

CALIFORNIA COASTAL COMMISSION

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



Click here to go to
original staff report

ADDENDUM

Th17b

February 5, 2016

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO ITEM Th17b, COASTAL COMMISSION APPEAL
A-5-VEN-16-A-0005 FOR THE COMMISSION MEETING OF FEBRUARY 17, 2015.

1. IMPORTANT HEARING PROCEDURE NOTE

Add the following sentence after the end of the last sentence of the **Important Hearing Procedure Note** on page 1 of the staff report. Language to be added is underlined:

If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will follow, unless it has been postponed, during which the Commission will take public testimony.

2. LETTERS OF OPPOSITION

Since the staff report was written, staff has received several letters from opponents of the project, which are attached to this addendum.

Revell, Mandy@Coastal

From: Nika Cavat <NCavat@xrds.org>
Sent: Thursday, January 28, 2016 11:54 AM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal
Cc: judy.esposito@msn.com
Subject: 2405 Boone Ave. development, Venice CA

Importance: High

Greetings:

I am writing to voice my very strong objection about plans for the serious over-development of property in my neighborhood in Venice. I have lived in this neighborhood (on Wilson Ave.) for almost 25 years. In that time, smaller houses such as my own are being torn down and replaced with larger and larger houses. A three story, 4363 sq. ft construction on Boone would be an injustice to the neighbors and set a dangerous precedence for years to come. Such a mammoth house would impair the quality of our lives and irreversibly isolate whomever moved in from their neighbors. I implore you to use whatever influence you may have in this decision to insist on scaling back the size of this construction.

With appreciation,

Nika Cavat

Revell, Mandy@Coastal

From: Jude EPSTEIN <judibird2013@gmail.com>
Sent: Saturday, January 30, 2016 8:21 AM
To: Revell, Mandy@Coastal
Subject: development at 2405 Boone Venice 90291

e: January 30, 2016 at 8:19:02 AM PST

I'm writing in protest of the 3 story 4363 sq.ft. project that is being proposed for our neighborhood. The size and scale compared to the lot is out of proportion and much larger than any other home in the area. This is OVER development of our Venice family -oriented neighborhood. WE do not want our neighborhood to look like a mass of apartment buildings without any room left for greenery. WE hotly protest this project. It is not right, it is not what Venice needs or wants. Please STOP it.

Jude Epstein
Philip Toubus
Home owners since 1986
2413 Clark Ave
Venice

Revell, Mandy@Coastal

From: Rob Mitchell <gra.fics.101@gmail.com>
Sent: Sunday, January 31, 2016 12:57 PM
To: Revell, Mandy@Coastal
Cc: Hudson, Steve@Coastal
Subject: 2405 Boone Avenue, Venice, City of Los Angeles

RE: Appeal Number A-5-VEN-16-0005

Dear Ms. Revell and Mr. Hudson,

I was told you are the people to write to regarding a development at 2405 Boone Avenue, Venice, California. I have lived in my home for over 13 years, and feel this nearby project is entirely out-of-scale with our neighborhood. I also feel that Los Angeles City Planning acted outrageously by issuing a Coastal Development Permit Exemption. It seems every time we residents investigate a problematic project in the area, we discover City Planning has seemingly conspired with developers to ignore rules at the expense of neighbors. I would like local developments to remain at a reasonable scale, and developers (with the aid of Los Angeles City Planning) to stop sneaking projects by neighbors. For these reasons, I hope you will help put a stop to this development. I'm grateful that we have the California Coast Commission as a check on our city, particularly when the city is negligent in doing its job.

I also wanted to mention that it's pretty difficult for most people to drive 3.5-6 hours (depending on traffic) each way to attend the meeting on February 11. With that being the case, I hope that the emails and letters you receive from neighborhood residents will be given significant weight, in lieu of attending such a distant meeting.

Sincerely,
Robert Mitchell
663 Mildred Ave.
Venice, CA 90291

Revell, Mandy@Coastal

From: Anne Mullins <welshmully@yahoo.com>
Sent: Sunday, January 31, 2016 1:37 PM
To: Revell, Mandy@Coastal
Subject: 2405 Boone Avenue, Venice, Ca. 90291

Dear Ms. Revell,

I am writing to protest the building of a 4,363 square foot, 3 storey house, at this address on a small lot that had a 1200 square foot house on it previously.

I live at 2417 Cloy Avenue and have for 32 years and have watched our neighbourhood change as more and more behemoth houses and buildings are slated. This is a true "neighbourhood" which I would have thought the Powers that Be of our City should be happy about. It is about to be destroyed if the City Planners keep allowing this kind of development. I hope the developer is required to abide by our laws and scale down this building. It is out of keeping with the soul of our streets. If this is allowed then pretty soon we will have an "industrial zone" look here. None of the residents of the Silver Triangle would want that.

Kind Regards Anne Mullins Contract Sales Representative 310-827-5577 ph 310-827-1668 fax e-mail welshmully@yahoo.com Cell Phone 310-344-9201 US Vinyl - manufacturer of vinyl wallcovering and digital printing Artee Collections - manufacturer of upholstery fabric, drapery and bedding fabric. Interior Fashions - Hospitality fabricators of drapery and bedding and upholstered pieces Moonart Hospitality - Manufacturers of Casegoods, Upholstered Furniture and Outdoor Furniture.

Revell, Mandy@Coastal

From: Richard Stanger <richard@stanger.com>
Sent: Sunday, January 31, 2016 3:16 PM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal
Subject: Appeal # A-5-VEN-16-0005

Dear Ms. Revell –

I live in the Venice neighborhood where the new owners of 2405 S. Boone are attempting to build what they consider an "addition to an existing single-family residence." I have read the Coastal Commission's staff position opposing their request for a Coastal Exemption and support it wholeheartedly.

I live three blocks away from Boone and have owned a home there for 30 years. The attractiveness of the post-WW2 single-level housing stock with plenty of landscaping has helped raise our property values. This has led new owners to up-grade from single-level homes to two-story (and very rarely) three-story structures. Most new homes conform to the LUP for the neighborhood and are an acceptable accommodation with the Venice "feel" many people want to be part of. The subject project can make no such claim. It would – if allowed to set a precedent – drastically change the character of the neighborhood. For this reason alone it should be opposed.

I am not sure how the City of Los Angeles permitting process approved this immense "addition." It almost triples the square footage of the house that was there, and soars three levels plus a roof-top deck. The foundation for the existing single-level home can't begin to support so massive an addition; new foundations to support (probably) a steel framework will be needed. If that is the case, the attempt to label the project a small addition for property tax purposes is an obvious sham. This is clearly new construction for a new home.

I applaud the Coastal Commission's staff for its willingness to challenge the Exemption and to call the project for what it is: a substantial change not in any way in character with its environment.

Richard Stanger

2409 Clark Avenue
Venice, CA. 90291

Richard Stanger
richard@stanger.com
310-823-0744

Revell, Mandy@Coastal

From: Aubrey, Sheryl <saubrey@lausd.net>
Sent: Monday, February 01, 2016 10:02 AM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal
Subject: 2405 Boone Project, Venice 90291

I'm writing in protest of the three-story 4363 square foot project that is being proposed for our neighborhood known as the Silver Triangle in Venice. The size and scale of the new construction on Boone is out of proportion and much larger than any other home in the area. It will make the neighborhood look like downtown LA blocking out all sunlight to the neighbors who still live in one-story bungalows and need sunlight for their plants. It also removes all vegetation that keeps global warming from happening, because the houses are filling the entire lot size. The effect raises the daytime temperatures during our drought crisis. This house has no yard, Boone's yard is the roof top patio which really makes the house 5 stories high.

Also all the new houses under construction on Wilson and Harbor have East/West lots (same as Boone) and they have the entire west side wall of each house made of solid glass. On my recent walks I have been blasted by glare and hot spots from the sun's reflection in the windows. This will make the neighbor's houses hotter and also increase the temperatures in the neighborhood.

Very few neighbors use their garage and most park on the street. Many of the neighbors use their houses for filming in the Silver Triangle and the film crews take all the parking= more parking congestion. These larger houses will bring in more people, more cars into on these over crowded streets, and essentially much more pollution that Venice did not have before. The beach, against all the efforts of community volunteers who clean up, will become a garbage dump. We are home to a lot of wildlife in the area: Egrets, seagulls, hawks, crows, squires, raccoon, monarchs, etc.

I myself live in a one-story updated Bungalow and will be forced to rent my house if all of my surrounding neighbors on Clark and Clement build up to 3 stories and block my sunlight. Renting my home will not help the neighborhood- rentals are never maintained as well as the homeowner. I can't imagine 4 floors plus rooftop patios peering down into my backyard sanctuary.

The Boone project is an OVER development of our Venice family: The Silver Triangle. WE do not want our neighborhood to look like a mass of apartment buildings without any room left for greenery. There are other neighborhoods that would support this building size better than our postage stamp size lots!

Sheryl Aubrey
Home owner since 2009
2409 Clark Ave
Venice 90291

Revell, Mandy@Coastal

From: Hudson, Steve@Coastal
Sent: Monday, February 01, 2016 10:04 AM
To: Revell, Mandy@Coastal; Henry, Teresa@Coastal; Posner, Chuck@Coastal
Subject: FW: 2405 Boone Avenue, Venice, Ca. 90291

From: Anne Mullins [<mailto:welshmully@yahoo.com>]
Sent: Sunday, January 31, 2016 1:45 PM
To: Hudson, Steve@Coastal
Subject: 2405 Boone Avenue, Venice, Ca. 90291

Good afternoon Mr. Hudson,

As a concerned neighbour in the Silver Triangle, 2417 Cloy Avenue, Venice, Ca. 90291, am writing to ask that the permits that the City Planners gave to the developer of 2405 Boone Avenue, be denied for a 4,363 square foot 3 storey house on a small lot that previously housed a 1200 square foot property. It is totally over scaled and out of place in our neighbourhood and will not add anything. It is amazing to me that planning permission was even granted on this building as it is now.

I hope that the City and Coastal Commission will reconsider this and make sure that the developer is within the law and within the parameters of existing structures in the Silver Triangle. Otherwise I am afraid you will have contributed to the demise of this true gem of a neighbourhood in Los Angeles.

Kind Regards Anne Mullins Contract Sales Representative 310-827-5577 ph 310-827-1668 fax e-mail welshmully@yahoo.com Cell Phone 310-344-9201 US Vinyl - manufacturer of vinyl wallcovering and digital printing Artee Collections - manufacturer of upholstery fabric, drapery and bedding fabric. Interior Fashions - Hospitality fabricators of drapery and bedding and upholstered pieces Moonart Hospitality - Manufacturers of Casegoods, Upholstered Furniture and Outdoor Furniture.

Revell, Mandy@Coastal

From: Patricia Riley-Oppel <butterflyoppel@yahoo.com>
Sent: Tuesday, February 02, 2016 1:05 PM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal; Sanchez, Jordan@Coastal; Posner, Chuck@Coastal
Subject: Feb. 11 Hearing Re: 2405 Boone Ave., Venice, OVERDEVELOPMENT

I live in this small triangle of homes. It saddens me that we have to appeal to you to stop this over development when the city should have stopped it long ago. I understand that you have heard from others in the neighborhood. It is laughable that someone would consider a 3 story, 4363 sq. ft home on a 3600 sq. ft lot....same size as all the lots in this triangle. But, since they want to do this, please use your good judgement and stop this project.

