

CALIFORNIA COASTAL COMMISSION

South Coast District Office
 301 E Ocean Blvd., Suite 300
 Long Beach, CA 90802-4302
 (562) 590-5071

**F19a**

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**STAFF REPORT:
 APPEAL – SUBSTANTIAL ISSUE & DE NOVO**

Appeal Number: A-5-VEN-21-0069

Applicant: 315 6th Avenue LLC (Brock Wylan)

Agent: Steve Kaplan

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: Citizens Preserving Venice and People Organized for Westside Renewal (POWER)

Project Location: 315 6th Avenue, Venice, City of Los Angeles, Los Angeles County (APN: 4240010010)

Project Description: Demolition of four single-family homes on a 6,380 sf. lot, subdivision of the lot into two lots (2,580 sf. front lot and 3,800 sf. rear lot), and construction of a 3-story, 2,591 sf. single-family residence with a 857 sf. accessory dwelling unit (ADU) on the rear lot and a 3-story, 2,088 sf. single-family home with a 1,102 sf. ADU on the front lot with a total of five parking spaces provided in a shared 928 sf. garage on the rear lot.

Staff Recommendation: Substantial Issue and Denial

IMPORTANT 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. (14 CCR § 13115(c).) 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, the appellant, persons who opposed the application before the local government, and the local government shall be qualified to testify during this phase of the hearing. Others may submit comments in writing. (14 CCR § 13117.) If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will occur directly following that finding, during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission determine that a **substantial issue exists** with respect to the grounds on which the appeal has been filed because the project, as approved by the City of Los Angeles, is inconsistent with the development and community character policies of the Venice Land Use Plan (LUP) and the Chapter 3 policies of the Coastal Act. Staff also recommends that, after a public hearing, the Commission **deny the de novo permit**.

If the Commission finds that substantial issues exist relating to the policies of Chapter 3 of the Coastal Act, the Commission's de novo review should consider whether the proposed development is consistent with the Chapter 3 policies of the Coastal Act. The certified Venice Land Use Plan is advisory in nature and provides guidance as to conformity of the development with the Chapter 3 policies.

The City of Los Angeles issued a local coastal development permit (CDP) with conditions on September 10, 2021 for the demolition of four single-family homes ranging in size from approximately 380 square feet (sf.) to 1,000 sf. on a 6,380 sf. lot, subdivision of the lot into a 2,580 sf. front lot and a 3,800 sf. rear lot, and construction of a 3-story, 2,591 sf. single-family home with an attached 857 sf. accessory dwelling unit (ADU) on the rear lot and a 3-story, 2,088 sf. single-family home with an attached 1,102 sf. ADU on the front lot. Before issuance, the West Los Angeles Planning Commission (WLAAPC)-approved project was appealed locally. On June 2, 2021, the WLAPPC denied the appeals. On June 29, 2021, the Los Angeles City Council unanimously voted to assert jurisdiction over the WLAAPC's action. The motion stated that "the project may not be within the neighborhood character and may result in the cumulative erosion of a stable multi-family neighborhood in the Coastal Zone...[and] the demolition of a four-unit bungalow court and the construction of single-family dwellings with attached ADUs would erode the neighborhood character – defined by both its physical and social attributes; including racial, ethnic, and income diversity." However, the City Council was unable to hear the item so it was remanded back to the WLAAPC which upheld the June 2, 2021 determination. The City's notice of final local action was received by the Commission's South Coast office on September 21, 2021, and the Commission's twenty working-day appeal period was established. One appeal with multiple appellants was received on October 19, 2021.

The subject site is located in the Oakwood subarea of Venice—a historically working-class community of color—in a neighborhood that contains an approximately even mix of single- and multi-family residential development with structures that are mostly one-story in height. A number of the properties in the area, like the subject site, are developed with multiple, small single-family homes constructed between 1905 and 1925 when Abbot Kinney's Venice was in its early development. Also of note: while income levels have risen significantly over time and populations of color have decreased significantly in Oakwood, it has higher pollution burden, more people of color, and more individuals below the federal poverty level than the rest of coastal Venice.

The appellants, Citizens Preserving Venice (represented by Robin Rudisill) and People Organized for Westside Renewal, or POWER, (represented by Bill Przlucki), argue,

generally, that the City-approved project is inconsistent with Coastal Act Sections 30250, 30251, and 30253, which, in part, require development to be sited in areas able to accommodate it, protect the visual quality of coastal communities, and protect the character of special coastal communities like Venice that are important visitor-serving destinations. Their reasoning is that the project is incompatible with the mass, scale, and character of the area, is not in conformance with the density designation defined in Venice LUP Policy I.A.7 or the multi-family residential protections in Policy I.A.5 because an ADU is not equivalent to a full residential unit, and will have a negative cumulative effect on the character of the area, including its social diversity (protected as an important characteristic of Venice by Policy I.E.1) due to the loss of affordable multi-family housing. Thus, the appellants assert that the City's action would prejudice its ability to prepare a Local Coastal Program that is in compliance with Chapter 3 of the Coastal Act. In addition, the appellants claim that the City failed to make or made inadequate findings regarding the project's consistency with Coastal Act Section 30253(e), which protects the character of special coastal communities like Venice, with Coastal Act Section 30251, which protects the visual character of coastal areas, with Venice LUP Policy I.E.1, which protects Venice's social diversity as a characteristic that makes Venice a special coastal community, and with Chapter 3 of the Coastal Act, generally, with respect to cumulative impacts. Further, they note that the City failed to consider environmental justice and the affordable housing provisions of the Coastal Act, which are not part of Chapter 3, the standard of review.

The appellants raise significant questions as to the project's consistency with the community character protection policies in the certified LUP and Coastal Act and the Coastal Act requirement to locate new development in areas able to accommodate it (Section 30250). In addition, staff agrees that the City did not make adequate community character, LUP consistency, or cumulative impact findings. For example, the City did not make findings regarding the project's consistency with the yard requirements of the LUP or its impacts, individually or cumulatively, on the social diversity of Venice. Additionally, Commission staff disagree with the City's findings that a single-family residence with an ADU is equivalent to a duplex. In previous actions, the Commission has found that ADUs are not functionally equivalent to full residential units. Although ADUs can be designed as separate units from the associated single-family residence, an ADU is, by its nature, accessory to the primary residence and is inherently dependent on the single-family residence to serve as a housing unit. ADUs usually share utility lines (power, water) with the associated single-family residence and, except in very limited situations, inapplicable here, cannot be sold separately from the primary residence. The approved reduction in density from four primary units to two primary units and two ADUs will set an adverse precedent that could prejudice the City's adoption of an LCP that conforms with Chapter 3. These kinds of projects must be viewed in the context of broader housing trends in the coastal zone as well as the significant housing crisis throughout the State. For these reasons, Commission staff recommend a finding of substantial issue.

This project would result in construction of two three-story, generally boxy, single-family residences with minimal landscaping or permeable open space that could otherwise reduce the apparent massing from the public street. Of the 60 properties containing 92 structures in the project vicinity, only two are three-stories, and both are multi-family

structures. The two attached ADUs are not considered full units and the subject lot would be subdivided, so the project is not characterized as a multi-family development. Thus, the project is inconsistent with the visual resource and community character policies of the Coastal Act.

It would also result in the reduction of density onsite and the allowable density (as a result of the subdivision) in an area that is less vulnerable to coastal hazards than most of Venice, inconsistent with Coastal Act Section 30250. In addition, while the Commission does not have the authority to regulate affordable housing in the coastal zone, the Coastal Act (Section 30253(e)) requires the protection of the character of special coastal communities, like Venice, that are popular visitor destinations. The certified LUP specifically names two characteristics that make Venice a special coastal community: architectural diversity and social diversity. When the LUP was certified, Venice and, notably, the Oakwood subarea due to historic marginalization, redlining, and other racist policies, had more people, more people of color, lower housing prices, and more income diversity (all elements of social diversity). Given that the four single-family residences on the subject lot that are proposed to be demolished are affordable (three determined affordable, one presumed affordable), that the applicant is not proposing to replace any of the affordable units, and that there have been several recent City- and Commission-approved projects in Venice that have resulted in the loss of affordable units, the impact of the proposed development would contribute to the cumulative loss of socioeconomic diversity in Oakwood and, thus, in Venice. For these reasons, and others discussed in the de novo project findings, Commission staff suggests that the proposed development is inconsistent with Sections 30250, 30251, and 30253 of the Coastal Act.

Pursuant to the LUP, the subject 6,380 sf. site allows for four independent residential units and could allow five if one of the units were restricted affordable. Commission staff had discussions with the applicant's representatives about project alternatives, including retention and renovation of the four existing units onsite or development of four to five new units, that might reduce the project's nonconformities with the Coastal Act, but the applicant chose to propose the same development approved by the City.

Therefore, Commission staff believes that there is a substantial issue with respect to the grounds on which the appeal was filed and that the project is not consistent with Chapter 3 of the Coastal Act, and recommends that the Commission, after public hearing, determine that a **substantial issue exists** and **deny the de novo permit**.

