

CALIFORNIA COASTAL COMMISSION

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

**F13b**

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-13-0639

Applicants: Joseph and Judith Girard

Agents: Brian Chin and Zachary Girard

Location: 15 25th Avenue, Venice, City of Los Angeles
(Los Angeles County APN 4226-017-007 & 4226-017-008)

Project Description: Demolition of three residential units on two lots totaling 5,280 sq. ft. facing a walk street, and construction of a 30' - 9" high, 7,452 sq. ft. three-unit condominium (2,609 sq. ft. unit one; 2,342 sq. ft. unit two; 2,501 sq. ft. unit three) with 7 parking spaces (two spaces per unit and one guest space) in a covered garage. Includes improvements on a portion of the fronting right-of-way.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending **approval** of the coastal development permit with **five (5)** special conditions regarding: **1) Compliance with the Venice Walk Street Requirements; 2) Revised Project Plans that conform with the height and setback requirements; 3) On-site Parking; 4) Construction Responsibilities and Debris Removal; and 5) Future Improvements Restriction.** The applicants do not agree with the staff recommendation. The proposed project exceeds the height limit and does not provide the required front yard setback as set forth in the certified Venice Land Use Plan (LUP). The certified LUP sets forth a maximum height limit of 28 feet on all walk streets. The proposed project exceeds that height limit by 2 feet and 9 inches, reaching a height of 30 feet 9 inches. The applicant also proposes a zero foot setback from the walk street facing property line, which is not consistent with the City of Los Angeles Zoning Regulations (minimum 15-foot setback) or past Commission approvals (varies, but a minimum of 5 feet). The project site is located in the Dual Permit Jurisdiction area. The proposed project has received a Local Coastal Development Permit (ZA-2011-0700-CDP, June 19, 2013) from the City of Los Angeles Planning Department. Adequate on-site parking is provided. Staff recommends that the Commission find that the proposed development, only as conditioned, conforms with the Chapter 3 policies of the Coastal Act and previous Commission approvals. If the project is not revised as conditioned it will prejudice the City's ability to prepare a Local Coastal Program (LCP) that is in conformity with the provisions of Chapter 3 of the Coastal Act.

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EXHIBITS

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Exhibit 2 – Area Map

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Exhibit 5 – South Elevation

Exhibit 6 – West Elevation

STAFF NOTE - DUAL PERMIT JURISDICTION:

On June 19, 2013, the City of Los Angeles Department of City Planning issued Local Coastal Development Permit No. ZA-2011-0700-CDP approving with special conditions the proposed development. Pursuant to Coastal Act Section 30600(b), any development which receives a local coastal development permit from the City must also obtain a second (or “dual”) coastal development permit from the Coastal Commission if the development is within the areas specified in Section 30601 (e.g., within three hundred feet of the beach or sea, or within one hundred feet of a stream, or within three hundred feet of the top of the seaward face of a coastal bluff). The areas specified in Section 30601 are known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area. The proposed project is in the *Dual Permit Jurisdiction* area. For projects located inland of the areas identified by Section 30601 (i.e., projects in the *Single Permit Jurisdiction*), the City of Los Angeles local coastal development permit is the only coastal development permit required. The local coastal development permits in both the single and dual jurisdiction areas are appealable to the Commission. In this case, the City’s issuance of the local coastal development permit was not appealed. The Commission’s standard of review for the proposed development is the Chapter 3 policies of the Coastal Act, because there is no certified LCP.

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 5-13-0639 pursuant to the staff recommendation.*

Staff recommends a YES vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the 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 alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following 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 on which the Commission voted on the application. 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 of 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

This permit is granted subject to the following special conditions:

1. **Compliance with the Venice Walk Street Requirements.** Coastal Development Permit 5-13-0639 approves the demolition of a multi-family residence and detached garage and construction of a 28-foot high, three-unit condominium with seven on-site parking spaces. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. As proposed by the applicant and conditioned, the approved development shall be constructed in conformance with the following Venice Walk Street Requirements:
 - a) **Building Design.** In order to enhance visual quality and community character, the side of the building facing the 25th Avenue walk street shall be designed and constructed with a varied and articulated façade that provides visual interest to pedestrians (e.g. with porches, bays and/or balconies), with frequent windows and the primary ground floor entrance for the residence facing the walk street, **as shown on Exhibits #5 & 6** of the 12/18/2014 staff report.
 - b) **Building Height.** The maximum height of the structure shall not exceed 28 feet above the centerline of the fronting right-of-way (25th Avenue). Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function are limited to 33 feet above the centerline of the fronting right-of-way. The roof access structure shall not exceed 38 feet above the centerline of the fronting right-of-way and shall not exceed 100 square-feet in area as measured from the outside walls.
 - c) **Building Setback.** In order to maintain an open and visible access corridor and to enhance visual quality, all balconies and other portions of the structure shall be set back at least five feet (5') from the 25th Avenue right-of-way as shown on **Exhibit #6** of the 12/18/2014 staff report.
 - d) **25th Avenue Right-of-Way.** In order to enhance visual quality, prevent vehicular access, and to provide a transitional zone between a public walkway in the center of 25th Avenue and the private dwelling, the area situated between the 25th Avenue walkway and the permittee's property line (i.e., within the 25th Avenue right-of-way) shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with non-invasive and low water use plants (as identified by the California Department of Water Resources - See: http://www.water.ca.gov/wateruseefficiency/docs/water_efficient_landscapes.pdf, and enclosed within a 42-inch high decorative fence or wall (e.g. split rail, picket or rustic). Private parking on the right-of-way is not permitted. The permittee and the proposed development shall not interfere with public pedestrian access to and along a public walkway in center of the 25th Avenue right-of-way.
 - e) **Landscaping.** No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

Any proposed change or deviation from the approved plans, including change in the number of residential units, change to parking supply or change in use, shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. **Revised Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, two (2) sets of revised project plans. The intent behind the required revised project plans is to ensure that the proposed project conforms to the height and setback requirements set forth is **Special Condition #1**. The revised project plans shall be in substantial conformance with the plans submitted on August 14, 2014, except for the building height, front yard setback and walk street improvements

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is legally required.

