

**CALIFORNIA COASTAL COMMISSION**

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Hearing Date: September 10, 2002  
Commission Action:



## Item Tu9f

### RECORD PACKET COPY

#### STAFF REPORT: REGULAR CALENDAR

**APPLICATION NUMBER:** 5-02-153

**APPLICANT:** Amy Goldstein **AGENT:** D'Lynda Fischer

**PROJECT LOCATION:** 2800-2806 Strongs Drive, Venice, City of Los Angeles.

**PROJECT DESCRIPTION:** Conversion of an existing two-story, 1,620 square foot single family residence into an accessory structure (by removing kitchen), and construction of a 30-foot high, two-story, 2,500 square foot single family residence and a detached two-car garage across two abutting canal-front lots.

|                      |                            |
|----------------------|----------------------------|
| Lot Area             | 5,402 square feet (2 lots) |
| Building Coverage    | 2,634 square feet          |
| Pavement Coverage    | 1,018 square feet          |
| Landscape Coverage   | 1,750 square feet          |
| Parking Spaces       | 3                          |
| Zoning               | RW-1                       |
| Plan Designation     | Single Family - Waterway   |
| Ht above final grade | 30 feet                    |

**LOCAL APPROVAL:** City of Los Angeles Planning Department Approval, Case No. DIR2002-1670 (SPP/MEL), 5/14/2002.

#### SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission **DENY** the coastal development permit for the proposed project because it represents the first instance of a house extending across two lots, presenting a 54-foot wide façade along the canal frontage, in an area where the Commission has attempted to limit the scale of new houses to maintain community character. As proposed, the house does not comply with Section 30251 of the Coastal Act, which requires that the proposed development be visually compatible with the character of the surrounding area. The proposed 30-foot high house is 54 feet wide where it faces Grand Canal along the public accessway, whereas, most of the existing canal fronting homes are only 24 feet wide on the side that faces the canal (See Appendix A). Therefore, the large façade of the proposed house is not in scale with the rest of the homes in the neighborhood. In addition, the project does not provide a permeable yard area or a front yard set back that is consistent with that provided by other new houses in the Venice canals. Finally, the design of the proposed house is not consistent with standards developed in the certified Venice LUP to assure the preservation of community character and of a community that is constructed around a public access feature, the Venice Canals. The applicant objects to the staff recommendation. **See Page Two for Motion.**

**SUBSTANTIVE FILE DOCUMENTS:**

1. City of Los Angeles certified Venice Land Use Plan, 6/12/01.
2. Coastal Development Permit Appeal No. 74-75 (Argyropoulos).
3. Coastal Development Permit 5-95-034 (Caplan/Groening).

**STAFF RECOMMENDATION:**

The staff recommends that the Commission vote **NO** on the following motion and adopt the resolution to **DENY** the coastal development permit application:

**MOTION:** *"I move that the Commission approve Coastal Development Permit Application No. 5-02-153 as submitted by the applicant."*

Staff recommends a **NO** vote and adoption of the following resolution and findings.

**I. RESOLUTION FOR DENIAL**

The Commission hereby **denies** a coastal development permit for the proposed development on the grounds that the development will not be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and would 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. Approval of the permit application would not comply with CEQA because there are feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**II. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares:

**A. Project Description and Area History**

The applicant proposes to construct a new two-story, 30-foot high (with 32-foot high roof deck railings), 2,500 square foot single family residence across two abutting canal-front lots (See Exhibits). The front of the proposed house, which faces Grand Canal, is 54 feet long (Exhibit ##5). The project site has a canal frontage of sixty feet along Grand Canal (Exhibit #2, p.2). The proposed house is set back thirteen feet from the canal property line, leaving about 850 square feet of permeable front yard area between the front of the house and the canal property line (Exhibit #4). A ground level deck would occupy part of the proposed front yard area. A detached two-car garage is also proposed to be constructed, with vehicular access gained from the rear alley: Strongs Drive. A pool is proposed in the rear yard.

The 5,402 square foot site (two lots) is currently occupied by a two-story, 1,620 square foot single family residence (Exhibit #3). According to the applicant, the existing house was built across the lot line (the line between the two abutting lots) in 1965 (See Site Survey: Exhibit #3). The applicant asserts that this action combined the two lots prior to the passage of

Proposition 20 (1972) and the State's adoption of the Coastal Act of 1976. The applicant supports this contention by providing a tax bill noting that the two lots have one assessor's parcel number. Rather than demolish the existing house, which would again separate the two lots, the applicant is proposing to maintain the existing structure on the property as an accessory building. The applicant proposes to remove the kitchen from the existing two-story house so the older structure would no longer be defined as a single family residence (Exhibit #4).

## **B. Community Character**

The Venice Canals neighborhood is comprised of small canal-fronting lots developed with a variety of older and newer single family residences, and a few non-conforming duplexes. These residential buildings are typically only one or two stories tall. Because the lots are narrow, typically thirty feet wide, most of the houses are 24 feet wide. There are approximately 386 lots that front the Venice Canals north of Washington Boulevard (Exhibit #2, p.1). Almost every one of these canal-fronting lots measures either 30'x 90' or 40'x 90'. Public sidewalks currently provide public access along all banks of the canals, separating the homes from the water. The Venice Canals are a historic feature. And walking along the canals is a popular form of recreation for local residents and visitors alike.

Sections 30251 and 30253(5) of the Coastal Act require that new development be visually compatible with the character of the surrounding area and that visual resources and special communities, like the Venice Canals area, be protected from development that is out of scale with the area.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, 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(5) of the Coastal Act states:

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

In this case, the long façade of the proposed single family residence is not in scale with the rest of the homes in the neighborhood. The proposed 30-foot high house is consistent in height with the other recently permitted development, but the 54-foot long façade on the side (front) that faces Grand Canal and the public sidewalk is not consistent with the surrounding development. Most of the existing canal fronting homes are only 24 feet wide on the side that

faces the canal (See Appendix A). Moreover, the façade of the proposed house is almost as wide as the canal, which is fifty feet wide. The proposed metal and glass façade is so massive that it would dominate its canal-side setting (Exhibit #5). Also, the proposed house does not provide the required fifteen-foot average setback from the canal property line, as required by the certified Venice LUP. Therefore, the design of the proposed project is not in character with the surrounding area, is out of proportion with the public resource, and the proposed development is inconsistent with Sections 30251 and 30253(5) of the Coastal Act and prior Commission actions.

### **Unique Character of the Venice Canals**

The Commission has recognized in both prior permit and appeal decisions that the Venice Canals are a unique coastal, cultural, historic and scenic resource of Southern California [e.g. Coastal Development Permit 5-91-884 (City of Los Angeles)]. The Venice Canals, which were created as part of the "Venice of America" subdivision in 1905, provide a sense of character and history for the Venice community. They also provide public access, recreation, and wildlife habitat. The canals, along with adjacent Ballona Lagoon, support some of the last remaining pockets of coastal wetland habitat in Los Angeles County.