Thank you,

Patricia and Charlie Oppel

Revell, Mandy@Coastal

From: Daniel Chang <danchang1@yahoo.com>
Sent: Wednesday, February 03, 2016 3:24 AM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal; Sanchez, Jordan@Coastal; Posner, Chuck@Coastal
Subject: New Housing Projects in Venice, Silver triangle

Hi:

My name is Daniel Chang and I live at 2413 McKinley Ave. I am very concerned about the rapid influx of developers flooding this area because of the recent property value surge due to the "Silicon Beach" phenomenon. Many of them have been building the largest properties possible and bending the rules in doing so. In particular there is a property on 2405 Boone (a 4363 square foot property on a 3600 square foot lot) which is absolutely ridiculous that it has been approved. I find it absurd that such a large property can be built just because a developer with \$\$ can find ways to skirt the law and push it through. This absolutely needs to be reviewed further. I have a single story house and I can barely see the sky because of the 3 story + buildings being built around me.

Isn't the job of the coastal commission to protect the coast? Some developer with \$\$\$\$ can build whatever they want around me, yet I have no right to ask for resident only parking and have to deal with trailer homes parked outside my street for a whole week because there is no "resident only" parking because of the coastal commission. That makes absolutely no sense!

Revell, Mandy@Coastal

From: snichols18@ca.rr.com
Sent: Monday, February 01, 2016 10:06 AM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal
Subject: 2405 Boone Project, Venice 90291

I'm writing in protest of the three-story 4363 square foot project that is being proposed for our neighborhood known as the Silver Triangle in Venice. The size and scale of the new construction on Boone is out of proportion and much larger than any other home in the area. It will make the neighborhood look like downtown LA blocking out all sunlight to the neighbors who still live in one-story bungalows and need sunlight for their plants. It also removes all vegetation that keeps global warming from happening, because the houses are filling the entire lot size. The effect raises the daytime temperatures during our drought crisis. This house has no yard, Boone's yard is the roof top patio which really makes the house 5 stories high.

Also all the new houses under construction on Wilson and Harbor have East/West lots (same as Boone) and they have the entire west side wall of each house made of solid glass. On my recent walks I have been blasted by glare and hot spots from the sun's reflection in the windows. This will make the neighbor's houses hotter and also increase the temperatures in the neighborhood.

Very few neighbors use their garage and most park on the street. Many of the neighbors use their houses for filming in the Silver Triangle and the film crews take all the parking= more parking congestion. These larger houses will bring in more people, more cars into on these over crowded streets, and essentially much more pollution that Venice did not have before. The beach, against all the efforts of community volunteers who clean up, will become a garbage dump. We are home to a lot of wildlife in the area: Egrets, seagulls, hawks, crows, squires, raccoon, monarchs, etc.

I myself live in a one-story updated Bungalow and will be forced to rent my house if all of my surrounding neighbors on Clark and Clement build up to 3 stories and block my sunlight. Renting my home will not help the neighborhood- rentals are never maintained as well as the homeowner. I can't imagine 4 floors plus rooftop patios peering down into my backyard sanctuary.

The Boone project is an OVER development of our Venice family: The Silver Triangle. WE do not want our neighborhood to look like a mass of apartment buildings without any room left for greenery. There are other neighborhoods that would support this building size better than our postage stamp size lots!

Sheryl Aubrey
Home owner since 2009
2409 Clark Ave
Venice 90291

Revell, Mandy@Coastal

From: Posner, Chuck@Coastal
Sent: Thursday, February 04, 2016 9:54 AM
To: Revell, Mandy@Coastal
Subject: FW: 2405 Boone Ave. Venice Over-development

From: Nika Cavat [<mailto:NCavat@xrds.org>]
Sent: Thursday, February 04, 2016 9:40 AM
To: Posner, Chuck@Coastal
Subject: 2405 Boone Ave. Venice Over-development

Greetings:

I have lived in the Silver Triangle in Venice (on Wilson Ave.) for 23 years, and in that time, particularly in the last 10 years, I have seen my beloved neighborhood give way to massive, over-sized monoliths, like the one presumably slated for 2405 Boone Ave. This property never even had a For Sale sign up and was snatched up by the developer in the most underhanded manner. This is becoming the norm in the Silver Triangle.

The construction is non-stop, and not a single developer I know of actually has built his *own* home. These are spec houses with inflated price tags, built quickly, with no regard for the intimacy of the neighborhood or Venice character. This one on Boone violates a certain aesthetic and, quite frankly an ethical code – it alienates potential buyers from their neighbors, who have had to endure endless construction and forever changes the quietude of our neighborhood.

I urge you to please do everything within your power to stop this profit-driven construction and have some compassion for those home owners like myself who ardently want to preserve what little is left of our once beautiful, small scale neighborhood.

Respectfully Yours,

Nika Cavat
English Department
Crossroads School for Arts & Sciences

Revell, Mandy@Coastal

From: Posner, Chuck@Coastal
Sent: Thursday, February 04, 2016 11:44 AM
To: Revell, Mandy@Coastal
Subject: FW: 2405 Boone Avenue Venice Ca. 90291

From: Anne Mullins [<mailto:welshmully@yahoo.com>]
Sent: Thursday, February 04, 2016 10:30 AM
To: Posner, Chuck@Coastal
Subject: 2405 Boone Avenue Venice Ca. 90291

Good morning Mr. Posner,

I am writing to ask for your support in stopping the construction of the gigantic house on the lot at 2405 Boone Avenue. It is completely out of scale for the area and over- building in its finest form. I know the Coastal Commission did not give approval for this "renovation" which is really new construction. It will really impact the integrity of our wonderful little neighbourhood and impact everyone here.

This would open the door for an "industrial-like" zone to be created in this lovely little residential area that is home to families, a generational mix and lots of children and family pets. What a shame to spoil this harmonious place with such an enormous construction on a small residential street.

Please help us reverse this decision. Thank you.

Kind Regards Anne Mullins Contract Sales Representative 310-827-5577 ph 310-827-1668 fax e-mail welshmully@yahoo.com Cell Phone 310-344-9201 US Vinyl - manufacturer of vinyl wallcovering and digital printing Artee Collections - manufacturer of upholstery fabric, drapery and bedding fabric. Interior Fashions - Hospitality fabricators of drapery and bedding and upholstered pieces Moonart Hospitality - Manufacturers of Casegoods, Upholstered Furniture and Outdoor Furniture.

CALIFORNIA COASTAL COMMISSION

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

Th17b

Filed: 1/4/2016
49th Day: 2/22/2016
Staff: M. Revell – LB
Staff Report: 1/28/2016
Hearing Date: 2/11/2016

STAFF REPORT: APPEAL – SUBSTANTIAL ISSUE AND DE NOVO

Local Government: City of Los Angeles

Local Decision: Claim of Exemption to Coastal Development Permit Requirement

Appeal Number: A-5-VEN-16-0005

Applicant/Agent: Liz Jun

Appellants: Judy Exposito, Jason Goldberg, Sandra Wilson, Joan Wrede, Lacey Uhlemeyer, Betsey Kauffman, Laura Montealegre, Robin Rudisill, Lydia Ponce, David Grober, Anna Lee, Veronica Viveros, Rendell Johnson, Johnnie Blankenship, Suzanne Blankenship, Lynn Brewer, Clay Boss, Stacy Fong, Patti & Charlie Oppel, Pamela Clews, Robin Murez, Jeffrey Zucker, Silvia Wagensberg, Charlotte Pestana, Tony Low, Judy Esposito, Jolly Schiffer Zucker, Anne Mullins, Ray W. & Kennalee Mattson, Marianne & Leon Pogoler, Laura Goldfarb, and Joseph Flannery.

Project Location: 2405 Boone Avenue, Venice, City of Los Angeles

Project Description: Appeal of City of Los Angeles Local Coastal Exemption No. DIR-2015-3857-CEX for a first, second and third floor addition to an existing single-family dwelling, resulting in an addition of 2,714 square feet.

Important Hearing Procedure Note: The Commission will not take testimony on this “substantial issue” recommendation unless at least three commissioners request it. The Commission may ask questions of the applicant, any aggrieved person, the Attorney General or the executive director prior to determining whether or not to take testimony regarding whether the appeal raises a substantial issue. If the Commission takes testimony regarding whether the appeal raises a substantial issue, testimony is generally and at the discretion of the Chair limited to 3 minutes total per side. Only the applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify during this phase of the hearing. Others may submit comments in writing.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission determine that a **substantial issue exists** with respect to the grounds on which the appeal has been filed for the following reason: the development on the site is the demolition of a residential structure and construction of a single-family residence, and is not an improvement to an existing single family residence, and is therefore non-exempt “development” as defined in the Coastal Act. A coastal development permit must be obtained for the development. Commission Staff recommends

that the Commission **deny the claim of exemption** and find that the proposed project requires a local coastal development permit, and return this matter to the City for processing. The **motions** to carry out the staff recommendation are on **pages 3 and 10**.

TABLE OF CONTENTS

I.	MOTION AND RESOLUTION – SUBSTANTIAL ISSUE	Page 4
II.	APPELLANTS’ CONTENTIONS	Page 4
III.	LOCAL GOVERNMENT ACTION	Page 4
IV.	APPEAL PROCEDURES	Page 4
V.	SINGLE PERMIT JURISDICTION	Page 6
VI.	FINDINGS AND DECLARATIONS	Page 6
	A. PROJECT DESCRIPTION	Page 6
	B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS	Page 6
	C. SUBSTANTIAL ISSUE ANALYSIS	Page 7
VII.	MOTION AND RESOLUTION – DE NOVO	Page 9
	A. PROJECT DESCRIPTION	Page 9
	B. COASTAL DEVELOPMENT PERMIT REQUIREMENTS	Page 10

APPENDICES

Appendix A - Substantive File Documents

EXHIBITS

Exhibit 1 – Project Location /Vicinity Map

Exhibit 2 – City-Issued Exemption to CDP/DIR-2015-3857-CEX Exhibit

Exhibit 3 – Appeal

Exhibit 4 – Photo of 2405 Boone Ave. Before Demolition

Exhibit 5 – Photo of Demolition 1/28/2016

I. MOTION AND RESOLUTION

MOTION: *I move that the Commission determine that Appeal No. A-5-VEN-16-0005 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.*

Staff recommends a **NO** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

RESOLUTION:

*The Commission hereby finds that Appeal No. A-5-VEN-16-0005 presents A **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

II. APPELLANTS' CONTENTIONS

The focus of this appeal is the validity of the Coastal Exemption issued by the City of Los Angeles Department of City Planning. The appellants, Judy Esposito, Jason Goldberg, and Sandra Wilson, et.al., contend that the size and scope of the project requires review for consistency under the coastal development permit process because the proposed new single-family residence is inconsistent with the community character policies of the Venice Land Use Plan, Los Angeles General Plan and relevant Community Plan, and Venice City code. The appellants also contend that the Director of Planning at the City of Los Angeles has abused his discretion in approving both the VSO (Venice Sign Off) and the Exemption (**Exhibit 2**).

III. LOCAL GOVERNMENT ACTION

On October 22, 2015, the Los Angeles Department of City Planning issued a Coastal Exemption (DIR-2015-3857-CEX) for development proposed on the proposed site. The applicant's name listed on the City's exemption form is Liz Jun. The exemption form states that the proposed development is: *"First, second, and third floor addition to an existing single family dwelling with existing attached garage. Project will result in 2,714 square feet of addition"*. (emphasis added.) On December 15, 2015, the City Department of Building and Safety issued Building Permit No. 15014-10000-01704, and demolition commenced at the project site. The City did not forward a copy of the Coastal Exemption to the Coastal Commission's South Coast District Office in Long Beach Office as required. On January 4, 2016, Ms. Esposito submitted the appeal to the District Office in Long Beach (**Exhibit 3**). The appeal of the City's action was determined to be valid because it was received prior to the expiration of the twenty working-day period in which any action by the City of Los Angeles can be appealed to the Commission.

IV. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish

procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows *any* action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a local CDP application or Exemption, the local government is required to notify the Coastal Commission within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must conform to the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including providing the specific grounds for appeal and a summary of the significant question raised by the appeal.

