

Exhibit D

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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PRESIDENT
VACANT
VICE-PRESIDENT
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VACANT
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**DENSITY BONUS AFFORDABLE HOUSING INCENTIVES
VENICE COASTAL ZONE SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW
MELLO ACT DETERMINATION**

September 6, 2013

**Applicant/Property
Owner**

Kalnel Gardens, LLC
Mark Judaken
522 Venice Boulevard
Venice, CA 90291-4274

Representative

Allan Abshez
2029 Century Park East
Los Angeles, CA

Case No.

CEQA:

Related Cases:

Location:

Venice Subarea

Council District:

Neighborhood Council:

Community Plan Area:

Land Use Designation:

Zone:

Legal Description:

Coastal Zone:

DIR-2011-588-DB-SPP-MEL

ENV-2009-2489-MND-REC2

VTT-70870-SL

ZA-2013-1420-CDP

522 E. Venice Blvd.

North Venice

11 - Bonin

Venice

Venice

Low Medium II Residential

RD1.5-1

Lot 42-43 Tract 6329 and PT
"UNNUMBERED LOT",
Rafael and Andres Machado
Tract

Single Jurisdiction

Last Day to File an Appeal: September 21, 2013

DETERMINATION - Density Bonus/Affordable Housing Incentives Program

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22 A 25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve the following two incentives requested by the applicant for a project reserving at least 10 percent, or two (2) dwelling units, of the 10 by-right permitted "base" dwelling units for Very Low Income household occupancy for a period of 30 years, subject to the attached conditions of approval:

units for Very Low Income household occupancy for a period of 30 years, subject to the attached conditions of approval:

- a. **Height Increase:** An 8.75 foot increase (35 percent) in the maximum permitted Flat Roof height of 25 feet and a 10.5 foot height increase (35 percent) in the maximum permitted Varied Roofline height of 30 feet in the North Venice Subarea of the Venice Specific Plan.
- b. **Calculation of Residential Density:** For the purposes of calculating the total number of dwelling units allowed at the site, any land required to be dedicated for street or alley purposes may be included as lot area. The total permitted by-right dwelling units are 11 dwelling units.

DETERMINATION – Specific Plan Project Permit/Mello Act Determination

Pursuant to Los Angeles Municipal Code Sections 11.5.7 and Venice Coastal Zone Specific Plan (Ordinance No. 175,693), as the designee of the Director of Planning, I hereby:

Approve with Conditions a Specific Plan Project Permit Compliance to allow the demolition of an existing two-story Triplex and the construction of five detached three story duplexes and five three story single-family dwellings for a total of 15 dwelling units on a proposed 10 lot small lot subdivision. The 15 dwelling units will each contain a roof deck and a roof access structure.

Adopt Mitigated Negative Declaration ENV-2009-2489-MND-REC2 as the project's environmental clearance pursuant to the California Environmental Quality Act and Section 21082.19(c) (3) of the California Public Resources Code.

This project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

NOTE: The Specific Plan Project Permit Compliance is only applicable to the provisions of the Venice Coastal Zone Specific Plan pertaining to density, height, roof structures, parking, and access. Whenever the Venice Coastal Zone Specific Plan is silent, all other relevant provisions of the Los Angeles Municipal Code (LAMC) shall apply.

1. **Exhibit A.** Except as modified by this action, the proposed building shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped and dated, and labeled "Exhibit A", attached to the case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Effectuation of Entitlements.** No building permits shall be issued for the construction any dwelling unit on the subject site until the Vesting Tentative Tract map has been recorded.

Specific Plan Project Permit Conditions

3. **Design Elements:** The building materials shall include varying textures to accentuate articulation in the building elevations and colors shall include ZINC in three colors (Quartz-zinc, Anthrax-zinc, and Pigmento Brun) for the roof and walls, and irregular-shaped, aluminum-clad windows.
4. **Site Development/Density.** A maximum density of 15 dwelling units (5 duplexes and 5 single family homes). This approval shall be limited to the demolition of the existing three units building and the development of a 10 lot small lot subdivision containing no more than 15 dwelling units including Density Bonus units.
5. **Height.** The subject project shall be limited to a Flat Roof height of 33.75 feet and a Varied Roofline height of 40.5 feet provided that any portion of the roof that exceeds the 33.75 foot Flat Roof height is set back from the required front yard at least one foot in depth for every foot in height above 33.75 feet. The height shall be measured from the vertical distance from the ground level to the highest point of the roof or parapet wall. Ground level shall be the elevation of the centerline of the frontage of Venice Boulevard or Mildred Avenue, as measured from the projection of the midpoint of each small lot frontage.
6. **Roof Structures.** The proposed Roof Access Structures shall not exceed the flat roof height limit of 33.75 feet by more than 10 feet and shall be designed and oriented so as to reduce their visibility from adjacent public walkways and recreation areas; the area within the outside walls shall be minimized and shall not exceed 100 square feet as measured from the outside walls. Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limit by a maximum of five feet.

7. **Parking and Driveway Plan.** Parking area and driveway plans shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation, Construction Services Counter (201 North Figueroa Street, Suite 400, Station 3) and the Bureau of Engineering, prior to the issuance of a building permit. A parking area and driveway plan may be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.
8. **Yard Setback.** The front yard setback for the small lot units shall be as determined by the Advisory Agency as part of VTT-70870-SL.

Density Bonus/Affordable Housing Incentives Program

9. **Automobile Parking.** Vehicle parking shall be provided consistent with LAMC 12.22 A.25, Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. Based upon the number and type of dwelling units proposed, (13 one-bedroom units and 2 two-bedroom units) at least 17 parking spaces shall be provided. No guest parking spaces are required.
10. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should change, or the composition of such units should change (i.e. the number of bedrooms or the number of units made available to Senior Citizens and/or Disabled Persons) or the applicant selects Parking Option 2, and no other condition of approval is affected (including incentives); the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above, with no need for a modification of this determination.
11. **Changes in Restricted Units.** Deviations that allow for an increased number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A 25 (9a-d).
12. **Calculation of Residential Density.** For the purposes of calculating the total number of dwelling units allowed at the site, any land required to be dedicated for street or alley purposes may be included as lot area.
13. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make two (2) units available to Very Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 30 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Planning Department for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA.

Environmental Mitigation Conditions

14. Aesthetics - Landscape Plan

All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape

plan and an automatic irrigation plan, prepared by a Landscape Practitioner and to the satisfaction of the decision maker.

15. Aesthetics – Light.

Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

16. Air Pollution - Demolition, Grading, and Construction Activities.

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.
- h. Grading shall be limited to no more than 0.5 acres per day, to minimize impacts during construction.
- i. Use electricity from existing power sources (i.e., power poles) when feasible, so as to minimize the use of higher-polluting gas or diesel generators.

17. Tree Removal (Non-Protected Trees).

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the

18. Seismic

The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

19. Erosion/Grading/Short-Term Construction Impacts

- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- b. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
- c. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- d. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, and erosion control fabrics or treated with a bio-degradable soil stabilizer.

20. Liquefaction Area

- a. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified.

21. Explosion/Release (Existing Toxic/Hazardous Construction Materials)

(Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of

Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

22. Stormwater Pollution (Demolition, Grading, and Construction Activities)

- a. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- d. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- e. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

23. Increased Noise Levels - Demolition, Grading, and Construction Activities

- a. The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - b. Construction activities, including delivery and haul routes, shall be restricted to hours between 7:00 A.M. and 6:00 P.M. Monday through Friday and 8:00 A.M. and 6:00 P.M. on Saturday. No noise-generating construction activities shall take place on Sundays and holidays (observed by the City).
 - c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
 - d. Truck deliveries and haul routes, to the extent feasible, shall be directed away from noise sensitive uses, i.e., residential and schools.
 - e. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

24. Relocation Plan, Prior to sign-off of any project-related permit, the applicant shall submit and obtain approval of the plan from the decision-maker.

25. Tenant Displacement Prior to the issuance of a demolition permit, and pursuant to the provisions of Section 47.07 of the Los Angeles Municipal Code, a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval.

26. **Public Services (Schools).** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

25 **Recreation. (Increased Demand for Parks or Recreational Facilities).** Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Quimby Fee for a Subdivision.

27. Utilities (Local Water Supplies - Landscaping)

- a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - i. Weather-based irrigation controller with rain shutoff
 - ii. Matched precipitation (flow) rates for sprinkler heads
 - iii. Drip/microspray/subsurface irrigation where appropriate
 - iv. Minimum irrigation system distribution uniformity of 75 percent
 - v. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - vi. Use of landscape contouring to minimize precipitation runoff

28. Utilities (Local Water Supplies - All New Construction)

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

29. Utilities (Local Water Supplies - New Residential)

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

30. Utilities (Water Treatment or Distribution). The applicant shall install a grey water system to reuse wastewater from the project.

31. Utilities (Solid Waste Recycling)

- a. **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

32. Utilities (Solid Waste Disposal). All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

33. Utilities (Local Water Supplies - All New Construction)

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

34. Utilities (Local Water Supplies - New Residential)

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

35. Utilities (Solid Waste Recycling)

- a. **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

36. Utilities (Solid Waste Disposal) All waste shall be disposed of properly.

- a. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation.
- b. Non-recyclable materials/wastes shall be taken to an appropriate landfill.
- c. Toxic wastes must be discarded at a licensed regulated disposal site.

Administrative Conditions

- 37. **Final Plans.** Prior to final approval of plans by the Department of Building and Safety, the Applicant shall submit a minimum of **two (2) final plan check plans** to be approved

by the Department of City Planning staff for compliance with this Director's Determination letter. One set of plans containing the applicable plan sheets shall be provided to the Department of City Planning for the subject file. A copy of this Determination and all its conditions of approval and any subsequent appeal of this Determination and its resultant conditions and/or any letters of clarification and/or any approval from a change of plans shall be imprinted on the building plans submitted to the City Planning Department and the Department of Building and Safety.

38. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to approval, for placement in the subject file.
39. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with LAMC, except where herein granted conditions differ.
40. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees, or amendment to any legislation.
41. **Enforcement.** Prior to the issuance of any permits for the subject Project by the Department of Building and Safety, the applicant shall submit final construction plans or other required documents to the specified City department for verification of compliance with the conditions imposed herein.
42. **Building Plans.** All the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
43. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

REGULATION BACKGROUND

The project proposes to demolish a three unit apartment building and develop a 10 lot small lot subdivision on the subject property. The subject site totals approximately 16,576 square feet of lot area after the assemblage of the four lots. Once the Vesting Tract Map is recorded five duplexes and five single family homes will be constructed on the new 10 small lots.

Density Bonus

In accordance with Senate Bill 1818 and Section 12.22 A 25 (Density Bonus provisions) of the Los Angeles Municipal Code (LAMC), in setting aside the mandated two (2) Very Low Income units of the 10 dwelling units base density, the project qualifies for an automatic 35% increase (four additional dwelling units) in the permitted density. In addition, the Density Bonus provisions contained in the LAMC provide for two Parking Options that reduce the required Specific Plan parking requirements for dwelling units. The applicant has chosen to utilize Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. Based upon the number of bedrooms and type of dwelling units proposed, (13 one-bedroom units and 2 two-bedroom units) at least 17 parking spaces shall be provided. No guest parking spaces are required. The applicant has voluntarily proposed to provide two parking spaces per unit for a total of 30 spaces.

Since the applicant has agreed to set aside the threshold number of affordable units, (10% Very Low Income) the proposed project qualifies per LAMC Section 12.22 A 25 (e) for two on-menu development incentives. The applicant has requested the following two incentives:

- a. **Height.** A 35% increase is permitted in the height for a 25 foot Flat Roof height and the 30 foot Varied Roofline height in the North Venice Subarea. The Flat Roof height will be limited to a height of 33.75 feet and Varied Roofline will be limited to a height of 40.5 feet. Any portion of the building exceeding the 33.75 foot Flat Roof height is required to be set back from the required front yard at least one foot in depth for every foot in height above 33.75 feet. The height shall be measured from the as the vertical distance from the ground level to the highest point of the roof or parapet wall. Ground level shall be the elevation of the centerline of the frontage of Venice Boulevard or Milwood Avenue, as measured from the projection of the midpoint of each small lot frontage.
- b. **Density Calculation.** The total number of dwelling units allowed on the site is based on the land area, prior to any dedication of land for street purposes. This will result in the total number of by-right dwelling units to be increased from 10 dwelling units to 11 dwelling units. However, the maximum number of small lots that can be created remains at 10 lots.

Small Lot Subdivision

The Small Lot Subdivision process as provided for in LAMC Section 12.22 C 7 is designed to allow for residential lots that are smaller in area and less in width than the minimum 5,000 square foot of lot area and 50 foot wide lot required for residential zoned lots. Key excerpts from Section 12.22 C 7 are listed as follows:

- a. The lots may be subdivided into lots which may contain one, two or three dwelling units, provided that the density of the subdivision complies with the minimum lot area per dwelling unit.

- b. The minimum lot width shall be 16 feet and the minimum lot area shall be 600 square feet. The Advisory Agency shall designate the location of front yards in the subdivision tract or parcel map approval.
- c. Vehicular access may be provided to either a lot containing a dwelling unit or to its required parking spaces by way of street or alley frontage, driveway access or similar access to a street.
- d. All structures on a lot which includes one or more dwelling units, taken together, may occupy no more than 80% of the lot area, unless the tract or parcel map provides common open space equivalent to 20% of the lot area of each lot not meeting this provision.
- e. No front, side, or rear yard shall be required between lots within an approved small lot subdivision. However, a five-foot setback (rear and/or side yards) shall be provided where a lot abuts a lot that is not created pursuant to this subdivision.

In addition to the City-wide Small Lot requirements, the proposed project must comply with the provisions of the Director's Interpretation of the Venice Specific Plan and how it relates to the Small Lot Subdivision Ordinance (No. 176,354) (DIR-2008-4703-DI-1A). The Director's Interpretation applies to all Small Lot Subdivision cases within the boundary of the Venice Coastal Specific Plan as to parking, driveway locations, access, setbacks, and the development of multiple lots, multiple units and density. The number of small lots that can be created and the number of units that can be built within each of the proposed small lots are based on these two principals:

- a. Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for "lot area per dwelling unit" established for each residential zone in the LAMC, pursuant to the Small Lot Subdivision Ordinance.
- b. Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be limited to one unit per resultant lot, unless the lot size is large enough to permit additional units based on the "lot area per dwelling unit" calculation established for each residential zone. In no case may a newly resulting lot contain more than three units. Generally, the combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Based on the lot area and the permitted RD1.5-1 zone, the maximum number of small lots that can be created is 10. However, because of the Density Bonus provisions and the requested Density incentive, a maximum of 15 dwelling units can be built on the 10 proposed small lots provided that no more than three units are constructed on each small lot.

FINDINGS

The project proposes to demolish a three unit apartment building and develop a 10 lot (small lot) subdivision on the subject property. Once the Vesting Tract Map is recorded, five duplexes and five single family homes will be constructed on the new 10 small lots. In setting aside the mandated two (2) Very Low Income units of the by-right 10 dwelling units, the proposed project qualifies for two on-menu development incentives. The applicant has requested a 35% increase in the permitted height for a Flat Roof and a Varied Roofline in the North Venice Subarea.

Density Bonus Affordable Housing Incentives Compliance Findings

1. The project complies with the following criteria required by Section 12.22.A 25 (e) (2) of the LAMC for Housing Development Projects requesting on-menu incentives:

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

The proposed project abuts two streets Venice Boulevard and Milred Avenue. The buildings are adjacent to each other. Each building is being constructed on a separate lot with only a three to four inch separation between the buildings. Each building will be required to be set back at least five feet from Venice Boulevard or Milwood Avenue. In addition, each building will be designed to have a one foot to five foot break in the plane along each street, so as to not have a flat surface. Additionally, the buildings incorporate different types of building materials (a green /gray colored smooth towel stucco plastered finish and horizontal dark brown colored siding) which will contribute to a more articulated surface.

- b. *All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.*

As depicted in Exhibit A, sheet A3.0 the proposed buildings in addition to garage entrances from the common driveway will have doors entering each unit from the streets. Windows and architectural features are facing along the street elevation. The buildings as proposed will incorporate multiple windows of varying sizes, horizontal colored dark brown, materials a green /gray colored smooth towel stucco plastered finish, and entrance doors.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The proposed project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

2. **The incentives are necessary to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

Per the applicant, the increase in height will allow the proposed project to provide two Very Low Income rental or ownership units of comparable size to the market rate units. As well, the additional height will allow both the set-aside and density bonus units to have covered parking and a townhouse-style design consistent with the proposed market rate units. The approval of the second incentive allowing the calculation of the density bonus units to be based on the gross lot area, will correct a unfairness in Section 12.37 which only allows for rental housing to calculate the permitted density based on the gross lot area prior to any street dedication. A Subdivision's density is based on the net lot area after any street dedications. Granting this incentive will permit a density consistent with that which would be allowed for apartments.

