

**CALIFORNIA COASTAL COMMISSION**

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

**RECORD PACKET COPY****MON 3b**

Filed: 7/23/01  
 49th Day: 09/10/01  
 180th Day: 01/19/02  
 Staff: MS-LB  
 Staff Report: 9/13/01  
 Hearing Date: October 8-12, 2001  
 Commission Action:

**STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-01-260**APPLICANT:** Andrew Worswick**AGENT:****PROJECT LOCATION:** 1317 Palisades Beach Rd, Santa Monica (Los Angeles County)

**PROJECT DESCRIPTION:** Demolition of an existing one-story duplex building located on the street side of a 2500 square foot lot. Construction of three additional stories to a second existing one-story duplex building located on the beach side of the lot with a 25-foot driveway and attached two-car garage. The proposed project involves converting a total of four residential units on a site into two residential units. The new two-car garage will replace a portion of the existing building adjacent to the Pacific Coast Highway. There is no existing parking.

Lot Area	2500 square feet
Building Coverage	1432 square feet
Pavement Coverage	943 square feet
Landscape Coverage	125 square feet
Parking Spaces	2
Zoning	R2B-Low Density Multiple Residential
Plan Designation	Residential
Ht above final grade	40 feet

**LOCAL APPROVALS RECEIVED:** City of Santa Monica; Variance #01-003, 4/18/01;  
 ARB #01-113, 7/13/01

**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit 5-99-401 (Kent)
2. Coastal Development Permit 5-96-128 (Kalt)
3. Coastal Development Permit 5-96-159 (Frymer)
4. Coastal Development Permit 5-94-68 (Baettig)

**SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to building height, parking, residential density, and community character.

**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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**III. SPECIAL CONDITIONS**

None

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. Project Description and Location**

The applicant proposes to demolish an existing street-side, one-story duplex building and construct three additional stories to the existing beach-side one-story duplex building with a 25-foot driveway and two-car garage. The proposed project involves the conversion of four residential units (two duplex buildings) on a 2500 square foot lot (Exhibit #2) into two residential units. The new two-car garage will replace a portion of the existing building adjacent to the Pacific Coast Highway. There is no existing parking.

The lot is a beach fronting lot located north of the Santa Monica Pier, in the North Beach area of the City of Santa Monica, west (seaward) of Palisades Beach Road in the R2B (Los Density Multiple Family Residential/Parking Overlay) District (Exhibit #1).

The North Beach area contains the City's northern sandy beach area, beach clubs, the "Gold Coast" single-family residential neighborhood, and multi-family residential development. The subject lot is located within a row of residentially developed lots consisting of a mix of single and multiple family residences. This area of single and multiple-family residences is the first residential row or tract north of the pier. There are approximately 30-40 residences in this tract.

To the north and south of the parcel are multiple -family residences; to the east is Palisades Beach Road (Pacific Coast Highway) and Palisades Park Bluffs; and to the west is the paved Ocean Front Walk (Promenade) and the beach.

The subject lot and surrounding area is located within the City's Beach Overlay District. The Beach Overlay District includes the area west (seaward) of Ocean Avenue and Neilson Way (excluding the Pier area). The Beach Overlay District was created with the passage of a voter initiative (referred to as Proposition S). The initiative prohibits hotel and motel development, and restaurants over 2,000 square feet, in the Beach Overlay District.

In 1992, Commission denied the LCP for the Beach Overlay District and denied certification because the Commission found that Proposition S discouraged visitor serving uses along the beach resulting in an adverse impact on coastal recreation and access. In an earlier action in 1987, the Commission certified, with suggested modifications, a LUP that included the area presently known as the Beach Overlay District. In its action in 1987, the Commission found that the submitted LUP would also result in adverse impacts on coastal access and recreational

opportunities and denied the LUP as submitted and approved it with suggested modifications to mitigate any adverse impacts. As modified the 1987 LUP allowed limited residential development with a small amount of commercial development in the north beach area. This 1987 LUP certification has lapsed.