3. **On-site Parking.** A minimum of seven parking spaces shall be provided and maintained on the site to serve the approved development. Vehicular access to the site shall be taken only from the rear alley (24th Place). Vehicular access is not permitted on the 25th Avenue right-of-way.
4. **Construction Responsibilities and Debris Removal.** By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs:
- a) No construction or demolition materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
 - b) All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.
 - c) Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters or onto the beach, and more than fifty feet away from a storm drain, open ditch or surface waters.
 - d) Any and all demolition/construction material shall be removed from the site (via the alley only) within ten days of completion of demolition/construction and disposed of at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
 - e) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.

- f) Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
- g) During construction of the project, no runoff, site drainage or dewatering shall be directed from the site into any street, alley or stormdrain, unless specifically authorized by the California Regional Water Quality Control Board.

5. Future Improvements Restriction. This permit is only for the development described in Coastal Development Permit No. **5-13-0639**. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to Permit No. **5-13-0639** from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION & DESCRIPTION

The applicant proposes to demolish the existing 1,854 square foot, three-unit residence and detached garage on a walk street fronting lot, and construct a new three-story (plus basement), 30' – 9" high, 7,452 square foot three-unit condominium. There will be 2,609 square feet of living space in the first unit, 2,342 square feet of living space in the second unit and 2,501 square feet of living space in the third unit and seven on-site parking spaces (two tandem spaces for each unit in a covered garage and one covered guest space). Vehicular access will be provided by 24th Place, the rear alley (**Exhibit #4**).

The project site is a 60-foot wide, 5,280 square foot double lot with a depth of 88 feet situated on 25th Avenue walk street (**Exhibit #3**). The neighborhood, where the proposed project is located, is comprised of both old and new one, two and three-story single-family residences, duplexes and apartments. The project site also includes a 60' X 12' portion of the 25th Avenue right-of-way in the front of the proposed building, which the applicant has agreed to maintain as a landscaped and permeable yard area (i.e., walk street encroachment) as required by the certified Venice LUP (**Exhibit #4**). The project, as conditioned, will not adversely affect the public walkway that runs down the center of the 25th Avenue right-of-way.

The proposed project is consistent with the RD1.5 zoning designation and has received a Local Coastal Development Permit from the City of Los Angeles Planning Department (Case No. ZA-2011-0700-CDP, AA-2011-0702-PMLA, 6/19/2013). The City of Los Angeles Housing Department determined that there are no affordable housing units on the site (2/24/2011).

B. Development

Section 30250 of the Coastal Act states:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse

effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

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(e) of the Coastal Act states:

New development shall do all of the following:

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Certified Venice LUP Policies

The Commission adopted the following policy as part of the certified Venice LUP in order to regulate residential development on lots in North Venice that have been designated with the *Multi-Family Residential - Low Medium II* land use designation. The following policy language applies to the project site.

Venice Land Use Plan Policy I.A.7.c states:

- **Policy I. A. 7. Multi-Family Residential - Low Medium II Density.** *Accommodate the development of multi-family dwelling units in the areas designated as “Multiple Family Residential” and “Low Medium II Density” on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.*

d. Oakwood, Milwood, Southeast and North Venice

Use: Duplexes and multi-family structures.

Density: One unit per 1,500 – 2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units per lot.

Replacement Units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5, or one unit for each 2,000 square feet of lot area in excess of 4,000 square feet on parcels zoned RD2, if the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies I.A.9 through I.A.16).

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: North Venice: Not to exceed 30 feet for buildings with flat roofs; or 35 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet. Structures located along walk street are limited to a maximum height of 28 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13 – 16).

LUP Walk Street Design Standards

The certified Venice LUP also contains specific building design standards that have been designed and adopted in order to preserve the unique character of the Venice walk streets.

Policies II.C.7, II.C.10 and II.C.11 of the certified Venice LUP state:

- **Policy II. C. 7. Walk Streets.** *Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas and 4½ feet in the Milwood area. The remaining public right-of-way shall be limited to grade level uses including landscaping, patios, gardens and decks.*

(Staff note: Only a portion the lists of walk streets contained in LUP Policy II.C.7 are listed here).

The following streets are designated as walk streets (as shown on LUP Exhibit 19):

West of Pacific Avenue and east of Speedway:

- | | |
|--|------------------------------|
| <i>a. Ozone Avenue</i> | <i>i. Jib Street</i> |
| <i>b. Clubhouse Avenue</i> | <i>j. Ketch Street</i> |
| <i>c. Nineteenth Avenue</i> | <i>k. Mast Street</i> |
| <i>d. Twentieth Avenue</i> | <i>l. Northstar Street</i> |
| <i>e. <u>Twenty-fifth Avenue</u> (emphasis added)</i> | <i>m. Outrigger Street</i> |
| <i>f. Eastwind Street</i> | <i>n. Quarterdeck Street</i> |
| <i>g. Fleet Street</i> | <i>o. Union Jack Street</i> |
| <i>h. Ironsides Street</i> | <i>p. Voyage Street</i> |

West of Pacific Avenue and east of Ocean Front Walk:

