

CALIFORNIA COASTAL COMMISSION

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



Filed: 7/21/04
49th Day: 9/08/04
180th Day: 1/17/04
Staff: AJP-LB
Staff Report: 9/14/04
Hearing Date: 10/13-15/04
Commission Action:

W 4b.**RECORD PACKET COPY****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-04-296**APPLICANT:** Paul and Beth Guez**PROJECT LOCATION:** 972 Palisades Beach Road, Santa Monica (Los Angeles County)**PROJECT DESCRIPTION:** Construction of a 379.5 square foot, 16 foot- 8 inch high, addition, to an existing two-story 3,737.5 square foot single-family residence.

| | |
|-----------------------|-----------------------------|
| Lot Area: | 10,968 sq. ft. |
| Building Coverage: | 379 sq.ft. |
| Pavement Coverage: | 35 sq. ft. |
| Landscape Coverage: | 0 sq. ft. |
| Zoning: | R2B—Low Density Residential |
| Ht above final grade: | 16'-8" feet |

LOCAL APPROVALS RECEIVED: City of Santa Monica Approval in Concept**SUBSTANTIVE FILE DOCUMENTS:** CDPs 5-99-401(Check Investments); (5-97-199(Risa, Inc); 5-97-112(Ephraim); 5-96-109(Warschaw); 5-03-369(Rosenthal)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed development with no special conditions.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

MOTION: *I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/ or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternative that would substantially lessen any significant adverse impacts of the development on the environment.

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 term or 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

None

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The proposed project involves the addition of 379 square feet to an existing 3,737 square foot, two-story single-family residence, with attached garage. The addition will extend the residence approximately 15 feet seaward. In addition to the existing residence, the 10,968 square foot lot is improved with a swimming pool on the seaward side of the residence, landscaping, and perimeter property fence/wall. The proposed addition will be 16'-8" in height, within the Commission's 50-foot height limit and the City's 40-foot maximum height limit.

The proposed project site is located at 972 Palisades Beach Road (Pacific Coast Highway), in the City of Santa Monica. The lot, measuring 60 feet wide by 183 feet deep, is a beach fronting lot located north of the Santa Monica Pier, in the North Beach area of the City of Santa Monica, on the western (seaward) side of Palisades Beach Road in the R2B (Low Density Multiple Family Residential/Parking Overlay) District.

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 and public beach parking lots. The beach area in front of the property is a broad beach, over 500 feet in width. Due to the width of the beach and the Santa Monica breakwater, properties are protected from storm wave impacts and have not required shoreline protective devices.

The existing single-family residence and addition are located landward of the 1921 mean high tide line, which was formally established by survey as the legal property line between public and private property in this location, as part of a settlement (lease agreements) between State Lands, City of Santa Monica and the various property owners. Although the Commission was not a party to the lease agreements, the Commission has required that no private, permanent improvements extend beyond the 1921 mean high tide line. In this

particular case all proposed development is located over 55 feet inland of the 1921 mean high tide line.

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 allows residential development but prohibits hotel and motel development, and restaurants over 2,000 square feet, in the Beach Overlay District.

B. Access

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. Development

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

D. Local Coastal Program

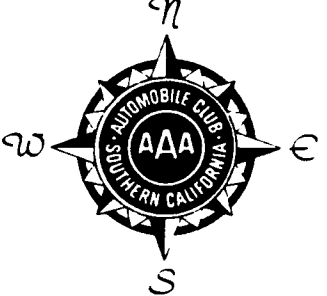
Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Santa Monica has neither a certified LCP nor a certified Land Use Plan for the North Beach area. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project 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 of the Coastal Act.

