

**CALIFORNIA COASTAL COMMISSION**

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



# Th10a

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## STAFF REPORT: APPEAL – DE NOVO

**Appeal No.:** A-5-VEN-17-0052

**Applicant:** AK Lofts 5, LLC

**Agent:** Fred Gaines

**Local Government:** City of Los Angeles

**Local Decisions:** Coastal Development Permit No. ZA-2014-3040(CDP)(MEL)  
Parcel Map No. AA-2014-3038-PMLA-CN

**Appellants:** George Gineris, Carolyn Rios, Sue Kaplan, Robin Rudisill,  
Gabriel Ruspini, Celia Williams, Noel Gould, Lydia Ponce,  
Jataun Valentine

**Location:** 656-656 ½ California Avenue, Venice, Los Angeles, Los  
Angeles County (APN: 4241005027)

**Project Description:** Demolish two one-story, 19-foot high single-family residences  
and construct a 28-foot high (including partial third story),  
5,852 sq. ft. two-unit condominium with attached four-car  
garage.

**Staff Recommendation:** Approval with conditions

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## SUMMARY OF STAFF RECOMMENDATION

This is a De Novo hearing for an appeal of Local Coastal Development Permit No. ZA-2014-3040 issued by the City of Los Angeles for the demolition of two one-story, single-family residences and construction of a three-story, 28-foot high, 5,870 sq. ft. two-unit condominium. On November 9, 2017, the Commission determined that the project raised a substantial issue on the grounds of the appeal. The grounds of the appeal are that the proposed project does not conform to the character of

the surrounding community, and the appellants contend that approval of the project would prejudice the City's ability to prepare an LCP in the future.

The Commission's finding of substantial issue voided the local coastal development permit, and the Commission will hold a de novo hearing for the proposed project. The applicant met with staff on April 17, 2018 to discuss revisions to the proposed project in order to address the scale and character concerns raised by the appeal. The applicant has since revised the proposed project to include a reduction in height (from 20.7 to 19.7 feet at the front unit and 30 to 28 feet at the rear unit), lower the subterranean level of the structure, increase the second story step back, and provide more articulation by including more indentations to reduce the visible mass of the building. The currently proposed building is a 28 feet high (with partial third story), 5,852 sq. ft. two-unit condominium with four on-site parking spaces and one guest parking space. The building envelope has been modified to reduce the visible mass of the structure from California Avenue. The front unit height is 19.7 feet, similar to the height of the existing structures on the site, and will maintain the proposed front yard setback of 23.5' (17.5' after a City-required 5-foot street dedication). The partial 28-foot high third story is stepped back more than 45 feet from the front yard property line and will not be visible from the sidewalk on California Avenue.

The site is located in the Milwood subarea of Venice and is designated as a Low Medium Density (multi-family residence) land use by the Venice certified-LUP. The block located on California Avenue is characterized by several lots that contain multiple single unit structures, as well as one and two-story, single-family structures and duplexes. The proposed project maintains the existing building height in the front unit and provides an increased front yard setback that is compatible to the neighboring heights and setbacks. Furthermore, the height of the highest part of the roof is 28' and is located at the rear of the structure, similar to other multi-story structures along the alleyway. In addition, the building's articulation and utilization of front and side yard landscaping will buffer the visible mass of the structure as observed from California Avenue. The currently proposed project conforms with the character, scale, and massing of the surrounding development, and is consistent with policies of the certified LUP and Coastal Act.

Therefore, staff recommends that the Commission **approve** the coastal development permit with **three (3)** special conditions. The recommended special conditions require the applicant to undertake development in accordance with the approved final plans (**Special Condition 1**), provide non-invasive, low water use landscaping and drip or microspray irrigation (**Special Condition 2**), and implement construction best management practices (**Special Condition 3**). The motion to carry out the staff recommendation is on Page Four. The applicant agrees with the recommendation.

## TABLE OF CONTENTS

<b><u>I. MOTION AND RESOLUTION</u></b> .....	4
<b><u>II. STANDARD CONDITIONS</u></b> .....	4
<b><u>III. SPECIAL CONDITIONS</u></b> .....	5
<b><u>IV. FINDINGS AND DECLARATIONS</u></b> .....	6
A. PROJECT LOCATION & DESCRIPTION.....	6
B. SINGLE/ DUAL PERMIT JURISDICTION ZONE.....	7
C. VISUAL RESOURCES/ COMMUNITY CHARACTER .....	7
D. WATER QUALITY .....	11
E. PUBLIC ACCESS .....	11
F. LOCAL COASTAL PROGRAM (LCP).....	12
G. California Environmental Quality Act (CEQA).....	12