- | | |
|---------------------------------|-----------------------------|
| <i>a. Twenty-fourth Avenue</i> | <i>j. Galleon Street</i> |
| <i>b. Twenty-sixth Avenue</i> | <i>k. Mast Street</i> |
| <i>c. Twenty-seventh Avenue</i> | <i>l. Outrigger Street</i> |
| <i>d. Twenty-eighth Avenue</i> | <i>m. Privateer Street</i> |
| <i>e. Thirtieth Avenue</i> | <i>n. Reef Street</i> |
| <i>f. Anchorage Avenue</i> | <i>o. Spinnaker Street</i> |
| <i>g. Buccaneer Street</i> | <i>p. Union Jack Street</i> |

h. Catamaran Street
i. Sunset Avenue

q. Westwind Street
r. Yawl Street
s. Via Marina

- **Policy II. C. 10. Walk Streets -- Residential Development Standards.** *New residential development along walk streets shall enhance both public access and neighborhood character. Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged. In case of duplexes and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, shall face walk streets, and be well-defined and separate.*
- **Policy II. C. 11. Encroachments into Walk Street Right-of-Way.** *Encroachments into City right-of-way shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences. The gardens/patios in the right-of-way, between the fences and the buildings, shall be permitted to provide a transitional zone between the public path ways and private dwellings. To create a defensible space, the planting along the walk streets shall not impede the view of walkways by the residents and the view of the gardens by the pedestrian. Creative use and arrangement of permeable paving materials shall be encouraged. Any fence, wall or hedge erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is encouraged. New fences shall be located in line with existing fences on the same side of the street.*

Sections 30251 and 30253 of the Coastal Act protect communities that are popular visitor destinations. With over 16 million visitors per year¹, Venice Beach is one of the most popular visitor destinations in the world and the most visited beach in the country². In an effort to protect the community character of Venice, especially along walk streets, the 28-foot height limit and walk street provisions in the certified LUP, which the Commission certified in 2001, sets forth specific policies thereby protecting the unique community character that helps define Venice Beach. Walk streets offer a unique experience for residents and visitors in Venice by providing direct access to the coast. Through height limits and setback standards, walk streets provide increased open space allowing in more sunlight and uncluttered views and preventing a canyoning effect that could eliminate the open easy feel that walk streets provide. Granting exceptions to height limits and setback standards can diminish the unique character of North Venice and would prejudice the City's ability to prepare an LCP that is in conformity with the provisions of the Coastal Act.

Since the Commission certified the Venice LUP in 2001, it has acted on a number of proposals for development (new single-family residences, duplexes and condominiums) along the Venice walk streets. Thus far, every development proposal provided a minimum setback of five feet from the walk street facing property line. The minimum five-foot setback is a necessary measure to prevent an adverse

¹ 2004 statistic provided by the Venice Chamber of Commerce. December 2014. *About Venice* [Online]. Available at: <http://venicechamber.net/visitors/about-venice/>

² Adams, M. July 2012. *What Are the Most Crowded Beaches in America?* [Online]. Available at: <http://tsminteractive.com/what-are-the-most-crowded-beaches-in-america/>

canyoning effect that would disrupt public views and eliminate the relaxed unconstrained atmosphere characteristic of walk streets.

Most development proposals have conformed to the 28-foot height limit, but a few proposals exceeded the height limit. In two cases, the City granted exceptions to the 28-foot height limit, which the Commission overturned during the coastal development permit process. In those two cases, in order to protect community character and public access, the Commission required the new development to conform to the 28-foot limit [See Coastal Development Permit 5-01-131 (Smith) & Appeal A5-VEN-01-392 (King)]. However, in the Marina Peninsula area of Venice, the Commission granted three exceptions for project proposals which exceeded the 28-foot walk street height limit [See Coastal Development Permits 5-02-353 (Lowenstein), 5-05-076 (Roddy), and 5-05-165 (Rivera & Pham)]. In each instance where a height limit exception was granted, the Commission found that the proposed heights did not exceed the heights of surrounding buildings or adversely affect visual resources, coastal access or community character. In no event has the Commission approved a development on a walk street in the North Venice area that exceeded the walk street height limit of 28 feet. In any case, the standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP provides specific guidance for the Commission's interpretation of the relevant Chapter 3 policies.

The proposed three-unit condominium is located in North Venice and does not conform to the 28-foot height limit for Venice walk streets nor does it provide a minimum front yard setback of five feet from the walk street fronting property line, required by past Commission approvals for all development on walk streets throughout Venice. The project, as proposed, is not consistent with past Commission approvals or the policies set forth in the certified LUP. Therefore, **Special Condition #1** is imposed in order to bring the proposed project in conformance with the policies set forth by the certified Venice LUP. If the proposed project is allowed to be built as proposed (with a nonconforming height limit and front yard setback), it will prejudice the City's ability to prepare an LCP.

Therefore, only as conditioned, the proposed project is consistent with community character and will have no negative effects on visual resources or coastal access. The proposed project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act, the policies of the certified Venice LUP and previous Commission approvals. Approval of the project, only as conditioned, would not prejudice the City's ability to prepare an LCP.

C. PUBLIC ACCESS AND RECREATION

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.”

Section 30252(4) of the Coastal Act states:

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.

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 Coastal Act policies which protect and encourage public access and recreational use of coastal areas. The proposed development is located one block inland from the public beach and, as conditioned, will have no impact on public access to coastal resources and will preserve public access on the walk street. Parking (seven spaces) will be accessed through 24th Place at the rear of the lot. The development will not create any new curb cuts and will not eliminate any public parking spaces on the streets. The proposed development will not have any adverse impacts on public access to the coast or to nearby recreational facilities and therefore, conforms with Sections 30210, 30211, 30213 and 30252(4) of the Coastal Act.

D. WATER QUALITY

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 applicant proposes to incorporate Best Management Practices to address water quality during construction and post-construction by filtering water on-site using downspouts and filtration planter boxes and by minimizing impervious surfaces on the project site. Refer to [Special Condition #4](#).

E. 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 it was approved by the Commission on November 14, 2000. The Venice LUP was officially certified by the Commission on June 14, 2001.

The proposed project, as conditioned, conforms with the certified Venice LUP. If the project is not revised as conditioned, it will not be consistent with the Chapter 3 policies of the Coastal Act and would prejudice the City’s ability to prepare an LCP. 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).