The action currently before the Commission is to find whether there is a “substantial issue” or “no substantial issue” raised by the appeal of the local government’s decision. Sections 30621 and 30625(b)(1) of the Coastal Act require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

In this case, Commission staff recommends a finding of **substantial issue**. If the Commission decides that the appellants’ contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, the action of the local government becomes final. Alternatively, if the Commission finds that a substantial issue exists with respect to the conformity of the action of the local government with the Chapter 3 policies of the Coastal Act, the local government’s action (exemption) is voided and the Commission holds a public hearing in order to review the application as a de novo matter. [Cal. Pub. Res. Code §§ 30621 and 30625.] Section 13321 of the Coastal Commission regulations specifies that de novo actions will be heard according to the procedures outlined in Sections 13114 and 13057-13096 of the Commission’s regulations.

If there is no motion from the Commission to find no substantial issue, it will be presumed that the appeal raises a substantial issue and the Commission will move to the de novo phase of the public hearing on the merits of the application. A de novo public hearing on the merits of a coastal development permit application uses the Chapter 3 policies of the Coastal Act. The certified Venice Land Use Plan (LUP) is used as guidance. Sections 13110-13120 of Title 14 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, those who are qualified to testify at the hearing, as provided by Section 13117 of Title 14 of the California Code of Regulation, will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must

be submitted in writing. The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue.

V. SINGLE PERMIT JURISDICTION AREA

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Single Permit Jurisdiction* area, the City of Los Angeles has been granted the authority to issue Exemptions to Coastal Development Permit Requirements, but the City's actions on exemption requests are appealable to the Coastal Commission. The proposed project site is located within the *Single Permit Jurisdiction Area*.

VI. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION

The project site is located in Southeast Venice at 2405 Boone Avenue within the City's Single Permit Jurisdiction, about one-half mile inland of the beach (**Exhibit 1**). The lot area is 3,606 square feet, and is zoned R-1-1 (Single-Unit Residential). According to Los Angeles County Records, prior to the demolition of the structure, the site was developed with a single-story, 1,283 square-foot single-family residence constructed in 1950 (**Exhibit 4**). The proposed scope of work listed in the City's Local Coastal Exemption, DIR-2015-3857-CEX, describes the proposed project as:

“First, second, and third floor addition to an existing single family dwelling with existing attached garage. Project will result in 2,714 square feet of addition” (**Exhibit 2**).

Commission staff was notified on January 4, 2016 that although the City's Local Coastal Exemption, DIR-2015-3857-CEX was issued for an addition *to an existing single family dwelling*, most (more than fifty percent) of the structure had been demolished, leaving only a portion of the outside framing remaining. (**Exhibit 2**). “Demolition” of the structure was not proposed or approved as a part of the Coastal Exemption.

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 30600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. The term “substantial issue” is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission's regulation simply indicates that the Commission will hear an appeal unless it “finds that the appeal raises no significant question.” In previous decisions on appeals, the Commission had been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;

4. The precedential value of the local government's decision for future interpretations of its LCP; and,
5. Whether the appeal raises local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

Staff is recommending that the Commission find that **a substantial issue exists** with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

As stated in Section IV of this report, the Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act.

The grounds for this appeal are that the project is not an improvement to an existing single-family residence, and is therefore non-exempt "development" as defined in the Coastal Act and so a coastal development permit should have been required.

Section 30610 Developments authorized without permit

*Notwithstanding any other provision of this division, **no coastal development permit shall be required** pursuant to this chapter for the following types of development and **in the following areas**:*

*(a) **Improvements to existing single-family residences**; provided, however, that the commission shall specify, by regulation, those classes of development which involve a risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter.*

Section 13250 Improvements to Existing Single-Family Residences

(a) For purposes of Public Resources Code Section 30610(a) where there is an existing single-family residential building, the following shall be considered a part of that structure:

- (1) All fixtures and other structures directly attached to a residence;*
- (2) Structures on the property normally associated with a single-family residence, such as garages, swimming pools, fences, and storage sheds; but not including guest houses or self-contained residential units; and*
- (3) Landscaping on the lot.*

Additionally, the Commission typically requires fifty percent of the structure to be maintained in order to qualify as **an existing structure**.

Section 13252 Repair and Maintenance Activities That Require a Permit

*(b) Unless destroyed by natural disaster, **the replacement of 50 percent or more of a single family residence**, seawall, revetment, bluff retaining wall, breakwater, groin or any other*

structure is not repair and maintenance under Section 30610(d) but instead constitutes a replacement structure requiring a coastal development permit.

To date, all that remains of the former single family residence at the subject site is a portion of the exterior framing. On-site observations made by staff and photographic evidence demonstrate that the roof, siding, subfloor, and most of the walls have been removed (**Exhibit 5**). The amount of the structure that has been removed far exceeds fifty percent of the structure. Therefore, a coastal development permit must be obtained. This appeal raises a substantial issue as to conformity with the Chapter 3 policies of the Coastal Act because the development, which did not obtain a coastal development permit, has not yet been reviewed for conformity with the Chapter 3 policies.

Applying the five factors listed in the prior section clarifies that the appeal raises “a substantial issue” with respect to Chapter 3 of the Coastal Act, and therefore, does meet the substantiality standard of Section 30265(b)(1), because the nature of the proposed project and the local government action are not consistent with policies of Chapter 3 of the Coastal Act.

The first factor is the degree of factual and legal support for the local government’s decision that the development is exempt from coastal development permit requirements. Issuing an Exemption for a project with the scope of work that includes a “*first, second, and third floor addition to an existing single family dwelling with existing attached garage resulting in 2,714 square feet of addition*” could be, on its face, consistent with the Coastal Act, although the very large size of the addition in relation to the size of the existing structure (1,283 square feet) might suggest that the proposed development was more than an “improvement” to a single family residence. In any case, the fact is that most of the entire structure, with the exception of some of the wood framing, has been demolished. Thus, there is no existing structure to “add on” to or improve, which as a result, invalidates the exemption. Additionally, City staff states that when it issued this coastal exemption, it did not retain copies of the plans for the proposed development that it exempted from coastal development permit requirements. There are no plans in the City record for Commission staff to review to determine whether the City properly determined that an exemption was appropriate. Therefore, the Coastal Commission finds that the City does not have an adequate degree of factual and legal support for its exemption determination.

The second factor is the extent and scope of the development as approved or denied by the local government. As discussed, the demolition of most of the structure that occurred on the property exceeded the scope of what was authorized under the coastal exemption, which invalidates the exemption. Los Angeles County records indicate that the structure that was demolished was a 1,283 square foot house constructed in 1950. The proposed project to be constructed as a result of the City issued Exemption is a first, second, and third floor addition to the existing single family dwelling, which would result in a 2,714 square foot addition to that structure, disregarding the structural integrity of the aged foundation and framing. The full extent and scope of the proposed, large project will be reviewed by the City through the local coastal development permitting process.

The third factor is the significance of the coastal resources affected by the decision. The significant coastal resource is community character. Other coastal resources could be affected. The City’s coastal exemption process was used to avoid the coastal development permit process, during which the proposed development would be reviewed for consistency with the character of the surrounding area. Community character issues are particularly important in Venice. Although this exemption relates only to one project, the erosion of community character is a cumulative issue, and the City’s cumulative exemption of numerous large-scale remodel and demolition projects has a significant

impact on Venice's character. (Maybe cite to the other appeal as an example of the cumulative issue?)

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP. Issuing exemptions for proposed projects like these that result in the construction of residences almost three times the size of the original structure circumvents the coastal development permit process and its requirement for public participation, and sets a bad precedent. The abuse of the City's coastal exemption process in order to avoid obtaining a coastal development permit for new development is a recurring problem. See, e.g., staff report for appeal of A-5-VEN-16-0006. The City's lack of adequate enforcement to prevent this abuse sets a bad precedent.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. Although this appeal raises specific local issues, exempting projects from the coastal development process will have potential negative and cumulative impacts to the coast if they are not properly reviewed through the local coastal development permit process and monitored by the City.. Therefore, the City's approval does raise issues of statewide significance.

In conclusion, the primary issue for the appeal is that the development is actually a new single family residence, and therefore a coastal development permit must be obtained in order to ensure that it conforms to the policies of the certified LUP and the Chapter 3 policies of the Coastal Act. Therefore, Commission staff recommends that the Commission find that the appeal raises a substantial issue as to conformity with Chapter 3 policies.

VII. MOTION AND RESOLUTION – DE NOVO PERMIT

Motion: *I move that the Commission **approve** Coastal Exemption No. A-5-VEN-16-0005 pursuant to the staff recommendation.*

Staff recommends a **NO** vote. Passage of this motion will result in approval of the coastal exemption 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 denies a Coastal Exemption for the development on the ground that the development is not exempt from the permitting requirements of the Coastal Act and adopts the findings set forth below.

VIII. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The actual project as documented on the project site is the demolition of a single-family residence and construction of a new three-story single family residence on a 3,606 square foot lot in Southeast Venice. More than fifty percent of the existing structure has been demolished.

B. DEVELOPMENT REQUIRES A COASTAL DEVELOPMENT PERMIT

As stated, demolition of a single family residence in the coastal zone requires a coastal development permit.

Section 30600 Coastal Development Permit; Procedures Prior to Certification of Local Coastal Program

(a) Except as provided in subdivision (e), and in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, any person as defined in Section 21066, wishing to perform or undertake any development in the coastal zone, other than a facility subject to Section 25500, shall obtain a coastal development permit.

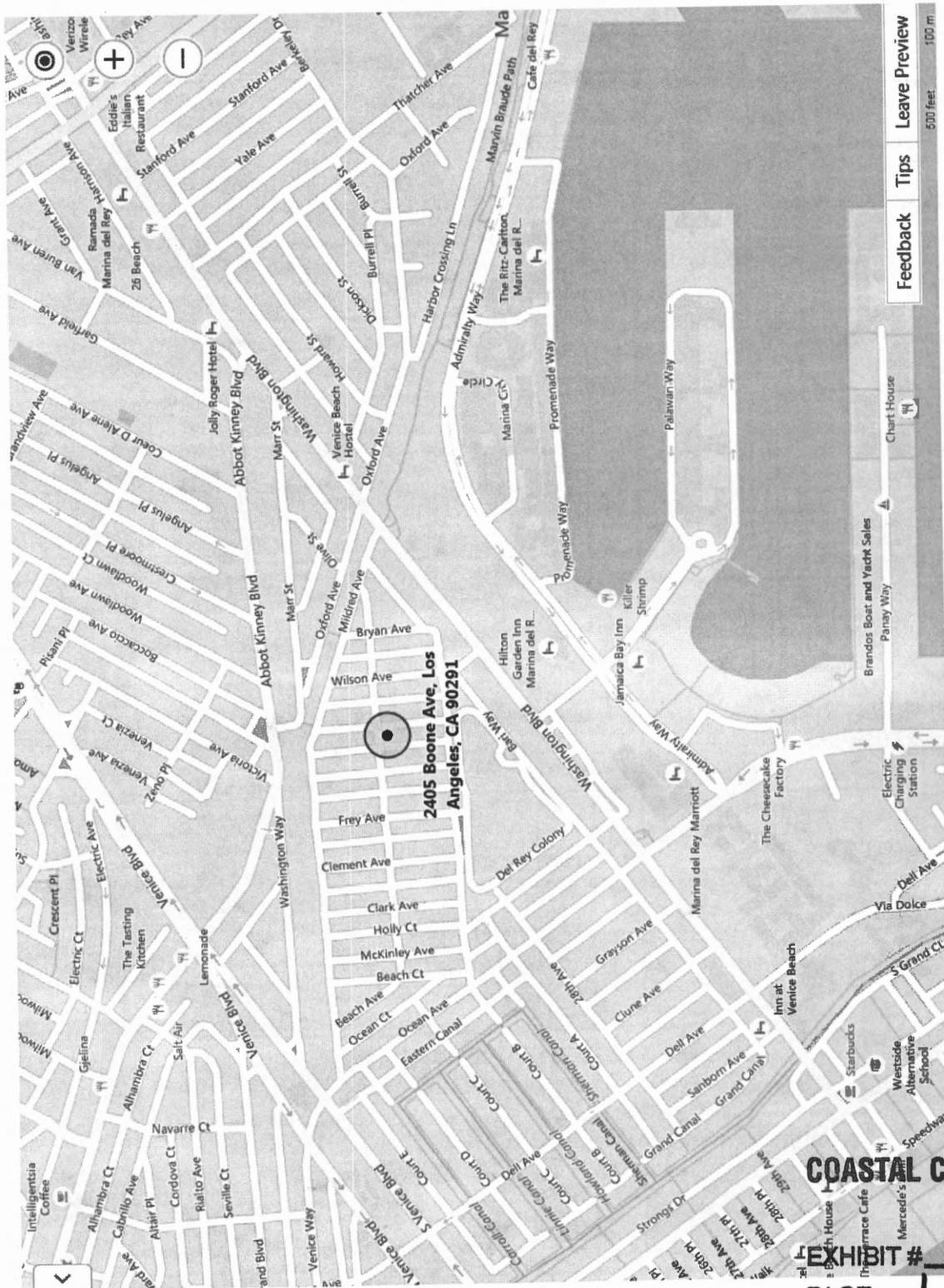
(b) (1) Prior to certification of its local coastal program, a local government may, with respect to any development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620, and 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a coastal development permit. Those procedures may be incorporated and made a part of the procedures relating to any other appropriate land use development permit issued by the local government.