The motions and resolutions to adopt staff's recommendations are on Pages 6 (Substantial Issue) and 24 (De Novo Permit).

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I. MOTION AND RESOLUTION – SUBSTANTIAL ISSUE

Motion: I move that the Commission determine that Appeal No. A-5-VEN-21-0069 raises **NO SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under Section 30602 of the Coastal Act.

Staff recommends a **NO** vote. Following the staff recommendation on this motion will result in the Commission proceeding to conduct a de novo review of the application, and adoption of the following resolution and findings. Conversely, 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-21-0069 presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under Section 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.

II. APPELLANTS' CONTENTIONS

On October 19, 2021, within 20 working days of receipt of notice of final local decision, Citizens Preserving Venice (represented by Robin Rudisill) and People Organized for Westside Renewal, or POWER, (represented by Bill Przlucki), filed an appeal of Local CDP No. DIR-2019-2610-CDP-MEL (**Exhibit 4**), which included the following contentions:

1. The project is not in conformance with the multi-family residential protections in Policies I.A.5 through I.A.8 and would, thus, prejudice the ability of the City to prepare a Local Coastal Program that is in compliance with Chapter 3 of the Coastal Act.
2. The project is inconsistent with Coastal Act Chapter 3 Sections 30250, 30251, and 30253 because it is incompatible with the mass, scale, and character of the area and does not conform with the yard requirements of the certified LUP.
3. The project is inconsistent with Coastal Act Chapter 3 Sections 30250 and 30253 because it will have a negative cumulative effect on the character of the area due to the loss of multi-family housing and affordable housing units. It is also inconsistent with the Commission's Environmental Justice Policy and the affordable housing provisions of the Coastal Act, which the City did not address.
4. The City failed to make or made inadequate findings regarding the project's consistency with Coastal Act Section 30253(e), which protects the character of special coastal communities like Venice, with Coastal Act Section 30251, which protects the visual character of coastal areas, with Venice LUP Policy I.E.1, which protects Venice's architectural and social diversity, and with Chapter 3 of the Coastal Act, generally, with respect to cumulative impacts.

The appellants also raised issue with the City's Mello Act Compliance Review and California Environmental Quality Act Determination. They also asserted that the project description and plans provided to the public were incomplete, misleading, and a violation of due process. The

appellants stated that the City did not consider the Commission's Environmental Justice Policy or the affordable housing provisions in the Coastal Act that are not part of Chapter 3. However, the standard of review for this appeal is Chapter 3 of the Coastal Act. While the Commission's Environmental Justice Policy and the affordable housing policies of the Coastal Act are not part of Chapter 3, the Commission may consider environmental justice and the equitable distribution of environmental benefits when considering development, including development on appeal, in the coastal zone.

III. LOCAL GOVERNMENT ACTION

On November 9, 2020, the City of Los Angeles Director of Planning approved the project under Case No. DIR-2019-2610-CDP-MEL-1A (**Exhibit 3**). The local CDP approved:

The demolition of four single-family dwellings, a parcel map for the subdivision of a 6,380 sf. lot to create two Small Lots with lot areas of 3,800 sf. (Parcel A-rear lot) and 2,580 sf. (Parcel B-front lot), and the construction of a three-story single-family dwelling with an attached Accessory Dwelling Unit (ADU) and rooftop deck on each new small lot. The new residential structure on Parcel A is 3,448 sf. comprised of a 2,591 sf. single family dwelling (Unit A.2) and an 857 sf. ADU (Unit A.1). The new residential structure on Parcel B is 3,190 sf. comprised of a 2,088 sf. single-family dwelling (Unit B.2) and a 1,102 sf. ADU (Unit B.1). A total of five parking spaces are provided.

The Planning Director's approval was subsequently appealed to the West Los Angeles Area Planning Commission (WLAAPC) by POWER, Citizens Preserving Venice, Robin Rudisill, Kevin Denman, and Leanne Chase. On June 2, 2021, the WLAPPC denied the appeals. On June 29, 2021, the Los Angeles City Council unanimously voted to assert jurisdiction over the WLAAPC's action. The motion stated that "the project may not be within the neighborhood character and may result in the cumulative erosion of a stable multi-family neighborhood in the Coastal Zone...[and] the demolition of a four-unit bungalow court and the construction of single-family dwellings with attached ADUs would erode the neighborhood character – defined by both its physical and social attributes; including racial, ethnic, and income diversity." However, the City Council was unable to hear the item so it was remanded back to the WLAAPC which upheld the June 2, 2021 determination to deny the appeals and sustained the Planning Director's November 9, 2020 Determination. Thus, the local CDP was approved, and a Determination Letter dated August 26, 2021 was issued.

On September 21, 2021, the Commission received the City's Notice of Final Action for the project and opened the Commission's 20 working-day appeal period. On October 19, 2021, the last day of the appeal period, the above-mentioned appeal was received. No other appeals were received.

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 CDPs. Sections 13301-13325 of Title 14 of the California Code of Regulations provide 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. 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 City CDP application, the Coastal Commission must be noticed 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 applicants, the Executive Director, or any two members of the Commission, may appeal the City 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 comply with the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including 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 approval of the City-approved project. Sections 30621 and 30625(b)(1) of the Coastal Act, and Section 13321 of the Commission’s regulations, require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists as to the project’s conformity with Chapter 3 of the Coastal Act.

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 CDP is voided and the Commission will hear the de novo matter and dual permit application immediately following the substantial issue finding, unless the Commission schedules the de novo portion of the hearing for a future date. [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 hold the de novo phase of the public hearing on the merits of the application, using the Chapter 3 policies of the Coastal Act. The Venice LUP, certified on June 14, 2001, 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 typically 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 applicants, appellants, persons who opposed the application before the local government, 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/DUAL PERMIT JURISDICTION AREA

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction area, the Coastal Act requires that any development which receives a local CDP also obtain a second (or “dual”) CDP from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (i.e, projects in the Single Permit Jurisdiction), the City of Los Angeles local coastal development permit is the only CDP required. The subject project site on appeal herein is located within the Single Permit Jurisdiction Area. Therefore, the applicant is not required to obtain a second, or “dual”, CDP from the Commission for the City-approved development.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND LOCATION

The scope of work approved by the City includes the demolition of four single-family homes on a 6,380 sf. lot, subdivision of the lot into two lots (2,580 sf. front lot and 3,800 sf. rear lot), and construction of a three-story, 2,591 sf. single-family home with a 857 sf. accessory dwelling unit (ADU) on the rear lot and a three-story, 2,088 sf. single-family home with a 1,102 sf. ADU on the front lot with a total of five parking spaces provided in a shared garage on the rear lot (**Exhibit 2**). The four existing residential units approved to be demolished are approximately 380, 380, 600, and 1,000 sf. and were determined to be affordable.¹ The City did not require these affordable units be replaced.²

The five onsite parking spaces for both residences would be located on the rear lot and accessed through the rear alley. The two new homes would be 30 feet in height with a

¹ The Los Angeles Housing and Community Investment Department (HCIDCLA) issued a determination on July 17, 2019, that the four residential units onsite were affordable (including one presumed to be affordable). Data regarding the building area for one of the existing units was unavailable, thus, 1,000 square feet is an approximation.

² While existing affordable units in structures containing three or more units are required to be replaced under the Mello Act, the City’s Mello Act Determination (July 17, 2019) concluded that because the existing affordable units were contained in four single-family structures, the development was subject to the Mello Act requirements for single-family residences. Thus, the applicant was able to provide a study that assessed the feasibility of replacing the affordable units. The study and City concluded that the units’ replacement was infeasible.

slightly pitched roof (as shown in the City-approved plans).³ For the lot fronting 6th Avenue, the front yard setback, which would be developed with a sunken patio and 25 sf. planter, is 15 to approximately 18 feet; the third level would have a five-foot step back, which would be developed with a deck and 3.5-foot deck wall in line with the first and second level setback. The side yard setbacks would range from five to 8.5 feet on the north side of the property with an approximately ten-foot-high wall between the project site and the adjacent parking lot, and five feet on the south side. The rear yard setback, which would be developed with another sunken patio that extends from the rear of the front house, across the subdivision line, to the front of the rear structure, is eight feet, eight inches. For the rear lot, the front yard setback of eight feet, eight inches would be developed with the other half of the sunken patio and a 25 sf. planter. The rear yard setback would be five to eight feet from the garage and five feet from the second-story deck; the third level is set back approximately 15-feet from the rear property line.

The City-approved project observes all setbacks, parking, and height requirements of the City of Los Angeles uncertified Zoning Code. However, the project plans state that no open space is required pursuant to LAMC Section 12.21.G, which dictates open space requirements for multi-family residential developments with six or more units. Given the project does not involve six or more units, it is unclear if the proposed development is consistent with the City's open space requirements. In addition, there are questions as to consistency of the City-approved project with the standards of the certified Venice LUP described in more detail in the following sections of this report.

