

March 31, 2014

Via Email and Federal Express

Los Angeles City Council
City of Los Angeles
200 North Spring Street, Room 395
Los Angeles, CA 90012

Re: Council File 14-0035, 14-0035S1; 522 S. Venice Boulevard; Case Nos. VTT-70870-SL-1A, ZA 2013-1420-CDP-1A, ENV-2009-2489-REC2; April 2, 2014 Council Hearing

Honorable Members of the City CPLUM Committee:

We are writing on behalf of our client, Kalnel Gardens LLC (“Kalnel”), to respectfully request that you: (a) not adopt the recommendations of the PLUM Committee; (b) overturn the decisions of the West Los Angeles Area Planning Commission (“WLAAPC”) in Case Nos. VTT-70870-SL-1A (the “Tentative Tract Map”), ZA 2013-1420-CDP-1A (the “CDP”) and ENV-2009-2489-REC2 and; (c) reinstate the September 20, 2013 approvals of such cases issued by the Deputy Advisory Agency and Associate Zoning Administrator. Our request is based on the previous decisions and record of action of the City of Los Angeles in related cases Case No. DIR 2011-588(DB)(SPP)(MELLO) and ENV-2009-MND-REC2 (which are hereby incorporated by reference as if fully set forth herein), the written evidence we have previously submitted (including, without limitation, Kalnel’s submissions to and appeals of the WLAAPC decisions), Kalnel’s submissions to the Council’s PLUM Committee, the written evidence submitted herewith, and such other evidence as we may introduce at the hearing of April 2nd. For the purpose of brevity, we do not restate arguments and evidence made in previous presentations and submissions.

If upheld by the City Council, the decisions of the WLAAPC in the above referenced cases would result in the City’s violation of Government Code Sections 65590, 65915, 65589.5, LAMC Section 12.22.A.25; Kalnel’s rights to develop the project authorized by Case No. DIR 2011-588(DB)(SPP)(MELLO) and ENV-2009-MND-REC2; and Kalnel’s right to substantive and procedural due process – all of which will result in the City’s liability for substantial damages and attorney’s fees to Kalnel. Accordingly, the decisions of the WLAAPC should be overturned and the prior approvals of the Deputy Advisory Agency and Associate Zoning Administrator should be reinstated.

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The City Council Should Not Adopt PLUM's Recommended Action and Findings

The WLAAPC's actions that improperly overturned the Deputy Advisory Agency's and Associate Zoning Administrator's prior decisions rested upon the assumption that after the City has issued a final decision approving a density bonus and incentives for an affordable housing project (including findings that the project is consistent with the applicable general and specific plans and findings that the project will not result in unmitigated impacts to the environment), the WLAAPC can block the very same project (which displeases certain members of the community) by overturning the project's associated tentative tract map and coastal development permit on trumped up grounds.

As discussed below, that is certainly not the case.

A. The WLAAPC's Denial of the Proposed Subdivision Conflicts with the City's Consistent Application of LAMC Section 12.22.A.25 and Government Code Section 65915 to Other Subdivision Cases

In the declaration submitted herewith, we provide the City Council with eight prior density bonus and companion tract map approvals issued between 2010 and 2013. In each such case, the City approved a density bonus and incentives pursuant to LAMC Section 12.22.A.25 including, among other things, a height increase for the proposed improvements over the otherwise permitted density and height limit of the zone in which the subject project was situated. Declaration of Allan Abshez ("Abshez Decl.") ¶¶ 2-17, Exhs. A through O. In each associated subdivision case, the City subsequently approved a tract map, finding the density and improvements were consistent with the applicable general plan and specific plan notwithstanding the additional density and height over the otherwise applicable limits of the general plan and specific plan.

Indeed, this is not a close question. For example, in Case No. DIR-2012-1589-DB-SPR-SPP the City expressly found – consistent with its practice in every case here-to-date (with the exception of Kalnel's) – that the utilization of a density bonus "supersedes" (among other things) the otherwise applicable parking, density, and height limitations of a specific plan. *See* Abshez Decl. ¶ 12, Exh. K at pp 2-3.

Because the City Council is aware that a density bonus and incentives supersede otherwise applicable zoning requirements, if the City Council upholds the improper action of the WLAAPC in overturning the Deputy Advisory Agency's approval of the Vesting Tentative Tract Map, the City will act not only in violation of state law, the Municipal Code, Kalnel's rights to develop the project authorized by Case No. DIR 2011-588(DB)(SPP)(MELLO) and ENV-2009-MND-REC2, but also in knowing derogation of Kalnel's procedural and substantive due process rights.

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B. PLUM's Findings Recommending Denial of Kalnel's CDP Are in Bad Faith and Should Not Be Adopted

The findings recommended to the City Council by PLUM with respect to denial of Kalnel's CDP are in bad faith and should not be adopted by the City Council. These findings erroneously assert that the 1980 Regional Interpretative Guidelines for the South Coast Region (the "Guidelines") (Abshez Decl. ¶ 18, Exh. P) impose a 25 foot height limit on the project. However, as the City is in fact aware, the Guidelines do not impose standards or criteria on projects in the Coastal Zone. Moreover, as discussed below, PLUM's proposed findings inexplicably fail to disclose that the Venice Land Use Plan ("Venice LUP") – adopted by the City Council in 1999 and certified by the Coastal Commission in 2001 – expressly contemplates density bonuses and incentives – including additional height such as granted to Kalnel's project in Case No. DIR 2011-588(DB)(SPP)(MELLO).

As discussed below, the City has adopted more recent legislation (the Venice Coastal Specific Plan and the Venice LUP) pertaining to the issuance of CDP's. But even before the adoption of such plans, the Guidelines never imposed standards or criteria on the City's issuance of CDP's. That is, while the Coastal Act provides for interpretive guidelines to "assist" local governments and the Coastal Commission in determining how the Coastal Act policies may be applied prior to certification of local coastal programs, it expressly states that "the guidelines shall not supersede, enlarge, or diminish the powers or authority of the commission or any other public agency." Pub. Res. Code §60620(a)(3)(emphasis added). The Coastal Commission has repeatedly noted that "the standard of review for a local coastal development permit is Chapter 3 policies of the Coastal Act, not the Regional Interpretive Guidelines" and that a city "does not necessarily need to find the project suitable under the Interpretive Guidelines, but is required to determine if the project is consistent with the Chapter 3 policies of the Coastal Act." Abshez Decl. ¶ 19, Exh. Q at p. 11 (emphasis added). As further explained by the Commission, the Guidelines "are what their name denotes and do not, and indeed cannot, by virtue of their own operation and effect authorize or prohibit any particular uses of coastal resources." Abshez Decl. ¶ 20, Exh. R at p. 1. Indeed, because the Guidelines do not impose requirements, the Commission has acknowledged that "failure to conform to the interpretive guidelines in itself is not a valid basis for appeal" of a coastal development permit. Abshez Decl. ¶ 21, Exh. S at p. 18.

The fact that the Guidelines do not impose standards and criteria is well known to the City of Los Angeles. For example, in 2008, the City Planning Department reported to the WLAAPC that the Department's research "confirmed that the Regional Guidelines are just that – guidelines, not strict requirements." Abshez Decl. ¶22, Exh. T at p. 5. The Department further noted that the Guidelines themselves declare that "it is the intent of the Commission that the guidelines be used in a flexible manner," with consideration for, among other things, local and regional conditions and individual project parameters and constraints. Abshez Decl. ¶¶ 18, 22, Exhs. P at p. I, T.

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Nor were the Guidelines – now almost 35 years old – ever intended to be permanent. As the Commission noted in 1993, “[f]or most areas, the Regional Interpretive Guidelines have been replaced or supplanted by Land Use Plans (LUP) or LCPs. These locally prepared plans may modify or completely change the recommendations made in the Regional Guidelines, but usually maintain the general intent of the guidelines.” Abshez Decl. ¶23, Exh. U. In its 2008 report to the WLAAPC, the City Planning Department acknowledged this fact, and explained that since the Guidelines’ promulgation in 1980, the City adopted new legislation and policies to guide development that are more relevant than the Guidelines in implementing coastal act policies. Abshez Decl. ¶22, Exh. T at p. 6. As it relates to Kalnel’s project, the City adopted the Venice Coastal Zone Specific Plan and also the Venice Land Use Plan (which was certified by the Commission in 2001). Abshez Decl., ¶¶24, 25, Exhs. V, W.

The current Specific Plan does not require compliance with the Guidelines, and indeed, makes no mention of them whatsoever.¹ Similarly, the Venice LUP makes no mention of the Guidelines. Thus, the Guidelines – which never imposed standards or criteria on the issuance of CDP’s to begin with – have no relevance to the PLUM’s recommended denial of the CDP for Kalnel’s project.

PLUM’s proposed findings also improperly assert that the Venice LUP limits height to 25 feet. That is not the case. Rather, both the Specific Plan and Venice LUP contemplate higher height limits, including variable roof lines in the project area extending to 30 feet. Moreover, PLUM’s proposed findings inexplicably fail to disclose that the Venice LUP specifically contemplates that projects that have received density bonuses from the City may incorporate “more units than a property’s zoning would ordinarily allow,” as well as incentives such as reduced parking and additional height. Venice LUP Policy 1.A.13 expressly states that it is the LUP’s policy to “encourage the provision of affordable housing units” in areas designated as “Multiple Family Residential” and states that in these areas “the City may grant incentives, such as reduced parking, *additional height* or increased density consistent with Government Code Section 65915” provided that it meets certain requirements. Abshez Decl. ¶25, Exh. W at p. II-16 (emphasis added).

Furthermore, Venice LUP Policy V.A.2 expressly provides that “[a]dditional density considerations for affordable units shall be permitted along or near secondary and major highways.” Abshez Decl. ¶25, Exh. W at p. VI-2 (emphasis added) Kalnel’s project fronts

¹ Reference to the Guidelines previously appeared in the Specific Plan, but was deleted when the Specific Plan was updated in 2004. Compare Ordinance 172,897 (1999) and Ordinance 175,693 (2004) (Abshez Decl. ¶27, Exh. Y).

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Venice Boulevard, which is a Divided Major Highway. Accordingly, Kalnel's project locates the additional density contemplated by the Venice LUP precisely where it is contemplated by such plan.

Moreover, since the time of the Venice LUP's certification by the Coastal Commission in 2001, the California Legislature has significantly amended the Density Bonus Law with its 2004 adoption of Senate Bill 1818 ("SB 1818"). SB 1818, among other things, increased the maximum density bonus from 25 to 35 percent and increased the maximum number of concessions or incentives to three. SB 1818 also amended State Density Bonus Law to clarify that "[t]he granting of a concession or incentive shall not be interpreted, in and of itself, to require a ... local coastal plan amendment." Government Code §§65915(f)(5), (j); Abshez Decl., ¶26, Exh. X. Thus, while the Venice LUP is not fully up to date, its out of date provisions cannot be used as the basis to frustrate or deny the issuance of a CDP that enables Kalnel's implementation of the density bonus and incentives previously granted by the City.

Because the PLUM's proposed findings are plainly contradicted by the City Council's and City Planning Department's prior actions and knowledge, they are in bad faith and should not be adopted by the City Council.

C. The Findings Recommended by PLUM Mischaracterize the Setting of Kalnel's Project

Finally, while subjective judgments of compatibility and suitability cannot be the basis of disapproving or downsizing a housing project under California law, it should be noted that the findings adopted by the WLAAPC and recommended by PLUM mischaracterize the setting of Kalnel's project and surrounding uses, and are not based upon substantial evidence.

As documented in the substantial evidence submitted to – but ignored by – the WLAAPC in Kalnel's letter of November 22, 2013, Kalnel's project is located along Venice Boulevard which, as recognized in the Venice LUP, is designated by the City as a Divided Major Highway. As discussed earlier, Venice LUP Policy V.A.2 expressly designates major highways as the preferred location for density bonus concessions.

There is no substantial evidence whatsoever that Kalnel's project has any impact on coastal resources, including views of the ocean or scenic coastal areas. Kalnel's project is located in a fully urbanized setting approximately 6 blocks and ½ mile from the beach.² As documented in Kalnel's submission to the WLAAPC, the immediate vicinity of Kalnel's project

² See also Local Planning and Zoning Map from City's ZIMAS System. Abshez Decl., ¶28, Exh. Z.

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contains a variety of uses (including commercial uses, manufacturing uses, public facilities, beach parking lots, live-work units, and multi-family housing), with a base density (prior to the application of density bonus) that is the same or less than adjacent and nearby multi-family housing. Further, there are nearby buildings with the same number of stories or approximately the same height as Kalnel's project (even with the additional height resulting from the density bonus height incentive). Kalnel's project is located on a site already improved with a two-story building, is across Ocean Avenue from a three-story apartment building, and is across Venice Boulevard from the approximately 40-foot tall Abbot Kinney Library and Beach Parking Lot 701.

Conclusion

Upholding the WLAAPC's decisions would result in the City's violation of Government Code Sections 65590, 65915, 65589.5, LAMC Section 12.22.A.25; Kalnel's rights to develop the project authorized by Case No. DIR 2011-588(DB)(SPP)(MELLO) and ENV-2009-MND-REC2; and Kalnel's right to substantive and procedural due process – all of which will result in the City's liability for substantial damages and attorney's fees to Kalnel. Accordingly, the Council should (a) not adopt the findings recommended by PLUM; (b) overturn the improper actions of the WLAAPC; and (c) reinstate the prior approvals of the Deputy Advisory Agency and Associate Zoning Administrator.

We look forward to answering any questions the Council may have at the hearing.

Very truly yours,



Allan J. Abshez

AJA:fp

cc: Mr. Len Judaken

March 31, 2014

Via Email and Federal Express

Los Angeles City Council
c/o Sharon Gin
Clerk
City Council Planning and Land Use
Management Committee
City of Los Angeles
200 North Spring Street, Room 395
Los Angeles, CA 90012

Re: Council File14-0035, 14-0035S1; 522 S. Venice Boulevard; Case Nos. VTT-70870-SL-1A, ZA 2013-1420-CDP-1A, ENV-2009-2489-REC2; April 2, 2014 Council Hearing on Kalnel Appeal

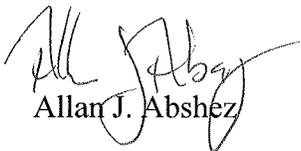
Dear Ms. Gin:

On behalf of our client, Kalnel Gardens LLC, we submit the following materials for inclusion into the administrative record for Kalnel's appeal and for consideration by the PLUM Committee:

- March 31, 2014 letter from Katten Muchin Rosenman LLP on behalf of Kalnel Gardens LLC
- March 31, 2014 Declaration of Allan Abshez and supporting exhibits

Please do not hesitate to contact me if you have any questions or comments.

Very truly yours,


Allan J. Abshez

AJA:fp

cc: Mr. Len Judaken

1 **KATTEN MUCHIN ROSENMAN LLP**
Allan J. Abshez (SBN 115319)
2 2029 Century Park East, Suite 2600
Los Angeles, California 90067
3 Telephone: 310.788.4400
Facsimile: 310.788.4471

4 Attorneys for Appellant
5 KALNEL GARDENS, LLC

6
7
8 BEFORE THE LOS ANGELES CITY COUNCIL

9
10 APPEAL OF ENTIRE DETERMINATION OF) Council File 14-0035, 14-0035-S1
THE WEST LOS ANGELES PLANNING)
11 COMMISSION IN CASE NOS. VTT-70870-) City Council Hearing Date: April 2, 2014
SL-1A, ZA 2013-1420-CDP-1A and ENV-)
12 2009-2489-REC2)

13
14 **DECLARATION OF ALLAN ABSHEZ**

15 I, Allan Abshez, declare:

16 1. I am an attorney licensed to practice in the State of California and am a partner with
17 the law firm of Katten, Muchin, Rosenman LLP, attorneys for Appellant Kalnel Gardens, LLC
18 (“Kalnel”). I have personal knowledge of the facts set forth herein and if called as a witness I
19 could and would competently testify to the matters stated herein.

20 2. Attached hereto as Exhibit A are true and correct copies of the City’s density bonus
21 approvals in Case No. DIR-2010-1592-DB (the companion case to Tentative Tract 71333-CN)
22 awarding a 27.5% density bonus and incentives pursuant to LAMC Section 12.22.A.25 including,
23 without limitation, a 10-foot increase in height for the proposed improvements in excess over the
24 otherwise permitted 45 foot height limit of the zone in which the subject project is situated.

25 3. Attached hereto as Exhibit B are true and correct copies of the City’s approvals in
26 Vesting Tentative Tract 71333-CN (the companion case to Case No. DIR-2010-1592-DB)
27 approving that proposed subdivision and improvements as consistent with applicable general and
28

1 specific plans with 27.5% density over, as well as improvements 10 feet in height over, the
2 otherwise applicable density and height limit by virtue of the companion density bonus approvals.

3 4. Attached hereto as Exhibit C are true and correct copies of the City's density bonus
4 approvals in Case No. DIR-2011-0472 (the companion case to Tentative Tract 67249) awarding a
5 20% density bonus and incentives pursuant to Los Angeles Municipal Code (LAMC) Section
6 12.22.A.25 including, without limitation, a 20 percent (9 foot) increase in height for the proposed
7 improvements in excess over the otherwise permitted 45-foot height limit of the zone in which the
8 subject project is situated.

9 5. Attached hereto as Exhibit D are true and correct copies of the City's approvals in
10 Tentative Tract 67249 (the companion case to Case No. DIR-2011-0472) approving the proposed
11 subdivision and improvements as consistent with applicable general and specific plans with 20%
12 density over, as well as improvements 9 feet in height over, the otherwise applicable density
13 height limit by virtue of the companion density bonus approvals.

14 6. Attached hereto as Exhibit E are true and correct copies of the City's density bonus
15 approvals in Case No. DIR-2011-1211(DB)(SPR) (the companion case to Vesting Tentative Tract
16 71624) awarding a 35% density bonus and incentives pursuant to LAMC Section 12.22.A.25
17 including, without limitation, an 11 foot increase in height for the proposed improvements in
18 excess over the otherwise permitted 45-foot height limit of the zone in which the subject project is
19 situated.

20 7. Attached hereto as Exhibit F are true and correct copies of the City's approvals in
21 Vesting Tentative Tract 71624 (the companion case to Case No. DIR-2011-1211(DB)(SPR))
22 approving that proposed subdivision and improvements as consistent with applicable general and
23 specific plans with 35% density over, as well as improvements 11 feet in height over, the
24 otherwise applicable density and height limit by virtue of the companion density bonus approvals.

25 8. Attached hereto as Exhibit G are true and correct copies of the City's density bonus
26 approvals in Case No. DIR-2011-3182(DB) (the companion case to Tentative Tract 71761)
27 awarding a 35% density bonus and incentives pursuant to LAMC Section 12.22.A.25 including,
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1 without limitation, a 20% increase in height for the proposed improvements in excess over the
2 otherwise permitted 45-foot height limit of the zone in which the subject project is situated.

3 9. Attached hereto as Exhibit H are true and correct copies of the City's approvals in
4 Tentative Tract 71761-CN (the companion case to Case No. DIR-2011-3182(DB)) approving that
5 proposed subdivision and improvements as consistent with applicable general and specific plans
6 with 35% density over, as well as improvements 20% in height over, the otherwise applicable
7 density and height limit by virtue of the companion density bonus case.

8 10. Attached hereto as Exhibit I are true and correct copies of the City's density bonus
9 approvals in Case No. DIR-2011-3267(DB) (the companion case to Tentative Tract 71663)
10 awarding a 25% density bonus and incentives pursuant to LAMC Section 12.22.A.25 including,
11 without limitation, a 9-foot increase in height for the proposed improvements in excess over the
12 otherwise permitted 45-foot height limit of the zone in which the subject project is situated.

13 11. Attached hereto as Exhibit J are true and correct copies of the City's approvals in
14 Tentative Tract 71663 (the companion case to Case No. DIR-2011-3267(DB)) approving that
15 proposed subdivision and improvements as consistent with applicable general and specific plans
16 with 25% density over, as well as improvements 9 feet in height over, the otherwise applicable
17 density and height limit by virtue of the companion density bonus cases.

18 12. Attached hereto as Exhibit K are true and correct copies of the City's density
19 bonus approvals in Case No. DIR-2012-1589-DB-SPR (the companion case to Vesting Tentative
20 Tract 72107) awarding a 35% density bonus and incentives pursuant to LAMC Section 12.22.A.25
21 including, without limitation, an 11 foot increase in height for the proposed improvements in
22 excess over the otherwise permitted 55-foot height limit of the Glencoe-Maxella Specific Plan in
23 which the subject project is situated.

24 13. As stated at pages 2 and 3 of Case No. DIR-2012-1589-DB-SPR-SPP:

25 A. "The residential parking requirements including the guest parking required by the
26 Glencoe-Maxella Specific Plan is superseded by the utilization of the Density
27 Bonus." (emphasis added)

1 B. “The 1.75:1 FAR restrictions contained in the Glencoe-Maxella Specific Plan I
2 superseded by the approval of the requested Density Bonus incentives.” (emphasis
3 added)

4 C. “The 55-foot height restriction contained in the Specific Plan is superseded by
5 approval of the requested Density Bonus.” (emphasis added)

6 14. Attached hereto as Exhibit L are true and correct copies of the City’s approvals in
7 Vesting Tentative Tract 72107 (the companion case to Case No. DIR-2012-1589-DB-SPR)
8 approving that proposed subdivision and improvements as consistent with applicable general and
9 specific plans with 35% density over, and improvements 11 feet in height over, otherwise
10 applicable density and height limit in the Glencoe-Maxella Specific Plan by virtue of the
11 companion density bonus cases.

12 15. Attached hereto as Exhibit M are true and correct copies of the City’s density
13 bonus approvals in Case No. DIR-2013-1229-DB-SPR (the companion case to Tentative Tract
14 72286-CN) awarding a 35% density bonus and incentives pursuant to LAMC Section 12.22.A.25
15 including, without limitation, an 11 foot increase in height for the proposed improvements in
16 excess over the otherwise permitted 55-foot height limit of the Glencoe/Maxella Specific Plan in
17 which the subject project is situated.

18 16. Attached hereto as Exhibit N are true and correct copies of the City’s approvals in
19 Vesting Tentative Tract 72286 (the companion case to Case No. DIR-2012-1589-DB-SPR)
20 approving that proposed subdivision and improvements as consistent with applicable general and
21 specific plans with 35% density over, as well as improvements 11 feet in height over, the
22 otherwise applicable density and height limit in the Glencoe/Maxella Specific Plan by the
23 companion density bonus cases.

24 17. Attached hereto as Exhibit O are true and correct copies of the City’s density bonus
25 approvals in Case No. DIR-2013-916-DB (the companion case to Vesting Tentative Tract 72073-
26 CN) awarding a 32.5% density bonus and incentives pursuant to LAMC Section 12.22.A.25
27 including, without limitation, an 11 foot increase in height for the proposed improvements in
28

1 excess over the otherwise permitted 45-foot height limit of the zone in which the subject project is
2 situated.

3 18. Attached hereto as Exhibit P is a copy of the Regional Interpretative Guidelines for
4 the South Coast Region, a copy of which can be accessed on the Venice Neighborhood Council's
5 website at http://archives.venicenc.org/files/CCC_Reg_Guidelnz.pdf.

6 19. Attached hereto as Exhibit Q is a copy of the Coastal Commission staff report for
7 A-5-PPL-13-212 (7/24/13), a copy of which can be accessed on the Coastal Commission's website
8 at <http://documents.coastal.ca.gov/reports/2014/4/F21a-4-2014.pdf>.

9 20. Attached hereto as Exhibit R is a copy of the Coastal Commission staff report for
10 Appeal Number A-5-HNB-99-275 (3/30/00), a copy of which can be accessed on the Coastal
11 Commission's website at <http://www.coastal.ca.gov/lb/a5hnb99-275a.pdf>.

12 21. Attached hereto as Exhibit S is a copy of the Coastal Commission staff report for
13 Application Number A-5-PPL-00-028 (3/27/00), a copy of which can be accessed on the Coastal
14 Commission's website at <http://www.coastal.ca.gov/lb/a50028.pdf>.

15 22. Attached hereto as Exhibit T is a copy of the West Los Angeles Area Planning
16 Commission's May 15, 2008 determination and accompanying staff report for Case No. AA-2004-
17 7147-PMLA-1A (5/15/08), a copy of which can be accessed on the City of Los Angeles website at
18 http://clkrep.lacity.org/onlinedocs/2008/08-1245_rpt_lacpc_5-21-08.pdf.

19 23. Attached hereto as Exhibit U is a copy of the Coastal Commission's Land Form
20 Alteration Policy Guidance, Attachment 2: Land Form Alteration: CCMP Coastal Hazards
21 Regulatory Process (December 1993), a copy of which can be accessed on the Coastal
22 Commission's website at <http://www.coastal.ca.gov/landform/attach2.html>.

23 24. Attached hereto as Exhibit V is a copy of the Venice Coastal Zone Specific Plan, a
24 copy of which can be accessed on the City of Los Angeles website at
25 <http://www.cityplanning.lacity.org/complan/specplan/pdf/VenCoastal.pdf>.

EXHIBIT A

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

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INFORMATION
www.planning.lacity.org

**STATE DENSITY BONUS PROGRAM
DIRECTOR OF PLANNING
DETERMINATION AND FINDINGS**

October 22, 2010

Related Case Tr. 71333

Property Owner

Fred Nayssan
Century Dental
10350 Santa Monica Boulevard, Ste 190
Los Angeles, CA 90025

Applicant and Representative

Kamran Kazemi
TALA Associates
1916 Colby Avenue
Los Angeles, CA 90025

Case No: DIR-2010-1592-DB

CEQA: ENV-2010-1591-MND

Location: 1736 South Purdue Avenue

Plan Area: West Los Angeles

Plan Land Use: Medium Residential

Council District: 11

Zone: R3-1

District Map: 126B149

**Legal Description: Lot PT, Block 11,
Barrett Villa Tract 1000**

Last Day To Appeal: October 30, 2010

Pursuant to the State Density Bonus Program and the City's Density Bonus provisions of Section 12.22-A,25 of the Los Angeles Municipal Code, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Density Bonus Compliance Review to allow the construction of 16 apartment units, including 1 unit reserved for Very Low Income households. The proposed project is 4 stories of residential over 1 level basement and 1 subterranean parking levels and a total floor area of approximately 37,604 square feet. A total of 32 parking spaces will be provided.

Adopt ENV-2010-1591-MND.

Approve a 27.5 percent density bonus for a project setting aside 8 percent of its pre-density units (12 units) for Very Low Income occupants.

Approve the following one incentive or concession for a project that reserves 8 percent of its units for Very Low Income occupants: **Up to a 10 foot deviation in the 45 foot height limit on all sides.**

Adopt the attached Findings.

This Density Bonus Compliance Review approval is subject to the following additional terms and conditions:

CONDITIONS OF APPROVAL

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of the State Government Code Section 65915 (State Density Bonus Program), and the promotion of development compatible with existing and future development of neighboring properties.

DENSITY BONUS COMPLIANCE CONDITIONS

1. **Site Development** The subject property shall incorporate all Conditions of Approval and be **substantially** developed as shown on the plans and information listed below in Table 1 and attached to the case file. **(DCP)**

Table 1		
Sheet No.	Description	Submittal Date
A1	Site Plan	June 10, 2010
A2	Upper and Lower Level Parking	June 10, 2010
A3	Floor Plan and Section	June 10, 2010
A4, A5	Elevation	June 10, 2010

2. **Permitted Uses** The use of the subject property shall comply with the R3-1 Residential Zone. Uses on the subject property shall be restricted to those uses permitted in the R3-1 Zone per Section 12.10 of the Los Angeles Municipal Code (LAMC), and as permitted in this grant. The project shall be limited to a maximum of 16 residential dwelling units, 12 of which are "by right" units and the remaining 4 density bonus units. Eight percent (1 unit) of the 12 "by right" units shall be reserved as Very Low Income units. **(DCP)**
3. **Height/FAR** The project is limited to an increase in height of 10 feet above the 45 foot height limit, excluding those exceptions permitted by the LAMC 12.21.1 for height, along all sides of the proposed building. The project shall be limited to a floor area ratio of 3:1. **(B&S)**
4. **Setback** Setbacks shall be per LAMC Section 12.10-C. **(B&S)**
5. **Automobile Parking** Parking shall be provided pursuant to section 12.22-A,25(d)(1), Parking Option 1 (based on the number of bedrooms). Per the plans received June 10, 2010, the project shall provide a minimum of 32 parking spaces for the project. **(B&S)**

6. **Housing Requirements** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make 8 percent (1 unit) of the pre-density bonus units of the development available for rent solely to Very Low Income households, at a rent determined to be affordable to Very Low Income households by the Los Angeles Housing Department, for a period of 30 years. 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 Los Angeles Housing Department. The applicant will present a copy of the recorded covenant to the Planning Department. **(HD)**

7. **Dedications and Improvements** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering and the Department of Transportation. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. If required dedications and improvements necessitate redesign of the project, any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department. **(BOE, Various)**

8. **Public Requirements** The applicant shall provide the following, or assurance of suitable guarantees without expense to the City of Los Angeles:
 - a. Construction of sewers to the satisfaction of the City Engineer. **(BOE)**
 - b. Construction of drainage facilities to the satisfaction of the City Engineer. **(BOE)**
 - c. Installation of street lights to the satisfaction of the Bureau of Street Lighting. **(BOE)**

Notice: The Certificate(s) of Occupancy for the subject project will not be issued by the City until the construction of all public improvements required herein are completed to the satisfaction of the City Engineer. **(B&S)**

ENVIRONMENTAL MITIGATION COMPLIANCE CONDITIONS

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2007-3956-MND) in accordance with City of Los Angeles CEQA guidelines. The following conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and/or the Project's Mitigated Negative Declaration, attached to the subject case file.

9. Aesthetics (General)

- a. The project shall provide a minimum of 125 square feet of open space per dwelling unit.
- b. The one Very Low Income unit shall be similar in size, quality, and location to the market rate units.
- c. All surface or ground mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters, and electric meter cabinets shall be screened from public view and treated to match the materials and colors of building which they serve.
- d. All exhaust fans and exterior rooftop mechanical equipment shall be screened with screening material incorporated in the design of the project. Such equipment shall be set back as far as possible from residential property lines and sound proofed.

10. Aesthetics (Landscaping) 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, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

11. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

12. Air Pollution (Stationary) RESIDENTIAL - The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project.

13. 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 of trees in the public right-of-way requires approval by the Board of Public Works.

- d. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
 - e. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
 - g. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
14. **Seismic** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
15. **Erosion/Grading/Short-Term Construction Impacts**

Air Quality

- 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 owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
- e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- a. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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 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.
- c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

Grading

- 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:
 1. 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.
 2. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

General Construction

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, 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.

- 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. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- e. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and the tracking of sediment into streets.
- f. 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.

16. Green House Gas Emissions

- a. Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- b. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

17. Explosion/Release (Asbestos Containing Materials, Lead Paint)

- a. Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no asbestos containing materials (ACM) are present in the building. If ACM 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 State and Federal rules and regulations.
- b. Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

18. Explosion/Release (Methane Gas)

- a. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation

measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.

- b. 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.

19. Stormwater and Urban Runoff Pollution Control

- 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.

20. Increased Noise Levels (Parking Structure Ramps)

- a. Concrete, not metal, shall be used for construction of parking ramps.
- b. The interior ramps shall be textured to prevent tire squeal at turning areas.
- c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to residential.

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

- 22. Tenant Displacement** (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.

23. Public Services

Fire A plot plan shall be submitted for approval by the Fire Department prior to the recordation of the final map or the issuance of a building permit.

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.

24. Recreation (Increase Demand For Parks or Recreational Facilities) Per Section 17.12 A of the Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

25. Inadequate Emergency Access The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

26. 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:
 1. Weather-based irrigation controller with rain shutoff
 2. Matched precipitation (flow) rates for sprinkler heads
 3. Drip/microspray/subsurface irrigation where appropriate
 4. Minimum irrigation system distribution uniformity of 75 percent
 5. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 6. Use of landscape contouring to minimize precipitation runoff
- c. 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.

25. 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.)

26. 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.

27. 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.
- d. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

ADMINISTRATIVE CONDITIONS

28. **Approval, Verification and Submittals** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
29. **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 override.
30. **Definitions** Any agency, public official, or city department referenced in these conditions shall mean that agency, public official, or city department, or its successor(s) or designee(s). State Density Bonus Program refers to State Government Code Section 65915. Plan Sheet shall mean a numbered drawing submitted by the applicant as a part of the application for this case, attached to the subject case file with the Department of City Planning.
31. **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. Conditions which require Department of City Planning verification are followed by **(DCP)**, Department of Transportation verification is shown by **(DOT)**, Bureau of Engineering verification is shown by **(BOE)**, and conditions requiring verification by the Department of Building and Safety are shown by **(B&S)**.
32. **Building Plans** The **entire determination letter** shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

33. **Corrective Conditions** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
34. **Proof of Fees** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
35. **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 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.

FINDINGS

After thorough consideration of the information, statements, and plans contained in the application, the reports received from other city departments and governmental agencies, the project's Mitigated Negative Declaration, and the State Government Code Section 65915 (State Density Bonus Program), I hereby find that the requirements for issuing a Density Bonus Compliance Review approval pursuant to the State Density Bonus Program and the Draft Ordinance have been established by the following:

Description of Subject Project

The subject project is a 16-unit residential project. The project will be a five-story building with one subterranean level of parking and at grade level of parking below four levels of residential apartment units. All units are two-bedroom units. The project will reserve 8 percent (12 units) of its pre-density bonus units as a restricted affordable unit available to Very Low Income households. The project is providing a minimum 32 parking spaces.

The subject property is located at 1736 South Purdue Avenue and encompasses one lot. The site measures approximately 10,000 square feet. The site is currently home developed with a 12-unit apartment building. The site is located in the West Los Angeles Community Plan Area. The subject lot is zoned R3-1 and has a General Plan Land Use Designation of Medium Residential.

Existing Land Use and Zoning

The site abuts R3 zoned properties with multi-family dwellings surrounding the subject site. To the north are a 13-unit apartment building in the R3-1 Zone and Sterry Elementary School across Corinth Avenue in the PF-1XL Zone. To the east is a 6-unit apartment building in the R3-1 Zone. To the south are 20-unit apartment buildings across Purdue Avenue in the R3-1 Zone. To the east is a 14-unit apartment building in the R3-1 Zone.

DENSITY BONUS COMPLIANCE FINDINGS

1. **The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.**

As conditioned by this approval, the subject project substantially complies with all applicable provisions of State Density Bonus Program and the Draft Ordinance. The project qualifies for a 35 percent density bonus for the following reasons: (1) 11 percent of its pre-density bonus units are set aside for Very Low Income residents. The set aside units automatically allow the applicant to qualify for increases in density and reduced parking requirements. In addition, since the project sets aside 11 percent of its pre-density bonus units for Very Low Income occupants, the applicant qualifies for incentives from a specified menu of concessions, as described below.

- A. **Density** The subject property is zoned R3-1. The approximate 10,000 square foot lot permits 12 "by right" units. The State Density Bonus Program, however, allows a 27.5 percent density bonus, since the applicant is providing 8 percent of the pre-density units as restricted Very Low Income units. Based on these incentives, the applicant would be permitted to build up to 16 units. The proposed project is within this permitted density.

Automobile Parking The project will utilize Parking Option One, which permits parking to be provided at a ratio of one parking space for each one-bedroom unit, two parking spaces for each two- to three- bedroom unit, and 2.5 parking spaces for each unit with 4 or more bedrooms. In this case, the applicant proposes 16, two- to three- bedroom units as such, 32 parking spaces are required.

- B. **Incentives/Concessions:**

1. **Height** Per the Draft Ordinance, projects which set aside 8 percent of pre-density bonus residential units as restricted affordable units for Very Low Income households qualify for a height deviation equal to the percentage of density bonus for which the project is eligible, except for a project on a residentially zoned parcel, which abuts, or is across the street or alley from, R1 or more restrictively zoned properties. The project does not abut any R1-zoned lots.

The height incentive is granted for this project. The project is eligible for an increase in height of 10 feet above the 45 foot height limit, excluding those exceptions permitted by LAMC 12.21.1 for height, along all sides of the proposed building. As conditioned by this determination, the height increase is limited to 10 feet for a total project height of 55 feet.

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.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2010-1591-MND) in accordance with the City of Los Angeles CEQA guidelines. Mitigation measures were included that addressed the physical impacts of the project. The project site is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

The project proposes to demolish the existing two-story apartment building, and construct a new 16-unit residential building proposed to be 55 feet tall. The proposed project was analyzed, and issued mitigation measures to address impacts related to the demolition of the project. More specifically, the immediate impact of displacing existing tenants was identified. The applicant submitted a list of current tenants on the site, and will be required to provide tenant relocation plan and provide assistance to those on the tenant list in accordance with the City's Tenant Relocation Assistance ordinance.

Impacts related to the potential existence of asbestos and lead paint were also addressed. The project will also be required to install a methane detection system since the site is located within a methane buffer zone. Standard construction methods will be incorporated to mitigate impacts related to air quality, noise, and grading. Landscaping and light impacts will also be incorporated to address the new construction and the building's proposed height. A minimum 125 square feet of open space will be required for each unit proposed. Open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained. Also, outdoor lighting will be designed and installed with shielding to minimize light impacts to the neighboring residential properties.

EFFECTIVE DATE AND APPEAL PERIOD

The Director of Planning's determination on this matter will become effective and final 15 days after the date of mailing of this determination, unless an appeal is filed with the City Planning Commission. Such an appeal must be in writing, on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the effective date, or the appeal will not be accepted.

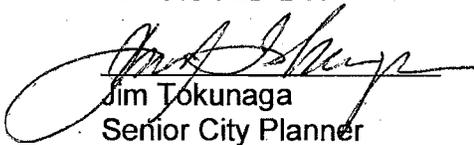
TRANSFERABILITY AND TERMINATION

The approval granted herein shall be for a period of two years from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. The applicant is advised that this approval is not a permit or license and that permits and licenses required by law must be obtained from the proper public agency. If any condition of this approval is violated or not complied with, then the applicant or the applicant's successor in interest may be prosecuted the same as for any violations of the requirements contained in the Municipal Code, or the approval may be revoked.