(2) A coastal development permit from a local government shall not be required by this subdivision for any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled, or for any development by a public agency for which a local government permit is not otherwise required.

(c) If prior to certification of its local coastal program, a local government does not exercise the option provided in subdivision (b), or a development is not subject to the requirements of subdivision (b), a coastal development permit shall be obtained from the commission or from a local government as provided in subdivision (d).

(d) After certification of its local coastal program or pursuant to the provisions of Section 30600.5, a coastal development permit shall be obtained from the local government as provided for in Section 30519 or Section 30600.5.

As discussed, within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Single Permit Jurisdiction* area, the City of Los Angeles has the authority to issue coastal development permits and exemptions to coastal development permits. The proposed project site is located within the *Single Permit Jurisdiction Area*. Therefore, the proposed project requires a local coastal development permit process by the City of Los Angeles. The City's action on the coastal development permit application is appealable to the Commission. The appellants express their concerns regarding the alleged inconsistencies between the proposed project's mass, scale and character with that of the surrounding community. The local coastal development permit process is the process during which the proposed development will be reviewed for its consistency with the Coastal Act and local land use regulations. Because the evidence does not support exempting the proposed project from Coastal Act permitting requirements, *Coastal Exemption No. A-5-VEN-16-0005* is denied.



COASTAL COMMISSION

EXHIBIT #

PAGE 1 OF 2



COASTAL COMMISSION

EXHIBIT # 1
PAGE 2 OF 2

Application:

COASTAL EXEMPTION (CEX)

CASE NO.: D1R-2015-3857 (LEX)

TO: California Coastal Commission
 South Coastal District
 200 OceanGate, 10th Floor
 Long Beach, CA 90802-4302
 (562) 590-5071

FROM: Los Angeles Department of City Planning
 Development Services Center (DSC)
 201 North Figueroa Street
 Los Angeles, CA 90012

SUBJECT: COASTAL EXEMPTION—SINGLE JURISDICTION AREA ONLY

Under no circumstances shall a Coastal Exemption be issued for the following scopes of work:

- Remodels which involve the removal of 50% or more of existing exterior walls
- Addition, demolition, removal or conversion of any whole residential units (unless required by LADBS)
- Projects which involve significant grading or boring in a Special Grading or Landslide area
- Any change of use (to a more or less intensive use)

OWNER/APPLICANT TO COMPLETE THE FOLLOWING (type, print, or fill out on-line)

PROJECT ADDRESS: 2405 S BOONE AVELEGAL DESCRIPTION: LOT 169 BLOCK TRACT TR 11424ZONE R1-1 COMMUNITY PLAN: VENICEPROPOSED SCOPE OF WORK: 3RD, 2ND AND 1ST FLOOR ADDITION TO

EXISTING SPD W/ EXISTING ATTACHED GARAGE. Project will result in
2,714 sq ft area of addition

RELATED PLAN CHECK NUMBER(s): 815 LA 05549, 15014-14000-01704

Note: If there is related work to be pulled under a separate permit, please include in the above project description. The reason for this is so Planning Staff can evaluate the project as a whole and to avoid having to apply for another CEX for any subsequent permits related to the original scope of work.

Applicant Name: LIZ JENMailing Address: 1125 W 6TH ST. #205 LOS ANGELES, CA 90017Phone Number: 213 537-0158E-mail Address: LIZ@THECOASTALCOMMISSION.COMSignature: EXHIBIT # 2PAGE 1 OF 2

THIS SECTION FOR OFFICE USE ONLY

This application has been reviewed by the staff of the Los Angeles Department of City Planning in accordance with the provisions of Section 3010 of the California Coastal Act. A determination has been made that a Coastal Development Permit is not required for the preceding described project based on the fact that it does not: (1) involve a risk of adverse environmental effect, (2) adversely affect public access, or (3) involve a change in use contrary to any policy of this division pursuant to Title 14 of the California Administrative Code, and qualifies for an exemption under one or more of the categories checked below.

- ☒ **Improvements to Existing Single-Family Residences.** This includes interior and exterior improvements, additions, and uses which are accessory to a single-family residence (e.g. garages, pools, fences, storage). This does not include the increase or decrease in the number of residential dwelling units (including guest houses), or retaining walls or pools that may have a potential significant impact on coastal resources (i.e. viewable from the public right-of-way, involves a significant amount of grading or boring in Hillside, Landslide or Special Grading areas), which may be reviewed on a case-by-case basis.
- ☐ **Improvements to Any Existing Structure Other Than A Single-Family Residence.** For duplex or multifamily residential uses, this includes interior and exterior improvements, additions and uses which are accessory to the residential use (e.g. garages, pools, fences, storage sheds), but does not include the increase or decrease in the number of residential dwelling units, or retaining walls or pools that may have a potential significant impact on coastal resources (i.e. viewable from the public right-of-way, involves a significant amount of grading or boring in Hillside, Landslide or Special Grading areas), which may be reviewed on a case-by-case basis. For non-residential uses, this includes interior and exterior improvements and building signage (excluding pole, pylon and off-site signs), but does not include any addition of square footage or change of use (to a more or less intense use).
- ☐ **Repair or Maintenance.** This includes replacement, repair and/or maintenance activities (i.e. re-roofing, replacement of equipment, etc.) which do not result in any changes, enlargement or expansion.
- ☐ **Demolitions required by LADBS.** This includes projects which have been issued a Nuisance and Abatement or Order to Comply by the Department of Building & Safety requiring demolition due to an unsafe or substandard condition. Please attach the Building & Safety Notice.

This exemption in no way excuses the applicant from complying with all applicable policies, ordinances, codes and regulations of the City of Los Angeles. This exemption shall not apply if the project is not consistent with local land use regulations. If it is found that the project description is not in conformance with the actual project to be constructed or is not in conformance with Section 30610 of the California Coastal Act, this exemption is null and void.

Michael LoGrande
Director of Planning

Issued By:

Signature

Print Name and Title

Date:

Invoice No.:

Receipt Number:

Attached:

Copy of Invoice with Receipt No.

Copy of related Building & Safety Clearance Summary Worksheet(s)

COASTAL COMMISSION

EXHIBIT #

PAGE

2

OF 2

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4415

VOICE (562) 590-5071 FAX (562) 591-5084

JAN 4 2016

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Judy Esposito & Additional Appellants--see list & Signatures attached

Mailing Address: 2341 Boone Ave

City: Venice

Zip Code: 90291

Phone: 310-301-9791

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles--Venice Coastal Zone

2. Brief description of development being appealed:

CEX: 1st, 2nd and 3rd floor addition to existing SFD with existing attached garage. Project will result in 2,714 sq ft of addition.VSO: Remodel & additions to an (E) 1-story SFD, consisting of a new 1,403 sq ft 2nd floor & 1,267 sq ft 3rd floor with a rooftop deck. Project will remove/alter 49% of the (E) exterior walls.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

2405 Boone Ave, at Olive (APN: 422-801-1025)

4. Description of decision being appealed (check one.):

- ☒ Approval; no special conditions
- ☐ Approval with special conditions:
- ☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: _____

DATE FILED: _____

DISTRICT: _____

COASTAL COMMISSION

EXHIBIT #

3

PAGE 1 OF 22

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☒ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

6. Date of local government's decision: October 22, 2015

7. Local government's file number (if any): DIR-2015-3257-CITX

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Liz Jun, The Code Solution, 1125 W. 6th St, #205, L.A., CA 90017

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

(3)

(4)

COASTAL COMMISSION

EXHIBIT # 3
PAGE 2 OF 22

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

Applicable Land Use Plan policies and requirements:

Set forth below are excerpts from the Venice Land Use Plan (LUP)—certified by the Coastal Commission in 2001 as guidance for assuring conformance with Chapter 3 of the Coastal Act, AND adopted by the City of L.A. as part of the L.A. General Plan Community Plan. The policies set forth by the certified Venice LUP echo the priority expressed in the Coastal Act for preservation of the nature and character of existing residential neighborhoods.

"LUP Policy 1. A. 2. Preserve Stable Single-Family Residential Neighborhoods. Ensure that the character and scale of existing single-family neighborhoods is maintained..."

"LUP Policy 1. A. 3. Single-Family Dwelling - Low Density. Southeast Venice—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."

"Preservation of Venice as a Special Coastal Community--LUP Policy 1. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976," and "Policy 1. E. 2. Scale. All new development AND RENOVATIONS SHOULD RESPECT THE SCALE, MASSING, AND LANDSCAPE OF EXISTING RESIDENTIAL NEIGHBORHOODS."

Project Evidence/Information:

2405 Boone Ave is located in the Southeast Venice Subarea, in a low density, single-family residential neighborhood. There are no 3-story homes and only three 2-story homes in the existing immediate surrounding neighborhood. 88% of the homes on the same block are one story. The current average FAR on the block is .34. The proposed FAR for this project is 1.21 (lot size of 3,605.4 sq ft and square footage of the total project of 4,363), almost four times more than the existing home. In addition, the third floor of this proposed development would have a roof deck, which, although not included in the overall square footage, also adds to the mass and scale of the project.

There is nothing even close in size to this proposed project on this block. The next largest home is 2,104 sq ft, and this project is more than double the size of that home. It is 3.5 times **COASTAL COMMISSION** average of the house sizes on the block (excluding the demolished subject property). The additional square footage alone (2,714 sq ft) is more than that of any home on the block.

Attached is the Streetscape for this block, which contains the Substantial Evidence supporting this data and supporting a conclusion that this proposed project is so materially incompatible with the mass and scale of the immediate neighborhood, that it is impossible for the City to have made a valid determination that a CDP is not required and that the underlying project does not involve a risk of adverse environmental effect, as is required for this discretionary decision of exemption from Coastal Development Permit requirements. In addition, as per CEQA state law, a categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant, including additions to an existing building (City of L.A. Environmental Quality Act Guidelines). Due to its excessive mass and scale vs. the existing surrounding immediate neighborhood, successive projects of the same type in this same area would cause a significant adverse impact to this protected single-family residential, low density neighborhood.

A Coastal Exemption (CEX) also requires an exercise of discretion in determining that a CDP is not required, and as such it is an appealable action, in addition to being revocable under certain circumstances, as per the CEX instructions.