Project Permit Compliance Finding

1. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**

The project proposes to demolish a three-unit apartment building and construct a 10 lot (small lot) subdivision on the subject property totaling 17,000 square foot of area resulting from the assemblage of four lots. Once the Vesting Tract Map is recorded, five duplexes and five single family homes will be constructed on the new 10 small lots.

The project as presented, is only required to meet the findings required pursuant to relevant sections of the Venice Coastal Zone Specific, which are Section 8.C relative to compatibility of the project with the existing neighborhood scale and character and that the project not be detrimental to the surrounding neighborhood, the applicable Land Use and Development regulations for North Venice Subarea as set forth in Section 10.G, and the applicable Parking provisions set forth in Section 13 as evidenced below:

A. Section 8.C. Findings

The project meets the four required findings set forth in Section 8.C of the Venice Coastal Zone Specific Plan, as shown below:

1. *The Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.*

The subject parcel comprised of four parcels with an area of approximately 16,576 square feet, which will be subdivided into 10 small lots, (pursuant to VTT 70870-SL) is consistent with the Director's Interpretation of Venice Coastal Specific Plan for Small Lot Subdivisions and the City-wide Small Lot Ordinance. The subject property and the surrounding properties are zoned RD1.5 -1. The immediate surrounding properties are developed with a mix of one, two and three story single-family and multiple family dwellings, as well as commercial and parking uses. The proposed project abuts two streets: South Venice Boulevard and Mildred Avenue. North of the subject site between North and South Venice Boulevard is the Venice-Abbot Kinney Memorial Branch Library and two large City owned surface parking lots. After the recordation of the Tract Map each building will be constructed on a separate lot with only a three-to-four inch separation between the buildings. The buildings as proposed will incorporate multiple windows of varying sizes, horizontal siding, colored stucco and doors to each unit from the Articulated façades and breaks in

the plane, are provided as each building has a varied site plan, setback and façade treatments, this coupled with the 60-foot wide streets will minimize the massing of the buildings as viewed from the public right-of-ways.

Owing to the nature and characteristics of the immediate neighborhood, which contains a mixture of older and newer one, two and three story single-family and multiple family dwellings (built between the 1920's and the present), the Library and surface parking to the north and a two-story commercial/residential building to the south the proposed project is compatible in scale and character with the existing neighborhood and that which is allowed in the Venice Coastal Zone Specific Plan for the North Venice Subarea. As approved and conditioned, the project will not be detrimental to the adjoining properties or the immediate area.

2. *The Venice Coastal Development Project is in Conformity with the Certified Venice Local Coastal Program.*

The subject property is designated Low Medium II Density Housing in the Venice Local Coastal Program Land Use Plan and is zoned RD1.5-1. The proposed project is consistent with the zoning and the intent and purposes of the Land Use Plan and the Specific Plan, which is to provide residents different housing opportunities including affordable housing in the Venice Coastal Area.

3. *The applicant has guaranteed to keep the rent levels of any Replacement Affordable Units at an affordable level for the life of the proposed project and to register the Replacement Affordable Unit with the Los Angeles Housing Department.*

Replacement Affordable Units are not proposed or required for this project. The Los Angeles Housing Department (LAHD) in a letter dated January 12, 2011, (contained in the subject case file) determined that there are no affordable units existing on the subject property.

4. *The Venice Coastal Development Project is consistent with the special requirements for low- and moderate-income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).*

The proposed project will result in the construction of 15 dwelling units (5 duplexes and 5 single family dwellings). The applicant has agreed to set aside at least 10 % 1.1 rounded up to two (2) dwelling units of the total 10 by-right dwelling units allowed by the RD1.5 zone for Very Low Income persons, and is therefore, consistent with the Interim Administrative Procedures for Complying with the Mello Act (Mello Act) and complies with the Mello Act, as set forth in California Government Code Sections 65590 and 65590.1.

In addition to the requisite findings set forth in Section 8.C of the Specific Plan, the project also complies with all applicable provisions of the Specific Plan, as set forth below:

B. *Section 10 – Land Use and Development Regulations for North Venice*

Land Use Limitations: The project is not a commercial use, and the limitation set forth does not apply.

Density: The RD1.5-1 zoned lots are permitted a density of one dwelling unit per every 1500 square feet of lot area. However, as provided for by the Director's Interpretation for Small Lot Subdivision, 10 lots (provided each lot averages of 1500 square feet of lot area) would be allowed as a matter of right. Senate Bill 1818 and LAMC Section 12.22 A

25 stipulate that if the required number of by-right dwelling units are set-aside for persons with Very Low Incomes a 35% increase in density is automatically granted. Therefore, the proposed 15 dwelling units are consistent with the Land Use and Development Regulations for North Venice Subarea as the maximum density is superseded by State Law.

Height: While taller in height than what is normally permitted in the Specific Plan, the additional height of 8.75 feet for a Flat Roof and the 10.5 feet for a Varied Roofline height in the North Venice Subarea as permitted by the density bonus height incentive is consistent with the Specific Plan in that the remainder of the height requirements apply to this project. The Flat Roof height will be limited to a height of 33.75 feet and Varied Roofline will be limited to a height of 40.5 feet. Any portion of the building exceeding the 33.75 foot Flat Roof height is required to be set back from the required front yard at least one foot in depth for every foot in height above 33.75 feet. The height shall be measured from the as the vertical distance from the ground level to the highest point of the roof or parapet wall. Ground level shall be the elevation of the centerline of the frontage of Venice Boulevard or Milwood Avenue, as measured from the projection of the midpoint of each small lot frontage.

Each dwelling will have a roof access structure that will be 100 square feet or less in area as measured from the outside walls. They are designed and oriented so that their visibility is reduced from public walkways and recreation areas.

C. Section 13 -- Parking

Pursuant to Section 13.D of the Specific Plan, the project is required to provide parking consistent with the adopted "Parking Requirement Table," which requires two parking spaces plus a quarter guest space per units. However, pursuant to LAMC Section 12.22 A 25 Parking Option 1 the project is only required to provide 13 parking spaces for the one bedrooms and four parking spaces for the two bedroom units for a total of 17 parking spaces. The applicant is proposing to provide two spaces for each dwelling units for a total of 30 spaces.

2. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

A Mitigated Negative Declaration, ENV-2009-2489-MND-REC2 was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all low and very low income units that qualified the applicant" for the density bonus.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complied with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A25 of the Los Angeles Municipal Code. Section 12.22 A 25 creates a procedure to waive or modify zoning code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, including Specific Plans and [Q] Qualified Conditions thus providing greater relief from regulatory constraints.

OBSERVANCE OF CONDITIONS - TIME LIMIT / EXTENSION - LAPSE OF PRIVILEGES

All terms and conditions of this Design Review Determination shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. The Director of Planning or his/her designee may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee, is filed therefore with a Public Office of the Department of City Planning setting forth the reasons for said request and the Director of Planning or his/her designee determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00M of the Los Angeles Municipal Code states in part: "It shall be unlawful to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction." Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated the applicant or his successor in interest may be prosecuted for violating these conditions in the manner of any violation of the requirements contained in the Municipal Code.

The determination in this matter will become effective and final, fifteen (15) days after the date of mailing of the Director's Determination unless an appeal is filed with the City Planning Department. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this determination, and received and receipted at a public office of the Department of City Planning **on or before** the above date or the appeal will not be accepted. Forms are available on-line at <http://planning.lacity.org>.

Planning Department public offices are located at:

Downtown Office

Figueroa Plaza

201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Valley Office

Marvin Braude Constituent Services Center

6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

Per Section 12.22 A.25 of the LAMC, appeals of Density Bonus Compliance Review cases are heard by the City Planning Commission.

***Note:** Only abutting property owners and residents can appeal this Determination. Per the Density Bonus Provision of State Law the Density Bonus increase in units above the zone limits and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable.*

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077 or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may see judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

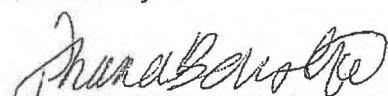
MICHAEL J. LOGRANDE
Director of Planning

Approved by:




Daniel Scott, Principal Planner

Reviewed by:



Shana Bonstin, Senior City Planner

Prepared by:



Gregory J. Sheop, City Planner

cc: Councilmember Mike Bonin, 11th District
Venice Neighborhood Council
Adjoining and Abutting Property Owners and Occupants
Charles Posner, CA State Coastal Commission
Los Angeles Housing

Exhibit E

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF

CITY PLANNING

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**VENICE COASTAL SPECIFIC PLAN
DIRECTOR OF PLANNING
SPECIFIC PLAN INTERPRETATION**

January 26, 2009

Initiated by:

Director of Planning

CASE NO. DIR-2008-4703-DI

SPECIFIC PLAN INTERPRETATION

CEQA: ENV 2004-2691-CE

Location: Venice Coastal Specific Plan

Council District: 11

Community Plan Area: Venice

Land Use: Various

Zone: Various

Appeal Period Ends: February 10, 2009

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7(H) and the Venice Coastal Specific Plan (Ordinance No. 175,693), as the designee of the Director of Planning, I hereby **approve**:

A **Specific Plan Interpretation** clarifying the relationship between Section 12.22 C. 27 of the LAMC, established by the Small Lot Subdivision Ordinance (No. 176,354), and the Venice Coastal Specific Plan. The subject text determines how the Small Lot Subdivision provisions shall be applied, given the unique limitations established by the Venice Coastal Specific Plan for the Venice Community.

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Page 14—Discussion

EXHIBITS

A—Small Lot Subdivision Ordinance (Ord. 176,354)

B—Venice Coastal Zone Subareas

BACKGROUND

The Small Lot Subdivision Ordinance (No. 176,354) became effective on January 31, 2005, (namely as LAMC 12.22 C.27) in order to permit lots zoned R2, RD, R3, R4, R5, RAS, P, and C to be subdivided into smaller parcel sizes than would normally be permitted, as long as they comply with the density requirements established by both the zoning and the Los Angeles General Plan. The ordinance was expected to help generate creative housing solutions, such as modern versions of bungalow courts, courtyard housing and row houses—thereby reducing the cost of home ownership. Subdivisions resulting from the Small Lot Subdivision Ordinance are held to the same density as if the lot were to be developed with condominiums.

The Venice Coastal Specific Plan was established in 1999 (Ordinance 172,897) and substantially revised in 2004 (Ordinance 175,693). The primary objective of the Specific Plan is to protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and constructed resources. The Specific Plan regulates all development, including: use, height, density, setback, buffer zone, and other factors in order for new construction and modifications to existing buildings to be compatible in character with the community and provide for the consideration of aesthetics, scenic preservation and enhancement, and to protect environmentally sensitive areas.

Given that the Small Lot Subdivision Ordinance was adopted after the Specific Plan, this Interpretation is intended to find and illustrate a rational, structured, and practical approach to allow for small lot subdivisions, in a manner that is consistent with the intent and provisions of both the Venice Coastal Specific Plan and the Small Lot Subdivision Ordinance. The challenge of understanding the requirements and allowances for these land subdivisions is compounded by the fact that the Venice Coastal Specific Plan is especially complex; it is numerous and detailed in its provisions, which are unique to each of ten subareas, and each type of zone within.

The clarifications provided in this document comprise an Interpretation that is necessary to provide certainty to the Venice community, including residents and property developers, while ensuring accurate application of both ordinances and Department consistency of case processing. Implementation of the City's Small Lot Subdivision Ordinance poses unique complexities within the boundaries of the Venice Coastal Specific Plan because the Small Lot Subdivision Ordinance was drafted under the assumption that each zone maintained a uniform set of densities and standards; yet, the Specific Plan includes density and lot size requirements unique to defined subareas. These provisions at times differ from code requirements, being either more restrictive or more permissive. While the Small Lot Subdivision Ordinance applies citywide (where zoning permits) the language and format was written relevant to Los Angeles Municipal Code restrictions, not with regard to the language contained in Specific Plans. Individual Specific Plans often take different approaches to planning and land use objectives and use unique terms, measurements, thresholds, and calculations because they are intended to be tailored to certain geographic areas and circumstances. Furthermore, the Venice Coastal Specific Plan was written without anticipating the lot size and types that can result from small lot subdivisions. The subject Director's Interpretation reconciles the Small Lot Subdivision Ordinance (LAMC 12.22 C.27) with the Venice Coastal Specific Plan.

INTERPRETATION: GENERAL REGULATIONS AND PRINCIPLES

A summary of the Interpretation is as follows, comprised of language that applies generally to Venice Coastal Specific Plan.

1. Where provisions are silent in the Venice Coastal Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. **PARKING:** Required parking for subdivision projects shall be based on the parking requirements pursuant to the Venice Coastal Specific Plan, 2 or 3 spaces. Each new lot resulting from a small lot subdivision that contains one unit will fall under the "single family dwelling" category in the Specific Plan. For the purposes of parking calculations, small lot subdivisions shall be considered "less than 40 feet in width, or less than 35 feet in width if adjacent to an alley." Where new lots resulting from a small lot subdivision include multiple units on a lot, they shall provide two parking spaces for each dwelling unit.
3. **DRIVEWAYS:** Pursuant to the Venice Coastal Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street.
4. **SETBACKS:** Front, rear, and side yard setbacks abutting an area outside of the subdivision shall be consistent with the Specific Plan, where it sets limitations. This includes locations where new lots abut a lot that is not created pursuant to the Small Lot Subdivision Ordinance and not part of the project, or where the lots abut a waterway or street.
5. **MULTIPLE LOTS:** Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for "lot area per dwelling unit" established for each residential zone in the LAMC, pursuant to the Small Lot Subdivision Ordinance. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one measuring 1800 square feet and one measuring 1700 square feet, given that the average lot size is 1500 square feet.
6. **MULTIPLE UNITS:** Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be limited to one unit per resultant lot, unless the lot size is large enough to permit additional units based on the "lot area per dwelling unit" calculation established for each residential zone. In no case may a newly resulting lot contain more than three units. Generally, the combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision. For Subareas that restrict density by limiting the number of units on a lot by a defined number, the resulting density from multiple lots may increase the originally permitted density on one original lot. Unit restrictions prescribed for Subareas shall still apply to individual resulting lots, but not over the entire pre-subdivided area; for instance subarea "(C) Silver Strand," limits density to one unit per lot in the RD1.5 zones, and subarea "(D) Marina Peninsula" limits R3 lots to two dwelling units per lot.) As a general example, for Subareas in which numbers of units per lot are not defined and restricted, a 4,500 square foot parcel in the RD1.5 zone may be subdivided into two small lots with one comprised of a single-family home and the other comprised of two residential units. This is possible since each unit averages 1,500 square feet of lot area. Resulting small lots cannot be further subdivided in the future, and cannot add future additional units.

7. **AFFORDABLE REPLACEMENT UNITS:** Projects in subarea "(F) North Venice," and subarea "(G) Oakwood, Milwood, Southeast Venice," that include demolition of Affordable Units (as determined by Los Angeles Housing Department—LAHD) are required to provide "Replacement Affordable Unit(s)" as defined in Section 5(T) of the Specific Plan when there are any units in excess of two units on newly resulting single lots. Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be permitted a density based on the "lot area per dwelling unit" calculation established for each residential zone. Affordable replacement unit requirements apply to multiple units on a single lot, and are not required if the density is spread over newly resulting lots so that no lot has an excess of two units. The requirement to replace an affordable unit will increase the number of units that would otherwise be permitted under the Small Lot Subdivision Ordinance only when the development includes three units on a lot. Mello Act requirements to replace affordable units still apply in all circumstances.
8. **DENSITY:** Density shall not exceed the density permitted by zoning of the original lot, which is the "lot area per dwelling unit" restriction for each zone as determined by the Los Angeles Municipal Code or the Venice Coastal Specific Plan.

INTERPRETATION: INDIVIDUAL SPECIFIC PLAN REGULATIONS AND ZONING, BY SUBAREA

Further clarification is provided below for each geographic subarea in Section 10 of the Specific Plan, (Land Use and Development Regulations for Subareas). The outline format below corresponds to the Specific Plan Subsections. The zoning for each Subarea is listed, and the relevant subsections of the text from the Specific Plan are repeated (in italics), followed by a detailed explanatory interpretation based on the General Principals described above. The language is often duplicative because each portion can be referenced separately, as needed by users (without need for cross-referencing).

A. BALLONA LAGOON WEST BANK

Zoning: RW1, RW2, OS, A1-1-XL

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW, OS, or A1 zoned properties.

B. BALLONA LAGOON (GRAND CANAL) EAST BANK

Zoning: C2, C4, RW2, OS-1-XL

1. ***Density.** Residential uses in commercial zones shall not exceed R3 Density.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or OS zoned properties.

3. ***(b) Setback/Yards.** An open Permeable yard with an area of at least 15 times the lot width and a minimum of 450 square feet shall be maintained between the property line which faces the water and the front of any structure.*

Interpretation:

This requirement pertains to all lots that abut the east bank of the Grand Canal.