The project site is a 6,380 sf. lot located approximately ½ mile inland of the beach in the Oakwood subarea at 315 6th Avenue (**Exhibit 1**). The lot is adjacent to a parking lot on the corner of 6th Avenue and Rose Court and is similar in size to most of the residential lots in the area. It is designated as Multifamily Residential – Low Medium II by the certified Venice LUP and zoned RD1.5-1 by the uncertified Los Angeles Municipal Code. On the other side of the neighboring parking lot is a commercial strip that fronts Rose Avenue from 4th Avenue to Lincoln Boulevard. The residential area is generally characterized by similarly sized lots with approximately even numbers of single- and multi-family residences most of which are one-story and the remainder, with a couple of exceptions, are two-stories. There are two three-story residences in the vicinity and at least four properties have been subdivided (**Exhibit 5**).

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

When determining whether an appeal raises a “substantial issue,” section 13115(c) of the Commission's regulations provide that the Commission may consider factors, including but not limited to:

³ While the City-approved plans (**Exhibit 2**) show a slightly pitched roof with a maximum height of 30 feet, the Final Determination staff report states that the single-family residences are 30-feet high with a flat roof. This would not be consistent with the certified Venice LUP height restrictions.

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.

The Commission may, but need not, assign a particular weight to a factor.

Staff recommends 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 grounds for an appeal of a CDP issued by the local government prior to certification of its LCP are the Chapter 3 policies of the Coastal Act. Any local government CDP issued prior to certification of its LCP may be appealed to the Commission. 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 appellants contend that the City-approved project is inconsistent with Sections 30250, 30251, and 30253 of the Coastal Act because it is incompatible with the mass, scale, and character of the area and does not conform with the multi-family preservation, yard, and community character protection requirements of the certified LUP.

Section 30250(a) of the Coastal Act states, in relevant part:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to

minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253(e) of the Coastal Act states, in relevant part:

New development shall...

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

Venice LUP Policy I.E.1 General, states

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.

Venice LUP 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.

Venice LUP Policy I.E.3 Architecture, states.

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

Venice LUP Policy I.A.2 states, in part:

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.

Venice LUP Policy I.A.5 Preserve and Protect Stable Multi-Family Neighborhoods, states:

Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained and improved.

Venice LUP Policy I.A.7 Multi-Family Residential – Low Medium II Density states, in part:

Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium II Density" on the Venice Coastal

Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

...Oakwood, Millwood, Southeast and North Venice

Use: Duplexes and multi-family structures.

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

Replacement Units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5...

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

Height: Oakwood, Milwood, and Southeast Venice: Not to exceed 25 feet for buildings with flat roofs; or 30 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 25 feet in height shall be set back from the required front yard one foot for every foot in height above 25 feet. Structures located along walk streets are limited to a maximum of 28 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Venice LUP Policy I.A.9 Replacement of Affordable Housing, states:

Per the provisions of Section 65590 of the State Government Code, referred to as the “Mello Act”, the conversion or demolition of existing residential units occupied by persons and families of low or moderate income shall not be permitted unless provisions have been made for replacement of those dwelling units which result in no net loss of affordable housing in the Venice Community in accordance with Section 65590 of the State Government Code (Mello Act).

Venice LUP Policy I.A.10 Location of Replacement Housing, states:

The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

Venice LUP Policy I.A.11 Replacement Ratios for Replacement Units, states:

The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

Venice LUP Policy I.A.15 In-Lieu Credits for Replacement Housing, states:

In-lieu of construction of the required affordable replacement units as set forth above, residential projects shall be permitted to pay a fee, equivalent to the cost to

subsidize each required dwelling unit. The in-lieu fee shall be set forth in the Citywide guidelines for the implementation of the Mello Act.

Venice LUP Policy I.A.16 Exceptions, states:

No exceptions to the replacement housing policies of this LUP shall be permitted within the Venice Coastal Zone except as permitted by Section 65590 of the State Government Code (Mello Act).

Section 30250 of the Coastal Act requires new development to “be located within, contiguous with, or in close proximity to, existing developed areas.” Sections 30251 and 30253 of the Coastal Act require that scenic areas and special communities be protected. These sections of the Coastal Act, together, support maintaining housing in areas with sufficient services and infrastructure and areas less vulnerable to coastal hazards and require development to be visually compatible with the character of surrounding areas and require protection of communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. The Venice community, including the beach, the boardwalk, canals, and neighborhoods is one of the most popular visitor destinations in California. According to the Venice Chamber of Commerce, 15 million people visited Venice in 2015, drawn by the unique characteristics of the area.⁴ The Commission has previously found that Venice's unique social and architectural diversity should be protected as a Special Coastal Community.

When the Commission certified the Venice LUP in 2001, it 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 this history and 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 the project is consistent with Sections 30250, 30251, and 30253 of the Coastal Act. Thus, the contentions relating to LUP and Coastal Act compliance raised by the appellants are summarized and addressed below.

1. The project is not in conformance with the multi-family residential protections in Policies I.A.5 through I.A.8 or Coastal Act Sections 30250 and 30253.

LUP Policy I.A.5 requires the preservation and protection of multi-family residential neighborhoods and allows for growth in areas with sufficient services and infrastructure. Policies I.A.6 and I.A.8 include protections and standards for development located in Multi-Family Residential - Low Medium I and Medium Density zones, but do not apply to the project site. Policy I.A.7 applies to the subject site, which is designated Multi-Family Residential - Low Medium II. For the Oakwood subarea, this Policy dictates that the density allowed at Low Medium II sites is one residential unit per 1,500 to 2,000 sf.⁵ with a bonus density

⁴ Venice Chamber of Commerce website. <<http://venicechamber.net/visitors/about-venice/>>

⁵ For lots under 4,000 sf. the density is limited to two residential units.

of one unit per 1,500 sf. on lots larger than 4,000 sf. (for RD 1.5 zoned properties like the subject site) if such units are replacement affordable units reserved for low- or very low-income persons. Thus, under the LUP, the subject 6,380 sf. site allows for four residential units and could allow five if one of the units were restricted affordable.

The subject site is currently developed with four independent residential units in an area with sufficient services and infrastructure to accommodate development. The City approved demolition of the four units, subdivision of the lot, and construction of two single-family residences with two attached ADUs (one ADU per new single-family residence) and made findings that the ADUs were equivalent of two residential units, thereby maintaining the existing density. However, the Commission has repeatedly made findings that ADUs are not functionally equivalent to full residential units that might be lost as a result of redevelopment⁶ because an ADU is not independent of the single-family residence, but rather is accessory to and often reliant on it for utilities and similar integral functions. In addition, the City-approved subdivision would result in one 2,580 sf. lot and one 3,800 sf. lot that, according to LUP Policy I.A.7 would allow for one and two residential units, respectively. This means that if the sites were redeveloped in the future, the density would be limited to three full residential units thereby reducing the allowable density of the subject site by one unit and precluding the potential for use of a density bonus to replace lost affordable units (assuming the new lots would not be recombined in the future). Further, the multi-family character of the site, which reflects a unique pattern of multiple small single-family residences on single lots, would be lost.

Thus, the appellants' contention that the City-approved development is inconsistent with Coastal Act Sections 30250 and 30253, which support the maintenance of residential density in areas able to accommodate it, raises a substantial issue. Further, when the Venice LUP came before the Commission for certification in 2001, the Commission suggested modifications that would ensure the LUP was consistent with Chapter 3 of the Coastal Act. Some of these modifications resulted in changes to the density bonus provisions to ensure consistency with state law,⁷ and were, in part, included in response to concerns raised by community leaders in Oakwood about gentrification. If the development is carried out as approved by the City with the subdivision, the density bonus

⁶ Relevant CDP appeals/applications include, but are not limited to: A-5-VEN-18-0049, A-5-VEN-20-0037, A-5-VEN-20-0039, 5-20-0223, 5-20-0530, 5-20-0595, 5-20-0650, A-5-VEN-21-0010, 5-21-0422; 5-21-0467; 5-21-0539

⁷ The Commission found that without provisions for harmonizing the requirements of the density bonus statute and the Coastal Act, the density bonus provisions of the LUP do not conform with policies of Chapter 3 of the Coastal Act. The legal basis supporting these suggested modifications is set forth in the memorandum to Coastal Commissioners from Ralph Faust, Chief Counsel, Dorothy Dickey and Amy Roach, dated October 10, 1995.

provisions would no longer apply, which would be contrary to the Commission's findings for certification of the LUP.

2. The project is inconsistent with Coastal Act Chapter 3 Sections 30250, 30251, and 30253 because it is incompatible with the mass, scale, and character of the area and does not conform with the yard requirements of the certified LUP.

As argued by the appellants, this contention speaks to both the built and social character of Venice. Social character will be discussed under the following contention (#3). Therefore, this subsection will focus on the appellants' assertion that the City-approved development is inconsistent with the built or physical character of the surrounding area.