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

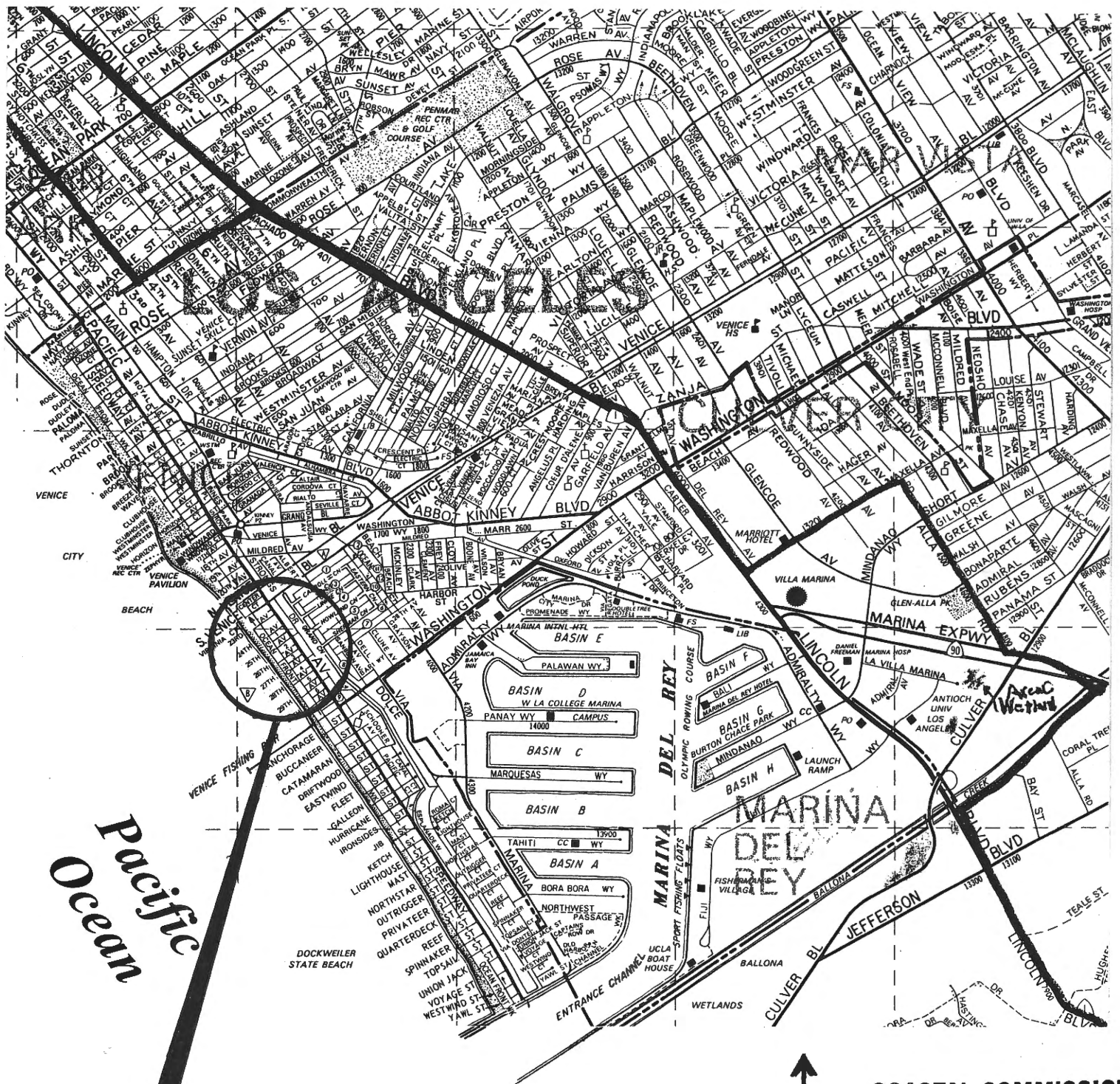
Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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.

Special Conditions #1 & #2 require the proposed project to conform with the height and setback requirements set forth in the LUP. As conditioned, it 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 feasible alternatives or additional 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. The City of Los Angeles issued Cat Ex ENV 2011-0699-CE for the proposed residence on 9/11/2011.

Appendix A - Substantive File Documents

1. Local Coastal Development Permit ZA-2011-700-CDP, 6/19/2013.
2. Parcel Map AA-2011-0702.
3. Certified Land Use Plan for Venice, City of Los Angeles, 6/14/01.
4. Venice Specific Plan, City of Los Angeles Ordinance No. 175,693.
5. Los Angeles Housing Department Mello Act Determination Memorandum, 2/24/2011.
6. Coastal Development Permit 5-05-076 (Roddy: 25 Quarterdeck St).
7. Coastal Development Permit 5-05-165 (Rivera & Pham: 14 Northstar).
8. Coastal Development Permit 5-06-070 (Certain: 10 26th Avenue).
9. Coastal Development Permit 5-06-371 (Nichols: 33 25th Avenue).
10. Coastal Development Permit 5-07-251 (Cook & Aroth: 21 27th Avenue).
11. Coastal Development Permit 5-07-310 (Canto: 24 Clubhouse).
12. Coastal Development Permit 5-07-316 (Klein: 31 24th Avenue).
13. Coastal Development Permit 5-07-348 (Rivera & Pham: 14 Northstar).
14. Coastal Development Permit 5-08-130 (Herndon: 33 20th Avenue).
15. Coastal Development Permit 5-09-088 (Wells: 33 28th Avenue).
16. Coastal Development Permit 5-09-230 (Aitken: 25 Anchorage Street).
17. Coastal Development Permit 5-11-295 (Bloomberg & Ferrell: 44 Ozone Avenue).
18. Coastal Development Permit 5-12-234 (Al-Shawe: 33 – 20th Avenue).