3. ***(d) Setback/Yards.** The sideyard shall be consistent with LAMC requirements, but shall not be less than 3-1/2 feet.*

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, sideyards shall measure 5 feet where a lot abuts a lot that is not created as part of the small lot subdivision. Pursuant to the Small Lot Subdivision Ordinance, no front, side, or rear yard shall be required between lots within an approved small lot subdivision.

C. SILVER STRAND

Zoning: R1, [T][Q]RD1.5, R3

1. **Density.** *In the R1 and [Q]RD1.5 Zones, all Venice Coastal Development Projects shall be limited to a maximum density of one dwelling unit per lot.*

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on R1 zoned properties.

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. Maximum density permitted is one unit per newly resulting lot.

In the R3 zone, small lot subdivisions are only permitted where the resulting lots are 800 square feet or more on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

D. MARINA PENINSULA

Zoning: C1, C4, [Q]C2, R3, RW2, [Q]PF 1-XL

1. (a) **Density.** *On commercially-zoned lots, no residential or commercial/residential mixed-use Venice Coastal Development Project shall exceed a density greater than the density permitted in the R3 zone.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to the Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

1. (b) **Density.** *On R3 zoned lots, a maximum of two dwelling units per lot shall be permitted, and the lot area per dwelling unit shall not be less than 1200 square feet.*

Interpretation:

In the R3 zone, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or PF zoned properties.

Example:

In the R3 zone, a 4,800 square foot lot is permitted 4 units. Therefore, based on the density permitted by the zone, the parcel may be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit.

3. **(a) Access.** *Driveways and vehicular access to Venice Coastal Development Projects on lots adjacent to Ocean Front Walk shall be provided from Speedway, only....*

Interpretation:

Driveways and vehicular access to each resulting lot shall be from Speedway.

3. **(b) Access.** *Vehicular access to Venice Coastal Development Projects on lots located adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue...*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Pacific Avenue.

3. **(c) Access.** *Vehicular access to Venice Coastal Development Projects on lots located adjacent to Walk Streets shall be from streets or alleys other than Walk Streets.*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

E. VENICE CANALS

Zoning: OS-1-XL, OS-1-XL-0, RW1, RD1.5, RD3, R3, C2

(Silent on density)

Interpretation:

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average. In the RD3 zone, small lot subdivisions are only permitted where the resulting lots are 3,000 or more square feet on average. In the R3 and C2 zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average. For all above listed zones, any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or OS zoned properties.

F. NORTH VENICE

Zoning: OS, OS-1-XL-O, P, PF-1-XL, RD1.5, R3, [Q]R3, C1, [T](Q)C1, C2, C1-CA, (Q)C1-CA, C2-CA, [T][Q]C1.5-CA, (Q)C2, [T][Q]C2-CA, C4, (Q)C4, CM, [T][Q]CM-1, M1

2. (a) Density—Residential Zone. *A maximum of two dwelling units per lot shall be permitted for all Venice Coastal Development Projects on multiple-family residentially-zoned lots. However, the lot area per dwelling unit shall not be less than 1,500 square feet on RD1.5 zoned lots and 1,200 square feet on R3 zoned lots;*

Interpretation:

On existing lots 4,000 square feet or less, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average for R3 zoned lots, and 1,500 or more square feet on average for RD1.5 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the "minimum lot area per dwelling unit" (1,200, 1,500) average requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Example:

In the R3 zone, a 4,000 square foot lot is permitted 3 units. Therefore, based on the density permitted by the zone, the parcel may be divided into three lots each with one unit; or two lots, one with two units and one with one unit. A single lot with three units would not be permitted.

2. (a) Density—Residential Zone. *(continued) ;except that Venice Coastal Development Projects on lots greater than 4,000 square feet are permitted one unit for each 1,500 square feet on RD1.5 zoned lots or one unit for each 1,200 square feet on R3 zoned lots, provided that all units beyond the first two are Replacement Affordable units.*

Interpretation: On existing lots greater than 4,000 square feet, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, for R3 zoned lots, and 1,500 or more square feet on average for RD1.5 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance.

The total number of units resulting from the small lot subdivision is dependent on the "minimum lot area per dwelling unit" (1,200, 1,500) average requirement. On newly resulting lots, three units may be constructed on a lot, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 1,200 or 1,500 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units still apply.

Examples: In the R3 zone, a 4,800 square foot lot with two existing Affordable Units (as defined in Specific Plan), is permitted up to 4 units if two of the units are Replacement Affordable. Therefore, based on the density permitted by the zone, the parcel may contain one lot with three units (if one of the units is Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum); or be divided into

four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. In the R3 zone, a 4,800 square foot lot with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan) is permitted two units. Therefore, based on the density permitted by the zone, the parcel may be divided into four small lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. A single lot with more than two units would not be permitted.

2. (b) Commercial Zones. *No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed the density permitted in the R3 Zone.*

Interpretation:

In commercial zones small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on OS, PF, M1 zoned properties.

4. (a) Setback. *The front yard setback for all residential Venice Coastal Development Projects shall be consistent with LAMC requirements, but shall not be less than five feet. Ground level patios, decks, landscaping and railings, wall and fences that do not exceed six feet in height may encroach into this setback, provided they observe a setback of one foot.*

Interpretation:

Front yard setbacks shall not be less than five feet. Ground level patios, decks, landscaping, railings, walls, and fences may only encroach into setbacks, if they are six feet or less and height and observe a one-foot setback.

5. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleys...*

Interpretation:

Driveways and vehicular access to each resulting lot shall be from alleys, where present.

5. (b) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue...*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Pacific Avenue.

5. (c) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be from streets or alleys other than Walk Streets.*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

G. OAKWOOD, MILWOOD, SOUTHEAST VENICE

Zoning (Oakwood): OS, P, PF, [Q]PF-1-XL, RD1.5, RD2, R3, C2, [Q]C2, C4, CM, [T][Q]CM, M1

Zoning (Milwood): PF, R2, RD1.5, RD3, R3, C2

Zoning (Southeast Venice): OS, OS-1-XL, [Q]PF-1-XL, R1, R2, R3, RD1.5, RD6, C2, C4, (Q)C4, M1

2. (a)(1) Density—Residential Zones. R2 Zone. *A maximum of two dwelling units per lot shall be permitted on lots less than 5,000 square feet in area. For lots greater than 5,000 square feet in area, one additional dwelling unit shall be permitted for each additional 2,000 square feet of lot area, provided that the dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the R2 zone, small lot subdivisions are only permitted on existing lots 4,000 square feet or greater, where the original lot is adjoining a commercial or industrial zone, and if the small lot subdivision does not extend more than 65 feet from the commercial or industrial zone pursuant to the Small Lot Subdivision Ordinance (LAMC 12.22 C.27 and LAMC 12.09 A.3). The resulting lots shall measure (pursuant to the Specific Plan) 2,000 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 2,000 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Furthermore, on existing R2 lots greater than 5,000 square feet, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 2,000 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units still apply.

Examples: In the R2 zone, a 4,000 square foot lot next to a commercial or industrial zone may be developed as one lot with two units, or be divided into two lots each with one unit. An 8,600 square foot lot with two existing Affordable Units (as defined in Specific Plan), that is next to a commercial or industrial zone may be developed with three units on the one lot (if two of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum), or be divided into four small lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit.

2. (a)(2) Density—Residential Zones. RD1.5 and RD2 Zones. *A maximum of two dwelling units per lot shall be permitted for all lots; provided, however, that where a lot has a lot area in excess of 4,000 square feet, one additional dwelling unit shall be permitted for each additional 1,500 square feet of lot area in the RD1.5 Zone, and one*

additional dwelling unit shall be permitted for each additional 2,000 square feet in the RD2 Zone, provided the additional dwelling unit is a Replacement Affordable Unit.

Interpretation:

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. On RD1.5 and RD2 zoned lots, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average for RD1.5 zoned lots, and 2,000 or more square feet on average for RD2 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. A maximum of two units may be constructed on newly resulting lots, where the existing lot size is 4,000 square feet or less, and only if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Furthermore, on existing RD1.5 and RD2 lots greater than 4,000 square feet, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 2,000 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units still apply.

Example: In the RD1.5 zone, a 4,100 square foot lot is permitted 2 units. Therefore, based on the density permitted by the zone, the site may be developed as one lot with two units or be divided into two lots each with one unit. In the RD1.5 zone, 7,200 square foot lot with two existing Affordable Units (as defined in Specific Plan), may be developed with three units on the one lot (if one of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum), or be divided into four lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit. However, a 7,200 square foot lot in the RD1.5 zone with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan), may be divided into four small lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit. A single lot with more than two units would not be permitted.

2. (a)(3)(i) Density—Residential Zones. R3 Zone. Lots located...(in certain locations).....shall be developed as permitted by the R3 Zone.

Interpretation:

In the R3 zone in these defined locations, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 800 square feet per lot average requirement. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the net density will be the same.

The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

2. (a)(3)(ii) Density—Residential Zones. R3 Zone. *All other lots. A maximum of two dwelling units per lot shall be permitted. The lot area per dwelling unit shall not be less than 1,200 square feet. One additional dwelling unit shall be permitted for each additional 1,200 square feet of lot area if the dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the R3 zone generally, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. Up to two units may be constructed on newly resulting lots. The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet per lot average requirement, even if the resulting subdivision includes lots that contain two units.

Furthermore, on R3 lots, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 1,200 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units still apply.

The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Example:

In the R3 zone, a 4,800 square foot lot is permitted 4 units. Therefore, in the R3 zone, a 4,800 square foot lot with two existing Affordable Units (as defined in Specific Plan), is permitted up to 4 units if two of the units are Replacement Affordable. Based on the density permitted by the zone, the parcel may contain three units (if one of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum); or be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. In the R3 zone, a 4,800 square foot lot with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan) is permitted 2 units. Therefore, based on the density permitted by the zone, the parcel may be divided into four small lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit.

2. (b) Density—Commercial Zones. R3 Zone. *No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed a density of that allowed in the R3 zone.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

4. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleyways...*

Interpretation:

Driveways and vehicular access to each resulting lot shall be from alleys, where present.

4. (b) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.*

Interpretation: Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

H. OXFORD TRIANGLE

Zoning: R1, C2, C4(OX), [Q]PF-1-XL

1. Density. *Commercial Zones. No residential Venice Coastal Development Project shall exceed a density that is allowed in the R3 Zone, except as permitted by the Oxford Triangle Specific Plan.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on R1 or PF zoned properties.

(The Oxford Triangle Specific Plan permits additional density when housing developments provide low and/or moderate income housing and/or housing for the elderly. The decision-making body in such instances would be the Area Planning Commission or City Planning Commission on Appeal.)

DISCUSSION

Section 11.5.7 F.3 of the Los Angeles Municipal Code authorizes "Interpretations of Specific Plans." The Director of Planning has the authority to interpret specific plans when there is a lack of clarity in the meaning of their regulations. With regard to the Small Lot Subdivision Ordinance, which was adopted after the adoption of Venice Coastal Specific Plan, the subject interpretation clarifies the maximum number of permitted units, number of subdivided lots, number of required parking spaces, location of driveways, and minimum setback requirements relative to each zone and each subarea within the Specific Plan. The process for a Director's Interpretation requires the Decision be drafted and transmitted as done for Project Permit Compliance Decisions. The subject document, upon being published, will be reviewed by the community, including the Venice Neighborhood Council. The City Planning Commission shall hear appeals on Director's Interpretations which affect an entire specific plan area, as the subject Interpretation does.

This Interpretation is comprised of clarifications of specific provisions tailored to the particular conditions and circumstances of Venice Coastal Specific Plan. Whenever provisions of the Specific Plan differ from provision contained in the Los Angeles Municipal Code, including those covered by the Small Lot Subdivision Ordinance, the Specific Plan supersedes those other regulations, including density (in terms of number of units on a lot), lot area (lot consolidation limitations), setbacks, and parking. However, where provisions are silent in the Venice Coastal Specific Plan, regulations of the Los Angeles Municipal Code (LAMC), including 12.22 C.27 apply. For example, where the Specific Plan further reduces the "minimum lot area per dwelling unit" restriction, this square foot minimum is honored, but because the Specific Plan restricts quantities of units and not quantities of lots, lot subdivisions pursuant to the Small Lot Subdivision are permitted. Parking, setbacks, and access all follow the Venice Coastal Specific Plan requirements, which are more restrictive than the LAMC.

Generally, under the Subject Interpretation, the combined density of the newly resulting lots does not exceed the permitted density of the original lot, pre-subdivision. That is, small lot subdivisions result in the same number of units that would otherwise be permitted for condominiums to be built on the properties in most cases. The only exception to this is the Affordable Replacement units, and circumstances in which the number of units on individual lots is limited. The interpretation makes a distinction between multiple unit lots, (e.g. additional units permitted when Affordable Replacement units are provided) and the ability to subdivide the land with individual lots and individual units. As clarified in the subject Interpretation, newly resulting lots may not contain more than three units. This approach, pursuant to the Small Lot Subdivision Ordinance, is more restrictive than the Venice Coastal Specific Plan in some Subareas and some zones. It offsets the fact that in Subareas which restrict density by limiting the number of units on a lot by a defined number, the combined density of the newly resulting lots may exceed the permitted density of the original lot, pre-subdivision (but not more than by one unit per newly resulting lot).

Another option would have been to outright limit the number of subdivisions that can occur (or newly resulting lots) to be consistent with the number of units per lot limitation as expressed per zone in Subareas. If this were the case, unit restrictions prescribed for Subareas would apply over the entire area (the lot as pre-subdivided), even once it is subdivided. Yet, this is not consistent with the intent of the Venice Coastal Specific Plan which does not restrict quantities of lots (subdivisions), and which limits number of units on lots not to restrict density per se, but to limit the scale and massing of larger buildings that would result if a greater number of units were to be permitted on single lots. Furthermore, how the Small Lot Subdivision Ordinance addresses R2 lots was examined for reference, since it is the only instance (besides RW zones, in which Small Lot Subdivisions are not permitted) where the Los Angeles Municipal Code places a numerical limit (2) on the number of units per lot (similar to some Subareas of the Specific Plan).

resulting lots in R2 zones to two lots; the number of resulting lots is instead based on a "lot area per dwelling unit" number. This approach is maintained in the subject Interpretation. This Director's Interpretation is actually more restrictive than the Small Lot Subdivision Ordinance as it pertains to R2 lots; generally (outside of the Venice Coastal Specific Plan), lots are permitted to be divided based on the "lot area per dwelling unit and guest room regulations of the R3 zone," not limited to 2,000 square feet averaged (as in the Venice Coastal Specific Plan) and as clarified above. The Interpretation allows for lot size averaging since it is expressly permitted in the Small Lot Subdivision Ordinance, and silent in the Specific Plan.

Small lot subdivisions, when permitted as outlined in this Interpretation, meet the density requirements established by zoning through the Venice Coastal Specific Plan and the Los Angeles Municipal Code. The Small Lot Subdivision Ordinance was created with the objectives of reducing the cost of home ownership and generating creative housing solutions, such as modern versions of bungalow courts, courtyard housing and row houses. These are objectives shared by the Venice community and consistent with the intent of the Specific Plan. Small lot subdivisions are expected to create individual buildings that are less bulky and large, as compared to single structures containing multiple units. For this reason, new construction pursuant to the Small Lot Subdivision Ordinance is likely to produce results consistent with traditional development patterns for Venice.

APPEAL PERIOD – EFFECTIVE DATE

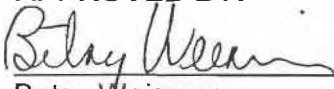
This matter will become final and effective 15 days after the date of this published Interpretation, the day after the appeal period ends, as indicated on this document's first page, unless an appeal therefrom is filed with the Department of City Planning. In order to be accepted, any appeal must be filed on the prescribed forms, be accompanied by the required fee and a copy of this letter, and be received and receipted on or before the appeal period end date (see the first page of this document) at one of the following Department of City Planning Public Offices:

Figueroa Plaza
210 N. Figueroa Street, Fourth Floor
Los Angeles, CA 90012-2601
Phone: (213) 482-7077

Braude Municipal Building
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
Phone: (213) 374-5050

It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections and/or incompleteness may be corrected before the appeal period expires. As per Section 11.5.7(H)(3) of the Los Angeles Municipal Code, the City Planning Commission shall hear appeals on Director Interpretations that are applicable to the entire Plan Boundary.