The proposed project received an Approval in Concept and a Zoning Variance from the City. The zoning variance is for reducing the side yard setbacks, reducing the interior garage width, allowing structural beams and columns extending to the side property line, 58% parcel coverage, and no required visitor parking spaces.

**B. Access/Recreation—Ocean Front**

Section 30221 of the Coastal Act States:

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 states:

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

As stated, the proposed project is located between the first public road and the sea. The Coastal Act requires that public coastal recreational facilities shall have priority over other types of development on any private land suitable for such use. Sections 30221 and 30222 gives priority land use to visitor-serving commercial and public recreational facilities on public and private oceanfront and upland areas where necessary.

In acting on the 1992 LUP submittal, the Commission found that the LUP, which incorporated the provisions of Proposition S, discouraged visitor serving uses along the beach, resulting in an adverse impact on coastal access and recreation, and the LUP did not adequately mitigate these and other adverse impacts. Therefore, the Commission could not find the LUP consistent with Section 30221 and 30222 of the Coastal Act.

In the 1987 certified LUP, the Commission found that maximum public access was not being provided on the beach, especially in the north beach area, and allowing private residential development along the north beach would adversely impact public access and would preclude higher priority recreational uses. Therefore, the Commission required a modification to Policy 59 of the LUP, which, as modified, stated in part:

... High density residential development shall not be allowed on lots which are currently designated for but not built out to the high density level. Development on these lots shall not exceed their existing density and shall be redesignated as such. Residential development shall be allowed only on those parcels which are currently both developed with and zoned for private residential use. . . Residential development of properties currently developed with beach clubs or other recreational uses shall be prohibited. These parcels shall accommodate beach related visitor-serving recreational and commercial uses including but not limited to overnight visitor accommodations and public parking uses. . .

As modified, the 1987 LUP allowed residential use on lots currently developed with residential use, however, the lots were not allowed to exceed their existing densities in order to minimize the impacts to recreational and access opportunities. In this case particular case the applicant is converting a four-unit site to two family residences.

The subject property is located within a residential tract, north of the Santa Monica Pier, consisting of mainly older single and multiple family residences with some recycling occurring. This area, because of its proximity to a State beach parking lot and the Pier, would normally be suitable for visitor-serving commercial development. One of the basic Coastal Act goals is to maximize public recreation and access to the beaches. However, this project is located on a narrow, 25-foot lot (Exhibit #3), between a single-family residence and a multiple family residence and within a residential tract that has been recycling over the years with new single-family residences. Because of the size and location of the lot, the lot is not suitable for visitor-serving commercial development. The Commission, therefore, finds that as proposed the project will be consistent with Sections 30221 and 30222 of the Coastal Act.

### **C. Development**

Section 30250 of the Coastal Act states in part that:

(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 a significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30251 of the Coastal Act states in part that:

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

The proposed project is located in an area of the north beach subarea that is developed with a mix of single and multiple-family residences. Residential structures range from one to three-stories, with a maximum height of 40 feet (Exhibit #4).

The proposed project will be four stories, 40-feet high, as measured from existing grade. In past permit actions for the area the Commission has consistently limited the height of development to 50 feet for all structures in the north beach subarea. The City currently limits development to a maximum height of 40 feet but also requires projects to conform to a view envelope to protect views from the Palisades Park bluffs. The view envelope is measured from a height of 30 feet at the beach set back line to a point 5 feet above the bluff. As proposed, the project is consistent with past Commission permit action regarding height and with the City's view envelope height limit. The project as proposed is consistent with the character and scale of the surrounding area and with past Commission permit action for the area. The Commission finds, therefore, that the proposed project is consistent with Sections 30250 and 30251 of the Coastal Act.