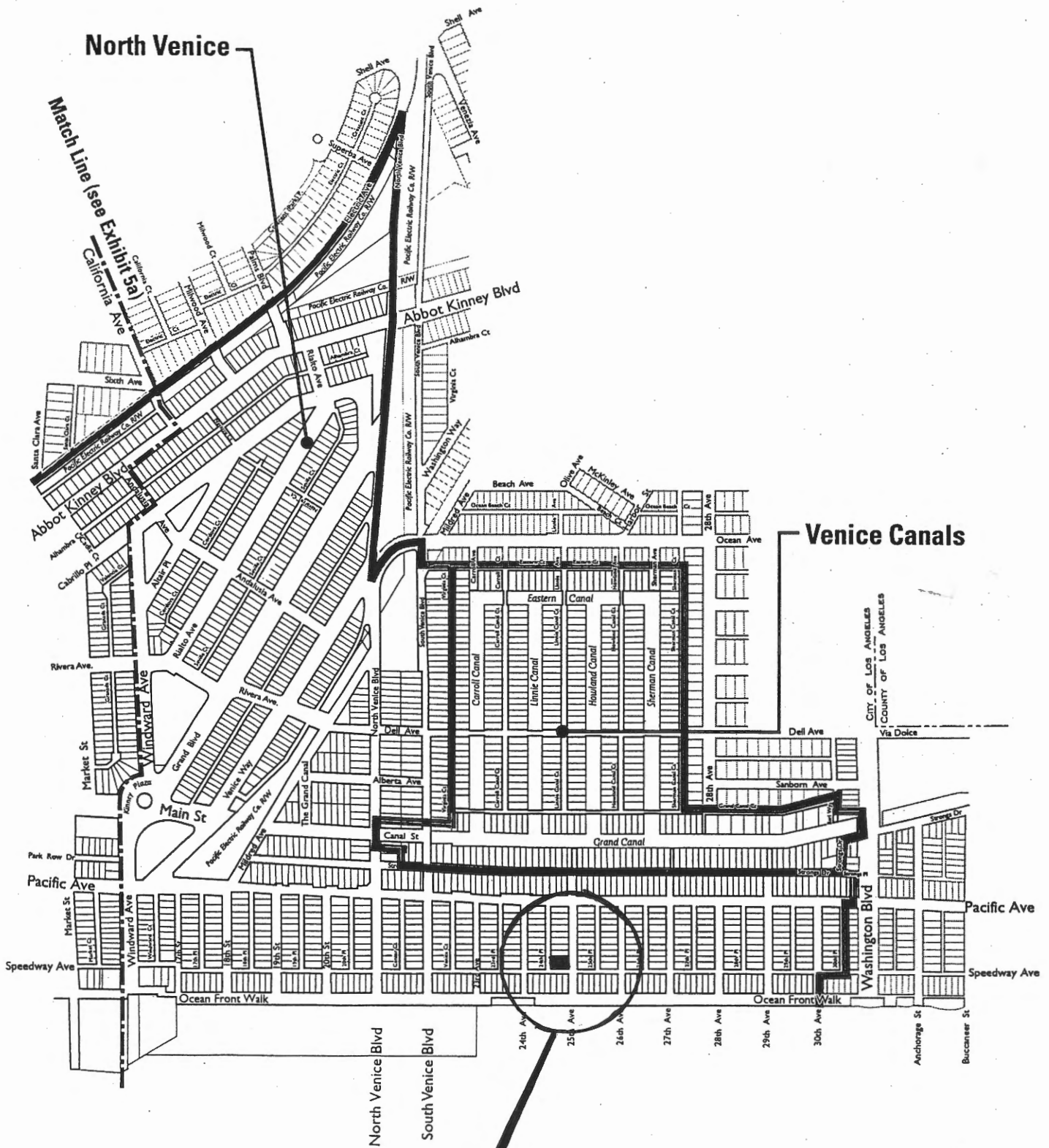
VENICE, CA



Pacific Ocean

SITE: 15-25TH AVE.