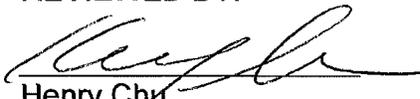
In the event the property is sold or leased to any person or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

MICHAEL J. LOGRANDE
Director of Planning

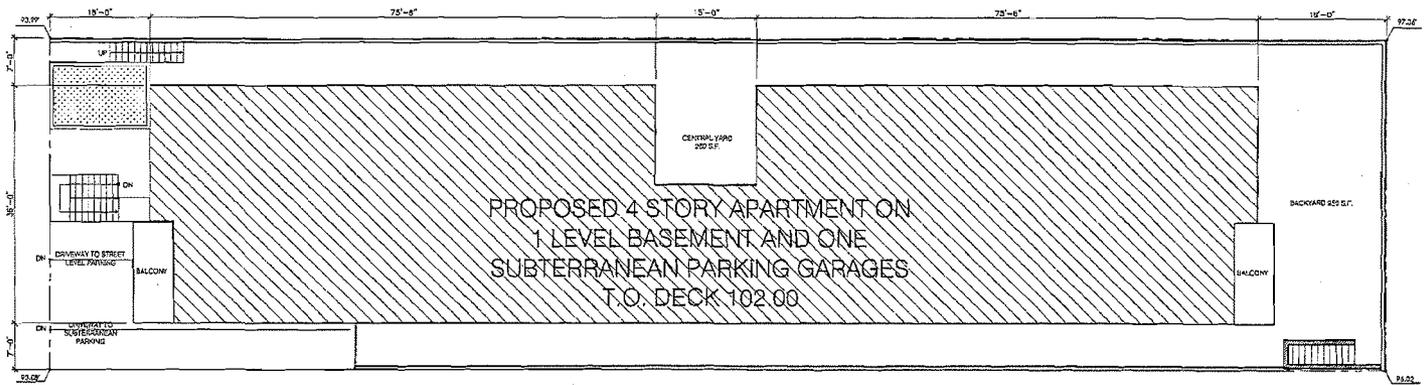
APPROVED BY:


Jim Tokunaga
Senior City Planner

REVIEWED BY:


Henry Chu
City Planner

cc: City Council District 11
Department of Building and Safety
West Los Angeles Neighborhood Council



SITE PLAN
SCALE: 1/8" = 1'-0"

BUILDING DATA			
INFORMATION:			
THAT PORTION OF BLOCK 11 OF THE BARRET VILLA TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 70 PAGES 32 TO 35 INCLUSIVE OF MISCELLANEOUS RECORDS.			
ZONING: R3-1			
ALLOWABLE BUILDING HEIGHT PER ZONE:	45 FEET		
REQUESTED BUILDING HEIGHT PER DENSITY BONUS INCENTIVE:	55 FEET		
LOWEST ELEVATION @ 5' AWAY FROM BLDG. (EXISTG GRADE)	84.00'		
TOP OF DECK @ FIRST FLOOR:	102.03'		
LOT AREA: 9,800 S.F.			
MAXIMUM BUILDABLE AREA: 8,900 S.F.			
ALLOWABLE BLDG AREA: 6,800 x 3 = 20,400 S.F.			
FOR TYPE V-1 HR:			
SETBACK	REQUIRED	PROVIDED	
FRONT	15'-0"	15'-0"	
REAR	15'-0"	15'-0"	
SIDE	4 STORY BLDG. = 7'-0"	7'-0"	
TOTAL NO. OF UNITS PROPOSED PER 27.5% DENSITY INCREASE: 16 UNITS			
TOTAL OF REGULAR DENSITY UNITS = 12 UNITS			
TOTAL OF GAINED UNITS PER 27.5% DENSITY INCREASE = 4 UNITS			
PARKING COMPUTATION			
TOTAL PARKING REQUIRED: 16 x 2 = 32 SPACES			
TOTAL PARKING PROVIDED: 32 SPACES			
STANDARD:	16		
HIC:	1		
COMPACT:	16		
TYPE OF CONSTRUCTION: VIA HR OVER TYPE VA			
BUILDING AND GARAGE FULLY SPRINKLERED YES			
(SYSTEM TO BE APPROVED PRIOR TO INSTALLATION)			
FIRE ALARM YES			
FLOOR AREA PER BUILDING CODE			
FLOOR	AREA	# OF UNITS	AREA
FIRST	5,451.00 S.F.	4	
SECOND	5,451.00 S.F.	4	
THIRD	5,451.00 S.F.	4	
FOURTH	5,451.00 S.F.	4	
UPPER PARKING			5,800.00 S.F.
LOWER PARKING			10,000.00 S.F.
TOTAL	21,804 S.F.	16	15,800.00 S.F.
OPEN SPACE REQUIRED: 2,000 S.F.			
16 UNIT x 125 S.F. = 2,000 S.F.			
OPEN SPACE PROVIDED: 2,000 S.F.			
950 S.F. @ REAR YARD			
250 S.F. @ CENTRAL YARD			
800 S.F. @ PRIVATE BALCONIES			

RECEIVED
JUN 10 2010

CITY PLANNING
EXPEDITED PROCESSING SECTION

PROJECT
1736 PURDIE AVE.
1736 PURDIE AVE.
LOS ANGELES, CA 90025

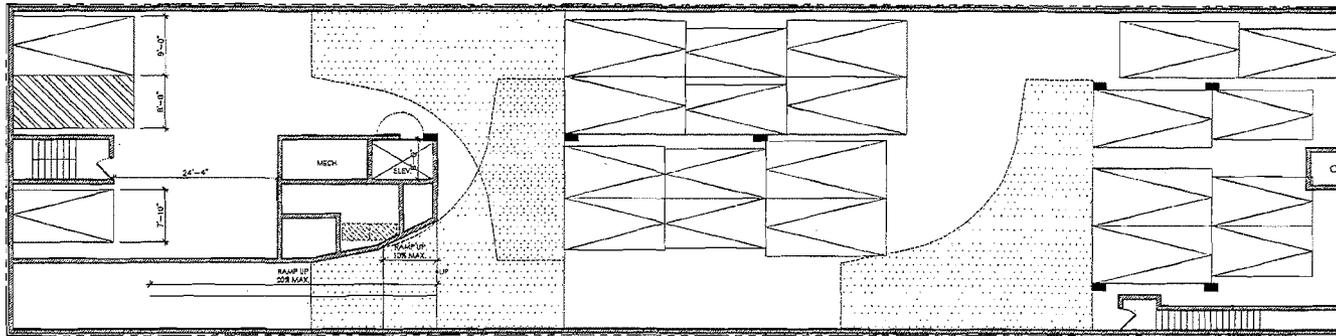
OWNER
DR FRED NAYSSAN
10350 SANTA MONICA BLVD. STE 100
LOS ANGELES, CA 90025

DRAWINGS TITLE
SITE PLAN &
PROJECT
DESCRIPTION

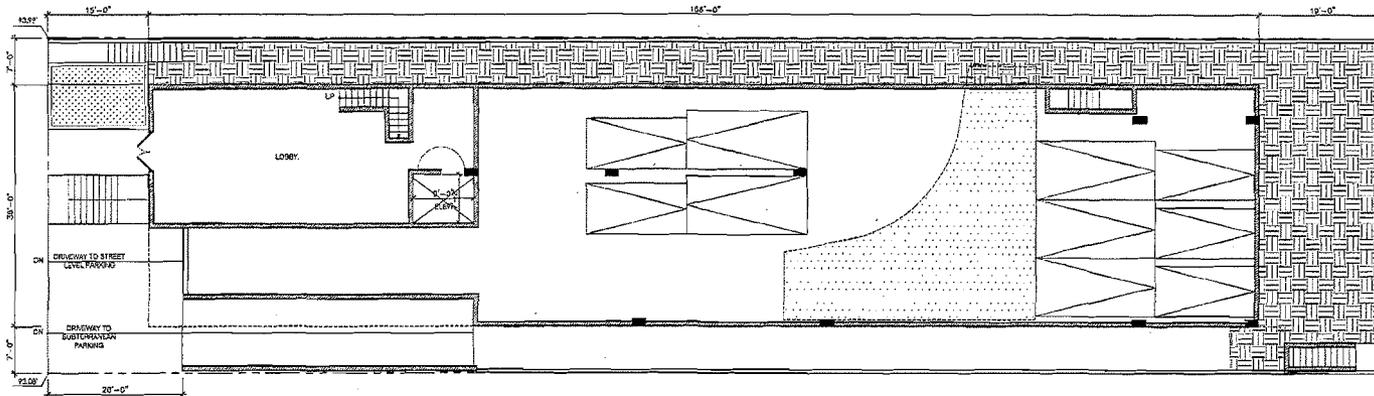
No.	Revision	Date

DATE:
SCALE:
DRAWN: SC
JOB:
SHEET: A 1
OF SHEETS

15
DIR-2010-1592-DB



LOWER LEVEL PARKING (SUBTERRANEAN)
SCALE: 1/8" = 1'-0"



UPPER LEVEL PARKING (STREET LEVEL)
SCALE: 1/8" = 1'-0"

PROJECT
1736 PURDUE AVE.
DAS PURDUE AVE.
LOS ANGELES, CA 90025

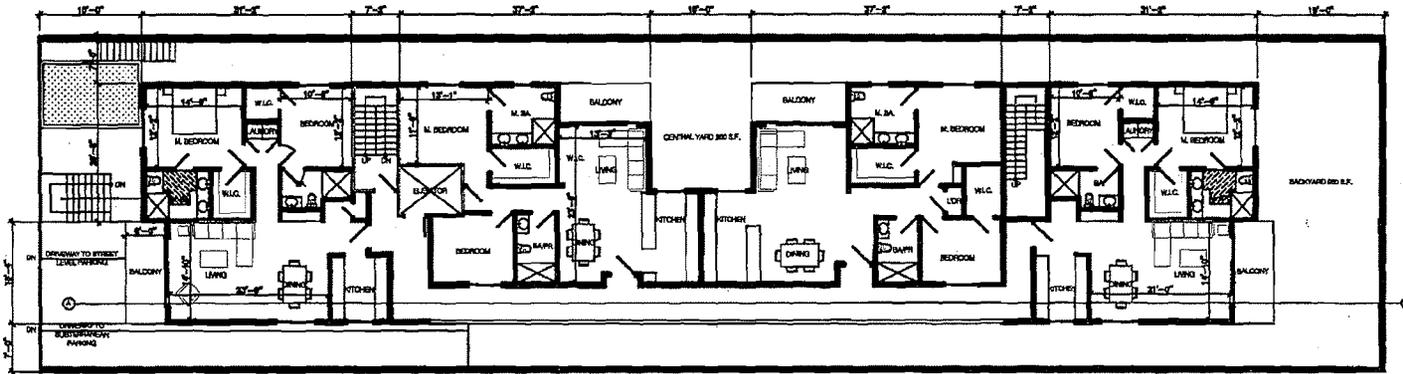
OWNER
DR. FRED NAYSSAN
11020 SANTA MONICA BLVD., STE 190
LOS ANGELES, CA 90025

DRAWING TITLE
PARKING PLANS

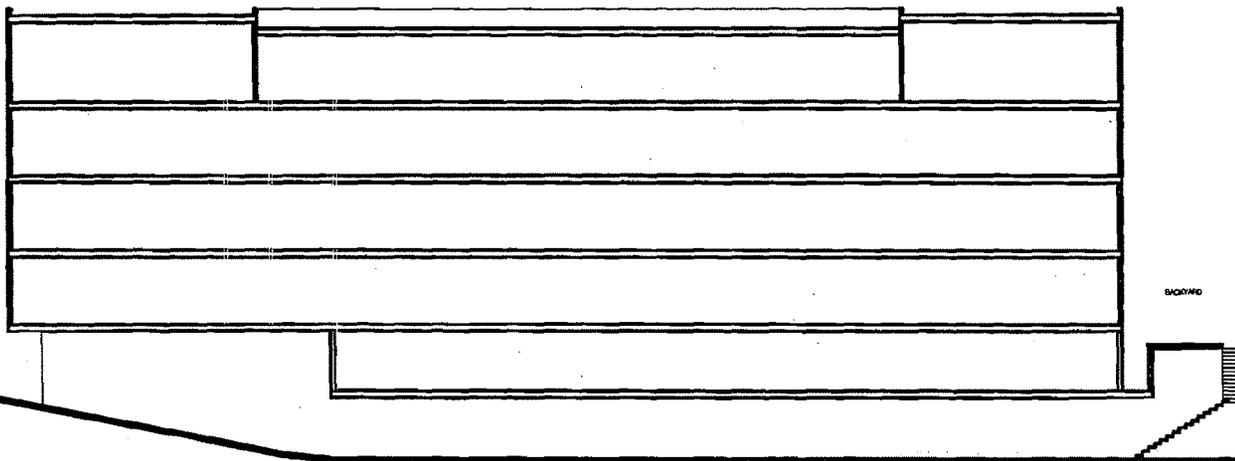
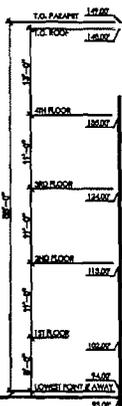
No.	Revision	date

DATE: _____
SCALE: _____
DRAWN: SG
JOB: _____
SHEET: **A2**
OF SHEETS

25
DIR-2010-1592-DB



TYP. FLOOR PLAN ϕ



SECTION

35
 DK-2010-1592 DB

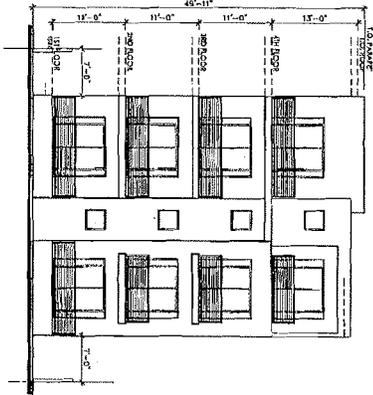
PRODUCED BY
 1738 PURDUE AVE.
 1738 PURDUE AVE.
 LOS ANGELES, CA 90025

DESIGNED BY
 DR FRED NAYSSAN
 10850 SANTA MONICA BLVD. STE 190
 LOS ANGELES, CA 90025

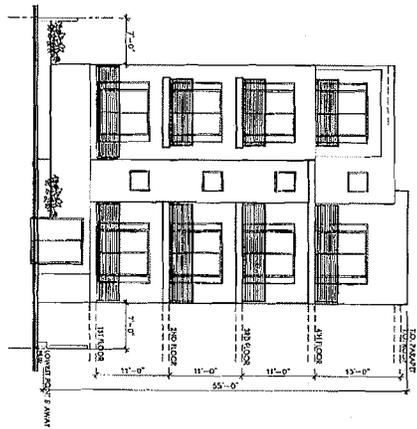
DRAWING TITLE
PARKING PLANS

No.	Revision	Date

DATE:
 SCALE:
 DRAWN: SC
 JOB:
 SHEET: **A3**
 OF SHEETS



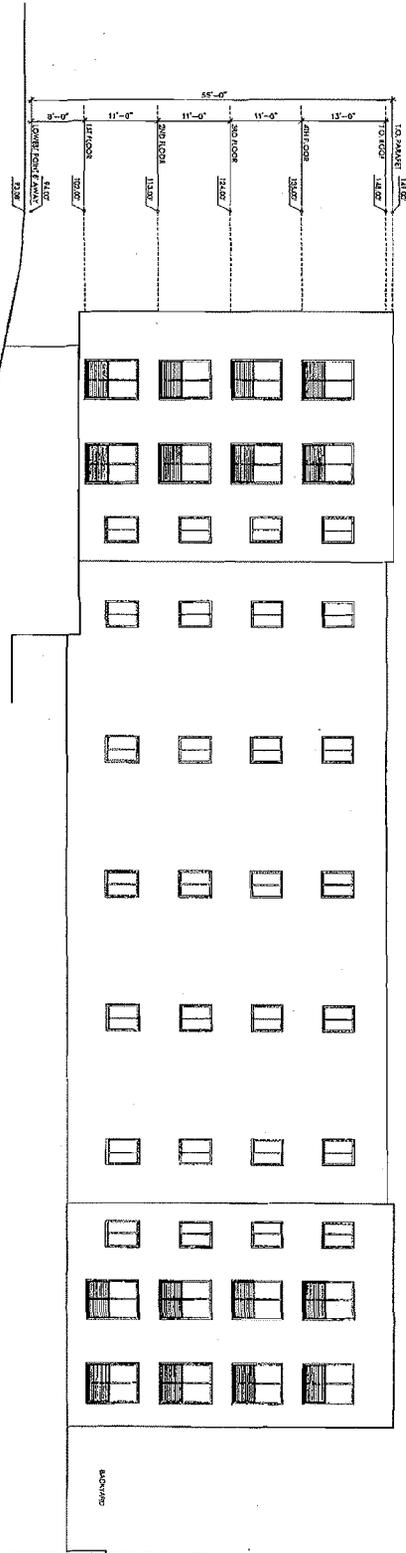
EAST ELEVATION
SCALE 1/8" = 1'-0"



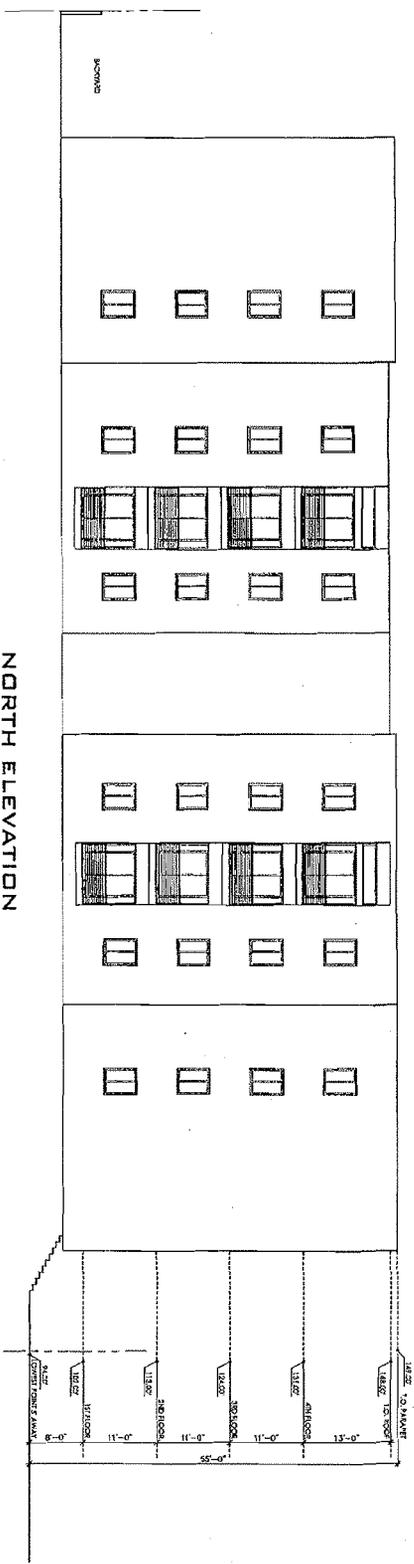
WEST ELEVATION
SCALE 1/8" = 1'-0"

4
S
PIC-2410-1592-205

DATE	No.	Revision	date	DRAWING TITLE	OWNER	PROJECT
	SCALE	DATE	SCALE			
DRAWING NO.				PARKING PLANS		
JOB:						
SHEET				A4		
OF SHEETS						



SOUTH ELEVATION
SCALE 1/8" = 1'-0"



NORTH ELEVATION
SCALE 1/8" = 1'-0"

D/12-2010-1572-103

SHEET: AS OF SHEETS	DATE: SCALE: DRAWN: SG	No. Revision date	DRAWING TITLE PARKING PLANS	OWNER DR FRED NAYSSAN 10350 SANTA MONICA BLVD. STE 190 LOS ANGELES, CA 90025	PROJECT 1736 PURDUE AVE. LOS ANGELES, CA 90025
	JOB:	DATE: SCALE: DRAWN: SG	No. Revision date	DRAWING TITLE PARKING PLANS	OWNER DR FRED NAYSSAN 10350 SANTA MONICA BLVD. STE 190 LOS ANGELES, CA 90025

EXHIBIT B

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
MATT EPSTEIN
FR. SPENCER T. KEZIOS
YOLANDA OROZCO
BARBARA ROMERO
MICHAEL K. WOO
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1271
ALAN BELL, AICP
ACTING DEPUTY DIRECTOR
(213) 978-1272
VINCENT P. BERTONI, 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: October 22, 2010

Appeal Period Ends: November 1, 2010

Fred Nayssan (A)(O)
Century Dental
10350 Santa Monica Boulevard, Ste 190
Los Angeles, CA 90025

Reynaldo T. De Rama (E)
1916 Colby Avenue
Los Angeles, CA 90025

RE: **Vesting Tract Map No.: 71333-CN**
Address: 1736 South Purdue Avenue
Community Plan: West Los Angeles
Zone: R3-1
Council District: 11
CEQA No.: ENV-2010-1591-MND

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Tentative Tract Map No. 71333-CN located at 1736 South Purdue Avenue for a maximum **16 condominiums** as shown on map stamp-dated June 10, 2010 in the West Los Angeles Community Plan. This unit density is based on the R3-1 Zone and DIR-2010-1592-DB. (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.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That any fee deficit under Work Order No. EXT00417 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. Comply with any requirements with the Department of Building and Safety, Grading Division Soils Approval Letter for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. 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. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Indicate on the Map that the Proposed Parcels are in a Methane Buffer Zone.
 - c. Provide a copy of affidavit AFF-2738, AFF-10125, and AFF-66038. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - d. Provide a copy of DIR case **DIR-2010-1592-DB**. Show compliance with all the conditions/requirements of the DIR case as applicable.
 - e. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front yard requirement shall be required to comply with current code as measured from new property line after dedication.
 - f. The submitted Map does not comply with the maximum density (800 s.f. of lot area/dwelling unit) requirement of the R3-1 Zone. Maximum 12 units allowed on the lot. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.

Notes:

The submitted Map may not comply with the number of parking spaces required by Section 12.21-A,4(a) based on the number of habitable rooms in each unit. If

there are an insufficient number of parking spaces, obtain approval from the Department of City Planning.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

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

4. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3 (MM).

An appointment is required for the issuance of a clearance letter from the Department of Transportation. The applicant is asked to contact Taimour Tanavoli at (213) 482-7024 to schedule an appointment.

FIRE DEPARTMENT

5. 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: (MM)
 - 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. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- d. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; but, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or fire lane. This stairwell shall extend unto the roof.
- e. Entrance to the main lobby shall be located off the address side of the building.
- f. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- g. Site plans shall include all overhead utility lines adjacent to the site.
- h. Any roof elevation changes in excess of three feet may require the installation of ships ladders.
- i. 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.

Notes: 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) 482-6509. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

6. 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

7. If new street light(s) are required, then 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

8. 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

9. 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the R3 Zone (MM).

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

11. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the four trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. (MM)

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. 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 16 residential condominium units comprised of 15 market rate units and 1 Very Low Income unit.
 - b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).
 - c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slump stone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard (MM).
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material (MM).
13. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
14. Prior to the issuance of the building permit or the recordation of the final map, a copy of the letter of decision for DIR-2010-1592-DB shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2010-1592-DB is not approved, the subdivider shall submit a tract modification.
15. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

16. **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 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

17. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. **4c, 5, 10, 11, 12c, 12f, 18, and 19** of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
18. 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:
- 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 licensed Landscape Architect 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.
 - MM-4 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.
 - MM-5 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.

- MM-6 All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- MM-7 All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- MM-8 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- MM-9 Trucks having no current hauling activity shall not be idle but be turned off.
- MM-10 An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
- MM-11 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-12 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.
- MM-13 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.
- MM-14 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- MM-15 Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

- MM-16 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-17 Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-18 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-19 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.
- MM-20 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.
- MM-21 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.
- MM-22 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- MM-23 Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- MM-24 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.
- MM-25 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.
- MM-26 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

- MM-27 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- MM-28 Concrete, not metal, shall be used for construction of parking ramps.
- MM-29 The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-30 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-31 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).

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-32 If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- MM-33 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.
- MM-34 Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- MM-35 A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

- MM-36 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.)
- MM-37 Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-38 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-39 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-40 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.
- MM-41 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.
19. **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.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. 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 12.22-A,10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730. 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.
- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over the entire tract in conformance with Section 64.11.2 of the 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 Transportation 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-streets, 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 be either constructed prior to recordation of the final map or that the construction be 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.
 - (1) Construct new street light: one (1) on Purdue Avenue.
- (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 plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Purdue Avenue adjoining the subdivision by the reconstruction of the existing concrete curb, gutter, and a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway, including any necessary removal and reconstruction of existing improvements.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05-N.

The final map must record 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.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per LAMC Section 12.39-A.

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 or her request.

FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2010-1591-MND on September 15, 2010. The Department found that potential negative impact could occur from the project's implementation due to:

Aesthetics (landscape, visual character, light);
Air Quality (construction, operational);
Biological Resources (tree replacement);
Geology and Soils (construction, seismic);
Green House(green house gas emissions);
Hazards and Hazardous Materials (asbestos, lead paint, methane);
Hydrology and Water Quality (storm water);
Noise (construction, operational);
Population (tenant relocation);
Public Services (fire, police, schools, street improvements);
Recreation (parks);
Transportation/Circulation (emergency access); and
Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2010-1591-MND 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. **4c, 5, 10, 11, 12c, 12f, 18, and 19** 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, Storm-water Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. In accordance with Section 21081.6 of the Public Resources Code (AB-3180), 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. 17.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 71333-CN, 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 IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted West Los Angeles Community Plan designates the subject property for Medium Residential land use uses with the corresponding zone of R3. The property contains approximately 0.229 net acres (10,000 net square feet after required dedication) and is presently zoned R3-1.

The R3-1 Zone allows for a maximum of 12 units by right on the subject property. The proposed one-lot subdivision for the construction of a 16-unit residential is allowable under the Density Bonus Ordinance, LAMC Section 12.22-A,25, current adopted zone and the land use designation. The project will provide improvement to the area, as the current condition of the site is developed with a 12-unit apartment building. The new development will bring new home ownership opportunities as well as one affordable unit for the West Los Angeles Community Plan area.

The subject site is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan. The Deputy Advisory Agency has conditioned the project to comply with this plan (Condition No. 15).

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). Therefore, as conditioned, the proposed tract 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.**

Purdue Avenue is classified as a Local Street and is dedicated to a 60-foot width at the project's street frontage. The Bureau of Engineering is requiring the reconstruction of the existing concrete curb and gutter, and a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway including any necessary removal and reconstruction of existing improvements.

The project proposes 32 parking spaces, two parking spaces for each unit. This is in conformance with Parking Option No. 1 of the Density Bonus Ordinance. On October 22, 2010, case no. DIR-2010-1592-DB, was approved by the Director of Planning. This was for the request to permit an additional four density bonus units, or a 27.5 percent density bonus increase, for a total of 16 dwelling units comprised of 15 market rate units and 1 unit for very low income households. **The project will include an on-menu incentive to construct the proposed building up to a maximum height of 55 feet,** and provide two parking spaces for each unit. The project is in conformance with the LAMC and the Density Bonus Ordinance.

The project will utilize Parking Option One, which permits parking to be provided at a ratio of one parking space for each one-bedroom unit, two parking spaces for each two- to three- bedroom unit, and 2.5 parking spaces for each unit with 4 or more bedrooms. In this case, the applicant proposes 16, two- to three-bedroom units as such, 32 parking spaces are required and provided.

Also, the project has been conditioned to comply with the **West Los Angeles Transportation Improvement and Mitigation Specific Plan.** As conditioned the design and improvements of the proposed project are **consistent with the applicable General and Specific Plans.**

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

The site is a rectangular shaped lot along Purdue Avenue. It is one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise multi-family neighborhood. Purdue Avenue runs north to south, and is developed with multi-family dwellings surrounding the site.

The site is relatively level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. However, the site is located within a methane buffer zone, and will be required to install mitigation measures as identified in Mitigation Measure No. 18.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

Adjacent uses include multi-family dwellings to the north, south, east, and west in the R3-1 Zone. The proposed project would provide a development consistent with the land use patterns of this area. The site currently contains a 12-unit apartment building and would result in a net increase of four dwelling units. After compliance with DIR-2010-1592-DB, the proposed project will comply with all LAMC requirements for parking, yards, height, and open space. As conditioned the proposed tract map will be physically suitable for the proposed density of the development.

- (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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. The Department of City Planning issued a Mitigated Negative Declaration No. ENV-2010-1591-MND on September 15, 2010 and found that there may be environmental impacts which are individually limited, but significant when reviewed in connection with the effects of past projects, other current projects, and probably future projects.

However, these cumulative impacts will be mitigated to a less than significant level through compliance with the reference mitigation measures in this report and contained in ENV-2010-1591-MND.

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

There appear 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.

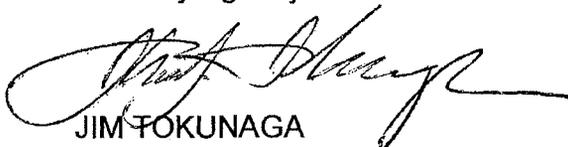
No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (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)

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. 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.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 71333-CN.

Michael J. LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:HC: jq

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 West Los Angeles Area 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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

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

Forms are also available on-line at www.lacity.org/pln.

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

EXHIBIT C

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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April 1, 2011

Fred Nayssan (A/O)
10350 Santa Monica Blvd #190
Los Angeles, CA 90025

Rick Pardo (C)
Pardo Land Use Consultants Inc.
3919 W 8th St., Suite 11
Los Angeles, CA 90005

CASE NO. DIR-2011-0472-DB
DENSITY BONUS COMPLIANCE REVIEW
CEQA: ENV-2006-5464-MND-REC3
Related Case: TT-67249
Location: 1611 S. Beverly Glen Blvd
Plan Area: Westwood Comm. Multi-Family
Plan Land Use: High Medium Residential
Zone: [Q]R3-1-O
Council District: 5
District Map: 132B157
Neighborhood Council: Westwood

Last day to appeal: April 18, 2011

Pursuant to the Los Angeles Municipal Code (LAMC) 12.22 A 25, I have reviewed the proposed project at 1611 S. Beverly Glen Blvd. As the designee of the Director of Planning, I hereby:

Conditionally approve a Density Bonus Compliance Review to allow the construction, use, and maintenance of a new four-story 12-unit residential condominium building that shall be constructed over two levels and 20 spaces of subterranean parking.

Approve a 35% density bonus reserving one unit for very low-income households, equivalent to 12.5 percent of the total allowable units pursuant to existing zoning (8 units), with 20 subterranean parking spaces that include 12 standard spaces and 8 compact spaces.

Approve The following two incentives applicable to a project reserving at least 12.5 percent of the total number of base units for very low income occupants:

- A 20 percent decrease in required open space required as part of the Westwood Community Multi-Family Specific Plan, as depicted on Exhibit A.
- A 20 percent (9 foot) increase in height above the permitted 45-feet for a total height of 54 feet.

Adopt ENV-2006-5464-MND-REC3

Adopt the attached Findings.

CONDITIONS OF APPROVAL

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of LAMC Sections 12.22 A.25., 12.24, 14.00, and 19.01 O. (Density Bonus Program).

A. GENERAL CONDITIONS

1. **Site Development.** Except as modified herein the new structure shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped and dated March 21, 2011, labeled "Exhibit A," pages 1 through 11, located in the subject case file.
2. **Final Plans.** Prior to final approval of plans by the Department of Building and Safety, the applicant shall submit a minimum of three (3) sets of working drawings/ building plans, to be approved by Department of City Planning staff for compliance with this Director's Determination letter. One set of plans shall be provided to Department of City Planning and attached to subject file.

B. ADMINISTRATIVE CONDITIONS

3. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
4. **Code Compliance.** All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
5. **Definitions.** 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.
6. **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. Conditions which require Department of City Planning verification are followed by (DCP), Department of Transportation verification is shown by (DOT), Bureau of Engineering verification is shown by (BOE), and conditions requiring verification by the Department of Building and Safety are shown by (B&S).
7. **Building Plans.** Page 1-11 of this grant and 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.
8. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

9. **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 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.
10. **Public Works Requirements.** The applicant shall provide the following, or assurance of suitable guarantees without expense to the City of Los Angeles:
 - a. Construction of sewers to the satisfaction of the City Engineer.
 - b. Construction of drainage facilities to the satisfaction of the City Engineer.
 - c. Installation of street lights to the satisfaction of the Bureau of Street Lighting. Notice: The Certificate(s) of Occupancy for the subject project will not be issued by the City until the construction of all public improvements required herein are completed to the satisfaction of the City Engineer.

C. DENSITY BONUS COMPLIANCE CONDITIONS

11. **Permitted Uses.** The site shall maintain a residential only use. The residential use shall consist of an 12-unit condominium complex. No other use is proposed or authorized.
12. **Height.** The project shall be built to a maximum height of 54-feet, as shown in Exhibit A which is the maximum height limit permitted for this through the use of an incentive and excludes the LAMC permitted rooftop structures.
13. **Automobile Parking.** The project shall provide a total of 20 parking spaces, of which 12 shall be standard spaces and 8 shall be compact spaces. LAMC Section 12.22 A 25 (d)(1) Parking Option 1 requires one parking space for each unit with zero to one bedroom, and two parking spaces for each unit with two to three bedroom units.
14. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 12.5 % of the total allowable units of the development available to Very Low Income Households, at a sale or rent determined to be affordable to very low income households by the Los Angeles Housing Department, for a period of 30 years. 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 LAHD. The Applicant will provide a copy of the recorded covenant to the Planning Department.

D. ENVIRONMENTAL MITIGATION COMPLIANCE CONDITIONS

15. **Aesthetics (Landscaping)** 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, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
16. **Aesthetics (Graffiti)**
- a. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
 - b. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
17. **Aesthetics (Landscape Buffer)**
- a. A landscape plan shall be prepared by a licensed landscape architect to the satisfaction of the decision maker.
 - b. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
18. **Aesthetics (Light)** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
19. **Air Pollution (Stationary)** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
20. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
21. **Haul Routes**
- a. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
 - b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - c. Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
22. **Erosion/Grading/Short-Term Construction Impacts**
- d. **Air Quality**
 - i. 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.

- ii. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- iii. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- iv. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
- v. 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.
- vi. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

e. Noise

- i. 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.
- ii. 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.
- iii. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- iv. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- v. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

f. General Construction

- i. 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.
- ii. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- iii. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- iv. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood and vegetation. Non recyclables materials/wastes shall be taken to the appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposable site.
- v. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.

- vi. All vehicle/equipment maintenance, repair, and washing shall be conducted away from the storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

23. Explosion/Release (Methane Gas)

- g. 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.
- h. 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.
- i. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- j. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.

24. **Explosion/Release (Asbestos Containing Materials)** Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM 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 State and Federal rules and regulations.

25. Hydrology and Water Quality - Single Family Dwelling (10+ Home Subdivision/Multi Family)

- k. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- l. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- m. The storage area must be paved and sufficiently impervious to contain leaks and spills.

- n. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- o. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- p. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- q. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- r. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- s. Legibility of stencils and signs must be maintained.
- t. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- u. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- v. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- w. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- x. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- y. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- z. Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- aa. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is a physical devise composed of rock, grouted riprap, or concrete rubble placed at the

outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.

bb. Cut and fill sloped in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long- term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.

26. Increased Noise Levels (Parking Wall) A 6 to 8 foot-high (measured from the lowest adjacent grade) solid decorative masonry wall adjacent to residential use and/or zones shall be constructed if no such wall exists.

27. Increased Noise Levels (Parking Structure Ramps)

cc. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

dd. The interior ramps shall be textured to prevent tire squeal at turning areas.

ee. Concrete, not metal, shall be used for construction of parking ramps.

28. Increased Noise Levels (Landscape Buffer)

ff. A landscape plan prepared by a licensed Landscape Architect shall be submitted and approved by the decision maker.

gg. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.

29. 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.

30. Recreation (Increase Demand For Parks Or Recreational Facilities) Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

31. Utilities (Solid Waste) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

FINDINGS**A. Density Bonus Compliance Findings****1. The project substantially complies with the applicable regulations, standards and provisions of LAMC Section 12.22 A 25.**

As conditioned by this approval, the subject project complies with all applicable provisions of LAMC Section 12.22 A 25. The project qualifies for a 35% density bonus because one unit, or 12.5 percent of the units allowable per existing zoning, is restricted for use by a very low-income resident. The quantity of the restricted affordable unit automatically qualifies the applicant for increases in density and reduced parking requirements. In addition, since the project sets aside at least 10 percent of its units for very low-income occupants, it qualifies for two incentives from a specified menu of concessions, as described below.

- a. **Density Bonus.** LAMC Section 12.22 A 25 allows 35 percent density bonus, given that 12.5 percent of the project residential units are restricted as affordable, very low-income units. The subject property is in the [Q]R3-1-O zone, which permits a maximum density of 800 square feet per unit. The 35 percent density bonus entitles the project to 12 units.
- b. **Automobile Parking.** Pursuant to LAMC Section 12.22 A 25 (d), Parking Option 1, one parking space is required for each of the four units with zero to one bedroom, and two parking spaces for each of the eight units with two to three bedroom units. The project is providing 20 total parking spaces including 12 standard sized spaces and 8 compact size spaces.
- c. **Incentives.** The project sets aside at least 10 percent of its units for very low-income occupants, and therefore is eligible for two on-menu incentives:
 1. A 20 percent reduction in the open space requirement by providing 1,920 square feet in lieu of the required 2,400 square feet per Section 6.A.1 of the Specific Plan, and
 2. A 20 percent (nine foot) increase in height creating a total building height of 54 feet in lieu of the required 45 feet.

The open space reduction and height increase are both necessary for the project to provide the four units permitted per LAMC 12.22 A.25(c)(1) that are in addition to the minimum lot area per dwelling unit required pursuant to LAMC Section 12.10 C.4., which includes the unit reserved for very low income.

2. Community Plan and Housing Element

A primary goal of the Westwood Community Plan is to create safe, secure and high quality residential development for all economic segments of the community. Specifically, Policy 1-4.1 seeks to promote greater individual choice in type, quality, price and location of housing.

The 2006-2014 Housing Element Update establishes the goals, objectives, policies and programs the City of Los Angeles will pursue to facilitate the construction of inclusionary, affordable and market rate housing units disperse equally throughout Los Angeles City. One of the programs in which to effectuate inclusionary housing is the use of the Density Bonus ordinance.

3. The project incorporates mitigation measures identified in the environmental review that will mitigate the negative environmental effects of the project to the extent physically feasible. The property is not listed on the California Register of Historical Resources.

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued Mitigated Negative Declaration (ENV-2006-5464-MND-REC3). The project has been conditioned herein to require compliance with mitigation measures required pursuant to the MND.

CASE BACKGROUND / CHRONOLOGY

- 02/18/11 Department of City Planning Public Counter receives application, accepts fees, and issues case number DIR-2011-0472-DB.
- 02/18/11 Department of City Planning receives application for ENV-2006-5464-MND-REC3.
- 03/21/11 Department of City Planning Community Planning Bureau staff deems the application package complete.
- 04/01/11 Planning Department issues an approval.

PRIOR RELEVANT CASES

- TT-67249 On July 24, 2007, the Advisory Agency approved a maximum 12-unit residential condominium development for the subject property.
- ZA-2010-710-ZV On April 29, 2010, a zone variance was issued to permit one of the units having a lot area of 361.5 square feet, in lieu of the required 800 square feet.
- DIR-2009-2240-DRB-SPP-SPPA On August 7, 2010, the Director of Planning partially approved project permit compliance and design review, though denied the requested project permit adjustment to reduce the on-site open space by 20 percent from the Specific Plan requirement.

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

The applicant's attention is called to the fact that 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 or if the same be not complied with, then the applicant or his/her successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code.

This matter will become effective 15 days after the date of this Determination, unless an appeal therefrom is filed with the Department of City Planning. 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. 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 (indicated on the first page of this document) at one of the following Department of City Planning Public Offices:

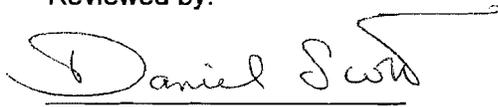
Downtown Office - Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

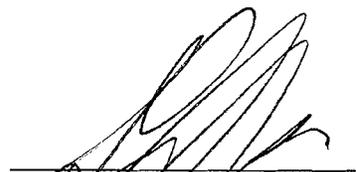
Valley Office
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

The applicant is further advised that all subsequent contact with this office regarding this grant must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans, 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. You should advise any consultant representing you of this requirement as well.