Early in the 1900s, after the canals were dredged from the marshes, many of the lots that line the banks of the canals were developed with small summer cottages oriented toward the waterways and the sidewalks that line the canals. 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.

Starting in the late 1960's, urban renewal and neighborhood gentrification of the older Venice neighborhoods commenced. This resulted in major changes and upheavals in the older Venice neighborhoods including the one along the canals. Many of the lower income residents were evicted from the old small homes as the lots were redeveloped with much larger modern homes. The rapid changes to the neighborhood caused alarm and tension within the community as it struggled to maintain some its original character.

With the passage of Proposition 20 in 1972, and the establishment of new coastal zone land use regulations, the Coastal Commission became the main forum for the development of practical restrictions on the redevelopment of the Venice Canals neighborhood.

### **Scale of Development**

Since the mid-1970s, the Commission has protected the unique character of the Venice Canals neighborhood by regulating the scale of development that is permitted in the area. The Commission has tried to preserve the character of the area by restricting the density of development, limiting the scale and height of structures, and by requiring each canal-front property to provide a front yard setback between the structure and the sidewalk that runs along the water. The setback requirements were imposed to protect water quality, but also to provide a buffer and visual corridor between the canals and the newer and bigger homes being built along the canals.

The building standards in place today evolved through a series of public hearings and actions on permit applications. After a number of denials, the Commission agreed to allow redevelopment of the canals area, but required: 1) that the scale and massing of development be consistent with the existing development, and 2) that the new development, which was always taller than the typical fourteen-foot high cottages, be set back from the waterways so that the new taller structures would not "dwarf" the canals and the sidewalks. One of the Commission's first actions to protect the character of the Venice Canals neighborhood occurred on September 16, 1975 when it denied Coastal Development Permit Appeal No. 74-75 (Argyropoulos). The proposed development, similar to the currently proposed project, involved a new house proposed across two lots on Howland Canal. In its action to deny the project, the Commission found that a house built across two lots would appear much larger than the surrounding homes because the longer façade would be the part that is visible to passers-by. The Commission found that a house extending across two lots would be out of scale with the rest of the homes in the neighborhood, and could not conform to the community character provisions of the Coastal Act. Since the 1975 denial of the house across two lots, the Commission has not authorized lot combinations or new houses across two lots in this area.

Appeal No. 74-75 (Argyropoulos) became the precedent for future Commission actions that approved new homes along the canals, but limited them in size and scale so they would be in conformity with the scale and character of the existing homes in the neighborhood. The Commission set a height limit of 25 feet and a maximum floor area ratio of one-to-one (floor area could not exceed the lot area). No new homes were permitted across lot lines. In addition to limiting the size and scale of development along the canals, the Commission imposed front yard setback and second floor setback requirements in order to enhance visual quality and to maintain an open and visible public access corridor along the canals. The front yard areas also served to preserve the water quality and biological productivity of the canals by providing an area on each site for percolation of runoff.

In 1980, the Commission adopted the Regional Interpretive Guidelines for Los Angeles County which included specific building standards for the various Venice neighborhoods, including the Venice Canals neighborhood situated north of Washington Boulevard where the proposed project is located. These building standards, which apply primarily to density, building height, parking, and protection of water quality, reflect the conditions imposed in a series of permits heard prior to 1980. The Commission's Regional Interpretive Guidelines increased the height limit to thirty feet and did not include any maximum floor area ratio. The front yard setback requirement (10-foot minimum with a 15-foot average) was included in the Guidelines.

Between 1980 and 2001, the Commission has consistently applied the 1980 Guideline's density, height and parking standards to development in the Venice coastal zone in order to protect public access to the beach and to preserve the special character of the area.

In 1995, the issue of building across lot lines resurfaced when an applicant proposed to connect two existing single family residences on abutting lots with a bridge. Although lot combinations are not permitted along the canals, it is not uncommon for one person or couple to own two or more abutting lots in order to consolidate a greater area. In this case, one couple owned two abutting lots, and each lot was occupied with one house. On April 12, 1995, the Commission approved the proposed connecting bridge between the two homes, but required the applicants to record a deed restriction on each lot stating that, "No lot tie is

permitted" and "The connection between the two residential structures shall be removed prior to the sale of one or both lots." [See Coastal Development Permit 5-95-034 (Caplan/Groening)].

On June 12, 2001, the Commission officially certified the Land Use Plan (LUP) for Venice. The certified Venice LUP contains updated and revised building standards for the various Venice neighborhoods, including the Venice Canals neighborhood where the proposed project is situated. The policies and building standards contained in the Venice LUP reflect the Commission's prior actions in the area, the Commission's 1980 Interpretive Guidelines, and the existing unique character of the area. The canal area's thirty-foot height limit and front yard setback requirements of the 1980 Interpretive Guidelines were included in the certified LUP, and a specific prohibition against lot combinations was adopted as a land use policy. The certified LUP does not permit construction across two canal-front lots.

The certified Venice LUP contains the following policies to regulate residential development in the Venice Canals neighborhood.

Venice Land Use Plan Policy I.A.4.a states:

**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 front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No fill nor building extensions, including stairs and balconies, shall be placed in or over the required permeable 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. Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).*

Venice Land Use Plan Policy I.A.1.b states, in part:

***b. Residential Lot Consolidations. In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand residential neighborhoods...***

The certified LUP policy prohibiting lot consolidations in the Venice Canals neighborhood is one of the ways that the LUP protects the unique character of the Venice Canals. It protects the character of the area by prohibiting the construction of large homes across two or more lots that would be out of proportion with the neighboring homes. It also prevents the demolition of the existing homes that would have to occur in order to accommodate the larger homes. The demolition of existing smaller scale homes in order to build much larger ones would have a dramatic negative effect on the character of the area.

The applicant argues that the lots became tied together when the existing residence was built across the lot line (according to the applicant, this occurred in 1965). In the City of Los Angeles, however, the construction of a house over two lots does not permanently tie the two lots together – it would tie the two lots together only as long as the house exists on the two lot shared lot line. The two lots would revert into separate individual lots when the house was demolished or removed from the lot line. [See Coastal Development Permit 5-01-341 (Shelton)].

Although the house presently exists on the two lots, the existing house is in scale with the other houses in the neighborhood, and the majority of the site is landscaped open space (Exhibit #3). The proposed new house, however, would extend over both lots near the front (canal side) of the site, presenting an unrelieved facade that is only thirteen feet from the canal sidewalk (Exhibit #5). Therefore, the design of the proposed project would have a negative effect on community character because its large façade is out of scale with the existing development.

As shown on Appendix A, none of the Venice Canal homes that have been built or remodeled since 1989 (84 lots) have a façade that approaches the size of the 54-foot long front of the proposed residence. In fact, every house reviewed by the Commission since 1989 has a frontage that is 34 feet long or less. Only nine of these homes have a longer façade than the typical 24-foot long façade that is permitted on the typical thirty-foot wide lots. The homes with frontages longer than 24 feet are on the forty-foot wide lots. The Commission has not permitted any new houses across lot lines.