REASONS FOR APPEAL

1. Illegal Coastal Exemption (CEX)

The attached Streetscape supports a Finding that the project would have a substantial adverse impact on the mass, scale and character of the existing immediate surrounding neighborhood, as well as an adverse cumulative impact throughout the area within the Venice Coastal Zone, due to its mass and scale being materially and substantially in excess of that of the existing immediate surrounding neighborhood. The project is not consistent with the L.A. General Plan Venice Community Plan Land Use Plan, which requires that "the character and scale of existing single-family neighborhoods is maintained." and further, that in order to preserve Venice as a Special Coastal Community that "All new development AND renovations should respect the scale, massing and landscape of existing residential neighborhoods." Previous state Coastal Commission Reports have consistently stated that as a Special Coastal Community, Venice is a coastal resource to be protected, and as a primarily residential community, residential development is a significant factor in determining Venice's community character.

In addition, yards are required by the LUP (City's General Plan) in single-family residential, low density neighborhoods in the Southeast Venice Subarea of the Venice Coastal Zone, consistent with the existing scale and character of the neighborhood. All other homes on the block have fairly large yards, both front and back.

Thus, the Director of Planning has abused his discretion in making a Determination that the project qualifies for a Coastal Exemption.

2. Illegal VSO (Venice Sign Off processing) and illegal granting of Variances:

All new development within the boundaries of the Venice Coastal Zone Specific Plan (VCZSP) must comply with the related ordinance, and the ordinance is an integral part of the LAMC Planning and Zoning Code. As indicated on the CEX form, the exemption shall not apply and is null and void if it is not consistent with local land use regulations.

VCZSP Section 10.G.4. Access. a. "Driveways and vehicular access to Venice Coastal Zone Specific Plan Projects shall be provided from alleyways, unless the Department of Transportation determines that it is not feasible." The driveway and vehicular access for this project is from Olive, not the existing alleyway. The VSO states the VCZSP requirement that Access is to be from the Alley, yet the Planner

COASTAL COMMISSION
EXHIBIT # 4
PAGE 4 OF 22

indicates that access will be from Olive Ave, for which a Variance from the VCZSP would be required.

VCZSP Section 13. Parking: "Single-family dwellings on a lot of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley - 3 spaces; the third space may be uncovered and in tandem with the other two required covered parking spaces." Yet the Planner has indicated on the VSO that only the two existing spaces are required, with no explanation.

It appears that this VSO constitutes an illegal granting of variances. Variance approval requires making the required findings as per the LAMC, in conjunction with a public process, including Notice and a Public Hearing, which is not done with VSO processing and therefore was not done in this case.

Thus, the Director of Planning has abused his discretion in approving this VSO as he has not required this Applicant to proceed with this development in the Coastal Zone according to the law.

3. Setbacks may not meet City Code

More than 25% of the horizontal framing is removed in conjunction with this project, in which case Building Code requires that the existing setbacks are allowed to be retained only if they comply with zoning code requirements for the building being constructed. However, the setbacks remain unchanged.

Thus, again, the Director of Planning has abused his discretion in approving the Coastal Exemption and the VSO as he has not required this Applicant to proceed in this development in the Coastal Zone according to the law.

Also, it has been noted that many windows of the proposed project are to be fixed, and there is a related concern that if windows do not open, particularly between the north to the south ends of the house, ocean breezes cannot naturally cool the house and that a noisy and environmentally unconsonable air conditioning unit would be required to cool the house, which would be an unfair environmental impact to the surrounding neighbors.

In addition, the plans and the website of the Architect indicated do not indicate the name of a licensed architect, which is a requirement if the word "architecture" or any variation is used. The firm should disclose the individual carrying the license, if any, or they should cease using the word architect or any variation thereof.

Lastly, it is not clear why there is no "Inspection Request History" on the ZIMAS Building Permit Information Page, as there has been significant construction activity, including demo of the bulk of the previous home and foundation work. Bob Dunn is the City Inspector assigned.

Conclusion:

The Coastal Exemption (CEX) and VSO and associated Building Permit should be revoked and a new CDP application should be submitted for a project that is compatible with the existing surrounding neighborhood in terms of its mass, scale and character and complies with all other VCZSP and code requirements.

See attached CEX, VSO, Streetscape, ZIMAS report, Building Permit, Land Use **COASTAL COMMISSION** Use Plan excerpts, and City CEQA Guidelines excerpts for details and supporting documentation.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

ADDITIONAL APPELLANTS SIGNATURES ATTACHED

The information and facts stated above are correct to the best of my/our knowledge.

Gradith Capriccio
Signature of Appellant(s) or Authorized Agent

Date: January 4, 2016.

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

1/We hereby
authorize

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date:

COASTAL COMMISSION

EXHIBIT # 3
PAGE 6 OF 22

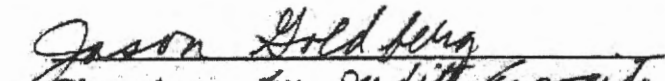
THE FOLLOWING APPELLANTS SEEK TO APPEAL THE PROJECT AT
2405 BOONE AVE. VENICE, CA. 90291

Page 1 of 5

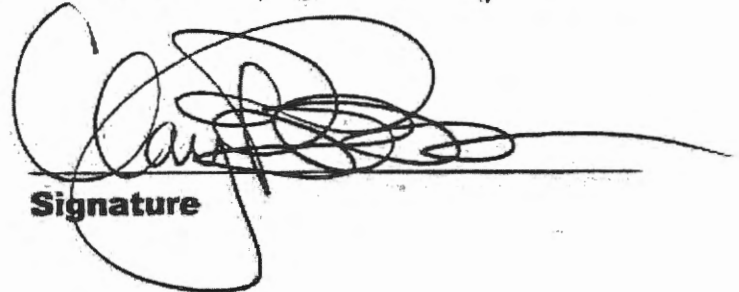
APPEAL APPLICATION

ADDITIONAL APPELLANT LIST AND SIGNATURES

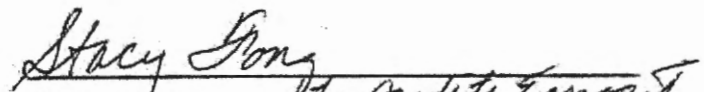
Jason Goldberg
2313 Boone Ave.
Venice, CA. 90291


Signature by Judith Espoeto

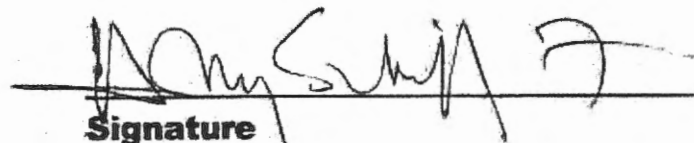
Clay Boss
2404 Cloy Ave.
Venice, CA. 90291


Signature

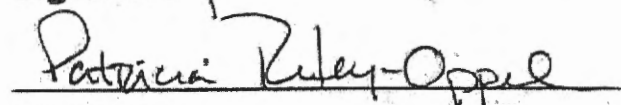
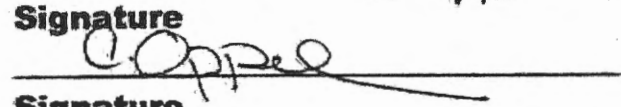
Stacy Fong
2342 Cloy Ave.
Venice, Ca.


Signature by Judith Espoeto

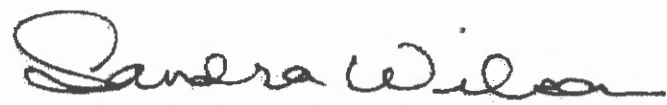
Holly Schiffer Zucker
2329 Wilson Ave.
Venice, CA. 90291


Signature

Patti Oppel
Charlie Oppel
2326 Frey Ave.
Venice, CA. 90291

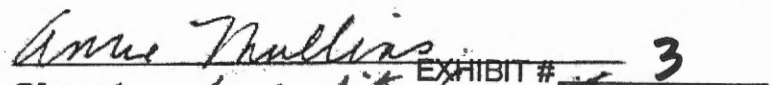

Signature

Signature

Sandra Wilson
2420 Cloy Ave.
Venice, CA. 90291


Signature

Anne Mullins
2417 Cloy Ave.
Venice, CA. 90291

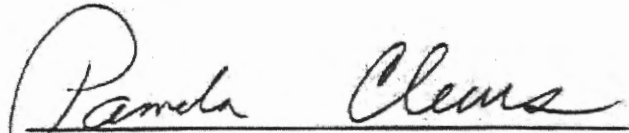
COASTAL COMMISSION


Signature by Judith Espoeto
EXHIBIT # 3
PAGE 1 OF 22


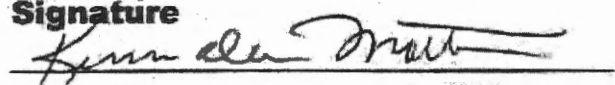
APPEAL APPLICATION

ADDITIONAL APPELLANT LIST AND SIGNATURES (Continued)

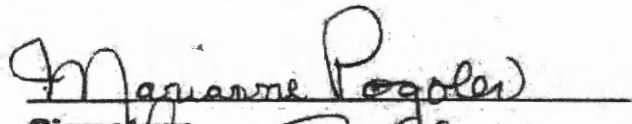
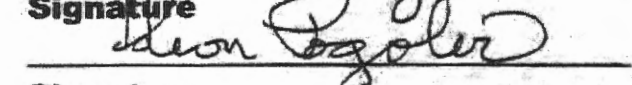
Pamela Clews
2330 McKinley Ave.
Venice, CA, 90291


Signature

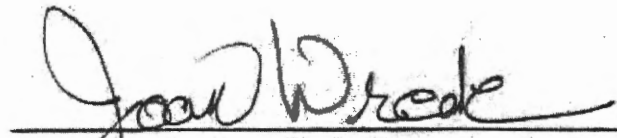
Ray W. Mattson
Kennalee Mattson
2329 Boone Ave.
Venice, CA, 90291


Signature

Signature

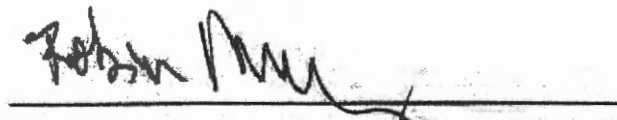
Marianne Pogoler
Leon Pogoler
2340 Boone Ave.
Venice, CA 90291


Signature

Signature


Joan Wrede
2361 Beach Ave.
Venice, CA 90291


Signature

Robin Murez
2408 Cloy Ave.
Venice, CA 90291


Signature

Judith Esposito
2341 Boone Ave.
Venice, CA 90291

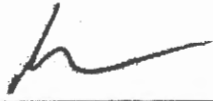

Signature


COASTAL COMMISSION


EXHIBIT # 3
PAGE 8 OF 22

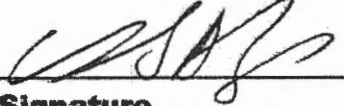
APPEAL APPLICATION


ADDITIONAL APPELLANT LIST AND SIGNATURES (Continued)

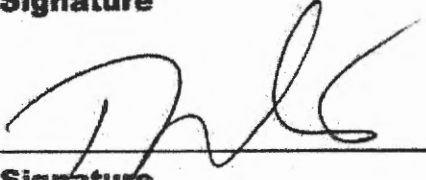
Name Rentell Johnson
 Address 2416 Boone Ave.
Venice, CA 90291
 Signature 

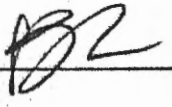
Name Larry Vhlrmeyer
 Address 2416 Boone Ave.
Venice, CA 90291
 Signature 