APPROVED BY:


Betsy Weisman
Division Manager

PREPARED BY:


Shana Bonstin
City Planner
(213) 978-1207

c: Councilmember Bill Rosendahl, 11th District
Department of Building and Safety
Coastal Commission
Venice Neighborhood Council
Interested Parties

THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, DO HEREBY ORDER that the following Ordinance be and the same is hereby enacted into law:

Section 1. That the Board of Supervisors of the County of San Diego, California, do hereby enact and ordain that the following Ordinance be and the same is hereby enacted into law:

EXHIBIT A
Small Lot Subdivision Ordinance (Ord. 176,354)
CASE NO. DIR-2008-4703-DI

Section 2. That the Board of Supervisors of the County of San Diego, California, do hereby enact and ordain that the following Ordinance be and the same is hereby enacted into law:

Section 3. That the Board of Supervisors of the County of San Diego, California, do hereby enact and ordain that the following Ordinance be and the same is hereby enacted into law:

APPROVED BY: 
DATE: 11/15/2008

APPROVED BY: 
DATE: 11/15/2008

FORWARDED TO: 
DATE: 11/15/2008

ORDINANCE NO. 176354

An ordinance amending Sections 12.03, 12.09, 12.12.1, 12.21 and 12.22 of the Los Angeles Municipal Code to permit detached for-sale small lot subdivisions in commercial and multifamily residential zones.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by revising the definition of "lot" to read:

LOT. A parcel of land occupied or to be occupied by a use, building or unit group of buildings and accessory buildings and uses, together with the yards, open spaces, lot width and lot area as are required by this chapter and fronting for a distance of at least 20 feet upon a street as defined here, or upon a private street as defined in Article 8 of this chapter. The width of an access-strip portion of a lot shall not be less than 20 feet at any point. In a residential planned development or an approved small lot subdivision a lot need have only the street frontage or access as is provided on the recorded subdivision tract or parcel map for the development.

Sec. 2. Subdivision 3 of Subsection A of Section 12.09 of the Los Angeles Municipal Code is amended to read:

3. Apartment houses, boarding or rooming houses, dwelling units in a small lot subdivision, or multiple dwellings on lots having a side lot line adjoining a lot in a commercial or industrial zone, provided that:

(a) The use, including the accessory buildings and uses and required yards, does not extend more than 65 feet from the boundary of the less restrictive zone which it adjoins; and

(b) The lot area per dwelling unit or guest room regulations of the RD1.5 zone shall apply to these uses.

Sec. 3. Subsection A of Section 12.12.1 is amended by adding a new subdivision 8 to read.

8. Dwelling unit or units constructed on a lot in a small lot subdivision and approved by the Advisory Agency, pursuant to Article 7 of this Chapter in conformity with the provision of 12.22 C 27 of this Code.

Sec. 4. The first paragraph of Paragraph (a) of Subdivision 4 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(a) For Dwelling Units. In all zones, there shall be at least two automobile parking spaces on the same lot with each one-family dwelling thereon, and in any RW Zone there shall be at least two automobile parking spaces per dwelling unit which shall be upon the same lot with the dwelling unit. However, for small lot subdivisions approved pursuant to Article 7 of this Chapter in conformity with the provisions of Section 12.22 C 27 of this Code, the required parking spaces shall not be required to be located on the same lot with each dwelling unit, but shall be provided within the boundaries of the parcel or tract map. The ratio of parking spaces required for all other dwelling units shall be at least one parking space for each dwelling unit of less than three habitable rooms, one and one-half parking spaces for each dwelling unit of three habitable rooms, and two parking spaces for each dwelling unit of more than three habitable rooms. Where the lot is located in an RA, RE, RS, R1, RU, RZ, RMP, or RW Zone, the required parking spaces shall be provided within a private garage. Where the lot is located in an R2 Zone, at least one of the required parking spaces per dwelling unit shall be provided within a private garage. Any door or doors installed at the automobile entry to a garage serving a one or two-family dwelling where one or more required parking spaces is located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles into each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position.

Sec. 5. Paragraph (h) of Subdivision 5 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended by adding a new subparagraph numbered (4) to read:

(4) In a private garage or parking area serving an approved small lot subdivision, where the tandem parking is not more than two cars in depth, and provided that at least one parking stall per dwelling unit and all of the parking stalls required for any guest rooms are individually and easily accessible..

Sec. 6. Subsection C of Section 12.22 of the Los Angeles Municipal Code is amended by adding a new subdivision 27 to read:

27. Small Lot Subdivision in the R2, RD, R3, R4, R5, RAS and the P and C zones pursuant to an approved subdivision tract or parcel map.

Notwithstanding any provisions of this Code relating to minimum lot area to the contrary, in the R2, RD, R3, R4, R5, RAS and the P and C zones, parcels of land may be subdivided into lots which may contain one, two or three dwelling units, provided that the density of the subdivision complies with the minimum lot area per dwelling unit requirement established for each zone, or in the case of a P zone, the density of the subdivision shall comply with the minimum lot area per dwelling unit of the least restrictive abutting commercial or multi-family residential zone(s).

(a) A parcel map or tract map, pursuant to Section 17.00 *et seq.* of this Code shall be required for the creation of a small lot subdivision.

(b) The minimum lot width shall be 16 feet and the minimum lot area shall be 600 square feet. The Advisory Agency shall designate the location of front yards in the subdivision tract or parcel map approval.

(c) Vehicular access may be provided to either a lot containing a dwelling unit or to its required parking spaces by way of street or alley frontage, driveway access or similar access to a street.

(d) All structures on a lot which includes one or more dwelling units, may, taken together, occupy no more than 80% of the lot area, unless the tract or parcel map provides common open space equivalent to 20% of the lot area of each lot not meeting this provision.

(e) No front, side, or rear yard shall be required between lots within an approved small lot subdivision. However, a five-foot setback shall be provided where a lot abuts a lot that is not created pursuant to this subdivision.

(f) No passageway pursuant to Section 12.21 C 2 of this Code shall be required.

(g) In a P zone, lots may be developed as a small lot subdivision, provided that the General Plan land use designation of the lot is "commercial" or "multiple family residential."

(h) In an R2 zone, a lot may be developed as a small lot subdivision provided that the lot meets the requirements of Section 12.09 A 3 of the Code.

(i) A dwelling unit in a small lot subdivision shall not be required to comply with Paragraphs (a), (b), (f) and (g) of Section 12.21 A 17 of this Code.

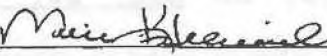
(j) Fences and walls within five feet of the front lot line shall be no more than three and one-half feet in height. Fences and walls within five feet of the side and rear lot lines shall be no more than six feet in height.

(105208)

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

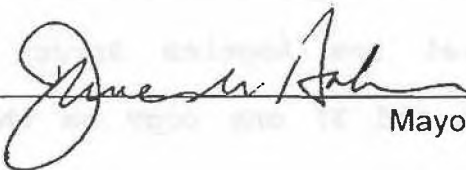
I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 14 2004.

FRANK T. MARTINEZ, City Clerk

By  Deputy

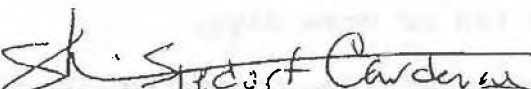
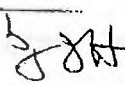
DEC 16 2004

Approved _____

 Mayor

Approved as to Form and Legality

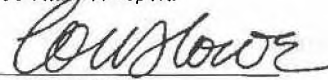
Rockard J. Delgadillo, City Attorney

By  
SHARON SIEDORF CARDENAS
Assistant City Attorney

Pursuant to Charter Section 559, I approve
this ordinance on behalf of the City
Planning Commission and recommend
it be adopted

December 3, 2004

see attached report.


CON HOWE
Director of Planning

Date DEC 03 2004

File No. CF 04-1546; CPC 2004-3334-CA

DECLARATION OF POSTING ORDINANCE


I, JULIA AMANTI, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176354 - Amending Sections 12.03, 12.09, 12.12.1, 12.21 and 12.22 of the L.A.M.C. re: To Permit Detached For-Sale Lot Subdivisions in Commercial & Multifamily Residential Zones - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on Dec. 14, 2004, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on Dec. 22, 2004, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on Dec. 22, 2004 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 22nd day of Dec. 2004 at Los Angeles, California.



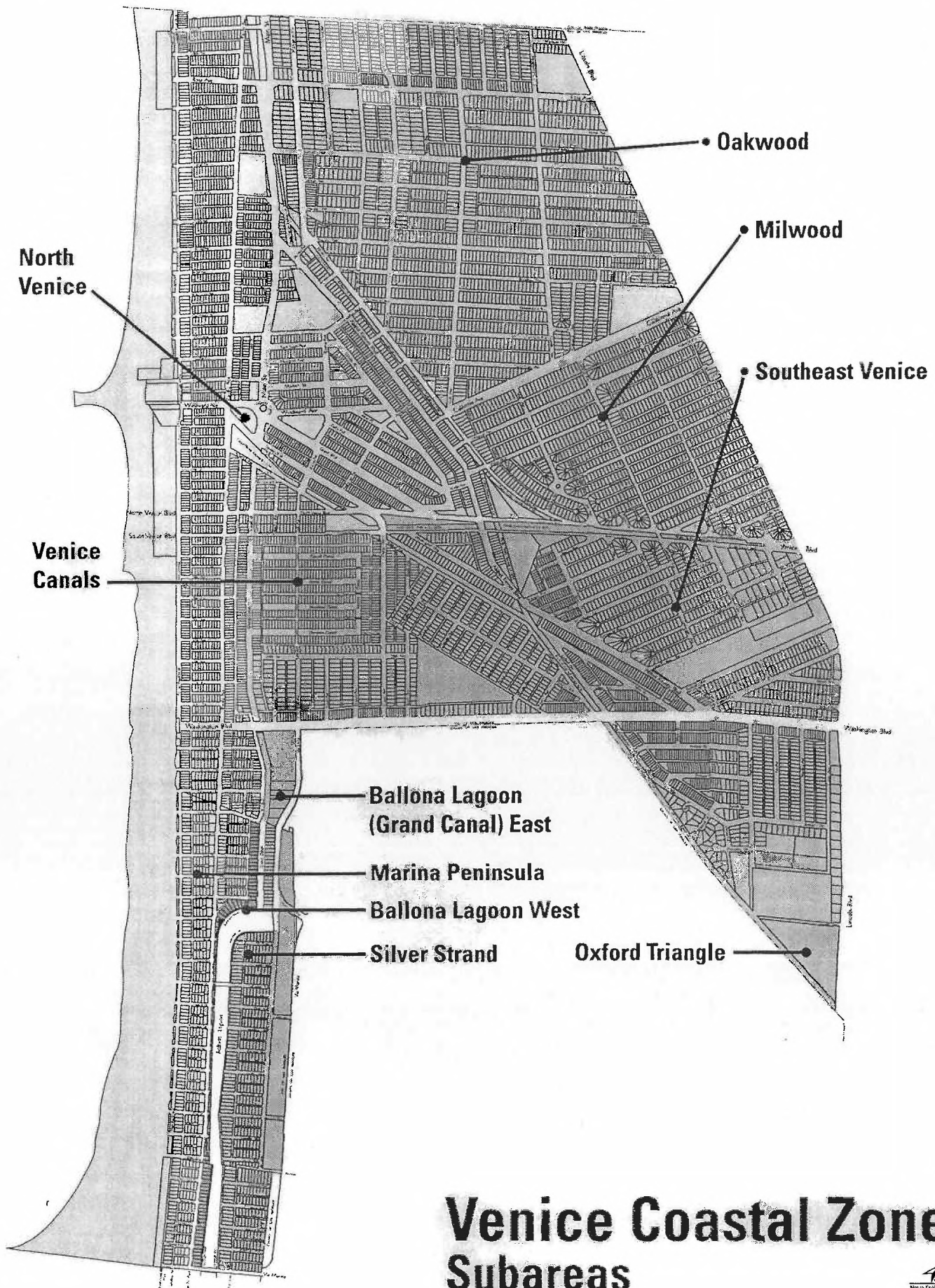
Julia Amanti, Deputy City Clerk

Ordinance Effective Date: Jan. 31, 2005

Council File No. 04-1546

EXHIBIT B
Venice Coastal Zone Subareas
CASE NO. DIR-2008-4703-DI

Venice Coastal Zone
Subareas



Venice Coastal Zone Subareas

Prepared by City of San Diego Planning Department • Venice Coastal Zone • October 1999



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: FEB 12 2010

CASE NO.: DIR-2008-4703-DI-1A
CEQA: ENV-2004-2691-CE

Location: Various
Council District: 11 – Rosendahl
Plan Area: Venice
Zone: Various

Applicant: City of Los Angeles
Appellant: Challis McPherson

At its meeting on June 11, 2009, the following action was taken by the City Planning Commission:

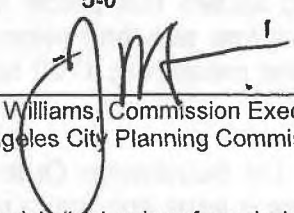
1. **Granted** the appeal in part.
2. **Sustained** the determination of the Director of Planning in interpreting the Venice Coastal Specific Plan in relationship to the Small Lot Subdivision Ordinance in order to add clarifying language regarding Beach Impact Zone parking requirements and change the text to require that Replacement Affordable Units be located onsite.
3. **Adopted** the attached Interpretation as modified by the City Planning Commission.
4. **Adopted** Categorical Exemption No. ENV-2004-2691-CE.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Burton
Seconded: Freer
Ayes: Cardoso, Hughes, Roschen
Absent: Kezios, Montanez, Woo
Vacant: One

Vote: 5-0



James Williams, Commission Executive Assistant I
Los Angeles City Planning Commission

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Director's Interpretation as modified by the City Planning Commission
City Planner: Shana Bonstin

**DIRECTOR'S INTERPRETATION
CONCERNING SMALL LOT SUBDIVISIONS
IN THE VENICE COASTAL ZONE SPECIFIC PLAN**

GENERAL REQUIREMENTS AND PRINCIPLES

A summary of the Interpretation is as follows, comprised of language that applies generally to Venice Coastal Specific Plan.

1. Where provisions are silent in the Venice Coastal Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. **PARKING:** Required parking for subdivision projects shall be based on the parking requirements pursuant to the Venice Coastal Specific Plan, 2 or 3 spaces (depending on subarea). Each new lot resulting from a small lot subdivision that contains one unit will fall under the "single family dwelling" category in the Specific Plan. For the purposes of parking calculations, small lot subdivisions shall be considered "less than 40 feet in width, or less than 35 feet in width if adjacent to an alley." Where new lots resulting from a small lot subdivision include multiple units on a lot, they shall provide two and a quarter parking spaces for each dwelling unit, and shall provide Beach Impact Zone Parking, if applicable, pursuant to Section 13 E of the Specific Plan, consistent with multi-family parking requirements.
3. **DRIVEWAYS:** Pursuant to the Venice Coastal Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street. Exceptions may be made for existing structures where alley access is infeasible.
4. **SETBACKS:** Front, rear, and side yard setbacks abutting an area outside of the subdivision shall be consistent with the Specific Plan, where it sets limitations. This includes locations where new lots abut a lot that is not created pursuant to the Small Lot Subdivision Ordinance and not part of the project, or where the lots abut a waterway or street.
5. **MULTIPLE LOTS:** Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for "lot area per dwelling unit" established for each residential zone in the LAMC, pursuant to the Small Lot Subdivision Ordinance. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one measuring 1800 square feet and one measuring 1700 square feet, given that the average lot size is 1500 square feet. }
6. **MULTIPLE UNITS:** Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be limited to one unit per resultant lot, unless the lot size is large enough to permit additional units based on the "lot area per dwelling unit" calculation established for each residential zone. In no case may a newly resulting lot contain more than three units. Generally, the combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision. For Subareas that restrict density by limiting the number of units on a lot by a defined number, the resulting density from multiple lots may increase the originally permitted density on one original lot. Unit restrictions prescribed for Subareas shall still apply to individual resulting lots, but not over the entire pre-subdivided area; for instance subarea "(C) Silver Strand," limits density to one unit per lot in the RD1.5 zones, and subarea "(D) Marina Peninsula" limits R3 lots to two dwelling units per lot.) As a general example, for Subareas in which numbers of units per lot are not defined and restricted, a 4,500 square foot parcel in the }

RD1.5 zone may be subdivided into two small lots with one comprised of a single-family home and the other comprised of two residential units. This is possible since each unit averages 1,500 square feet of lot area. Resulting small lots cannot be further subdivided in the future, and cannot add future additional units.

7. **AFFORDABLE REPLACEMENT UNITS:** Projects in subarea "(F) North Venice," and subarea "(G) Oakwood, Milwood, Southeast Venice," that include demolition of Affordable Units (as determined by Los Angeles Housing Department—LAHD) are required to provide "Replacement Affordable Unit(s)" as defined in Section 5(T) of the Specific Plan when there are any units in excess of two units on newly resulting single lots. Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be permitted a density based on the "lot area per dwelling unit" calculation established for each residential zone. Affordable replacement unit requirements apply to multiple units on a single lot, and are not required if the density is spread over newly resulting lots so that no lot has an excess of two units. The requirement to replace an affordable unit will increase the number of units that would otherwise be permitted under the Small Lot Subdivision Ordinance only when the development includes three units on a lot. Mello Act requirements to replace affordable units still apply in all circumstances, and consistent with the Specific Plan, any affordable replacement units shall be replaced on the small lot subdivision project site.
8. **DENSITY:** Density shall not exceed the density permitted by zoning of the original lot, which is the "lot area per dwelling unit" restriction for each zone as determined by the Venice Coastal Specific Plan, or when not explicit in the Specific Plan, the Los Angeles Municipal Code.