**D. Wave Impact Report**

Section 30253 (1) states that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Since coastal beaches may be subject to flooding and wave attack, the Commission requires wave impact studies for beachfront development to assess the potential hazard from wave attack, flooding and erosion. The wave run-up, flooding, and erosion hazard analyses should anticipate wave and sea level conditions (and associated wave run-up, flooding, and erosion hazards) through the life of the development. For a 100 year structural life, that would be taking the 1982/83 storm conditions (or 1988 conditions) and adding in 2 to 3 feet of sea level rise. The purpose of this analysis is to determine how high any future storm damage may be so the hazards can be anticipated and so that mitigation measures can be incorporated into the project design.

The applicants have provided a Wave Run-up Study for the subject property, as is consistently required by the Commission for shoreline development in southern Los Angeles County and Orange County. The Wave Impact Study for the subject property was provided by Andrew Worswick, Registered Engineer and is dated July 2001. The report is based on detailed studies done by the U.S. Corp. of Engineers in 1995.

According to the consultant, the site is a beachfront property located approximately 1800 feet northwest of the Santa Monica Pier. The Wave Run-up Study states in part:

*"At the present time the beach width directly opposite this site is approximately 870 feet (from the bicycle path to the berm). Historical data reviewed indicate that there has been a net increase in beach width over the years since the installation of the Santa Monica Breakwater in 1934, however there have been seasonal variations from time to time during which the width has decreased....Analysis were also made by the Corp. of the potential rise in sea level due to the greenhouse effect, tectonic forces, and other localized ground movement. A rise of 0.004 feet per year (0.24 feet over a 60 year period) was calculated and considered in their studies, which included wave run-up calculations adjacent to the subject site....All studies performed indicate that for even 100 year storm waves, run-up will not come within 250 feet of the subject site. This is consistent with historical run-up observations (during the severe-weather winters of 1983 and 1988) that seawater did not approach the subject site." (See Exhibits 6,7)*

The Wave Impact Study concludes that the proposed development and the particular beach section will not be subject to hazards from flooding and wave run-up during the life of the

development. According to the report, the 1967 to 2001 average 781-foot wide sandy beach provides adequate protection for the beachfront property located along the Esplanade. The submitted Wave Run-Up Study has been reviewed by the Commission's staff engineer who has stated that the study is consistent with professional practice and with other studies prepared for this and similar artificially incremented beaches... "He has made a compelling case that it is an area that will not be subject to wave action or coastal flooding". The Commission concludes that the project will minimize future hazards due to flooding and is consistent with 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 area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.
- (4) Minimize energy consumption and 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.

**E. Local Coastal Program**

(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.

In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications.

The area within the Beach Overlay District was excluded from certification due to Proposition S discouraging visitor-serving uses along the beach resulting in an adverse impact on coastal access and recreation. In deferring this area the Commission found that, although Proposition S and its limitations on development were a result of a voters initiative, the policies of the LUP were inadequate to achieve the basic Coastal Act goal of maximizing public access and recreation to the State beach and did not ensure that development would not interfere with the public's right of access to the sea.

The subject site, because of its proximity to the State beach and Santa Monica Pier, is suitable for visitor-serving commercial development. However, because the applicant is replacing an existing four-unit multiple family residence with a two-unit family residence with an attached two-car garage and the project site is located within an area consisting of residential development the Commission finds it can approve the development. As conditioned the project will not adversely impact coastal resources or access. The Executive Director, therefore, determines that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare Land Use Plan policies for the Beach Overlay District (deferred area) and a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

**F. California Environmental Quality Act**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the

California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect, which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.