### **EXHIBITS**

[Exhibit 1 – Vicinity Map](#)

[Exhibit 2 – Revised Plans](#)

[Exhibit 3 – Site Visit photos, 10/13/17](#)

## I. MOTION AND RESOLUTION

### Motion:

*I move that the Commission **approve** the Coastal Development Permit Application No. A-5-VEN-17-0052 pursuant to the staff recommendation.*

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

### Resolution:

*The Commission hereby approves Coastal Development Permit Application No. A-5-VEN-17-0052 for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*

## II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

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

### III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Permit Compliance.** Coastal Development Permit A-5-VEN-17-0052 authorizes the demolition of two single-family residences and the construction of a 28-foot high, two-unit condominium building with an attached four-car garage. All development must occur in strict compliance with the special conditions and the final approved plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the project or the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required. In the event that modifications to the structure exceed that shown in the approved plans, the applicant shall cease work at the site and apply for an amendment to this coastal development permit.
2. **Landscaping.** Any future landscaping of the site shall be consistent with the following:
  - A. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
  - B. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.
3. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris.** The permittee shall comply with the following construction-related requirements:
  - (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
  - (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
  - (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.

- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) During construction of the proposed project, no runoff, site drainage or dewatering shall be directed from the site into any canal or street that drains into a canal, unless specifically authorized by the California Regional Water Quality Control Board
- (l) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (m) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- (n) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

#### **IV. FINDINGS AND DECLARATIONS**

##### **A. PROJECT LOCATION & DESCRIPTION**

The subject site is located in the Milwood subarea of Venice and designated as Low Medium Density (multi-family residence) by the Venice certified-LUP ([Exhibit 1](#)). The lot area is currently 5,403 sq. ft., but will be 5,103 sq. ft. after the City-required land dedication for street purposes. The lot is currently developed with two one-story, 19-foot high single-family dwellings that were built in 1915 (front unit facing California Avenue) and 1920 (back unit facing California Court). The existing structures, which will be demolished, have been determined by the City of Los Angeles Office of Historic Resources to not contain any historic resources and have not been identified as potentially historic by SurveyLA.

The project has been re-designed after the Commission’s Substantial Issue Determination on the appeal, and revised plans were submitted to the South Coast District Office on May 7, 2018. The currently proposed project is for a new partially three-story, partially subterranean two-unit condominium and attached four-car garage ([Exhibit 2](#)). The front unit height is reduced to 19.5’ (from 20.7’) and the second floor step back front unit is increased to 4.5’. The ground floor and rear portion of the front unit is lowered by one foot. The rear unit has been shifted to directly abut the alleyway so that the highest part of the roof is at the rear of the property. In addition, the proposed project is consistent with the density and use requirements of the certified-LUP for multi-family residences in the Milwood subarea (Policy I. A. 7).

## **B. SINGLE PERMIT JURISDICTION ZONE**

The proposed development is within the coastal zone of the City of Los Angeles. Section 30600(b) of the Coastal Act allows a local government to assume permit authority prior to certification of its Local Coastal Program. Under that section, the local government must agree to issue all permits within its jurisdiction. In 1978 the City of Los Angeles chose to issue its own CDPs pursuant to this provision of the Coastal Act.

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction Area, the Act requires that any development that receives a local CDP also obtain such a permit from the Coastal Commission. Section 30601 requires a second CDP from the Commission on all lands located (1) between the sea and the first public road, (2) within 300 feet of the inland extent of a beach, or the sea where there is no beach, (3) on tidelands or submerged lands, (4) on lands located within 100 feet of a wetland or stream, or (5) on lands located within 300 feet of the top of the seaward face of a coastal bluff. Outside that area, the local agency’s (City of Los Angeles) CDP is the only coastal development permit required, although all such permits are appealable to the Commission. Thus it is known as the Single Permit Jurisdiction Area.

The proposed development is located within the *Single Permit Jurisdiction Area* specified in Section 30601. Therefore, only a single coastal development permit is required from the City of Los Angeles, but that permit may be appealed to the Commission, as was the case with Coastal Development Permit No. ZA-2014-3040(CDP)(MEL) issued by the City of Los Angeles for this development.