INDIVIDUAL SPECIFIC PLAN REGULATIONS AND ZONING, BY SUBAREA

Further clarification is provided below for each geographic subarea in Section 10 of the Specific Plan, (Land Use and Development Regulations for Subareas). The outline format below corresponds to the Specific Plan Subsections. The zoning for each Subarea is listed, and the relevant subsections of the text from the Specific Plan are repeated (in italics), followed by a detailed explanatory interpretation based on the General Principals described above. The language is often duplicative because each portion can be referenced separately, as needed by users (without need for cross-referencing).

A. BALLONA LAGOON WEST BANK

Zoning: RW1, RW2, OS, A1-1-XL

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW, OS, or A1 zoned properties.

B. BALLONA LAGOON (GRAND CANAL) EAST BANK

Zoning: C2, C4, RW2, OS-1-XL

1. ***Density.** Residential uses in commercial zones shall not exceed R3 Density.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or OS zoned properties.

3. ***(b) Setback/Yards.** An open Permeable yard with an area of at least 15 times the lot width and a minimum of 450 square feet shall be maintained between the property line which faces the water and the front of any structure.*

Interpretation:

This requirement pertains to all lots that abut the east bank of the Grand Canal.

3. ***(d) Setback/Yards.** The sideyard shall be consistent with LAMC requirements, but shall not be less than 3-1/2 feet.*

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, sideyards shall measure 5 feet where a lot abuts a lot that is not created as part of the small lot subdivision. Pursuant to the Small Lot Subdivision Ordinance, no front, side, or rear yard shall be required between lots within an approved small lot subdivision.

C. SILVER STRAND

Zoning: R1, [T][Q]RD1.5, R3

1. **Density.** *In the R1 and [Q]RD1.5 Zones, all Venice Coastal Development Projects shall be limited to a maximum density of one dwelling unit per lot.*

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on R1 zoned properties.

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. Maximum density permitted is one unit per newly resulting lot.

In the R3 zone, small lot subdivisions are only permitted where the resulting lots are 800 square feet or more on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

D. MARINA PENINSULA

Zoning: C1, C4, [Q]C2, R3, RW2, [Q]PF 1-XL

1. **(a) Density.** *On commercially-zoned lots, no residential or commercial/residential mixed-use Venice Coastal Development Project shall exceed a density greater than the density permitted in the R3 zone.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to the Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Beach Impact Zone parking requirements apply in this subarea, therefore Small Lot Subdivisions that result in three units on a single lot shall provide one additional parking space for each 1000 square feet of floor area on the ground floor.

1. **(b) Density.** *On R3 zoned lots, a maximum of two dwelling units per lot shall be permitted, and the lot area per dwelling unit shall not be less than 1200 square feet.*

Interpretation:

In the R3 zone, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or PF zoned properties.

Example:

In the R3 zone, a 4,800 square foot lot is permitted 4 units. Therefore, based on the density permitted by the zone, the parcel may be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit.

3. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects on lots adjacent to Ocean Front Walk shall be provided from Speedway only, unless the Department of Transportation determines that it is not Feasible.*

Interpretation:

Driveways and vehicular access to each resulting lot should be from Speedway unless existing structures make alley access infeasible.

3. (b) Access. *Vehicular access to Venice Coastal Development Projects on lots located adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue, unless the Department of Transportation determines that it is not Feasible.*

Interpretation:

Driveways and vehicular access to each resulting lot should not be from Pacific Avenue, unless existing structures make such access infeasible.

3. (c) Access. *Vehicular access to Venice Coastal Development Projects on lots located adjacent to Walk Streets shall be from streets or alleys other than Walk Streets.*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

E. VENICE CANALS

Zoning: OS-1-XL, OS-1-XL-0, RW1, RD1.5, RD3, R3, C2

(Silent on density)

Interpretation:

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average. In the RD3 zone, small lot subdivisions are only permitted where the resulting lots are 3,000 or more square feet on average. In the R3 and C2 zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average. For all above listed zones, any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or OS zoned properties.

Beach Impact Zone parking requirements apply in this subarea, therefore Small Lot Subdivisions that result in three units on a single lot shall provide one additional parking space for each 1000 square feet of floor area on the ground floor.

F. NORTH VENICE

Zoning: OS, OS-1-XL-O, P, PF-1-XL, RD1.5, R3, [Q]R3, C1, [T](Q)C1, C2, C1-CA, (Q)C1-CA, C2-CA, [T][Q]C1.5-CA, (Q)C2, [T][Q]C2-CA, C4, (Q)C4, CM, [T][Q]CM-1, M1

2. **(a) Density—Residential Zone.** *A maximum of two dwelling units per lot shall be permitted for all Venice Coastal Development Projects on multiple-family residentially-zoned lots. However, the lot area per dwelling unit shall not be less than 1,500 square feet on RD1.5 zoned lots and 1,200 square feet on R3 zoned lots;*

Interpretation:

On existing lots 4,000 square feet or less, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average for R3 zoned lots, and 1,500 or more square feet on average for RD1.5 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the "minimum lot area per dwelling unit" (1,200, 1,500) average requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Example:

In the R3 zone, a 4,000 square foot lot is permitted 3 units. Therefore, based on the density permitted by the zone, the parcel may be divided into three lots each with one unit; or two lots, one with two units and one with one unit. A single lot with three units would not be permitted.

2. **(a) Density—Residential Zone.** *(continued) ;except that Venice Coastal Development Projects on lots greater than 4,000 square feet are permitted one unit for each 1,500 square feet on RD1.5 zoned lots or one unit for each 1,200 square feet on R3 zoned lots, provided that all units beyond the first two are Replacement Affordable units.*

Interpretation: On existing lots greater than 4,000 square feet, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, for R3 zoned lots, and 1,500 or more square feet on average for RD1.5 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance.

The total number of units resulting from the small lot subdivision is dependent on the "minimum lot area per dwelling unit" (1,200, 1,500) average requirement. On newly resulting lots, three units may be constructed on a lot, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 1,200 or 1,500 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units apply, and pursuant to the Venice Coastal Specific Plan, Replacement Affordable units shall be replaced on the small lot subdivision project site.

Examples: In the R3 zone, a 4,800 square foot lot with two existing Affordable Units (as defined in Specific Plan), is permitted up to 4 units if two of the units are Replacement Affordable. Therefore, based on the density permitted by the zone, the parcel may contain one lot with three units (if one of the units is Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum); or be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. In the R3 zone, a 4,800 square foot lot with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan) is permitted two units. Therefore, based on the density permitted by the zone, the parcel may be divided into four small lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. A single lot with more than two units would not be permitted in this circumstance (without Replacement Affordable).

Beach Impact Zone parking requirements apply in this subarea, therefore Small Lot Subdivisions that result in three units on a single lot shall provide one additional parking space for each 1000 square feet of floor area on the ground floor.

2. (b) Commercial Zones. *No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed the density permitted in the R3 Zone.*

Interpretation:

In commercial zones small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The "minimum lot area per dwelling unit" restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on OS, PF, M1 zoned properties.

Beach Impact Zone parking requirements apply in this subarea, therefore Small Lot Subdivisions that result in three units on a single lot shall provide one additional parking space for each 1000 square feet of floor area on the ground floor.

4. (a) Setback. *The front yard setback for all residential Venice Coastal Development Projects shall be consistent with LAMC requirements, but shall not be less than five feet. Ground level patios, decks, landscaping and railings, wall and fences that do not exceed six feet in height may encroach into this setback, provided they observe a setback of one foot.*

Interpretation:

Front yard setbacks shall not be less than five feet. Ground level patios, decks, landscaping, railings, walls, and fences may only encroach into setbacks, if they are six feet or less and height and observe a one-foot setback.

5. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleys, unless the Department of Transportation determines that it is not Feasible.*

Interpretation:

Driveways and vehicular access to each resulting lot should be from alleys, where present, unless existing structures make alley access infeasible.

5. (b) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue, unless the Department of Transportation determines that it is not Feasible.*

Interpretation:

Driveways and vehicular access to each resulting lot should not be from Pacific Avenue.

5. (c) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be from streets or alleys other than Walk Streets.*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

G. OAKWOOD, MILWOOD, SOUTHEAST VENICE

Zoning (Oakwood): OS, P, PF, [Q]PF-1-XL, RD1.5, RD2, R3, C2, [Q]C2, C4, CM, [T][Q]CM, M1

Zoning (Milwood): PF, R2, RD1.5, RD3, R3, C2

Zoning (Southeast Venice): OS, OS-1-XL, [Q]PF-1-XL, R1, R2, R3, RD1.5, RD6, C2, C4, (Q)C4, M1

2. (a)(1) Density—Residential Zones. R2 Zone. *A maximum of two dwelling units per lot shall be permitted on lots less than 5,000 square feet in area. For lots greater than 5,000 square feet in area, one additional dwelling unit shall be permitted for each additional 2,000 square feet of lot area, provided that the dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the R2 zone, small lot subdivisions are only permitted on existing lots 4,000 square feet or greater, where the original lot is adjoining a commercial or industrial zone, and if the small lot subdivision does not extend more than 65 feet from the commercial or industrial zone pursuant to the Small Lot Subdivision Ordinance (LAMC 12.22 C.27 and LAMC 12.09 A.3). The resulting lots shall measure (pursuant to the Specific Plan) 2,000 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 2,000 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Furthermore, on existing R2 lots greater than 5,000 square feet, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 2,000 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units apply, and pursuant to the Venice Coastal Specific Plan, Replacement Affordable units shall be replaced on the small lot subdivision project site.

Examples: In the R2 zone, a 4,000 square foot lot next to a commercial or industrial zone may be developed as one lot with two units, or be divided into two lots each with one unit. An 8,600 square foot lot with two existing Affordable Units (as defined in Specific Plan), that is next to a commercial or industrial zone may be developed with three units on the one lot (if two of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum), or be divided into four small lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit.

2. (a)(2) Density—Residential Zones. RD1.5 and RD2 Zones. *A maximum of two dwelling units per lot shall be permitted for all lots; provided, however, that where a lot has a lot area in excess of 4,000 square feet, one additional dwelling unit shall be permitted for each additional 1,500 square feet of lot area in the RD1.5 Zone, and one additional dwelling unit shall be permitted for each additional 2,000 square feet in the RD2 Zone, provided the additional dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. On RD1.5 and RD2 zoned lots, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average for RD1.5 zoned lots, and 2,000 or more square feet on average for RD2 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. A maximum of two units may be constructed on newly resulting lots, where the existing lot size is 4,000 square feet or less, and only if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Furthermore, on existing RD1.5 and RD2 lots greater than 4,000 square feet, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 2,000 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units apply, and pursuant to the Venice Coastal Specific Plan, Replacement Affordable units shall be replaced on the small lot subdivision project site.

Example: In the RD1.5 zone, a 4,100 square foot lot is permitted 2 units. Therefore, based on the density permitted by the zone, the site may be developed as one lot with two units or be divided into two lots each with one unit. In the RD1.5 zone a 7,200 square foot lot with two existing Affordable Units (as defined in Specific Plan), may be developed with three units on the one lot (if one of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum). Or the 7200 foot lot can be divided into four lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit. In each of these circumstances, the existing Affordable Units must be replaced, so there would be two market rate units and two Affordable Units onsite. However, a 7,200 square foot lot in the RD1.5 zone with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan), may be divided into four small lots

each with one unit; two lots, each with two units; three lots one with two units and two with one unit. A single lot with more than two units would not be permitted.

2. (a)(3)(i) Density—Residential Zones. R3 Zone. *Lots located...(in certain locations).....shall be developed as permitted by the R3 Zone.*

Interpretation:

In the R3 zone in these defined locations, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 800 square feet per lot average requirement. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the net density will be the same. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

2. (a)(3)(ii) Density—Residential Zones. R3 Zone. *All other lots. A maximum of two dwelling units per lot shall be permitted. The lot area per dwelling unit shall not be less than 1,200 square feet. One additional dwelling unit shall be permitted for each additional 1,200 square feet of lot area if the dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the R3 zone generally, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. Up to two units may be constructed on newly resulting lots. The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet per lot average requirement, even if the resulting subdivision includes lots that contain two units.

Furthermore, on R3 lots, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 1,200 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the "minimum lot area per dwelling unit" calculation. Mello Act requirements to replace affordable units apply, and pursuant to the Venice Coastal Specific Plan, Replacement Affordable units shall be replaced on the small lot subdivision project site.

The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Example:

In the R3 zone, a 4,800 square foot lot is permitted 4 units. Therefore, in the R3 zone, a 4,800 square foot lot with two existing Affordable Units (as defined in Specific Plan), is permitted up to 4 units if two of the units are Replacement Affordable. Based on the density permitted by the zone, the parcel may contain three units (if one of the units are

Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum); or be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. In the R3 zone, a 4,800 square foot lot with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan) is permitted 2 units. Therefore, based on the density permitted by the zone, the parcel may be divided into four small lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit.

2. (b) Density—Commercial Zones. R3 Zone. *No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed a density of that allowed in the R3 zone.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

4. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleyways, unless the Department of Transportation determines that it is not Feasible.*

Interpretation:

Driveways and vehicular access to each resulting lot should be from alleys, where present, unless existing structures make alley access infeasible.

4. (b) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.*

Interpretation: Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

H. OXFORD TRIANGLE

Zoning: R1, C2, C4(OX), [Q]PF-1-XL

1. Density. Commercial Zones. *No residential Venice Coastal Development Project shall exceed a density that is allowed in the R3 Zone, except as permitted by the Oxford Triangle Specific Plan.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on R1 or PF zoned properties.

(The Oxford Triangle Specific Plan permits additional density when housing developments provide low and/or moderate income housing and/or housing for the elderly. The decision-making body in such instances would be the Area Planning Commission or City Planning Commission on Appeal.)

Exhibit F

Los Angeles County Registrar / Recorder
12400 Imperial Highway, Norwalk, CA
(800)201-8999

Business Filings

NORWALK

Cashier: K. BRADLEY



* 2 0 1 3 1 2 0 9 0 4 8 0 0 0 9 *

Monday, December 09, 2013 1:40 PM

Item(s)

Fee	Qty	Total
NoD - County Posting Fee	1	\$75.00
2013251809		
NoD - Negative Declaratio	1	\$2,156.25
2013251809		
Notice - Certified Copy	1	\$2.00
2013251809		

Total \$2,233.25

Total Documents: 1

Customer payment(s):

Credit Card \$2,233.25

Los Angeles Co RR/CC Norwalk Business
Filings

12400 Imperial Highway

Norwalk, CA 90650

TerminalID: 346930004401
Date / Time: 12/9/13 1:40 PM PST
Confirmation #: 38093115

Card #: *****1032
Transaction Type: Payment \$2235.00
Payment Type: Credit
Card Type: AMEX

Business Filings \$2233.25

301312030430009

Agency Amount: \$2233.25
Shipping Fee: \$0.00
LexisNexis Service Fee: \$175

Total Fee: \$2235.00



38093115

Customer Copy

State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2013 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT #
201312090480009
STATE CLEARING HOUSE # (If applicable)
ENV-2009-2489-MND-REC2

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY			DATE
LOS ANGELES DEPARTMENT OF CITY PLANNING			12/09/2013
COUNTY/STATE AGENCY OF FILING			DOCUMENT NUMBER
LOS ANGELES COUNTY CLERK			2013251809
PROJECT TITLE			
DENSITY BONUS PROJECT PERMIT COMPLIANCE & MELLO COMPLIANCE			
PROJECT APPLICANT NAME			PHONE NUMBER
SHANA BONSTIN			(213)978-1217
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
200 N. SPRING STREET	LOS ANGELES	CA	90012

PROJECT APPLICANT (Check appropriate box):

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,995.25	\$	0.00
<input checked="" type="checkbox"/> Negative Declaration (ND)(MND)	\$2,156.25	\$	2,156.25
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,018.50	\$	0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	75.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> CDFW No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$	0.00

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other _____ \$ 2,231.25

SIGNATURE	TITLE
X <i>K. Penabaz</i>	ITC

2013 251809

FILED
Dec 09 2013

Deen C. Logan, Registrar - Recorder/County Clerk

Electronically signed by KENTON BRADLEY

**CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF
DETERMINATION**

CITY CLERK'S USE

(California Environmental Quality Act Guidelines Section 15094)

