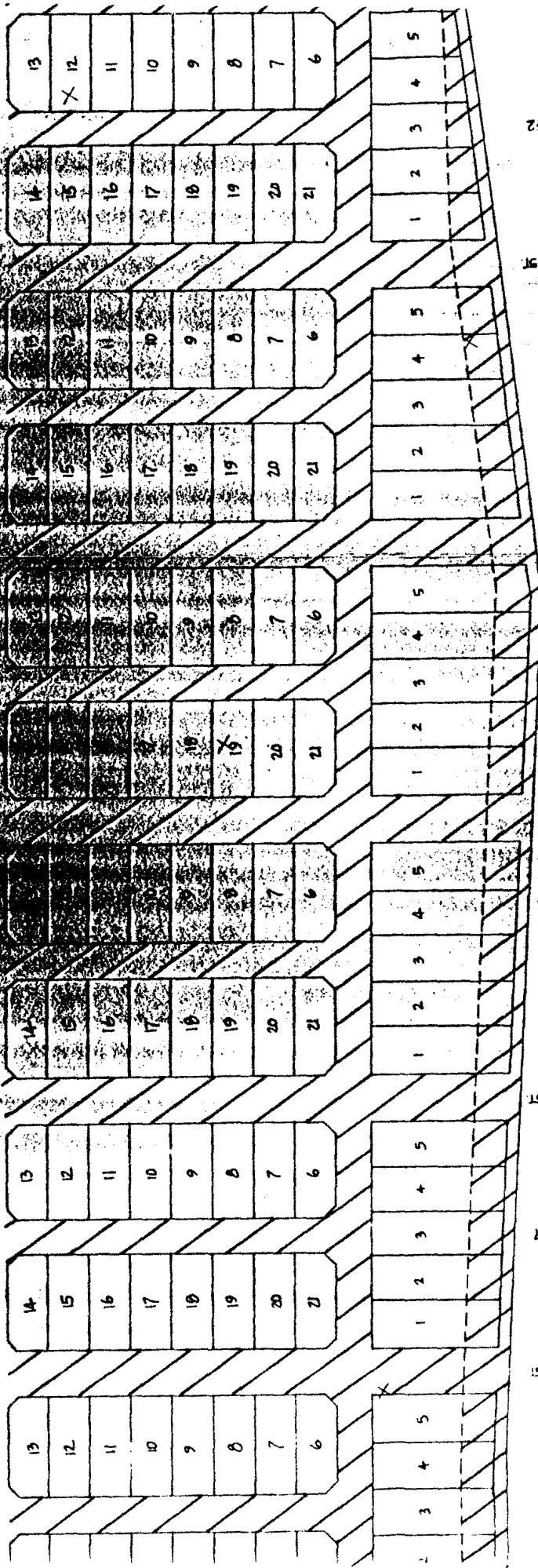
ALLEY # 36 (court)

PUBLIC BUFFER and DRAINAGE AREA DEL REY/SILVER STRAND

Soil & Water Engineering Service Company

POLICE

VIA



ALLEY # 45 (court)

OUTRIGGER ST

ALLEY # 47 (court)

PRINTER ST

ALLEY # 49 (court)

QUARTER DECK ST

ALLEY # 51 (court)

KEEP ST

ALLEY # 59 (court)

ALLEY # 60 (court)

SPINNER ST

ALLEY # 62 (court)