Therefore, the 54-foot long façade of the proposed single family residence out of proportion and is not in scale with the rest of the homes in the neighborhood. Its massing and excessive length would alter the unique character of the area that is defined by the rows of tightly-space homes with relatively narrow facades facing the canals. The design of the proposed project is not in character with the surrounding area, and the proposed development is inconsistent with Sections 30251 and 30253(5) of the Coastal Act and prior Commission actions.

The proposed project also raises another issue with regards to community character and the standards of the certified Venice LUP.

### **Building Setback**

Buildings in Venice have been required to be set back from waterways in order to enhance visual quality and public recreation, prevent a canyon effect along the canals, protect marine resources, and to provide an area on the site for water percolation. Commission-approved development adjacent to the Venice Canals has been consistently required to provide an open and permeable yard between the lagoon/canal property line and the front of any structure. The permeable yard must be least 450 square feet in area for a thirty-foot wide lot, and at least six hundred square feet for a forty-foot wide lot.

*[Note: For the remodeling of some of the older existing houses that were built without the currently required front yard setbacks, the Commission has allowed the required permeable yard area to be provided elsewhere on the lot, instead of in the front yard.]*

For all new homes, a minimum ten-foot front yard setback, with a required fifteen-foot setback average on any lot, provides the required permeable front yard area. No building extensions, including stairs and balconies, are permitted to be placed in or over the required permeable yard area with the exception of permeable decks. The certified Venice LUP includes this permeable yard and setback requirements for all development proposed along the canals.

The proposed single family residence does not provide the required fifteen-foot average setback between the house and the front (Grand Canal) property line, and does not provide the required permeable front yard area required by the certified Venice LUP (Exhibit #4). The proposed house is set back thirteen feet from the canal property line, leaving about 850 square feet of permeable front yard area between the front of the house and the canal property line. For the two thirty-foot wide lots, the amount of permeable yard area that would be required to be maintained between the canal property line and the front of the house is 1,350 square feet (two times the required 450 square feet for one thirty-foot wide lot). The proposed reduced setback and reduced permeable front yard area would result in a negative impact to visual resources by providing an inadequate buffer between the proposed residence and the Grand Canal public sidewalk. Therefore, the proposed project does not conform to the requirements of the certified Venice LUP, and is inconsistent with the provisions of Section 30251 of the Coastal Act.

### **C. Public Access and Recreation**

One of the basic goals stated in the Coastal Act is to maximize public access and recreation along the coast. The proposed project is conditioned to conform with the following Coastal Act policies which protect and encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 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 resource areas from overuse.



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 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

A public sidewalk currently exists on the canal bank situated between the project site and the waters of Carroll Canal (Exhibit #3). The existing sidewalk is part of a continuous City right-of-way system that provides public access and recreational opportunities along all the Venice waterways. The Coastal Act and the policies of the certified Venice LUP protect public access to and along the banks of the Venice Canals.

The size of the proposed project will have a negative effect on the public's use of the canal and the existing public walkway because it is: 1) out of proportion with the surrounding development, and 2) does not provide an adequate setback from the canal walkway, potentially discouraging public use of the canal and sidewalk. Therefore, the Commission finds that the proposed project is not consistent with the public access and recreation policies of the Coastal Act.

#### **D. Marine Resources and Water Quality**

The Commission has found that Ballona Lagoon and the Venice Canals are sensitive habitat areas that must be protected from negative impacts associated with development.

Section 30240 of the Coastal Act states:

- (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 30230 of the Coastal Act states:

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 states:

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.

The Venice Canals are located up stream from Ballona Lagoon, within the Ballona Wetlands system. The introduction of urban runoff, including pesticides, garden fertilizers, and runoff from impervious surfaces, can reduce the water quality of the canals which directly impacts the biological productivity of the system. The Ballona Wetlands system is habitat for many species of marine biota, including the state and federally listed endangered least tern.

In order to protect the biological productivity of the Venice Canals and Ballona Lagoon, the Commission has consistently conditioned projects along the waterways to provide and maintain front yard setbacks, permeable yard areas and drainage devices to absorb and filter rainwater and site drainage before it enters the canals [e.g. Coastal Development Permit 5-00 018 (Orenstein)]. The Commission's requirements are consistent with the recommendation of the Santa Monica Bay Restoration Project Action Plan to reduce non-point source pollutants.

The Commission has consistently conditioned projects in the Venice Canals to provide and maintain a large permeable front yard as a setback from the canal to enhance public access, to provide an area for percolation to protect the water quality and biological productivity of the canals, and to protect community character by maintaining a comparable scale between buildings in the area. No fill nor building extensions may be placed in or over the required permeable front yard area with the exception of fences or permeable decks at grade. The permeable front yard area allows rain and irrigation water to seep into the ground, minimizing run-off directly into the canals. An impervious front yard could facilitate a "rush" of water run-off which would increase the amount of sediments and pollutants that are washed into the adjacent canal.

The amount of the Commission's required permeable front yard area for the subject site is 9000 square feet. The figure of 900 square feet is based on an average setback of fifteen feet across the sixty-foot width of the site. The Commission's front yard setback requirement is defined in square footage rather than an absolute lineal measurement to allow for changes in plane which can add architectural interest. A minimum ten-foot front yard setback, with a required fifteen-foot setback average, can provide the required 900 square foot permeable front yard area and a front yard setback which is consistent with the other residences in the area. For the remodeling of some of the older existing houses that were built without the currently required front yard setbacks, the Commission has allowed the required permeable yard area to be provided elsewhere on the lot, instead of in the front yard.

In this case, the proposed single family residence does not provide the required fifteen-foot average setback between the house and the front (Grand Canal) property line (Exhibit #4). The proposed house is set back thirteen feet from the canal property line, leaving about 850 square feet of permeable front yard area between the front of the house and the canal property line. For the two thirty-foot wide lots, the amount of permeable yard area that must be maintained between the canal property line and the front of the house would be 900 square feet (two times the required 450 square feet for one thirty-foot wide lot). The proposed project does not provide all of the permeable front yard area required by the certified Venice LUP, and is inconsistent with the marine resource and water quality provisions of the Coastal Act.

#### **E. Parking**

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

Section 30252 of the Coastal Act states, in part:

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

Some of the older cottages in the Venice Canals area do not provide adequate on-site parking. The availability of parking on the public streets is reduced by the fact that the streets in this neighborhood are primarily waterways and narrow alleys. The small amount of parking area that may be available for the general public on the surrounding streets is being used by guests and residents of the area. As a result, there is a parking shortage in the area and public access has been negatively impacted by the difficulty in finding a parking space.

To mitigate this problem, the Commission has consistently conditioned new development within the canals to provide a rear setback of at least nine feet for guest parking or to make other provisions for guest parking. The required rear setback for guest parking is in addition to the Commission's other parking standards which require the provision of at least two parking spaces per residence. The parking policies contained in the certified Venice LUP include this requirement.