1  
2  
3  
4  
5



EXHIBIT # 1  
PAGE 1 OF 1

COASTAL COMMISSION

PACIFIC

1317 PALISADES BEACH RD.  
SANTA MONICA, 90401

SITE

OCEAN

RECEIVED  
SOUTH COAST DIST.  
JUL 9 2001  
COASTAL COMMISSION



LOCATION  
MAP

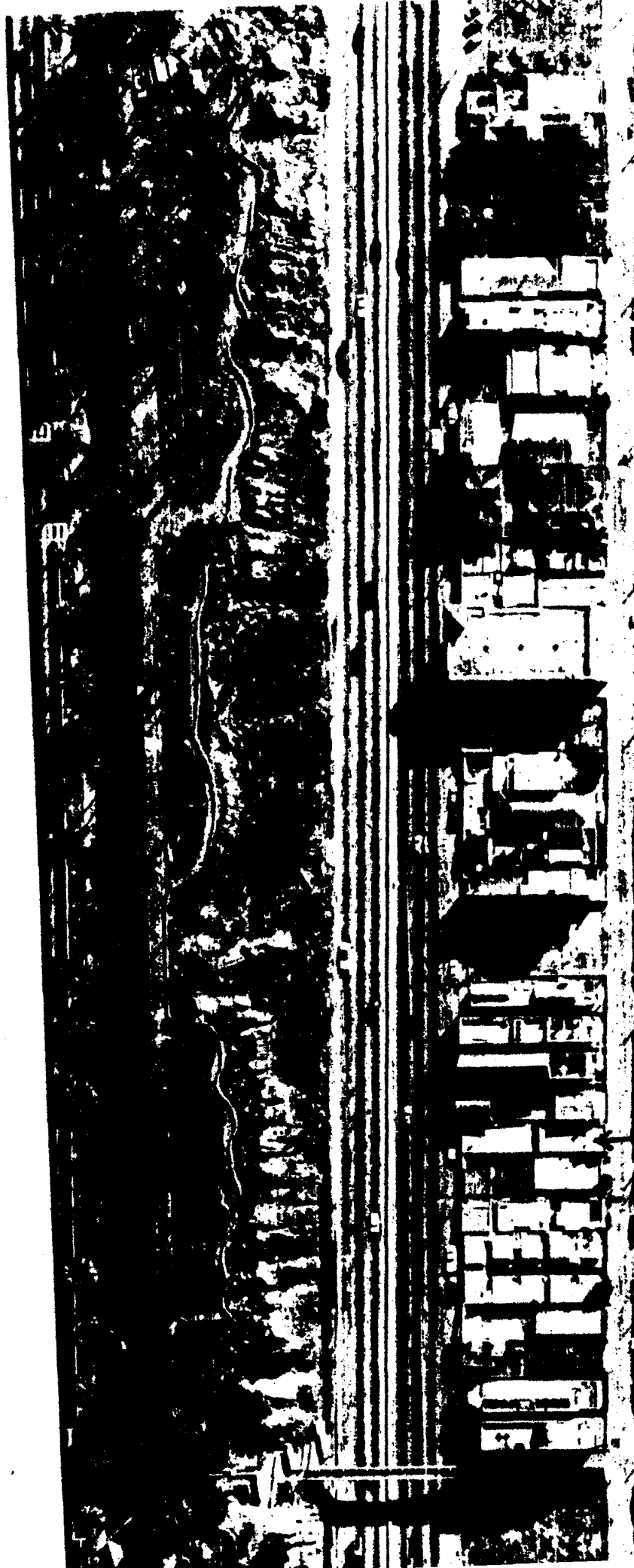
SEE  $\nabla$  J5  
1 VICTORIA CT  
2 MARIAN CT  
3 GRAND VIEM AV

COASTAL COMMISSION

EXHIBIT # 2  
PAGE 1 OF 1



SCALE 1" = 100'