E. California Environmental Quality Act.

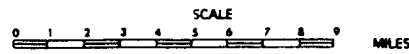
There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as submitted, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



Project Location
Santa Monica




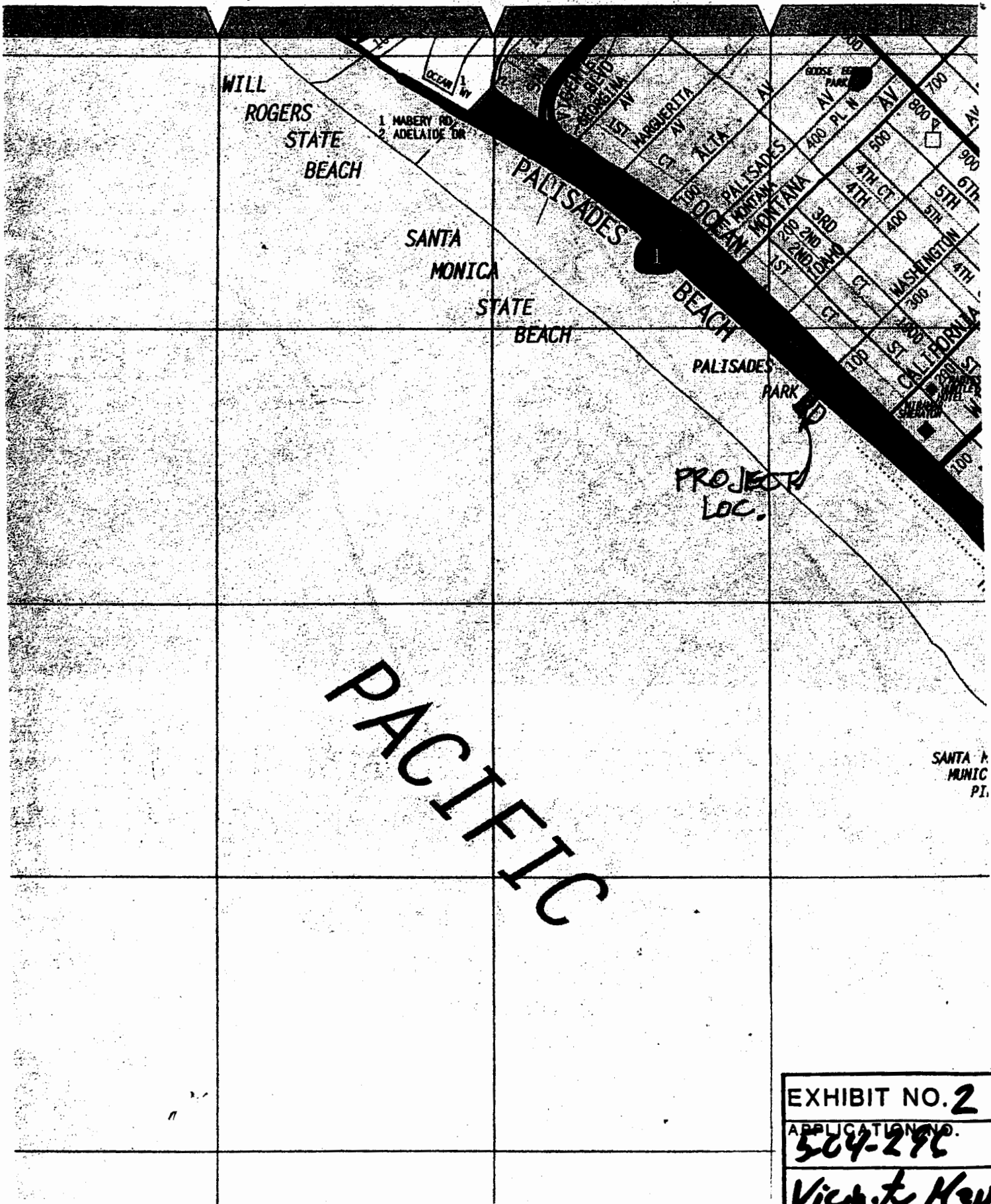