The proposed project provides three on-site parking spaces: two in a proposed garage and one uncovered space next to the garage (Exhibit #4). The proposed three parking spaces would be an adequate parking supply for a single family residence. The proposed project, however, involves one existing single family residence (1,620 square feet) and one proposed single family residence (2,500 square feet). The existing single family residence, which would be remodeled and redefined as an accessory structure, is proposed to remain on the site with no additional parking provided. Although the kitchen is proposed to be removed from the existing single family residence, the use of the structure by guests would increase the parking demand for the site. At least one additional on-site parking space should be required to serve the 1,620 square foot residential structure that currently occupies the site. The proposed three parking spaces do not provide an adequate parking supply to meet the demand of the

proposed project. The lack of an adequate parking supply to meet the project's demands would have a cumulative negative effect on the area's parking supply and would limit public access to the canals area.

#### **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 City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The Los Angeles City Council adopted a proposed Land Use Plan (LUP) for Venice on October 29, 1999. On November 29, 1999, the City submitted the draft Venice LUP for Commission certification. On November 14, 2000, the Commission approved the City of Los Angeles Land Use Plan (LUP) for Venice with suggested modifications. On March 28, 2001, the Los Angeles City Council accepted the Commission's suggested modifications and adopted the Venice LUP as the Commission on November 14, 2000 approved it. The Commission officially certified the Venice LUP on June 12, 2001.

The certified Venice LUP contains provisions to protect the scale and character of the historic Venice Canals, including restrictions on the size of buildings and the requirement for front yard setbacks. As discussed in this report, the proposed project does not conform to the policies of the certified Venice LUP. Moreover, as discussed above, the proposed development is inconsistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development would prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, and is not consistent with Section 30604(a) of the Coastal Act.

#### **G. California Environmental Quality Act (CEQA)**

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.

In this case, there exists a viable use on the site: the existing single family residence. Another feasible alternative is to design a new house with a façade that is in character with the surrounding homes. For example, since the issue is visual, the applicant could break up the façade, set part of the house farther back from the canal or provide other visual relief. With sixty feet of canal frontage, there are other ways to site and design the proposed structure that could avoid an unrelieved 54-foot long façade and which would be visually compatible with the character of the community. Furthermore, the applicant has the right to develop one house on each lot. As noted above, building across two lots does not permanently erase the lot line.

Therefore, there are feasible alternatives or mitigation measures available which will lessen the significant adverse impacts that the development would have on the environment. Therefore, the Commission finds that the proposed project is not consistent with CEQA and the policies of the Coastal Act.

End/cp

# VENICE CANAL HOUSES

(1989- August 2002)

| <u>Canal Frontage</u> | <u>Permit No.</u> | <u>Address</u>       | <u>Ht./Size of House</u>            |
|-----------------------|-------------------|----------------------|-------------------------------------|
| 54'                   | 5-02-153          | 2806 Strongs (Grand) | 30' – 2,500 sq.ft. (On 2 lots)      |
| 24'                   | 5-02-168          | 213 Sherman Canal    | 30' – 2,247 sq.ft. (remodel)        |
| 23'                   | 5-02-175          | 2504 Strongs (Grand) | 21' – 1,000 sq.ft. (remodel 2 SFDs) |
| 24'                   | 5-02-125          | 220 Carroll Canal    | 30' – 3,029 sq.ft.                  |
| 24'                   | 5-02-102          | 231 Linnie Canal     | 24.5' – 1,935 sq.ft.                |
| 24'                   | 5-02-047          | 2417 Eastern Canal   | 28' – 2,342 sq.ft. (remodel)        |
| 24'                   | 5-02-013          | 2355 Eastern Canal   | 30' – 2,438 sq.ft.                  |
| 24'                   | 5-01-417          | 218 Carroll Canal    | 30' – 4,166 sq.ft.                  |
| 23'                   | 5-01-469          | 239 Linnie Canal     | 30' – 3,296 sq.ft.                  |
| 22'                   | 5-01-485          | 2316 Strongs (Grand) | 24.5' – 1,783 sq.ft. (remodel)      |
| 24'                   | 5-01-455          | 2419 Eastern Canal   | 30' – 2,884 sq.ft. (remodel)        |
| 32'                   | 5-01-418          | 241 Sherman Canal    | 30' – 1,304 sq.ft. (half-lot)       |
| 24'                   | 5-01-416          | 217 Howland Canal    | 30' – 3,134 sq.ft.                  |
| 20'                   | 5-01-327          | 428 Linnie Canal     | 30' – 2,700 sq.ft. (remodel)        |
| 24'                   | 5-01-271          | 2913 Grand Canal     | 30' – 3,154 sq.ft.                  |
| 24'                   | 5-01-206          | 2420 Grand Canal     | 30' – 3,000 sq.ft.                  |
| 24'                   | 5-01-166          | 402 Howland Canal    | 30' – 3,164 sq.ft.                  |
| 24'                   | 5-01-165          | 404 Howland Canal    | 30' – 3,220 sq.ft.                  |
| 23'                   | 5-01-160          | 409 Linnie Canal     | 38' – 3,110 sq.ft.                  |
| 24'                   | 5-00-204          | 2320 Grand Canal     | 30' – 2,927 sq.ft.                  |
| 24'                   | 5-00-018          | 2605 Grand Canal     | 30' – 3,322 sq.ft.                  |
| 32'                   | 5-99-478          | 242 Sherman Canal    | 30' – 3,957 sq.ft.                  |
| 24'                   | 5-99-370          | 405 Sherman Canal    | 38' – 4,449 sq.ft.                  |
| 24'                   | 5-99-395          | 425 Sherman Canal    | 30' – 3,120 sq.ft.                  |
| 22'                   | 5-99-317          | 437 Linnie Canal     | 28' – 2,910 sq.ft. (remodel)        |
| 24'                   | 5-99-310          | 2419 Eastern Canal   | 30' – 2,760 sq.ft. (remodel)        |
| 24'                   | 5-99-287          | 416 Linnie Canal     | 30' – 3,098 sq.ft.                  |
| 24'                   | 5-99-286          | 414 Linnie Canal     | 30' – 3,100 sq.ft.                  |
| 20'                   | 5-99-236          | 2412 Grand Canal     | 30' – 1,662 sq.ft.                  |