SITE : 1317 PALISADES  
BEACH RD.  
SANTA MONICA

FROM CITY OF  
SANTA MONICA  
AERIAL PHOTO  
DRAWING FILE  
NO. 3007.93  
PHOTO TAKEN  
DEC. 13, 1993

RECEIVED  
SANTA MONICA COASTAL COMMISSION

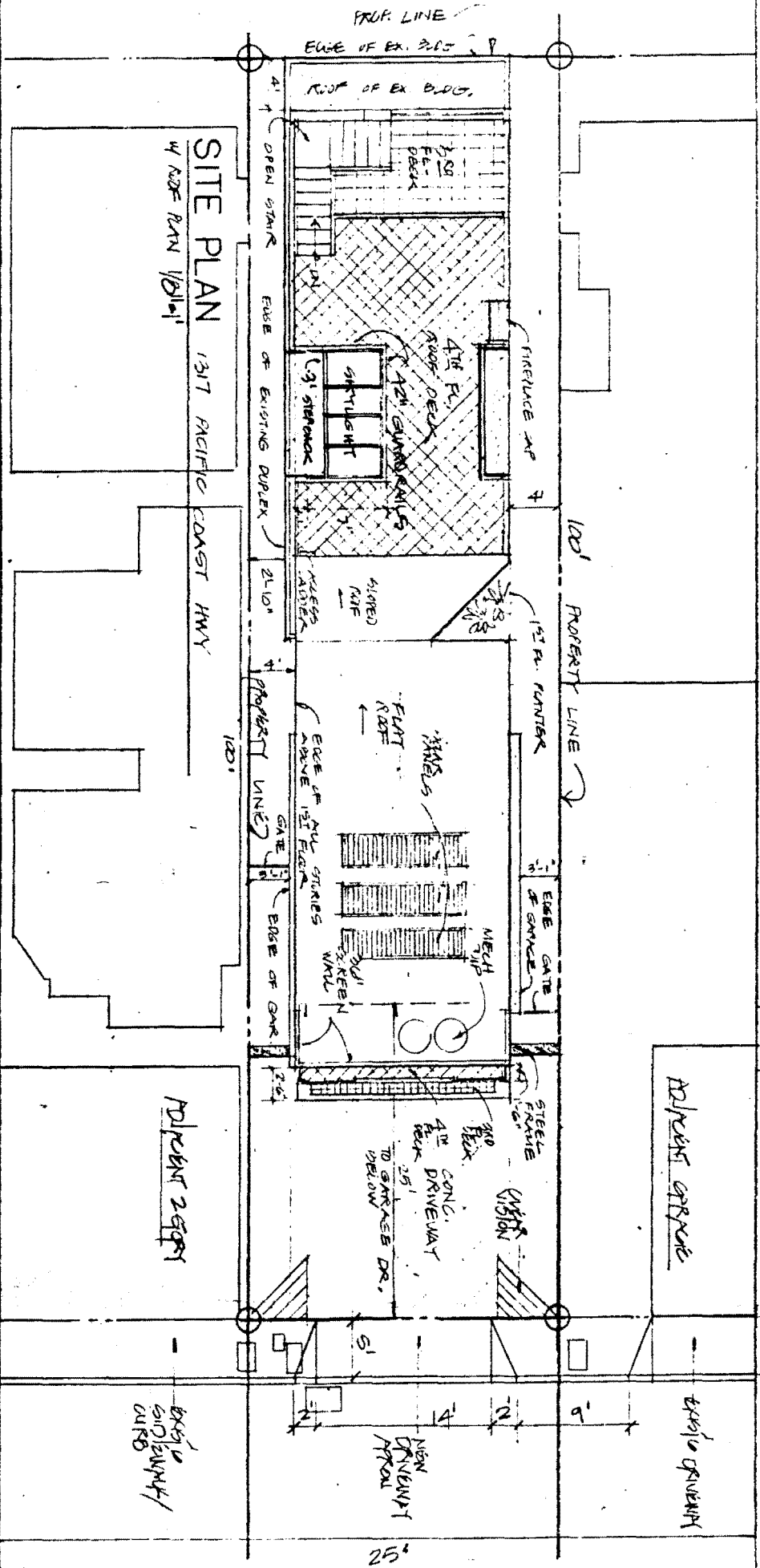
JUL 9 2003

COASTAL CO.