The City-approved project involves demolition of four small independent residential structures—three single-story, one two-story—ranging from approximately 380 to 1,000 sf. and construction of two three-story residences approximately 4,640 and 3,190 sf. in size (including the ADUs). When reviewing the project, the City conducted an analysis of 38 structures fronting 6th Avenue and Flower Avenue between Rose Court and Flower Court (**Exhibit 6**), and found that two are three-stories, 19 are two-stories, and 17 are one-story. In addition, it stated that the commercial corridor close to the site contains buildings one- to three-stories in height. For these reasons, and because there are no views of the beach from the project vicinity, the City found that the development is consistent with the visual resource protection policies of the Coastal Act.

However, the City's findings relied on the project's consistency with the two three-story residences, not the character of the area as a whole. After discussions with City staff, it was also made clear that there was only one three-story residence in the City's survey area. In any case, the one three-story structure in the City's survey area is a multi-family residence with three residential units and is located directly across the street from the subject lot; it is the only three-story structure on 6th Avenue between Rose Avenue and Sunset Avenue. In the Commission's larger survey area of 60 sites, there is only one other three-story residential structure located behind the project site (**Exhibit 5 & Appendix A**); it is also a multi-family structure. Commission staff expanded the survey area to include the residential properties that are part of this neighborhood that fronts 6th Avenue between the busy Rose Avenue and Sunset Avenue (which is used more than Flower Avenue) and the commercial buildings that are visible as one turns onto 6th Avenue from Rose Avenue.

These commercial developments on the corner of 6th Avenue and Rose Avenue are one story as viewed from 6th Avenue and the corner of 6th Avenue and Rose Avenue. In fact, all of the structures on 6th Avenue between Rose Avenue and Rose Court are one-story and all residences—except for the two three-story structures—on this stretch of 6th Avenue, the parallel block of Rennie Avenue, and the inland block of Flower Avenue are one or two-stories as seen from these streets. Thus, the dominant publicly visible pattern in the area is one- to two-story structures. The two City-approved three-story homes would be only the third and fourth three-story residential structures in the area and would be the only ones

that are single-family residences. The attached ADUs are not considered full residential units and the lot, as approved is subdivided, thus, the development is not characterized as multi-family. Therefore, the development raises significant questions as to the project's compatibility with the physical character of the area.

While the City discussed the number of building levels in the area in its findings for approval of the project, its only direct finding regarding the massing of the proposed structures states that the 3rd levels are stepped back, thereby reducing massing. The perceived mass of structures, including in the subject neighborhood, is also affected by the size and use of yard areas. The appellants claim that the City-approved development is inconsistent with the yard requirements of the LUP. LUP Policy I.A.7 requires yards that 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.

The City-approved plans state that no open space is required per the uncertified municipal code (Section 21.12.G). However, this code section regulates open space for multi-family residential developments with six or more units not the single-family homes that the City approved; therefore, it should not apply to this project. In any case, the code section describes the importance of having adequate open space (including to minimize massing), requires at least 25% of the open space areas to be planted with ground cover, shrubs, or trees, and does not appear to have an exclusion from open space requirements. Based on the approved project plans, the City approved paved entry ways, two sunken patios around 300 sf. each (the patio for the rear lot is bisected by the new approved property line), and several built-in planters (**Exhibit 2**). While there are no explicit open space or permeable yard standards in the LUP for this area, the planters appear to be relatively small, and there is no indication that the plans provide for permeable yard area, as required by the LUP.

In this case, the front structural setback is 15-feet, leaving a front yard of approximately 435 sf. and with the rear yard setback an open space between the buildings of about 493 sf. The front yard setback is consistent with the other development on the block, but when considered in conjunction with the height of the wall at the front yard setback, the City-approved development could appear more massive than the rest of the block. In addition, while the properties surrounding the subject site appear to have a mixed amount of yard space, as seen from aerial imagery from 2022 (**Exhibit 5**), only eight (or one-third) of the 23 residential properties that are bounded by Rose Court, 6th Avenue, Sunset Avenue, and Rennie Avenue appear to have minimal landscaping similar to what was approved by the City for the subject development. In addition, at least half of those eight sites⁸ provide five or more residential units, which have lower open space requirements. The subject development is not a multi-family development and does not appear to protect or provide substantial permeable and vegetated yard area. Thus, the appellants contention about the consistency of the yard

⁸ The site at 330 S Rennie Avenue that was subdivided into seven properties is counted as one property for the purpose of this analysis.

areas with the character of the area raises a significant question as to the City-approved development's conformance with the certified LUP and, therefore, Chapter 3 of the Coastal Act. Regardless, the City made no findings regarding the consistency of the development with the yard area requirements of the LUP.

Thus, the appellants contentions that the three-story residential development, as approved by the City, does not conform with the mass, scale, and character of the area raise significant questions as to the project's consistency with Chapter 3 of the Coastal Act.

3. The project is inconsistent with Coastal Act Chapter 3 Sections 30250 and 30253 because it will have a negative cumulative effect on the character of the area due to the loss of multi-family housing and affordable housing units.

The appellants specifically contend that the conversion of multi-family housing to single-family housing on subdivided lots does not conform with the multi-family land use designation and the loss of four low-income units would adversely impact and change the character of the area. The Commission's Environmental Justice Policy and the affordable housing policies of the Coastal Act are not part of Chapter 3. However, the Commission may consider environmental justice and the equitable distribution of environmental benefits when considering development, including development on appeal, in the coastal zone. In addition, Sections 30250 and 30253 are Chapter 3 policies and, thus, part of the standard of review for development in the City of Los Angeles.

As described in the response to contention #1, the City-approved project has the potential to set an adverse precedent for reductions in residential density to higher-cost, lower-density residential projects. Section 30253, specifically 30253(e), protects the special characteristics that make Venice a special coastal community and visitor destination. The certified Venice LUP includes Policy I.E.1, which protects two particular traits of Venice as elements that make Venice a "special coastal community"—architectural diversity and social diversity. Architectural diversity has been discussed in many City and Commission decisions for development in Venice. Social diversity, on the other hand, is not often addressed. The City staff report for approval of the subject development made no findings relating to the project's potential impacts on the social diversity of Venice.

Social diversity can include differences in cultures, political affiliations, and income levels, among other things. When the LUP was certified, Venice was described as a "quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing;" this is memorialized in the introduction for Policy Group I of the LUP. Therefore, it is clear that the social diversity protected by the LUP as part of what makes Venice a special coastal community includes income diversity.

Commission staff do not have complete data regarding historic numbers of affordable housing units in Venice and the City was not able to provide any data

related to the number of affordable units that have been lost or replaced within Venice; however, it is clear that Oakwood—the subarea of Venice in which the subject project is located—was historically a Black enclave (one of the only along the coast of California) and working-class community. And while Commission staff do not have data regarding how many affordable units have been lost over time, in the last 15 years there have been a number of coastal development permits that have come before the Commission where the loss of affordable housing units has been approved without replacement⁹ considering the Commission does not have the direct authority to require maintenance of affordable housing.¹⁰ Although there have also been affordable housing projects approved by the Commission, City staff have suggested that very few of the affordable units lost have been replaced, and only a small proportion of City-approved projects come before the Commission.

As contended by the appellants discussed above, income diversity is a component of the social diversity that the Venice LUP seeks to protect as part of its unique community character. Thus, given the City-approved development would result in the loss of a multi-family development with four affordable units that could individually or cumulatively impact the social diversity of Venice, the appellants' contentions regarding the inconsistency of the City's approval with Section 30253 of the Coastal Act raise a significant question as to the development's conformance with Chapter 3 of the Coastal Act.

4. The City failed to make or made inadequate findings regarding the project's consistency with Coastal Act Section 30253(e), Coastal Act Section 30251, Venice LUP Policy I.E.1, and with Chapter 3 of the Coastal Act, generally, with respect to cumulative impacts.

Section 30105.5 of the Coastal Act states:

"Cumulatively" or "cumulative effect" means the incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The City did not conduct a cumulative effects analysis. Thus, to evaluate the appellants' contention regarding the potential cumulative impacts of the City-approved residence, Commission staff assessed the development on community character, mass, and scale in connection with past, current, and probable future projects. The survey of residences in the subject area was categorized into three tables representing past redevelopment projects (Tables 1 and 2) and housing

⁹ Including, but not limited to: A-5-VEN-07-092, 5-13-066, A-5-VEN-15-0027, A-5-VEN-16-0083, A-5-VEN-19-0185, and A-5-VEN-20-0054. These cases, combined, allowed the demolition of 13 affordable units without replacement.

¹⁰ The affordable housing policies of the Coastal Act were repealed in 1981 and, therefore, in general, the Commission does not have authority to regulate or require the provision of affordable housing, although the Coastal Act does direct the Commission to encourage affordable housing pursuant to Section 30604.

that has not been permitted for redevelopment (Table 3), as found in **Appendix B** of the staff report.

The cumulative effects analysis goes beyond the City's analysis and includes 92 structures on 60 lots (**Exhibit 5**) surveyed by address for characteristics including lot size, residential density, and structure height and floor-area. **Appendix B** includes relevant data organized into three tables: properties involved in Commission Appeal/CDP actions in the survey area since 2001 (when the LUP was certified), properties that were the subject of City CDP/CEX actions since 2001, and all other properties in the survey area. In addition, Google Earth was used to assess the character of yard areas in the project vicinity.