LOS ANGELES AREA



RECEIVED
South Coast Region &
CALIFORNIA
COASTAL COMMISSION

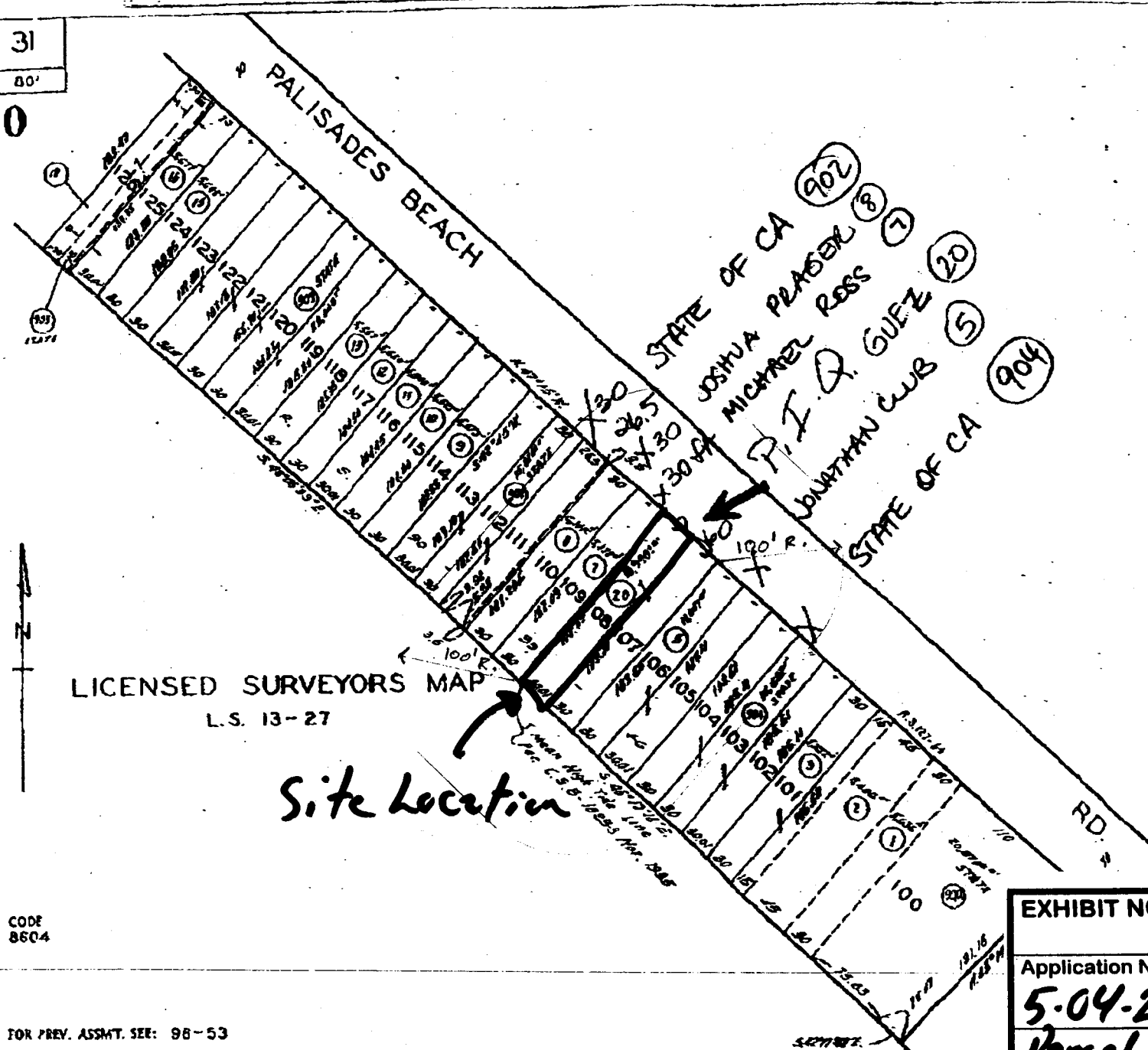
HUNTINGTON BI

| |
|---|
| EXHIBIT NO. 1 |
| APPLICATION NO. 5-04-296 |
| Regional Map |
|  California Coastal Commission |