## Appendix A

|     |          |                      |                                |
|-----|----------|----------------------|--------------------------------|
| 25' | 5-99-227 | 458 Carroll Canal    | 30' – 3,542 sq.ft.             |
| 24' | 5-99-194 | 2337 Eastern Canal   | 26.5' – 1,687 sq.ft. (remodel) |
| 24' | 5-99-164 | 429 Sherman Canal    | 30' – 3,027 sq.ft.             |
| 24' | 5-99-153 | 422 Linnie Canal     | 30' – 2,337 sq.ft.             |
| 24' | 5-99-085 | 225 Carroll Canal    | 21' – 1,132 sq.ft. (remodel)   |
| 24' | 5-99-084 | 2519 Grand Canal     | 30' – 2,422 sq.ft.             |
| 24' | 5-99-081 | 403 Sherman Canal    | 30' – 1,330 sq.ft. (remodel)   |
| 24' | 5-99-071 | 2303 Eastern Canal   | 30' – 2,480 sq.ft.             |
| 24' | 5-99-004 | 2215 Grand Canal     | 30' – 2,902 sq.ft.             |
| 24' | 5-99-003 | 2213 Grand Canal     | 30' – 2,902 sq.ft.             |
| 24' | 5-98-528 | 219 Sherman Canal    | 25' – 2,021 sq.ft. (remodel)   |
| 24' | 5-98-502 | 403 Carroll Canal    | 32' – 2,068 sq.ft.             |
| 24' | 5-98-455 | 231 Howland Canal    | 30' – 2,800 sq.ft.             |
| 17' | 5-98-435 | 413 Linnie Canal     | 30' – 1,897 sq.ft.             |
| 24' | 5-98-388 | 438 Howland Canal    | 30' – 3,593 sq.ft.             |
| 23' | 5-98-365 | 217 Linnie Canal     | 23' – 1,908 sq.ft. (remodel)   |
| 24' | 5-98-216 | 427 Linnie Canal     | 30' – 2,471 sq.ft. (remodel)   |
| 24' | 5-98-182 | 429 Sherman Canal    | 30' – 2,614 sq.ft.             |
| 24' | 5-98-090 | 419 Howland Canal    | 35' – 2,704 sq.ft.             |
| 24' | 5-97-381 | 2212-14 Grand Canal  | 30' – 2,858 sq.ft. (remodel)   |
| 24' | 5-97-228 | 2722 Strongs (Grand) | 28' – 2,976 sq.ft. (remodel)   |
| 20' | 5-97-186 | 445 Carroll Canal    | 28' – 2,010 sq.ft. (remodel)   |
| 24' | 5-97-151 | 452 Sherman Canal    | 30' – 2,998 sq.ft.             |
| 24' | 5-97-152 | 450 Sherman Canal    | 30' – 2,998 sq.ft.             |
| 22' | 5-97-078 | 2405 Grand Canal     | 37' – 3,674 sq.ft.             |
| 24' | 5-97-018 | 229 Sherman Canal    | 30' – 2,844 sq.ft. (remodel)   |
| 24' | 5-96-046 | 441 Sherman Canal    | 29.5' – 1,050 sq.ft. (garage)  |
| 24' | 5-95-273 | 433 Carroll Canal    | 26' – 2,314 sq.ft. (remodel)   |
| 24' | 5-95-248 | 2910 Strongs (Grand) | 30' – 2,940 sq.ft.             |
| 24' | 5-95-116 | 2601 Grand Canal     | 39' – 3,425 sq.ft.             |
| 16' | 5-95-096 | 415 Linnie Canal     | 29' – 1,484 sq.ft. (remodel)   |