Based on staff's analysis, like the four structures approved by the City to be demolished at the subject site, approximately 50% of the residential structures that have not been the subject of local or Commission development review since certification of the LUP in 2001 were built between 1905 and 1925. This period marks the early settlement of Venice. During this time, Black laborers traveled from the South (southern United States), as part of the Great Migration, to work in the early development of the Venice community, including in the nearby oil fields. They were confined to live within the boundaries of what is now called Oakwood, where the subject project is located. The segregation of this community from the rest of Venice was perpetuated through redlining, restrictive covenants, and intimidation. Nineteen (or 66%) of these old structures are like the subject property in that they are one of multiple small single-family residences on one property and all are under 1,300 sf. and almost all one-story high.

In contrast, every development project in this area that has been reviewed by the City since 2001 has resulted in an average building area of 2,825 sf. and the three reviewed by the Commission have resulted in an average building area of 2,982 sf. The average height of those structures is 27 feet. Further, nine of the 16 projects with data on the starting and ending building areas involved demolition of a residential unit less than 1,300 sf. Thus, the appellants' assertion that the City's approval of the demolition of four single-family homes under 1,300 sf. (three one-story and one two-story) and construction of two three-story single-family structures (with ADUs) 30 feet in height would contribute to an adverse cumulative impact on the character of the area, does raise questions as to the consistency of the City-approved project with the community character protection policies of the Coastal Act.

With regard to yard area, the City-approved development would reduce the amount of open and permeable area on the subject site. The cumulative loss of green open space was also the result of other projects approved in this area since certification of the LUP, including but not limited to projects very close to the subject site at 330 S Rennie Avenue and 337 S 6th Ave (**Appendix B & Exhibit 5**). Thus, the City-approved project could encourage a budding trend of loss of green space in the area thereby changing the character of the area.

The appellants also claim that the lot subdivision would have an adverse cumulative affect by causing a break in the existing pattern of development. The

LUP calls out the subdivision patterns in Venice as unique, specifically around the historic canals and rail lines. Thus, subdivision patterns also contribute to Venice's unique community character. This project site is located relatively far from the original canal and rail areas. Since 2001, at least four City actions in this area resulted in lot subdivisions: DIR-2017-3909-CDP (657 Flower Avenue), APCW-2008-2916-SPE-SPP-CDP-ZAA (614 Flower Avenue), ZA-2014-1264-CDP-SPP-MEL (330 Rennie Avenue), and ZA-2007-5100-CDP-SPP-MEL (338 Rennie Avenue). This project could cumulatively affect the character of the area if lots continue to be subdivided. Further, Section 30250 of the Coastal Act requires development to be located in areas able to accommodate it. Not only is this area able to accommodate it, but it is one of the least vulnerable areas of Venice in terms of coastal hazards. Thus, this specific contention raises a substantial issue.

Regarding the appellants' contentions that the City-approved project would also adversely affect the community character of Venice through the loss of four independent affordable units inconsistent with the community character policies of the LUP and Coastal Act, as described in the response to contention #3, Commission staff has not been able to find data on historic numbers of affordable units or recent changes in the number of affordable units in the coastal zone of Venice. As discussed previously, numerous City-approved projects in Venice that have come before the Commission have resulted in the loss of affordable units, and while some projects reviewed by the Commission have resulted in the addition of affordable units in the coastal zone, it is unclear how many affordable units lost have been replaced (as intended to be required by the LUP¹¹) and whether the combined loss of affordable units throughout the coastal zone and concentration of affordable units in large housing projects is changing the character of Venice. In any case, the City made no findings regarding this aspect of community character.

The Commission, therefore, finds that the appeal raises a substantial issue as to the project's consistency with Chapter 3 policies relating to community character in Venice.

Prejudice to City's Preparation of an LCP that Conforms to Chapter 3

The Venice LUP was certified by the Coastal Commission on June 14, 2001 but implementing ordinances have not been adopted. The City is currently working to adopt an updated LUP and Implementation Plan for Venice and subsequently obtain a fully certified LCP. Under Section 30604(a) of the Coastal Act, a local government's approval of a CDP must include findings that the project conforms with Chapter 3 of the Coastal Act 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 Chapter 3."

¹¹ The LUP's affordable housing policies require a 1:1 replacement of any affordable unit proposed to be demolished, however, they also cite the Mello Act, which has some exceptions for residential projects like single-family residential developments if the applicant can provide evidence that the replacement of the units is infeasible.

While the City provided a community character analysis, that analysis failed to address critical aspects of community character, including residential density, cumulative massing, yard character, and social diversity, that would be affected by the subject development. In its determination (**Exhibit 3**), the City found that a single-family residence with an ADU is a duplex and that there is no loss in density. The Commission, on the other hand, has repeatedly found that ADUs are not functionally equivalent to full residential units¹² because an ADU is not independent of the single-family residence, but rather is accessory to and often reliant on it for utilities and similar integral functions, and it is less likely to be used as a fully independent living unit than a separate unit or structure, which could be bought and sold independent of the single family residence. Therefore, the City-approved project raises a substantial issue on the grounds on which the appeal has been filed and could prejudice the City's ability to prepare an LCP in the future.

SUBSTANTIAL ISSUE FACTORS

The Commission's standard of review for determining whether to hear the appeal is whether the appeal raises a substantial issue as to conformity with Chapter 3 of the Coastal Act. Cal. Pub. Res. Code §30625(b)(1); 14 C.C.R. § 13321. The Commission's decision will be guided by the factors listed in the previous section of this report.

The first factor is 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. While the City found that the project would be consistent with the community character of the area and with Sections 30250, 30251, and 30253 of the Coastal Act, the City's community character analysis did not have adequate support for such a determination because it did not take into account the predominant residential density, structural massing, or yard areas, social diversity, or cumulative effects on community character. Thus, while the City found that the new structures would be stepped back from the street on the upper floors, would be consistent with the size of other three-story residential and commercial structures nearby, and maintain density, for the reasons described above, the City's community character analysis did not have adequate support for such a determination. In addition, the City found that a single-family residence with an ADU is equivalent to a duplex, which is not consistent with the Commission's findings on this matter. Therefore, the Commission finds that the City did not provide an adequate degree of factual and legal support for its decision, and this factor supports a finding of substantial issue.

The second factor is the **extent and scope of the development** as approved or denied by the local government. The City-approved development will demolish four small independent single-family residences on one lot, subdivide the lot, and construct two new large single-family residences with one attached ADU each in a highly developed area. The subject site, while designated for multi-family development, is situated in an area with approximately equal numbers of single- and multi-family properties. Similarly, the City has approved similar subdivisions in recent years. However, the ADUs are an accessory use to, and not independent of, the single-family residences. ADUs often

¹² Relevant CDP appeals/applications include, but are not limited to: A-5-VEN-18-0049, A-5-VEN-20-0037, A-5-VEN-20-0039, 5-20-0223, 5-20-0530, 5-20-0595, 5-20-0650

share utilities with the larger homes, cannot be sold separately except in specific circumstances not relevant here, and could be left vacant or used by the primary residents. Thus, the project would effectively result in the loss of two full residential units and would not be consistent with Coastal Act Sections 30250 and 30253 because density would not be maintained in an area able to accommodate it. In addition, individually and cumulatively, the mass and scale of the City-approved three-story structures with building areas of 3,200 and 4,600 sf. is not consistent with the character of the neighborhood in which 69% of the structures are one-story in height as seen from the street.¹³ Furthermore, the project eliminates four affordable units, which could affect the socioeconomic diversity of the area that is protected by the Venice LUP and Coastal Act Section 30253. Thus, especially due to the project's potential cumulative effects, this factor weighs in favor of a finding of substantial issue.

The third factor is the **significance of the coastal resources affected** by the decision. The Oakwood subarea—one of the only historically Black coastal communities in California¹⁴—contributes to that unique character, especially to the social diversity of Venice that is protected in the certified LUP. The City did not address this element of community character. Without a cumulative impacts analysis, it is unclear if projects like the City-approved development are changing the racial, ethnic, and income diversity that the certified LUP aims to protect. Based on a number of actions that the Commission has taken in recent years, developments have been approved that involved the loss of affordable units without replacement. Therefore, the Commission finds that the City-approved development could have a significant impact on coastal resources, including the unique character of the community, inconsistent with Sections 30250, 30251, and 30253, and this factor supports a finding of substantial issue. In addition, the City-approved development could be inconsistent with Section 30210 of the Coastal Act that requires public access be maximized for all. When assessed in combination with the Commission's Environmental Justice Policy, which allows the Commission to consider environmental justice in its actions, encourages coastal development to provide equitable benefits, and emphasizes the ability of the public to live, work, and play in the coastal zone, the cumulative loss of social diversity and density in Oakwood—a historically working-class community—could be disproportionately impacting public access to the coast for lower-income communities that are being priced out of the area.