## **C. VISUAL RESOURCES/ COMMUNITY CHARACTER**

Coastal Act Section 30251 Scenic and visual qualities states, in part:

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

Coastal Act Section 30253(e) Minimization of Adverse Impacts, states:

*New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

When the Commission certified the Venice LUP in 2001, it recognized Venice as a special coastal community to be protected. The LUP considered the potential impacts that development could have on community character and adopted policies and specific residential building standards to ensure development was designed with pedestrian scale and compatibility with surrounding development. Given the specific conditions surrounding the subject site and the diverse development pattern of Venice, it is appropriate to use the certified LUP policies as guidance in determining whether or not the project is consistent with Sections 30251 and 30253 of the Coastal Act.

The certified Venice LUP sets forth the following relevant policies:

Policy I. A. 1.b. Residential Development states, in part:

*ii. Building facades shall be varied and articulated to provide a pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street...*

Policy I. A. 2. Preserve Stable Single-Family Residential Neighborhoods states:

*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.*

Policy I. A. 3. Yards states:

*Yards shall be required in order to accommodate the need for fire safety and on-site recreation consistent with the scale and character of the neighborhood.*

Policy I. E. 2. Scale, states:

*New development within the Venice Coastal Zone shall respect the scale and character of the community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods.*

Policy I. E. 3. Architecture, states:

*Varied styles of architecture are encouraged with building façades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.*



Staff has visited the site and observed the buildings along California Avenue from Abbot Kinney Boulevard to Shell Avenue, along California Court, Milwood Avenue, and Electric Court to assess the variety of front yard setbacks and building heights ([Exhibit 3](#)). As described by the City findings and staff site visit, the residential community in which the subject site is located is predominantly multi-family dwellings. The site is immediately surrounded by lots which contain multiple single unit dwellings. The property to the east of the subject site contains 5 one-story units and is historically significant. The property to the west of the subject site contains 4 one-story units in a courtyard, and the property to the north of the subject site contains 5 one-story units.

Beyond the immediately adjacent lots is a mix of one-story and two to three-story single-family dwellings with buildings of visual diversity, illustrating Venice’s designation as a Special Coastal Community. The area surrounding the block, on which the project site is located, also consists of two and three-story single-family dwellings with varied and textured façades with windows and doors fronting California Avenue. Front yard setbacks for houses on the project site’s block are varied and are landscaped to create an open and spacious environment. The neighboring building heights vary from 24’ (641-645 California Avenue) to approximately 33’ (609 California Avenue). At the end of the block past Electric Court is the Vera Davis McClendon Youth and Family Center. Further past the community center along South Irving Tabor Court are free and metered public parking lots. The 50-unit, three-story, 33.5’ high, 35, 027 sq. ft. building approximately 470 feet away from the subject site located on 609 California Ave serves as low-income housing. The Blue Line bus route runs through California Avenue to connect to Abbot Kinney Blvd and is an important thoroughfare for pedestrians and drivers.

Although the subject site is immediately surrounded by several lots each containing multiple one-story single-family residences, the Commission looks beyond the immediate vicinity of the subject site in order to determine whether or not a proposed project is compatible with community character. Based on past Commission actions in the Venice community, developments located within the block are utilized to determine whether or not a proposed project is appropriate with regard to visual compatibility, mass, and scale. Also, certified LUP Policy I. E.3 states that, “*varied styles of architecture are encouraged...*” This policy encourages a variety of styles and discourages focus on subjective judgments about what architectural style is preferred. Hence, the Commission uses height limits, setback requirements and bulk to limit the mass and scale of new structures so that they are compatible with the character with the surrounding area.

The proposed height of the front unit as observed from California Avenue is 19.67 feet. The height of the existing structure on the front of the lot (to be demolished) is 19.72 feet. According to the City website, the heights of the structures fronting California Avenue range from 14 feet (652 California) to approximately 30 feet (642 California)<sup>1</sup>. The proposed height at the pitched roof is 28 feet and is located at the rear unit directly adjacent to California Court, the rear ally. Based on a staff site visit conducted at an earlier time, there are existing structures with similar heights directly abutting the alleyway. The structures at the rear are not visible from the fronting street, California Avenue. The front yard setback is 23.5’ (17.5’ after a required 5-foot street dedication to the City). Front yard setbacks within the block range from 11 feet (635 California) to approximately 70 feet (642 California).

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<sup>1</sup> City of Los Angeles, NativateLA website. 2018. <http://navigatela.lacity.org/navigatela/>.