MICHAEL LOGRANDE
Director of Planning

Reviewed by:


Daniel Scott
Principal Planner


Gregory J. Shoop
City Planner

Prepared by:


David J. Somers
Planning Assistant
(213) 978-1171

cc: Councilmember Paul Koretz, 5th District
Department of Building and Safety

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
MATT EPSTEIN
BARBARA ROMERO
MICHAEL K. WOO
VACANT
VACANT
—
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

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(213) 978-1273
VACANT
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

April 12, 2011

Fred Nayssan
10350 Santa Monica Blvd #190
Los Angeles, CA 90025

(A/O)

Rick Pardo
Pardo Land Use Consultants Inc.
3919 W 8th St., Suite 11
Los Angeles, CA 90005

(C)

CASE NO. DIR-2011-0472-DB
DENSITY BONUS COMPLIANCE REVIEW
CEQA: ENV-2006-5464-MND-REC3
Related Case: TT-67249
Location: 1611 S. Beverly Glen Blvd
Plan Area: Westwood Comm. Multi-Family
Plan Land Use: High Medium Residential
Zone: [Q]R3-1-O
Council District: 5
District Map: 132B157
Neighborhood Council: Westwood

CORRECTION LETTER

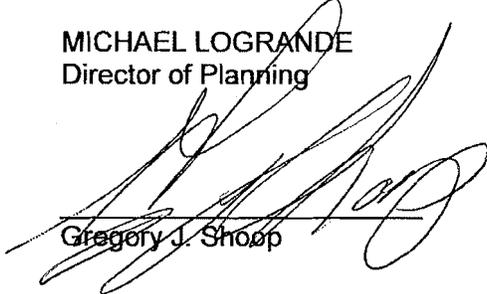
On April 1st, 2010, the Department of City Planning (Department) issued the following approval for a proposed project at 1611 S. Beverly Glen Blvd. to allow the construction a new four-story 12-unit residential building to be constructed over two levels and 20 spaces of subterranean parking. Pursuant to Senate Bill 1818 and Los Angeles Municipal Code (LAMC) 12.22 A 25, the Department approved the following two incentives applicable to a project for reserving at least 12.5 percent of the total number of base units for very low income occupants:

- A 20 percent decrease in required open space required as part of the Westwood Community Multi-Family Specific Plan, as depicted on Exhibit A.
- A 20 percent (9 foot) increase in height above the permitted 45-feet for a total height of 54 feet.

The first incentive has been clarified to read and approved as follows:

- A 20 percent reduction in the open space requirement by providing 1,920 square feet in lieu of the required 2,400 square feet per Section 6.A.1 of the Specific Plan. The 20 percent open space reduction includes the ability to calculate the 25 percent maximum allowable open space to be located above the ground floor from the total Specific Plan requirement (2,400 square feet), rather than the incentive requirement (1,920 square feet) thereby permitting 600 square feet of open space above the ground floor to be credited toward the total open space requirement in lieu of 480 square feet.

MICHAEL LOGRANDE
Director of Planning



Gregory J. Shoop

cc: Councilmember Paul Koretz, 5th District
Department of Building and Safety

EXHIBIT D

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

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S. GAIL GOLDBERG, AICP
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(213) 978-1270

www.lacity.org/PLN

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

JANE ELLISON USHER
PRESIDENT

WILLIAM ROSCHEN
VICE-PRESIDENT

DIEGO CARDOSO
REGINA M. FREER

ROBIN R. HUGHES
SABRINA KAY

FR. SPENCER T. KEZIOS
CINDY MONTAÑEZ

MICHAEL K. WOO

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

Decision Date: July 24, 2007

Appeal End Date: August 7, 2007

Fred Nayssan (A)(O)
10350 Santa Monica Boulevard # 190
Los Angeles, CA 90025

DHS & Associates (R)
275 Centennial Way # 205
Tustin, CA 92780

Department of Building and Safety

RE: Tentative Tract No.: 67249
Related Case: None
1611 South Beverly Glen Boulevard
Community Plan: West Los Angeles –
Westwood
Existing Zone: [Q]R3-1-0
D.M. : 132-B-157
C.D. : 5
CEQA : ENV-2006-5464-MND
Fish and Game: Exempt

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 67249 composed of 1-lot, located at 1611 South Beverly Glen Boulevard for a maximum of 12-unit residential condominiums as shown on map stamp-dated February 6, 2007 in the Westwood Community Plan. This unit density is based on the [Q]R3-1 Zone. (The subdivider is hereby advised that the Municipal Code 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.) For an appointment with the Advisory Agency or a City Planner call (213) 978-1330. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 2-foot wide strip of Land be dedicated along Beverly Glen Boulevard adjoining the subdivision to complete a 52-foot wide half right-of-way dedication in accordance with Major Highway Standards satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. 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 permit for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of [Q] conditions. Show compliance with the above conditions as applicable or obtain approval from the Department of City Planning.
 - c. 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.
 - d. The proposed 12 units exceed the maximum number of condominium units for a lot area of 6,761 sf divided by 800 only allows 8 units in R3 zone. Revise the map or obtain approval from the Department of City Planning.

Notes:

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety 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 Del Reyes at (213) 482-6882 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

4. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

5. 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. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

DEPARTMENT OF WATER AND POWER

6. 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

7. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting and/or the following street lighting improvements shall be required. (This condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c).)

BUREAU OF SANITATION

8. 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

9. 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) 473-9973.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the R3-1 Zone.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

11. 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 12 residential condominium dwelling units in which 1 of the units shall be designated a Very Low income unit satisfactory to the Housing Department.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus ½ guest parking spaces per dwelling. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

- 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.

Approved Variations as follows:

1. Allowed up to 20% reduction of the front yard setback
 2. Allowed a height of 54 feet in lieu of the 45 feet height limit.
- 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. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
 - f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - g. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - h. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
12. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per ordinance 163,195 (Westwood Community Design Review Board).
 13. That the subdivider shall record and execute a Covenant and Agreement to comply with the Westwood Community Design Review Board **Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.**
 14. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:

That the haul route utilized for the exporting or importing of materials under this tract approval shall observe the following conditions:

 - a. Streets to be used are limited to Beverly Glen Boulevard, Santa Monica Boulevard, 405 fwy, Tuxford Street, Tujunga Avenue.

- b. Hours of operation shall be from 8:00 a.m. to 4:00 p.m. Monday -Friday
- c. Days of the week shall be Monday through Friday.
- d. Trucks shall be restricted to 10-wheel dump trucks or smaller and no more than two (2) construction vehicles or equipment shall be allowed in the street at any given time. Staging of construction equipment shall be on-site.
- e. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
- f. Streets shall be cleaned of spilled materials at the termination of each work day.
- g. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- h. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- i. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- j. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- k. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- l. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- m. The applicant shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.
- n. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- o. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.

- p. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."
- q. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
- r. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.
- s. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- t. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Valley District Engineering Office, 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401. Further information regarding the bond may be obtained by calling 818.374.5090.

OR

A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the West Los Angeles District Engineering Office, 1828 Sawtelle Boulevard, 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling 310.575.8388.

OR

A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213. 977.6039.

OR

A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Harbor District Engineering Office, 638 S. Beacon Street, 4th Floor, San Pedro, CA 90731. Further information regarding the bond may be obtained by calling 310.732.4677.

15. Owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make 1 unit 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 or moderate 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.
16. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6771) in a form satisfactory to the Advisory Agency, binding the applicant and any successor in interest to provide relocation assistance in a manner consistent with Section 12.95.2G and 47.06 of the Los Angeles Municipal Code pertaining to rental subsidies for tenants evicted for the demolition of the existing building and any additional ordinances that may provide greater relocation assistance. The covenant and agreement shall be executed and recorded within 10 days after expiration of appeal period (and final action thereon) and a copy provided to each tenant within five days of recordation of the covenant and agreement. **Failure to meet the requirement of this condition – including time limits – may be grounds to disapprove the final map.** (200 North Spring Street, Room 750)

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

17. 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 No(s). 18, 19 and C-4 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.
18. 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, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

- MM-2 Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- MM-3 The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.
- MM-4 A minimum five-foot wide landscape buffer shall be planted adjacent to the single family residential use.
- MM-5 A landscape plan shall be prepared by a licensed landscape architect to the satisfaction of the decision maker.
- MM-6 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
- MM-7 RESIDENTIAL - The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
- MM-8 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- MM-9 All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- MM10 All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.

MM11 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.

MM12 Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM 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 State and Federal rules and regulations.

MM13 A 6-foot-high solid decorative masonry wall adjacent to residential use and/or zones shall be constructed if no such wall exists.

MM14 Concrete, not metal, shall be used for construction of parking ramps.

MM15 The interior ramps shall be textured to prevent tire squeal at turning areas.

MM16 Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

MM17A minimum five-foot wide landscape buffer shall be planted adjacent to the single family residential use.

MM18 A landscape plan prepared by a licensed Landscape Architect shall be submitted and approved by the decision maker.

MM19 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.

MM20 Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

MM21 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

19. **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 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.
- CM-3 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6 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-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8 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-9 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.
- CM10 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- CM11 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM12 The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM13 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.
- CM14 All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, 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.
- CM15 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.
- CM16 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM17 Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- CM18 Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- CM19 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.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map

has recorded or the proper zone has been effectuated. 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.
- C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213.482.0000) to approve the covenant format, prior to recording the covenant.
- C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-4. 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 permit. 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. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- a. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
- b. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)

- c. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
- d. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.

C-5. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 Municipal Code.
- (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 be either constructed prior to recordation of the final map or that the construction be 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.
 - 1. Remove and reinstall existing conduit behind new curb and gutter on Beverly Glen Boulevard.

Notes:

- 1. The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.
 - 2. Condition sets: 1) In compliance with Specific Plan, 2) By LADOT, 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 plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - 1. Improve Beverly Glen Boulevard being dedicated and adjoining the subdivision by the construction of the following:
 - a. A concrete curb, a concrete gutter, and a 6-foot wide concrete sidewalk and landscaping of the parkway.
 - b. Suitable surfacing to join the existing pavement and to complete a 40-foot half roadway.
 - c. Any necessary removal and reconstruction of existing improvements.
 - d. The necessary transition to join the existing improvements all 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.

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 17.05N of the Los Angeles Municipal Code.

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.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

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-2006-5464-MND on March 14, 2007. The Committee found that potential negative impact could occur from the projects's implementation due to:

- additional demand for on-street parking.
- existing ambient air pollution levels.
- illumination from the parking area.
- noise from the site.
- mobile noise.
- loss of rental units.
- potential seismic activity.
- design of the parking area and access driveway.
- Public services.
- Risk of upset
- need for landscaping.
- lack of open space.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2006-5464-mnd 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 **No(s). 18, 19 and C-4** 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies potential adverse impacts on fish or wildlife resources as far as earth, air, water, animal life, risk of upset are concerned. However, measures are required as part of this approval which will mitigate the above mentioned impacts to a less than significant level.

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. 17.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) 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 Tentative Tract No. 67249, 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.**
- (b) **THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Westwood Community Plan designates the subject property for Medium Residential land use with the corresponding zone(s) of R3. The property contains approximately 0.15 net acres (6,760 net square feet after required dedication) and is presently zoned [Q]R3-1. The proposed development of 12-unit residential condominium is allowable under the current adopted zone and the land use designation.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

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

The site is one of the few underimproved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density residential neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map.

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of Building and Safety.

- (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 Initial Study prepared for the project identifies potential adverse impact on fish or wildlife resources as far as earth, air, water, risk of upset are concerned.

However measures are required as part of this approval which will mitigate the above mentioned impact(s) to a less than significant level.

Furthermore, the project site, as well as the surrounding area is presently developed with structures and does not provide a natural habitat for either fish or wildlife.

- (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 is currently being 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.

ADJUSTMENT FINDINGS (Sections 12.28 C.4 and 17.03 A)

- (i) THE GRANTING OF THE ADJUSTMENT WILL RESULT IN DEVELOPMENT THAT IS COMPATIBLE AND CONSISTENT WITH THE SURROUNDING USES, AND WILL CREATE NO ADVERSE IMPACTS OR ANY ADVERSE IMPACTS HAVE BEEN MITIGATED.

The zoning regulations require setbacks from property lines in order to provide for compatibility between respective properties as well as to ensure access in the event of an emergency. Such regulations, however, are written on a Citywide basis and cannot take into account individual unique characteristics which a specific parcel and its intended use may have. In this instance, the Code's desire to achieve compatibility between respective sites and protect neighboring properties and the applicant's desire to provide a more viable/functional, livable dwelling/business/service can be accommodated in a manner consistent with the intent and purpose of the zoning regulations.

A Mitigated Negative Declaration ENV -2006-5464-MND was prepared for the subject project and identifies mitigation measures which will mitigate any impacts resulting from the project. These mitigation measures have been imposed as conditions of approval.

- (j) THE GRANTING OF THE ADJUSTMENT IS IN CONFORMANCE WITH THE INTENT AND PURPOSE OF THE GENERAL PLAN, AND WITH THE SPIRIT AND INTENT OF THE PLANNING AND ZONING CODE OF THE CITY.

The site is located within the Westwood Community Plan Area. The plan designates the subject site for Medium Residential Land Use with corresponding zone of R3 and Height District No. 1. The granting of an adjustment is not inconsistent with the intent and purpose of the Community Plan. The Westwood Community Plan does not specifically address adjustments.

- (k) THAT THE SITE AND/OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE.

The unique features of this site, as well as the location of existing improvements thereon, make the request as proposed, logical, as it would allow for the functional integration of the project with existing improvements in the area.

These findings shall apply to both the tentative and final maps for Tract No. 67249.

S. Gail Goldberg, AICP
Advisory Agency



MICHAEL S.Y. YOUNG
Deputy Advisory Agency

MSYY:GC:LS:mkc

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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213.482.7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818.374.5050

Forms are also available on-line at www.lacity.org/pln.

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
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August 13, 2007

Fred Nayssan (A)(O)
10350 Santa Monica Boulevard # 190
Los Angeles, CA 90025

DHS & Associates (R)
275 Centennial Way # 205
Tustin, CA 92780

Department of Building and Safety

RE: Tentative Tract No.: 67249
Related Case: None
1611 South Beverly Glen Boulevard
Community Plan: West Los
Angeles – Westwood

Existing Zone: [Q]R3-1-0
D.M. : 132-B-157
C.D. : 5
CEQA: ENV-2006-5464-MND
Fish and Game: Exempt

LETTER OF CORRECTION

On July 24, 2007 in accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Deputy Advisory Agency approved Tentative Tract No. 67249 composed of 1-lot , located at 1611 South Beverly Glen Boulevard for a maximum of 12-unit residential condominiums as shown on map stamp-dated February 6, 2007 in the Westwood Community Plan.

It has been discovered that Condition No. 11b is incorrect. Therefore, the condition should be changed to read as follows:

Correct Condition No. 11b to read:

11b. "Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus ½ guest parking spaces per dwelling (for 11 units). **However, for the one (1) unit designated for Very Low Income Household, there shall be one (1) parking space and no guest parking.** All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750)."

All other conditions remain unchanged.

S. Gail Goldberg, AICP
Advisory Agency

A handwritten signature in black ink, appearing to read "Michael S.Y. Young". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script.

MICHAEL S.Y. YOUNG
Deputy Advisory Agency

MSYY:GC:LS:mkc

EXHIBIT E

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
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
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INFORMATION
www.planning.lacity.org

**STATE DENSITY BONUS PROGRAM
DIRECTOR OF PLANNING
DETERMINATION AND FINDINGS
Revised**

September 21, 2011

Related Tract 71624

Pete Wilson (A)
Hyde Park, LLC
10750 Wilshire Boulevard, Suite 1404
Los Angeles, CA 90024

Darusi Khakshouri (O)
10750 Wilshire Boulevard, Suite 1404
Los Angeles, CA 90024

Mark Brown (R)
Brown/Meshull Incorporated
10008 W. National Boulevard, Suite 369
Los Angeles, CA 90034

Case No: DIR-2011-1211(DB)(SPR)
CEQA: ENV-2011-1212-MND
Location: 12301-12333 W. Pico Boulevard
Plan Area: West Los Angeles
Plan Land Use: General Commercial
Council District: 11
Zone: [Q]C2-1VL-CDO
District Map: 120B149
Legal Description: Lots 7-12, Block 4, Tract
6372

Last Day To Appeal: October 15, 2011

Pursuant to the State Density Bonus Program and the City's Density Bonus provisions of Section 12.22-A,25 of the Los Angeles Municipal Code, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Density Bonus Compliance Review to allow the construction of 95 condominium units, including 8 reserved for Very Low Income households. The proposed project is 5 stories of residential with a total floor area of approximately 77,405 square feet with at grade and two-level, 162-space subterranean parking structure.

Adopt ENV-2011-1212-MND.

Approve a 35 percent density bonus for a project setting aside 11 percent of its pre-density bonus units (8 units) for Very Low Income Households.

Approve an increase in the Floor Area Ratio (FAR), from 1.5:1 to a maximum 3:1, to permit a 77,405 square-foot residential development.

Approve an increase in Building Height, by eleven additional feet, to a maximum building height of 56 feet, as measured from the first finished floor.

Approve a site plan review for a residential development that is greater than 50 dwelling units.

Adopt the attached Findings.

This Density Bonus Compliance Review approval is subject to the following additional terms and conditions:

CONDITIONS OF APPROVAL

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of the State Government Code Section 65915 (State Density Bonus Program), and the promotion of development compatible with existing and future development of neighboring properties.

DENSITY BONUS COMPLIANCE CONDITIONS

1. **Site Development** The subject property shall incorporate all Conditions of Approval and be **substantially** developed as shown on the plans and information listed below in Table 1 and attached to the case file. (DCP)

Table 1

Sheet No.	Description	Submittal Date
A1	Site Plan	May 12, 2011
A-2.0 thru A-2.2	Subterranean Level Parking	May 12, 2011
A-2-2 thru A-2.6	Floor Plan and Section	May 12, 2011
A-3.0 thru A-4.1	Elevations	May 12, 2011

2. **Permitted Uses** The use of the subject property shall comply with the [Q]C2-1VL-CDO Commercial Zone. Uses on the subject property shall be restricted to those uses permitted in the C2 Zone per Section 12.10 of the Los Angeles Municipal Code (LAMC), and as permitted in this grant. The project shall be limited to a maximum of 95 residential dwelling units, 70 of which are "by right" units and the remaining 25 density bonus units. Eleven percent (8 units) of the 70 "by right" units shall be reserved as Very Low Income units. (DCP)

3. **Height/FAR** The project is limited to an increase in height of 11 feet above the 45 foot height limit, excluding those exceptions permitted by the LAMC 12.21.1 for height, along all sides of the proposed building. The project shall be limited to a maximum floor area ratio of 3:1. (B&S)

4. **Setback:** Setbacks shall be per LAMC Section 12.10-C and Department of Building and safety letter dated October 15, 2010. **(B&S)**
5. **Automobile Parking:** Parking shall be provided pursuant to section 12.22-A,25(d)(1), Parking Option 1 (based on the number of bedrooms). Per the plans received May 12, 2011, the project shall provide a minimum of 162 parking spaces for the project. **(B&S)**
6. **Housing Requirements:** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make 11 percent (8 unit) of the pre-density bonus units of the development available to Very Low Income Households, at a price determined to be affordable to Very Low Income Households by the Los Angeles Housing Department, for a period of 30 years. 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 Los Angeles Housing Department. The applicant will present a copy of the recorded covenant to the Planning Department. **(HD)**
7. **Dedications and Improvements:** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering and the Department of Transportation. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. If required dedications and improvements necessitate redesign of the project, any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department. **(BOE, Various)**
8. **Public Requirements:** The applicant shall provide the following, or assurance of suitable guarantees without expense to the City of Los Angeles:
 - a. Construction of sewers to the satisfaction of the City Engineer. **(BOE)**
 - b. Construction of drainage facilities to the satisfaction of the City Engineer. **(BOE)**
 - c. Installation of street lights to the satisfaction of the Bureau of Street Lighting. **(BOE)**

Notice: The Certificate(s) of Occupancy for the subject project will not be issued by the City until the construction of all public improvements required herein are completed to the satisfaction of the City Engineer. **(B&S)**

ENVIRONMENTAL MITIGATION COMPLIANCE CONDITIONS

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-1212-MND) in accordance with City of Los Angeles CEQA guidelines. The following conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and/or the Project's Mitigated Negative Declaration attached to the subject case file.

9. Environmental Conditions of Approval

- MM-1 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)
- MM-2 The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-3 An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety. (MM)
- MM-4 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-5 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-6 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-7 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- MM-8 Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM-9 **(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-10 **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-11 **(Polychlorinated Biphenyl – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
- MM-12 The applicant shall comply with mitigation measures required by this MND.
- MM-13 Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-14 All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

- MM-15 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-16 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- MM-17 The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
- MM-18 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-19 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-20 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-21 Implementing measure(s) detailed in said Department's communication to the Planning Department dated April 12, 2011 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.

Construction Mitigation Measures

- 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.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. Trucks having no current hauling activity shall not idle but be turned off.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

ADMINISTRATIVE CONDITIONS

- 28. **Approval, Verification and Submittals** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 29. **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 override.
- 30. **Definitions** Any agency, public official, or city department referenced in these conditions shall mean that agency, public official, or city department, or its successor(s) or designee(s). State Density Bonus Program refers to State Government Code Section 65915. Plan Sheet shall mean a numbered drawing submitted by the applicant as a part of the application for this case, attached to the subject case file with the Department of City Planning.
- 31. **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. Conditions which require Department of City Planning verification are followed by **(DCP)**, Department of Transportation verification is shown by **(DOT)**, Bureau of Engineering verification is shown by **(BOE)**, and conditions requiring verification by the Department of Building and Safety are shown by **(B&S)**.
- 32. **Building Plans** The **entire determination letter** shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

33. **Corrective Conditions** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
34. **Proof of Fees** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
35. **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 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.

FINDINGS

After thorough consideration of the information, statements, and plans contained in the application, the reports received from other city departments and governmental agencies, the project's Mitigated Negative Declaration, and the State Government Code Section 65915 (State Density Bonus Program), I hereby find that the requirements for issuing a Density Bonus Compliance Review approval pursuant to the State Density Bonus Program and the Draft Ordinance have been established by the following:

Description of Subject Project

The project site measures approximately 25,834 square feet and is currently vacant with the exception of old commercial building formerly used as a restaurant. The site is located in the West Los Angeles Community Plan Area. The subject lot is zoned [Q]C2-1VL-CDO and has a General Plan Land Use Designation of General Commercial.

The subject property is located at 12301-12333 West Pico Boulevard and encompasses six parcels that will be merged and re-subdivided into one lot for 95 residential units. The project will be a five-story building with two subterranean levels of parking and at grade level of parking below four levels of residential condominiums units. The proposed development is comprised of 12 live/work units, 16 studio units, 19 one-bedroom units, and 48 two-bedroom units. The project will reserve 11 percent (8 units) of its pre-density bonus units as restricted affordable units available to Very Low Income households. The project is providing a minimum 162 parking spaces.

Existing Land Use and Zoning

The site abuts R3 zoned properties with multi-family dwellings north of the subject site. To the north, there is a 12-unit apartment building in the R3-1 Zone. To the east, there is a one-story commercial building in the [Q]C2-1VL-CDO. To the south, there is a row of single story commercial buildings. And to the west, there is public space under the Santa Monica (I-10) Freeway.

DENSITY BONUS COMPLIANCE FINDINGS

1. **The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.**

As conditioned by this approval, the subject project substantially complies with all applicable provisions of L.A.M.C. Section 12.22-A.25 and Ordinance No. 179,681. The project qualifies for a 35 percent density bonus for the following reasons: (1) 11 percent of its pre-density bonus units are set aside for Very Low Income Households. The set aside units automatically allow the applicant to qualify for increases in density and FAR requirements. In addition, since the project sets aside 11 percent of its pre-density bonus units for Very Low Income occupants, the applicant qualifies for incentives from a specified menu of concessions, as described below.

- A. **Density** The subject property is zoned [Q]C2-1VL-CDO. The approximate 23,834 square-foot lot permits 70 "by right" units. The State Density Bonus Program, however, allows a 35 percent density bonus, since the applicant is providing 11 percent of the pre-density units as restricted Very Low Income units. Based on these incentives, the applicant would be permitted to build up to 95 units. The proposed project is within this permitted density.

Automobile Parking The project will utilize one- Parking Option One, which permits parking to be provided at a ratio of one parking space for each one-bedroom unit, two parking spaces for each two- to three- bedroom unit, and 2.5 parking spaces for each unit with 4 or more bedrooms. In this case, the applicant proposes to provide a total of 35 parking spaces for 35 residential units having 0-1 bedroom, 12 parking spaces for each live/work unit having 0-1 bedroom, and 96 parking spaces for 48, 2-bedroom units, for a total of 143 required parking spaces. In addition, while no guest parking spaces are required for a Density Bonus development, approximately 19 additional parking spaces will be provided for guests, and a minimum of 162 parking spaces will be provided on-site, overall.

B. **Incentives/Concessions:**

- i. **Height** Per the L.A.M.C. Section 12.22-A.25 projects which set aside 8 percent of pre-density bonus residential units as restricted

affordable units for Very Low Income Households qualify for a height deviation equal to the percentage of density bonus for which the project is eligible, except for a project on a residentially zoned parcel, which abuts, or is across the street or alley from, R1 or more restrictively zoned properties. The project does not abut any R1-zoned lots.

The height incentive is granted for this project. The project is eligible for an increase in height of 11 feet above the 45 foot height limit, excluding those exceptions permitted by LAMC 12.21.1 for height, along all sides of the proposed building. As conditioned by this determination, the height increase is limited to 11 feet for a total project height of 56 feet.

ii. **Floor Area Ratio**

The floor area ratio increase is granted for this project. The project is eligible for an increase in floor area ratio from 1.5: 1 to 3:1 or a maximum of 77,502 square feet for the 25,834 square feet site. As conditioned by this determination, the total floor area is limited to the proposed 77,405 square feet for the 5-story building which represents an increase to a maximum 2.99:1 FAR.

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.

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-1212-MND) in accordance with the City of Los Angeles CEQA guidelines. Mitigation measures were included that addressed the physical impacts of the project. The project site is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

Impacts related to the potential existence of asbestos and lead paint were also addressed. The project will also be required to install a methane detection system since the site is located within a methane buffer zone. Standard construction methods will be incorporated to mitigate impacts related to air quality, noise, and grading. Landscaping and light impacts will also be incorporated to address the new construction and the building's proposed height. A minimum 125 square feet of open space will be required for each unit proposed. Open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained. Also, outdoor lighting will be designed and installed with shielding to minimize light impacts to the neighboring residential properties.

SITE PLAN REVIEW FINDINGS

3. The project complies with all applicable provisions of the Code and any applicable Specific Plan.

The subject property is a slightly sloping, approximate 0.6 net acre, irregular shaped through corner parcel of land, fronting approximately 215.54 feet along the north side of Pico Boulevard, approximately 83.97 feet along the east side of Carmelina Avenue, approximately 34.82 feet long the east side of Centinela Avenue and approximately 110 feet along the west side of Wellesley Avenue. The property is classified in a [Q]C2-1VL-CDO Zone and improved with a used automobile rental business and a vacant restaurant.

Proposed is the demolition of the existing commercial improvements and the construction of an approximate 77,405 square-foot, 5-story, Density Bonus residential condominium development containing approximately 12 live/work units on the ground level, primarily along the Pico Boulevard frontage, and 83 dwelling units on floors 2-5.

This 35% Density Bonus development will reserve 11%, or 8 of the dwelling units for Very Low Income Households and provide parking pursuant to Section 12.22 A 25(d)(1) of the Los Angeles Municipal Code (Parking Option 1), which allows parking to be provided at 1 on-site parking space for each residential unit of 0-1 bedroom, 2 on-site parking spaces for each residential unit of 2-3 bedrooms and 2.5 parking spaces for each residential unit of 4 or more bedrooms. Accordingly, the proposed project will provide a total of 35 parking spaces for 35 residential units having 0-1 bedroom, 12 parking spaces for each live/work unit having 0-1 bedroom, and 96 parking spaces for 48, 2-bedroom units, for a total of 143 required parking spaces. In addition, while no guest parking spaces are required for a Density Bonus development, approximately 19 additional parking spaces will be provided for guests, and a minimum of 162 parking spaces will be provided on-site, overall.

The project qualifies for, and will utilize two incentives from the Menu of Incentives, including, pursuant to Sections 12.22 A 25 (f)(3)(iii) and 12.22 A 25 (f)(5)(i) of the Los Angeles Municipal Code: a 3:1 FAR for a 35% Density Bonus development on property in a commercial zone in Height District No.1, fronting along a Major Highway and located within 1,500 feet of a station for a fixed rail system (subject site is approximately 680 feet from the Rapid Bus Stop at the intersection of Bundy Drive and Pico Boulevard and approximately 1,400 feet from a planned fixed Expo Line station at Bundy Drive and Exposition and an 11-foot increase in building height.

Parking for all the live/work and guests will be at grade level and accessed from the adjacent 20-foot wide alley along the northerly property line. Parking for residential units will be located in two subterranean levels accessed from a driveway along Wellesley Avenue.

Open space will be provided as required by the Los Angeles Municipal Code. The common open space provided in an approximately 611 square feet recreation room, two courtyards at the second level, opening into Pico Boulevard, and a rooftop terrace at the fifth level along Pico Boulevard. Private open space will be provided in approximately 76 residential unit balconies.

The subject property is located in the West Pico Boulevard Community Design Overlay District (CDO), pursuant to Ordinance No. 175,773, effective March 20, 2004 and Ordinance No. 1757,774, effective March 24, 2004. The proposed project must be reviewed by the Planning Department staff for compliance with the guidelines of the CDO. Approval for compliance with the Design Overlay plan has been requested in a separate application and the proposed development is anticipated to comply with all conditions of approval.

The subject property is also located in the West Los Angeles Transportation Improvement and Mitigation Specific Plan area pursuant to Ordinance No. 171,492 adopted May 8, 1997, and the proposed development will comply with provisions of this Specific Plan.

Therefore, the proposed development will comply with all applicable provisions of the Code.

4. The project is consistent with the General Plan.

The subject property is located in the adopted West Los Angeles Community Plan (Community Plan) area and is designated for "General Commercial" land uses, corresponding to the C1.5, C2, CR, C4, RAS3 and RAS4 and P Zones.

The proposed development implements the following purposes of the Community Plan to maintain the community's distinctive character by:

Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible housing opportunities
Improving the function, design and economic vitality of commercial and industrial areas.

Maximum development opportunities around transit systems while minimizing adverse impacts.

The proposed project also implements Goals, Objectives and Policies of the adopted Community Plan as stated Chapter II of the Plan text:

GOAL 1 A SAFE, SECURE AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE AND ETHNIC SEGMENTS OF THE COMMUNITY.

Objective 1-1 To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area for the year 2010.

Policies

1-1.1 Protect existing single family residential neighborhoods from new out-of-scale development and other incompatible uses.

Program: The Plan map identifies lands where only single family development is permitted. These areas are protected by designating appropriate densities for each land use category and corresponding zone designations directed at minimizing incompatible uses.

1-1.2 Promote neighborhood preservation in all residential neighborhoods.

Program: With the implementation of the Community Plan, all discretionary actions, specific plans, community and neighborhood residential projects are to be consistent with Plan recommendations.

1-1.3 Provide for adequate multi-family residential development.

Program: The Plan Map identifies specific areas where multi-family residential development is permitted.

Objective 1-2: To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities

Policies

1-2.1 Locate higher residential densities near commercial centers and major bus routes where public services facilities and infrastructure will support this development.

Program: The plan designates most of the higher residential densities near major transit corridors, and in the Century City regional center.

1-2.3 Do not increase residential densities beyond those permitted in the Plan unless the necessary infrastructure and transportation systems are available to accommodate the increase.

Objective 1-3: To preserve and enhance the various and distinct residential character and integrity of existing residential neighborhoods.

Polices

1-3.1 Require architectural compatibility and adequate landscaping for new multi-family residential development to protect the character and scale of existing residential neighborhoods.

Program: *The Plan includes Design Guidelines for multi-family residential development.*

Objective 1-4 *To promote adequate and affordable housing and increase its accessibility to more segments of the populations, especially students and senior citizens.*

Policies

1-4.1 Promote greater individual choice in type, quality, price and location of housing

Program: *The plan promotes greater individual choice by allocating adequate lands in the plan for a variety of residential densities, and the promotion of housing in mixed-used projects.*

1-4.2 Ensure that new housing opportunities minimize displacement of residents.

Program: *A decision-maker should adopt a finding which addresses this factor in any decision relating to the construction of new housing.*

1-4.3 Encourage multiple residential development in specified commercial zones.

Program: *The Plan identifies areas for mixed use developments in commercial zones.*

The proposed project implements the Community Plan by providing alternative housing opportunities, including affordable housing units, in proximity to commercial centers and major bus routes.

Currently, the West Los Angeles Community Plan is among a number of Community Plans that are in the process of being updated. For this plan area, a document, "Potential Change Areas for Discussion", dated February 2009, has been developed by the City of Los Angeles Planning Department which indicates that the subject property would be located in a Transit Oriented District in the vicinity of the Bundy Station of Phase II of the Expo Line, proposed to "promote a viable mix of uses at transit nodes". The proposed project, in proximity to the Bundy Station of the Expo Line and providing for both resident and guest bicycle

parking, would be consistent with the land use vision for the vicinity of the project as currently contemplated.

5. The project is consistent with any applicable adopted Redevelopment Plan.

The proposed development is not located within any Redevelopment Plan.

6. The project consists of an arrangement of buildings and structures (including height, bulk, and setback), off-street parking facilities, loading areas, lighting, trash collection, and other pertinent improvements, which is or will be compatible with existing and future development on neighboring properties.

The proposed 5-story residential building has been designed with ground floor live/work units with direct access from the adjacent sidewalk to promote a pedestrian ambiance. The "E" shaped building configuration of floors 2-5 will result in two courtyards that open onto Pico Boulevard and divide the façade of the building into three separate sections along the southerly Pico Boulevard frontage. The Pico Boulevard frontage of the building will appear as a 4-story building from most vantage points easterly, southerly and westerly, since the fifth building level will be stepped back approximately 15 feet from the property line.

The easterly, westerly and southerly building facades will be articulated with balconies and changes in material and color. Five light wells will bring natural light to the interior of the development and an east-west pedestrian corridor on levels 2-5 will be open at either end to allow views to the adjacent streets.

Parking for the live/work units and guests will be provided at grade and accessed from the adjacent alley. Parking for the residential units will be in two levels of subterranean parking accessed from a separate driveway along the Wellesley Avenue frontage. The proposed parking is suitable for a residential development located along a major transportation corridor less than 1,500 feet from an approved Expo Line Station. A secured bicycle storage area for guests as well as a trash and recycling room will be located on the first level. Additionally, a secured bicycle storage area for residents will be located on each subterranean level.

7. The project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review that would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.

The project will comply with all mitigation measures of the environmental clearance.

8. **Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and services amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.**

The proposed project will provide all required open space including a common recreation room, passive outdoor areas and private balconies. The development is also located in proximity to the planned dedicated bike path that will follow the Expo Line Route from the City of Santa Monica to the University of Southern California.

EFFECTIVE DATE AND APPEAL PERIOD

The Director of Planning's determination on this matter will become effective and final 15 days after the date of mailing of this determination, unless an appeal is filed with the City Planning Commission. Such an appeal must be in writing, on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the effective date, or the appeal will not be accepted.

TRANSFERABILITY AND TERMINATION

The approval granted herein shall be for a period of two years from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. The applicant is advised that this approval is not a permit or license and that permits and licenses required by law must be obtained from the proper public agency. If any condition of this approval is violated or not complied with, then the applicant or the applicant's successor in interest may be prosecuted the same as for any violations of the requirements contained in the Municipal Code, or the approval may be revoked.

In the event the property is sold or leased to any person or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

MICHAEL J. LOGRANDE
Director of Planning

EXHIBIT F

**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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VICE-PRESIDENT

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INFORMATION
www.planning.lacity.org

Decision Date: September 7, 2011

Appeal Period Ends: September 16, 2011

Peter Wilson (A)(O)
Hyde Pak, LLC
10750 Wilshire Boulevard, Suite 1404
Los Angeles, CA 90024

Mark Brown (R)
Brown/Meshul Incorporated
11835 W. Olympic Boulevard, # 285
Los Angeles, CA 90064

Jack Little Co. (E)
17620 Sherman Way, Suite 217
Van Nuys, CA 91406

RE: Vesting Tentative Tract Map No.: 71624-CN
Related Case: DIR-2011-1211(DB)(SPR)
Address: 12301-12333 Pico Boulevard
Community Plan: West Los Angeles
Zone: [Q]C2-1VL-CDO
Council District: 11
CEQA No.: ENV-2011-1212-MND

In accordance with the provisions of Los Angeles Municipal Code (LAMC) Section 17.03, the Advisory Agency approved Vesting Tentative Tract Map No. 71624 composed of one-lot, located at 12301-12333 West Pico Boulevard in the West Los Angeles Community Plan area for a new maximum **95-unit residential condominium, including 8 units reserved for Very Low Income Households** as shown on revised map stamp-dated September 6, 2011. This unit density is based on the R3 Zone and L.A.M.C. Section 12.22 A 25. (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.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 2-foot wide strip of land be dedicated along Centinela Avenue adjoining the tract including a suitable radius property line return at the intersection with Carmelina Avenue.
2. That Board of Public Works approval be obtained, prior to the recordation of the final map, the removal of any tree in the existing or proposed right-of-way area associated with improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.
3. That any fee deficit under Work Order No. EXT00443 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

5. 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. Specify on the map the proposed mixed of condominium uses and the number of residential and commercial (if any) condominium units for the project
 - c. Provide a copy of DIR case DIR-2011-1211-DB-SPR. Show compliance with all the conditions/requirements of the ZA cases(s) as applicable.
 - d. Show all street/alley dedication(s) as required by the Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street/alley dedication.
 - e. The submitted Map does not comply with the maximum density (400 s.f. of lot area/dwelling unit) requirement of the C2 Zone. Revise the Map to show compliance with the above requirements(s) or obtained approval from the Department of City Planning.

Note:

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, polices, and standard in effect at the time of the subdivision application was deemed complete.

DEPARTMENT OF TRANSPORTATION

6. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space be provided between any security gates(s) and the property line.
 - b. Vehicular access shall be from the alley and from Wellesley Avenue, only.
 - c. This project is subject to the West Los Angeles Transportation Improvement and Mitigation 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 submitted 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, CA 90045

FIRE DEPARTMENT

7. 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: **(MM)**
 - 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. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

- e. Site plans shall include all overhead utility lines adjacent to the site.
- f. Any roof elevation changes in excess of three feet may require the installation of ships ladders.
- g. Building designs for multi-stored residential building shall incorporate at least one access stairwell off the main lobby of the building, but in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or fire lane. This stairwell shall extend unto the roof.
- h. Entrance to the main lobby shall be located off the address side of the building.
- i. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- j. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include classification, verification of condition compliance and plans or building permit application, 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

- 8. 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

- 9. If new street light(s) are required, then 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

- 10. 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

11. 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quimby fee be based on the R4 density. **(MM)**

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

13. 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 95 dwelling units, of which 8 shall be reserved for Very Low Income Households.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit, or as approved pursuant DIR 2011-1211(DB)(SPR). All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety. **(MM)**

- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)
 - g. 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)
14. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
15. Prior to the issuance of the building permit or the recordation of the final map, a copy of the DIR 2011-1211(DB)(SPR) shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2011-1211(DB)(SPR) is not approved, the subdivider shall submit a tract modification.
16. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per Ordinance 175,733.
17. **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 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.

Note:

The Deputy Advisory Agency designates the property lines abutting Pico Boulevard, Wellesley Avenue and Carmelina Avenue, and Centinella Avenue as the front yards, while the alley north of Pico Boulevard is designated as the rear property/lot line.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

18. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 7, 13c, 13, 13g, 19 and 20 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors 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.

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:

MM-1 The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

MM-2 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-3 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-4 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-5 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).

MM-6 Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

- MM-7 **(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-8 **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-9 **(Polychlorinated Biphenyl – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
- MM-10 The applicant shall comply with mitigation measures required by this MND.
- MM-11 Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-12 All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- MM-13 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-14 Fences shall be constructed around the site to minimize trespassing,

vandalism, short-cut attractions and attractive nuisances.

- MM-15 The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
- MM-16 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-17 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-18 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-19 Implementing measure(s) detailed in said Department's communication to the Planning Department dated April 12, 2011 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.
20. **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.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be

sturdily attached to a wooden post if it will be freestanding.

- b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. Trucks having no current hauling activity shall not idle but be turned off.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-

of-the-art noise shielding and muffling devices.

- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a

sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. 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 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 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 Transportation 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Carmelina Avenue, two (2) on Pico Boulevard, and one (1) on Wellesley Avenue.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings 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 (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Improve Pico Boulevard being dedicated and adjoining the subdivision by the construction of a 10-foot full-width concrete sidewalk with tree wells and landscaping of the parkway.
 - b) Improve Wellesley Avenue adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete-gutter, and a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvement.
 - c) Improve Carmelina Avenue and Centinela Avenue adjoining the tract by reconstruction of the existing sidewalks to provide 5-foot concrete sidewalks and landscaping of the parkways.
 - d) Improve the alley adjoining the subdivision by the construction of a suitable surfacing to complete a 10-foot wide half alley with 2-foot wide longitudinal including any necessary removal and reconstruction of the existing improvements.

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05N.

The final map must record 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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2011-1212-MND on July 27, 2011. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light, shade /shadow);
- Air Quality (construction, operational);
- Geology and Soils (construction, seismic, liquefaction);
- Hazards and Hazardous Materials (liquefaction, methane, asbestos);
- Hydrology and Water Quality (stormwater);
- Land Use and Planning
- Noise (construction, operational);
- Population and Housing;
- Public Services (fire, police, schools, street improvements);
- Recreation (parks);
- Transportation/Circulation (emergency access, West LA TIMP); and
- Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2011-1212-MND 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 **No(s). 7, 13c, 13f,13g 19 and 20** 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), 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. 19.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 71624, 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 West Los Angeles Community Plan designates the subject property for General Commercial land use with the corresponding zone(s) of C1, C1.5, C2, C4, RAS3, RAS4, and P. The property is located within the West Los Angeles Transportation Improvement and Mitigation Program Specific Plan area. The property contains approximately .606 net acres (26,438 net square feet after required dedication) and is presently zoned [Q]C2-1VL-CDO. The proposed development of 95 dwelling units is allowable under L.A.M.C. Section 12.22-A 25, the current adopted zone and the land use designation. The project will provide much needed new home ownership opportunities for the Community Plan area. There are no existing tenants and therefore, no relocation assistance is required pursuant to the Los Angeles Housing Department's ordinances.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract 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.**

Pico Boulevard is a Major Highway dedicated to a 100-foot width at the project's street frontage. Centinela Avenue is Local Street dedicated to a 60-foot width at the project's street frontage and the Bureau of Engineering requires a 2-foot dedication to complete an 18-foot wide half street dedication in accordance with Local Street Standards. Wellesley Avenue is a Local Street dedicated to a 60-foot width at the project's street frontage and the Bureau of Engineering requires the construction of the curb, gutter and sidewalk to complete the right adjacent to the property and a resurfacing of the 18-foot wide half street roadway in accordance with Local Street Standards.

This project isn't subject to any Specific Plan requirements. The proposed project will provide 163 parking spaces in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium projects in non-congested parking areas. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

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

The site is currently developed with a surface parking lot and a vacant restaurant building. It's one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has tentatively approved the tract map relative to Division 70 of the Building Code.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

Adjacent land uses are commercial to the east in the [Q]C2-1VL-CDO Zone, commercial to the south in the [Q]C2-1VL-CDO Zone, public facility use to the west in the City of Santa Monica, and multi-family to the north in the R3-1 Zone. The proposed project would provide an appropriate transitional development between the commercial uses to the south and the multi-family uses to the north. The site currently contains a vacant restaurant building, and the proposed project would provide 95 condominium units. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

(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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

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

There appear 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)

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.

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.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

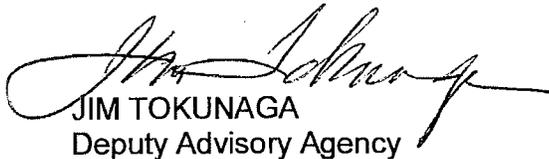
The topography of the site has been considered in the maximization of passive or

natural heating and cooling opportunities.

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 Vesting Tentative Tract Map No. 71624.

Michael J. LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:TLI:jq

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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

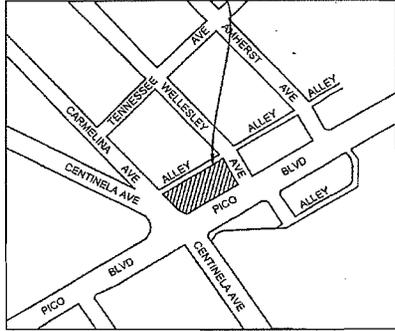
Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818 374-5050

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

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

PROJECT SITE



VICINITY MAP
NTS

VESTING TENTATIVE TRACT MAP NO. 71624

IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

SUBDIVIDER/OWNER IN ESCROW:

HYDE PARK, LLC
10750 WILSHIRE BLVD, SUITE 1404
LOS ANGELES, CA 90024
TEL: (310) 479-5555

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
 TENTATIVE MAP

REPRESENTATIVE:

DHS & ASSOCIATES INC.
275 CENTENNIAL WAY, SUITE 205
TUSTIN, CA 92780
TEL: (714) 665-6569

SEP 6 2011

SURVEYOR:

JACK LITTLE CO.
17620 SHERMAN WAY #217
VAN NUYS, CA 91406
TEL: (818) 342-3277
LIC. #2883, EXP. 06-30-2012

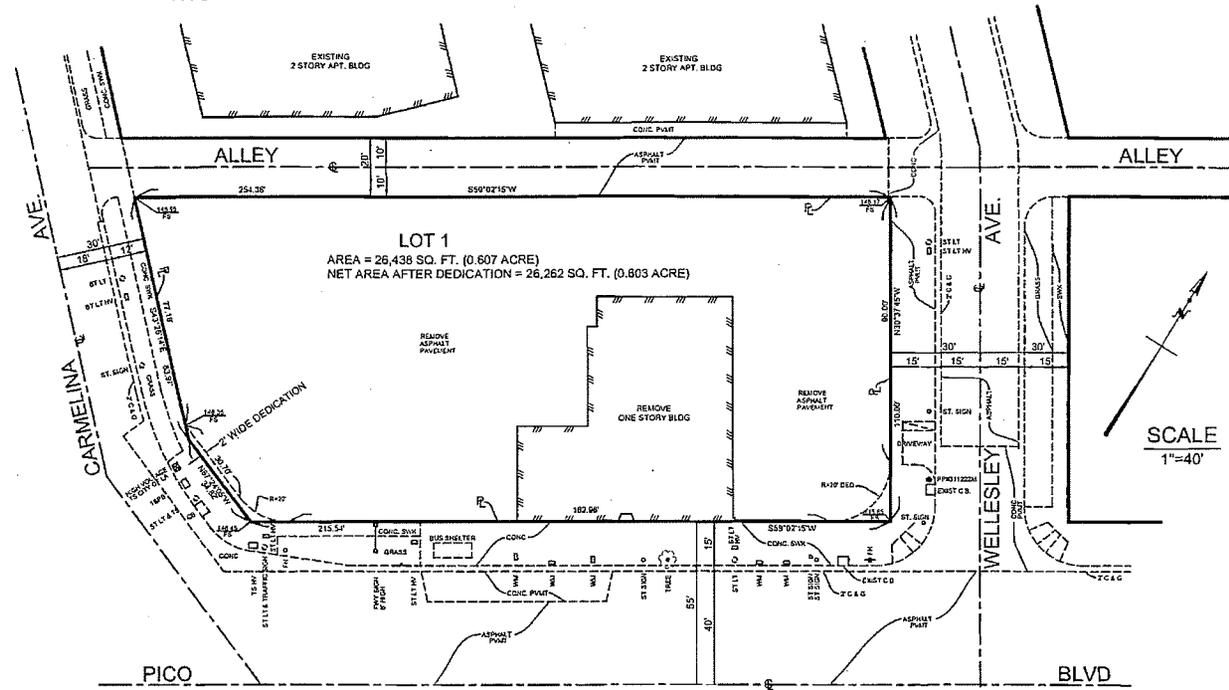
REVISED MAP FINAL MAP UNIT
 TIME EXTENSION
DEPUTY ADVISORY AGENCY
DIVISION OF LAND
FILING FEE: _____

LEGAL DESCRIPTION:

LOTS 7, 8, 9, 10, 11, AND 12, BLOCK 4 OF TRACT NO. 6372
MB 72 PAGE 88
RECORD OF THE LOS ANGELES COUNTY

NOTES:

- EXISTING BUILDING TO BE DEMOLISHED.
- EXISTING LOTS WILL BE USED FOR DEVELOPMENT OF NINETY FIVE (95) UNITS ATTACHED MIXED USE CONDOMINIUM.
- PROJECT ADDRESS: 12301-12333 W. PICO BLVD
LOS ANGELES, CA 90064
- THERE ARE NO OAK, WESTERN SYCAMORE, CALIFORNIA BAY, OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON THE SITE.
- THE SITE IS RELATIVELY FLAT.
- THE SITE IS NOT IN THE FLOOD ZONE AREA.
- SEWER AND OTHER PUBLIC UTILITIES ARE AVAILABLE.
- AREA:
AREA = 26,438 S.F. (0.606 ACRES)
AREA AFTER DEDICATION = 26,262 S.F. (0.603 ACRES)
GROSS AREA: (TO ALLEY CENTER LINE AFTER DEDICATION) = 28,817 S.F. (0.661 ACRES)
- THOMAS GUIDE: PAGE 632-A7
DISTRICT MAP NO. 120-B-149
CENSUS TRACT NO. 2676.00
COUNCIL DISTRICT NO. 11
- PROPOSED DEVELOPMENT DATA:
95-UNITS ATTACHED MIXED USE CONDOMINIUMS
PARKING: COVERED PARKING SPACE FOR 95-UNITS = 143
MAXIMUM GUEST PARKING = 19
TOTAL PARKING SPACES = 162
- THERE ARE NO TREES ON THE LOT.
- GRADING QUANTITIES:
CUT = 16,540 CY
FILL = 0 CY
NET EXPORTED = 16,540 CY
- THE PROJECT SITE IS IN LIQUEFACTION AREA.
- EXISTING ZONING: [C]C2-1VL-CDO
- THERE IS NO REQUEST IN ZONE CHANGE
- FOR THIS PROJECT; DEPT. OF BUILDING AND SAFETY HAS ISSUED A LETTER DATED OCT. 15, 2010 STATING THAT; "THE PROPERTY LINE ADJACENT TO WELLESLEY AVENUE, PICO BOULEVARD, CENTINELA AVENUE AND CARMELINA AVENUE SHALL BE CONSIDERED A FRONT LOT LINE AND THE PROPERTY LINE ADJACENT TO THE ALLEY SHALL BE CONSIDERED A REAR LOT LINE."
- MAP PREPARED ON 08-26-2011



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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
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DIEGO CARDOSO
GEORGE HOVAGUIMIAN
JUSTIN KIM
ROBERT LESSIN,
BARBARA ROMERO
MICHAEL K. WOO
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
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ACTING DEPUTY DIRECTOR
(213) 978-1272
EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273
FAX: (213) 978-1275
INFORMATION
www.planning.lacity.org

REVISED

Decision Date: September 14, 2011

Appeal Period Ends: September 23, 2011

Peter Wilson (A)(O)
Hyde Park, LLC
10750 Wilshire Boulevard, Suite 1404
Los Angeles, CA 90024

Mark Brown (R)
Brown/Meshul Incorporated
11835 W. Olympic Boulevard, # 285
Los Angeles, CA 90064

Jack Little Co. (E)
17620 Sherman Way, Suite 217
Van Nuys, CA 91406

RE: **Vesting Tentative Tract Map No.: 71624-CN**
Related Case: DIR-2011-1211(DB)(SPR)
Address: 12301-12333 Pico Boulevard
Community Plan: West Los Angeles
Zone: [Q]C2-1VL-CDO
Council District: 11
CEQA No.: ENV-2011-1212-MND

In accordance with the provisions of Los Angeles Municipal Code (LAMC) Section 17.03, the Advisory Agency approved Vesting Tentative Tract Map No. 71624 composed of one-lot, located at 12301-12333 West Pico Boulevard in the West Los Angeles Community Plan area for a new maximum **95-unit residential condominium, including 8 units reserved for Very Low Income Households** as shown on revised map stamp-dated September 6, 2011. This unit density is based on the R4 Zone and L.A.M.C. Section 12.22 A 25. (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.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 2-foot wide strip of land be dedicated along Centinela Avenue adjoining the tract including a suitable radius property line return at the intersection with Pico Boulevard.
2. That Board of Public Works approval be obtained, prior to the recordation of the final map, the removal of any tree in the existing or proposed right-of-way area associated with improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.
3. That any fee deficit under Work Order No. EXT00443 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

5. 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. Specify on the map the proposed mixed of condominium uses and the number of residential and commercial (if any) condominium units for the project.
 - b. Provide a copy of DIR case DIR-2011-1211-DB-SPR. Show compliance with all the conditions/requirements of the ZA cases(s) as applicable.
 - c. Show all street/alley dedication(s) as required by the Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street/alley dedication.
 - d. The submitted Map does not comply with the maximum density (400 s.f. of lot area/dwelling unit) requirement of the C2 Zone. Revise the Map to show compliance with the above requirements(s) or obtained approval from the Department of City Planning.

Note:

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, polices, and standard in effect at the time of the subdivision application was deemed complete.

DEPARTMENT OF TRANSPORTATION

6. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space be provided between any security gates(s) and the property line.
 - b. Vehicular access shall be from the alley and from Wellesley Avenue, only.
 - c. This project is subject to the West Los Angeles Transportation Improvement and Mitigation 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 submitted 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, CA 90045

FIRE DEPARTMENT

7. 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: **(MM)**
 - 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. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
 - e. Site plans shall include all overhead utility lines adjacent to the site.
 - f. Any roof elevation changes in excess of three feet may require the installation of ships ladders.

- g. Building designs for multi-stored residential building shall incorporate at least one access stairwell off the main lobby of the building, but in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or fire lane. This stairwell shall extend unto the roof.
- h. Entrance to the main lobby shall be located off the address side of the building.
- i. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- j. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include classification, verification of condition compliance and plans or building permit application, etc., and shall be accomplish **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

- 8. 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

- 9. If new street light(s) are required, then 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

- 10. 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

11. 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quimby fee be based on the R4 density. **(MM)**

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

13. 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 95 dwelling units, of which 8 shall be reserved for Very Low Income Households.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit, or as approved pursuant DIR 2011-1211(DB)(SPR). All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety. **(MM)**
- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- e. That the subdivider considers the use of natural gas and/or solar energy and

consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

- f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)
 - g. 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)
14. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
 15. Prior to the issuance of the building permit or the recordation of the final map, a copy of the **DIR 2011-1211(DB)(SPR)** shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2011-1211(DB)(SPR) is not approved, the subdivider shall submit a tract modification.
 16. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per Ordinance 175,733.
 17. **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 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.

Note:

The Deputy Advisory Agency designates the property lines abutting Pico Boulevard, Wellesley Avenue and Carmelina Avenue, and Centinella Avenue as the front yards, while the alley north of Pico Boulevard is designated as the rear property/lot line.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

18. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 7, 13c, 13, 13g, 19 and 20 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors 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.

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:

- MM-1 The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-2 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-3 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-4 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-5 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- MM-6 Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM-7 **(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-8 **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-9 **(Polychlorinated Biphenyl – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
- MM-10 The applicant shall comply with mitigation measures required by this MND.
- MM-11 Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-12 All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- MM-13 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-14 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- MM-15 The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key

systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

- MM-16 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-17 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-18 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-19 Implementing measure(s) detailed in Department of Transportation's communication to the Planning Department dated April 12, 2011 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.
20. **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.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
- b. 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.

- c. 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. 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.
 - CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. Trucks having no current hauling activity shall not idle but be turned off.
 - CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
 - CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. 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 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 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 Transportation 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Carmelina Avenue, two (2) on Pico Boulevard, and one (1) on Wellesley Avenue.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings 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 (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Improve Pico Boulevard adjoining the subdivision by the construction of a 10-foot full-width concrete sidewalk with tree wells and landscaping of the parkway.
 - b) Improve Wellesley Avenue adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvement.
 - c) Improve Carmelina Avenue and Centinela Avenue adjoining the tract by reconstruction of the existing sidewalks to provide 5-foot concrete sidewalks and landscaping of the parkways.
 - d) Improve the alley adjoining the subdivision by the construction of a suitable surfacing to complete a 10-foot wide half alley with 2-foot wide longitudinal including any necessary removal and reconstruction of the existing improvements.

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05N.

The final map must record 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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2011-1212-MND on July 27, 2011. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light, shade /shadow);
- Air Quality (construction, operational);
- Geology and Soils (construction, seismic, liquefaction);
- Hazards and Hazardous Materials (liquefaction, methane, asbestos);
- Hydrology and Water Quality (stormwater);
- Land Use and Planning
- Noise (construction, operational);
- Population and Housing;
- Public Services (fire, police, schools, street improvements);
- Recreation (parks);
- Transportation/Circulation (emergency access, West LA TIMP); and
- Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2011-1212-MND 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 **No(s). 7, 13c, 13f, 13g 19 and 20** 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), 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. 19.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 71624, 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 West Los Angeles Community Plan designates the subject property for General Commercial land use with the corresponding zone(s) of C1, C1.5, C2, C4, RAS3, RAS4, and P. The property is located within the West Los Angeles Transportation Improvement and Mitigation Program Specific Plan area. The property contains approximately .606 net acres (26,438 net square feet after required dedication) and is presently zoned [Q]C2-1VL-CDO. The proposed development of 95 dwelling units is allowable under L.A.M.C. Section 12.22-A 25, the current adopted zone and the land use designation. The project will provide much needed new home ownership opportunities for the Community Plan area. There are no existing tenants and therefore, no relocation assistance is required pursuant to the Los Angeles Housing Department's ordinances.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract 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.**

Pico Boulevard is a Major Highway dedicated to a 100-foot width at the project's street frontage. Centinela Avenue is Local Street dedicated to a 60-foot width at the project's street frontage and the Bureau of Engineering requires a 2-foot dedication to complete an 18-foot wide half street dedication in accordance with Local Street Standards. Wellesley Avenue is a Local Street dedicated to a 60-foot width at the project's street frontage and the Bureau of Engineering requires the construction of the curb, gutter and sidewalk to complete the right adjacent to the property and a resurfacing of the 18-foot wide half street roadway in accordance with Local Street Standards.

This project isn't subject to any Specific Plan requirements. The proposed project will provide 163 parking spaces in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium projects in non-congested parking areas. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

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

The site is currently developed with a surface parking lot and a vacant restaurant building. It's one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has tentatively approved the tract map relative to Division 70 of the Building Code.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

Adjacent land uses are commercial to the east in the [Q]C2-1VL-CDO Zone, commercial to the south in the [Q]C2-1VL-CDO Zone, public facility use to the west in the City of Santa Morica, and multi-family to the north in the R3-1 Zone. The proposed project would provide an appropriate transitional development between the commercial uses to the south and the multi-family uses to the north. The site currently contains a vacant restaurant building, and the proposed project would provide 95 condominium units. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

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

There appear 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)

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.

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.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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 Vesting Tentative Tract Map No. 71624.

Michael J. LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:TLI:jq

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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

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

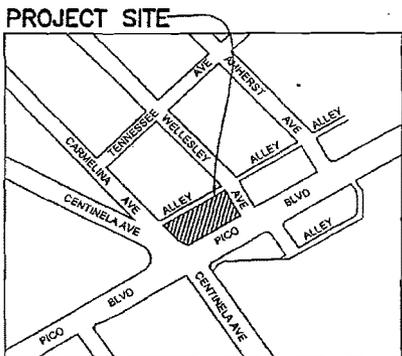
Forms are also available on-line at <http://cityplanning.lacity.org/>

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.

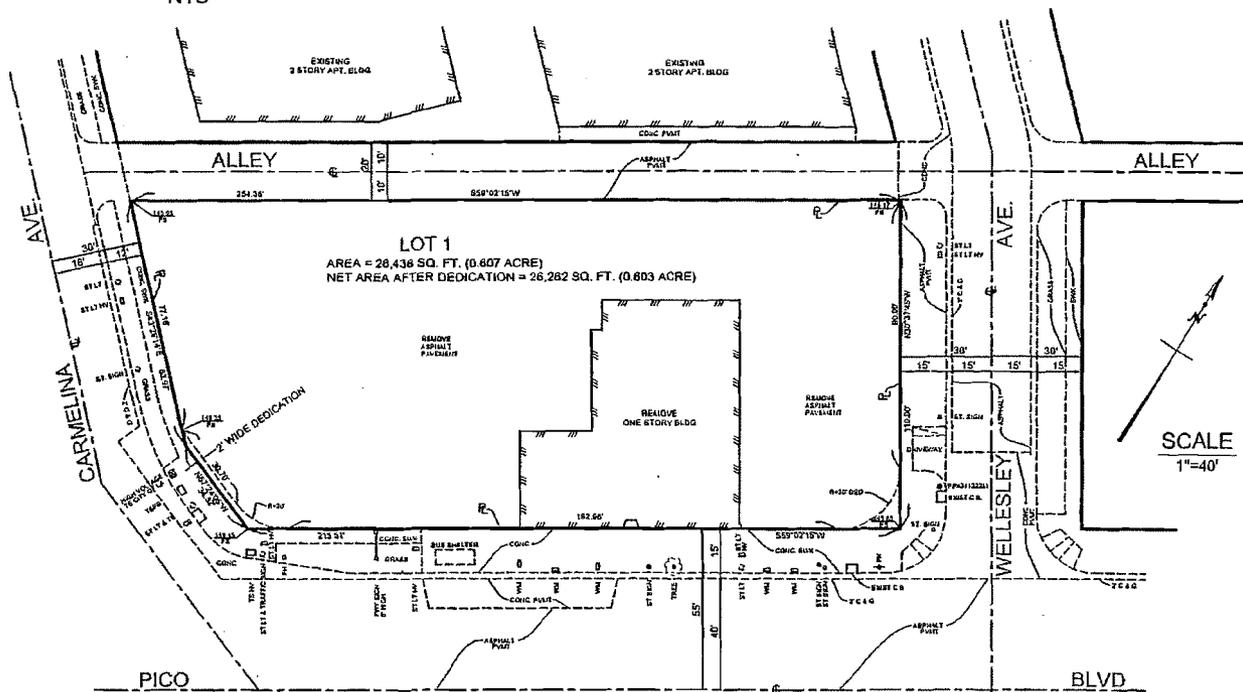
If you have any questions, please call Subdivision staff at (213) 978-1362.

VESTING TENTATIVE TRACT MAP NO. 71624

IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES



VICINITY MAP
NTS



SUBDIVIDER/OWNER IN ESCROW:

HYDE PARK, LLC
10750 WILSHIRE BLVD, SUITE 1404
LOS ANGELES, CA 90024
TEL: (310) 479-5555

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
 TENTATIVE MAP

REPRESENTATIVE:

DHS & ASSOCIATES INC.
275 CENTENNIAL WAY, SUITE 205
TUSTIN, CA 92780
TEL: (714) 885-6669

SEP 6 2011

SURVEYOR:

JACK LITTLE CO.
17620 SHERMAN WAY #217
VAN NUYS, CA 91408
TEL: (818) 342-3277
LIC. #2883, EXP. 08-30-2012

REVISED MAP FINAL MAP UNIT
 TIME EXTENSION
DEPUTY ADVISORY AGENCY
DIVISION OF LAND

LEGAL DESCRIPTION:

LOTS 7, 8, 9, 10, 11, AND 12, BLOCK 4 OF TRACT NO. 6372
MB 72 PAGE 88
RECORD OF THE LOS ANGELES COUNTY

NOTES:

- EXISTING BUILDING TO BE DEMOLISHED.
- EXISTING LOTS WILL BE USED FOR DEVELOPMENT OF NINETY FIVE (95) UNITS ATTACHED MIXED USE CONDOMINIUM.
- PROJECT ADDRESS: 12301-12333 W. PICO BLVD
LOS ANGELES, CA 90084
- THERE ARE NO OAK, WESTERN SYCAMORE, CALIFORNIA BAY, OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON THE SITE.
- THE SITE IS RELATIVELY FLAT.
- THE SITE IS NOT IN THE FLOOD ZONE AREA.
- SEWER AND OTHER PUBLIC UTILITIES ARE AVAILABLE.
- AREA:
AREA = 28,438 S.F. (0.608 ACRES)
AREA AFTER DEDICATION = 26,282 S.F. (0.603 ACRES)
GROSS AREA: (TO ALLEY CENTER LINE AFTER DEDICATION) = 28,817 S.F. (0.661 AC)
- THOMAS GUIDE: PAGE 832-A7
DISTRICT MAP NO. 120-B-149
CENSUS TRACT NO. 2878.00
COUNCIL DISTRICT NO. 11
- PROPOSED DEVELOPMENT DATA:
95-UNITS ATTACHED MIXED USE CONDOMINIUMS
PARKING: COVERED PARKING SPACE FOR 95-UNITS = 143
MAXIMUM GUEST PARKING = 19
TOTAL PARKING SPACES = 182
- THERE ARE NO TREES ON THE LOT.
- GRADING QUANTITIES:
CUT = 18,540 CY
FILL = 0 CY
NET EXPORTED = 18,540 CY
- THE PROJECT SITE IS IN LIQUEFACTION AREA.
- EXISTING ZONING: IJC2-1VL-CDO
- THERE IS NO REQUEST IN ZONE CHANGE
- FOR THIS PROJECT, DEPT. OF BUILDING AND SAFETY HAS ISSUED A LETTER DATED OCT. 15, 2010 STATING THAT: "THE PROPERTY LINE ADJACENT TO WELLESLEY AVENUE, PICO BOULEVARD, CENTINELA AVENUE AND CARMELINA AVENUE SHALL BE CONSIDERED A FRONT LOT LINE AND THE PROPERTY LINE ADJACENT TO THE ALLEY SHALL BE CONSIDERED A REAR LOT LINE."
- MAP PREPARED ON 06-28-2011

EXHIBIT G

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
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DIEGO CARDOSO
GEORGE HOVAGUIMIAN
JUSTIN KIM
ROBERT LESSIN
BARBARA ROMERO
MICHAEL K. WOO

JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

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DEPUTY DIRECTOR
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DEPUTY DIRECTOR
(213) 978-1273

VACANT
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

May 4, 2012

Isaac Cohanzad (A)(O)
Barry Hill, LLC
11601 Santa Monica Boulevard
Los Angeles, CA 90025

Jack Little Co. (E)
17621 Sherman Way
Van Nuys, CA 90025

Building and Safety

CASE NO. DIR-2011-3182-DB
DENSITY BONUS COMPLIANCE REVIEW
Related Case: TT-71761-CN
CEQA: ENV-2011-3183-MND
Address: 1411 South Barry Avenue
Plan Area: West Los Angeles
Zone: R3-1
D.M.: 129B149
C.D.: 11
Legal Description: Lots 25 and Fraction of Lot 1,
Artesian Tract and Tract 49065-C

Pursuant to Los Angeles Municipal Code Section 16.05, as the designee of the Director of Planning, I hereby:

Approve a Density Bonus Compliance Review pursuant to Section LAMC 12.22-A.25 for a 35% density bonus to provide seven additional units, of which two units (11%) will be set aside for very low income purposes.

Approve the following two incentive/concessions for a project that reserves at least two units (11%) will be set aside for very low income purposes.

- a. A 35% Floor Area Ratio increase resulting in a maximum of 42,829 square feet;
- b. A 20% increase in building height resulting in a maximum 54 feet in lieu of the maximum 45-foot allowed;

Adopt Mitigated Negative Declaration ENV-2011-3183-MND as the environmental clearance.

Adopt the attached findings.

Advise the applicant that pursuant to the California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that environmental mitigation measures are implemented and maintained through the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

This approval is subject to the following terms and conditions:

CONDITIONS OF APPROVAL

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of the State Government Code Section 65915 (State Density Bonus Program) and the Density Bonus Ordinance No. 179,681, and the promotion of development compatible with existing and future development of neighboring properties.

Density Bonus Compliance Conditions

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal code and the conditions of approval.
2. **Permitted Uses.** The use of the subject site shall be limited to 25 residential units and associated 50 on-site parking spaces.
3. **Floor Area.** The maximum floor area of the proposed buildings shall not exceed 42,829 square feet.
4. **Height.** The maximum height of the proposed buildings shall not exceed 54 feet.
5. **Parking.** A total of 50 parking spaces, at 2 spaces for each unit with two-three bedrooms.
6. **Housing Requirements.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a purchase or lease covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve two of the proposed 25 units for occupancy by Very Low Income households. The 35% density bonus, grants the applicant an additional 7 units in excess of the 18 otherwise permitted by the R3-1 Zone. These units will be restricted as affordable for-sale or rental dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22 A.25. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)). Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.

Environmental

7. **Lighting.** 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.
8. **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. Wetting could reduce fugitive dust by as much as 50 percent.

- 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.
- 9. Air Pollution (Stationary).** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
- 10. 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 Urban Forestry Division the Department of Public Works, Bureau of Street Services.
- 11. 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.
- 12. 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:

- 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.
- Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

13. Grading (20,000 Cubic Yards, or 60,000 Square Feet of Surface Area or Greater).

a. 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 deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.
- "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
- "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
- Movement and removal of approved fencing shall not occur without prior approval by LADBS.

14. Green House Gas Emissions. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

15. Standard Urban Stormwater Mitigation Plan.

- a. Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- c. Promote natural vegetation by using parking lot islands and other landscaped areas.

- d. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- e. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- f. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- g. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- h. Legibility of stencils and signs must be maintained.
- i. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevent contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- j. The storage area must be paved and sufficiently impervious to contain leaks and spills.
- k. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- l. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- m. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- n. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- o. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- p. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

16. 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 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.
- c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

17. Increased Noise Levels (Parking Structure Ramps).

- a. Concrete, not metal, shall be used for construction of parking ramps.
- b. The interior ramps shall be textured to prevent tire squeal at turning areas.
- c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

18. Fire. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.**19. Public Services (Schools affected by Haul Route).**

- a. LADBS shall assign specific haul route hours of operation based upon University High School hours of operation.
- b. Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

20. 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.**21. Street Improvements.** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.**22. Recreation.** 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.

23. Transportation (Haul Route). Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.

24. 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:
 - 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.

25. Local Water Supplies.

- 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.)
- f. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

- g. 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.
 - h. 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.
26. **Solid Waste Recycling (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.

ADMINISTRATIVE

27. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
28. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
29. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
30. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices legislation or their successors, designees, or amendment to any legislation.
31. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
32. **Building Plans.** Page 1 of this grant and all conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
33. **Utilization of Concurrent Entitlement.** Site Plan Review requires completion of all applicable conditions of approval to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be deemed terminated and

the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

34. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
35. **Fees.** Prior to the clearance of any Density Bonus conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
36. **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 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 a 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.

BACKGROUND

The adopted West Los Angeles Plan designates the subject property for Medium Residential land use and is currently zoned R3-1. The subject site is a 0.33 net acre site (14,741 net square feet after required dedication and including 1/2 of the alley), consisting of two rectangular-shaped lots. One lot is currently vacant. The applicant is requesting a Director's Determination approval pursuant to Section LAMC 12.22-A.25, to utilize a 35% density bonus to provide seven additional units, of which two dwelling units will be set aside for Very Low income households. The applicant is using two on-menu incentives: a 35% increase of Floor Area Ratio resulting in a maximum of 42,829 square feet and a 20% increase in height resulting in a maximum of 54 feet.

On May 4, 2012, the Deputy Advisory Agency approved a concurrent request for Tentative Tract Map No. 71761-CN to permit the construction of a 25-unit condominium project with 50 parking spaces.

Several phone calls were received and had general questions of the project and the construction timeline. Two e-mails and two phone calls were received from nearby residents. The e-mails and phone calls expressed opposition of the project and had concerns with not enough parking, the seven additional units will crowd the neighborhood infrastructure, spillover parking due to the overcrowded parking situation, project was too big, has no open space, violates the LAPD Design Out crime guidelines, should be re-designed, request for a density bonus and incentives should meet several thresholds and provide documentation to support their request, and that the building height would cause shadowing effects on neighboring properties. An e-mail was also received from a representative from the council office and had four questions to the applicant. The applicant submitted a letter responding to the questions and submitted a feasibility study.

FINDINGS

After thorough consideration of the information, statements, and plans contained in the application, the reports received from other city departments and governmental agencies, the project's Mitigated Negative Declaration, and the State Density Bonus Program, I hereby find that the requirements for issuing a Density Bonus Compliance Review approval pursuant to the State Density Bonus Program and LAMC Section 12.22-A.25 have been established by the following:

1. The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.

The subject site is a 14,741 net square-foot (including ½ the alley), rectangular-shaped lot. The property is sloped with approximately 100 feet of frontage along Barry Avenue and a lot depth of approximately 14 feet. The project site is located in the West Los Angeles Community Plan area.

As conditioned by this approval, the subject project complies with all applicable provisions of the State Density Bonus Program and LAMC Section 12.22-A.25. The project qualifies for a 35% density bonus for the following reason: (1) a minimum of 11% of its units are set aside for Very Low Income households for a period of 30 years. The set aside unit automatically allow the applicant to qualify for an increase in density and reduced parking requirements. Per LAMC Section 12.22-A.25, projects that set aside 11% of its units for Very Low Income households, qualify for two additional incentives from a specified menu of concessions, or can make a request for an incentive not specifically listed in the menu. In this instance, the applicant has chosen to set aside 11% of its units, and is utilizing two on-menu incentives:

- a. Density. The 14,741 net square-foot (including ½ the alley) site allows a maximum of 18 units in the R3-1 Zone. Through LAMC Section 12.22-A.25, the applicant is setting aside 11% of its units (two units) for Very Low Income households and requesting a density bonus of 35%, allowing for an additional seven units for a total of 25 units.
- b. Parking. The project will utilize Parking Option One, which permits parking to be provided at a ratio of one parking space for each 0-1 bedroom unit, two parking spaces for each 2-3 bedroom unit, and 2.5 parking spaces for each unit with 4 or more bedrooms. In this case, the applicant proposes 25 two-three bedroom units. As such, 50 parking spaces are required.
- c. Incentives/Concessions:
 - (i.) Floor Area Ratio. Pursuant to LAMC Section 12.22-A.25, the project may request a percentage increase in the allowable Floor Area Ratio (FAR) equal to the percentage of density bonus for which the housing development is eligible, not to exceed 35%. The project is utilizing a 35% density bonus and is providing two units (11%) set-aside for very low income purposes. The applicant is proposing a 35% Floor Area Ratio increase resulting in a maximum of 42,829 square feet.
 - (ii.) Height. The R3-1 Zone has maximum height limit of 45 feet. The Density Bonus provisions allow projects that qualify for a 35% Density Bonus to also qualify for a 35% increase in height, not to exceed 11 additional feet or one additional story, whichever is lower. As such, in lieu of a 45-foot height limit, the applicant is

permitted a height not to exceed 56 feet. The applicant is proposing a height limit of 54 feet.

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.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the Department of City Planning issued Mitigated Negative Declaration No. ENV-2011-3183-MND on April 9, 2012. The MND identified potential adverse impacts as far as earth, air, water, and risk of upset are concerned. Conditions are imposed as mitigation measures for said environmental impacts pursuant to this grant. All of the project's impacts have been mitigated to a less than significant level.

Authorization - Time Limit and Transferability

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period.

Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

Appeal Period - Effective Date

The applicant's attention is called to the fact that 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 or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

The Determination in this matter will become effective after May 21, 2012, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. 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 www.cityplanning.lactiy.org. Planning Department public offices are located at:

<p>Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077</p>	<p>Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050</p>
--	--

The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. 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. You should advise any consultant representing you of this requirement as well.

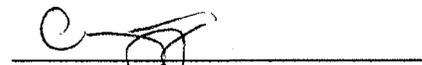
The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the 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.