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, but it does have a certified LUP. The Commission relies on the certified LUP for Venice as guidance when reviewing appeals and approving projects because the LUP was certified by the Commission as consistent with Chapter 3 of the Coastal Act and incorporates policies particular to the goals of the City for development in Venice. The City-approved project is not consistent with the use designation for this area (LUP

¹³ Using Google Maps Street View

¹⁴ University of Virginia Racial Dot Map, <https://demographics.coopercenter.org/racial-dot-map/>

Policy I.A.7), the yard requirements (LUP Policy I.A.7), or the intent of the affordable housing replacement policies (LUP Policies I.A.9 through I.A.16), and raises questions as to the consistency of the City’s action with the community character protection policies of the certified LUP and Coastal Act.

In addition, the City’s community character findings are inadequate for a number of reasons, including that the cumulative effects of the development, which could be significant, were not analyzed. Furthermore, the City’s assertion that a single-family residence with an ADU is equivalent to a duplex could set an adverse precedent potentially resulting in significant loss of housing stock in urban areas where such density can be accommodated without significant coastal resource impacts. Thus, the project, as approved, raises a substantial issue as to its conformance with the certified LUP, and by extension, the Chapter 3 policies of the Coastal Act, as set forth above. Therefore, the Commission finds that the City-approved development will have a significant adverse impact on future interpretations of its LUP, and this factor supports a finding of substantial issue.

The final factor is **whether the appeal raises local issues, or those of regional or statewide significance**. Venice has been identified as a Special Coastal Community and is a visitor destination for those from around the state, nation, and world and, as such, is a coastal resource beyond the local community. The City’s findings did not adequately analyze the impacts of the development on this unique community character, which in the LUP is explicitly characterized as including architectural and social diversity for the purposes of Coastal Act Section 30253(e). The City-approved development is inconsistent with the Chapter 3 policies of the Coastal Act that are intended to protect such resources. Therefore, the Commission finds that the City-approved CDP does raise issues of statewide significance, and this factor supports a finding of substantial issue.

Conclusion

Applying the five factors listed above clarifies that the appeal raises a “substantial issue” with respect to the project’s consistency with Chapter 3 of the Coastal Act and the certified Venice LUP with respect to compatibility with community character. The decision is likely to set an adverse precedent for future interpretations of the Venice LUP and prejudice the City’s ability to prepare an LCP in the future. Therefore, the Commission finds that the appeal raises a substantial issue as to the project’s conformity with the Chapter 3 policies of the Coastal Act.

VI. MOTION AND RESOLUTION – DE NOVO

Motion: I move that the Commission **approve** Coastal Development Permit Application No. A-5-VEN-21-0069 proposed by the applicant.

Staff recommends a **NO** vote. Passage of this motion will result in denial of the permit 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 Coastal Development Permit Application No. A-5-VEN-21-0069 and adopts the findings set forth below on grounds that the development will not conform with the policies of Chapter 3 of the Coastal Act and will 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 would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

VII. FINDINGS AND DECLARATIONS

The findings set forth in the Substantial Issue discussion above are incorporated herein and relevant Coastal Act and certified Venice LUP policies are hereby incorporated from Section VI.C of the Substantial Issue portion of this staff report on pages 11 through 14.

A. PROJECT DESCRIPTION AND LOCATION

The project description and location are hereby incorporated by reference from Section VI on pages 9 and 10 of this staff report. After multiple discussions with Commission staff, the applicant did not propose any modifications to their project.

The Commission's standard of review for the proposed development is Chapter 3 of the Coastal Act. The City of Los Angeles LUP for Venice provides guidance.

B. VISUAL RESOURCES

One aspect of Venice's community character that is protected by the Chapter 3 policies of the Coastal Act (Sections 30251 & 30253) and the certified LUP is the architectural diversity. Additionally, the scale and massing of structures are limited to encourage visual compatibility with the general pedestrian-scale of development in Venice.

With regard to architectural diversity, the proposed development consists of two three-story modern structures that are generally boxy in shape with five-foot setbacks on the third levels (**Exhibit 2**). While this style is different from many of the homes in the Commission's survey area (**Exhibit 5**), thus maintaining a diversity of development, one of the cumulative effects of this development could be the loss of architectural diversity, especially in this geographic area. Since certification of the LUP, residential development on at least three of the four sites immediately surrounding the project (except the parking lot)—306-316 6th Avenue, 328 Rennie Avenue, 330 1-7 Rennie Avenue, and possibly 317 6th Avenue—have been redeveloped with similarly-styled structures that are also boxy and attempt to maximize the buildable area. The proposed development would continue this trend and, given that there are small, potentially historic residences built between 1910 and 1924 immediately adjacent to these sites and nearly half of the structures in the project vicinity are similarly aged or older, the cumulative effect and future impact to the character of the community if these sites and others in the area are redeveloped with large modern structures is significant. Therefore, the proposed development has the potential to cumulatively impact the

architectural diversity of the area, which as stated in the LUP is one of the characteristics that makes Venice a special coastal community protected under Section 30253(e) of the Coastal Act, and is, thus, inconsistent with Section 30253(e) of the Coastal Act.

As it relates to mass and scale, as stated in the Substantial Issue Findings of this report, the project's height and design—both structural and landscaping—have the potential to individually and cumulatively affect the character of the area. Regarding height, the proposed three-story, thirty-foot high residential structures would become two of the tallest buildings in the area, which is dominated by one- and two-story structures. Additionally, the other structures with three above-grade stories are multi-family homes while the proposed structures are single-family homes (with ADUs).

The massing of the proposed development can be analyzed by looking at the setbacks, step-backs, and open space on the site. The front, side, and rear-yard setbacks are all consistent with the minimum setback requirements of the certified LUP and uncertified zoning code. The proposed development also observes the LUP-required one-foot additional setback for levels above 25-feet. As shown in the City-approved plans (**Exhibit 2**), the first and second levels would be at the 15-foot setback line at one corner and set back a couple feet farther at the other corner; the third level would be setback another five feet but would have a deck with an approximately 3.5-foot-high guardrail that is aligned with the first and second levels. Thus, even with a 2.5-foot sunken ground level, from a pedestrian's viewpoint at the street, the front façade would appear as an approximately 18.5 to 23-foot-high wall, depending on the design of the guardrail. While a landscaped front yard could reduce the visible mass of this wall, the applicants have only proposed a small line of vegetation in front of the proposed front yard property fence, some plants perpendicular to the street along the side yard, and one approximately 25 sf. built-in planter. Thus, the mass of the proposed structure from public viewpoints would be incompatible with the general pedestrian-scale of the rest of the neighborhood.

In addition, the cumulative loss of open space/yard area on properties in this area, as described in the Substantial Issue portion of this report, could not only fail to minimize the mass of new development, but could also change the general character of 6th Avenue, which is currently a relatively green, tree-lined street. Therefore, the project does not conform with Sections 30251 and 30253 of the Coastal Act.

Environmental Justice

Further, the proposed development's general loss of green space and replacement with hardscape¹⁵ could also cumulatively affect the ability of the area to accommodate warmer temperatures associated with climate change. The urban heat island effect (where high temperatures are exacerbated in developed areas with little vegetation) already disproportionately affects communities that tend to be lower-income and disproportionately burdened by other environmental issues like poor air quality. Oakwood, a historically working-class community of color, is one of the inland subareas

¹⁵ Some plantings are proposed, as described in the previous paragraphs, but there is still a net loss of permeable, landscaped, and open space.

of coastal Venice and supports multi-family residential, commercial (mostly fronting Rose Avenue and Lincoln Boulevard-heavily trafficked streets), and industrial uses with one open space area (Oakwood Park and Recreation Center) and a high school. While income levels have risen significantly over time and the populations of color have decreased significantly in Oakwood, it is still a community that was founded and shaped by marginalization and discriminatory land use practices and has higher pollution burden, more people of color, and more individuals below the federal poverty level than the rest of coastal Venice.¹⁶ Given these discrepancies, lower open space requirements for higher density residential and commercial uses, and the existence of only one park area in Oakwood, the cumulative loss of vegetated yard areas here could disproportionately adversely affect this community as compared to the rest of Venice.

C. DEVELOPMENT

Section 30250 of the Coastal Act requires concentration of new development in existing developed areas able to accommodate it. This reduces vehicle miles traveled (required by Section 30253(d)), preserves open spaces that might otherwise be developed, provides more opportunities for people to live near the places where they work and recreate, and, thereby, reduces impacts to coastal resources. The Venice LUP contains building restrictions and density limits specific to individual areas and subareas of Venice, designed to protect community character and minimize impacts to coastal resources. The Venice LUP designates the project site and surrounding area (except for the commercial strip on Rose Avenue) as Multi-Family Residential—Low Medium Density II per Policy I.A.7, restated here:

Oakwood, Milwood, Southeast and North Venice

Use: Duplexes and multi-family structures.