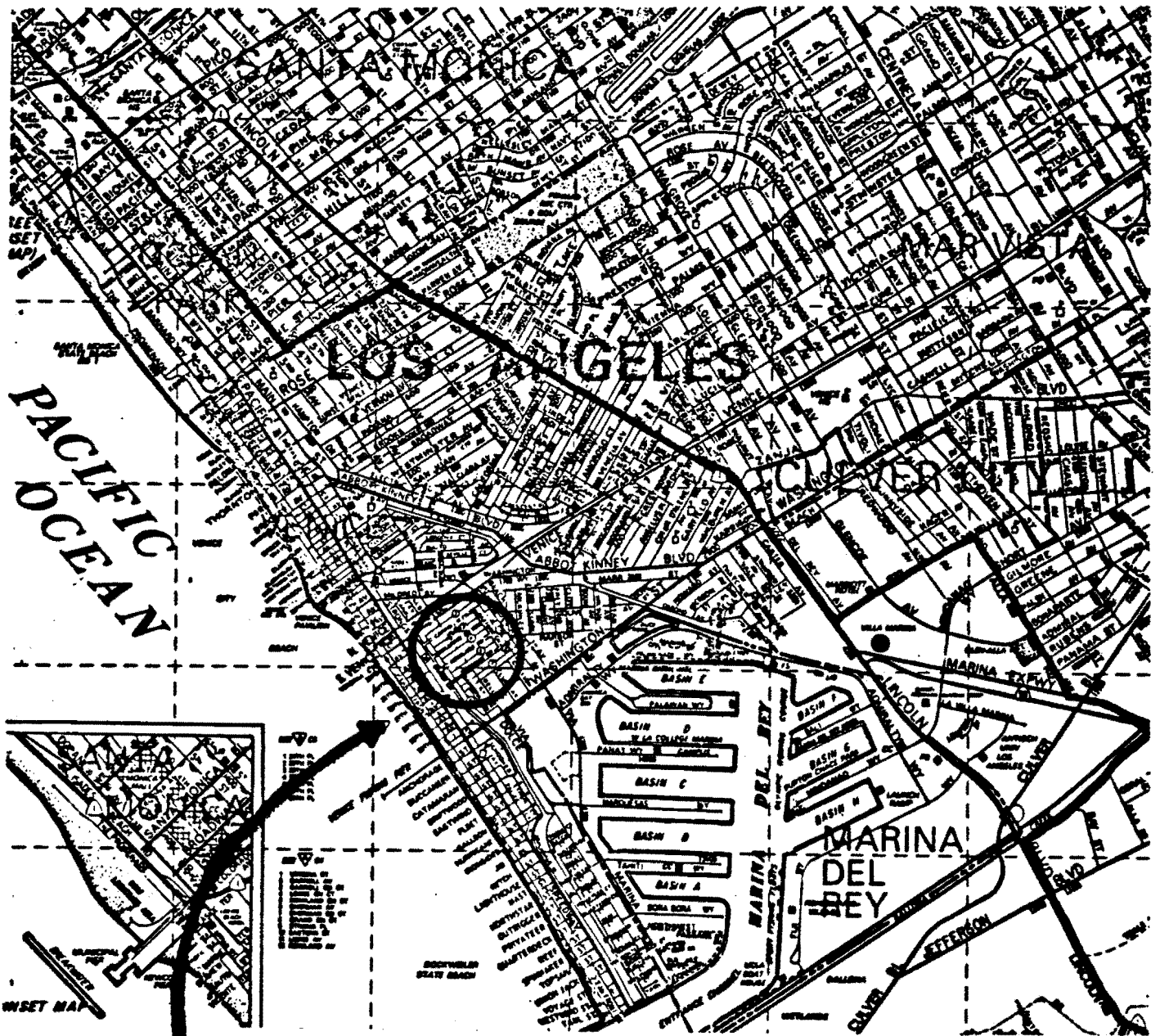
## Appendix A

|     |          |                      |                                |
|-----|----------|----------------------|--------------------------------|
| 22' | 5-95-034 | 239 Howland Canal    | 27' – 1,357 sq.ft. (remodel)   |
| 34' | 5-95-034 | 241 Howland Canal    | 30' – 3,418 sq.ft. (remodel)   |
| 30' | 5-94-115 | 241 Linnie Canal     | 24' – 1,900 sq.ft. (remodel)   |
| 24' | 5-94-136 | 416 Carroll Canal    | 30' – 1,440 sq.ft.             |
| 20' | 5-93-291 | 2347 Eastern Canal   | 35.5' – 3,548 sq.ft. (remodel) |
| 30' | 5-93-358 | 2401 Eastern Canal   | 30' – 3,333 sq.ft.             |
| 24' | 5-93-357 | 2407 Eastern Canal   | 30' – 3,187 sq.ft.             |
| 24' | 5-93-320 | 456 Carroll Canal    | 25' – 2,432 sq.ft. (remodel)   |
| 24' | 5-93-224 | 236 Sherman Canal    | 30' – 2,347 sq.ft. (remodel)   |
| 30' | 5-93-017 | 241 Carroll Canal    | 30' – 3,700 sq.ft. (remodel)   |
| 24' | 5-92-458 | 446 Sherman Canal    | 24' – 1,043 sq.ft. (remodel)   |
| 27' | 5-92-347 | 452 Howland Canal    | 24.5' – 2,166 sq.ft. (remodel) |
| 24' | 5-92-427 | 446 Linnie Canal     | 25' – 3,006 sq.ft. (remodel)   |
| 24' | 5-92-292 | 450 Linnie Canal     | 32' – 4,200 sq.ft. (remodel)   |
| 24' | 5-92-184 | 2335 Eastern Canal   | 28' – 2,926 sq.ft. (remodel)   |
| 32' | 5-92-066 | 242 Linnie Canal     | 29.5' – 2,704 sq.ft. (remodel) |
| 24' | 5-92-082 | 414 Howland Canal    | 16' – 1,411 sq.ft.             |
| 23' | 5-92-013 | 2304 Strongs (Grand) | 38' – 3,045 sq.ft. (remodel)   |
| 18' | 5-92-049 | 228 Howland Canal    | 24' – 2 x 633 sq.ft. (remodel) |
| 24' | 5-91-849 | 218 Howland Canal    | 22.5' – 2,459 sq.ft. (remodel) |
| 24' | 5-91-402 | 2402 Grand Canal     | 30' – 2,648 sq.ft.             |
| 24' | 5-91-334 | 446 Carroll Canal    | 26' – 1,656 sq.ft. (remodel)   |
| 24' | 5-91-083 | 230 Howland Canal    | 30' – 3,260 sq.ft.             |
| 26' | 5-91-039 | 408 Sherman Canal    | 27.5' – 1,200 sq.ft. (remodel) |
| 22' | 5-90-942 | 405 Carroll Canal    | 30' – 3,200 sq.ft.             |
| 34' | 5-89-474 | 241 Howland Canal    | 30' – 3,368 sq.ft.             |

- Notes:
1. In this table, the term "Canal Frontage" refers to the total length of the side(s) of the house that face(s) the front canal (i.e., the width of the lot minus the side yards).
  2. Nearly all 386 lots along the Venice Canals are 30 or 40 feet wide, as measured along the canal frontage; a few lots are less than 30 feet wide.
  3. The City zoning ordinance mandates that side yards measure at least 10 percent of the lot width.
  4. Development above 30' is restricted to rooftop appurtenances only, such as roof access structures.

End/cp



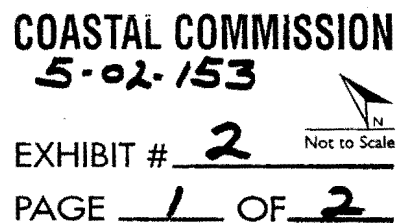


Site  
2800-2806 Strong's Dr.  
VENICE

COASTAL COMMISSION  
5-02-153

EXHIBIT # 1

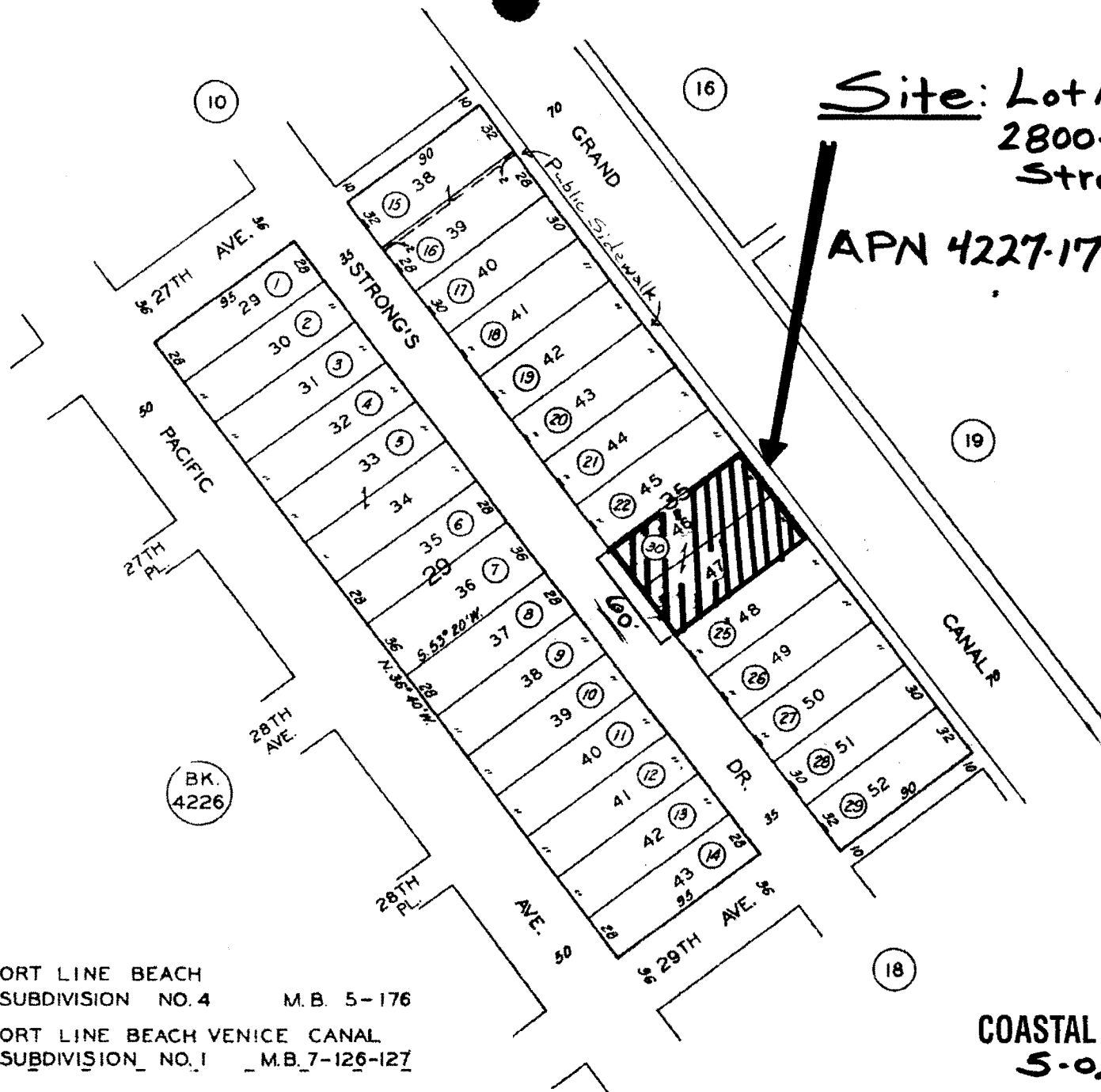
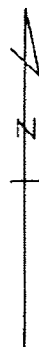
PAGE 1 OF 1



**Exhibit 5b**  
**Subarea: North Venice • Venice Canals**

4227-17

SCALE 1" = 60'



Site: Lot Nos. 46 & 47  
2800-2806  
Strong's Dr.