MICHAEL LOGRANDE
Director of Planning

APPROVED BY:

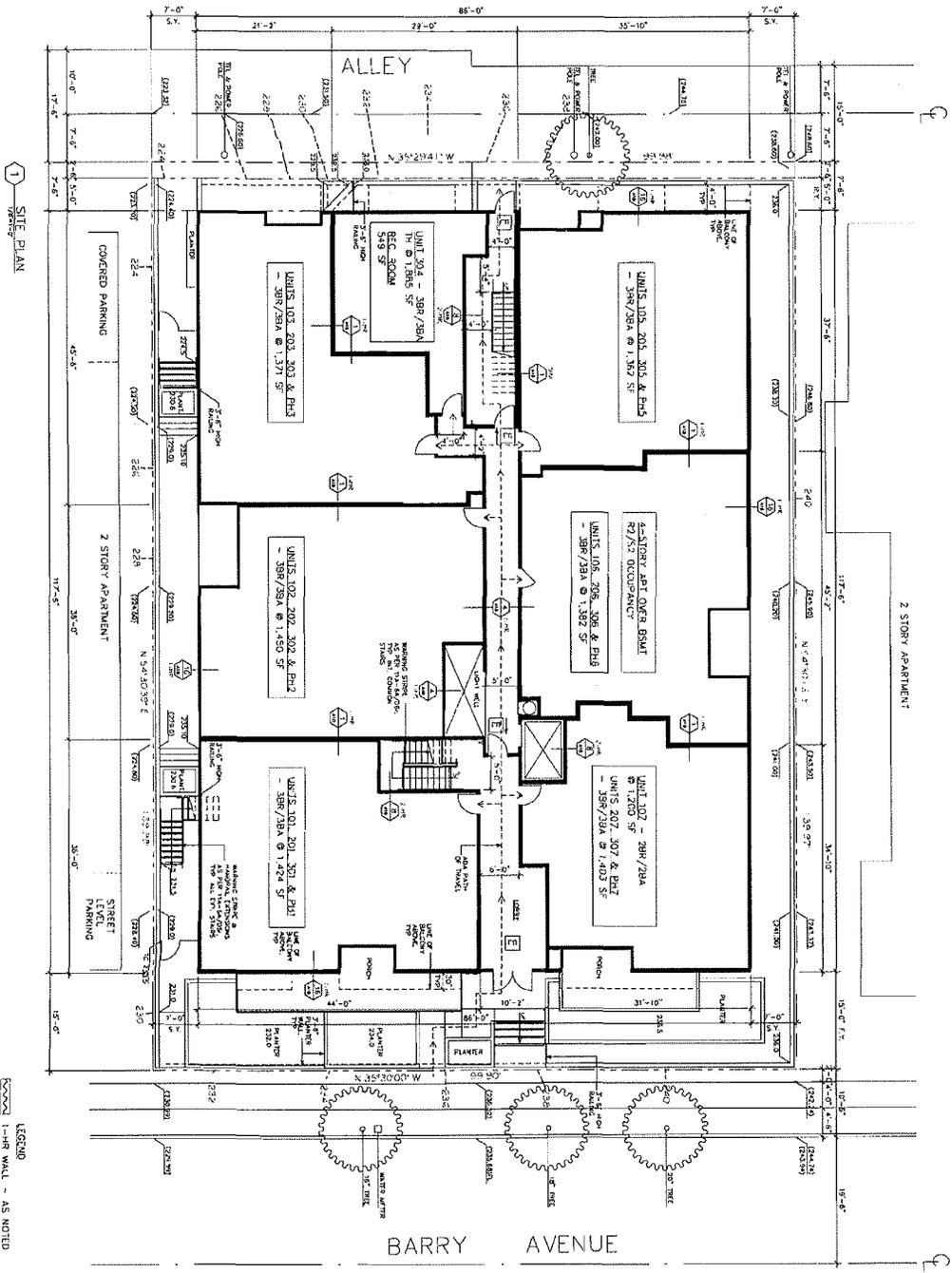

Jim Tokunaga
Senior City Planner

PREPARED BY:


Christina Toy Lee
City Planning Associate

Attachments:

Exhibit A: Site Plan and Elevations
Exhibit B: Radius Map



1 SITE PLAN

Case No. 2011-3182
 Page No. 3 of 25
EXHIBIT A

DIR 2011-3182

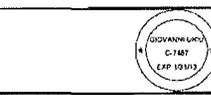
LEGEND

- 1-HR WALL - AS NOTED
- 2-HR WALL - SEE 8/A18
- EXIT SIGN - SEE NOTES
- FINISH GRADE

NO. 1	1-HR WALL - AS NOTED
NO. 2	2-HR WALL - SEE 8/A18
NO. 3	EXIT SIGN - SEE NOTES
NO. 4	FINISH GRADE

SHEET TITLE	SITE PLAN
JOB TITLE	1415 S. BARRY AVENUE

G URI & ASSOCIATES
 ARCHITECTS
 808 ORIGINAL AVENUE SUITE 200
 DOWNTOWN, CHICAGO, IL 60610



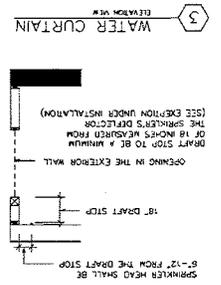
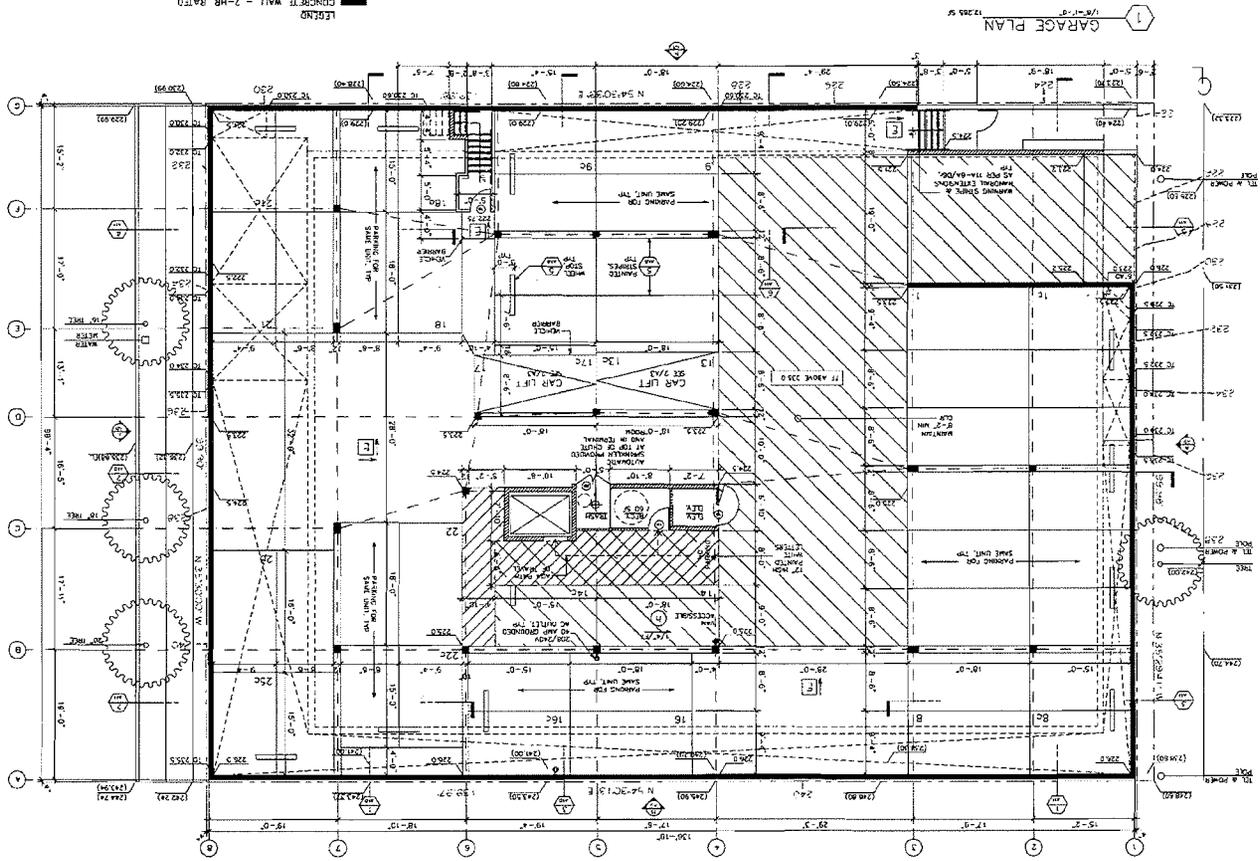
DATE	ISSUED FOR	DATE	REVISIONS
11/7/11	DENSITY BONUS		

2011-3107 DIR

Case No. 1000000000
 Page No. 4 of 25
EXHIBIT "A"

A3	
SHEET 1120	
CHECKED	
DRAWN	
	
PROJECT TITLE GARAGE PLAN 14155, BARRY AVENUE	
 URIU & ASSOCIATES 14155 BARRY AVENUE, SUITE 100 WASHINGTON, DC 20004	
	
DATE ISSUED FOR	DATE REVISIONS
1/11/11	
1/13/11	

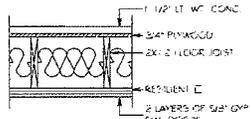
- LEGEND
- CONCRETE WALL - 2 HR. RATED
 - CONCRETE BLOCK WALL - 2 HR. RATED
 - TYPE X BOYS # 18 OC W/ 2" G.B.
 - TYPE X BOYS SDCS-1-HH
 - EMT SIGN - SEE NOTES



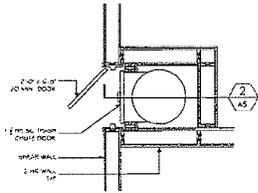
SPRINKLER HEAD SHALL BE 8'-1/2" FROM THE DRAFT STOP

2

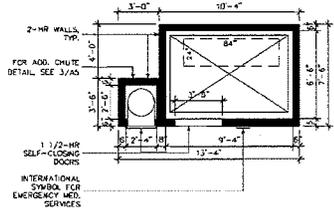
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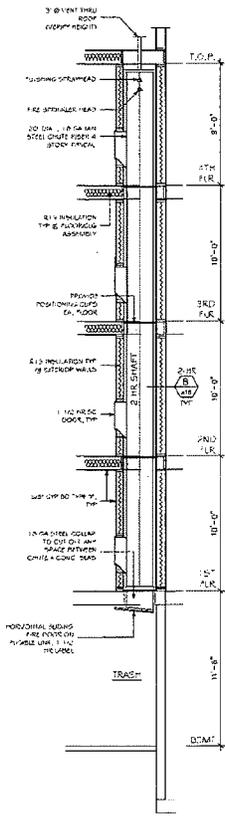
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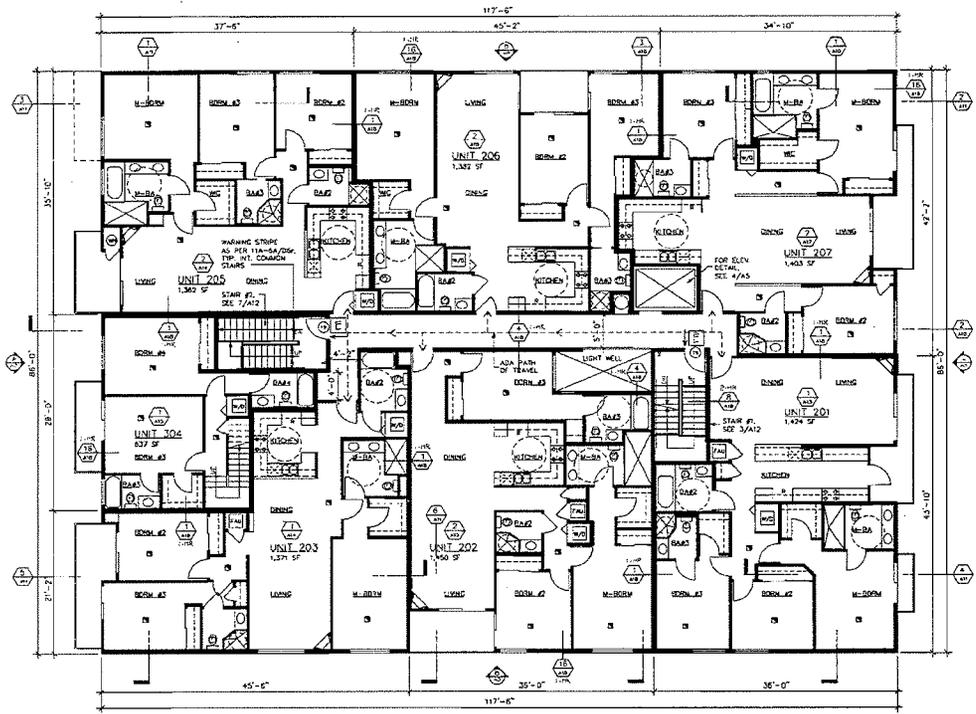
3 DETAIL
1/2\"/>



4 ELEV - TYP
1/2\"/>



2 SECTION
1/2\"/>



1 SECOND FLOOR PLAN
1/2\"/>

- LEGEND
- 1-HR WALL - AS NOTED
 - 2-HR WALL - SEE B/A18
 - EXIT SIGN - SEE NOTES F13&14/A1

NOTE
FOR ADD. UNIT DETAIL AND
DOOR & WINDOW TYPES, SEE
A13-A17

DATE ISSUED FOR	REVISIONS
11/17/11	EMERGENCY BOARD

<p>DOWN</p>
<p>CHECKED</p>
<p>JOB 1129</p>
<p>SHEET A5</p>

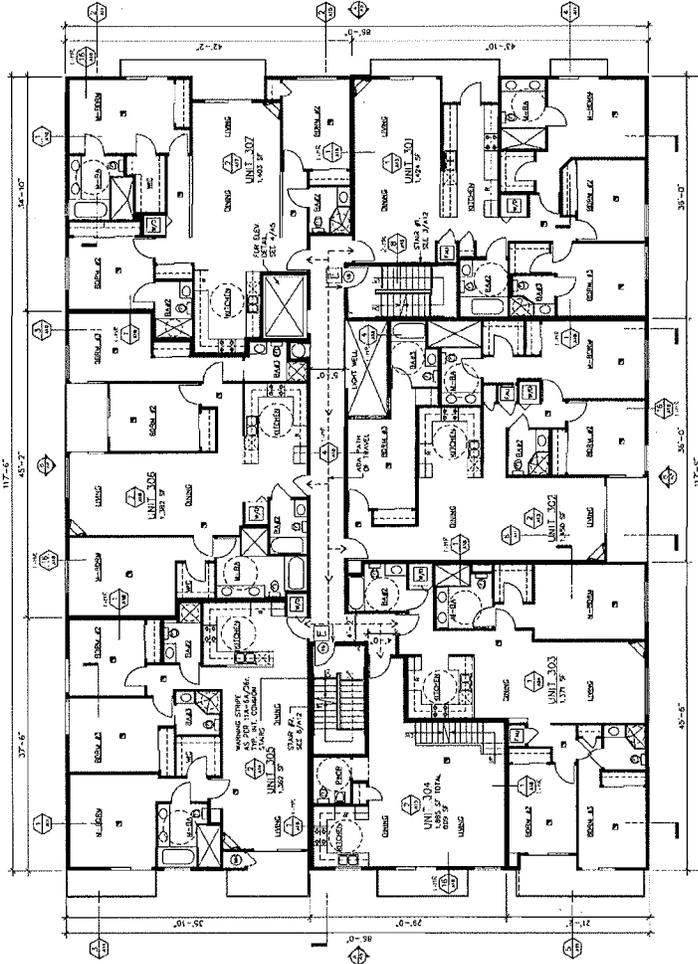
LURIU & ASSOCIATES
 ARCHITECTS & ENGINEERS
 1415 E. BARRY AVENUE
 SUITE 200
 GAITHERSBURG, MARYLAND 20878

DIR

2011-310

EXHIBIT "A"
 Page No. 6 of 25
 Case No.

DATE ISSUED FOR		DATE REVISIONS	
11/17/11	DESIGN WORKS		
 UNIU & ASSOCIATES 800 N. BARRY AVENUE SUITE 100 CHICAGO, IL 60610 TEL: 312.467.1100 FAX: 312.467.1101 WWW: UNIU.COM			
PROJECT TITLE		SHEET TITLE	
1415 S. BARRY AVENUE		THIRD FLOOR PLAN	
DESIGNED BY	CHECKED BY	DATE	
11/17/11	11/17/11		
A6			



LEGEND
 1-HR WALL - AS NOTED
 2-HR WALL - SEE B/A1B
 EXIT SIGN - SEE NOTES
 FURNITURE
 NOTE
 FOR ADD. UNIT DETAIL AND
 WINDOW TYPES, SEE
 A13-A17

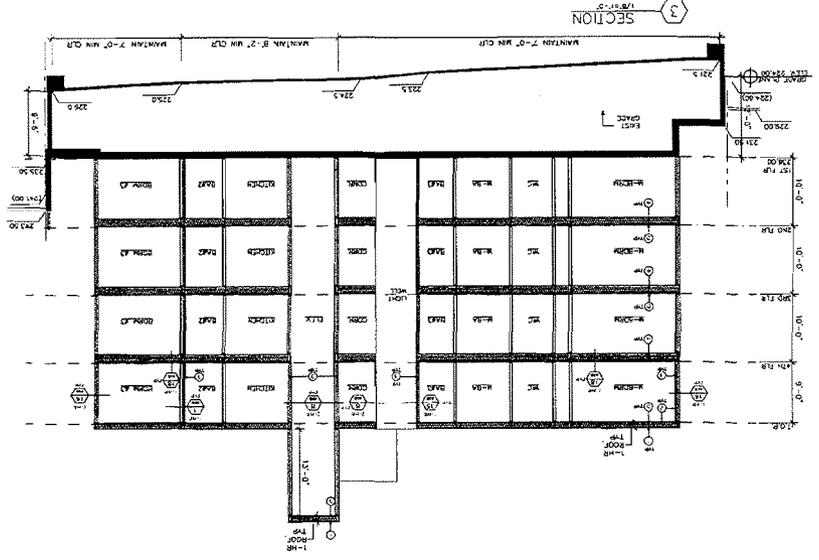
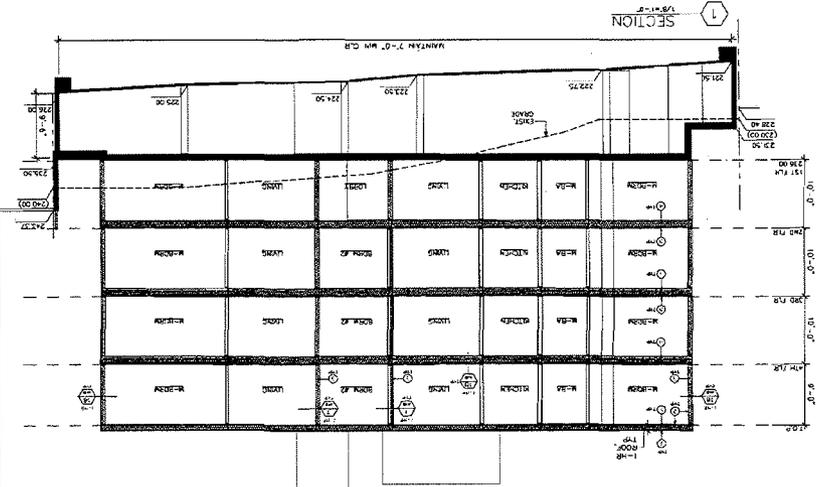
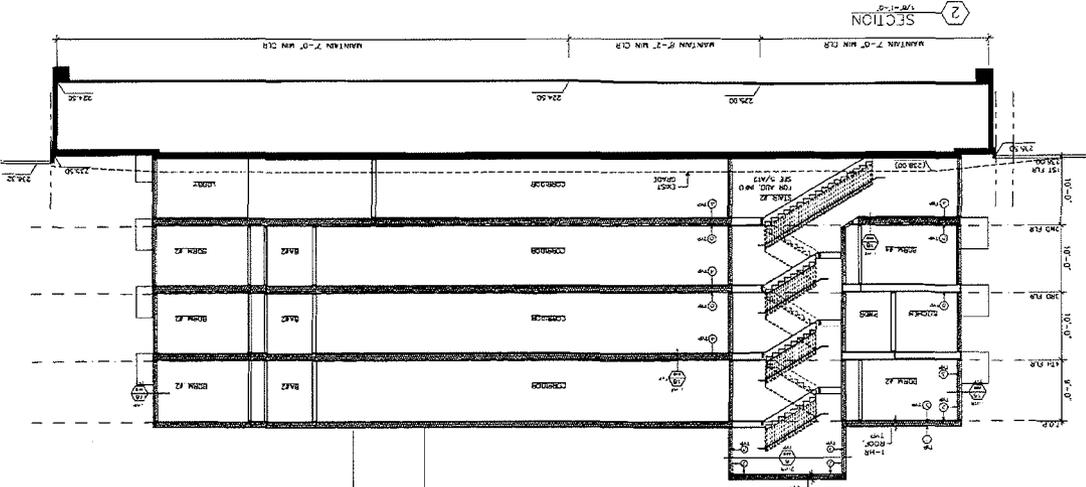
1 THIRD FLOOR PLAN

EXHIBIT A
 Page No. 4 of 25
 CASE NO.

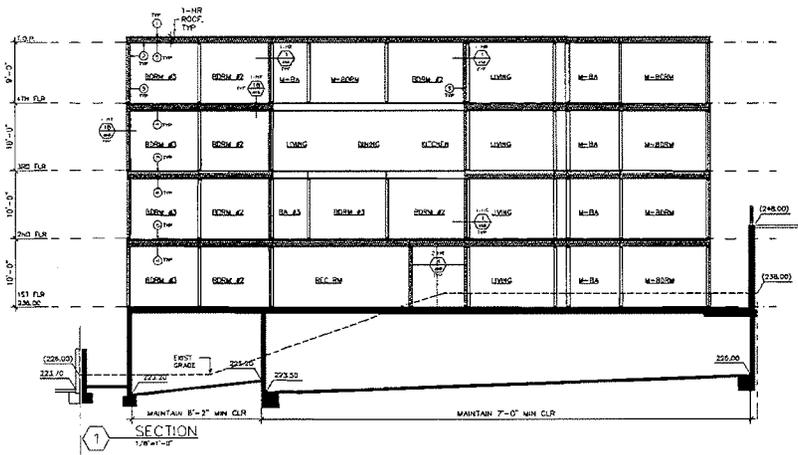
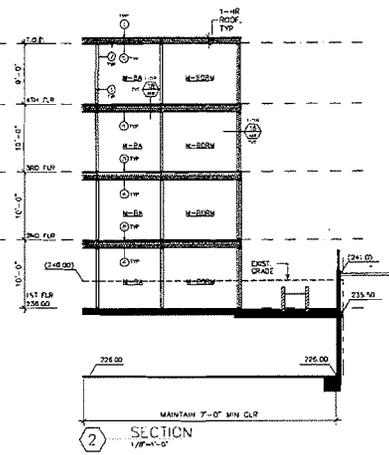
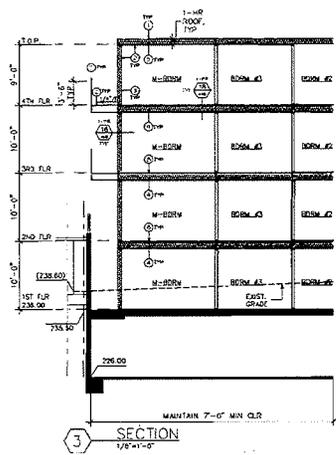
DIR 2011-0109

DIR 2011-3108
 EXHIBIT A-5
 11 of 25

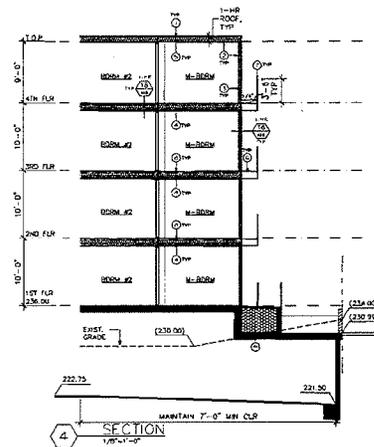
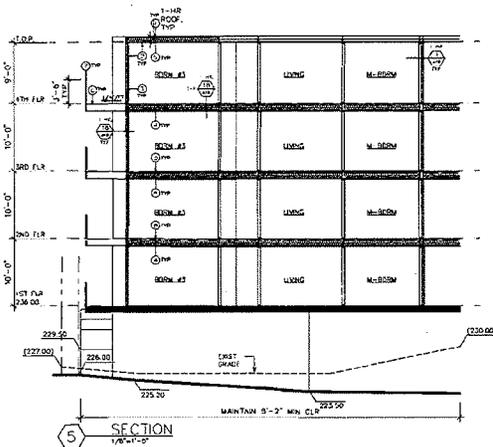
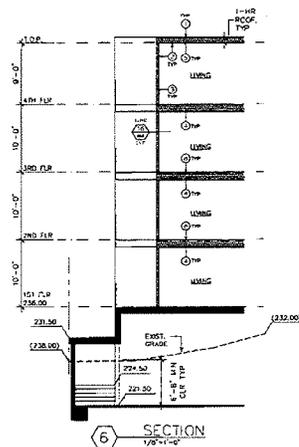
- SECTION LEGEND
- ① BUILT-UP ROOF - CLASS A
 - ② 5/8" GYP D.W. TYP. "X"
 - ③ R-13 INSUL.
 - ④ R-19 INSUL.
 - ⑤ R-30 INSUL.
 - ⑥ DEX-O-TEK R902360
 - ⑦ W/ RAILING
 - ⑧ 1 1/2" LT. WT. CONC.
 - ⑨ STRUCTURAL FOAM



A10	SHEET TITLE	SHEETS	DATE	JOB	DRAWN	CHECKED	DATE
URIU & ASSOCIATES	1416 S. BARNY AVENUE	SECTION 2	11/27/11	1129	[Signature]	[Signature]	[Signature]
URIU & ASSOCIATES	1416 S. BARNY AVENUE	SECTION 1	11/27/11	1129	[Signature]	[Signature]	[Signature]
URIU & ASSOCIATES	1416 S. BARNY AVENUE	SECTION 3	11/27/11	1129	[Signature]	[Signature]	[Signature]



- SECTION LEGEND**
- ① BUILT-UP ROOF - CLASS 'A'
 - ② 5/8" CYP. D.W TYP. 'X'
 - ③ R-13 INSUL
 - ④ R-19 INSUL
 - ⑤ R-30 INSUL
 - ⑥ DEX-O-TEX RR#02360
 - ⑦ W.I. RAILING
 - ⑧ 1 1/2" LT. WT. CONC
 - ⑨ STRUCTURAL FOAM



DIR

2011-3102

EXHIBIT "A"
 Page No. 12 of 25
 Case No.

DATE ISSUED FOR		REVISIONS	
DATE	BY	NO.	DESCRIPTION

SHEET FILE: _____
 SECTIONS: _____
 JOB TITLE: _____
 14115 E. BARRY AVENUE
 DENVER, CO 80231

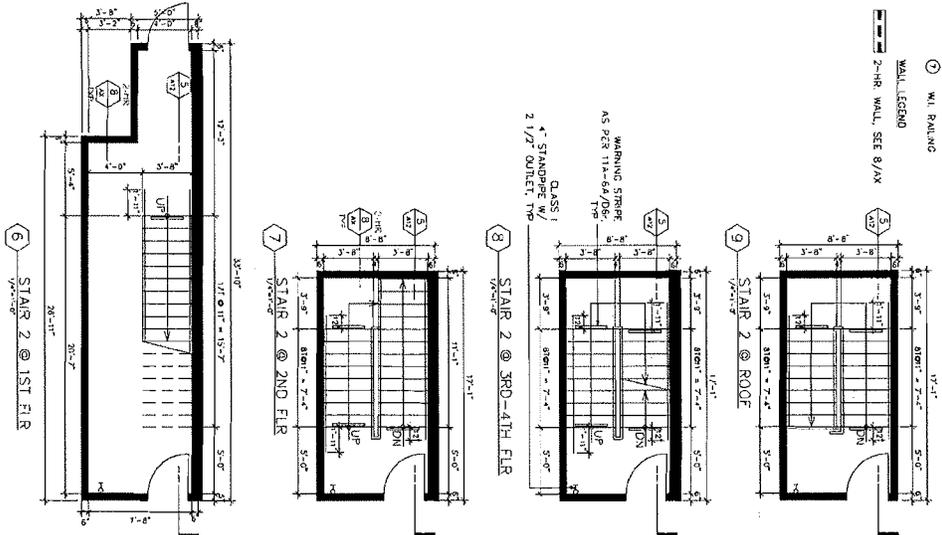
DRAWN: _____
 CHECKED: _____
 JOB: 1129
 SHEET: A11

URU & ASSOCIATES
 ARCHITECTS
 14115 E. BARRY AVENUE
 DENVER, CO 80231

SECTION LEGEND

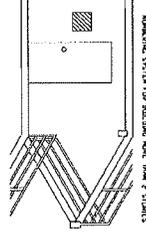
- 1 BULL-TIP ROOF
- 2 CLASS X
- 3 5/8" GYP. D.W. TYP. X
- 4 R-13 INSUL.
- 5 R-19 INSUL.
- 6 R-30 INSUL.
- 7 DEK-O-TEX RRM02360
- 8 W.L. PAWLING

2-HR. WALL, SEE 8/XX

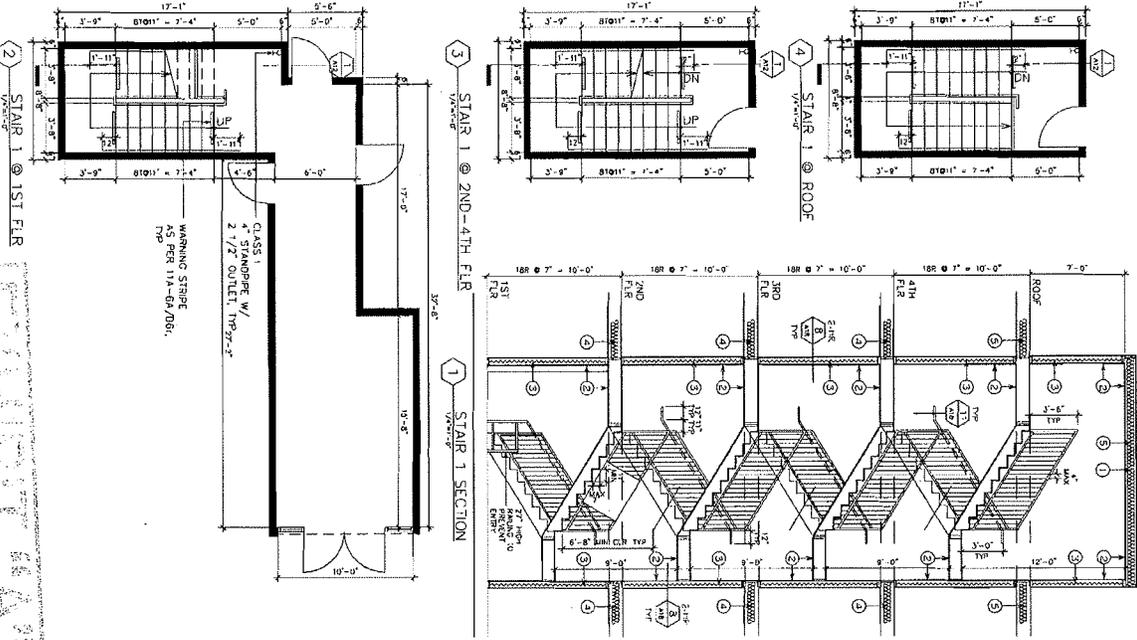
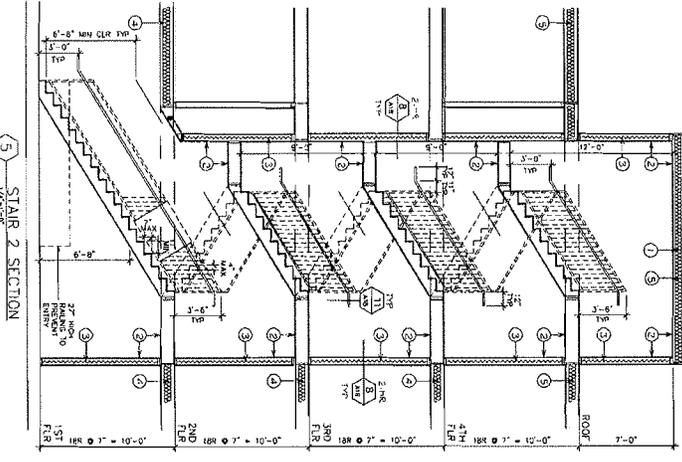


NOTE: STAIRWALKERS TO HAVE APPROVED STAIRWAY SIGN FOR ALL STAIRS AND ALL FLOOR LEVELS AND ALL STAIRWAYS TO BE MARKED WITH SIGN ON CLOSED POSITION.

LOCATION OF SIGN IN STAIRWAY



- 1 SIGN IN STAIRWAY
- 2 SIGN IN STAIRWAY
- 3 SIGN IN STAIRWAY
- 4 SIGN IN STAIRWAY
- 5 SIGN IN STAIRWAY
- 6 SIGN IN STAIRWAY
- 7 SIGN IN STAIRWAY
- 8 SIGN IN STAIRWAY
- 9 SIGN IN STAIRWAY
- 10 SIGN IN STAIRWAY



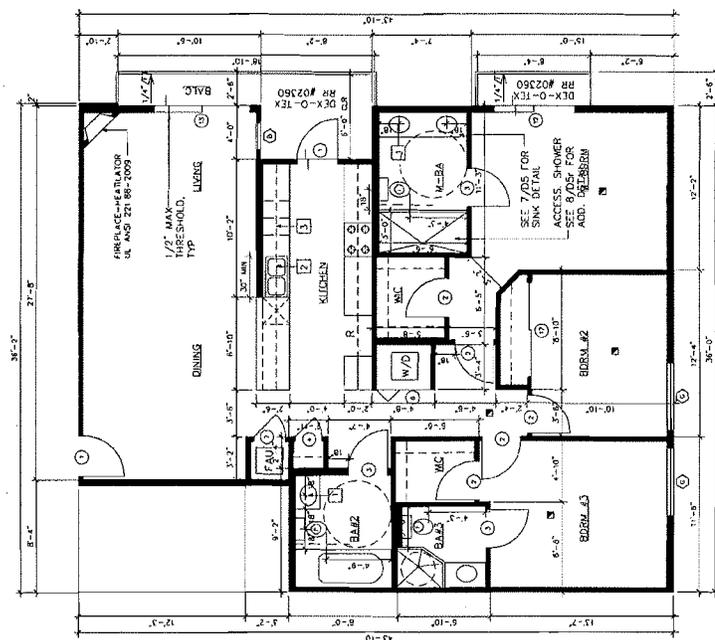
DATE	ISSUED FOR	DATE	REVISIONS
11/7/11	GERARD BONS		

URI & ASSOCIATES
 ARCHITECTURE, PLANNING
 1416 S. BARRY AVENUE
 CHICAGO, IL 60607

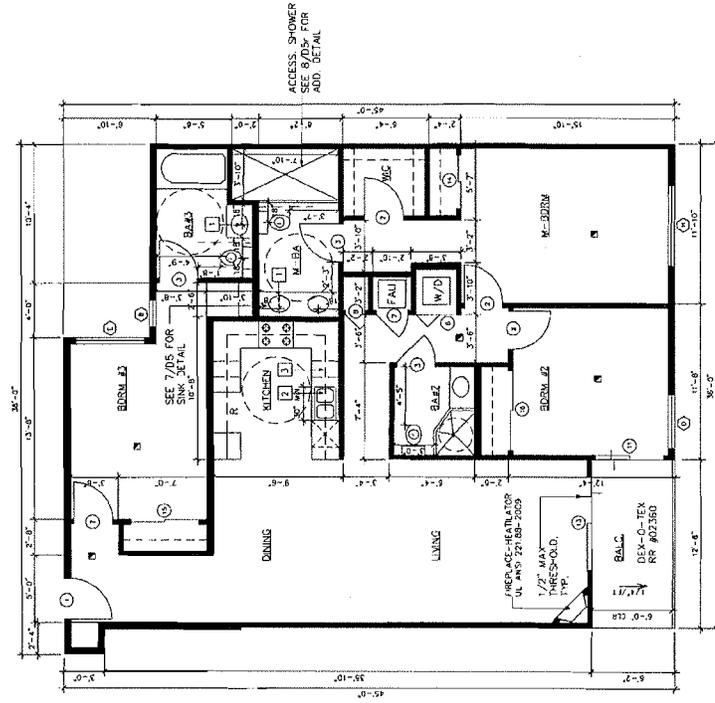
STAIR SECTIONS
 SHEET TITLE
 JOB TITLE
 1416 S. BARRY AVENUE

DIR 2011 3100
 Page No. 13 of 25
 1416 S. BARRY AVENUE

	URIU & ASSOCIATES 400 S. BARRAV AVENUE SUITE 100 DENVER, CO 80202		SHEET TITLE UNIT PLANS JOB TITLE CHECKED DATE DRAWN DATE	A13 SHEET
---	---	---	--	--------------



1 UNITS 101, 201, 301 & PH1



2 UNITS 102, 202, 302 & PH2

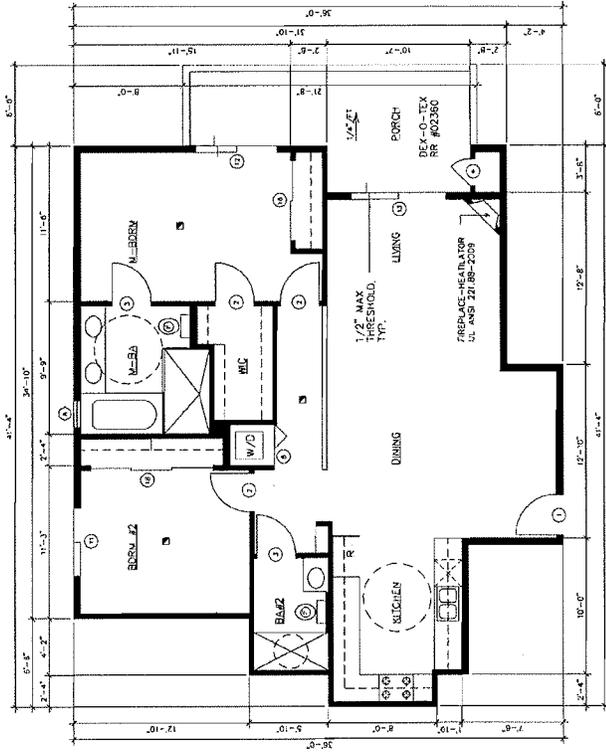
- LEGEND**
- 1 WALL HUNG SINK WITH FINISHED FLOOR BELOW-TYP. SEE 5/07/05 & 11A-90/07.
 - 2 REMOVABLE BASE CABINET - TYP. KITCHEN SINK & SINK/FIX BELOW-TYP. SEE 1/05.
 - 3 PROVIDE 2-15" BREAD-BOARDS- TYP.
 - GRAB BAR BACKING.
 - SEE DETAILS 11A-30/07 & 8/05.
 - GRAB BARS BACKING ON FLOOR.
 - EXHAUST FAN - SEE NOTE 3M/11.

PROJECT "A"
 Page No. 14 of 25
 Case No.