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

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

The City would argue that the LUP only allows for a maximum of two units on any Low Medium Density II-designated lot plus, for the areas above, one replacement affordable unit on lots over 4,000 sf. for every 1,500-2,000 sf. over 4,000 depending on the uncertified zoning designation. This is not consistent with some of the Commission's past findings for development in these areas.¹⁷ In addition, this reading of the policy would suggest that most of the residential lots in Venice's coastal zone, including the vast majority of Oakwood, would be limited to two residential units upon redevelopment. Many of the multi-family residences in the project vicinity have three or more units. Thus, cumulatively, this specific analysis could drastically reduce the residential density

¹⁶ CalEnviroScreen 4.0 and EPA EJSCREEN. The two census block groups that make up Oakwood were compared to the other census block groups in Venice.

¹⁷ A-5-VEN-21-0010, A-5-VEN-21-0051

of Venice, which would be inconsistent with Coastal Act Section 30250 because it reduces, rather than concentrates, residential density in a developed area able to accommodate new development. This is especially true in the subject area, which is less vulnerable to coastal hazards, and given the current housing crisis. As viewed in the context of the housing crisis and broader housing trends in the coastal zone, projects like the subject proposal that do not concentrate development in existing developed areas may instead contribute to further urban sprawl, counter to Coastal Act policies designed to concentrate residential development to minimize impacts to coastal resources (Sections 30250 and 30253).

Commission staff read this LUP policy as allowing for the construction of up to two units on lots under 4,000 sf., but on lots like the subject site that are over 4,000 sf., one residential unit for every 1,500-2,000 sf. of lot area plus a bonus unit (one per 1,500 sf. in RD1.5 zones) if that unit is a replacement affordable unit. Thus, the LUP allows four independent residential units plus one affordable replacement unit at this site. In any case, the LUP provides guidance for consistency with Chapter 3 of the Coastal Act, and, as stated above, the maintenance and concentration of density in an area like this is consistent with Coastal Act Section 30250.

As stated in the Substantial Issue discussion, the proposed subdivision would result in a reduction in the allowable density at the site from four units plus one bonus replacement affordable units to three units. In addition, the proposed development would reduce the density onsite from four units to two with ADUs, which are not considered full residential units. Further, unlike most of coastal Venice, this part of the Oakwood community is slightly higher in elevation and is anticipated to be safe from flood hazards, including those caused by groundwater and sea level rise, for the life of the development. Thus, this development, as proposed, is not consistent with Section 30250.

Additionally, the proposed reduction in density and loss of four affordable units would adversely impact the character of Oakwood (and Venice) that is protected as a coastal resource due to its uniqueness and draw of visitors to the coast. The certified Venice LUP, which provides guidance for the consistency of new development with Chapter 3 of the Coastal Act, calls out two specific characteristics of Venice that make it a special coastal community protected under Section 30253(e) of the Coastal Act (LUP Policy I.E.1): architectural diversity and social diversity. The potential impacts of the proposed development on architectural diversity are discussed in the previous subsection; the project's potential impacts on social diversity will be addressed in this section.

Social diversity can include differences in income-levels, ethnicity, race, political ideologies, and culture, among other things. Oakwood is unique from the rest of Venice in its social makeup. As previously mentioned, it has more residents of color and less wealthy people when compared to the other census blocks in coastal Venice. This is a legacy of the history of the area. The residential area now called Oakwood was established in the early years of Abbot Kinney's "Venice of America" (late 1800s, early 1900s) as a community of laborers for the growing seaside town and, eventually, in the nearby oil fields. Black individuals and families came to Venice as part of the Great Migration and were confined to live within the boundaries of Oakwood—it was one of

the only largely Black residential communities along California's coast.¹⁸ Redlining in the 1940s and 1950s furthered this restriction of freedom for people of color. In the 1960s and early 1970s, the Latino population in Oakwood grew significantly as communities were displaced with the construction of the 405 freeway.¹⁹ Around the 1980s, when Venice was experiencing a general boom in experimental architecture and art, Oakwood was experiencing gang injunctions, over-policing, and targeted code enforcement.²⁰ In part due to increased incarcerations of Oakwood residents and burdensome fines, many residents of color could not stay in their homes and as the activity of community organizations led to decreased violence in the 1990s, the area began to gentrify.²¹

The LUP was finalized and certified during this time and described Venice as a “quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing. Diversity of lifestyle, income and culture typifies the Venice community.” However, this period of gentrification has continued into present-day, including as more tech companies have moved into Venice, adversely affecting the social diversity of Venice. Since certification of the LUP, the total recorded population of Venice has declined, the percentage of people who identify as white has increased to over 80% (statewide it is currently around 40% and in 2000 it was around 60%), and the median value of a home is nearly \$1.5 million with monthly housing costs at approximately \$2,700.²²

The Introduction of the LUP intentionally included language about how the socioeconomic diversity of Venice is one of the characteristics that makes Venice a unique and popular visitor destination. Given that much of the social diversity in Venice is concentrated in Oakwood, the social character of Oakwood must be preserved pursuant to LUP Policy I.E.1 and Coastal Act Section 30253(e). The proposed development would remove four small, old, affordable homes from the subject site and construct two large single-family homes. While the project would also include two ADUs that are expected to be more affordable than the single-family residences to which they are attached, they are not restricted affordable nor is there an assurance that the units will be rented out to separate individuals or families for the life of the development. Thus, the proposed project would both individually and cumulatively adversely impact the character of the area by reducing the stock of affordable units by four and continuing

¹⁸ <https://knock-la.com/venice-oakwood-black-neighborhood-history-a270785f0a04/>

¹⁹ Deener, A. (2012). *Venice: A contested bohemia in Los Angeles*. University of Chicago Press.

²⁰ Umemoto, K. (2018). *The truce: Lessons from an LA gang war*. Cornell University Press.

²¹ Deener, A. (2012). *Venice: A contested bohemia in Los Angeles*. University of Chicago Press.

²² U.S. Census data and [Venice, CA Household Income, Population & Demographics | Point2 \(point2homes.com\)](https://point2homes.com) (accessed 4/18/22)

the development trend of new, larger, more expensive housing that is leading to reduced social diversity and changes in Venice’s character.

Therefore, the proposed development is not consistent with Section 30253(e) of the Coastal Act.

D. PROJECT ALTERNATIVES

There are project alternatives discussed with the applicant’s representatives that could lessen or avoid impacts to coastal resources and conform to the Coastal Act Chapter 3 policies. For example, the four existing single-family homes onsite could be renovated or rebuilt. The subdivision could be removed from the proposal and the applicant could propose two duplexes that are smaller in mass and scale through reduced project height, additional front yard setbacks and landscaping, and further structural articulation. The applicant could also propose a five-unit building with reduced mass and scale if at least one unit were restricted affordable. All four affordable units could also be replaced.

E. LOCAL COASTAL PROGRAM

Coastal Act Section 30604(a) states, in relevant part:

(a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

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, and the City is in the process of a comprehensive update. 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.

Approval of this project could prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 of the Coastal Act. First, for the reasons described in Subsections B-D above, the proposed development is not consistent with Sections 30250, 30251, and 30253 of the Coastal Act. Second, the cumulative impacts of projects like this go against the policies and intent of the LUP—certified to provide guidance for City and Commission review of development projects for consistency with Chapter 3 of the Coastal Act—to preserve the diverse built and social character of Venice. The Commission, therefore, finds that the proposed project is not consistent with the provisions of Section 30604(a) of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096(a) of the Commission's regulations requires Commission approval of Coastal Development Permit applications 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). The findings above are incorporated herein by reference.

Under Section 15251(c) of Title 14 of the California Code of Regulations, the Commission's CDP regulatory process has been certified as the functional equivalent to the CEQA process. As a certified regulatory program, Section 21080.5(d)(2)(A) of CEQA still applies to the Commission's CDP regulatory process and 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 of Los Angeles is the lead agency for purposes of CEQA. As noted on the City's staff report dated January 7, 2021, the City determined that the proposed development was categorically exempt from CEQA requirements pursuant to CEQA Guidelines Sections 15303 (Class 3). Commission staff had discussions with the applicant's representatives about project alternatives, including development of four to five new units on the site and retention and renovation of the four existing units, that might reduce the project's impacts on the environment, but the applicant chose to propose the same development approved by the City.

Nevertheless, the proposed project has been found to be inconsistent with the Chapter 3 policies of the Coastal Act. CEQA does not apply to private projects that public agencies deny or disapprove, Pub. Res. Code § 21080(b)(5). Accordingly, because the Commission is denying the proposed project, it is not required to adopt findings regarding mitigation measures or alternatives which would substantially lessen any significant adverse effect the project would have on the environment.