APN 4227-17-30

CODE  
67

SHORT LINE BEACH  
SUBDIVISION NO. 4 M.B. 5-176

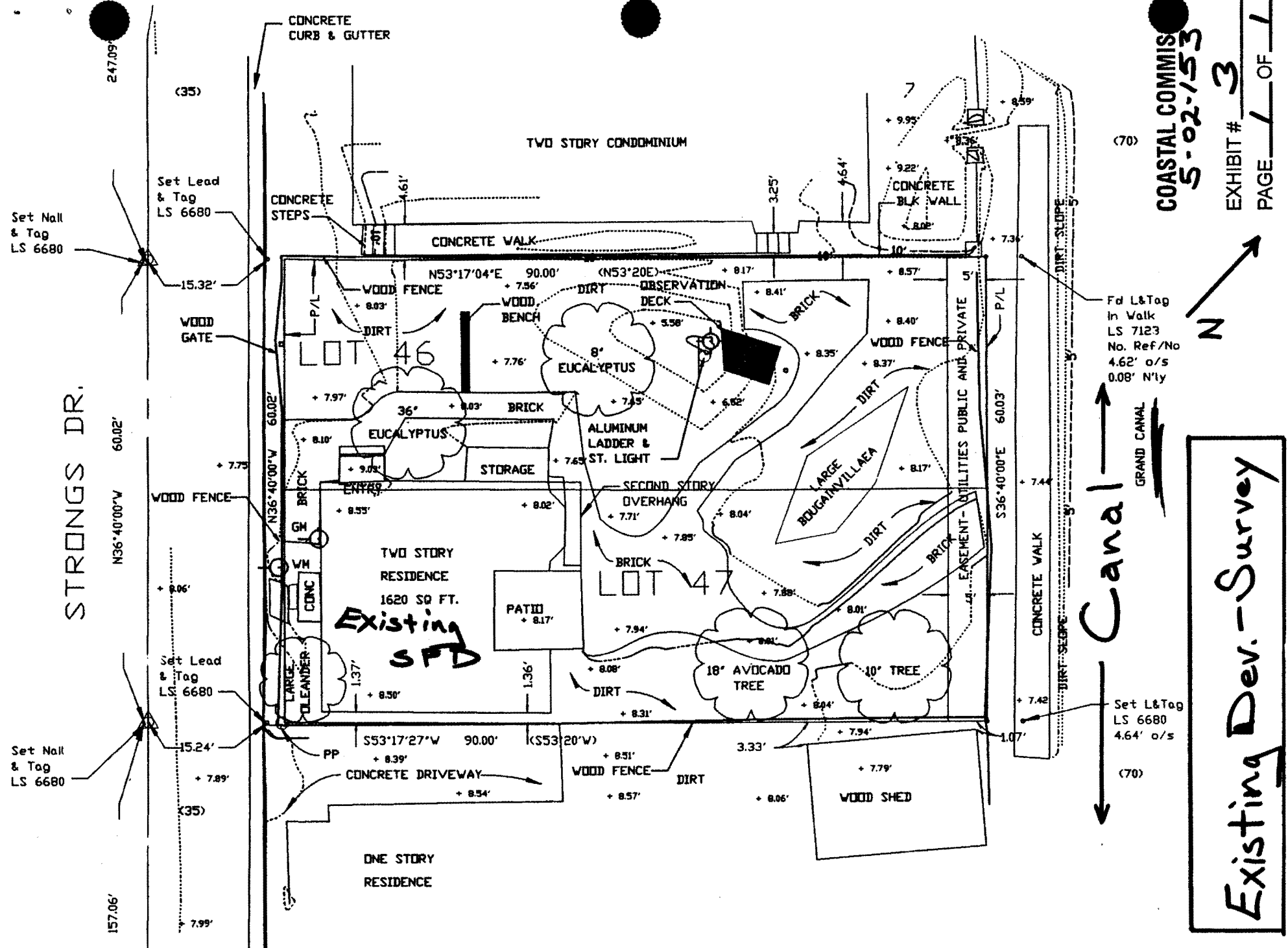
SHORT LINE BEACH VENICE CANAL  
SUBDIVISION NO. 1 M.B. 7-126-127

FOR PREV. ASSMT SEE:

COASTAL COMMISSION  
5-02-153

EXHIBIT # 2

PAGE 2 OF 2



Existing Dev. - Survey

STRONG'S DR. (ALLEY)

60'-0"

30'-6"

10'-0"  
(5'-0" AUT)

18'-0" (20'-0" AUT)

20'-0"

10'-0"  
(5'-0" AUT)

10'-0"

42'-0"  
(44'-0" AUT)

1'-0"  
10'-0"  
15'-0"  
5'-0"  
EASEMENT

ACCESSORY  
BUILDING  
REMODEL  
(EXISTING SFD)

Pool

500 ft  
ROOF DECK

PROPOSED 2 STORY  
2500 ft SINGLE  
FAMILY RESIDENCE

DECK  
(10'x15')

13'

← Public Sidewalk →

GRAND CANAL

30'-4"

