

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD, SUITE 300  
LONG BEACH, CA 90802-4325  
VOICE (562) 590-5071  
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# Th16a

## ADDENDUM

DATE: September 5, 2022

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM TH16A, APPEAL NO. A-5-VEN-22-0012 FOR THE COMMISSION MEETING ON THURSDAY, SEPTEMBER 8, 2022.**

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### I. REVISIONS TO THE STAFF REPORT

Commission staff recommends changes to the staff report dated August 25, 2022 to make the following minor modification. Language to be added is shown in underlined text, and language to be deleted is identified by ~~strikethrough~~.

- a) Correct "Exhibit 6—Applicant Response Letter" to reflect "Exhibit 5" and include an additional applicant response letter dated May 6, 2022.

# Exhibit 5—Applicant Response Letter

**Seifert, Chloe@Coastal**

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**From:** Jared Johnson <jared@howardrobinson.net>  
**Sent:** Friday, April 22, 2022 3:19 PM  
**To:** Seifert, Chloe@Coastal; Stevens, Eric@Coastal  
**Cc:** Sue Steinberg; Adam Kanizo  
**Subject:** 22 Paloma Ave (A-5-VEN-22-0012) - Additional factors for consideration

Hi Eric and Chloe,

I'm following up on our call from last week with some more details on the various factors at play that make future development (demo and new construction) infeasible at 22 Paloma.

Given these circumstances, it is reasonable to conclude that a glut of "landlocked parcels" is not likely to result from approval of either this project, nor future similar projects that propose a Small Lot Subdivision of Existing Dwelling Units, given all the different factors at play - therefore there is no substantial issue here. Please see below.

## **SB 8**

SB 8 prohibits reductions in density for projects which require discretionary approval. Since this location is in the Coastal Zone and requires a CDP, it is discretionary. As such, no reduction in density is permitted. This also aligns with Coastal Commission policy.

## **Venice LUP and Specific Plan - Density**

The Venice Specific Plan and the Certified LUP limit density at this location to just 2 units. Combined with SB 8, this would mean any project seeking to demo and rebuild would need a Specific Plan Exception to allow for 5 units, which is not guaranteed to be approved.

## **Venice LUP and Specific Plan - Parking**

The site has 0 parking spaces. Any project seeking to demo and rebuild would need to provide all required parking, or request a Specific Plan Exception to waive parking. Given Coastal access issues, even if an exception was approved, it's likely a CDP would be denied if no parking is provided.

Given that the lot is 3,525 sq. ft. and its proximity to the beach/water, it would be infeasible to fit 10 parking spaces (2 per unit) on this lot. It would be incredibly expensive to excavate and provide underground parking at this location and you'd likely need more than 1 level of parking to accommodate all required spaces.

## **Historic Status**

The front duplex (which would be located on the "landlocked parcel") has been identified as part of SurveyLA as an individual contributor to a potential future North Venice Walk Streets Historic District ([see here](#)). As such, it is highly unlikely that the duplex could ever be demolished. Obviously demolition would destroy its historic integrity.

## **Small Lot Subdivision Ordinance**

Despite not being certified by the Coastal Commission, the Small Lot Subdivision Ordinance **IS** a local regulation that can only be applied in certain circumstances. Its narrow application needs to be factored into consideration. It is not applicable to all lots in the area - only those lots that meet its eligibility criteria. Therefore, a substantial issue analysis should consider future Small Lot Subdivisions of Existing Structures (the type of project proposed), not subdivisions in general. The City's Bureau of Engineering will not allow for a lot to be subdivided without street access unless it is a qualifying Small Lot Subdivision - that is the only form of subdivision eligible for street access requirements to be waived.