Public Resources Code Section 21152(a) requires local agencies to submit this information to the County Clerk. Guideline 15094(c) requires submittal of this notice to the State OPR if the project requires discretionary approval from a state agency. (State OPR, 1400 Tenth St, Rm 121 Sacramento, CA 95814). The filing of the notice starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.		
LEAD CITY AGENCY AND ADDRESS (Bldg, Street, City, State) Los Angeles Department of City Planning 200 N. Spring Street, Los Angeles, CA 90012		COUNCIL DISTRICT CD 11
PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY) Density Bonus Project Permit Compliance & Mello Compliance	CASE NO. DIR-2011-588-(DB)(SPP)(MELLO) ENV-2009-2489-MND-REC2	
PROJECT DESCRIPTION AND LOCATION 522 S. Venice Boulevard A Small Lot subdivision to create ten lots with five single family dwellings and five duplex dwellings, for a total of 15 dwelling units and 30 parking spaces; a 35% Density Bonus with two on-menu incentives for a 35% height increase and density calculation prior to dedication, two units (11%) set aside for very low income units; Project Permit Compliance; Mello Act conformance; and a Coastal Development Permit. The project site is an approximately 15,740 net square-foot site in the RD1.5-O Zone.		
NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT IF OTHER THAN LEAD AGENCY Kamel Gardens, 2953 W. Washington Boulevard, LA, CA 90018		
CONTACT PERSON Shana Bonstin	STATE CLEARING HOUSE NUMBER ENV-2009-2489-MND-REC2	TELEPHONE NUMBER (213) 978- 1217
This is to advise that on 9/16/13 the City of Los Angeles has approved the above described project and has made the following determinations:		
SIGNIFICANT EFFECT	<input type="checkbox"/> Project will have a significant effect on the environment. <input checked="" type="checkbox"/> Project will not have a significant effect on the environment.	
MITIGATION MEASURES	<input checked="" type="checkbox"/> Mitigation measures were made a condition of project approval. <input type="checkbox"/> Mitigation measures were not made a condition of project approval.	
MITIGATION REPORTING / MONITORING	<input checked="" type="checkbox"/> A mitigation reporting or monitoring plan was adopted for the project. <input type="checkbox"/> A mitigation reporting or monitoring plan was not adopted for the project.	
OVERRIDING CONSIDERATION	<input type="checkbox"/> Statement of Overriding Considerations was adopted. <input checked="" type="checkbox"/> Statement of Overriding Considerations was not adopted. <input type="checkbox"/> Statement of Overriding Considerations was not required.	
ENVIRONMENTAL IMPACT REPORT	<input type="checkbox"/> An Environmental Impact Report was prepared and certified and findings were made for project pursuant to the provisions of CEQA. The final Environmental Impact Report with comments and responses and record of project approval may be examined at the Office of the City Clerk.* <input checked="" type="checkbox"/> An Environmental Impact Report was not prepared for the project.	
NEGATIVE DECLARATION	<input checked="" type="checkbox"/> A Negative Declaration or Mitigated Negative Declaration was prepared for the project and may be examined at the Office of the City Clerk.* <input type="checkbox"/> A Negative Declaration or Mitigated Negative Declaration was not prepared for the project.	
SIGNATURE (Lead Agency) <i>Shana Bonstin</i>	TITLE Senior City Planner	DATE OF PREPARATION 10/29/13
SIGNATURE (Office of Planning and Research if applicable)	TITLE	DATE
DISTRIBUTION: Part 1 - County Clerk Part 2 - City Clerk Part 3 - Agency Record Part 4 - Resp. State Agency (if any) Part 5 - Office of Planning and Research (if applicable)		* OFFICE OF THE CITY CLERK Room 395, City Hall 200 N. Spring Street Los Angeles, CA 90012 THIS NOTICE WAS POSTED ON December 09 2013 UNTIL January 08 2014

9/25/2012

REGISTRAR - RECORDER/COUNTY CLERK

2013 251809



FILED

Dec 09 2013

Dani C. Lopez, Registrar - Recorder/County Clerk

Electronically signed by KENTON BRADLEY

I hereby certify and attest this to be a true and correct
copy of the official record on file in the office of the
Department of City Planning of the City of Los Angeles
designated as:

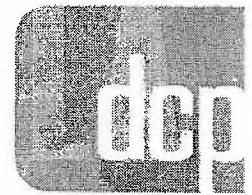

Department Representative

Exhibit G



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT



West Los Angeles Area Planning Commission

Date: October 16, 2013
Time: After 4:30 p.m.*
Place: Henry Medina West Los Angeles
Parking Enforcement Facility 2nd
Floor, Roll Call Room
11214 West Exposition Boulevard
Los Angeles, CA 90064

Public Required
Hearing:
Appeal Status: Appealable to City
Council

Case Nos.: VTT-70870-SL-1A
ZA 2013-1420 (CDP)-1A
CEQA No.: ENV-2009-2489-MND-REC2

Related Case: DIR-2011-588-DB-SPP-MEL
Council No.: 11
Plan Area: Venice
Specific Plans: Venice Coastal Zone and
Los Angeles Coastal
Transportation Corridor

Certified NC: Venice
GPLU: Low Medium II Residential
Zone: RD1.5-1-O

Appellants: 1. Robert Mitchell
2. Regan Kibbee
3. Robin Murez
4. Alison Mills Bean

Applicant: Mark Judaken

PROJECT 522 East Venice Boulevard
LOCATION:

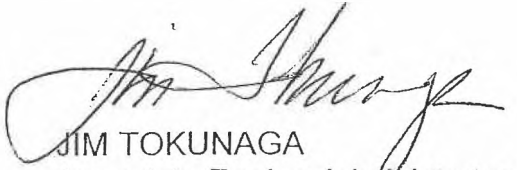
PROJECT: 1) Pursuant to Section 12.22 C.27 of the LAMC, a Vesting Tentative Tract Map a small lot subdivision for a maximum of 10 lots; and
2) Pursuant to Section 12.20.2 of the LAMC, a Coastal Development Permit for the construction, use, and maintenance of five single-family dwellings and five detached duplexes within the single permit jurisdiction of the California Coastal Zone.

REQUEST: Appeals from the entire decision by the Advisory Agency in approving VTT-70870-SL and the entire decision by the Zoning Administrator in approving ZA 2013-1420 (CDP).

RECOMMENDATION:

1. **Deny** the appeals.
2. **Sustain** the actions of the Deputy Advisory Agency in approving VTT-70870-SL and the Zoning Administrator in approving ZA 2013-1420 (CDP).
3. **Adopt** the Findings of the Deputy Advisory Agency and the Zoning Administrator.
4. **Adopt** Mitigated Negative Declaration ENV-2009-2489-MND-REC2.

MICHAEL J. LOGRANDE
Director of Planning



JIM TOKUNAGA
Associate Zoning Administrator,
Deputy Advisory Agency

JOEY VASQUEZ
City Planning Associate

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Area Planning Commission Secretariat, 200 North Spring Street, Room 272, Los Angeles, CA 90012* (Phone No.213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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- 1. Vicinity Map
- 2. Radius Map
- 3. Vesting Tentative Tract Map
- 4. Appeal Documents
- 5. Letter of Determinations
- 6. Environmental Document
- 7. Parcel Profile Report
- 8. Aerial Photograph

STAFF APPEAL REPORT

Background

The subject property is a level, irregular-shaped, through parcel, having frontages of approximately 119 feet on the north side of Mildred Avenue, 134 feet on the south side of South Venice Boulevard, and 20 feet on the south side of Washington Way. The subject site contains a total of 15,740 net square feet of lot area after the required dedications. The subject site is zoned RD1.5-1-O and designated Low Medium II Residential in the Venice Community Plan. The property is located within the Venice Coastal Zone Specific Plan (Southeast Venice Subarea) and the Coastal Transportation Corridor Specific Plan.

The subject site is currently developed with a triplex which will be demolished for the proposed project. Surrounding properties to the north are zoned PF-1-O and OS-1XL-O, and are developed with the Venice Public Library and a surface parking lot, respectively. Surrounding properties to the south are zoned RD1.5-1-O and C1-1-O, and are developed with single family and multiple family dwellings, and a market, respectively. Surrounding properties to the east are zoned RD1.5-1-O and are developed with single family and multiple family dwellings. Surrounding properties to the west are zoned OS-1XL-O and are developed with a surface parking lot.

The vesting tentative tract map is a revision of a previously proposed project for a 12-lot small lot subdivision to permit the construction of 12 single family dwellings. The original project also included a merger of land owned by the City of Los Angeles as part of the subdivision. In a letter dated December 12, 2012, the Real Estate Services Division of the Department of General Services stated that the City had stopped the process of declaring the City-owned property as surplus property. The Bureau of Engineering and the City Planning Department therefore did not approve the sale of this particular City-owned parcel.

The revised project consists of 15 new dwellings on 10 lots created under the Small Lot provisions of Section 12.22 C.27 of the Los Angeles Municipal Code. The proposal is to have single family homes on Lots 1, 6, 7, 9 and 10, and duplex units on Lots 2, 3, 4, 5 and 8. Lots sizes will range from 1,144 square feet to 2,467 square feet, thereby meeting the minimum 600 square-foot lot size of the Small Lot Ordinance. Lot coverage for all lots will be less than the 80% permitted. All lots meet the minimum lot width requirement of 16 feet. As required by the Small Lot Ordinance, the proposed project is consistent with the density requirements of the RD1.5 Zone, as approved by the concurrent density bonus application. As required, there will be a minimum 5-foot building setback between the subdivision and the adjoining properties to the east. The applicant has indicated that the proposed front yard setbacks will be consistent with the prevailing setbacks along South Venice Boulevard and Mildred Avenue (see matrix).

Building Setbacks				
Lot No.	Front Yard	Rear Yard	East'ly Side	West'ly Side
1	2.6'	12'	0'	5'
2	3.9'	10.5'	0'	0'
3	4'	10.2'	0'	0'
4	4.4'	10.2'	0'	0'
5	5.9'	15.5'	0'	0'
6	0'	20.4'	5'	0'
7	5'	10.6'	10'	0'
8	3'	10.1'	0'	0'
9	3'	10.2'	0'	0'
10	3'	13'	0'	8'

As part of the tract map approval the applicant requested permission to vacate a 479 square-foot portion of South Venice Boulevard. Filed concurrently with the tract map is a request for a Coastal Development Permit to allow the development of five single family homes and five detached duplexes within the Coastal Zone (Case No. ZA 2013-1420-CDP).

Density Bonus

Filed separately from the tract map, were requests for a Density Bonus, a Specific Plan Project Permit Compliance and Mello Act Compliance Review for the demolition of one residential market-rate triplex (Case No. DIR 2011-588-DB-SPP-MELLO).

The applicant is providing two very-low income units on site. This is equal to an 18% very-low income set aside which entitles the applicant to a 35% density bonus and two incentives. The first on-menu incentive requested is to include the pre-dedication lot area in calculating the base density of the project. The lot area before dedication is 16,575 square feet. Based upon the underlying RD1.5 Zone, the base density is a maximum of 11 units (1,500 sq. ft./lot area per dwelling unit). A 35% density bonus allows an additional 4 units for a maximum total of 15 units. The second incentive requested is a 35% increase in height for a maximum height of 40.5 feet. The Small Lot Ordinance allows a percentage increase in height equal to the percentage of the density bonus.

Proposed parking is for two enclosed parking spaces per unit for a total of 30 parking spaces. Zoning Information File No. 2406 (Z.I. No. 2406) clarifies the Venice Coastal Specific Plan as it relates to the Small Lot Ordinance. Per Z.I. 2406, required parking for subdivision projects shall be based on the parking requirements of the Specific Plan. Each new lot resulting from a small lot subdivision that contains one unit falls under the "single family dwelling" category in the Specific Plan. Where new lots include multiple units on a lot, two and a quarter parking spaces per dwelling unit are required. Based on these regulations a total of 32 parking spaces are needed for the project.

As allowed by the density bonus provisions of the Municipal Code, the applicant is utilizing Parking Option 1 for a reduction in parking. Parking Option 1 allows one parking space for studio and one-bedroom units, and two parking spaces for two- and three-bedroom units. The parking reduction is for all residential units not just the income restricted units. Based on this option a total of 17 parking spaces would be required per the density bonus option however the applicant is providing an additional 13 spaces or 30 spaces.

Case No. DIR 2011-588(DB)(SPP)(MELLO), for the Density Bonus, Specific Plan Project Permit Compliance and Mello Act Compliance Review, was approved by the Director of Planning on September 6, 2013 and was not appealed.

The Deputy Advisory Agency approved the vesting tentative tract map for 10 small lots on September 20, 2013. The Coastal Development Permit was approved the by Associate Zoning Administrator on September 20, 2013.

THE APPEALS

There are four appellants of the project. Two of the appellants (Robert Mitchell and Regan Kibbee) are appealing the entire tract decision (VTT-70870-SL). The other two appellants (Robin Murez and Alison Mills Bean) are appealing the entire decision of the Associate Zoning Administrator in approving the Coastal Development Permit (ZA 2013-1420-CDP). The following is a summary of their appeals.

Appellants: Robert Mitchell and Regan Kibbee

Appellant's Statement:

The appellants state that the development will impact traffic and parking in the area. They cite that the section Mildred Avenue adjoining the project is a narrow 31-foot roadway with parking on both sides of the street. The road is heavily used by drivers, cyclists, and delivery trucks making deliveries to the market on the corner of Mildred Avenue and Ocean Avenue. Mildred Avenue is used by over 350 residences in the Venice Silver Triangle, as this is one of two primary ways into and out of the neighborhood. Permitting an additional 15 residences in the area will only exacerbate the situation.

The appellant's further state that the project does not comply with the requirement of the Venice Specific Plan in that proposed projects be compatible in scale and character with the existing neighborhood. The appellants argue that the project exceeds the height, density, and setback requirements of the neighborhood. The project is therefore inconsistent with the Venice Specific Plan.

Appellants: Robin Murez and Allison Mills Bean

Appellant's Statement:

The appellants state that the project is unsuitable for the site. They indicate that the intersection of Mildred Avenue and Ocean Avenue is already dangerously over congested and has been the scene of numerous traffic accidents. Allowing a high density project on the site with access from Mildred Avenue would only create further dangerous conditions for pedestrians and cyclists in the area. The appellants state that a traffic study is needed. In addition, parking would be further burdened by the increased density.

The appellants further state that the project does not conform to the Venice Specific Plan as the project has too many roof structures, has an unarticulated façade, and encroaches upon public land along Venice Boulevard designated for public landscaping. They also oppose the inclusion of public land in determining the number of permitted units on the site.

Staff Response:

The approved small lot subdivision for 10 lots and 15 dwelling units required multiple approvals from the City. The applicant applied for a Density Bonus, a Specific Plan Project Permit Compliance, and Mello Act Determination (Case No. DIR-2011-588-DB-SPP-MEL). In order to develop 15 units on the site the developer agreed to set aside two units as affordable units. In accordance with Senate Bill 1818 and Section 12.22-A.25 (Density Bonus provisions) of the Los Angeles Municipal Code (LAMC), in setting aside the mandated two (2) Very Low Income units of the 10 dwelling units base density, the project qualified for an automatic 35% increase (four additional units) in the permitted density. In addition, the Density Bonus provisions contained in the LAMC provide for two Parking Options that reduce the required Specific Plan parking requirements for dwelling units. The applicant chose to utilize Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit four or more bedrooms. Based upon the number of bedrooms and type of dwelling units proposed (13 one-bedroom units and 2 two-bedroom units) at least 17 parking spaces need to be provided. No guest parking spaces are required. The applicant is voluntarily providing two parking spaces per unit for a total of 30 spaces.

As the applicant agreed to set aside two units as Very Low Income, the proposed project qualified per LAMC Section 12.22-A.25, (e) for two on-menu development incentives. The applicant requested a 35% increase in the permitted height, and requested that the number of units permitted on the site be based on the land area prior to any dedication of land for street purposes. This increased the base density from 10 units to 11 units.

On September 6, 2013, the Director of Planning approved the Density Bonus (DIR-2011-588-DB-SPP-MEL and found that "Owing to the nature and characteristics of the immediate neighborhood, which contains a mixture of older and newer one, two and three story single-family and multiple family dwellings (built between the 1920's and the present), the Library and surface parking to the north and a two-story commercial/residential building to the south the proposed project is compatible in scale and character with the existing neighborhood and that which is allowed in the Venice Coastal Zone Specific Plan for the North Venice Subarea. As approved and conditioned, the project will not be detrimental to the adjoining properties or the immediate area." Case No. DIR-2011-588-DB-SPP-MEL was not appealed and is not a consideration of this appeal. The Advisory Agency and the Zoning Administrator approved the project based on the density approved under DIR-2011-588-DB-SPP-MEL.

What is before the Appeal Board is the approval of the subdivision map and the Coastal Development Permit. The project as designed is in compliance with the provisions of the Small Lot Ordinance. The project meets the minimum 600 square-foot lot size, lot coverage of less than 80%, and minimum lot width requirement of 16 feet. The provisions of the Small Lot Ordinance do not require a front, side, or rear yard between lots within an approved small lot subdivision. A five-foot setback is required where the small lot abuts a non-small lot property. There will be at the very minimum a 5-foot building setback between the subdivision and the adjoining properties to the east. The project is also consistent with the density requirements of the RD1.5 Zone, as modified by the density bonus approval.