Name Johnnie Blankenship
 Address 2413 Cloy Ave
Venice, CA 90291
 Signature 

Name Suzanne Blankenship
 Address 2413 Cloy Ave
Venice, CA 90291
 Signature 

Name Charlotte Pestana
 Address 2428 CLOY AVE
VENICE, CA 90291
 Signature 

Name Tony Low
 Address 2429 CLOY AVE
Venice, CA 90291
 Signature 

Name BETSEY KAUFFMAN
 Address 2433 Cloy Ave
Venice, CA 90291
 Signature 

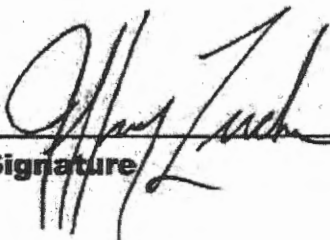
COASTAL COMMISSION

EXHIBIT # 3
 PAGE 9 OF 22


APPEAL APPLICATION

ADDITIONAL APPELLANT LIST AND SIGNATURES **(Continued)**


Jeffrey Zucker
2329 Wilson Ave.
Venice, CA 90291


 Signature

David Grober
2416 Cloy Ave.
Venice, CA 90291


 Signature

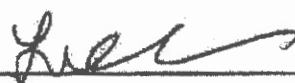
Name ANNA LEE
 Address 2348 WILSON AVE
VENICE, CA 90291


 Signature

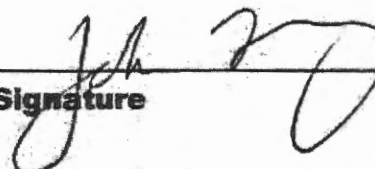
Name Veronica Viveros
 Address 2421 Wilson Ave
Venice, CA 90291


 Signature

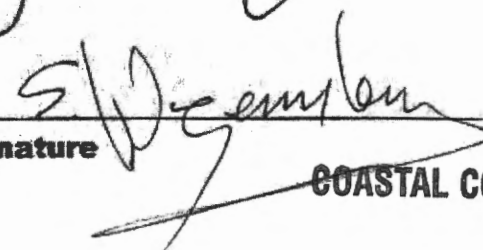
Name Laura Goldfarb
 Address 2424 Boone Ave
Venice, CA 90291


 Signature

Name Joseph Flannery
 Address 2421 Boone Ave
Venice, CA 90291


 Signature

Name Silvia Wagensberg
 Address 2412 Boone Ave
Venice CA 90291


 Signature

COASTAL COMMISSION

APPEAL APPLICATION

ADDITIONAL APPELLANT LIST AND SIGNATURES (Continued)

Laura Monteaegre
2344 Wilson Ave.
Venice, CA 90291

Laura Monteaegre
Signature by Judith Espinoza

Name Lynn Brewer
Address 2340 Bryan Ave
Venice, CA 90291

[Signature]
Signature

Name Robin Rudisill
Address 3003 Ocean Front Walk
Venice, Ca. 90291

[Signature]
Signature

Name Lydia Ponce
Address 837 1/2 Hilwood Ave
Venice, Ca. 90291

[Signature]
Signature

Name _____
Address _____

Signature

Name _____
Address _____

Signature

Name _____
Address _____

Signature

COASTAL COMMISSION



CITY OF LOS ANGELES
 Department of City Planning – Plan Implementation Division
 City Hall • 200 N. Spring Street, Room 621 • Los Angeles, CA 90012



DIRECTOR OF PLANNING SIGN-OFF
 Venice Coastal Zone Specific Plan (Ordinance 175,883)

Case Number	DIR 2015- 2921-VSO		Date: 08/07/2015
Project Address	2405 Boone Avenue [TR 4424; Block: None; Lot 168]		
Zoning: R1-1	Subarea: Oakwood-Milwood-Southeast Venice		
Project Description	Remodel and additions to an (E) one-story SFD, consisting of a new 1,403 SF 2 nd floor and 1,267 SF 3 rd floor with a rooftop deck. Project will remove/alter 49% of the (E) exterior walls. (PGIS 15014-10000-01704)		
Existing Use: 1-story SFD with attached 2-car garage	Proposed Use: 3-story SFD with attached 2-car garage		
Applicant Name	Shane Fang, The Code Solution; (213) 537-0158		
Applicant Address	1125 W. 6 th St. Suite 205; Los Angeles, CA 90017		

The project qualifies for an Administrative Clearance, a Specific Plan Project Permit Compliance is not required (pursuant to Section 8 of the Specific Plan) for at least one of the reasons below:

In the DUAL JURISDICTION

- ☐ Improvement to an existing single- or multi-family structure that is not on a Walk Street

In the SINGLE JURISDICTION

- ☒ Improvement to an existing single- or multi-family structure that is not on a Walk Street
- ☐ New construction of one single-family dwelling unit, and not more than two condominium units, not on a Walk Street
- ☐ New construction of four or fewer units, not on a Walk Street
- ☐ Demolition of four or fewer dwelling units; HCIDLA Mello Clearance:

ANYWHERE in the Coastal Zone

- ☐ Any improvement to an existing commercial or industrial structure that increases the total occupant load, required parking or customer area by less than 10 percent (<10%)

This application has been reviewed by the staff of the Metro Plan Implementation Division, and the proposed project complies with the provisions of the Venice Coastal Zone Specific Plan including all development requirements contained in Section 9, 10.G, and 12, as evidenced below:

Oakwood-Milwood-Southeast Venice Subarea Development Regulations			
Section	Regulation	Proposed Project	complies
9.C. Roof Access Structure (RAS)	10 ft. max. above Flat Roof (25 ft); Area ≤ 100 sq. ft.	n/a	<input checked="" type="checkbox"/>
10.G.2. Density	R1 zones: (per LAMC) 1 dwelling unit	Maintain (E) SFD	<input checked="" type="checkbox"/>
10.G.3. Height	Flat Roof – 25 feet; Varied Roofline – 30 feet, roof having a slope in excess of 2":12"	Max. height of 30' with a varied roofline (slope of 4:12 and 15:12). Flat roof is at 25'. Portions > 25' are setback 5' from required FY setback.	<input checked="" type="checkbox"/>
10.G.4. Access	Alley	Maintain access from Olive Ave	<input checked="" type="checkbox"/>
12. Parking	SF - 2-3 spaces per unit pending width	Maintain (E) two-car garage	<input checked="" type="checkbox"/>

The proposed project must comply with all other regulations of its subject zone and all other provisions of the Los Angeles Municipal Code (LAMC) and must receive approval from the Los Angeles Department of Building and Safety (LADBS). This Director of Planning Sign-Off is based on the information provided by the applicant. If, at a later date, this information is found to be incorrect or incomplete, this sign-off will become invalid, and development occurring at that time must cease until appropriate entitlements are obtained.

COASTAL COMMISSION


 Juliet Oh, Planning Assistant
 Coastal Unit, (213) 978-1186

EXHIBIT # 3
 PAGE 12 OF 22

Source: ZIMAS reports and observation

COASTAL COMMISSION

EXHIBIT # 3
PAGE 13 OF 22

ZIMAS

zimas.lacity.org

Search

ZIMAS

Search

Reports

Resources

Address/Legal

Site Address: **2405 S. BOONE AVE**
 ZIP Code: **90291**
 PIN Number: **106-6A147 200**
 Lot/Parcel Area (Calculated): **3,605.4 (sq ft)**
 Thomas Brothers Grid: **PAGE 671 - GRID J6**
 Assessor Parcel No. (APN): **4228011025**
 Tract: **TR 4434**
 Map Reference: **M 8 70-64/86**
 Block: **None**
 Lot: **169**
 Arb (Lot Cut Reference): **None**
 Map Sheet: **106-6A147**

Jurisdictional

Planning and Zoning

Assessor

Assessor Parcel No. (APN): **4228011025**

Ownership (Assessor)

Owner:

Address:

Ownership (Bureau of Engineering, Land Resources)

Owner:

Address:

APN Area (Co. Public Works)*: **0.083 (ac)**

Use Code: **0100 - Single Residence**

Assessed Land Val: **\$1,224,000**

Assessed Improvement Val: **\$306,000**

Last Owner Change: **06/16/15**

Last Sale Amount: **\$1,600,016**

Tax Rate Area: **67**

Deed Ref No. (City Clerk): **969076**

Deed Ref No. (City Clerk): **941502**

Deed Ref No. (City Clerk): **82995**

Deed Ref No. (City Clerk): **72167**

Deed Ref No. (City Clerk): **716793-04**

Deed Ref No. (City Clerk): **690069**

Deed Ref No. (City Clerk): **693063**

Deed Ref No. (City Clerk): **665180**

Deed Ref No. (City Clerk): **610996**

Deed Ref No. (City Clerk): **2649914**

Deed Ref No. (City Clerk): **193570**

Deed Ref No. (City Clerk): **1874245**

Deed Ref No. (City Clerk): **1796509**

Deed Ref No. (City Clerk): **1810683**

Deed Ref No. (City Clerk): **1449809**

Deed Ref No. (City Clerk): **1368266**

Building 1

Year Built: **1950**

Building Class: **D6B**

Number of Units: **1**

Number of Bedrooms: **3**

Number of Bathrooms: **2**

Building Square Footage: **1,283.0 (sq ft)**

Building 2: **No data for building 2**

Building 3: **No data for building 3**

Building 4: **No data for building 4**

Building 5: **No data for building 5**

Case Numbers

Recent Activity: **DIR-2016-3867-CEX**

Recent Activity: **DIR-2006-4703-DI**

Recent Activity: **DIR-2016-2921-V80**

City Planning Commission: **CPC-2005-6232-0A**

City Planning Commission: **CPC-2000-4046-0A**

City Planning Commission: **CPC-1996-118-LCP**

City Planning Commission: **CPC-1997-848-LC2**

City Planning Commission: **CPC-1994-226-SP**

City Planning Commission: **ORD-17632**

Ordinance: **ORD-176884**

Ordinance: **ORD-176883**

Ordinance: **ORD-172897**

Ordinance: **ORD-172019**

Ordinance: **ORD-168999**

Ordinance: **ORD-130330**

Director of Planning: **DIR-2014-2624-DI**

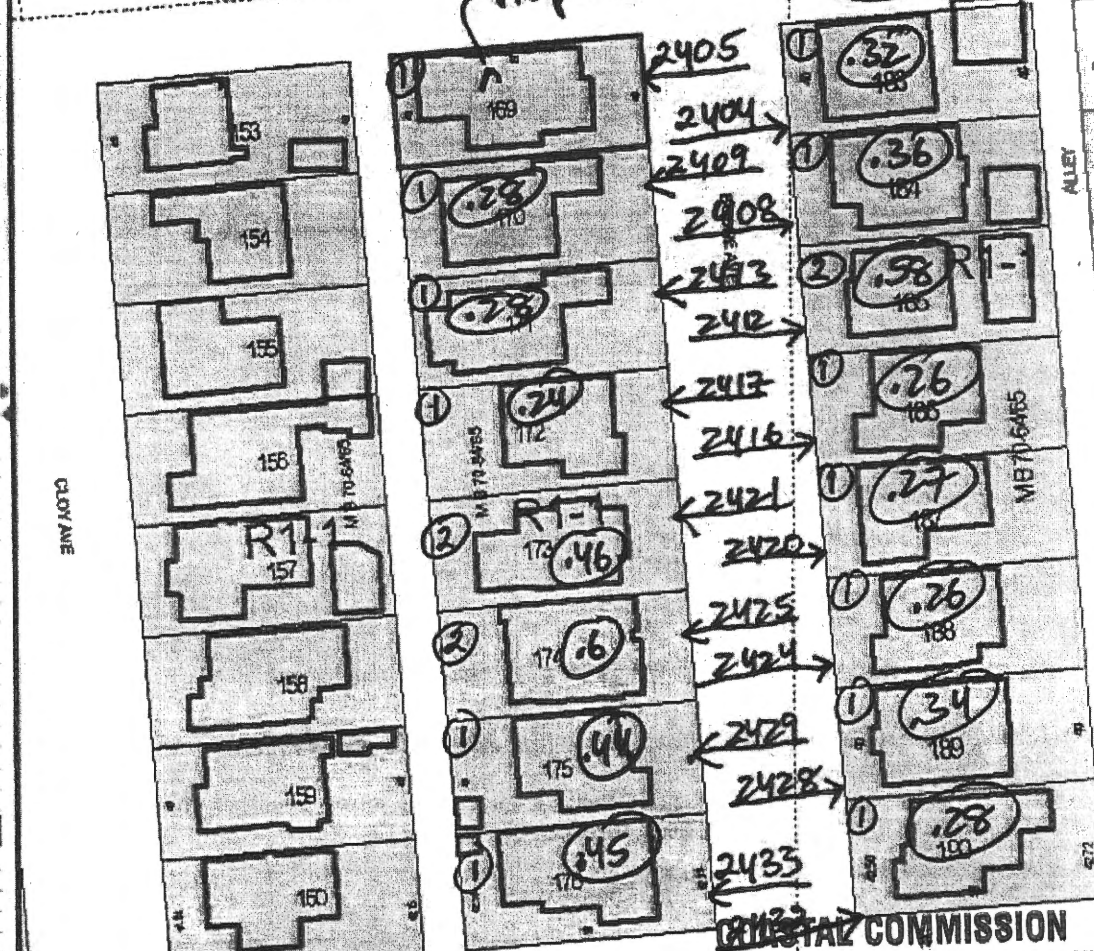
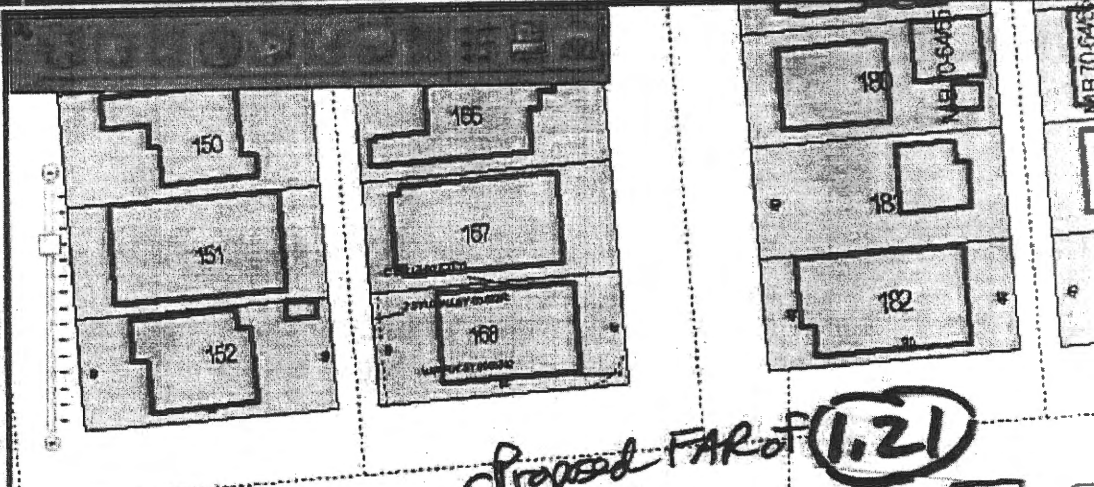
Zoning Administration: **ZY-12162**

Environmental: **ENV-2005-5253-ND**

Environmental: **ENV-2004-2891-CE**

Environmental: **ENV-2002-6636-SP**

Environmental: **ENV-2001-446-ND**



① 1-story
 Note: all calls include sq ft of garage
 V.A.W.
 EXHIBIT # 3
 PAGE 14 OF 22



Home

Help

Parcel Profile
Report

LADBS Home

LAD Property
Activity Report

Disclaimer

2405 S BOONE AVE 90291
APPLICATION / PERMIT NUMBER: 15014-10000-01704
PLAN CHECK / JOB NUMBER: B15LAD5549

Plan Check and Permit Information

GROUP: Building
TYPE: Bldg-Addition
SUB-TYPE: 1 or 2 Family Dwelling
PRIMARY USE: (1) Dwelling - Single Family
WORK DESCRIPTION: 1ST, 2ND AND 3RD FLOOR ADDITION TO EXISTING GFD W/ EXISTING ATTACHED GARAGE
PERMIT ISSUED: Yes **PERMIT ISSUE DATE:** 12/15/2015 **ISSUING OFFICE:** West LA
CURRENT STATUS: Issued **CURRENT STATUS DATE:** 12/15/2015

Permit Application Status History

Date	Event	Applicant
04/21/2015	Submitted	APPLICANT
04/28/2015	Green Plans Picked Up	APPLICANT
05/14/2015	Assigned to Plan Check Engineer	RICARDO SUPAN
06/09/2015	Corrections Issued	RICARDO SUPAN
06/11/2015	Reviewed by Supervisor	GARO TELMI
06/15/2015	Building Plans Picked Up	APPLICANT
10/09/2015	Applicant returned to address corrections	RICARDO SUPAN
11/12/2015	Plan Check Approved	RICARDO SUPAN
12/15/2015	Issued	LADBS

Permit Application Clearance Information

Item	Status	Date	Officer
Hold	Cleared	06/03/2015	CANDICE JUSAY
Miscellaneous	Cleared	07/15/2015	VINCENT QUITORIANO
Sewer availability	Cleared	07/15/2015	NATALIE MOORE
Eng Process Fee Ord 176,300	Cleared	07/20/2015	NATALIE MOORE
Specific Plan	Cleared	07/31/2015	CLIVE GRAWE
Specific Plan	Cleared	08/10/2015	JULIET OH
Low Impact Development	Cleared	08/19/2015	IDA MEISAMI-FARD
Roof/Waste drainage to street	Cleared	08/19/2015	KARAN PATEL
Green Code	Cleared	10/15/2015	ROLLIN GETTLE III
Coastal Zone	Cleared	10/22/2015	ANDY RODRIGUEZ

© Copyright 2006
City of Los Angeles
All rights reserved.

Licensed Professional/Contractor Information

Contractor Information

El Real Construction Inc; Lic. No.: 978074-B
 19526 VENTURA BLVD #629
 TARZANA, CA 91366

Engineer Information

Kim, Jin; Lic. No.: C84433
 5 MONTELENA
 IRVINE, CA 92602

Engineer Information

Park, Juntee; Lic. No.: C65104
 1444 HI POINT ST
 LOS ANGELES, CA 90035

Inspection Activity Information

Inspector Information

BOB DUNN, (310) 914-3981
 Office Hours: 7:00-3:00 AM MON-FRI

Pending Inspection Request(s)

No data available

Inspection Request History

No data available

Why none?

COASTAL COMMISSION

EXHIBIT # 3
 PAGE 15 OF 22

2405 Boone

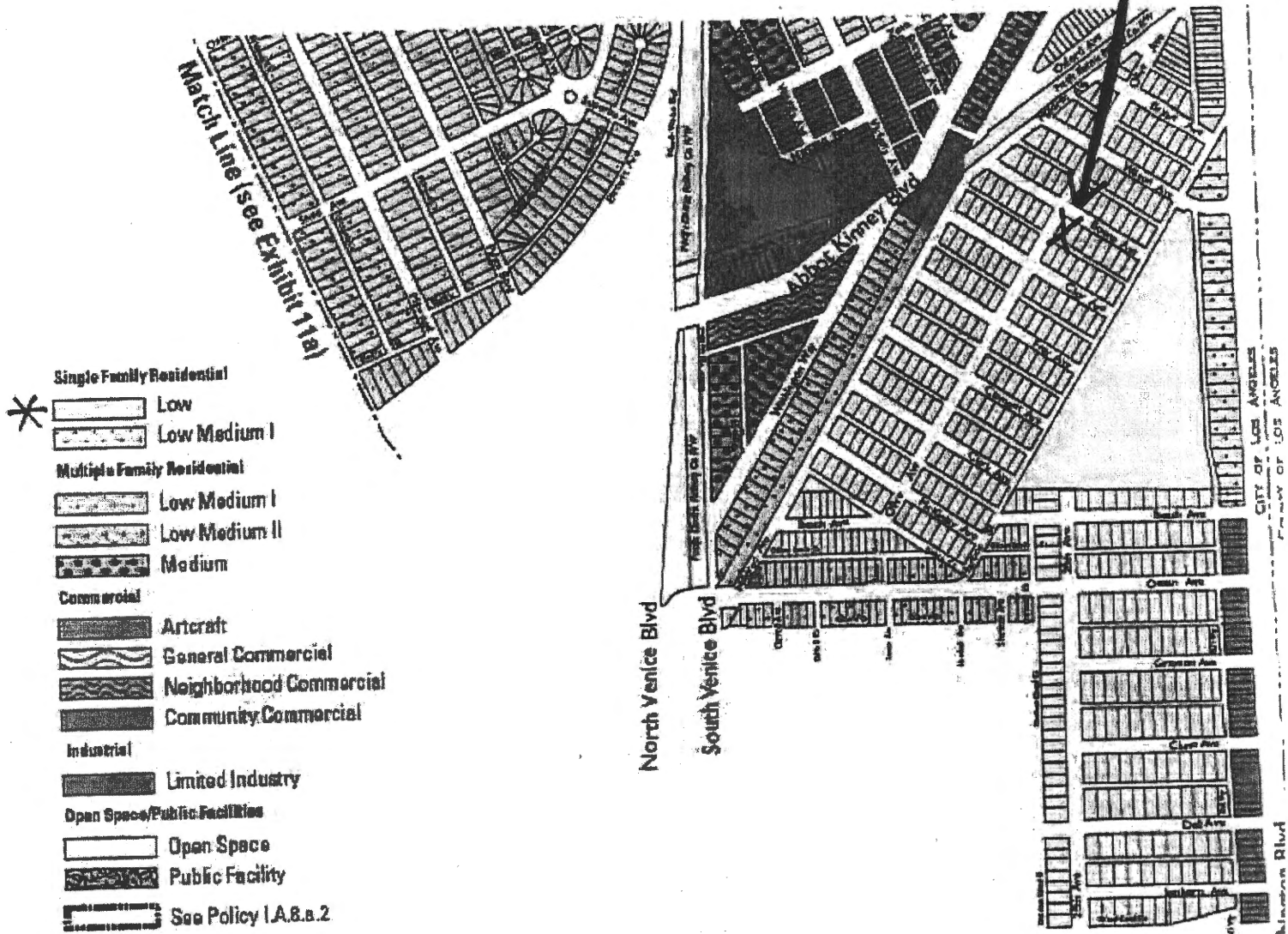


Exhibit 11b
Land Use Plan (Map): Oakwood • Milwood • Southeast Venice

COASTAL COMMISSION

EXHIBIT # 3
PAGE 16 OF 22

Single-Family Residential

The Venice LUP recognizes the importance of the existing pedestrian scale single-family residential neighborhoods and the need to conserve them. As most communities, the greater portion of Venice was originally developed with single-family homes for both permanent residents and as temporary resort housing. Today stable single-family neighborhoods continue to exist in portions of Venice. While the standard low density, one unit per 5,000 square foot lot is common in Venice, single-family homes on lots as small as 2,500 square feet are just as common and a reminder of the community's origin as a resort town. The maintenance of the character and density of these stable single-family neighborhoods is consistent with the objectives of the State Coastal Act and the City's General Plan.

Policy I. A. 2. Preserve Stable Single-Family Residential Neighborhoods. Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development. A second residential unit or an accessory living quarter may be permitted on lots designated for single-family residence land uses, provided that the lot has a minimum lot area of 4,600 square feet in the Venice Canals subarea, or 10,000 square feet in the Silver Strand, Southeast Venice, or Oxford Triangle subareas, and all units conform to the height limit, parking requirements, and other development standards applicable to the site.