SECTION

New Residence

14.4	2%	5'	14.3	10%	8'	14.4	5.5%	12'	16.1	0%	5'	15.8	0.4	14.2 SL
------	----	----	------	-----	----	------	------	-----	------	----	----	------	-----	---------



SITE PLAN  
1317 PACIFIC COAST HWY  
W SIDE RAN 101.01'

ADJACENT 29'00"

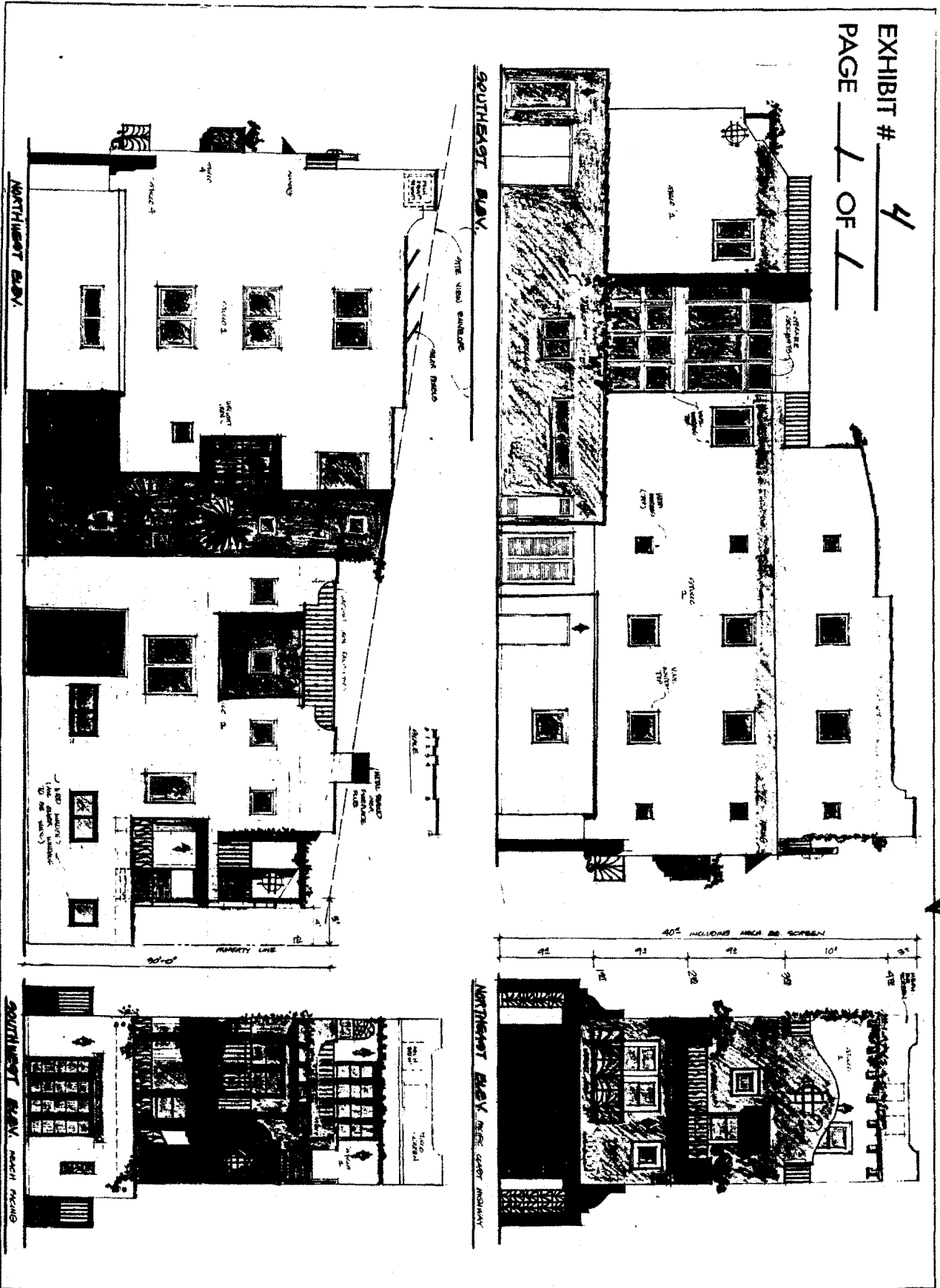
EXISTING SIDEWALK/CURB

20' width lot

COASTAL COMMISSION

EXHIBIT # 4