As a condition of approval of the tract, the Bureau of Engineering is requiring that a 7-foot wide strip of land be dedicated along Mildred Avenue adjoining the subdivision to complete a 27-foot half right of way dedication. The street dedication will be utilized to make improvements on Mildred Avenue. Currently, there is no sidewalk on the north side of Mildred Avenue. The Bureau of Engineering is requiring improvements on Mildred Avenue by requiring the construction of a new concrete curb, gutter, and an 8-foot sidewalk. All existing encroachments (walls, fences, and shrubs) must be removed from the site. This will help to alleviate hazards on the street as existing shrubs on the site block traffic views and pedestrians must currently walk on the street. The developer is also being required to complete a full width sidewalk on Venice Boulevard.

The Department of Transportation (DOT) is requiring that driveway and vehicular access to the project be limited to Mildred Avenue, which is a local street with slower travel speeds. DOT discourages driveways off of Major Highways with higher travel speeds, in this case Venice Boulevard, if there is a local street serving the property. Although there were requests by the public to move the driveway to Venice Boulevard, the driveway location approved by the Advisory Agency is as recommended by the Department of Transportation. The project with a total of 15 dwelling units is significantly below the threshold for DOT to require a traffic study. For condominiums the threshold is 48 dwelling units.

In approving the Coastal Development Permit (ZA 2013-1420-CDP), a finding must be made that the development is in conformity with Chapter 3 of the California Coastal Act of 1976, which provides that "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". In approving the Coastal Development Permit the Associate Zoning Administrator found that the proposed development is consistent with the above referenced policy as it is a redevelopment of an existing developed site in a mixed density residential and commercial neighborhood. Further, the project has been evaluated by the Bureau of Engineering, the Department of Building and Safety, the Fire Department, and the Department of Transportation, which determined that the project can be accommodated by the existing infrastructure and public services.

Staff Recommendation:

In consideration of the foregoing, it is submitted that the Advisory Agency acted reasonably in approving Vesting Tentative Tract No. 70870-SL and the Zoning Administrator acted reasonably in approving ZA 2013-1420 (CDP). Staff recommends that decisions of the Advisory Agency and the Zoning Administrator be sustained and the appeals be denied.



©1994 Thomas Bros. Maps

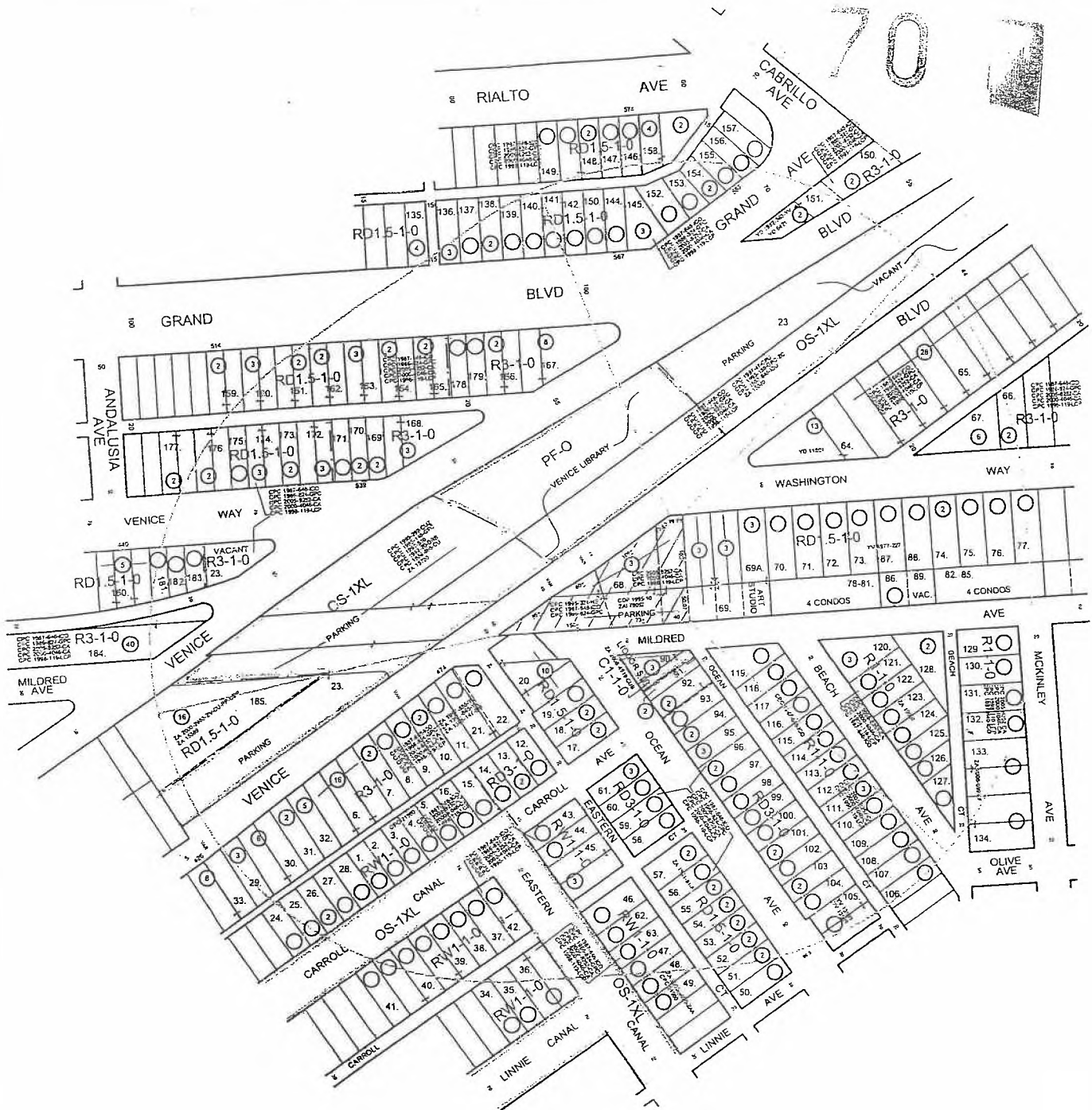
VICINITY MAP

SITE : 522 VENICE BLVD.

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803

(626) 441-1080, FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM



LEGAL: SEE APPLICATION.

**VESTING TENTATIVE TRACT MAP NO. 70870
SPECIFIC PLAN EXCEPTION
PROJECT PERMIT COMPLIANCE
ZONING ADMINISTRATORS ADJUSTMENT
COASTAL DEVELOPMENT PLAN/MELLO ACT**

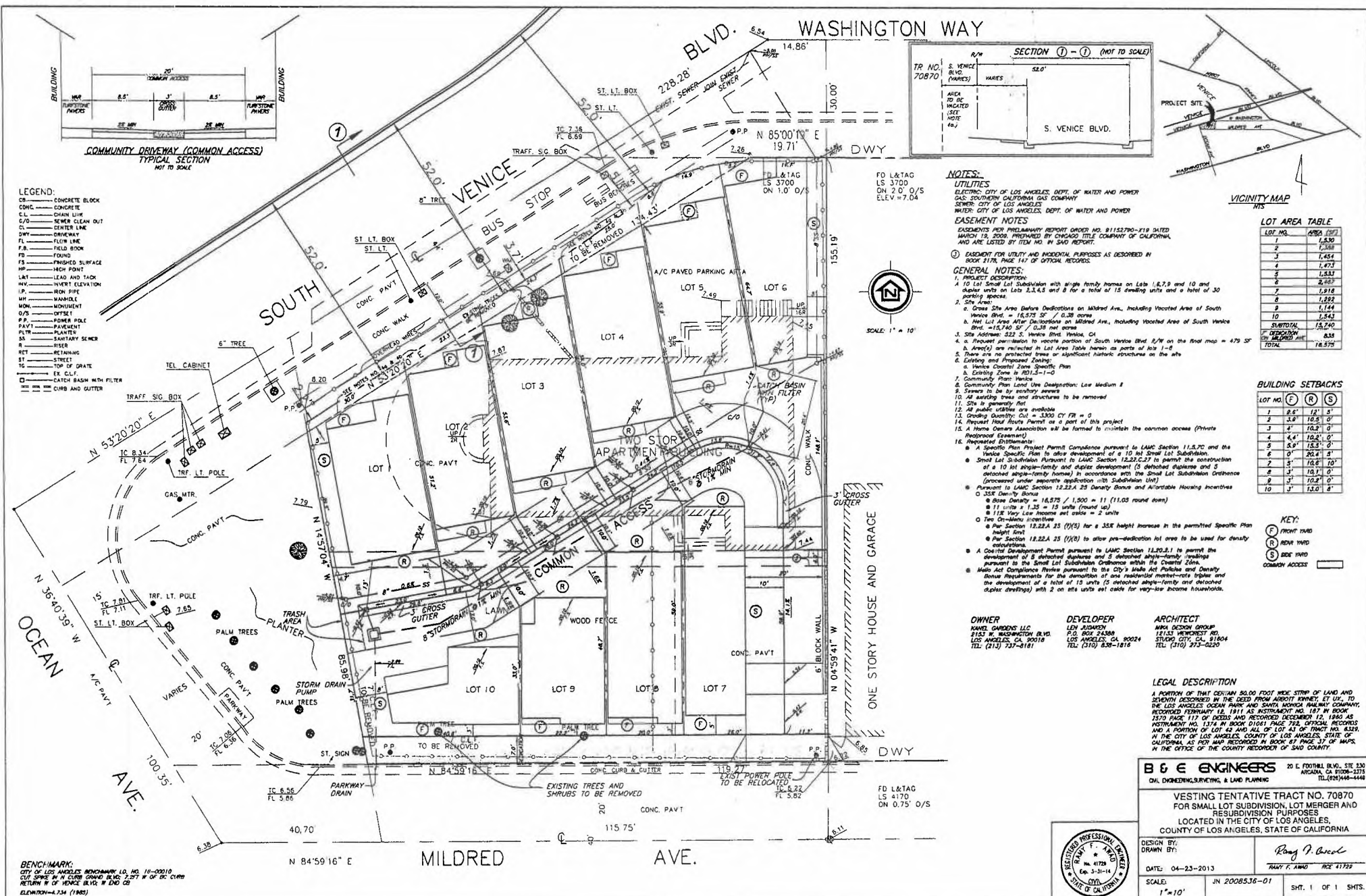
C.D. 11
C.T. 2739.00
P.A. VENICE

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850
gcmapping@radiusmaps.com

CASE NO.
DATE: 06-12-2009
SCALE: 1" = 100'
USES FIELD
D.M. 106-5 A 147

T.B. PAGE: 671 GRID: H-6



MASTER APPEAL FORM

City of Los Angeles -- Department of City Planning

ORIGINAL

AREA

APPEAL TO THE: City Planning Commission

(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: ~~ZA 2013-1420 (GDP)~~ & VTT 70870-SL

PROJECT ADDRESS: 522 S. Venice Blvd., Venice, CA 90291

FINAL DATE TO APPEAL: 9/30/13

TYPE OF APPEAL:

1. ☐ Appeal by Applicant
2. ☒ Appeal by a person, other than the applicant, claiming to be aggrieved
3. ☐ Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

APPELLANT INFORMATION -- Please print clearly

Name: Co-applicants: (1) Robert Mitchell & (2) Regan Kibbee

- Are you filing for yourself or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

(1) Robert Mitchell

Address: 663 Mildred Ave

Venice, CA

Zip: 90291

Telephone: 310-266-9136

E-mail: gra.fics.101@gmail.com

- Are you filing to support the original applicant's position?

☐ Yes

☒ No

Co-applicant

~~REPRESENTATIVE INFORMATION~~

Name: (2) Regan Kibbee

Address: 1716 Washington Way

Venice, CA

Zip: 90291

Telephone: 310-399-2259

E-mail: regank777@gmail.com

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

JUSTIFICATION/REASON FOR APPEALING – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

☒ Entire

☐ Part

Your justification/reason must state:

- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

ADDITIONAL INFORMATION/REQUIREMENTS

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 - Master Appeal Form
 - Justification/Reason for Appealing document
 - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."

--CA Public Resources Code § 21151 (c)

I certify that the statements contained in this application are complete and true:

Appellant Signature: (1) [Signature]

Date: 9-30-13

Co-applicant (2) Regan Kibbee

Date: 9/30/13

Planning Staff Use Only

Amount <u>\$106.80</u>	Reviewed and Accepted by <u>MNGUYEN</u>	Date <u>09/30/13</u>
Receipt No. <u>13364</u>	Deemed Complete by	Date

☒ Determination Authority Notified

☐ Original Receipt and BTC Receipt (if original applicant)

September 30, 2013

City of Los Angeles
Department of City Planning
Figueroa Plaza
201 North Figueroa St., 4th Floor
Los Angeles, CA 90012

Re: ~~Coastal Development Permit Case No. ZA 2013 1420(CDP)~~
Vesting Tentative Tract No. 70870-SL

As proximate neighbors, we are appealing the proposed development at 522 Venice Blvd., because we believe it is detrimental to our community.

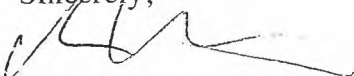
This development would impact traffic and parking in our area, and make it less safe for drivers, pedestrians, and cyclists who pass by the proposed driveway on Mildred Avenue. The project's driveway, serving 15 residences, would have limited view, and would empty onto a section of Mildred Avenue that is currently dangerous as it stands. This section of Mildred is very narrow (31' roadway), has parking on both sides of the street, is used heavily by drivers during traffic hours, is widely used by cyclists, and the corner market generates a consistent turnover of shoppers and large delivery trucks that park in the short-term parking zone on Mildred, directly opposite this development. This stretch of Mildred is highly used by over 350 residences in the Venice Silver Triangle, as this is one of two primary ways into and out of the neighborhood.

The plans for 522 Venice Blvd. do not follow the Venice Specific Plan in terms of the mandated compatibility in scale and character with the existing neighborhood. This project far exceeds the height, density, and setback requirements to make it compatible with the existing community. The inadequate setback along Venice Blvd. does not allow the city-approved landscaping plan for Venice Blvd., and the prevailing setbacks along S. Venice Blvd. are far greater than the small setback called for in this project. LAMC zoning code also requires front and rear yards that are absent in this project. In addition, this development fails to provide required visual breaks or architectural features, most notably on the large facade which will be seen while traveling east on S. Venice Blvd. Due to the lack of setbacks, lack of room for street landscaping, and lack of articulated facades, and project scale, this development is not consistent with the vision of Venice Blvd. as the city's Gateway to the Beach.

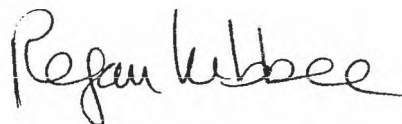
Records show that the community and local neighborhood council have been fighting this development for years. Rather than trying to compromise, the developer's new plans are even more egregious than previous plans, as far as impact on the community and stakeholders. These plans add more traffic and parking issues for local residents, due to the sheer number of residences being added.

We hope you will grant us a hearing to appeal this project, and allow residents to voice our detailed concerns about this project.

Sincerely,



Rob Mitchell
663 Mildred Ave
Venice, CA 90291



Regan Kibbee
1716 Washington Way
Venice, CA 90291

Case #:

~~ZA 2013-1420 (GDP)~~ & VTT 70870-SL

These Venice, CA 90291 residents are a small sampling of the many neighbors who oppose the proposed development at 522 Venice Blvd., and support the appeal by Robert Mitchell & Regan Kibbee, submitted Sept 30, 2013.

LeAnn Brown & Layne Barfus
1720 Washington Way

Marcie & Jeff Greene
2325 Clement Ave.

Sophie Smits & Patrick Bambrough
1724 Washington Way

Leah Levine
665 Mildred Ave.

Loren Lyons & Laura Guidino
1728 Washington Way

Alley & Orson Bean
2209 Ocean Ave.

Dawn & Thomas Hollier
1756 Washington Way

Crystal and David Michaelson
2429 Wilson Ave.

Nika Cavat
2417 Wilson Ave.

Sandra Wilson
2420 Cloy Ave.

Judy Esposito
2341 Boone Ave.

Jeffrey Zucker
2329 Wilson Ave.

James McCullagh & Sarah Shoup
2205 Ocean Ave.

Anne Mullins
2417 Cloy Ave.

Danna Sigal
2345 Wilson Ave.

Jason Goldberg & Desiree Beutelspacher
2313 Boone Ave.

Clifford A. Reed Ph.D. & Kirsten Andresen
2425 Boone Avenue

MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

ORIGINAL

AREA

APPEAL TO THE: City Planning Commission

(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: ZA 2013-1420 (CDP) and VTT 70870 SL

PROJECT ADDRESS: 522 S. Venice Blvd.

