

**CALIFORNIA COASTAL COMMISSION**

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# Th12c

**A-5-VEN-20-0039 (HOLZMAN)**

**OCTOBER 8, 2020**

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California Coastal Commission  
c/o South Coast District  
301 E. Ocean Blvd., Suite 300  
Long Beach, CA 90802

**Th12b &  
Th12c**

Re: Appeal Nos. A-5-VEN-20-0037 and A-5-VEN-20-0039  
710 E. Palms Blvd. and 714-716 E. Palms Blvd., Venice, City of Los Angeles  
Meeting Date: October 8, 2020 (**Th12b & Th12c**)  
**No Substantial Issue**

Dear Honorable Commissioners:

This office represents Eli and Stephanie Holzman, Holzman Living Trust (“Holzman”), the owner of property located at 710 and 714-716 E. Palms Boulevard in Venice. Our client sought and obtained two local coastal development permits from the City of Los Angeles (the “City”) that authorized the demolition of two duplexes and the construction of a single family residence with an accessory dwelling unit on each of the two lots (the “Projects”).<sup>1</sup> The Projects meet every single standard set forth in the City’s certified Venice Land Use Plan (“LUP”) and the Chapter 3 policies of the Coastal Act. The Projects do not result in the net loss of any dwelling units. The appeals by Sue Kaplan and Citizens Preserving Venice (“Appellants”) raise no substantial issue.

**A. THE PROJECTS ARE CONSISTENT WITH THE VENICE LAND USE PLAN  
AND CHAPTER 3 POLICIES OF THE COASTAL ACT**

In 1978, the City developed a permit program to exercise its option to issue local coastal development permits (“CDPs”). Sections 13301-13325 of Title 14 of the California Code of Regulations provides procedures for issuance and appeals of locally issued CDPs. Section 30602 of the Coastal Act allows any action by a local government on a CDP application evaluated under Section 30600(b) to be appealed to the Commission and the standard of review for such an appeal is the Chapter 3 policies of the Coastal Act.

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<sup>1</sup> Although there are two separate appeals, the parties, issues, and Staff Reports are virtually identical and, therefore, this letter responds to staff’s Substantial Issue recommendation for both Projects.

On June 14, 2001, the Coastal Commission certified a Land Use Plan (“LUP”) for the Venice area. The City is presently working towards certification of an updated LUP for Venice, Implementation Plan, and, eventually, full Local Coastal Program certification.

The Projects sit side by side and were reviewed and approved by the City. Extensive findings were made that the Projects conform with Chapter 3 policies, the City’s zoning, and the certified Venice LUP. The Projects were not appealed at the local level.

The first project, located at 710 E. Palms Boulevard, involves the demolition of a one-story, 1,445 square foot duplex and detached two-car garage, and construction of a two-story, 2,850 square foot single family residence with an attached two-car garage, an attached 191 square foot accessory dwelling unit, and two additional on-site parking spaces. (City of Los Angeles Local Coastal Development Permit No. DIR-2018-7237-CDP-MEL.)

The second project, located at 714-716 E. Palms Boulevard, involves the demolition of a one-story, 1,968 square foot duplex and construction of a two-story 1,321 square foot single family residence with an attached three-car garage, an attached 437 square foot accessory dwelling unit, and one additional on-site parking space. (City of Los Angeles Local Coastal Development Permit No. DIR-2018-7251-CDP-MEL.)

The applications for both Projects were deemed complete in 2019. As proposed, the Projects do not result in the loss of a single dwelling unit.

**1. THE PROJECTS CONFORM WITH ALL LUP DENSITY AND ZONING REQUIREMENTS**

The subject adjoining properties are located in the City’s R2-1 zone and are designated for Low Medium I Residential uses. The Venice LUP states that the “Multi-Family Residential – Medium Density accommodates “the development of multi-family dwelling units in the areas designated as “Multiple Family Residential” and “Medium Density.” But as the Staff Reports make clear, while multi-family residential development is encouraged, *the LUP allows for the development of single-family residences*. The subject Projects, single family residences each with an accessory dwelling unit, completely conform with this Policy, which does not mandate multiple units.

**B. THE PROJECs ARE EXEMPT FROM SB 330**

The project applications were deemed complete by the City in March 2019, well before the January 1, 2020 effective date of SB 330. SB 330 would require that the Projects not result in a “net loss” of housing units. However, even though the Projects are not required to comply with SB 330, by replacing four housing units with four housing units, the Projects are nevertheless in compliance.

### C. THE APPEALS RAISE NO SUBSTANTIAL ISSUE

The internal contradiction within the appeals is the assertion that the identical density must be maintained or increased in order to help alleviate the state's housing crisis on one hand, while conceding that the LUP, in these cases, permits a reduction of dwelling units on the other hand. The fact that the two duplexes are being replaced by four new housing units is somehow not good enough. Instead, Appellants and staff wish to mandate that duplexes must be replaced with duplexes. This, the argument goes, will help combat a "pattern of locally-approved reductions in housing density, manifesting in the construction of single-family residences on lots able to accommodate multiple units" and maintain consistency with community character.

But until the time the LUP is updated, along with the City's corresponding zoning designation, the Projects raise no substantial issue because what is proposed is completely consistent with Chapter 3 policies, as well as the land use and zoning laws that exist today. Those land use and zoning laws clearly permit the construction of single family homes. And, in this case, the Projects go even further with proposed accessory dwelling units that preserve the existing residential density.

After decades finding that Chapter 3 policies support and require reduced densities and downsizing in Venice, the Commission has recently flipped on a dime to find that those exact same Chapter 3 policies prohibit any reduction of units, even the labeling of a duplex unit as an accessory dwelling unit. This is politics, without basis in law or fact.

The Appellants' objections do not rise to the standard of finding that a substantial issue exists as to the Projects' conformity with Chapter 3 of the Coastal Act. **As such, we respectfully request that the Coastal Commission determine that no substantial issue exists and that the Commission deny the Appeals.**

Thank you for your consideration of this matter.

Sincerely,

GAINES & STACEY LLP

*Fred Gaines*

By

FRED GAINES

cc: Shannon Vaughn (Via Email)