DIR

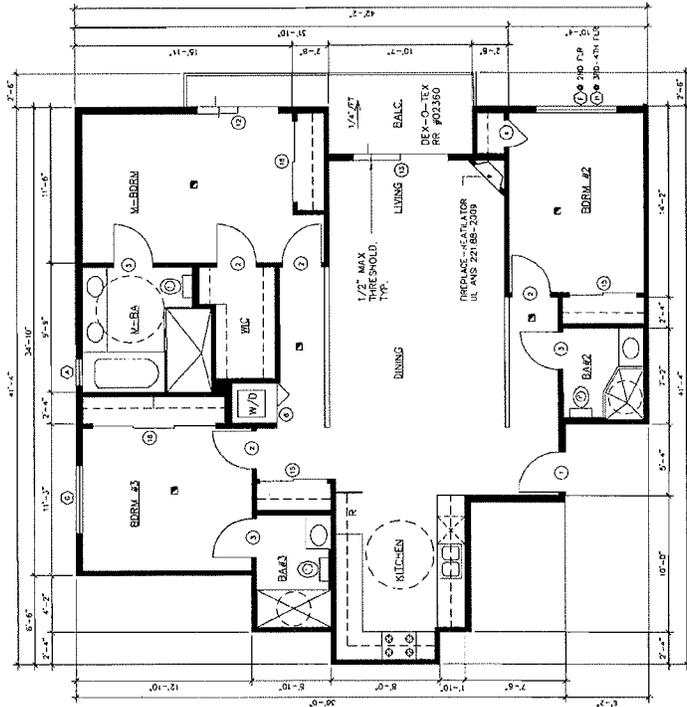
2011-03-00

DATE ISSUED FOR		DATE REVISIONS	
L17/11		D	
DESIGN/FORM		DATE	
COMMENTS		EXP 10/13	
		1915 G. BARRY AVENUE JOBSITE UNIT PLANS CHECKED JOB TYP SHEET A17	



1 UNIT 107
1/4" = 1'-0"

- LEGEND:
- 1 WALL HANG SINK WITH FINISHED FLOOR BELOW-TYP. SEE M7/RM & 11A-90/17/7
 - 2 REMOVABLE BASE CABINET & TILE
 - 3 KITCHEN SINK & FINISH FUR BELOW-TYP. SEE 1/05
 - 4 PROVIDE 2-15" BREAD-BOARDS-TYP
 - 5 GRAB BAR BACKING
 - 6 SEE DETAILS 11A-95/07/ & 6/05/
 - 7 GRAB BAR BACKING ON FLOOR TO EXTEND 26" PAST TOILET
 - 8 EXHAUST FAN - SEE NOTE 5A/1



2 UNITS 207, 307 & PH7
1/4" = 1'-0"

EXHIBIT "A"
Page No. 15 of 25
Location

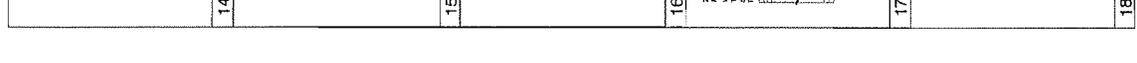
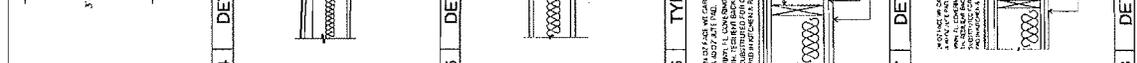
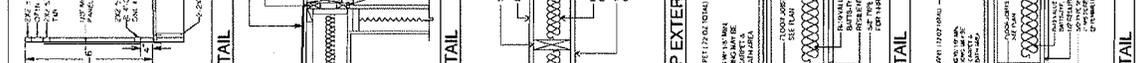
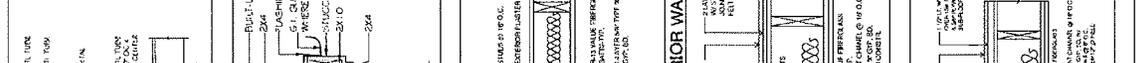
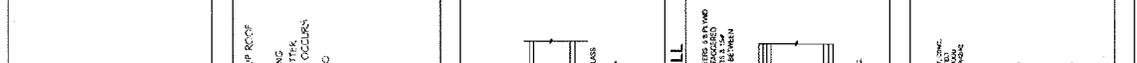
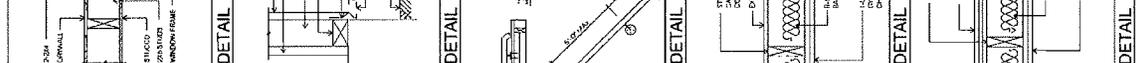
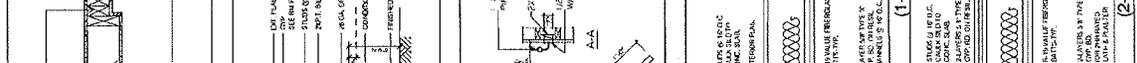
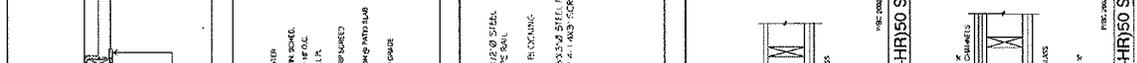
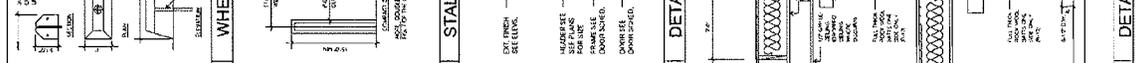
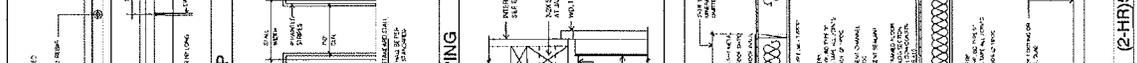
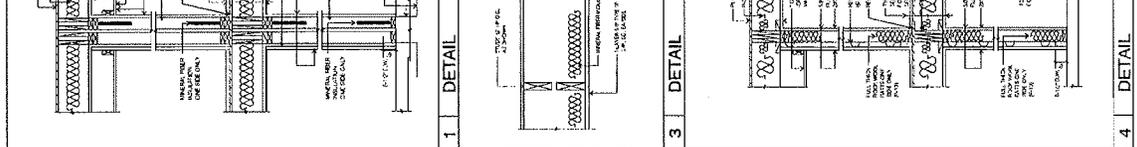
2011-01-01

DIR

BUILDING	FLOOR		BASE		WALLS		CEILING		FINISH CODE
	MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH	
LIVING	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100
DINING	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100
KITCHEN	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100
BATH	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100
STAIRS	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100
BALCONY	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100
LAUNDRY	CARPETS	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	WOOD	100

DOOR	FRAME		HANGING		REMARKS
	TYPE	FINISH	TYPE	FINISH	
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2	WOOD	WOOD	WOOD	WOOD	
3	WOOD	WOOD	WOOD	WOOD	
4	WOOD	WOOD	WOOD	WOOD	
5	WOOD	WOOD	WOOD	WOOD	
6	WOOD	WOOD	WOOD	WOOD	
7	WOOD	WOOD	WOOD	WOOD	
8	WOOD	WOOD	WOOD	WOOD	
9	WOOD	WOOD	WOOD	WOOD	
10	WOOD	WOOD	WOOD	WOOD	
11	WOOD	WOOD	WOOD	WOOD	
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13	WOOD	WOOD	WOOD	WOOD	
14	WOOD	WOOD	WOOD	WOOD	
15	WOOD	WOOD	WOOD	WOOD	
16	WOOD	WOOD	WOOD	WOOD	
17	WOOD	WOOD	WOOD	WOOD	
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WINDOW	MATERIAL		SCREEN		REMARKS
	TYPE	FINISH	TYPE	FINISH	
1	WOOD	WOOD	WOOD	WOOD	
2	WOOD	WOOD	WOOD	WOOD	
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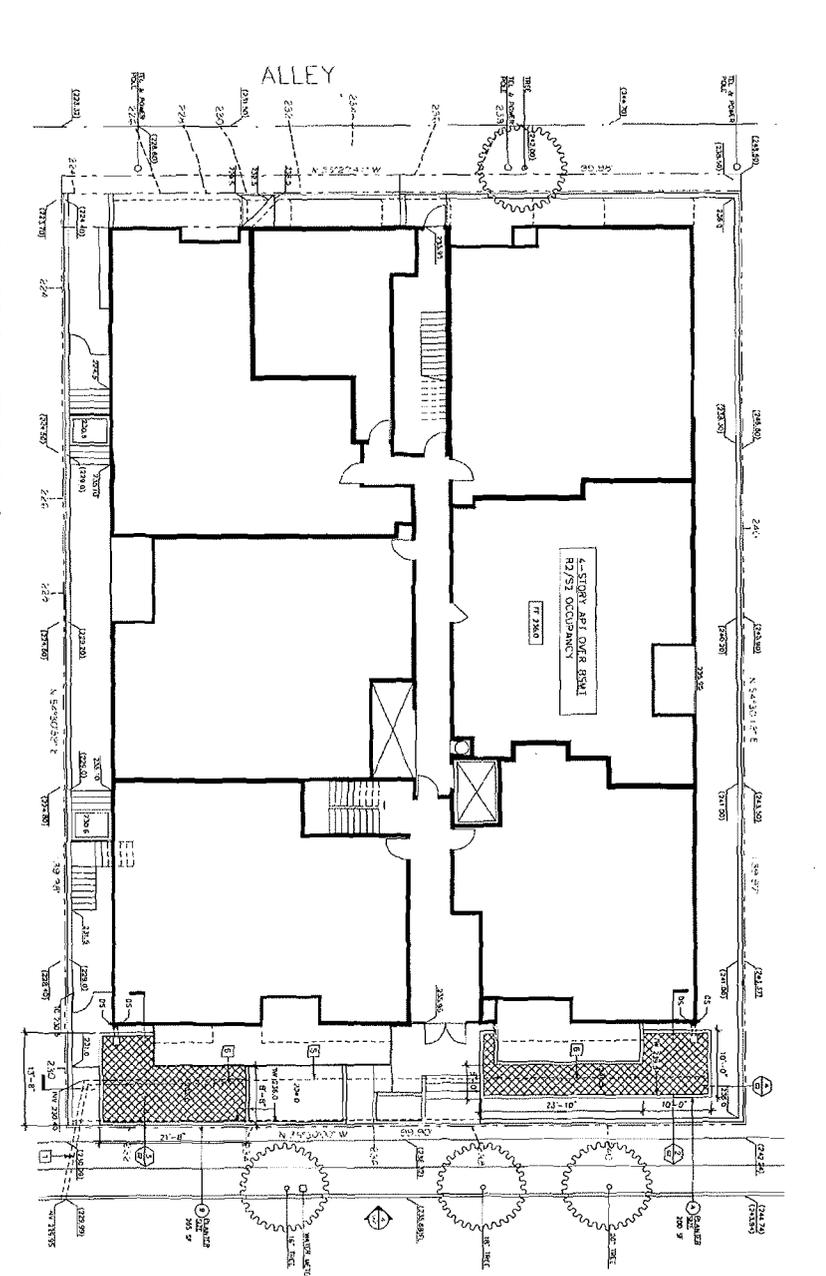
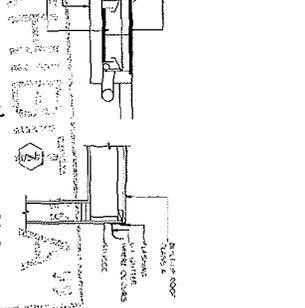
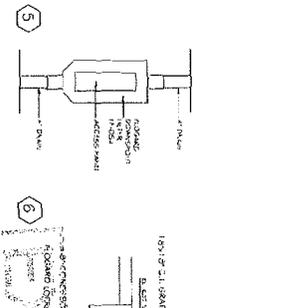
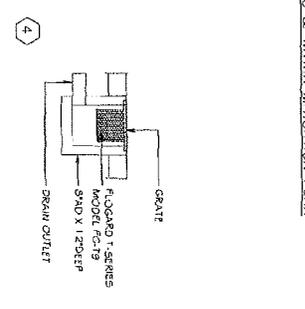
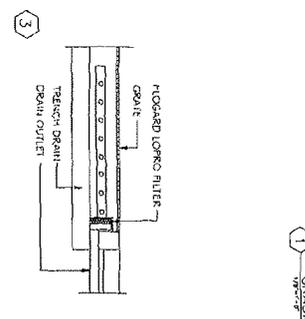
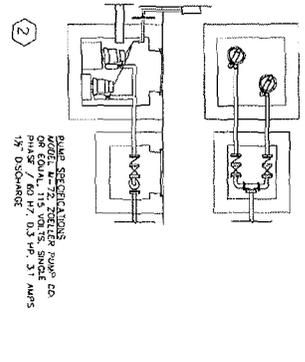


- LEGEND**
- 1. 4" PVC PIPE
 - 2. 2" CI PIPE
 - 3. 4" CI PIPE BELOW DECK
 - 4. 4" PVC PIPE
 - 5. 4" PEER PIPE

BEST PRACTICES FOR CONSTRUCTION

THE FOLLOWING IS INTENDED AS AN ATTACHMENT FOR THE PERMITS AND CONSTRUCTION OF THIS PROJECT. IT MUST BE IMPLEMENTED ON ALL CONSTRUCTION SITES OF THIS PROJECT.

1. MATERIALS MUST BE STORED IN A MANNER THAT PREVENTS THEM FROM BEING WASHED INTO THE DRAINAGE SYSTEM.
2. EXCESS OR WASTE CONCRETE MAY NOT BE DISPOSED INTO THE DRAINAGE SYSTEM.
3. MATERIALS MUST BE STORED IN A MANNER THAT PREVENTS THEM FROM BEING WASHED INTO THE DRAINAGE SYSTEM.
4. EXCESS OR WASTE CONCRETE MAY NOT BE DISPOSED INTO THE DRAINAGE SYSTEM.
5. MATERIALS MUST BE STORED IN A MANNER THAT PREVENTS THEM FROM BEING WASHED INTO THE DRAINAGE SYSTEM.



1. GRADING & WATER MITIGATION PLAN

DATE	ISSUED FOR	DATE	REVISIONS
11/11/11	PERMIT BOND		

URU & ASSOCIATES
1416 S. BARRY AVENUE
DALLAS, TX 75201

PROJECT TITLE
WATER MITIGATION PLAN AND DETAILS
JOB TITLE
1416 S. BARRY AVENUE

DESIGNER
CROOKED
DATE
11/11

PROJECT NO.
G3

DIR 2011-8

Page No. 24 of 25

EXHIBIT H

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT

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DIEGO CARDOSO
GEORGE HOVAGUIMIAN
JUSTIN KIM
ROBERT LESSIN
BARBARA ROMERO
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JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
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DEPUTY DIRECTOR
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INFORMATION
www.planning.lacity.org

Decision Date: May 4, 2012

Appeal Period Ends: May 14, 2012

Isaac Cohanzad (A)(O)
Barry Hill, LLC
11601 Santa Monica Boulevard
Los Angeles, CA 90025

Jack Little Co. (E)
17621 Sherman Way
Van Nuys, CA 90025

RE: Tract Map No.: **TT-71761-CN**
Incidental Case No: DIR-2011-3182-DB
Address: 1411 South Barry Avenue
Community Plan: West Los Angeles
Zone: R3-1
Council District: 11
CEQA No.: ENV-2011-3183-MND

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.03 of the, the Advisory Agency approved Tentative Tract Map No. 71761 composed of one-lot, located at 1411 South Barry Avenue for a new maximum **25-unit residential condominium** as shown on map stamp-dated December 11, 2011 in the West Los Angeles Community Plan. This unit density is based on the R3-1 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.) For an appointment with the Public Counter call (213) 482-7077. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That 2.5-foot wide strip of land be dedicated along the alley adjoining the northwesterly 50 feet of the tract to complete a 10-foot wide half alley dedication.
2. That any existing public utility easements within the subdivision be delineated on the final map.
3. That in the event tentative Tract No.66545 is still active then this tentative tract is **Received and Filed** prior to the final map recordation for tentative tract 71761.
4. That any fee deficit under Work Order No. EXT00457 expediting this project are paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

5. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

6. 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. Provide a copy of affidavit AFF-30199. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - b. Provide a copy of case DIR-2011-3182-DB. Obtain Density Bonus for total 25 units on the site. Show compliance with all the conditions/requirements of the case as applicable.
 - c. Show how all street/alley dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.

Notes:

The submitted Map may not comply with the number of parking spaces required by Section 12.21 a 4 (a) based on number of habitable rooms in each unit. If there is insufficient number of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

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

7. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A 20-foot reservoir space shall be provided between any security gate(s) and the property line.
 - b. Vehicular access shall be from the alley only.
 - c. This project is subject to the West Los Angeles Transportation Improvement and Mitigation 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 Ave., Los Angeles, 90045.

FIRE DEPARTMENT

8. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivide and all successors to the following: (MM)
 - 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. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- e. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
- f. Entrance to the main lobby shall be located off the address side of the building.
- g. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- h. Site plans shall include all overhead utility lines adjacent to the site.
- i. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

BUREAU OF STREET LIGHTING

- 9. If new street light(s) are required, then 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.

INFORMATION TECHNOLOGY AGENCY

- 10. 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

- 11. That the Quimby fee be based on the R3-1 Zone. (MM)

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 12. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees

in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the three trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. (MM)

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-DENSITY BONUS LANGUAGE

13. With the approval of case no. DIR-2011-3182-DB and prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a purchase or lease covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD") binding the subdivider and all successors to the following:
 - a. The covenant shall bind the applicant and/or any subsequent property owner to reserve 2 of the proposed 25 units for occupancy by VERY LOW Income households. The 35% density bonus, grants the applicant an additional 7 units in excess of the 18 otherwise permitted by the R3-1 Zone.
 - b. These units will be restricted as affordable for-sale or lease dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22 A.25.
 - c. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)).
 - d. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.
 - e. A total of 50 parking spaces, at two on-site parking spaces for each residential unit of 2-3 bedrooms.

DEPARTMENT OF CITY PLANNING- SITE SPECIFIC CONDITIONS

14. 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. Pursuant to the approval of case no. **DIR-2011-3182-DB**, limit the proposed development to a maximum of 25 dwelling units, otherwise a tract modification shall be required.
 - b. 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.
 - c. The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project. (MM)
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)
15. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
 16. Prior to the issuance of the building permit or the recordation of the final map, a copy of **DIR-2011-3182-DB** shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2011-3182-DB is not approved, the subdivider shall submit a tract modification.
 17. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the West Los Angeles Transportation Improvement and Mitigation Specific Plan.
 18. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider of exporting of approximately 4,653 cubic yards of soil, a total of 50trips per day for a duration of 14 days, in addition to the following haul route conditions: (MM)
 - a. Streets to be used are limited to right on Wilshire Boulevard; 405 Freeway, southbound; Interstate 10, eastbound; exit Peck Road; left onto Durfee Avenue, right on North Peck Road; and left onto Workman Mill Road.

- b. Hauling hours of operation shall be from 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturday. Trucks shall not arrive at the construction site before the prescribed start time.
- c. Trucks shall be restricted to 18-wheel dump trucks or smaller.
- d. All staging shall be on-site. Alternatively, an off-site location shall be selected and trucks radioed into site.
- e. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
- f. Streets shall be cleaned of spilled materials at the termination of each work day.
- g. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- h. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- i. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- j. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- k. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- l. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- m. The applicant shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.
- n. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- o. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
- p. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."

- q. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
- r. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.
- s. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- t. A surety bond shall be posted in an amount satisfactory to the City Engineer for the maintenance of haul route streets. The forms for the bond will be issued by the West Los Angeles District Engineering Office, 1828 Sawtelle Boulevard, 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling 310.575.8388.
- u. A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.
- v. "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
- w. "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
- x. Movement and removal of approved fencing shall not occur without prior approval by LADBS.
- y. LADBS shall assign specific haul route hours of operation based upon University High School hours of operation.
- z. Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- aa. Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.

19. **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 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

20. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 8, 11, 12, 14c, 14f, 18, 21 and 22 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors 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.
21. 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:
- MM-1. 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-2. 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-3. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
 - MM-4. Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

- MM-5. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- MM-6. Promote natural vegetation by using parking lot islands and other landscaped areas.
- MM-7. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- MM-8. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- MM-9. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- MM-10. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- MM-11. Legibility of stencils and signs must be maintained.
- MM-12. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevent contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- MM-13. The storage area must be paved and sufficiently impervious to contain leaks and spills.
- MM-14. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- MM-15. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

- MM-16. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- MM-17. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- MM-18. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- MM-19. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- MM-20. Concrete, not metal, shall be used for construction of parking ramps.
- MM-21. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-22. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- MM-23. 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-24. 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-25. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- MM-26. 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.
- MM-27. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- MM-28. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- MM-29. 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.)
- MM-30. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-31. 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-32. 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-33. 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.

22. **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.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

CM-22. Trucks having no current hauling activity shall not idle but be turned off.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. 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 12.22-A,10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730. 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.

C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 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 Transportation 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 be either constructed prior to recordation of the final map or that the construction be 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.
 - a. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street light, one (1) on Barry Avenue.

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 conditions, 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 Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings 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 (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Barry Avenue adjoining the tract by the reconstruction of the existing half roadway including suitable surfacing, concrete curb, concrete gutter and a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway including any necessary removal and reconstruction of the existing improvements.
 - b. Improve the alley being dedicated and adjoining the subdivision by the construction of a 2-foot concrete longitudinal gutter and suitable surfacing to complete a 17.5-foot and 20-foot half alley, including the removal of all existing encroachments, together with any necessary removal and reconstruction of existing improvements. In the event the West Los Angeles Engineering District office determined that alley improvements above could not be achieved due to the existing slopes and safety then only portion of the alley

along only the portion adjoining the tract be improved all satisfactory to the West Los Angeles Engineering District Office.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05N.

The final map must record 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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2011-3183-MND on April 9, 2012. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (light);
- Air Quality (construction, operational);
- Biological Resources (tree removal);
- Geology and Soils (construction, seismic);
- Green House Gas Emissions;
- Hydrology and Water Quality (stormwater);
- Noise (construction, operational);
- Public Services (fire, schools, street improvements);
- Recreation (parks);
- Transportation; and
- Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2011- 3183-MND 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. 8, 11, 12, 14c, 14f, 18, 21 and 22 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), 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. 21.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 71761-CN, 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 West Los Angeles Plan designates the subject property for Medium Residential land use with the corresponding zone of R3. The property is located in the West Los Angeles Transportation Improvement and Mitigation Specific Plan Area. The property contains approximately 0.33 net acres (14,741 net square feet after required dedication and including ½ of the alley) and is presently zoned R3-1. The applicant is also requesting a concurrent Director's Determination request (DIR-2011-3182-DB) pursuant to Section LAMC 12.22-A.25, to utilize a 35% density bonus to provide 7 additional units, of which two dwelling units will be set aside for Very Low income households. The applicant is using two on-menu incentives: a 35% Floor Area Ratio increase resulting in a maximum of 42,829 square feet and a 20% increase in height resulting in a maximum of 54 feet. With the approval of Case No. DIR-2011-3182-DB, the proposed development of 25 condominium units is allowable under the current adopted zone and the land use designation. The project will provide much needed new home ownership opportunities for the Community Plan area.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). Therefore, as conditioned, the proposed tract 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.

Barry Avenue is a Local Street dedicated to a 60-foot width at the project's street frontage and the alley located at the rear of the subject site has a variable width of 15-20 feet. The Bureau of Engineering is requiring a 2.5-foot dedication along the alley adjoining the northwesterly 50 feet of the tract to complete a 10-foot wide half alley dedication. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. The proposed project will provide 50 parking spaces in conformance with the LAMC Section 12.22-A.25. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

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

The site is currently a vacant lot. It's one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise multiple-family neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

Adjacent land uses consist of multi-family uses to the north and south in the R3-1 Zone, multi-family uses to the west across an alley in the R3-1 Zone, and multi-family uses to the east across Barry Avenue in the R3-1 Zone. The proposed project would provide an appropriate transitional development between the multi-family uses to the north, south, east, and west. The site is currently vacant, and the proposed project would provide 25 condominium units. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

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

There appear 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)

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.

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.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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 Tentative Tract Map No. 71761-CN.

Michael J. LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:TI:CTL:jq

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 West Los Angeles Area 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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

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

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

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.

If you have any questions, please call the Public Counter staff at (213) 482-7077.

EXHIBIT I

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
GEORGE HOVAGUIMAIN
JUSTIN KIM
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INFORMATION
www.planning.lacity.org

**STATE DENSITY BONUS PROGRAM
DIRECTOR OF PLANNING
DETERMINATION AND FINDINGS**

May 2, 2012

Related Tract 71663

Issac Cohanzad (A)
11601 Santa Monica Boulevard
Los Angeles, CA 90025

Avondale Properties, LLC (A)
11601 Santa Monica Boulevard
Los Angeles, CA 90025

Jack little (E)
17620 Sherman Way
Van Nuys, CA 91325

Case No: DIR-2011-3267(DB)
CEQA: ENV-2011-3268-MND
Location: 1735 North La Brea Avenue
Plan Area: Hollywood
Plan Land Use: Medium Residential
Council District: 4
Zone: R3-1
District Map: 147B181
Legal Description: FR of Lot 5,
WINGFEILD Tract

Last Day To Appeal: May 17, 2012

Pursuant to the State Density Bonus Program and the City's Density Bonus provisions of Section 12.22-A,25 of the Los Angeles Municipal Code, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Density Bonus Compliance Review to allow the construction of 18 condominium units, including 4 density bonus units of which one (1) will be reserved for Very Low Income households. The proposed project is 4 stories of residential dwellings with a total floor area of approximately 26,870 square feet with a two-level, 36-space subterranean parking structure.

Adopt ENV-2011-3268-MND.

Approve a 25 percent density bonus for a project setting aside 7 percent of its pre-density bonus units (1 unit) for Very Low Income Households.

Adopt the attached Findings.

This Density Bonus Compliance Review approval is subject to the following additional terms and conditions:

CONDITIONS OF APPROVAL

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of the State Government Code Section 65915 (State Density Bonus Program), and the promotion of development compatible with existing and future development of neighboring properties.

DENSITY BONUS COMPLIANCE CONDITIONS

1. **Site Development** The subject property shall incorporate all Conditions of Approval and be **substantially** developed as shown on the plans and information listed below in Table 1 and attached to the case file. **(DCP)**

Table 1

Sheet No.	Description	Submittal Date
A-2	Site Plan and Roof Plan	December 11, 2011
A-3	Subterranean Level Parking	December 11, 2011
A-4 thru A-5	Floor Plan and Section	December 11, 2011
A-6	Elevations	December 11, 2011

2. **Permitted Uses** The use of the subject property shall comply with the R3-1 Multiple Dwelling Zone. Uses on the subject property shall be restricted to those uses permitted in the R3-1 Zone per Section 12.10 of the Los Angeles Municipal Code (LAMC), and as permitted in this grant. The project shall be limited to a maximum of 18 residential dwelling units, 14 of which are "by right" units and the remaining 4 density bonus units. Seven percent (1 unit) of the 14 "by right" units shall be reserved as Very Low Income units. **(DCP)**
3. **Height/FAR** The project is limited to an increase in height of up to 9 feet above the 45-foot height limit for R3-1 Zone, excluding those exceptions permitted by the LAMC 12.21.1 for height, along all sides of the proposed building. The project shall be limited to a maximum floor area ratio of 3:1. **(B&S)**
4. **Setback:** Setbacks shall be per LAMC Section 12.10-C and Department of Building and Safety letter dated February 3, 2012. **(B&S)**
5. **Automobile Parking:** Parking shall be provided pursuant to section 12.22-A,25(d)(1), Parking Option 1 (based on the number of bedrooms). Per the plans received December 11, 2011, the project shall provide a minimum of 36 parking spaces for the project. **(B&S)**
6. **Housing Requirements:** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to

make 7 percent (1 unit) of the pre-density bonus units of the development available to Very Low Income Households, at a price determined to be affordable to Very Low Income Households by the Los Angeles Housing Department, for a period of 30 years. 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 Los Angeles Housing Department. The applicant will present a copy of the recorded covenant to the Planning Department. **(HD)**

7. **Dedications and Improvements**: Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering and the Department of Transportation. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. If required dedications and improvements necessitate redesign of the project, any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department. **(BOE, Various)**
8. **Public Requirements**: The applicant shall provide the following, or assurance of suitable guarantees without expense to the City of Los Angeles:
 - a. Construction of sewers to the satisfaction of the City Engineer. **(BOE)**
 - b. Construction of drainage facilities to the satisfaction of the City Engineer. **(BOE)**
 - c. Installation of street lights to the satisfaction of the Bureau of Street Lighting. **(BOE)**

Notice: The Certificate(s) of Occupancy for the subject project will not be issued by the City until the construction of all public improvements required herein are completed to the satisfaction of the City Engineer. **(B&S)**

ENVIRONMENTAL MITIGATION COMPLIANCE CONDITIONS

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-3268-MND) in accordance with City of Los Angeles CEQA guidelines. The following conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and/or the Project's Mitigated Negative Declaration attached to the subject case file.

9. **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:

Environmental Mitigation Conditions

- 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 An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.
- MM-4 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-5 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.
- MM-6 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-7 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-8 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s). Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

- MM- 9 Concrete, not metal, shall be used for construction of parking ramps.
- MM-10 The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-11 Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- MM-12 All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- MM-13 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-14 The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
- MM-15 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-16 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-17 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-18 Prior to the issuance of the building permit or the recordation of the final map, the subdivider shall submit the evidence of the tenant relocation (in accordance with Ordinance No. 175,980) assistance being paid to the satisfaction of the Advisory Agency.

Construction Mitigation Conditions –

- 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.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

ADMINISTRATIVE CONDITIONS

10. **Approval, Verification and Submittals** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
11. **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 override.
12. **Definitions** Any agency, public official, or city department referenced in these conditions shall mean that agency, public official, or city department, or its successor(s) or designee(s). State Density Bonus Program refers to State Government Code Section 65915. Plan Sheet shall mean a numbered drawing submitted by the applicant as a part of the application for this case, attached to the subject case file with the Department of City Planning.
13. **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. Conditions which

require Department of City Planning verification are followed by **(DCP)**, Department of Transportation verification is shown by **(DOT)**, Bureau of Engineering verification is shown by **(BOE)**, and conditions requiring verification by the Department of Building and Safety are shown by **(B&S)**.

14. **Building Plans** The **entire determination letter** shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
15. **Corrective Conditions** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
16. **Proof of Fees** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
17. **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 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.

FINDINGS

After thorough consideration of the information, statements, and plans contained in the application, the reports received from other city departments and governmental agencies, the project's Mitigated Negative Declaration, and the State Government Code Section 65915 (State Density Bonus Program), I hereby find that the requirements for issuing a Density Bonus Compliance Review approval pursuant to the State Density Bonus Program and the Draft Ordinance have been established by the following:

Description of Subject Project

The project site measures approximately 11,576 net square feet and is currently vacant. The site is located in the Hollywood Community Plan Area. The subject lot is zoned R3-1 and has a General Plan Land Use Designation of Medium Residential.

The subject property is located at 1735 North La Brea Avenue and encompasses one parcel that will be merged and re-subdivided into 18 residential condominium units. The

project will be a four-story building with two subterranean parking levels providing 36 parking spaces. The proposed development is comprised of 18 three-bedroom three-bathroom units ranging from 1,334 square feet to 1,506 square feet. The project will reserve seven percent (1 unit) of its pre-density bonus units as restricted affordable units available to Very Low Income households.

Existing Land Use and Zoning

The site abuts R3 zoned properties improved with multi-family dwellings, institutional uses and commercial buildings. To the north, there is the Woman's Club of Hollywood, which is listed on the California Historic Registry. To the east across La Brea Avenue, there are commercial developments consisting of office buildings, a motel and a retail center. To the south, there is a church and a multi-family residential building. And to the west, there are additional medium to large scale multi-family buildings.

DENSITY BONUS COMPLIANCE FINDINGS

1. The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.

As conditioned by this approval, the subject project substantially complies with all applicable provisions of L.A.M.C. Section 12.22-A.25 and Ordinance No. 179,681. The project qualifies for a 35 percent density bonus for the following reasons: (1) 7 percent of its pre-density bonus units are set aside for Very Low Income Households. The set aside units automatically allow the applicant to qualify for increases in density and FAR requirements. In addition, since the project sets aside 7 percent of its pre-density bonus units for Very Low Income occupants, the applicant qualifies for incentives from a specified menu of concessions, as described below.

- A. Density** The subject property is zoned R3-1. The approximate 11,576 net square-foot lot permits 14 "by right" units. The State Density Bonus Program, however, allows a 25% percent density bonus, since the applicant is providing 7 percent of the pre-density units as restricted Very Low Income units. Based on these incentives, the applicant would be permitted to build up to 18 units. The proposed project is within this permitted density.

Automobile Parking The project will utilize - Parking Option One, which permits parking to be provided at a ratio of one parking space for each one-bedroom unit, two parking spaces for each two- to three- bedroom unit, and 2.5 parking spaces for each unit with 4 or more bedrooms. In this case, the applicant proposes to provide a total of 36 parking spaces for 18 residential units having 3 bedrooms. No guest parking spaces are required for the proposed density bonus development, and therefore none will be provided.

B. Incentives/Concessions:

- i. **Height** Per the L.A.M.C. Section 12.22-A.25 projects which set aside 7 percent of pre-density bonus residential units as restricted affordable units for Very Low Income Households qualify for a height deviation equal to the percentage of density bonus for which the project is eligible, except for a project on a residentially zoned parcel, which abuts, or is across the street or alley from, R1 or more restrictively zoned properties. The project does not abut any R1-zoned lots.

The height incentive is granted for this project. The project is eligible for an increase in height of 9 feet above the 45-foot height limit, excluding those exceptions permitted by LAMC 12.21.1 for height, along all sides of the proposed building. As conditioned by this determination, the height increase is limited to 9 feet for a total project height of 54 feet.

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.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2011-3268-MND) in accordance with the City of Los Angeles CEQA guidelines. Mitigation measures were included that addressed the physical impacts of the project. The project site is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

Impacts related to the potential existence of asbestos and lead paint were also addressed. The project will also be required to install a methane detection system since the site is located within a methane buffer zone. Standard construction methods will be incorporated to mitigate impacts related to air quality, noise, and grading. Landscaping and light impacts will also be incorporated to address the new construction and the building's proposed height. A minimum 125 square feet of open space will be required for each unit proposed. Open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained. Also, outdoor lighting will be designed and installed with shielding to minimize light impacts to the neighboring residential properties.

EFFECTIVE DATE AND APPEAL PERIOD

The Director of Planning's determination on this matter will become effective and final 15 days after the date of mailing of this determination, unless an appeal is filed with the

City Planning Commission. Such an appeal must be in writing, on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the effective date, or the appeal will not be accepted.

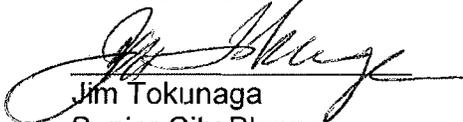
TRANSFERABILITY AND TERMINATION

The approval granted herein shall be for a period of two years from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. The applicant is advised that this approval is not a permit or license and that permits and licenses required by law must be obtained from the proper public agency. If any condition of this approval is violated or not complied with, then the applicant or the applicant's successor in interest may be prosecuted the same as for any violations of the requirements contained in the Municipal Code, or the approval may be revoked.

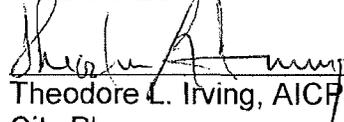
In the event the property is sold or leased to any person or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

MICHAEL J. LOGRANDE
Director of Planning

APPROVED BY:


Jim Tokunaga
Senior City Planner

PREPARED BY:


Theodore L. Irving, AICP
City Planner

cc: City Council District 11
Department of Building and Safety
Hollywood Hills West Neighborhood Council

EXHIBIT J

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT

SEAN O. BURTON
DIEGO CARDOSO
GEORGE HOVAGUIMIAN
JUSTIN KIM
ROBERT LESSIN
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COMMISSION EXECUTIVE ASSISTANT II
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ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

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INFORMATION
www.planning.lacity.org

Decision Date: May 2, 2012

Appeal Period Ends: May 14, 2012

Related Case 2011-3237 DB

Issac Cohanzad (A)
11601 Santa Monica Boulevard
Los Angeles, CA 90025

Avondale Properties, LLC (A)
11601 Santa Monica Boulevard
Los Angeles, CA 90025

Jack little (E)
17620 Sherman Way
Van Nuys, CA 91325

RE: Tentative Tract Map No.: 71663-CN
Address: 1735 North La Brea Avenue
Community Plan: Hollywood
Zone: R3-1
Council District: 4 - Tom La Bonge
CEQA No.: ENV-2011-3268-MND

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Tentative Tract Map No. 71663 composed of one lot, located at 1735 North La Brea Avenue in the Hollywood Community Plan for a new maximum **18-unit residential condominium** including four (4) density bonus units where one unit will be set-aside for Very Low Income households as shown on map stamp-dated December 21, 2011. This unit density is based on the R3 Zone and (SB 1818/12.22-A.25).

(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.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 4-foot wide strip of land be dedicated along La Brea Avenue adjoining the tract to complete a 45-foot half wide right-of-way in accordance with Secondary Highway Standards.
2. That any fee deficit under Work Order No. EXT00456 expediting this project be paid.
3. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewer in the area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

5. 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. Provide a copy of affidavit AFF-000868624. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - b. Provide a copy of the planning DIR-2011-3267-DB. Show compliance with all the conditions/requirements of the above case as applicable.
 - c. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" and density requirements shall be re-checked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property line after dedication.
 - d. The submitted Map does not comply with the allowable maximum density (800 s.f. of lot area/dwelling unit) requirement of the R3-1 Zone. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning for the density bonus.

Notes:

There is a 4 ft. Building Line along La Brea Avenue on this Subdivision.

The proposed subdivision is within a Liquefaction Area.

The submitted Map may not comply with the number of parking spaces required by Section 12.21-A 4 (a) based on number of habitable rooms in each unit. If there are an insufficient number of parking spaces, obtain approval from the Department of City Planning.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

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

6. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 37-foot reservoir space be provided between any security gates and the property line.
 - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordinator Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of building and safety. Transportation approvals are conducted at 201 N. Figueroa Street, suite 400, Station 3.

FIRE DEPARTMENT

7. 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 the 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. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Departments.
- e. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building. But, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or Fire lane. This stairwell shall extend unto the roof.
- f. Entrance to the main lobby shall be located off the address side of the building.
- g. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- h. Site plans shall include all overhead utility lines adjacent to the site.
- i. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- j. 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 accompanied 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

8. 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

9. If new street light(s) are required, then 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

10. 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

11. 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quirby fee be based on the R3-1 Zone. (MM)

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

13. Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a purchase covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 1 of the proposed 18 units for occupancy by VERY LOW Income households. The 20% density bonus, grants the applicant an additional 4 units in excess of the 14 otherwise permitted by the R3-1 Zone. These units will be restricted as affordable for-sale or for-lease dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22 A.25. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)). Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.
14. A total of 36 parking spaces shall be provided, and at least 1 space per VERY LOW

Income unit shall be provided for the restricted affordable dwelling unit.

15. 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. 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.
 - b. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
 - c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
16. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
17. Prior to the issuance of the building permit or the recordation of the final map, a copy of the DIR 2011-3267-DB shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR 2011-3267-DB is not approved, the subdivider shall submit a tract modification.
18. **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 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

19. 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 No(s). 12, 20, and 21 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, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

20. 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:
 - 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 An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.

 - MM-4 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-5 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.

 - MM-6 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-7 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- 8 Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s). Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM- 9 Concrete, not metal, shall be used for construction of parking ramps.
- MM-10 The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-11 Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- MM-12 All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- MM-13 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-14 The plans shall incorporate the design guidelines relative to security, semi-

public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

- MM-15 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-16 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-17 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-18 Prior to the issuance of the building permit or the recordation of the final map, the subdivider shall submit the evidence of the tenant relocation (in accordance with Ordinance No. 175,980) assistance being paid to the satisfaction of the Advisory Agency.

21. **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.**
 - a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.

- b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. 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 LAMC Sections 12.22-A, 10 and 11 and LAMC Section 17.05-O shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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.

C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 LAMC Section 64.11.2.
- (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 Transportation 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 be either constructed prior to recordation of the final map or that the construction be 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 one (1) new street light on Labrea Avenue.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings 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 (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve La Brea Avenue being adjoining the subdivision by the construction of 12-foot full-width concrete sidewalk including any necessary removal and reconstruction of existing improvements.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05-N.

The final map must record 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

Public Hearing

On Wednesday, March 21, 2012, the public hearing was held at 200 North Spring Street, Room 1020, City Hall. The hearing was attended by several stakeholders of the Hollywood community, the applicant and its team, and a representative of the Council District Office 4.

The applicant's team gave a brief presentation of the project and requested changes be made to the Department of Transportation (DOT) Condition No. (5 a) which requires a minimum 40-foot reservoir, so that it allows for a 37-39 feet reservoir space. The applicant also requested that Condition No. 12 (Density Bonus) language be modified to allow the applicant the flexibility to include rental units.

Ten speakers, including the Council Office representative, voiced concerns relative to the following:

- project's affordable housing units negatively impacts the area rentals
- uncertain about what happens if the affordable units goes unsold
- construction over a former MTA construction site where was a ventilation shaft
- MTA requires approval of the project over its shaft
- Project opposed by the community stakeholders
- questions the motivation of the developer to provide affordable housing
- an increase in the number of new completed projects that remain unoccupied
- no amenities for occupants, neighbors or the Hollywood Community residents
- health, safety and welfare
- does not provide adequate off-street parking for deliveries
- no on-street parking is permitted on La Brea Avenue or Hollywood Boulevard
- the site does not allow for easy ingress/egress
- La Brea Avenue is a major traffic corridor for motorists traveling to and from the San Fernando Valley
- no architectural design or elevations presented

- construction activities, (dust, noise, trucks, parking) will impact the surrounding residents
- define the expedite process
- what happens to the low income unit when it's not sold
- there was no mention of the prior MTA activity on the site
- the site is earthquake prone and with an liquefaction zone
- the neighboring site have experience some sinking (Women's Club of Hollywood)
- the project did not adequately evaluate the impact on the historic monument
- in the winter the site is bogged and appears to sink
- a community park was promised by the previous Councilmember
- strap hangers do not appear to be utilized
- the site has an easement that restricts its use.
- the Council District office opposes the project

FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2011-3268-MND on March 14, 2012. The Department found that potential negative impact could occur from the project's implementation due to:

Aesthetics (Landscape, light);
Air Quality (construction, stationary);
Geology and Soils (construction, seismic, liquefaction);
Greenhouse
Noise (construction, operational);
Public Services (fire, police, schools, street improvements);
Recreation (parks); and
Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2011-3268-MND 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 No(s). 12, 20 and 21 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, Stormwater 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 (AB-3180), 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. 19.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 71663-CN, 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 Hollywood Community Plan designates the subject property for Medium Residential land use with the corresponding zone(s) of R3-1. The property is not located within any Specific Plan. The property contains approximately .2666 net acres (11,573 net square feet after required dedication) and is presently zoned R3-1. The proposed development of 18 condominium units is allowable under the current adopted zone and the land use designation. The project will provide much needed new home ownership opportunities for the Community Plan area.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The project conforms with both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance No. 172,081).

Therefore, as conditioned, the proposed tract 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.**

La Brea Avenue is a Secondary Highway dedicated to a variable 67 to 71-foot width at the project's street frontage. The Bureau of Engineering requires a 4-foot dedication to complete a 45-foot wide half street dedication in accordance with Secondary Highway Street Standards. The existing secondary roadway contains two lanes for vehicular movement with no parking lanes and will remain unchanged.

The 4-foot dedication will be improved in order to expand the sidewalk from 8 feet to 12 feet.

The Department of Transportation requires a minimum 40-foot reservoir space between the security gates and the property line for the vehicular entry point from the secondary highway. The applicant has requested that the reservoir space be reduced from 40 feet to 37-39 feet from the security the property line. The absence of a parking lane along the heavily traveled secondary highway exposes the present pedestrians, the proposed residents and other visitors, to vehicles traveling along La Brea Avenue. No stopping signs are posted along the secondary highway to discourage patron and delivery parking so avoid impeding the heavy traffic flow. In a follow-up discussion with the Department of Transportation, it was determined that that a 37-foot reservoir is appropriate given the volume of traffic, the absence of a parking lane and the regulations prohibiting parking along the front of the site.