N

Proposed  
Site  
Plan

COASTAL COMMISSION  
5-02-153

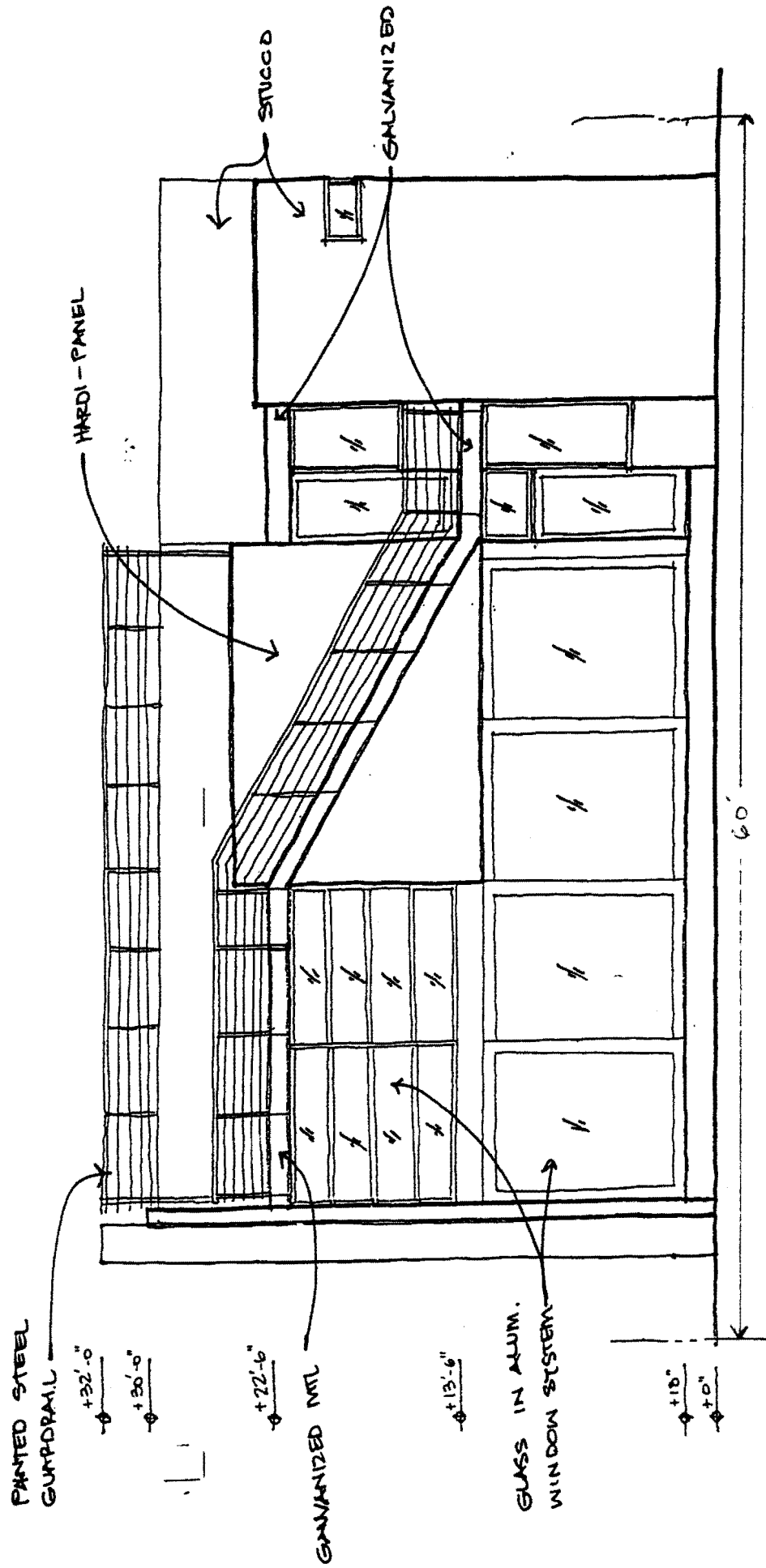
EXHIBIT # 4

PAGE 1 OF 1

SITE PLAN

CAUTION / PAPER 02.07.02

3

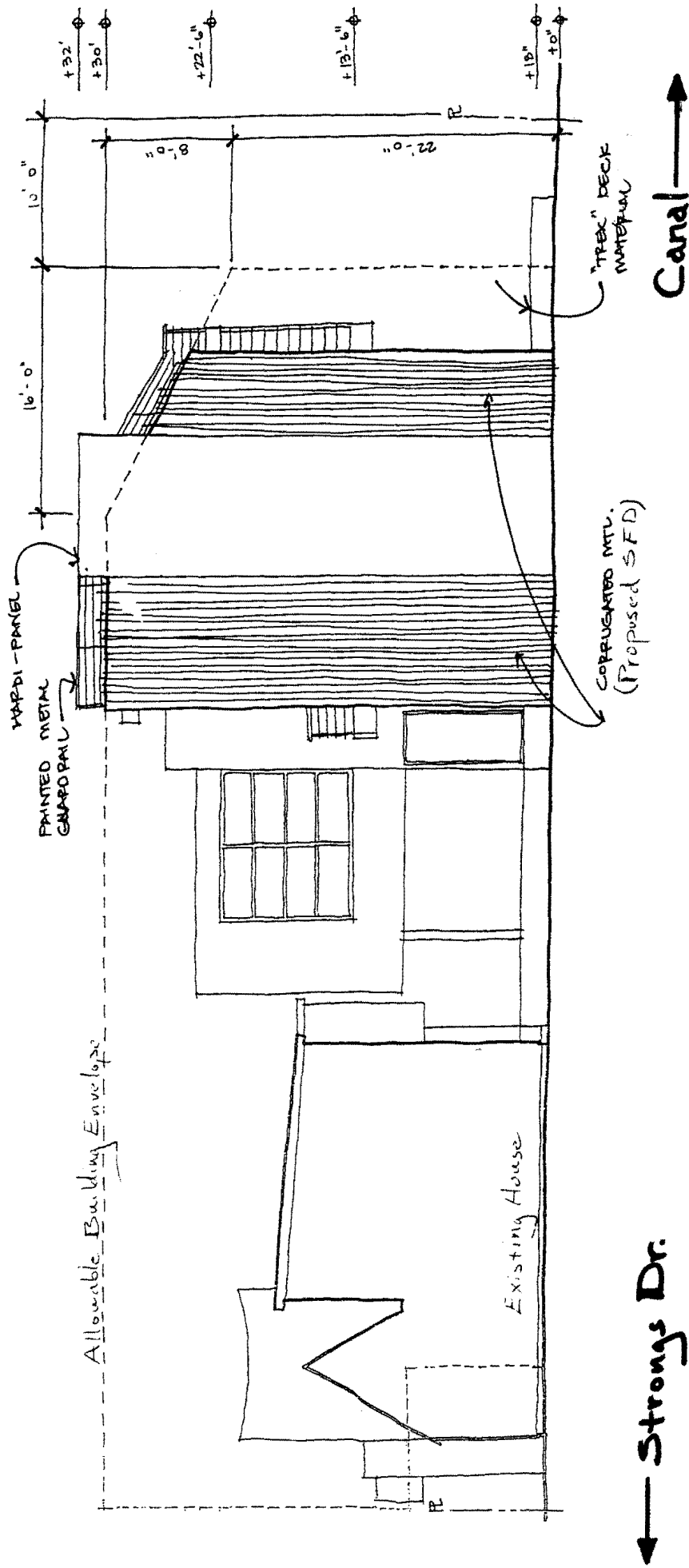


# Grand Canal Elevation - Proposed SFD

COASTAL COMMISSION  
5-02-153

EXHIBIT # 5

PAGE 1 OF 1



**Proposed**

**SOUTH ELEVATION**

GOLDSTEIN / PORTER RESIDENCE 02.07.02

**COASTAL COMMISSION**

**5-02-153**

EXHIBIT # **6**

PAGE **1** OF **1**