During the site visit, staff observed a wide range of building styles and façades. Buildings vary from articulated one to two-story houses with second story step backs to two-story vertical façades with pitched roofing. Some façades are not visible from the street due to the large front yard setback, six-foot high gates and thick landscaped vegetation. In this case, the project includes a partially subterranean first floor with a second story balcony slab that is 6.3' above from the elevation of California Avenue. The second story is stepped back 5 feet from the front of the first floor level to articulate the vertical façade. The rear unit is set back 74 feet from the front yard property line at a height of 28 feet and is not visible from the fronting street. Based on the proposed height, setback, and façade, the proposed project is compatible with the building scale of the neighborhood due to the diversity of scale that exists in the surrounding neighborhood (I.E.2).

A building's visible mass refers to the perception of the shape and form of the structure at a certain point. In this case, the point is the public right-of-way as observed from California Avenue. The front unit's façade and sides which make up the building mass are visible from the street. Thus, the front unit and portions of the side must be analyzed for impacts to visual resources. The front unit includes a second story step back that breaks up the vertical façade as observed from the street. The rear unit is not significantly visible from the street due to the distance from the front yard. The building sides include a vertical façade with various planes that break up the buildings rectangular mass. In addition, the larger portion of the building has been moved to the rear so the structure appears from the California Avenue sidewalk as a 19.67 feet high, two-story home. Although the proposed project may appear as one contiguous structure, it is not significantly visible from the street and is similar to existing structures on the block and beyond the immediate block. Similar structures beyond the immediate block include a 30-foot tall, 3-story 5,772 sq. ft. residence at 724-728 California (appx. 418 feet away) and a 23.5-foot tall, 3-story 4,672 sq. ft. residence at 703 Milwood (appx 300 feet away) which exhibit similar character, scale and massing to the proposed project. Again, a variety of architectural styles are encouraged as long as the structure is compatible with the existing scale and massing of structures located on the block (I.E.3).

During a site visit, staff observed that buildings located on lots within the block include landscaping within the front yard setback that screens the structure ([Exhibit 3](#)). Other front yards include no screening elements. According to the revised plans, the project will retain existing trees within the front yard. The proposed project's visibility from the street will be further minimized by maintaining the existing trees in the front yard and will buffer the visible mass of the structure. Based on the diversity of architectural styles and sensitivity of the proposed design for compatibility with neighborhood mass and scale, the proposed project is visually compatible with the surrounding area and has been conditioned to be consistent with the certified-LUP and Section 30251 of the Coastal Act.

The project has been revised to reflect a design that is sensitive to the existing character, mass and scale of the surrounding development. Therefore, **Special Condition No. 1** is imposed to ensure that the applicant complies with the final approved plans. The Commission finds that the proposed development, as conditioned, conforms with Sections 30251 and 30253 of the Coastal Act and Venice LUP policies regarding mass and scale for new development. The new development maintains compatibility with the character and scale of the surrounding area and will minimize impacts to visual resources and community character.

## **D. WATER QUALITY**

Section 30231 of the Coastal Act states, in part:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff...*

The project site is located approximately 0.6 miles away from the beach within an urbanized residential area. The proposed development, however, has a potential for discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, shall incorporate design features to minimize the effect of construction and post-construction activities on the marine environment. In order to ensure that water quality is preserved and energy use is minimized over the life of the development, **Special Condition No. 2** requires the installation of non-invasive, drought-tolerant vegetation and water-conservative irrigation systems. In order to preserve water quality during construction, **Special Condition No. 3** requires the applicant to implement construction best management practices.

These features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Section 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

## **E. PUBLIC ACCESS**

Section 30211 Development not to interfere with access states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212 New development projects states, in relevant part:

*(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...*

The provision for adequate on-site parking relates to the ability for the public to access the beach and various amenities within the coastal zone. The Venice area experiences parking shortages that, if not planned for, may increase competition for limited street parking supply between visitors and residents. Parking requirements are provided through the LUP guidelines for multiple residential dwelling units in the Venice coastal zone. According to the Venice LUP, two spaces per dwelling unit are required for residential areas with multiple units. The project proposes two parking spaces

per unit with one guest parking stall that will be accessed through the rear alleyway on California Court. Thus, the project provides adequate parking to meet the needs of two dwelling units.

As conditioned, the proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Adequate on-site parking for the proposed two unit, multiple-family residence is provided by the attached four-car garage and one guest parking space, which is accessed from the alley. Therefore, as conditioned, the development conforms to Sections 30211 and 30212 of the Coastal Act.

#### **F. LOCAL COASTAL PROGRAM (LCP)**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP) which conforms with Chapter 3 policies of the Coastal Act:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP is advisory in nature and may provide guidance.

As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

#### **G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The City is the lead agency for CEQA compliance and after preparing an Initial Study, the City issued a CEQA Notice of Exemption (ENV-2016-2205-CE).

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