The following is from the LAMC (Sec. 12.22.A.27(b)):

***Small Lot Subdivisions of Existing Dwelling Units.*** *The purpose of this Subsection is to further facilitate fee-simple home ownership opportunities through the preservation of existing housing within the City.*

*Existing Group Dwellings, Bungalow Courts, and detached single, duplex, and triplex dwelling structures maintained under a single ownership with an original building permit issued more than 45 years prior to the date of submittal of the application for subdivision, or where information submitted with the subdivision application indicates that the building(s) is/are more than 45 years old based on the date the application is submitted may be subdivided into small lots and shall comply with Subparagraphs (1), (2) (4), and (9) through (13) of Paragraph (a) of this Subdivision. All existing structures shall be legally constructed with an issued building permit or Certificate of Occupancy.*

We strongly encourage Coastal Staff to factor in these very real and present factors as they review the appeal. This project is not happening within a vacuum - all of these are applicable and greatly impact the feasibility of development. In our case, the applicants have assessed these factors and this is why the proposed project is just a Small Lot Subdivision of Existing Structures and nothing else.

Thank you,  
Jared

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**Jared L. Johnson, MPL**

Howard Robinson & Associates

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# Howard Robinson & Associates

May 6, 2022

To: California Coastal Commission  
455 Market St., Suite 300  
San Francisco, CA 94105

From: Howard Robinson & Associates  
660 S. Figueroa St., Suite 1780  
Los Angeles, CA 90017

**RE: 22 & 22 ½ E. Paloma Ave.  
Venice, CA 90291  
Appeal No. A-5-VEN-22-0012**

Dear Honorable Commissioners,

I am writing to you on behalf of my client, Place Holder DP, LLC, the applicant for the above referenced project. The project proposes to split one (1) property improved with separate duplex and triplex structures into two (2) lots, with the duplex on one and the triplex on the other. No demolition or new construction is proposed. This letter outlines the reasons why we believe that the proposed subdivision, per the City of Los Angeles' Small Lot Subdivision Ordinance, does not raise any Substantial Issues with regard to compliance with the California Coastal Act.

In their report dated April 28, 2022, staff has determined that many issues raised by the appellants do not constitute a Substantial Issue. However, staff does cite potential cumulative impacts resulting from a lack of vehicular access to Parcel A following the subdivision as an issue warranting further review. These concerns are mostly related to hypothetical redevelopment on a lot with no vehicular access.

We provided ample information to staff outlining why redevelopment of the property is unlikely, and we appreciate staff's acknowledgment in their report that "the applicant is correct in arguing that several site constraints make future redevelopment problematic even without a subdivision." These conditions are reiterated further below. However, in the staff report it is asserted that "the local CDP will add to these existing issues by eliminating pedestrian access from Paloma Court to the existing duplex and from Paloma Avenue to the existing triplex and formally eliminating vehicle access to "Parcel A". These assertions are not accurate for the following reasons:

## **Pedestrian Access**

Given that this is a private property, there is no public access to the property. However, in order to accommodate residents and visitors to the property, the parcel map approved by the City of Los Angeles includes a Pedestrian Easement for Common Access Walkway, shown along the side yard setback. This easement crosses both new Parcels A and B and will allow for pedestrian circulation

throughout both properties. Therefore, no pedestrian access has been eliminated by the subdivision.

### **Vehicle Access**

Staff notes that the subdivision will “formally [eliminate] vehicle access to ‘Parcel A’”, however, this statement is misleading as it implies there is existing access to be eliminated. This is not correct. The triplex at the rear of the lot is built to the property line and straddles almost the entire width of the lot, save the side yard that will be designated as a Pedestrian Easement for Common Access Walkway. Therefore, as the existing triplex prohibits vehicular access to the duplex already, the lack of vehicular access is an existing condition not further exacerbated by the subdivision itself.

Given that staff agrees that future redevelopment “is problematic even without a subdivision”, their concerns over hypothetical redevelopment of Parcel A in a manner that would trigger the need to convert Paloma Ave. – a Venice Walk Street – into a standard street open to vehicles is irrational. Furthermore, said hypothetical project would need its own Coastal Development Permit and that review would be the appropriate venue to analyze any impacts – not the appeal of a lot split that proposes no demolition, new construction, intensification of use, or similar redevelopment.