The proposed project will provide 36 parking spaces in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium projects in non-parking congested/parking congested areas. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

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

The site is currently vacant with some minor improvements such as a block wall, sidewalk, curb and gutter. It's one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

Adjacent land uses consist of a multi-family residential building, a motel, and office building to the east in the [Q]R4-1VL Zone, an institutional use (church) to the south in the R3-1 Zone, multi-family uses to the west in the R3-1 Zone, and a private club and multi-family uses to the north in the R3-1 Zone. The proposed project would provide an appropriate transitional development between the multi-family uses to

the west and the commercial and residential uses to the east. Currently, the site is vacant, and the proposed project would provide 18 condominium units. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

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

There appear 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)

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.

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.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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 Vesting Tentative Tract Map No. 71663.

Michael J. Lo Grande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:TLL:jq

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 Central Area 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:

Figueroa Plaza
201 N. Figueroa 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/>

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

EXHIBIT K

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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REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
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DIRECTOR'S DETERMINATION
DENSITY BONUS & AFFORDABLE HOUSING INCENTIVES
SITE PLAN REVIEW

June 3, 2013

Applicant/Property Owner:

Robert Green
M Lofts, LLC
10600 Santa Monica Boulevard
Los Angeles, CA 90025

Representative

Phil Kudela, Architect
22663 Collins Street
Woodland Hills, CA 91307

CASE NO. DIR 2012-1589-DB-SPR

CEQA: ENV 2012-1590-MND

Related Case: VTT 72107

Location: 4140 South Glencoe Avenue
Council District: 11 - Rosendahl
Area Planning Commission: West Los Angeles
Neighborhood Council: Del Rey
Plan Area: Palms-Mar Vista-Del Rey
Specific Plan: Glenco-Maxella Specific Plan,
Los Angeles Coastal Transportation Corridor
Plan Land Use: Light Manufacturing
Zone: CM(GM)-2D-CA
Legal Description: Lot 80 of Wright Tract
Addition to Ocean Park

Last day to appeal: June 18, 2013

DETERMINATION

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 11 percent, or six (6) dwelling units, of the 49 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:

- a. **Floor Area Ratio (FAR) Increase:** A 35 percent increase in the Specific Plan maximum allowable Floor Area Ratio (FAR) of 1.75:1 to a maximum FAR of 2.4:1, increasing the total project floor area from 83,160 square feet to 99,792 square feet. Floor Area shall be the same as defined in Section 12.21.1 A 5.
- b. **Height Increase:** An 11 foot increase in the permitted Specific Plan 55-foot maximum height limit to 66 feet.

Pursuant to the Los Angeles Municipal Code (LAMC) Section 16.05 and, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve a Site Plan Review with conditions permitting the development of a, five (5) story, 66-foot in height, mixed-use development containing 3,211 square feet of office space and 67 dwelling units, on a vacant 41,107 square foot parcel.

Adopt Mitigated Negative Declaration ENV-2012-1590-MND as modified herein, the project's environmental clearance pursuant to the California Environmental Quality Act and Section 21082.19(c)(3) of the California Public Resources Code.

Adopt the attached Findings.

CONDITIONS OF APPROVAL

Density Bonus, and Site Plan Review Conditions and Project Permit Conditions

- 1. Site Development:** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "**Exhibit A**" and attached to the subject 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 or the project conditions.
- 2. Automobile Parking.** A total of at least 131 parking spaces are required; including residential and commercial. LAMC Section 12.22 A 25 (d) (Parking Option One) requires parking at a rate of one (1) parking space per residential unit for one-bedroom; two (2) parking spaces for each two (2) and three (3) bedroom unit; and two and one-half (2-1/2) parking spaces for each four bedroom unit for a total of 118 resident parking spaces. NOTE: The residential parking requirements including the guest parking required by the Glencoe-Maxella Specific Plan is superseded by the utilization of a Density Bonus.

Parking for the commercial office space, per Section 6.F of the Glencoe-Maxella Specific Plan, shall provide for the four (4) commercial units with its 3,211 square feet of space; 13 parking spaces at a rate of one space for each 250 square feet of commercial office building.
- 3. 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), and no other Condition of Approval is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
- 4. Floor Area Ratio (FAR):** The project shall be limited to a total floor area ratio of 2.4:1 (99,792 square feet) as defined by Section 12.21.1 5 and 12.03 of the Los Angeles Municipal Code. NOTE: The 1.75:1 FAR restrictions contained in the Glencoe-Maxella Specific Plan is superseded by approval of the requested Density Bonus incentives.

5. **Height.** The project shall be limited to 66 feet in height as measured per L.A.M.C. Section 12.21.. Any portion of the building that exceeds 55-feet in height shall be set back at least 10 feet from all required front, rear, or side yards. Only residential dwelling units may be located above the 55 foot high unit. **NOTE: The 55-foot height restriction contained in the Specific Plan is superseded by approval of the requested Density Bonus incentive.**
6. **Residential Density.** The project shall be limited to a maximum density of 67 residential units including Density Bonus Units.
7. **Affordable Units.** A minimum of 6 units, that is, 11% of the 47 by right dwelling units shall be reserved as very low income units, as defined by the State Density Bonus Law 65915 (C)(2)
8. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 11 percent, six (6) units, available to Very Low Income Households, at a rent or sale determined to be affordable to such households by LAHD for a period of 30 years. 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 LAHD. The applicant will present a copy of the recorded covenant to the Planning Department for inclusion in this file.
9. **Yards.** The building shall maintain at least eight (8) foot side yards, a 10 foot front yard and a 15 foot rear yard.
10. **Landscaping Plans.** Prior to the issuance of a certificate of occupancy for any new construction of residential dwelling units or any non-residential development in excess of 10,000 square feet, the Applicant shall install landscaping in accordance with the following requirements:
 - a. All landscaping, including species, height, and location of sprinkler systems, shall be identified on a plan prepared by a licensed architect or a licensed landscaping architect, and shall be submitted to the Department of City Planning for approval.
 - b. Landscaped areas shall be planted with a variety of plant materials which include shrubs, trees, ground cover, lawn, planter boxes, flowers, and native drought resistant plants.
 - c. The use of artificial plants for exterior landscaping shall be prohibited.
 - d. The location and type of street trees shall be approved by the Street Tree Division of the Bureau of Street Maintenance and shall be planted at a minimum ratio of at least one (1) for every 30 lineal feet of street frontage.
 - e. Street trees shall be at least 10 feet in height and at least three (3) inches in caliper at the time of planting.

- f. Street trees shall not be pruned or shaped in any manner that is inconsistent with the natural form and habit of the tree, except to the extent necessary to maintain its strength and vigor for the removal of unsafe or diseased branches, and for other aspect of public safety.
- g. An automatic irrigation system shall be provided for all landscaped area, including street trees, and shall be indicated on landscaped plans. All vegetation shall be maintained in first-class condition.
- h. Since the front yard of the project site is configured so that approximately 72 percent of the parcel frontage is covered by vehicle driveway and pedestrian access hardscape; the applicant shall strategically arrange foliage landscaping, including tall or expansive trees and shrubs, integrated driveway ground-cover foliage, decorative gates, walls and fences, and other innovative design features that conceal, screen and visually re-scale the view from the street; minimizing the visibility of hardscape in the front yard.

Environmental Mitigation Compliance Conditions

- 11. Aesthetics (Landscaping)** 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.
- 12. Aesthetics (Vandalism).** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
- 13. Aesthetics (Signage on Construction Barriers).** The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS". Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
- 14. 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.
- 15. Aesthetics (Glare)** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

16. Cultural Resources (Archaeological) If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:

- a. 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.
- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- d. 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.
- e. 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.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

17. Cultural Resources (Paleontological) if any paleontological materials are encountered during the course of project development, all further development activities shall halt and:

- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- e. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

18. Cultural Resources (Human Remains). In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner: 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).
- b. 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.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- d. 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.
- e. 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;
- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission to discuss and confer. *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.

19. 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.

20. Erosion/Grading/Short-Term Construction Impacts. 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. All grading activities require grading permits from the Department of Building and Safety. 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.

- 21. Liquefaction Area.** 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. 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.
- 22. Green House** Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s). Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- 23. Vector Control** The property shall be maintained in a neat, attractive, and safe condition at all times. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties. Trash and garbage bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter. Trash and garbage collection containers shall be emptied a minimum of once per week. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.
- 24. Creation of a Health Hazard** Prior to the issuance of a use of land or building permit, or issuance of a change of occupancy, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s). Approved plans for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) shall be submitted to the decision-maker for retention in the case file.
- 25. Emergency Evacuation Plan** Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.
- 26. Hazardous Materials Site.** Prior to the issuance of any use of land, grading, or building permit, the applicant shall obtain a sign-off from the Fire Department indicating that all on-site hazardous materials, including contamination of the soil and groundwater, have been suitably remediated, or that the proposed project will not impede proposed or on-going remediation measures.

27. Storm Water Pollution (during construction)

- 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. 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.
- b. 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.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

28. Standard Urban Storm Water Mitigation Plan. Incorporate Storm Water pollution control measures. Applicants must meet the requirements of the Standard Urban Storm-water Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following (a copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>):

- a. Incorporate storm-water pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Storm-water and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Storm-water Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following (a copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- b. Project applicants are required to implement storm water BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. Post development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak storm water discharge rate will result in increased potential for downstream erosion.
- c. Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- d. Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- e. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- f. Preserve riparian areas and wetlands.

- g. Promote natural vegetation by using parking lot islands and other landscaped areas.
- h. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code.
- i. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe.
- j. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- k. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.
- l. Materials with the potential to contaminate storm water must be:
 - i. placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevent contact with runoff spillage to the storm water conveyance system; or
 - ii. protected by secondary containment structures such as berms, dikes, or curbs. The storage area must be paved and sufficiently impervious to contain leaks and spills. The storage area must have a roof or awning to minimize collection of storm water within the secondary containment area.
- m. The owner(s) of the property will prepare and execute a covenant and agreement (Planning) Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Storm Water Mitigation Plan and or per manufacturer's instructions.

29. Multiple Residential Dwellings

- a. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- b. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.

- c. Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways:
 - i. Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt;
 - ii. Parking Grove - is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
 - d. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Storm Water Management Division.
 - e. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers. Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- 30. Flooding.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.
- 31. Noise Levels** A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.
- 32. Public Services**
- a. Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.
 - b. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
 - i. fire lanes, where required, shall be a minimum of 20 feet in width,
 - ii. all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room and shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - c. 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.
 - d. **Increased Vehicle Trips/Congestion.** The applicant shall pay a trip fee, as required by the Department of Transportation (DOT), to a DOT fund for financing regional and local transportation improvements.

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 sub-meter), 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.
- f. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- g. 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.
- h. 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.
- i. 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.

34. 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.

35. Department of Transportation & Los Angeles Coastal Transportation Corridor Specific Plan Conditions

- a. The applicant must submit a payment of \$500.00 for the application/traffic study review fee pursuant to Section 5.C of the Los Angeles Coastal Transportation Corridor Specific Plan (CTCSP).
- b. The owners of the property must sign and record a Covenant and Agreement prior to issuance of any building permit, acknowledging the contents and limitations of this Specific Plan in a form designed to run with the land, pursuant to Section 5.B of the CTCSP.
- c. In order to mitigate potential access and circulation impacts, the applicant may be required to make highway dedications and improvements. Glencoe Avenue, pursuant to the Glencoe-Maxella Specific Plan, is designated as a modified secondary highway. It shall be a 27-foot half roadway within a 40-foot half right-of-way (80-foot full rights-of-way, including a 54-foot roadway, 8-foot sidewalks and 5-foot landscaped strips). Therefore, the project shall dedicate 15 feet along the project frontage on Glencoe Avenue and improve the existing roadway to compete a 27-foot half roadway width within a 40-foot half right-of-way. Also, the project shall provide an 8-foot sidewalk and a 5-foot landscape strip of land running parallel to the sidewalk.
- d. The applicant shall further consult the Bureau of Engineering (BOE) for any highway dedication or street widening requirements. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the BOE's Land Development Group, Department of Public Works. These improvements must be constructed and completed prior to the issuance of any certificate of occupancy to the satisfaction of DOT and BOE.
- e. This determination does not include approval of the project's driveways, internal circulation and parking scheme. Adverse traffic impacts could occur due to access and circulation issues. The applicant is advised to consult with DOT for driveway locations and specifications prior to the commencement of any architectural plans, as they may affect building design. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site/driveway plans, at a scale of at least 1 inch =40 feet, separately to DOT's WLA/Coastal Development Review Section at 7166 West Manchester Avenue, Los Angeles 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety.

Note:. Applicant shall contact the Department of Transportation prior to sign-off by the department of City Planning. In order to minimize and prevent last minute building design changes, it is highly imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements. This would ensure that such traffic flow considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes.

- f. DOT recommends that a construction work site traffic control plan be submitted to DOT's Western District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that construction related traffic be restricted to off-peak hours.

Note: Pursuant to Section 9.A of the CTCSP, an applicant or any other interested person adversely affected by the proposed project who disputes any determination made by DOT pursuant to this Ordinance may appeal to the General Manager of DOT. This appeal must be filed within a 15 day period following the date of mailing of this letter of determination. The appeal shall set forth specifically the basis of the appeal and the reasons why the determination should be reversed or modified. For more information, contact Pedro Ayala at (213) 485-1062.

Administrative Conditions

- 35. Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all the two final building permit construction plans for final review and approval by the Department of City Planning. A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
- 36. Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
- 37. Approval, Verification and Submittals.** Copies of any approval, 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 clearance of any building permits, for placement in the subject file.
- 38. Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 39. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 40. Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or 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.

BACKGROUND

The proposed project is the development of a mixed-use complex containing 67 residential units, and four (4) commercial units, with five (5) story, 66-foot height, and 131 parking spaces on a vacant 39,592 net square foot parcel. The project site is narrow and rectangular with an 83 foot front yard frontage and a depth of 352 feet. The front yard of the project site is configured so that approximately 72 percent of the frontage width is covered by vehicle driveway and pedestrian access hardscape.

The General Plan designation for the project site is Light Manufacturing. Multiple family residential units are permitted in this land use district. The zone for the subject property is CM(GM)-2D-CA. Furthermore, the project site is located within the Glencoe-Maxella Specific Plan and subject to the requirements therein.

The applicant is requesting approval of the following land use entitlements: 1) Two (2) Density Bonus Incentives; and 2) a Site Plan Review for the development of the proposed project.

The Specific Plan allows a base floor area ratio (FAR) permitted in this zone is 1.75 to 1 and allows one unit for each 800 square feet of the 39,592 square foot property. This is 49 base units. With the 35 percent density bonus on the base of 49 units, the total number of units permitted and proposed is 67 units. Due to the density bonus, 11 percent or six (6) residential units of the total residential units are to be "set-aside" for "Very Low Income Households".

Note: Although the project site is within the boundary of the Glencoe-Maxella Specific Plan, Project Permit Compliance Findings are not required per Ordinance 169,102 and 171,946. The Glencoe-Maxella Specific Plan allows for Specific Plan Project Adjustment and Specific Plan Exception procedures per the Los Angeles Municipal Code Section 11.5.7, but otherwise projects that meet the requirement of the specific plan receive a building clearance.

Density Bonus Incentives

The two (2) requested incentives for the Density Bonus, as permitted by Section 12.22.A.25 to facilitate affordable housing at the site: are for an additional height of 11 feet, and a 35 percent Floor Area Ratio (FAR) increase from 1.75:1 to 2.4:1. The 35 percent FAR increase increases the total floor area possible from 83,160 square feet to 99,792 square feet for development purposes.

The applicant has also selected "by-right" choice of Parking Option one (1), which requires a maximum of two (2) parking spaces per unit for two (2) and three (3) bedrooms units. One (1) parking space per unit for one (1) bedrooms units, and two and one-half (2-1/2) parking spaces per unit for four (4) bedroom units for utilizing Section 12.22.A.25 (Density Bonus) of the Los Angeles Municipal Code LAMC, to provide low-income housing.

The Density Bonus is granted in exchange for the applicant setting aside a portion of the dwelling units for occupation by low and or very low income households for a period of 30 years. The Los Angeles Department of Housing requires 11 percent of the units allocated for very low income households. Consistent with this requirement, the applicant is setting aside 6 units for Very Low Income Units.

A tract map application has recently been filed by the applicant and is anticipated to be consistent with the City's Density Bonus Ordinance.

Existing Land Use and Zoning from Environmental Settings

The project site is located within the Glencoe-Maxella Specific Plan Area. The immediate area surrounding the project site is urban and completely built-out. The neighborhood is transitioning from industrial and light manufacturing to retail and medium density multiple family residential uses. Adjacent and south of the project site are mid-century built, one-story industrial plant buildings with a large parking lot. To the east are brand new townhouse and residential condominium complexes. Across the street and to the west is a new condominium complex and an adjacent office/industrial building. On the north is the automobile auto body plant with surrounding parking.

FINDINGS

Density Bonus Design Review Findings

1. **The project substantially compiles 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.**

All four (4) elevations, including the front yard elevation facing the street, are not single flat wall planes; but are articulated wall planes. The planes are varied using a range of architectural elements including texture, materials and color. "The building design is further articulated with a system of balconies and balcony guard panels.

The face of the walls behind each balcony is indented into the building, on a different plane from the primary façade. Furthermore, the balconies provided have three different widths along the face of the north and south façades.

The building frontage, the street facing façade, has multiple design features and accents using off-set planes, window shapes, window sizes, color variations, material variations, face textures, pedestrian and parking entry indentations, balconies, balcony guards, overhangs, extended lobby glass faces, and accent exterior cladding. All of these elements are further varied by additional color, textures, materials, shape variation and size variations.

- 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.**

The project site has one (1) street façade. The entire project is oriented to the street, although the building shape has a relatively narrow front. The rear, and very long side facades will ultimately be out of public view when the adjacent properties are developed to their full potential. The front façade is positively visible and varied with multiple architectural components.

- 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 City of Los Angeles designated Historic-Cultural Monument (HCM).**

The proposed development project is replacing an existing parking lot.

- 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 this Code.**

The proposed project is not located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone. It is located in on a standard street in a topographically flat portion of the City.

- e. **The incentives are necessary to provide for affordable housing costs as defined in the California Health and Safety Code Section 50051/5 or Section 50053 for rents for the affordable units.**

The incentives are necessary to build the density bonus units. The Floor Area Ratio (FAR) and the increase in height is necessary to increase the project building envelope so that the density bonus units being constructed are consistent with the number of bedrooms and amenities that are incorporated in the six (6) units set aside units. NOTE: Utilization of the Density Bonus process supersedes the requirements of the Glencoe-Maxella Specific Plan relative to the number of parking spaces, maximum permitted floor area and the maximum permitted height. All other requirements of the Specific Plan are in force and effect.

Site Plan Review Compliance Findings

2. **That the project complies with all applicable provisions of the Los Angeles Municipal Code and the Glencoe-Maxella Specific Plan.**

The proposed project consists of 67 residential units and four (4) commercial units permitted at the project site which is located in the CM(GM)-2D-CA zone of the Los Angeles Municipal Code. The project as proposed complies with the Municipal Code and the Glencoe-Maxella Specific Plan and is conditioned to require that all of the requirements of the LAMC will be strictly complied with in the development and operation of the project, except as specifically modified by the ultimate action.

3. **The project is consistent with the General Plan**

The project is located in the Commercial Manufacturing land use district of the General Land Use Plan. The Light Manufacturing district allows the development of multiple family residential dwellings rendering the project consistent with the General Plan.

4. **That the project is consistent with any applicable adopted Redevelopment Plan.**

The project is not located within any designated redevelopment area.

5. **That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, which is or will be compatible with existing and future development on neighboring properties.**

The proposed project has been conditioned to be compatible with the surrounding environment. The site and properties along Glencoe Avenue are developed with a mix of commercial and residential uses. The block is characterized by a mixture of light manufacturing, retail, parking lots and new multiple-family residential complexes. The project incorporates glass, steel, concrete and rock facades; with multiple façade planes along all four sides of the project. Balconies of various depths and width along multiple wall planes add additional visual variety to the project and reducing the solid visual mass of the project envelope.

Access to the parking area is from the front street to a ground and basement level garage.

The development of the project will also be consistent and compatible with the trend for the continued development of multiple family residential projects with extensive foliage landscaping along the street and in the interior, rear and side yards of the properties. As a result, good project design and extensive, creative foliage landscaping along the front yard at the subject site, will improve the appearance of vistas along Glencoe Avenue.

6. **That the project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.**

A Mitigated Negative Declaration (ENV-2012-1590-MND) was prepared for the proposed project. On the basis of the whole record before the lead agency including any comments received, the lead agency finds that with the mitigation measures, there is no substantial evidence of significant effect on the environment. A traffic study was required as part of the environmental review. Mitigation measures have been incorporated as conditions of approval in this case.

7. **That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.**

The proposed development includes interior and exterior recreation and service amenities that will serve the needs of the residents. A gym, community room, swimming pool, terraces, open air courtyards, private decks, lounges, rear yard, and common decks will provide recreational and social opportunities for the residents for up to 8,675 square feet.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "the availability of housing is of vital state wide 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 65915 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 69515(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 (3) 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, thus providing greater relief from regulatory constraints.

FINAL PLAN SIGN OFF AND APPROVAL

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 services with appointment amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center by calling (213) 482-7077 (Figueroa Plaza) or (818) 374-5050 (Marvin Braude Building) 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.

EFFECTIVE DATE AND APPEAL PERIOD

The Director of Planning's determination on this matter will become effective 15 days after the date of this Determination, unless an appeal is filed with the City Planning Commission. Such an appeal must be in writing, on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the effective date, or the appeal will not be accepted. Department of City Planning 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.

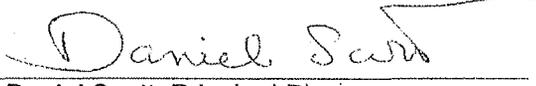
Note: *Only abutting property owners and residents can appeal the Affordable Housing Incentives portion of this determination. Per the Density Bonus Provision of the State Law the Density Bonus increase in units above the zone limits and the appurtenant parking reductions are not a discretionary action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

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

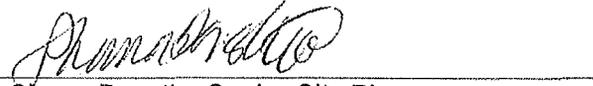
In the event the property is sold or leased to any persons or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

MICHAEL J. LOGRANDE
Director of Planning

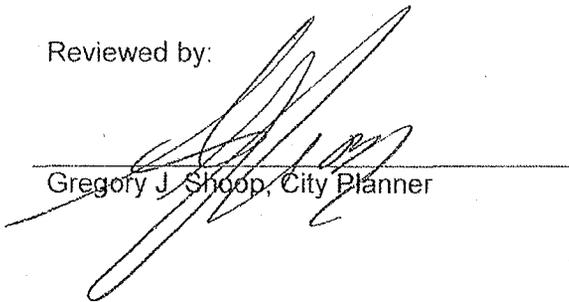
Approved by:


Daniel Scott, Principal Planner

Reviewed by:


Shana Bonstin, Senior City Planner

Reviewed by:


Gregory J. Shoop, City Planner

Prepared by:


Harden A. Carter, Planning Assistant
harden.carter@lacity.org

cc: Councilmember Bill Rosendahl, 11th District
Kelton Kirby, Department of Public Works
Adjoining and Abutting Property Owners
Los Angeles Housing Department

EXHIBIT L

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
WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
GEORGE HOVAGJIMIAN
ROBERT LESSIN
DANA M. PERLMAN
BARBARA ROMERO
VACANT
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
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INFORMATION
www.planning.lacity.org

Decision Date: May 1, 2013

Appeal Period Ends: May 16, 2013

M Lofts, LLC (A/O)
10600 Santa Monica Boulevard
Los Angeles, CA 90024

Beck Engineering and Surveying (E)
21500 Wyandotte Street, #103
Canoga Park, CA 91303

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

Vesting Tentative Tract Map No. 72107-CN
Related Case: DIR-2012-1589-DB-SPR-SPP
Project Address: 4140 South Glencoe
Avenue
Council District: 11
Existing Zone: CM(GM)-2D-CA
Community Plan: Palms-Mar Vista-Del Rey
ENV No.: ENV-2012-1590-MND-REC1

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.03 of the, the Advisory Agency approved Vesting Tentative Tract Map No. 72107-CN composed of 1-lot, located at 4140 Glencoe Avenue for a new maximum **67 residential condominiums, including 6 very-low income affordable units, and 4 commercial condominiums (consisting of 3,211 square feet)** as shown on revised map stamp-dated April 25, 2013 in the Palms-Mar Vista-Del Rey Community Plan. This unit density is based on the proposed CM(GM)-2D-CA 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.) For an appointment with the Development Services Center call (213) 482-7077. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 15-foot wide strip of land be dedicated along Glencoe Avenue adjoining the subdivision to complete a 40-foot wide half street dedication in accordance with Modified Secondary Highway Standards of the Glencoe/Maxella Specific Plan.
2. That the subdivider make a request to the West Los Angeles District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
3. That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed public right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency or obtaining Board of Public Works approval for removal of such trees.
4. That any fee deficit under Work Order No. EXT00479 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

5. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

6. 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. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of City Planning case DIR-2012-1589-DB-SPR-SPP. Show compliance with all the conditions/requirements of the DIR case as applicable.
 - c. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.
 - d. The submitted Map does not comply with the maximum density (800 s.f. of lot area/dwelling unit) requirement of the **CM(GM)-2D-CA Zone**. Provide density calculation to justify the proposed number of units, obtain approval

from the Department of City Planning, or revise the Map to show compliance with the above requirement.

Notes:

This property is located in the **Glencoe / Maxella Specific Plan Area**.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4 (a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements, including the **Glencoe / Maxella Specific Plan Area** 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. Plan check will be required before any construction, occupancy or change of use

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

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

7. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space shall be provided between any security gate(s) and the property line.
 - b. 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 submitted 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.

FIRE DEPARTMENT

8. 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. Access for Fire Department apparatus and personnel to and into all structures shall be required.

L.A.M.C. 57.09.03.B Policy Exception:

- When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
 - This policy does not apply to single-family dwellings or to non-residential buildings.
- b. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
- c. Entrance to the main lobby shall be located off the address side of the building.
- d. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- e. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- f. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

- g. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - h. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - i. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
 - j. Submit plot plans indicating access road and turning area for Fire Department approval.
 - k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - l. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
 - m. 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.
 - n. Adequate public and private fire hydrants shall be required.
 - o. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 - p. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - q. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
 - r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
 - s. 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.
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DEPARTMENT OF WATER AND POWER

9. 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

10. If new street light(s) are required, then 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

11. 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

12. Satisfactory arrangements shall 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

13. That the Quimby fee be based on the CM(GM) Zone. (MM)

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

14. For-Sale Projects

Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a purchase covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 6 of the proposed 67 units for occupancy by VERY LOW

Income households. The 35% density bonus, grants the applicant an additional 18 units in excess of the 49 otherwise permitted by the CM(GM) Zone. These units will be restricted as affordable for-sale dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22 A.25. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)). Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.

A total of 6 parking spaces, at 1 space per VERY LOW Income unit shall be provided for the restricted affordable dwelling units.

15. 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 67 residential condominiums and 4 commercial condominiums (consisting of 3,211 square feet).
- b. Provide the number of parking spaces in accordance with LAMC Section 12.22-A,25 (Option 1) for residential condominiums and Glencoe-Maxella Specific Plan Section 6.F for commercial use.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (Development Services Center).

- c. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project.
- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)

- g. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties. (MM)
16. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the Glencoe-Maxella Specific Plan.
17. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the West Los Angeles Coastal Transportation Specific Plan. (MM)
18. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
19. Prior to the issuance of the building permit or the recordation of the final map, a copy of the DIR-2012-1589-DB-SPR-SPP shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2012-1589-DB-SPR-SPP is not approved, the subdivider shall submit a tract modification.
20. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

21. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 13, 15 f and g, 17, 22 and 23 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
22. 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:

- 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
- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
 - b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
- MM-3
- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
 - c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
- MM-4 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-5 The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-6
- a. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
 - i. 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.
- ii. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - iii. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
 - iv. 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.
 - v. 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.
 - vi. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
- b. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
- i. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
 - ii. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - iii. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
 - iv. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.

- v. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
 - vi. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
- c. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- i. Stop immediately and contact the County Coroner: 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).
 - ii. 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.
 - iii. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - iv. 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.
 - v. 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;
 - vi. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- 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 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 geotechnical report shall assess potential consequences of any

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.
 - c. 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
- a. Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
 - b. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM-10
- Prior to the issuance of a Certificate of Occupancy, the applicant shall comply with stormwater regulations under LAMC Section 64.70, in consultation with the City's Bureau of Sanitation Watershed Protection Division (WPD).
- MM-11
- a. 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.

- b. Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-12
- a. The property shall be maintained in a neat, attractive, and safe condition at all times.
 - b. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties.
 - c. Trash and garbage bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times.
 - d. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter.
 - e. Trash and garbage collection containers shall be emptied a minimum of once per week.
 - f. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.
- MM-13
- Prior to the issuance of any use of land, grading, or building permit, the applicant shall obtain a sign-off from the Fire Department indicating that all on-site hazardous materials, including contamination of the soil and groundwater, have been suitably remediated, or that the proposed project will not impede proposed or on-going remediation measures.
- MM-14
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-15
- 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; and
 - vi. Use of landscape contouring to minimize precipitation runoff.
 - vii. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.
- MM-16
- a. Install no more than two showerheads 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 (for commercial units only), 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.
 - d. All restroom faucets shall be of a self-closing design.
- MM-17
- a. 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.

- b. 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.

23. **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.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
- b. 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.
- c. 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. 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.

CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled

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

- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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.

- C-3. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 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 Transportation 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 be either constructed prior to recordation of the final map or that the construction be 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, as follows:
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings 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 (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. A concrete curb, a concrete gutter, and an 8-foot concrete sidewalk adjacent to the property line and landscaping of the parkway.
 - b. Suitable surfacing to join the existing pavement and to complete a 27-foot half roadway.
 - c. Any necessary removal and reconstruction of existing improvements.
 - d. The necessary transition to join the existing improvements.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05N.

The final map must record 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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2012-1590-MND on November 19, 2012 and an Addendum on February 1, 2013. The Department found that potential negative impact could occur from the project's implementation due to:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Green House Gas Emissions | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2012-1590-MND and the Addendum reflect 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. 13, 15 f and g, 17, 22 and 23** 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), 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. 21.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) 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.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 71794-CN, 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 Palms-Mar Vista-Del Rey Community Plan designates the subject property for Light Manufacturing land use with a corresponding zone of CM(GM) under the Glencoe-Maxella Specific Plan. The property contains approximately 39,592 net square-foot (0.91 net acres) and is presently zoned CM(GM)-2D-CA. The applicant had originally requested a Vesting Tentative Tract Map to permit a 1-lot subdivision for 69 residential condominiums and 2 commercial condominiums. However, a maximum of 67 "for-sale" residential condominiums are permitted and is conditioned herein to reflect the density calculations based on the "net" square footage of the lot area, as opposed to 69 for-rental apartment units based on gross square footage. Accordingly, the applicant has revised the request for the subdivision of 67 residential condominiums and 4 commercial condominiums. The commercial condominiums would consist of a total of 3,211 square feet of commercial office space: 1,808 square feet on the first floor, 694 square feet on the second floor and 709 square feet on the third floor. Of the total 67 residential units, the applicant would provide six Very-Low Income Affordable Units as part of the Density Bonus component of the project. The following is the breakdown of the density calculations for the proposed for-sale condominium project:

Breakdown Of Density Calculations

Base Density: 39,592 net square feet of lot area / 800 square feet = 49 units (49.49 round down)

Density Bonus: 49 units x 35% = 18 units (17.15 round up)

Total Density: 67 units

Set-aside units: 49 units x 11% = 6 very low-income units (5.39 round up)

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract 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.**

Glencoe Avenue is a Modified Secondary Highway dedicated to a width of 65 feet at the project's street frontage. The Bureau of Engineering is requiring a 15-foot wide strip of land be dedicated along Glencoe Avenue adjoining the

subdivision to complete a 40-foot wide half street dedication in accordance with Modified Secondary Highway Standards of the Glencoe/Maxella Specific Plan. In addition, a concrete curb, a concrete gutter, and an 8-foot concrete sidewalk adjacent to the property line and landscaping of the parkway and suitable surfacing to join the existing pavement and to complete a 27-foot half roadway are required.

The applicant has also requested, under incidental Case No. DIR-2012-1589-SPR-SPP-DB, the approval of a Site Plan Review for the use and construction of the 67 residential units (in revision) for a Project Permit Compliance under Glencoe-Maxella Specific Plan and two Density Bonus Incentives for a maximum building height of 66 feet in lieu of 55 feet and an FAR increase of 35% for a maximum 2.4:1 FAR. This case is pending approval.

As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans. This project isn't subject to any Specific Plan requirements.

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

The project site is a relatively, level rectangular-parcel consisting of 39,592 net square-foot (0.91 net acres), located on east side of Glencoe Avenue. The property to the north is improved with a towing company. The property to the south is developed with a manufacturing use. Properties to the east and west are developed with condo complexes, all in the CM(GM)-2D-CA Zone. The neighborhood is characterized by commercial and light manufacturing uses interspersed with multi-storied, multi-family residential buildings. The subject site is currently improved with an older 1-story building in the CM(GM)-2D-CA Zone. The proposed development of 67 residential condominium units, including 6 very-low income affordable units, and 4 commercial condominium units are physically suitable for the site.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has tentatively approved the tract map without conditions.

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

The site is currently developed with a one-story towing truck commercial building. It's one of the few (under-improved) properties in the vicinity. The development of this tract is an infill of an otherwise mixed-use, mixed-density neighborhood.

As mentioned above, the applicant, M Lofts, LLC, has revised the request for a

Vesting Tentative Tract Map to permit a 1-lot subdivision for 67 residential condominiums and 4 commercial condominium units. The commercial condominiums would consist of a total of 3,211 square feet of commercial office space. Further, of the total 67 residential units, the applicant would provide six Very-Low Income Affordable Units as part of the Density Bonus component of the project.

The proposed project will otherwise comply with other LAMC requirements. Therefore, as conditioned, the proposed tract map is physically suitable for the proposed density of the development.

- (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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife with no natural open spaces or areas of significant biological resource value.

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

There appear 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)

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.

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.

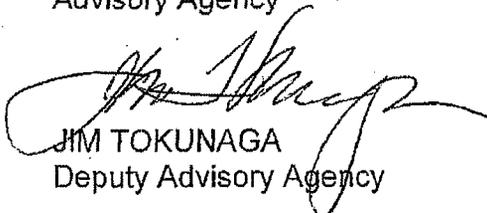
The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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 VTT-72107-CN.

Michael LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:JK:jq

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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

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

Forms are also available on-line at www.lacity.org/pln.

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.

If you have any questions, please call Development Services Center staff at (213) 482-7077.

EXHIBIT M

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
VACANT
VACANT
VACANT

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DEPUTY DIRECTOR

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FAX: (213) 978-1275

INFORMATION

www.planning.lacity.org

October 10, 2013

Related Case Tract 72107

Ken Kahen (A) (O)
D1 Living, LLC
10600 Santa Monica Boulevard
Los Angeles, CA 90025

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

Building and Safety

CASE NO. DIR-2013-1229-DB-SPR
DENSITY BONUS, SITE PLAN REVIEW

CEQA: ENV-2013-1230-MND

Address: 4210 South Del Rey Avenue

Plan Area: Palms – Mar Vista – Del Rey

Zone: CM(GM)-2D-CA

D.M.: 105B153

C.D. : 11

Legal Description: Lot 49, Wright's Addition to
Ocean Park

Pursuant to Los Angeles Municipal Code Section 12.22-A,25, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Density Bonus Compliance Review to permit a 68-unit residential condominium development, with 6 units restricted for Very Low Income households, and 1,800 square feet of commercial space; Parking Option 1 to allow one on-site parking space for each 0-1 bedroom residential unit and two on-site parking spaces for each 2-3 bedroom residential unit thereby permitting 118 residential parking spaces; an on-menu incentive to allow a Floor Area Ratio of 1.35:1 in lieu of the maximum 1:1 otherwise limited by the CM(GM)-2D-CA Zone; and an on-menu incentive to allow an 11-foot increase in height thereby allowing a building 66 feet in height in lieu of the otherwise permitted 55 feet.

Pursuant to Los Angeles Municipal Code Section 16.05, as the designee of the Director of Planning, I hereby:

Conditionally Approve Site Plan Review for the construction, use and maintenance of a new five-story mixed-use project consisting of 68 residential condominium units and 1,800 square feet of commercial space in the CM(GM)-2D-CA Zone;

Adopt Mitigated Negative Declaration ENV-2013-1230-MND as the environmental clearance.

Adopt the attached findings.

Advise the applicant that pursuant to the California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that environmental mitigation measures are implemented and maintained through the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

This approval is subject to the following terms and conditions:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal code and the conditions of approval.
2. **Exhibit "A".** The applicant shall submit revised plans (to include site plan with project information, floor plans, exterior elevations and landscape plan) that reflect the proposed project as approved herein to the satisfaction of the Department of City Planning.
3. **Housing Requirements.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant of purchase covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department (LAHD). The covenant shall bind the applicant and/or any subsequent property owner to reserve six (6) units for occupancy by Very Low Income households. These units will be restricted as affordable for-sale dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22-A,25. All density bonus calculations in fractional units shall be rounded up to the nearest whole number (Government Code Section 65915(g)(5)). Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.
4. **Floor Area.** The total floor area of the new mixed-use development on the subject property shall be limited to 1.35:1, equal to 95,468.22 square feet, pursuant to the requirements of the Glencoe/Maxella Specific Plan, Section 6.D.5, for mixed-use projects. The FAR as approved is calculated as follows:

For mixed use projects combining residential and nonresidential uses, the floor area of the building shall be such that the sum of the ratios of the actual floor area for each of the uses divided by the total allowable floor area for each of the uses shall not exceed one. This Subdivision shall be interpreted using the following formula:

$$\frac{\text{Actual Non-residential FAR}}{\text{Allowable Non Residential FAR}} + \frac{\text{Actual Residential FAR}}{\text{Allowable Residential FAR}} \leq 1$$

Plus a maximum 35% FAR Incentive pursuant to LAMC Section 12.22-A,25(f)(4).

The FAR calculation for the proposed project using an allowable FAR of 1:1 for Commercial uses and 1.75:1 for Residential uses is as follows (the buildable lot area of the project site is 41,110.23 square feet):

$$\frac{1,800 \text{ square feet}}{41,110.23 \text{ square feet}} + \frac{68,917.2 \text{ square feet}}{71,942.9 \text{ square feet}} = 1$$

$$= 1,800 + 68,917.2 = 70,717.2 \text{ square feet}$$

$$\text{Plus 35\% FAR incentive} = 70,717.2 \times 1.32 = \mathbf{95,468.22 \text{ total allowable square feet}}$$

In the event Applicant chooses to develop the project solely as residential, the FAR shall be calculated pursuant to Section 6.D.2 of the Glencoe/Maxella Specific Plan plus a maximum 35% FAR incentive pursuant to LAMC Section 12.22-A, 24(f)(4). Any changes to the approved FAR shall require review and approval by the Department of City Planning.

5. **Height.**
 - a. The height of the proposed five-story mixed-use building shall not exceed 66 feet above grade.
 - b. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
6. **Parking.** Striped parking spaces shall be provided in compliance with the commercial and residential parking requirements per LAMC Sections 12.21-A,4 and 12.22-A,25(d)(1), respectively.
7. **Open Space.** The project shall provide a minimum of 8,050 square feet of open space pursuant to LAMC Section 12.21-G.
8. **Bicycle Parking.** Bicycle parking spaces for the residential and commercial components shall be provided pursuant to LAMC Section 12.21-A,16.
9. **Urban Design Studio.** The project shall substantially conform to the Citywide Design Guidelines for Residential Projects.
10. **Specific Plans.** Prior to the issuance of a building permit, the applicant shall record and execute a Covenant and Agreement to comply with the Glencoe/Maxella Specific Plan and the Los Angeles Coastal Transportation Corridor Specific Plan.
11. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Planning Department to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.
12. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
13. **Construction-related Parking.** Off-street parking shall be provided for all construction-related parking generated by employees of the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.
14. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00 a.m. and ending at 3:00 p.m., Monday through Friday. No truck deliveries for construction shall occur outside of that time period. No construction truck staging related to such deliveries to the project site shall occur off site or onto local residential streets.
15. **Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the

property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted within 100 feet of any occupied residence or the school on said adjoining lots.