COASTAL COMMISSION
5-13-0639
EXHIBIT # _____
PAGE 1 OF 1



15-25TH AVE



Not to Scale

COASTAL COMMISSION

5-13-0639

EXHIBIT # 2

PAGE 1 OF 1

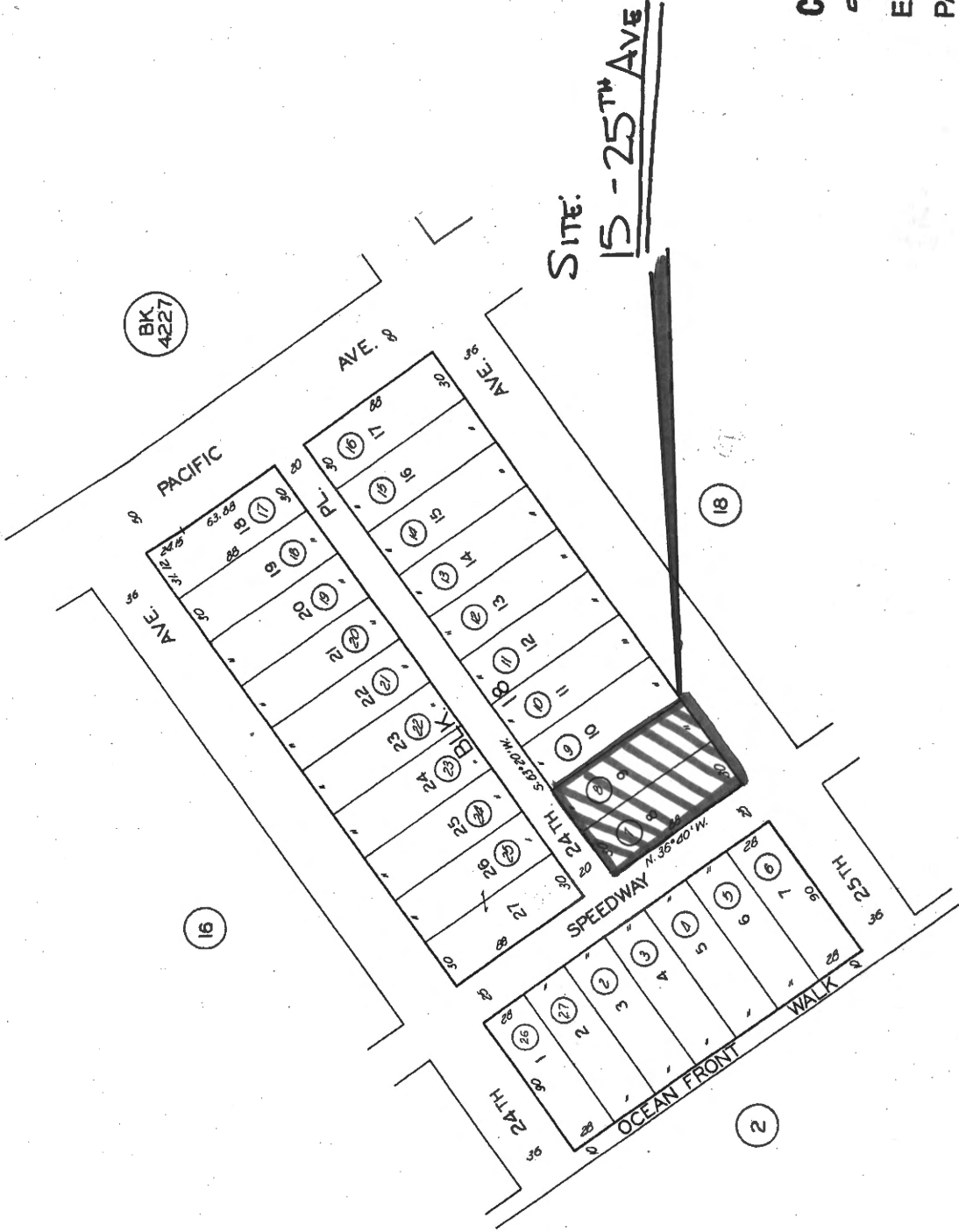
LUP
Exhibit 5b

Subarea: North Venice • Venice Canals

4226 17

SCALE 1" = 60'

2001



SITE: 15-25TH AVE

COASTAL COMMISSION

S-13-DU 39

EXHIBIT # 3

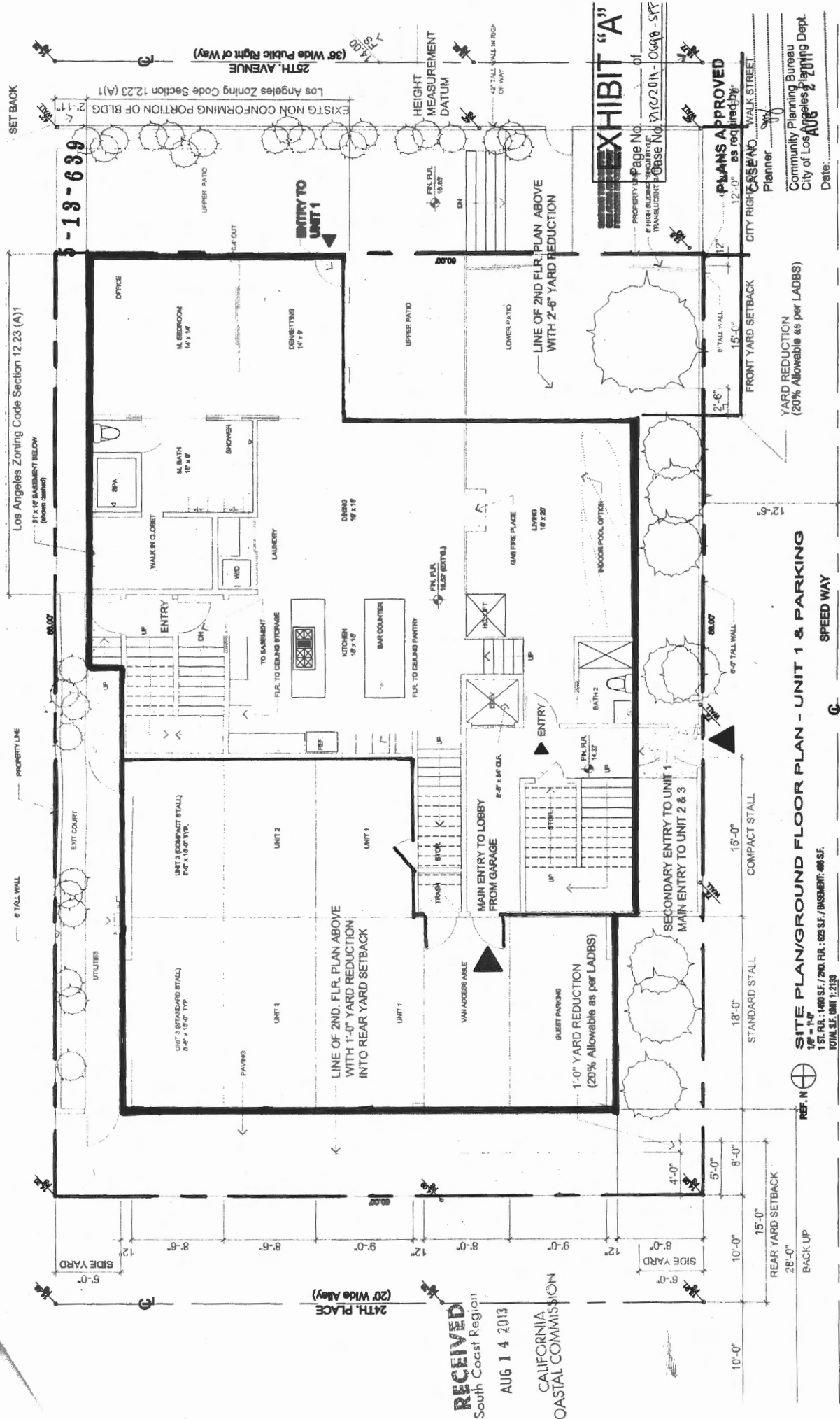
PAGE 1 OF 1

SHORT LINE BEACH
SUBDIVISION NO. 2 M.B. 4-42

FOR PREV. ASSM'T SEE:
79-18

CODE
67

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



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 South Coast Region
 AUG 14 2013
 CALIFORNIA COASTAL COMMISSION