FINAL DATE TO APPEAL: Sept 30, 2013

TYPE OF APPEAL:

1. ☐ Appeal by Applicant
2. ☒ Appeal by a person, other than the applicant, claiming to be aggrieved
3. ☐ Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

APPELLANT INFORMATION – Please print clearly

#1 Name: Robin Murez and Alison Mills Bean

- Are you filing for yourself or on behalf of another party, organization or company?

☐ Self

☐ Other: _____

Address: Robin Murez: 2408 Cloy Avenue

Venice, CA

Zip: 90291

Telephone: 310 709-7826

E-mail: robinmurez@yahoo.com

- Are you filing to support the original applicant's position?

☐ Yes

☒ No

REPRESENTATIVE INFORMATION

#2 Name: Alison Mills Bean

Address: 2209 Ocean Avenue

Venice, CA

Zip: 90291

Telephone: 310 306-0806

E-mail: a@orsonbean.com

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

JUSTIFICATION/REASON FOR APPEALING – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

☒ Entire

☐ Part

Your justification/reason must state:

- The reasons for the appeal
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--CA Public Resources Code § 21151 (c)

I certify that the statements contained in this application are complete and true:

Appellant Signature:

Robin Murea
Alison Mith

Date:

Sept 27, 2013
9/30/13

Planning Staff Use Only

Amount	<i>\$106.80</i>	Reviewed and Accepted by	<i>M. NGUYEN</i>	Date	<i>09/30/13</i>
Receipt No.	<i>13365</i>	Deemed Complete by		Date	



Determination Authority Notified



Original Receipt and BTC Receipt (if original applicant)

Reasons for Appealing
Case # ZA 2013-1420 (CDP) ~~and VTT # 70870 SL~~
From Robin Murez and Allison Mills Bean
aggrieved proximate neighbors

Following are my sincere and accurate reasons for Appealing the proposed development at 522 S. Venice Boulevard:

Note that the parcel in question was a Public Church. There is one structure on the land, with vast open space surrounding it. That is suitable for the site, scale, and traffic conditions.

The current property owner enclosed the space, including illegally enclosing public land. The consequences have resulted in NUMEROUS traffic accidents, egregiously unsafe conditions for bus stop pedestrians, pedestrians, bikers (who are numerous), baby strollers, skateboarders, beach goers of every kind, farmers market and library goers, and all who pass BOTH the Venice Boulevard side of the property AND the Mildred Avenue side.

I, and several neighbors, have fought for years to make the site safer. We successfully forced the Developer to remove a portion of his illegal enclosure.

A site visit by City Planners is necessary. Documents and pictures presented by the Developer at the Hearing were extremely misleading and inaccurate.

A traffic study is needed. DOT has posted signs warning of dangers at the Venice Blvd / Washington Way corner of this site. That is far from sufficient. AND the Mildred Avenue / Ocean Avenue side of this site is EXTREMELY DANGEROUS.

Note that over 350 single family homes in the Silver Triangle neighborhood, by necessity, pass through the Mildred / Ocean Avenue intersection several times a day. It is currently extremely dangerous. This proposal would make it tragically more dangerous. Numerous accidents have occurred at that location, including causing severe bodily injury.

Following are specific problems caused by the design of the proposed development which constitute reasons for reversal of City approvals:

1. UNSAFE for pedestrians and vehicles - **safety is what we expect our Government to provide, first and foremost, without compromise**

2. Creates **new blind traffic conditions with the driveway on Mildred**, an already dangerously over congested location - proposed driveway slope will cause drivers to accelerate and with obstructed views of bikes, pedestrians, beach traffic, skaters, baby strollers, narrow road, obstructive truck deliveries to Kim's, obstructive service trucks that would utilize the proposed driveway.
3. Utilizing the **driveway on Venice Blvd would ALSO be unsafe** with this volume of traffic (crosswalk, bus stop)
4. Because a safe driveway for this volume of traffic cannot be **created at either location**, this property, which had it's lot lines drawn when it was a Church, a community gathering place, with open sight lines and huge park-like setbacks, **should not be developed as a high density multi family dwelling. SAFETY IS PARAMOUNT.**
5. Adds an **unreasonable parking burden** on the neighborhood with the lack of guest parking for this project so near the beach.
6. Not within the character of the surrounding neighborhood - **too high, too dense, too many units**. Developer's data was false; City needs to conduct site study.
7. Does not conform to the Venice Specific Plan - too many **roof structures, unarticulated facade** on its most visible facade, the West (coastal) view.
8. **Encroaches upon public land along Venice Blvd designated for public landscaping: L.A.'s Gateway to the Beach. This inhibits Coastal Access for all Angelino's & visitors.**
9. **The size of this parcel included public land in determining the number of units** that are permissible. This is NOT acceptable. The Public Land must remain Public. Sidewalks are essential. Neither can be included in private lot subdivision calculations.
10. **The City Attorney must review this case** if the Building & Safety issues permits for either of these **knowingly dangerous** driveways to be created.

In the interests of public safety and coastal access, not all parcels can be developed in every way. Perhaps this parcel needs to be **RE-ZONED for it to be developed in a way that will be safe for the entire community.**

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION
VACANT
PRESIDENT
VACANT
VICE-PRESIDENT
CAMILLA M. ENG
GEORGE HOVAGUIMIAN
ROBERT LESSIN
DANA M. PERLMAN
MARTA SEGURA
RENEE DAKE WILSON
VACANT
JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
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(213) 978-1271
ALAN BELL, AICP
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(213) 978-1272
LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274
EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273
FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

Decision Date: September 20, 2013

Appeal End Date: September 30, 2013

Mark Judaken (A)(O)
Kainel Gardens, LLC
2153 West Washington Boulevard
Los Angeles, CA 90018

Eric Lieberman (R)
QES Incorporated
14549 Archwood Street, Suite 308
Van Nuys, CA 91405

RE: Vesting Tentative Tract No. 70870-SL
Related Cases: ZA 2013-1420(CDP),
DIR 2011-588(DB)(SPP)(MELLO)
522 East Venice Boulevard
Venice Planning Area
Zone : RD1.5-1-O
D.M. : 106.5A147
C.D. : 11
CEQA: ENV-2009-2489-MND-REC2
Legal Description: Lots Fr. 42, 43; Tract
6329

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Mitigated Negative Declaration ENV-2009-2489-MND-REC2 as the environmental clearance and approved Vesting Tentative Tract No. 70870-SL, located at 522 South Venice Boulevard for a maximum of 10 lots, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on revised map stamp-dated May 14, 2013 in the Venice Community Plan. This unit density is based on the RD1.5 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

NOTES on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

The approved Small Lot Subdivision is not vested to the provisions of Section 12.22-C.27 until a final map is recorded. Building permit applications prior to the recordation of a final map must comply with all of the provisions of the LAMC including but not limited to setbacks, access width, open space, and passageway unless the Planning Department has granted approval of deviations from the provisions of said LAMC Section.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 7-foot wide strip of land be dedicated along Mildred Avenue adjoining the subdivision to complete a 27-foot half right of way dedication including a suitable radius at the corner with Ocean Avenue.
2. That the Department of Transportation in a letter to the Advisory Agency state that they have no objection to the merger of a portion of Venice Boulevard in excess of a 52-foot half right of way as measured from the existing northwesterly curb face of the roadway.
3. That in the event a no objection letter has been received from the Department of Transportation, then a variable width portion of Venice Boulevard (excluding the triangle area identified as CE 481-30 on the City cadastral map) in excess of a 52-foot half right of way as measured from the existing northwesterly curb face of the roadway adjacent to the subdivision be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.
4. That a detailed survey of the existing Venice Boulevard roadway and parkway areas be submitted to the City Engineer prior to the recordation of the final map to establish the limits of the street merger area and the boundary of the final map.
5. That any surcharge fee in conjunction with the street merger request be paid.
6. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
7. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176,354" satisfactory to the City Engineer.

8. That if necessary public sanitary sewer easements be dedicated on the final map within the common access easement.
9. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
10. That the existing Venice Boulevard right-of-way be correctly shown on the final map.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

11. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication.
 - c. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress final map. The reciprocal driveway easement should include the backup spaces for the parking spaces in the garage (26.69 feet instead of the 20 feet shown on the map).

Notes:

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfactory of LADBS at the time of plan check.

Parking backup spaces and garage door width on the site have not been checked for and shall comply with Zoning Code requirements at the time of plan check.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

12. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. Driveway and vehicular access to subdivision shall be limited to Mildred Avenue only.
 - b. A minimum of 20-foot reservoir space be provided between any ingress security gate(s) and the property line.
 - c. This project is subject to the Los Angeles Coastal Transportation Corridor Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1" = 40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Avenue, Los Angeles, 90045.
 - d. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance..

FIRE DEPARTMENT

13. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
 - b. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
 - c. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - d. All "Small Lot" Subdivisions are required to have automatic Fire Sprinklers installed as a part of any new or future construction.

- e. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

- 14. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

- 15. Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

- 16. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

- 17. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the

Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 978-0856.

DEPARTMENT OF RECREATION AND PARKS

18. That the Quimby fee be based on the RD1.5 Zone.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

19. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 10 lots and 15 dwelling units.
- b. Parking shall be provided per Parking Option 1 of LAMC Section 12.22-A.25,(d),(1).
- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site.

Not Applicable

- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. Upon the effective date of this conditional approval, the applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City

- fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
- h. A Maintenance Association shall be formed, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the association and shall be subject to a proportionate share of the maintenance. The Maintenance Association shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
 - i. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
20. That prior to the issuance of the building permit or the recordation of the final map, copies of ZA 2013-1420(CDP) and DIR 2011-588(DB)(SPP)(MELLO) shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA 2013-1420(CDP) and DIR 2011-588(DB)(SPP)(MELLO) are not approved, the subdivider shall submit a tract modification.
21. That the subdivider shall record and execute a Covenant and Agreement to comply with the Venice Coastal Zone Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
22. Prior to the recordation of the final map, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make two (2) units of the condominium development available for rental or sale solely to very low-income households, at a rental or sales price determined to be affordable to (very low-income households) by the Los Angeles Housing Department, for a period of (30) years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development.

Tenant Relocation Conditions

23. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

24. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

25. That prior to recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 26 and 27 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
26. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- MM-1. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
 - MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
 - MM-3. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - MM-4. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
 - MM-5. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at

- a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- MM-6. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
- MM-7. The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- MM-8. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- MM-9. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- MM-10. **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- MM-11. The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.

- MM-12. Relocation Plan. Prior to sign-off of any project-related permit, the applicant shall submit and obtain approval of the plan from the decision-maker.
- MM-13. (*Apartment Demolition*) Prior to the issuance of a demolition permit, and pursuant to the provisions of Section 47.07 of the Los Angeles Municipal Code, a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval.
- MM-14. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- MM-15. (**Subdivision**) Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
- MM-16. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- MM-17. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- Weather-based irrigation controller with rain shutoff
 - Matched precipitation (flow) rates for sprinkler heads
 - Drip/microspray/subsurface irrigation where appropriate
 - Minimum irrigation system distribution uniformity of 75 percent
 - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - Use of landscape contouring to minimize precipitation runoff
 - A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.
- MM-18. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-19. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease

agreement, and the applicant shall be responsible for ensuring compliance.

MM-20. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

MM-21. **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

MM-22. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

MM-23. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:

- The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
 - A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
- MM-24. Environmental impacts may result from project implementation due to discovery of unrecorded human remains. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- Stop immediately and contact the County Corroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday and Holidays)

- The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- The Native American Heritage Commission will immediately notify the person it believes it believes to be the most likely descendent of the deceased Native American.
- The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
- If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.

MM-25. All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection

system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.

MM-26. All single-family dwellings with basements shall have a gas detection system which is periodically calibrated and maintained in proper operating condition in accordance with manufacturer's installation and maintenance specifications.

27. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres or portion thereof. Each sign must be posted in a prominent location.

CM-2. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

CM-3. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

CM-4. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- CM-5. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-7. Trucks having no current hauling activity shall not idle but be turned off.
- CM-8. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- CM-9. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- CM-10. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- CM-11. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-12. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- CM-13. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-14. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

- CM-15. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-16. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-17. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-18. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-19. **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- CM-20. **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
- CM-21. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- CM-22. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- CM-23. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- CM-24. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- CM-25. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process

equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS

SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

SF-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated

slope easements or by grants of satisfactory rights of entry by the affected property owners.

- (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

Construct new street lights: one (1) on Ocean Avenue and two (2) on Mildred Avenue. If street widening per BOE improvement conditions, relocate and upgrade street lights; five (5) on South Venice Boulevard.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - a. Improve Mildred Avenue being dedicated and adjoining the subdivision by the construction of new concrete curb, concrete gutter and an 8-foot concrete sidewalk with tree wells including any necessary removal and construction of existing improvements including removal of all encroachments (block walls, wire fences, shrubs, etc.).
 - b. Extend the existing 2-foot wide concrete gutter in Washington Way easterly to the east side of access ramp or driveway.
 - c. Improve Venice Boulevard being merged and adjoining the subdivision by the construct of additional concrete sidewalk to complete a full width concrete sidewalk.
 - d. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2009-2489-MND-REC2 on July 15, 2013. The Committee found that potential negative impact could occur from the project's implementation due to:

- increasing demand on available water resources.
- existing ambient air pollution levels.
- potential loss of significant trees.
- illumination from the site.
- noise from the site.
- loss of rental units.
- area likely to yield archeological sites.
- potential seismic activity.
- liquefaction.
- asbestos.
- flooding.
- need for landscaping.
- lack of open space.
- insufficient school capacity.
- additional solid waste.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2009-2489-MND-REC2 reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 26 and 27 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 25.

Furthermore, the Advisory Agency hereby finds that modifications to and corrections of specific mitigation measures have been required in order to assure appropriate and

adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 70870-SL the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Venice Community Plan designates the subject property for Low Medium II Residential density with the corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The 15,740 net square-foot site is zone RD1.5-1-O. The project is located in the Southeast Venice subarea of the Venice Coastal Zone Specific Plan. The proposed map is consistent with the Director of Planning's Interpretation of the Venice Coastal Plan in relationship to the Small Lot Subdivision Ordinance. Therefore, as conditioned, the proposed subdivision map is consistent with the intent and purpose of the applicable General and Specific Plans.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Venice Community Plan designates the subject property for Low Medium II Residential land use with the corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The property contains approximately 0.36 net acres (15,740 net square feet after required dedication) and is presently zoned RD1.5-1-O.

The proposed project consists of 10 lots under the Small Lot Ordinance. Five of the lots will be developed with single family homes while the other five lots will be developed with duplexes, for a total of 15 dwelling units. Lot sizes will range from 1,144 square feet to 2,467 square feet, thereby meeting the minimum 600 square-foot lot size of the Small Lot Ordinance.

The applicant has applied for a 35% density bonus to permit 15 dwelling units on site (Case No. DIR-2011-588-DB-SPP-MELLO). Approval of the density bonus will be based upon compliance with the density bonus regulations and the Venice Coastal Zone Specific Plan.

The Bureau of Engineering has reviewed the proposed subdivision and merger of a portion of excess dedication along Venice Boulevard and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to make dedications and improvements on Mildred Avenue and Venice Boulevard in order to meet current street standards.

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

- (c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is level and is not located in a slope stability area, high erosion hazard area, or a fault-rupture study zone. Properties north of the site are zoned PF-1-O and OS-1XL-O and are developed with a public library and surface parking lot. Properties south, east, and west of the site are zoned RD1.5-1-O and are developed with a mix of single family and multiple family dwellings.

The tentative tract map was circulated to various City departments and agencies for their review and recommendations. Their comments are incorporated into the conditions of approval. Therefore as conditioned, the site is physically suitable for a small lot subdivision.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The subject site is currently developed with a triplex. Adjacent land uses include a mix of single family homes and multiple family dwellings developed at the density of the R1 and RD1.5 Zones. The site is level and is not located in a slope stability area, high erosion hazard area, or a fault-rupture study zone. The applicant has applied for a 35% density bonus, pursuant to LAMC Section 12.22-A.25, to permit 15 dwelling units on site (Case No. DIR-2011-588-DB-SPP-MELLO). Approval of the density bonus will be based upon compliance with the density bonus regulations and the Venice Coastal Zone Specific Plan.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2009-2489-MND-REC2 reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 26 and 27 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

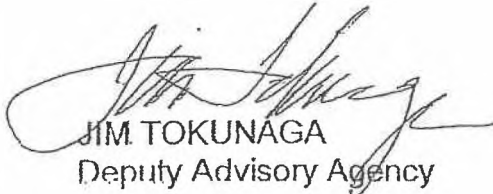
- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)
- 1) In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.
 - 2) Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.
 - 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
 - 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
 - 5) In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract No. 70870.

Michael J. LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:JV

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figuerola Plaza
201 North Figuerola Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

Forms are also available on-line at <http://cityplanning.lacity.org>

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.