PACIFIC AVENUE

CALIFORNIA COASTAL COMMISSION

APPROVED ON 4-18-80

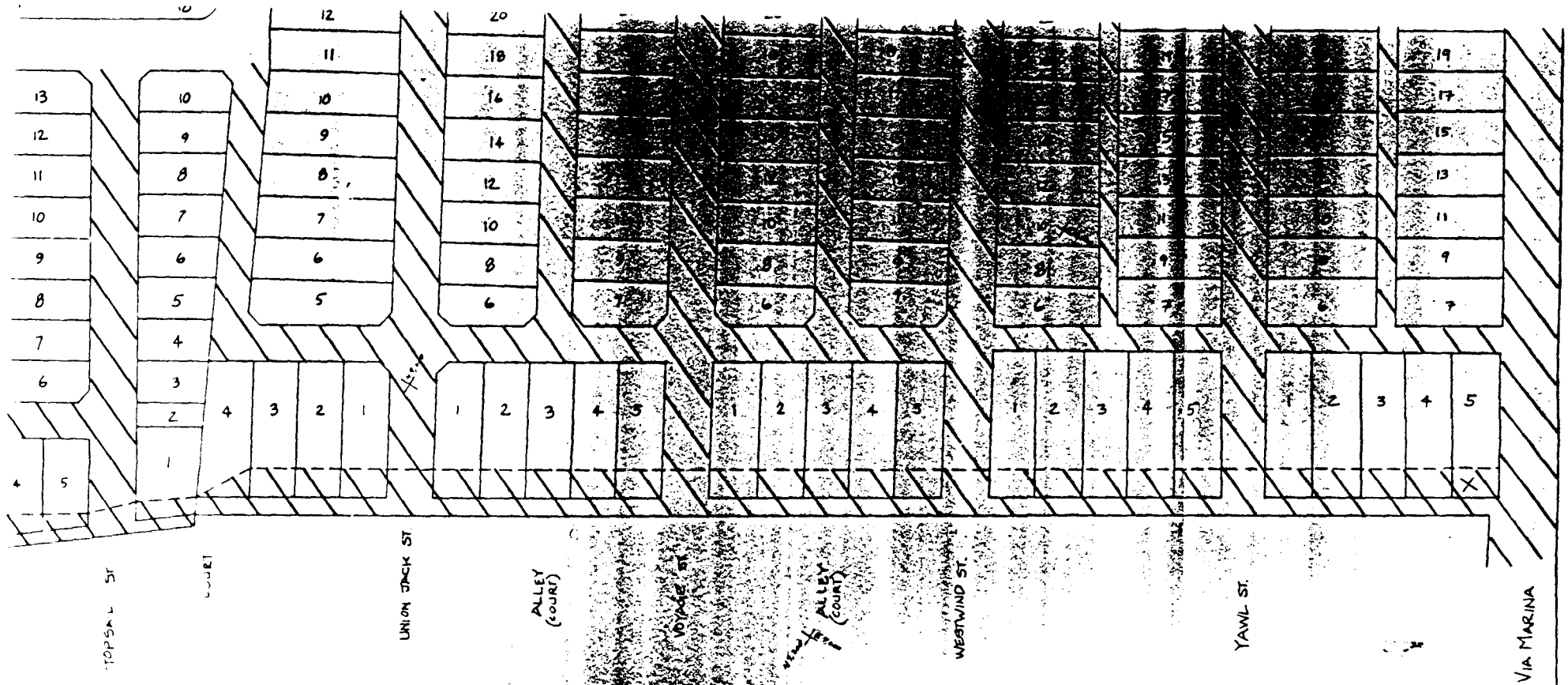
AS CONFORMING TO PERMIT AL 226-77

MICHAEL FISCHER  
EXECUTIVE DIRECTOR

STRAND

CALIFORNIA COASTAL COMMISSION

Public Areas Exhibit  
Del Rey/Silver Strand



CALIFORNIA Coastal COMMISSION

APPROVED ON 11/13/86, 11/16/89,  
3/25/87 & 2/9/89

AS CONFORMING TO PERMITS 5-86-641, 5-86-641A2,  
5-87-112, & 5-87-112A,  
RESPECTIVELY.

MICHAEL L. FISCHER  
EXECUTIVE DIRECTOR

By *James McArthur*  
Title *Coastal Analyst*

**COASTAL COMMISSION**

Public Areas Exhibit  
Del Rey/Silver Strand

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