SITE PLAN/GROUND FLOOR PLAN - UNIT 1 & PARKING
 1.0" = 1'-0"
 1.5" = 1.500 SF / 200.0 RB : 683 SF / BASEMENT: 488 SF.
 TOTAL S.F. UNIT 1: 2188

EXHIBIT 'A'
 PROPERTY Page No. 01
 # HIGH RISES REQUIRE TRANSLUCENT GLASS NO. 17102011 - 06488 - STY

PLANS APPROVED
 12'-0" as required by
 CITY RIGHT OF WAY NO. WALK STREET
 Planner: [Signature]

Community Planning Bureau
 City of Los Angeles Planning Dept.
 Date: _____

DATE: 03.16.2011	A3
SCALE: 1/8"=1'-0"	
SHEET 3 of 11	

GIRARD VENICE project
 15 25TH. AVE. VENICE, CALIFORNIA 90281

DIR 2011-698

JOSEPH & JUDITH GIRARD
 15 25TH. AVE. VENICE CA 90281

EVAN BRAUN DESIGN, INC.
 3400 AIRPORT AVE. SUITE 27 SANTA MONICA CA 90405

COASTAL COMMISSION
 5-13-0639
 EXHIBIT # 4
 PAGE 1 OF 3

Site Plan

5-13-639

ELEVATOR/ROOF TOP ACCESS AREA
100 S.F. MAX.

TOP OF ROOF ACCESS STRUCTURE
TRELLIS
53.75'

HEIGHT ADJUSTMENT
(10% INCREASE)
TOP OF PARAPET
47.75'

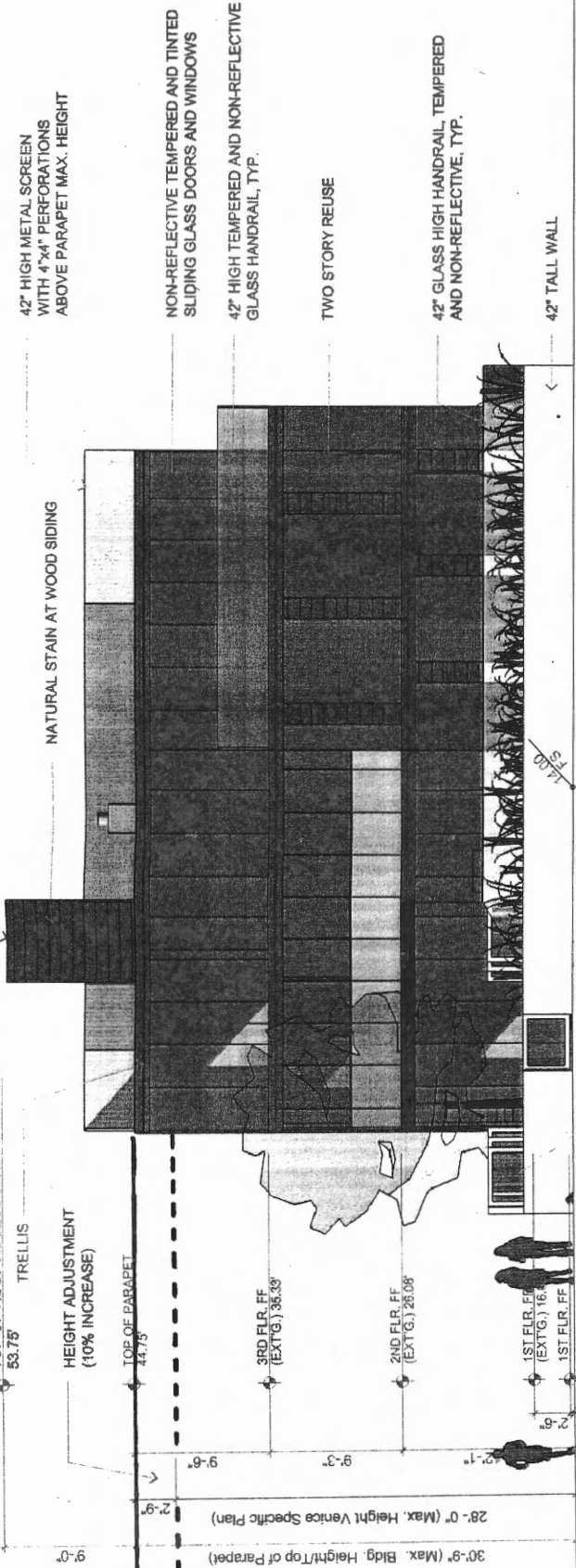
3RD FLR. FF
(EXT'G.) 36.33'

2ND FLR. FF
(EXT'G.) 28.08'

1ST FLR. FF
(EXT'G.) 16.46'

1ST FLR. FF
14.33'

30'-9"
28'



NON-REFLECTIVE TEMPERED AND TINTED
SLIDING GLASS DOORS AND WINDOWS

42" HIGH TEMPERED AND NON-REFLECTIVE
GLASS HANDRAIL, TYP.

TWO STORY REUSE

42" GLASS HIGH HANDRAIL, TEMPERED
AND NON-REFLECTIVE, TYP.