4292 31
SCALE 1" = 80'

2000



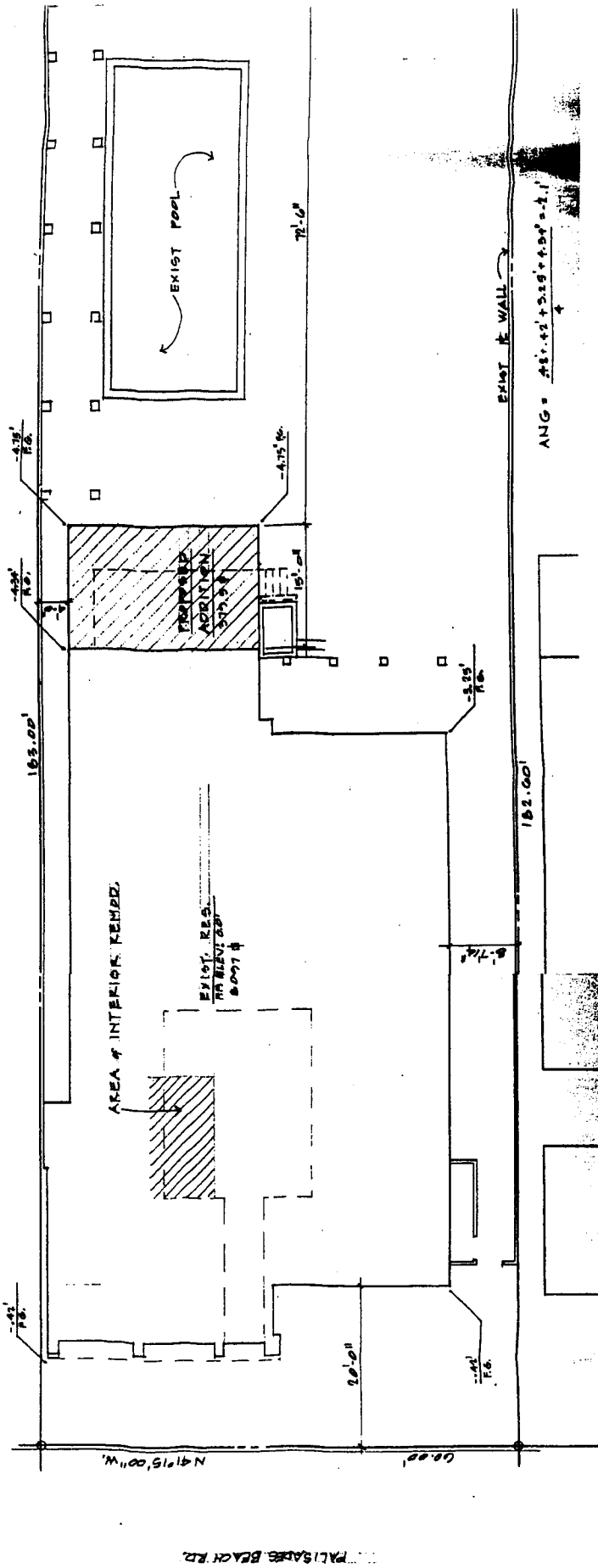
LICENSED SURVEYORS MAP
L.S. 13-27

Site Location

CODE
8604

NO. 1393 FOR PREV. ASSMT. SEE: 98-53

| |
|---------------------------------------|
| EXHIBIT NO. 3 |
| Application Number 5-04-296 |
| Parcel Map |
| California Coastal Commission |



| | |
|-------------------------------|-----------|
| EXHIBIT NO. | 4 |
| Application Number | 5-04-256 |
| | Site Plan |
| California Coastal Commission | |

| |
|-------------------------------|
| EXHIBIT NO. 5 |
| Application Number |
| 5-04-296 |
| Section |
| California Coastal Commission |