PAGE 1 OF 1



Height - 40'

54-01  
SHEET


WORSWICK RESIDENCE  
1317 PALISADES BEACH ROAD  
SANTA MONICA, CA

ELEVATIONS

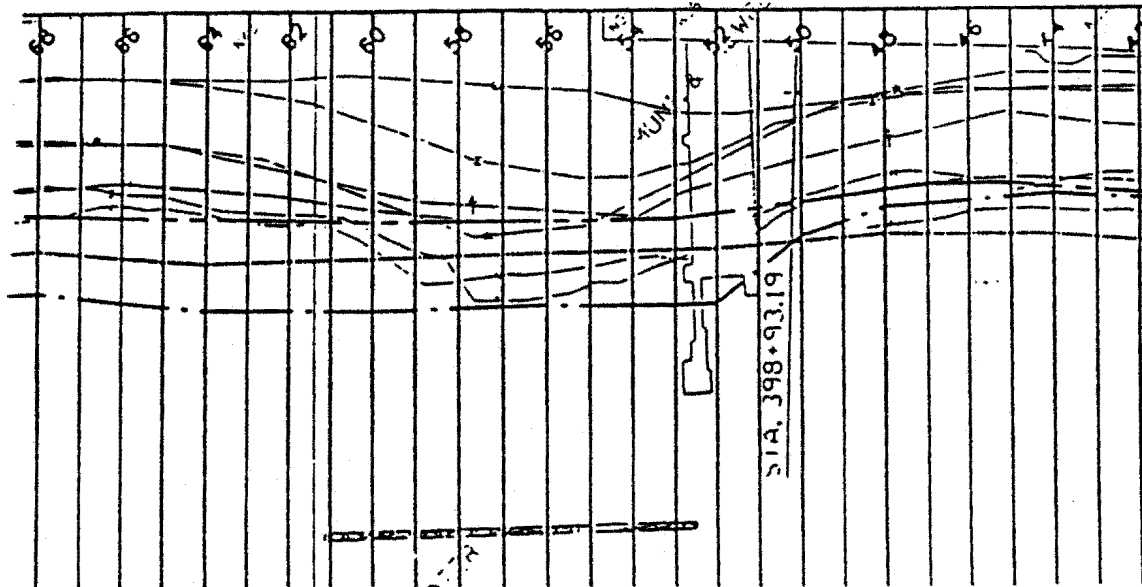
PETER SCHECHTER  
ARCHITECT  
118 COLORADO AVENUE, 7TH FLOOR  
SANTA MONICA, CA 90401 (310) 393-0138















SITE 

### Historic Shorelines



S.M. Breakwater Area Enlargement Scale: 1=600'