Policy I. A. 3. Single-Family Dwelling - Low Density. Accommodate the development of single-family dwelling units in areas designated as "Single-family Residential" and "Low 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.

Southeast Venice and the Oxford Triangle

Use: Single-family dwelling / one unit per lot

Density: One unit per 5,000 square feet of lot area

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.

Adjacent Use/Development: The only permitted development adjacent to the canals and lagoon shall be habitat restoration, single-family dwellings, public parks and walkways, subterranean or surface public parking lots, maintenance activities and emergency repairs. Surface public parking lots shall be permitted only where sufficient access and roadway capacity exists to accommodate such parking. New construction along the Canals and Ballona Lagoon shall comply with standards for setbacks, noise barriers, landscape plan, pervious surfacing with drainage control measures to filter storm run-off and direct it away from environmentally sensitive habitat areas, buffer areas in permanent open space, land dedication for erosion control, and wetland restoration including off-site drainage improvements. For more details refer to the provisions contained in Policy Group I.A, Residential Land Use and Development Standards, and Policies IV.C.1 and IV.C.2, Stormwater Runoff and Circulation.

Policy I. D. 2. Venice Beach. Venice Beach stretches along the coast from Navy Street on the north to the entrance channel of Marina Del Rey.

Use/Density: The beach shall be zoned Open Space and used for public recreation. There should be no further construction on the beach other than police substation, City's and County's operational and management offices, recreational and accessory facilities such as playground equipment, athletic facilities, restrooms, lifeguard stations, bikeways, related short-term bicycle parking, walkways, lighting facilities where appropriate, and necessary expansion of existing or installation of new infrastructure. Reconstruction and rehabilitation of existing facilities shall be encouraged. Development shall be sited to protect Least Tern nesting areas and other environmentally sensitive habitat areas.

Policy I. D. 3. Views of Natural and Coastal Recreation Resources. The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A and I.B, Residential and Commercial Land Use and Development Standards of this LUP, in order to protect public views of highly scenic coastal areas and vista points, including, but not limited to, the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

Policy I. D. 4. Signs. Roof top signs and billboards are prohibited in all land use categories. Business identification signs shall comply with the height limits and development standards specified in the LUP to ensure they do not adversely affect view sheds and view corridors.

**Preservation of Venice
as a Special Coastal
Community**

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings will frame of a scale compatible with the community (with respect to bulk,

COASTAL COMMISSION

height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. 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.

Implementation Strategies

The LUP shall include development regulations and procedures (with respect to bulk, scale, height, setbacks, density, landscaping and types of use) to implement these policies.

Policy 1. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

Policy 1. E. 4. Redevelopment. Projects involving large-scale land acquisition and clearance shall be discouraged in favor of rehabilitation, restoration and conservation projects, especially those involving single-family dwellings.

Policy 1. E. 5. Nonconforming Structures. Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:

Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

Policy 1. E. 6. Constitution. This LUP/LCP is not intended, and shall not be construed, as authorizing the City to exercise its power to grant or deny a permit in a manner which will constitute an unconstitutional taking of private property for public use. This policy is not intended to increase or

COASTAL COMMISSION

**CITY OF LOS ANGELES
ENVIRONMENTAL QUALITY ACT GUIDELINES**

Adopted: July 31, 2002 - CPH: 02-1507

Section 1. Articles II, IV through VI, and VII through X of the 1981 City CEQA Guidelines are hereby repealed.

Section 2. Article I of the City CEQA Guidelines is hereby amended to read as follows:

"Article I. INCORPORATION OF STATE CEQA GUIDELINES

The City hereby adopts as its own City CEQA Guidelines all of the State CEQA Guidelines, contained in title 15, California Code of Regulations, sections 15000 et seq, and incorporates all future amendments and additions to those guidelines as may from time to time be adopted by the State."

Section 3. Article III of the City CEQA Guidelines is hereby renumbered as Article II and is amended to read as follows:

"ARTICLE II: EXEMPTIONS

1. General Rule and General Exemption.

These Guidelines apply generally to discretionary actions by City agencies which may have a significant effect on the environment. However, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not covered by CEQA and these Guidelines do not apply.¹

2. Exempt Activities

~~The following activities are exempt from the requirements of CEQA and these Guidelines:~~

a. Emergency projects, such as:

- 1) Projects undertaken, carried out, or approved by a City agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area for which a state of emergency

¹ A Form 31a may be used for this general exemption is attached as Exhibit J.

COASTAL COMMISSION

EXHIBIT # 3
PAGE 21 OF 22

4. **Exceptions**

a. **Location**

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.

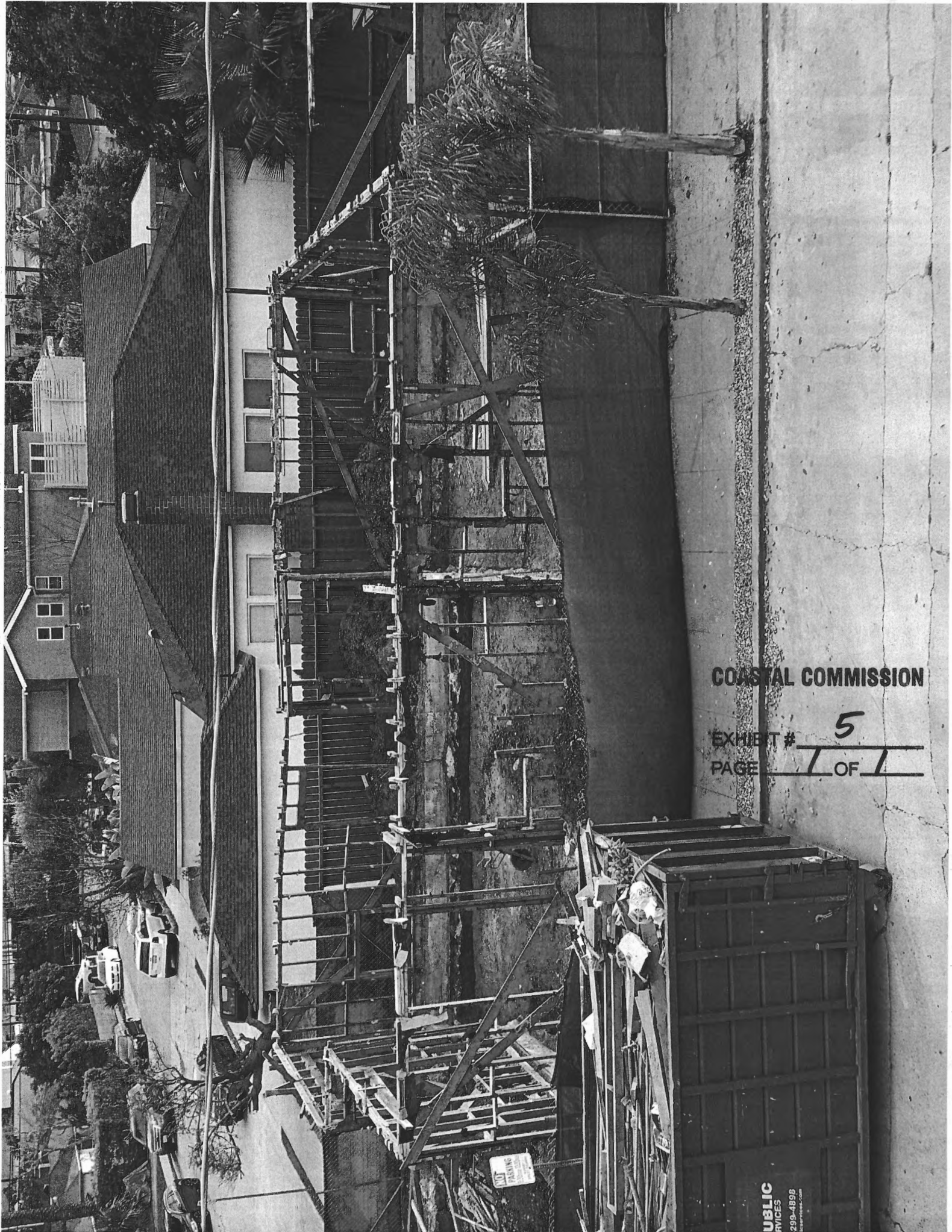
b. **Cumulative Impact**

The categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant. For example, annual additions to an existing building under Class 1."



COASTAL COMMISSION

EXHIBIT # **4**
PAGE 1 OF 1



COASTAL COMMISSION

EXHIBIT # 5
PAGE 1 OF 1

PUBLIC
SERVICES
289-4898
www.pscs.com

January 24, 2016

Th17b

California Coastal Commission
Coastal Staff & Coastal Commissioners
200 Oceangate, 10th Floor.
Long Beach, CA 90802

Re. APPEAL of Coastal Exemption application for:
2405 Boone Ave (A-5-VEN-16-0005)
Hearing date: Thursday February 11, 2016
Agenda Item 17b

Coastal Staff and Commissioners,

We are all praying that you will support denial of the project at 2405 Boone Ave., a so-called Venice "remodel" development. This property was purchased by a developer and their proposed project is ridiculously LARGE in comparison the homes in our single-family residential, low density zoned neighborhood!! The property was formerly only one story with approximately 1,000 square feet. The "remodel" will be THREE stories tall and 4,363 square feet of floor area ... a GIGANTIC MONOLITH. The "remodel" will TRIPLE the height and nearly QUADRUPLE the floor area of the former home!!! This is hardly a "remodel"!!! Three full stories and roof deck, 4,363 square feet, on a 3,600 square foot lot!! This development is significantly out of scale with the 88% of homes on the block that are one-story homes with less than 1/4 of the floor area of the proposed development!! We value Venice's diverse architecture, but only when within the scale of our existing neighborhoods.

The owner/developer told me that he knows what he's doing and does this a lot. In other words, he thinks he knows how to "game" the system.

We live a few BLOCKS from the beach and if this project is allowed our precious neighborhood is in grave danger of MASSIVE OVER DEVELOPMENT over the foreseeable future!! PLEASE, PLEASE, HELP US keep these "buildings" in the same proportion with our very small 40' X 90' lots as the other homes in the area. PLEASE PROTECT US!!!

We truly live in fear when we see a FOR SALE sign, as most of the time there is no notice at all of what is coming. In the last few years, we generally don't learn of a project until after permits are issued, on the same day as the bulldozer arrives....and we stand to be PLAGUED with a BEHEMOTH APARTMENT-SIZED DEVELOPMENT towering over us for the rest of ALL of our lives. This DEVELOPMENT is WRONG and in direct contradiction to the goals of the Coastal Act that protect coastal areas from over development and to our rights to a Public Process for such impactful land use decisions. This project would be an EYE SORE and simply does not fit into this special residential neighborhood of our Special Coastal Community of Venice.

Sincerely,


Judy Esposito

COASTAL COMMISSION

EXHIBIT # 6
PAGE 2 OF 2

Revell, Mandy@Coastal

From: Nika Cavat <NCavat@xrds.org>
Sent: Thursday, January 28, 2016 11:54 AM
To: Revell, Mandy@Coastal; Hudson, Steve@Coastal
Cc: judy.esposito@msn.com
Subject: 2405 Boone Ave. development, Venice CA

Importance: High

Greetings:

I am writing to voice my very strong objection about plans for the serious over-development of property in my neighborhood in Venice. I have lived in this neighborhood (on Wilson Ave.) for almost 25 years. In that time, smaller houses such as my own are being torn down and replaced with larger and larger houses. A three story, 4363 sq. ft construction on Boone would be an injustice to the neighbors and set a dangerous precedence for years to come. Such a mammoth house would impair the quality of our lives and irreversibly isolate whomever moved in from their neighbors. I implore you to use whatever influence you may have in this decision to insist on scaling back the size of this construction.

With appreciation,

Nika Cavat

COASTAL COMMISSION

EXHIBIT # 6
PAGE 1 OF 2