Appendix A – Substantive File Documents

1. City of Los Angeles Letter of Determination for Case No. DIR-2019-2610-CDP-MEL-1A dated June 16, 2021
2. Staff Report for certification of the Venice LUP dated November 2, 2000

Appendix B – Neighborhood Survey Tables

Table 1. Past Commission actions on structures within the surveyed area since the Venice LUP certification in 2001.²³

Address	Action No.	Approval Year	Height (ft.)	Lot Size (sq. ft.)	Square Footage (original)	Square Footage (new)	L.A. County Assessor (sq. ft.)	
341 6 th Ave	5-11-287-W	2011	25	6,406	1,694	3,122	3,742	
611 Flower Ave	5-16-0788	2016	25	5,798	760	2,610	2,618	
605 Flower Ave	5-07-149-W	2007	30	5,798	1,326 3,214 ²⁴		1,326	
Average Square Footage (Original/Redeveloped):							1,260	2,982
Average Height (Redeveloped):							27	7,686

Table 2. Past City of Los Angeles local CDPs and exemptions issued for redevelopment of all structures within the surveyed area since the Venice LUP certification in 2001. For the few multi-family structures in the survey area, the square footage of any detached structures were combined into one square footage.

Address	Action No.	Approval Year	Height (ft.)	Lot Size (sq. ft.)	Sq. Ft. (original)	Sq. Ft. (new)	L.A. County Assessor (sq. ft.)
306-316 S 6 th Ave and 601 E Flower Ave ²⁵	ADM-2017-4567-CEX & ADM-2018-3991-CEX	2017 & 2018	1-story	7,038	unknown		2,614
611 Flower Ave	DIR-2016-788-CEX	2016	25	5,798	760	2,610	2,618
641 E Flower Ave	DIR-2021-8071-CDP-MEL-HCA	In Review	1-story	5,799	unknown	TBD	1,504

²³ A-5-VEN-16-0024 (657 Flower Ave) resulted in the denial of a City-approved exemption, but no new development.

²⁴ This permit allowed for the construction of a second single-family residence on the lot (1,888 sq. ft.).

²⁵ CDP-1991-8; structure appears much larger

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657 E Flower Ave	DIR-2017-3909-CDP ²⁶	2019	30	5,800	<i>unknown</i>		936
676 1-9 E Flower Ave	DIR-2016-4424 & 4364-CEX	2016	2-story	7,114	6,596	6,729	<i>unknown</i>
664 & 664 ½ E Flower Ave	ZA-2013-2220-CEX	2013	1-story	5,791	<i>unknown</i>		2,659
658 E Flower Ave	DIR-2017-2219-CEX	2017	1-story	5,792	868	868	868
618-622 E Flower Ave	APCW-2001-4820-SPE-CDP-ZV-ZAA-SPP & ZA-2005-2006-CDP	2002 & 2006	30	6,525	832	2,631	2,357
614 & 614 ½ E Flower Ave	APCW-2008-2916-SPE-SPP-CDP-ZAA ²⁷	2009	30	5,793	965	2,780	2,652 & 572
334 & 350 S 6 th Ave	DIR-2019-6301-CDP-SPP-SPPA-MEL	2021	3-story	2,993	644	3,060	644
337 & 339 S 6 th Ave	ZA-2014-4142-CDP	2018	30	6,406	1,941	2,708	1,970
321, 323, & 325 S 6 th Ave	ZA-2014-2188-CDP	<i>withdrawn</i>	N/A	N/A	N/A		2,882
317 & 317 ½ S 6 th Ave	ZA-2014-3908-CEX	2014	2-story	6,373	<i>unknown</i> ²⁸		1,232 & 1,064
328 S Rennie Ave	ZA-2014-2373-CDP-MEL-1A	2016	30	6,382	<i>unknown</i>	6,141	8,234
330 1-7 S Rennie Ave	ZA-2014-1264-CDP-SPP-MEL	2016	34 32 34 34 34 32 34	12,596 (subdivided in 7 lots)	880 500 780 1200	3,424 2,125 2,125 2,125 2,125 2,125 3,261	<i>no data</i>

²⁶ One single-family residence to two with subdivision.

²⁷ While the CDP appears to be for subdivision of the property only, a building permit with intent to issue on 8/14/2008 authorized a second-story and roof deck addition to a one-story home. Thus, the change in size of the residential structure is shown here.

²⁸ A building permit issued 7/15/2015 describes an approximately 300 sq. ft. increase in floor area and 8-foot increase in height.

336 & 336 ½ S Rennie Ave	DIR-2017-3631 & 2504-CEX	2016	1-story	6,380	unknown ²⁹		606 616 420
338 1 S Rennie Ave	ZA-2007-5100-CDP-SPP-MEL	2009	30 32 33	6,437 (subdivided in 3 lots)	1,534 ³⁰	2,328 2,051 2,073	2,474
348 S Rennie Ave	ZA-2012-1024-CEX	2012	27	6,380	1,615	2,393	2,562
Average Square Footage (Original/Redeveloped) ³¹ :					1,470	2,825	1,855
Average Height (Redeveloped) ³² :					27		

Table 3. All structures currently within the surveyed area that were constructed prior to certification of the Venice LUP in 2001. For the few multi-family structures in the survey area, the square footage of any detached structures were combined into one square footage.

Address	Original Year Built	Lot Size (sq. ft.)	Square Footage ³³
564 E Rose Ave and 303, 305, & 307 6 th Ave	1945, 1911, 1911, & 1911	7,008	1,275 (commercial), 667, 667, & (assumed) 667
604 E Rose Ave and 304 6 th Ave ³⁴	1968 & 1989	8,275	5,120 & 10,300 (commercial)
603 & 603 ½ E Flower Ave	1991	5,798	4,754
615 E Flower Ave	1921	5,798	738

²⁹ Building permits issued in 2017 and 2018 describe additions of under 200 sq. ft. with no increase in height.

³⁰ The demolition permits indicated two structures were authorized to be removed: one 950 sq. ft and one 816 sq. ft.

³¹ Unknown square footages were skipped in the calculation.

³² Assuming 1-story = 14 ft., 2-story = 27 ft., and 3-story = 30 ft. Note: many redeveloped building heights are above the 30-foot height limit included in the LUP.

³³ The square footage could include additions approved after the original construction but prior to the 2001 certification of the Venice LUP.

³⁴ CDP-1979-60 and CDP-1982-50

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617 E Flower Ave	1956 ³⁵	5,799	2,802
629 E Flower Ave ³⁶	1992	5,799	1,635
633 E Flower Ave ³⁷	1991	5,799	1,684
637 E Flower Ave	1964	5,799	4,578
645 E Flower Ave ³⁸	1922	5,799	956
649 E Flower Ave	1922, 1924, & 1924	5,799	758, 816, & 816
653 E Flower Ave	1924, 1923, & 1923	5,800	1,248, 1,019, & 198
659 E Flower Ave	1924 & 1930	5,800	748 & 552
663 E Flower Ave	1938	5,800	2,188
667 E Flower Ave	1965	5,800	5,056
671 E Flower Ave	1923	3,500	660
673 E Flower Ave	1939	3,316	2,723
674 & 672 E Flower Ave	1923 & 1950	5,791	756 & 1,059
668 E Flower Ave	1928	5,791	550, 550, & 550
660 E Flower Ave	1923 & 1990	5,792	892 & 1,811
654 E Flower Ave	1924	5,792	1,041
652 & 650 E Flower Ave	1941 & 1922	5,792	848 & 886
646 E Flower Ave ³⁹	2000	5,792	2,084
642 E Flower Ave	1923	5,792	1,019
638 E Flower Ave ⁴⁰	1923	5,792	770
634 1-5 E Flower Ave	1963	5,793	4,918

³⁵ Appears to have been redeveloped in 2015 (duplex to duplex) without a CDP. City did process Venice Sign Off and Mello Determination.

³⁶ CDP-1990-30

³⁷ CDP-1990-31; CDP-1998-14

³⁸ CDP-1990-24

³⁹ CDP-1998-14

⁴⁰ CDP-1991-39

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630 E Flower Ave	1923	5,793	784 & 192
626 & 628 E Flower Ave	1951 & 1954	5,793	576 & 984
612 & 612 ½ E Flower Ave ⁴¹	1989	5,750	2,084
610, 604, & 600 E Flower Ave ⁴²	1987	9,453	6,339
354 S 6 th Ave	1922	1,622	644
603 E Sunset Ave	1922	2,533	832
565 E Sunset Ave & 349 S 6 th Ave	unknown	6,976	1,792 & 1,760
347 & 347 ½ S 6 th Ave	1913 & 1965	6,402	768 & 1,970
345 & 345 ½ S 6 th Ave	1922 & 1924	6,404	1,052 & 744
341 S 6 th Ave ⁴³	2012	6,405	3,742
333 & 333 ½ 6 th Ave	1949	6,407	3,532
334 S Rennie Ave	1912	6,380	988
340 & 340 ½ Rennie Ave	1905 & 1965	6,378	1,002 & 1,281
346 & 346 ½ Rennie Ave	1920 & 1923	6,377	680 & 564
Total Number of Residential Structures:			57
Average Square Footage:			1,508

*Information obtained from ZIMAS on April 11, 2022.

⁴¹ CDP-1990-7

⁴² CDP-1986-17

⁴³ Apparent local approval and construction of a single-family residence without a CDP.