For reference, the following is a list of conditions applicable to the subject property that make redevelopment involving demolition and new construction infeasible. Again, staff agrees that redevelopment of the property is unlikely.

### **Senate Bill 8 – Housing Crisis Act of 2019**

Senate Bill 8 (“SB 8”) prohibits reductions in density for projects which require discretionary approval. Since this location is in the Coastal Zone and requires a Coastal Development Permit, it is discretionary. As such, no reduction in density is permitted. This also aligns with Coastal Commission policy.

### **Venice Land Use Plan and Specific Plan - Density**

The Venice Specific Plan and the Certified Land Use Plan limit density at this location to just two (2) units. Combined with SB 8, this would mean any project seeking to demo and rebuild would need a Specific Plan Exception to allow for five (5) units, which is not guaranteed to be approved.

### **Venice Land Use Plan and Specific Plan - Parking**

The site has zero parking spaces. Any project seeking to demo and rebuild would need to provide all required parking or request a Specific Plan Exception to waive parking. Given Coastal access issues, even if an exception was approved, it is likely a Coastal Development Permit would be denied if no parking is provided. Given that the lot is 3,525 sq. ft. and its proximity to the beach/water, it would be infeasible to fit 10 parking spaces (2 per unit) on this lot. It would be incredibly expensive to excavate and provide underground parking at this location and a developer would likely need more than one level of parking to accommodate all required spaces.

## Historic Status

The front duplex (which would be located on the "landlocked parcel") has been identified as part of SurveyLA as an individual contributor to a potential future North Venice Walk Streets Historic District. As such, it is highly unlikely that the duplex could ever be demolished as demolition would destroy its historic integrity.

## Small Lot Subdivision Ordinance

Despite not being certified by the Coastal Commission, the Small Lot Subdivision Ordinance **IS** a local regulation that can only be applied in certain circumstances. Its narrow application needs to be factored into consideration. It is not applicable to all lots in the area - only those lots that meet its eligibility criteria. Therefore, a substantial issue analysis should consider future Small Lot Subdivisions of Existing Structures (the type of project proposed), not subdivisions in general. The City's Bureau of Engineering will not allow for a lot to be subdivided without street access unless it is a qualifying Small Lot Subdivision - that is the only form of subdivision eligible for street access requirements to be waived.

The following is from the LAMC (Sec. 12.22.A.27(b)):

*Small Lot Subdivisions of Existing Dwelling Units. The purpose of this Subsection is to further facilitate fee-simple home ownership opportunities through the preservation of existing housing within the City. Existing Group Dwellings, Bungalow Courts, and detached single, duplex, and triplex dwelling structures maintained under a single ownership with an original building permit issued more than 45 years prior to the date of submittal of the application for subdivision, or where information submitted with the subdivision application indicates that the building(s) is/are more than 45 years old based on the date the application is submitted may be subdivided into small lots and shall comply with Subparagraphs (1), (2) (4), and (9) through (13) of Paragraph (a) of this Subdivision. All existing structures shall be legally constructed with an issued building permit or Certificate of Occupancy.*

In conclusion, this project proposes no demolition, new construction, or intensification of uses. It simply splits one lot improved with separate duplex and triplex structures into two lots, with the duplex on one and the triplex on the other. As noted in the Small Lot Subdivision Ordinance section above, the application of said ordinance is narrow. As such, there will not be an influx of similar projects in the future and those properties that are eligible are likely encumbered by the same circumstances that make redevelopment of the subject property infeasible. As such, similar to the lack of impacts resulting from the proposed subdivision, the cumulative impacts of similar Small Lot Subdivisions are similarly unlikely to raise Substantial Issues.

Thank you for your consideration in this matter.

Sincerely,

Susan Steinberg  
Principal

22 & 22 ½ E. Paloma Ave.  
Venice, CA 90291  
Appeal No. A-5-VEN-22-0012

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