42" TALL WALL

EXIST'G NON CONFOR. PORTION OF BLDG.
Los Angeles Zoning Code Section 12.23 (A)

SLIDING SHOJI SCREENS
HEIGHT MEASUREMENT DATUM
SOUTH ELEVATION
1/8" = 1'-0"

EXHIBIT "A"
Page No. _____ of _____
Case No. _____

RECEIVED
South Coast Region

AUG 14 2013

CALIFORNIA
COASTAL COMMISSION

REVISED: 05-31-2011

PLANS APPROVED
as required by

CASE NO. 2011-0668-SST
Planner _____

Community Planning Bureau
City of Los Angeles Planning Dept
Date: AUG 2 2011

GIRARD VENICE project 15 25TH. AVE. VENICE, CALIFORNIA 90281	DIR 2011-698	JOSEPH & JUDITH GIRARD 15 25TH. AVE. VENICE CA 90281	EVAN BRAUN DESIGN, INC. 3400 AIRPORT AVE. SUITE 27 SANTA MONICA CA 90405	DATE: 03.18.2011
				SCALE: 1/8"=1'-0"
				SHEET 7 of 11

COASTAL COMMISSION

5-13-0639

EXHIBIT # 5

PAGE 1 OF 1

5-13-639

RECEIVED
South Coast Region

AUG 14 2013

CALIFORNIA
COASTAL COMMISSION

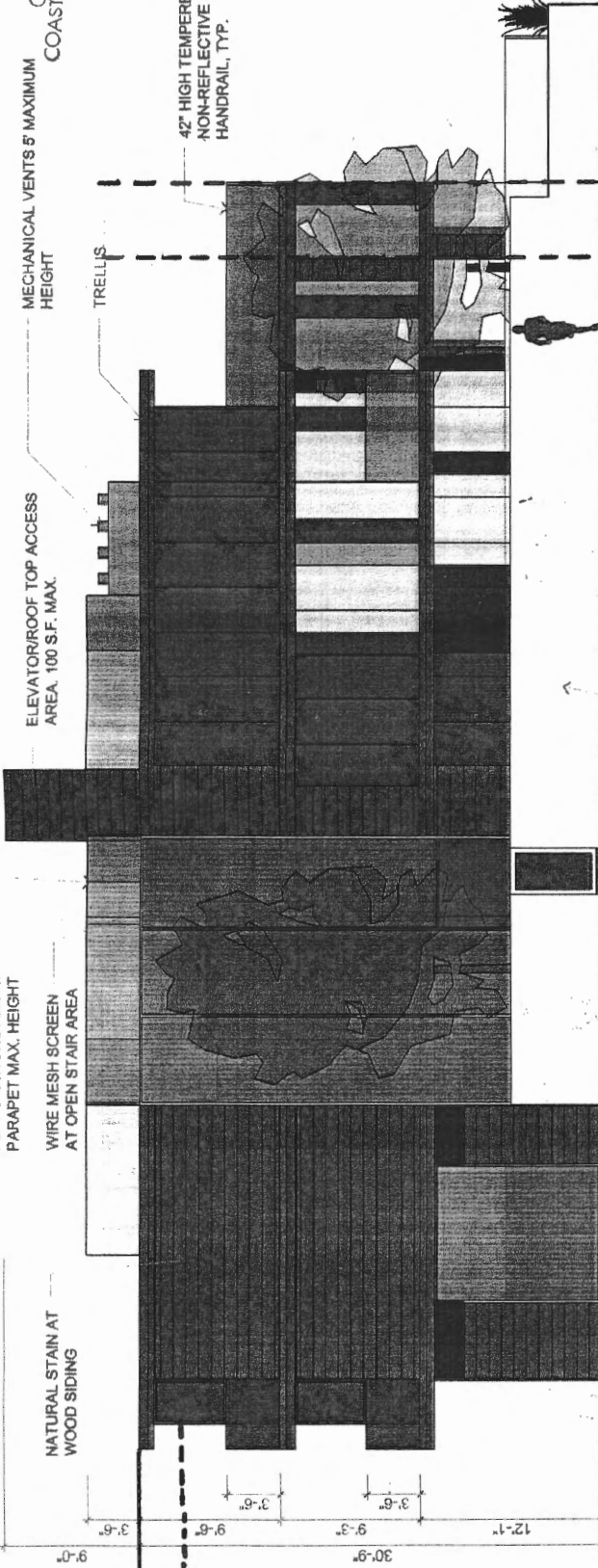
42" HIGH METAL SCREEN
OR GUARDRAIL WITH 4"x4"
PERFORATIONS ABOVE
PARAPET MAX. HEIGHT

WIRE MESH SCREEN
AT OPEN STAIR AREA

ELEVATOR/ROOF TOP ACCESS
AREA, 100 SF. MAX.

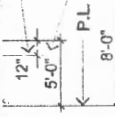
MECHANICAL VENTS 5' MAXIMUM
HEIGHT

42" HIGH TEMPERED AND
NON-REFLECTIVE GLASS
HANDRAIL, TYP.



NATURAL STAIN AT
WOOD SIDING

YARD REDUCTION
(20% Allowable as per LADBS)
- REAR YARD SETBACK



WEST ELEVATION
1/8" = 1'-0"

8'-0" TALL STUCCO
WALL

YARD REDUCTION
(20% Allowable as per LADBS)

2'-6" FRONT YARD SETBACK

15'-0" CITY RIGHT OF WAY

12'-0"



EXHIBIT "A"
Page No. _____ of _____
Case No. _____

PLANS APPROVED
as required by
CASE NO. 2011-0698-SP-3
Planner: [Signature]
Community Planning Bureau
City of Los Angeles Planning Dept.
Date: AUG 2 2011

MINIMUM
FRONT YARD
SETBACK

REVISED: 05-31-2011

DATE: 05.16.2011 SCALE: 1/8"=1'-0" SHEET 8 of 11	A8
EVAN BRAUN DESIGN, INC. 3400 AIRPORT AVE. SUITE 27 SANTA MONICA CA 90405	JOSEPH & JUDITH GIRARD 15 25TH. AVE. VENICE CA 90281
GIRARD VENICE project 15 25TH. AVE. VENICE, CALIFORNIA 90281	DIR 2011-698

COASTAL COMMISSION

5-13-0639

EXHIBIT # 6

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