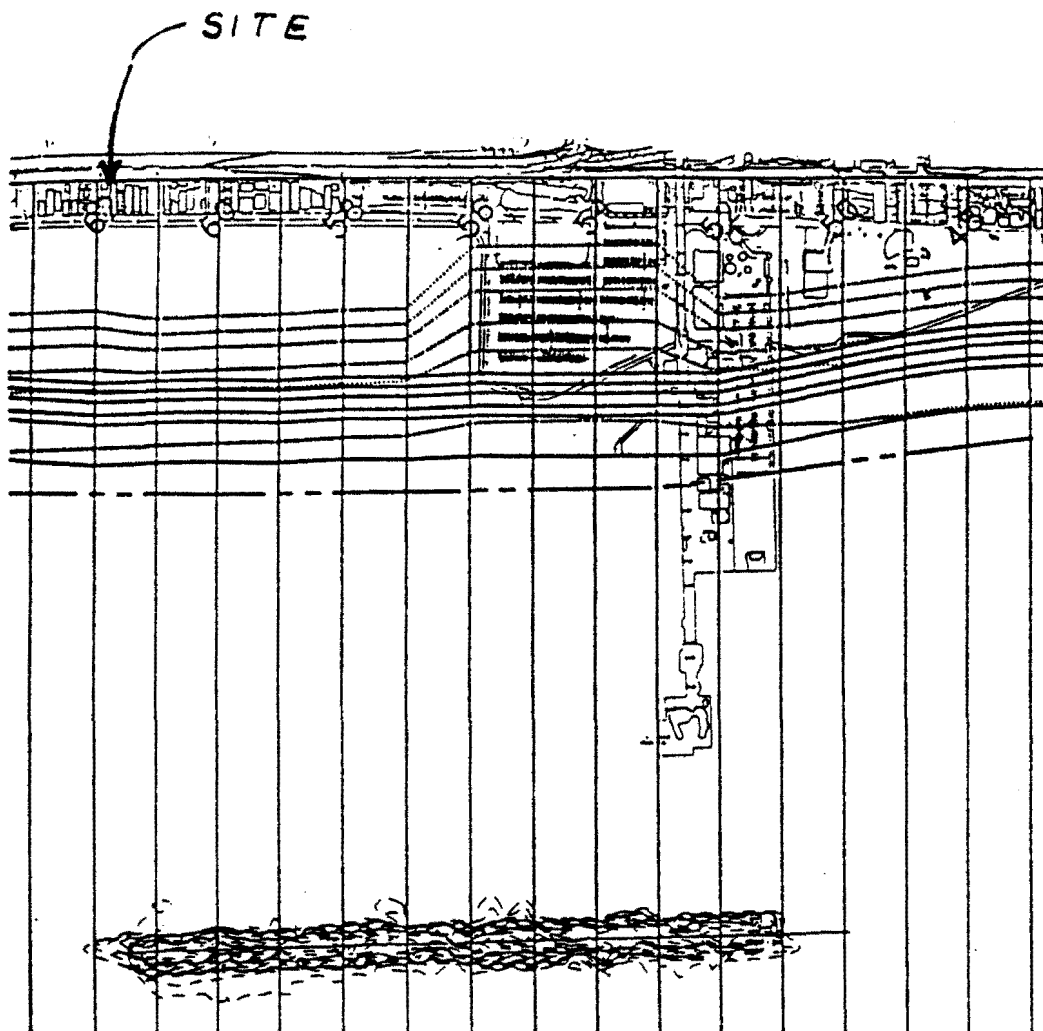
**LEGEND:**

- Present W/O Shoreline 
- 50 Year W/O Shoreline 
- 50 YR ALT 6 W/300K FILL 
-  9-26-33 Aerial Shoreline
-  9-27-35 Aerial Shoreline
-  11-46 Surveyed Shoreline
-  11-53 Surveyed Shoreline
-  6-25-82 Aerial Shoreline
-  8-25-83 Aerial Shoreline
-  8-30-85 Aerial Shoreline

## COASTAL COMMISSION

EXHIBIT # 6  
PAGE 1 OF 1

NOTE: W/O MEANS  
WITHOUT NEW  
BREAKWATER



**COASTAL COMMISSION**

EXHIBIT # 7  
PAGE 1 OF 1

LEGEND:

- RUNUP
- BERM
- '5-92 SHORE LINE

NOTE:  
Berms and runups of 2.5, 10, 25, 50, 100 return periods  
progress shoreward - WITHOUT NEW BREAKWATER