Other Conditions

16. **Driveway Access.** The project will include a new driveway off of Del Rey Avenue.
17. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location and path of travel of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.
18. **Maintenance.** The subject property including any associated parking facilities, sidewalks, parkways, and landscaped setbacks adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris.
19. **Bureau of Engineering.** The project shall comply with the project requirements as detailed in the Bureau of Engineering letter to the Department of City Planning dated June 11, 2013.
20. **Department of Building and Safety, Grading Division.** The project shall comply with the project requirements as detailed in the Soils Report Approval letter to the Department of City Planning dated August 27, 2013.
21. **Department of Building and Safety, Zoning Division.** The project shall comply with the project requirements as detailed in the Department of Building and Safety letter to the Department of City Planning dated June 11, 2013.
22. **Department of Transportation.** The project shall comply with the project requirements as detailed in the Department of Transportation letter to the Department of City Planning dated May 10, 2013.
23. **Fire Department.** The project shall comply with the project requirements as detailed in the Fire Department letter to the Department of City Planning dated May 31, 2013.
24. **Bureau of Street Lighting.** The project shall comply with the project requirements as detailed in the Bureau of Street Lighting letter to the Department of City Planning dated May 9, 2013.
25. **Standard Urban Stormwater Mitigation Plan.** Prescriptive Methods detailing BMPs specific to this project category are available. Applicants shall comply with the City's Low Impact Development Ordinance or with Best Management Practices of the City's Standard Urban Stormwater Mitigation Plan to the approval of the Department of Public Works. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org.

Environmental

26. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or sidewalks shall be attractively landscaped and maintained in

accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Practitioner (Sec. 12.40-D) to the satisfaction of the decision maker.

27. Vandalism.

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

28. Signage:

- a. On-site signs shall be limited to the maximum allowable under the Municipal Code.
- b. Multiple temporary signs in store windows and along building walls are not permitted.

29. Signage on Construction Barriers:

- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS."
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

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

31. Glare. The exterior of the proposed building shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

32. 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. Wetting could reduce fugitive dust by as much as 50 percent.
- 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.

33. Cultural Resources (Archaeological). If any archaeological materials are encountered during the course of the Project development, all further development activity shall halt and:

- a. 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.
- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- d. 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

- e. 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.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

34. Cultural Resources (Paleontological). If any paleontological materials are encountered during the course of the Project development, all further development activities shall halt and:

- a. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.

- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
 - d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
 - e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
 - f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
- 35. Cultural Resources (Human Remains).** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- a. Stop immediately and contact the County Coroner:

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)
 - b. 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.
 - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - d. 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.
 - e. 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;
 - f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- 36. Seismic.** The design and construction of the project shall conform to the International Building Code seismic standards as approved by the Department of Building and Safety.
- 37. 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:
 - 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.
 - Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

38. Green House Gas Emissions.

- a. Install a demand (tankless, recirculated, or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- b. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

39. Explosion/Release (Methane Gas).

- a. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- b. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- c. 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.

- 40. Land Use/Planning.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
- 41. Increased Noise Levels (Demolition, Grading, and Construction Activities).**
- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144331 and 161574, and any subsequent ordinances, which regulate construction noise sources.
 - b. Construction and demolition shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 8:00 A.M. to 6:00 P.M. on Saturday.
 - c. Demolition and Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - d. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- 42. Increased Noise Levels (Parking Structure Ramps).**
- a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
- 43. Increased Noise Levels (Mixed-Use Development).** Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.
- 44. Public Services (Fire).**
- a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- 45. 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.
- 46. Public Services (Street Improvements Not Required By DOT).** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

- 47. Recreation (Increased Demand For Parks Or Recreational Facilities). (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.
- 48. Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
- 49. Local Water Supplies – Landscaping.**
- a. The project shall comply with Ordinance No. 170978 (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:
 - 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.
 - c. 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.
- 50. Utilities (Local Water Supplies - All New Construction).**
- a. If conditions dictate pursuant to the LAMC, 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.)

- 51. Utilities (Local Water Supplies - New Commercial or Industrial).** All restroom faucets shall be of a self-closing design.
- 52. 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.
- 53. 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.

ADMINISTRATIVE

- 54. Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 55. Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

56. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
57. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices legislation or their successors, designees, or amendment to any legislation.
58. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
59. **Building Plans.** Page 1 of this grant and all conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
60. **Utilization of Concurrent Entitlement.** Site Plan Review requires completion of all applicable conditions of approval to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.
61. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
62. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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.
63. **Expedited Process Section Fees.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

BACKGROUND

The proposed project is for the construction of a new 68-unit residential condominium with 1,800 square feet of commercial space on a 41,110 square-foot lot. The project includes a 35% density bonus pursuant to LAMC Section 12.22-A,25 by providing 18 additional units including 6 units (11% of 50 base units) for Very Low Income households. The applicant is also utilizing Parking Option No. 1 pursuant to LAMC Section 12.22-A,25(d)(1) to allow one on-site parking space for each 0-1 bedroom residential unit and two on-site parking spaces for each 2-3 bedroom residential unit thereby permitting 118 residential parking spaces. The applicant is requesting the following incentives and entitlements: two On-Menu Incentives as follows: (1) Pursuant to LAMC Section 12.22-A,25(f)(4) a 35% increase in Floor Area Ratio not to exceed 1.35:1 in lieu of the otherwise 1:1 as limited by the CM(GM)-2D-CA zone thereby allowing 95,468.22 square feet of building floor area in lieu of the 70,717.2 square feet otherwise permitted AND (2) Pursuant to LAMC Section 12.22-A,25(f)(5) a height increase of 11 feet to allow a building 66 feet in height in lieu of the 55 feet otherwise limited by the Glencoe/Maxella Specific Plan; AND Pursuant to LAMC Section 16.05 Site Plan Review for the development of 50 or more dwelling units. The applicant will provide automobile parking for the commercial portion of the project and bicycle parking pursuant to the provisions set forth in the LAMC.

The project site is 0.93 net acres, consisting of one lot. The site is currently improved with a one-story auto-body building to be demolished. Adjoining properties to the north are zoned CM(GM)-2D-CA and developed with multi-family residential condominium buildings, offices, an auto body shop, a towing yard and light industrial uses. Properties south of Maxella Avenue are zoned [Q]M1-1 and [T][Q]RAS4-1 and developed with a large shopping center that includes one- and two-story commercial buildings and a large surface parking lot, a 5-story multiple-residential complex, a gas station and the Marriott Hotel. Properties to the west are zoned [Q]M2-1-CDO, [Q]C4(OX)-2D-CDO and C4(OX)-2D and developed with auto-related uses, retail and multi-family residential buildings. Properties to the east are zoned CM(GM)-2D-CA and (Q)RD2-1 and developed with multi-family residential buildings.

General Plan/Community Plan/Zoning: The subject property is designated for Light Manufacturing uses and is zoned CM(GM)-2D-CA which permits multi-family residential uses at a density consistent with the R3 Zone. The project site is located within the Palms – Mar Vista – Del Rey Community Plan area, which was updated by the City Council on September 16, 1997 (Council File 97-0705). The project site is also subject to the provisions of the Glencoe/Maxella Specific Plan and the Los Angeles Coastal Transportation Corridor.

Street Designations: The subject property is located on Del Rey Avenue which is a Local Street that is currently improved to width of 50 feet. The development of the site is subject to further improvement requirements by the Department of Transportation and the Bureau of Engineering.

Case History

Case No. TT-60845 - On April 23, 2004 the Deputy Advisory Agency approved the subdivision of one lot into a new 61-unit residential condominium, including three units for Very Low Income households, located at 4115 South Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. APCW-2004-825(SPE)(SPPA)(SPP)(SPR).

Case No. TT-61662 - On October 14, 2004 the Deputy Advisory Agency approved the subdivision of one lot into a new 50-unit residential condominium located at 4141 Glencoe Avenue in the CM(GM)-2D-CA.

Case No. VTT-62062 - On February 25, 2005 the Deputy Advisory Agency approved the subdivision of one lot into a new 298-unit residential condominium located at 3224-3426 Thatcher Avenue in the CM(GM)-2D-CA. On March 31, 2005 the City Planning Commission granted an appeal.

Case No. VTT-63265 - On December 20, 2005 the Deputy Advisory Agency approved the subdivision of one lot into a new 119-unit residential condominium, including five units for Very Low Income households, located at 4215 Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. ZA 2008-2801(ZV)(SPPA). On September 25, 2008 the Deputy Advisory Agency approved a Modification to allow the conversion of 18 ground floor units to commercial condominiums.

Case No. TT-68569 - On February 28, 2008 the Deputy Advisory Agency approved the subdivision of one lot into a new 62-unit residential condominium, including four units for Very Low Income households and one commercial condominium, located at 4131 Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. DIR 2007-4094(SPP)(SPR)(DB).

Case No. VTT-72107 - On May 1, 2013 the Deputy Advisory Agency approved the subdivision of one lot into a new 67-unit residential condominium, including six units for Very Low Income households and four commercial condominiums, located at 4140 Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. DIR 2012-1589(DB)(SPR)(SPP).

Case No. APCW-2004-825(SPE)(SPPA)(SPP)(SPR) - On July 8, 2004 the Area Planning Commission approved a Specific Plan Exemption, a Project Permit Adjustment, Project Permit Compliance and Site Plan Review to allow the construction of a 61-unit residential condominium, including three units for Very Low Income households, located at 4115 South Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. TT-60845. A subsequent Modification was approved on March 8, 2005.

Case No. DIR-2007-4094(SPR)(DB) - On May 2, 2008 the Director of Planning approved a Site Plan Review and Density Bonus to allow the construction of a 62-unit residential condominium, including four units for Very Low income households, located at 4131 South Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. TT-68569.

Case No. DIR-2011-1529(SPP)(SPPA)(SPR) - On December 12, 2011 the Director of Planning approved a Site Plan Review, Project Permit Compliance and Project Permit Adjustment to allow the construction of a 77-unit apartment building located at 4100 Del Rey Avenue.

Case No. DIR-2012-1589(DB)(SPR) - On June 3, 2013 the Director of Planning approved a Density Bonus and Site Plan Review to allow the construction of a new 67-unit residential condominium, including six units for Very Low Income households and four commercial condominiums, located at 4140 Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. TT-72107.

Case No. ZA 2008-2801(ZV)(SPPA) - On November 12, 2008 the Zoning Administrator approved a Zone Variance and Project Permit Adjustment to allow the construction of a new 119-unit residential condominium, including five units for Very Low Income households, and 18 commercial condominiums with reduced parking requirements, located at 4215 Glencoe Avenue in the CM(GM)-2D-CA in conjunction with Case No. VTT-63265.

Density Bonus Compliance Findings.

After thorough consideration of the information, statements, and plans contained in the application; the reports received from other City departments and government agencies; the

California State Government Code Section 65915 (State Density Bonus Program), the requirements for issuing a Density Bonus Compliance Review approval have been established by the following:

1. The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.

As conditioned by this approval, the proposed project complies with all applicable provisions of LAMC Section 12.22-A,25. By setting aside 6 units (11% of the allowable base units) for Very Low Income households, the project qualifies for a 35% density bonus. The Code allows projects that provide the minimum number of set aside units be granted an automatic increase in density and reduced parking requirements. Additionally, providing a minimum of 11% for Very Low Income households also grants projects up to two incentives, which serve as waivers from development standards of the code. The project is seeking two on-menu incentives as well as a reduced parking.

- a. **Density.** A 35% increase in residential density is requested for this project. The Los Angeles Municipal Code, as well as the Glencoe/Maxella Specific Plan, permit residential density to one dwelling unit per 800 square feet of lot area in the CM Zone. This would permit a total of 50 dwelling units on the subject site. With a 35% density bonus, the applicant is permitted to construct 68 residential units, including six units for Very Low Income households. Therefore, based on the Findings herein, the proposed density of 68 dwelling units on the subject site substantially complies with the applicable regulations, standards and provisions of the Los Angeles Municipal Code and the State Density Bonus Program.
- b. **Affordable Housing Incentives.**
 - 1). **Floor Area Ratio (FAR).** Pursuant to LAMC Section 12.22-A,25(f)(4), relief from the Glencoe/Maxella Specific Plan, Section 6.D.5, requirement for a maximum 1:1 FAR for mixed-use projects is permitted, thereby increasing the project's Floor Area Ratio from 1:1 to 1.35:1.
 - 2). **Height.** Pursuant to LAMC Section 12.22-A,25(f)(5), relief from the Glencoe/Maxella Specific Plan, Section 6.E, requirement for a maximum building height of 55 feet for mixed-use projects, thereby increasing the allowable building height from 55 feet to 66 feet.
- c. **Parking.** Pursuant to Los Angeles Municipal Code Section 12.22-A,25(d)(1), the applicant is utilizing Parking Option 1, to allow one on-site parking space for each 0-1 bedroom residential unit and two on-site parking spaces for each 2-3 bedroom residential unit thereby permitting 118 residential parking spaces. The commercial parking spaces shall be provided pursuant to LAMC Section 12.21-A,4. Bicycle parking spaces for the residential and commercial components shall be provided pursuant to LAMC Section 12.21-A,16.

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

The increase in floor area ratio and height will allow the proposed project to provide six residential units for Very Low Income households that will be comparable in size and location to the market rate units. The restricted affordable units and the additional density bonus units will also be provided with covered, garage parking and private open space in the form of

balconies. In addition to the aforementioned incentives, the project qualifies for reduced parking for the residential portion of the project, thus eliminating the need for an additional subterranean level. Therefore, approval of an increase in FAR and height as well as reduced parking, are necessary to provide for affordable housing costs for the affordable units.

SITE PLAN REVIEW FINDINGS

I have reviewed the subject development project and make the following findings based on the information contained in the application, the report of the Site Plan Review staff, reports received from other departments, supplemental written documents submitted and review of environmental impacts associated with the project pursuant to Section 16.05 C of the Municipal Code, I hereby find the following:

3. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The proposed project complies with all applicable provisions of the Los Angeles Municipal Code, the Palms – Mar Vista – Del Rey Community Plan and the Glencoe/Maxella Specific Plan except for any allowances that may be permitted under the requested entitlements. The proposed project complies with the intent and objectives of the General Plan. The Palms – Mar Vista – Del Rey Community Plan, a part of the Land Use Element of the General Plan, encourages a variety of housing options in order to meet the housing demands of the area. The project provides home ownership opportunities for a diverse sector of the community. Furthermore, the subject site is designated with a Light Manufacturing land use, which allows multi-family and limited commercial development. The proposed project will provide 1,800 square feet of commercial space for office use. The proposed mixed-use project is consistent with the following goals, objectives and policies of the Palms – Mar Vista – Del Rey Community Plan:

Goal 1: A safe, secure, and high quality residential environment for all community residents.

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.1: Provide for adequate multi-family residential development.

Objective 1-4: To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.2: Ensure that new housing opportunities minimize displacement of residents.

Goal 2: a strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving the historic, commercial and cultural character of the community.

Objective 2-3: To enhance the appearance of commercial districts.

Policy 2-3.1: Require that the design of new development be compatible with adjacent development, community character and scale.

The 2006-2014 Housing Element of the General Plan is the City's blueprint for meeting the housing and growth challenge. The Housing Element of the General Plan consists of goals, objectives, policy, and design guidelines that pertain to multiple family residential developments, relevant to the proposed project. These include:

Objective 1.1: Plan the capacity and develop incentives for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.

In addition, the proposed project complies with the purposes set forth in the Glencoe/Maxella Specific Plan by providing attractive housing within the Specific Plan area. The proposed project contributes to the advancement of the goals and policies set forth in the General Plan, the Palms – Mar Vista – Del Rey Community Plan and the Glencoe/Maxella Specific Plan by contributing to the growing demand for housing. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan, the Palms – Mar Vista – Del Rey Community Plan, the Glencoe/Maxella Specific Plan and the Los Angeles Coastal Transportation Corridor Specific Plan and does not conflict with any applicable regulations or standards.

4. **That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on neighboring properties.**

The proposed project has been designed with open space, landscaping, outdoor recreation amenities and articulated building elevations. All of the proposed units have been considered with respect to light and ventilation with each unit having access to the provided open space. The building is comprised of four stories of residential units over a ground floor that includes commercial space and a residential lobby. The project also provides two levels of subterranean parking. This approval is for the construction of a 68-unit residential condominium development, with 6 units restricted for Very Low Income households, and 1,800 square feet of commercial space. Below is a discussion of the compatibility of the project to the surrounding neighborhood as well as the design of the building and its pertinent features.

Compatibility. The proposed project is subject to the provisions of the Palms – Mar Vista – Del Rey Community Plan and the Glencoe/Maxella Specific Plan. Del Rey Avenue is predominately characterized with manufacturing, office, automotive and small retail uses, however several residential projects are located within 500 feet of the project site, including a 298-unit residential apartment building on Carter Avenue, a 613-unit residential apartment building on Marina Pointe Drive and a 119-unit and 61-unit residential condominium building on Glencoe Avenue. The Marina Marketplace Shopping Center is also located two lots south of the site. The proposed project is typical of other residential

projects in the area. The project will incorporate mitigation measures to ensure neighboring uses are not significantly impacted by the proposed development.

Site Planning/Building Orientation/Frontage. The project site is generally rectangular in shape and is approximately 41,110 square feet. The site has an approximately 100-foot frontage along Del Rey Avenue and a depth of approximately 413 feet. The site which is currently improved with an auto body shop is generally flat. The proposed building is five stories in height (66 total feet). The building is rectangular shaped with two subterranean parking levels. The ground level will house the residential lobby, gym and commercial space with the residential units on levels two through five. Most of the residential units are either north or south facing. The primary pedestrian entrance into the residential lobby is located along Del Rey Avenue. The entrance is articulated with glass doors and full-height windows.

Design. The scale, massing, and location of the proposed residential building will respond to the rectangular shape and topography of the site. The project will consist of two subterranean parking levels with ground floor commercial and four residential levels above. The proposed project's design is a contemporary style that is compatible with the buildings that have been constructed in the area over the past 10 years. The surface of the building will be painted stucco and includes vinyl awning windows and metal balcony guard rails. The project will also include an entrance lobby with storefront glazing off of Del Rey Avenue and two courtyards open to the sky. All building façades incorporate vertical windows and patio doors to create vertical articulation. The proposed project has been designed consistent with the design policies set forth in the Palms – Mar Vista – Del Rey Community Plan, the Citywide Design Guidelines for Residential Projects and the Walkability Checklist as further discussed below.

Height/Bulk. The 66-foot height of the proposed building is taller than most of the existing buildings in the immediate area because the Glencoe/Maxella Specific Plan limits the height of mixed-use buildings to 55 feet. However, the applicant is eligible for a height increase pursuant to the Density Bonus Ordinance, thus allowing an 11-foot increase. The total floor area is approximately 95,468 square feet with an FAR of 1.35:1. With the approval of the two on-menu incentives to allow a building height increase and a 35% increase in FAR, the proposed building will be consistent with the CM(GM) zoning of the project site. The north and south courtyards provide a critical break in the buildings north and south façades thus reducing the overall building mass. The project also incorporates articulation with the use of balconies, elevator tower, and railings.

Setbacks. The CM zone does not require a front yard setback and requires side and rear yard setbacks the same as for R3 uses for residential projects, however the Glencoe/Maxella Specific Plan is more restrictive. The proposed project is required to have a 10-foot front yard setback, 8-foot side yard setbacks and a 15-foot rear yard. The proposed project will comply with all yard requirements and will adequately provide light and air as well as a buffer for noise, landscaping and privacy for adjacent residential buildings.

On-Site Landscaping. New landscaping is proposed within the front, side and rear yard setbacks and within the two courtyards. Planting within the front, side and rear yards will be located either at grade or within planters and will consist of shrubs and 24 inch box trees. The rear yard will include a wall fountain and bench seating. The two courtyards will include 24 inch box trees, shrub planters and lounge furniture. The north facing courtyard will also include an 8-foot by 20-foot soaking pool.

Off-Street Parking and Driveways. The project will provide 118 residential parking spaces pursuant to LAMC Section 12.22-A,25(d)(1). Parking Option No. 1 of the Density Bonus Ordinance allows projects to provide a minimum of one covered off-street parking space for each 0-1 bedroom residential unit and two covered off-street parking spaces for each 2-3 bedroom residential unit. Commercial parking spaces will be provided pursuant to LAMC Section 12.21-A,4 and bicycle parking spaces for the residential and commercial components will be provided pursuant to LAMC Section 12.21-A,16. The proposed project includes a vehicular driveway that is accessible from Del Rey Avenue.

Equipment. Roof-top mechanical equipment, including satellite dishes, will be screened from adjacent street levels with raised parapet walls.

Trash Collection. A central trash and recycling area is located on the first subterranean garage level. Trash chutes are located on levels one through five.

Citywide Design Guidelines. "The Citywide Design Guidelines have been created to carry out the common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions." The Guidelines are intended as a tool in evaluating project applications along with relevant policies from the General Plan Framework and Community Plans. Incorporating the guidelines into a project's design encourages compatible architecture, attractive multi-family residential districts, pedestrian activity, context-sensitive design, and place-making. The project has been designed in observance of many of the Residential Citywide Design Guidelines goals. The project complies with the following Citywide Design Guideline Objectives and incorporates several design principles as discussed below.

Objective 1: Consider Neighborhood Context and Linkages in Building and Site Design.

The project has been designed with a strong street wall along Del Rey Avenue with a variable building setback of 10'-0" to approximately 38'-0". The ground floor façade has articulated entrances for the residential and commercial components that incorporate glass doors and windows at grade level. The ground floor, along Del Rey Avenue maintains a high degree of transparency with the use of unobstructed floor-to-ceiling glass, providing a visual connection to the street.

Objective 2: Employ Distinguishable and Attractive Building Design.

The project includes various design elements that provide scale and interest on the building façade including the use of glass storefront systems, aluminum windows, metal guardrails, and stucco finishes.

Objective 3: Provide Pedestrian Connections Within and Around the Project.

The project will 8-foot sidewalks along Del Rey Avenue while providing new street trees and other parkway planting. The sidewalks will be unobstructed and continuous with any unused driveways to be enclosed with curbs.

Objective 4: Minimize the Appearance of Driveways and Parking Areas.

The project includes one vehicular entrance leading into the two-level subterranean parking garage along Del Rey Avenue. The driveway includes a 20-foot by 40-foot parking reservoir. The project requires 118 residential parking spaces and will be required to provide commercial and bicycle parking pursuant to LAMC requirements. In

addition, the applicant has been conditioned to submit a final driveway and parking plan to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Objective 5: Utilize Open Areas and Landscaping Opportunities to their Full Potential.

The project will incorporate landscaping within the parkway, setbacks and within planters on the ground floor and courtyards. In addition, the applicant has been conditioned to: comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation and maintenance; provide a separate water meter (or submeter), flow sensor, and master valve shutoff for all landscape irrigation uses; and submit final landscape plans for review and approval by the Department of City Planning for verification of compliance with the Landscape Plan Ordinance.

The project provides approximately 8,050 square feet of usable open space, including private balconies, gym, rear yard and two courtyards.

Objective 6: Improve the Streetscape Experience by Reducing Visual Clutter.

The project does not include any proposed signage. The applicant has designed the project to reduce the visual appearance of utilities. A separate trash area is located within the subterranean parking garage and will therefore not be visible to the general public. As conditioned, recycling bins will be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. The garage will also house the gas meters, mechanical room and electrical room. Rooftop equipment will be hidden from view behind parapet walls.

Walkability Checklist. The Walkability Checklist is a tool used to evaluate projects to ensure pedestrian movement, access, comfort, and safety, further contributing to the walkability of the City. "The Walkability Checklist provides a list of recommended strategies that projects should employ to improve the pedestrian environment in the public right-of-way and on private property." The Checklist also provides a guide for consistency relating with the policies contained in the General Plan Framework. The project incorporates the following Walkability elements.

Sidewalks:

- The project will provide continuous and straight sidewalks;
- The sidewalks will provide a buffer between pedestrians and moving vehicles by the use of landscape including low parkway planting and street trees;
- The width of the sidewalks will accommodate pedestrian flow and activity without being wider than necessary; and
- Parkways will be planted with ground cover, low-growing vegetation and permeable materials that will accommodate pedestrian movement.

Building Orientation:

- The project is designed with grade level entrances from the public right-of-way for pedestrians along Del Rey Avenue;
- The primary entrances to the building are visible from the street and sidewalk;
- Direct access to the building entrances are available from the sidewalks and streets; and

- The building has a variable setback along Del Rey Avenue, thus creating a strong street wall.

Off-street Parking and Driveways:

- The project maintains continuity of the sidewalks;
- Parking is located within two subterranean levels rather than directly exposed to the adjacent major street;
- Any abandoned driveways will be reconstructed as sidewalks; and
- The project incorporates the use of architectural features, including glass, to provide continuity at the street where openings occur due to driveways or other breaks in the sidewalk and building wall.

On-site Landscaping:

- The project will provide canopy trees in planting areas along Del Rey Avenue, the side and rear setbacks and within planters in the courtyards and
- The project will provide planting that complements pedestrian movement along Del Rey Avenue.

Building Façade:

- The building façades incorporate articulated massing to add scale and interest and
- The project's architectural features, enhanced materials, fenestration, planting, and lighting will contribute to a more pedestrian friendly streetscape.

The proposed mixed-use project helps meet the shortage of housing in the community and area. The proposed project will not only be compatible with the existing and future uses in the immediate area, but will be an asset to both its commercial, residential and office neighbors.

5. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The project provides recreational amenities for the 68 residential units including approximately 8,050 square feet of usable open space. The project includes private decks approximately 67 feet by 50 feet in size each, a gym, two first floor courtyards and rear yard. The courtyards will include trees and shrubs within planters, seating and a soaking pool. The rear yard is approximately 1,500 square feet in size and includes trees, shrubs, bench seating and a wall fountain. Therefore, the property contains appropriate amenities that will contribute to the habitability of the residents and minimize impacts on neighboring properties.

6. **Environmental Finding.** A Mitigated Negative Declaration (ENV-2013-1230-MND) 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, 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.

In compliance with the requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2013-1230-MND). The project is subject to various specific measures during both construction and operation phases of the project. The project would not cause adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, and animal life, or risk of upset to these resources are concerned. Furthermore, the project site, as well as the surrounding area is presently developed with urban structures and residential and commercial land uses which do not provide a natural habitat for fish or wildlife.

Any impacts that have been identified as "Potentially Significant Unless Mitigation Incorporated" in the Mitigated Negative Declaration have attached Mitigation Measures to remedy potentially significant impacts to less than significant or no impact levels. These measures are required and have been incorporated into the project's conditions of approval. Therefore, in light of the whole record, the proposed project would not cause substantial impacts on the environment.

7. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone C, areas identified on the flood map as areas of moderate or minimal hazard from the principal source of flood. Currently, there are no flood zone compliance requirements for construction in these zones.

Authorization - Time Limit and Transferability

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period.

Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed.

Appeal Period - Effective Date

The applicant's attention is called to the fact that 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 or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

The Determination in this matter will become effective after October 25, 2013 unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. 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 www.lacity.org/pln. Planning Department public offices are located at:

<p>Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077</p>	<p>Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050</p>
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The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. 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. You should advise any consultant representing you of this requirement as well.

The time in which a party may seek 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 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.

MICHAEL LOGRANDE
Director of Planning

APPROVED BY:



Dan Scott
Principal Planner



Nicholas Hendricks
City Planner

PREPARED BY:



Sarah Molina Pearson
City Planning Associate

Attachments:

- Exhibit A: Site Plan and Elevations
- Exhibit B: FAR Calculation
- Exhibit C: Mitigated Negative Declaration
- Exhibit D: Radius Map

PROJECT INFORMATION

PROJECT NO.	04-20-19
DATE	04-20-19
DRAWN	
SHEET NO.	04-20-19
TITLE	COVER SHEET
REVISIONS	

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 Page No. 1 of 8
 Case No. DIR-203-127-DB-20

ZIMAS INFORMATION

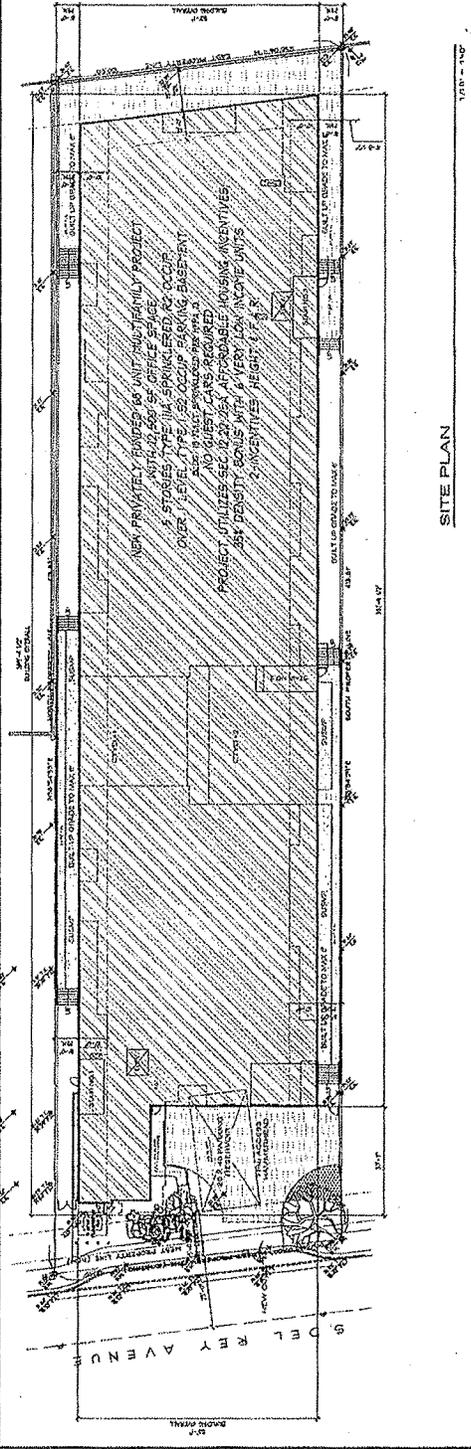
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 PROJECT OWNER: [REDACTED]
 PROJECT ARCHITECT: [REDACTED]
 PROJECT ENGINEER: [REDACTED]
 PROJECT CONTRACTOR: [REDACTED]
 PROJECT SUBMITTER: [REDACTED]

PROJECT INFORMATION

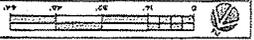
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 PROJECT SUBMITTER: [REDACTED]

SHEET INDEX

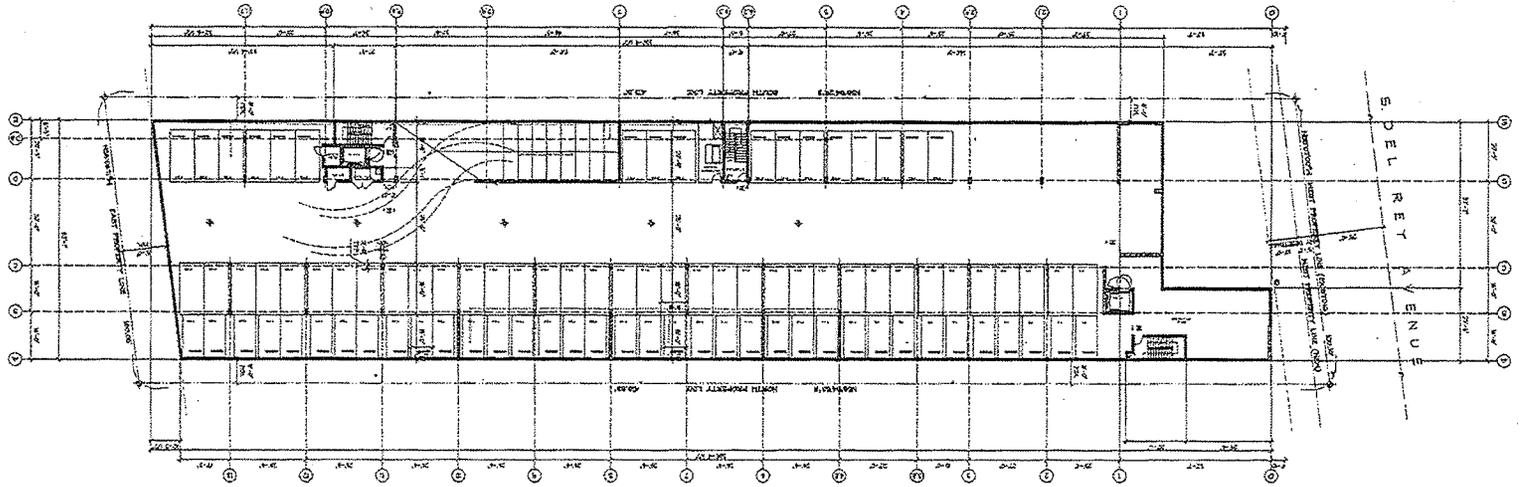
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ALL	OVERALL FLOOR PLAN - 04.3
ALL	OVERALL FLOOR PLAN - 04.4 & 04.5
ALL	OVERALL FLOOR PLAN - 04.6 & 04.7
ALL	OVERALL SITE PLAN EXHIBITS



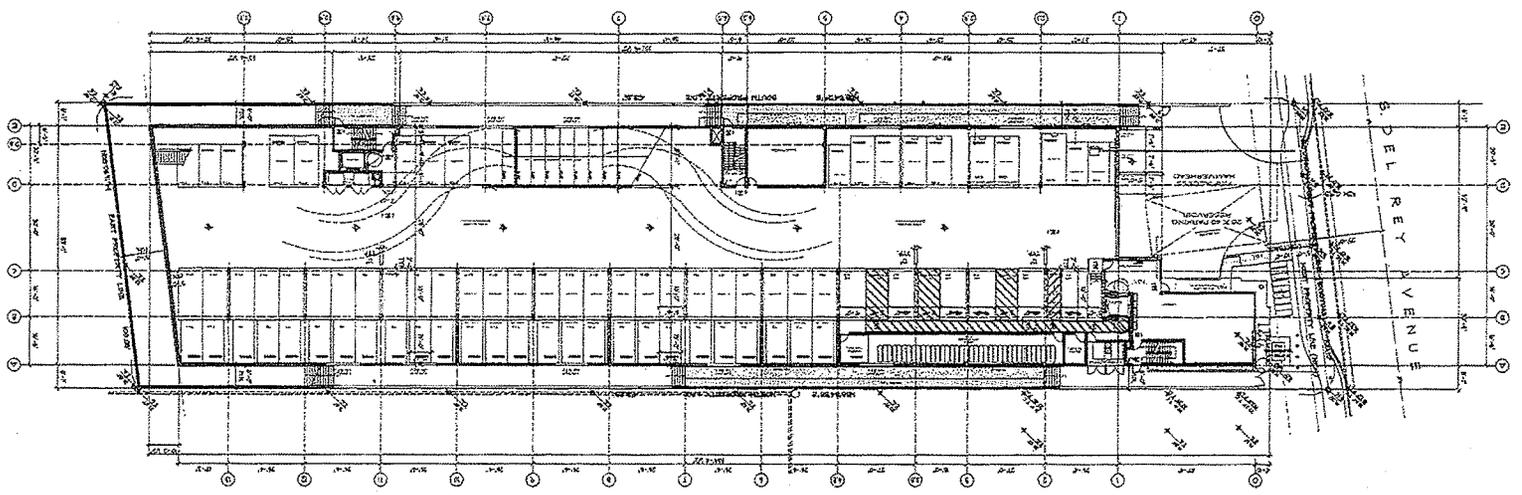
SITE PLAN



GARAGE BASEMENT FLOOR PLAN - B-1



GARAGE BASEMENT FLOOR PLAN - P-1



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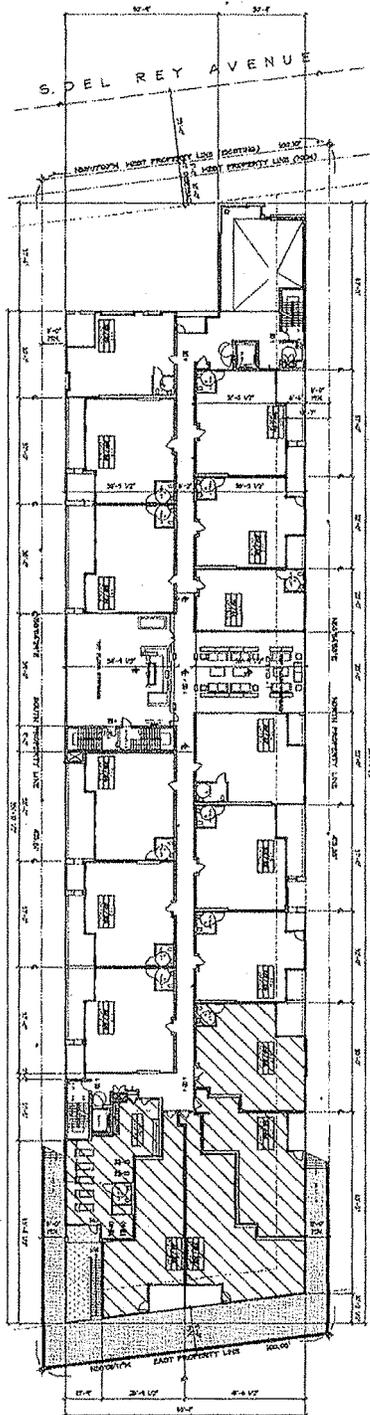
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4210
DEL REY AVENUE
Los Angeles, CA

SHEET TITLE	KEY PLAN BASEMENT GARAGE & 1ST
DATE	AS NOTED
BY	AS NOTED
CHECKED	AS NOTED
APPROVED	AS NOTED

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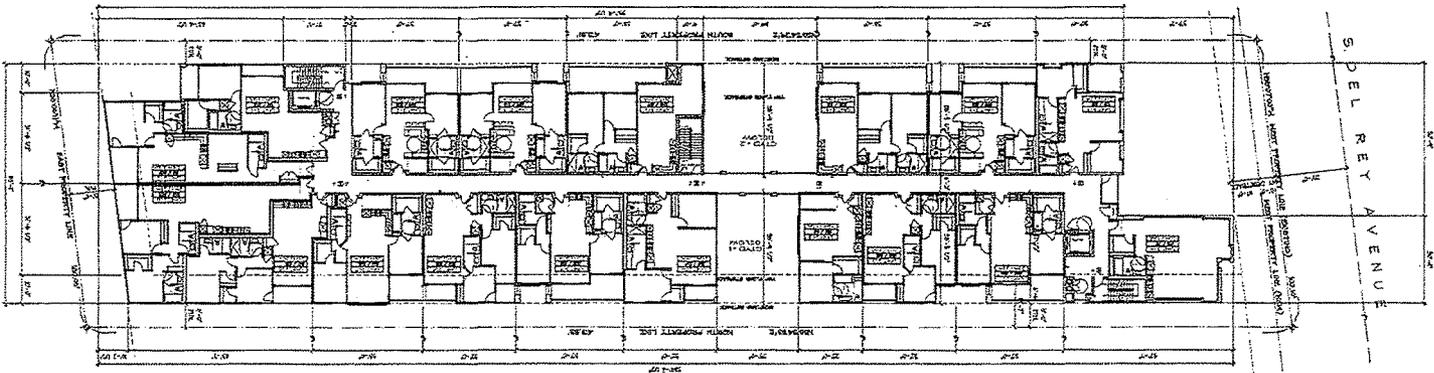
EXHIBIT "A"
 Page No. 2 of 8
 Case No. DIR-2013-1229-DB-SPR



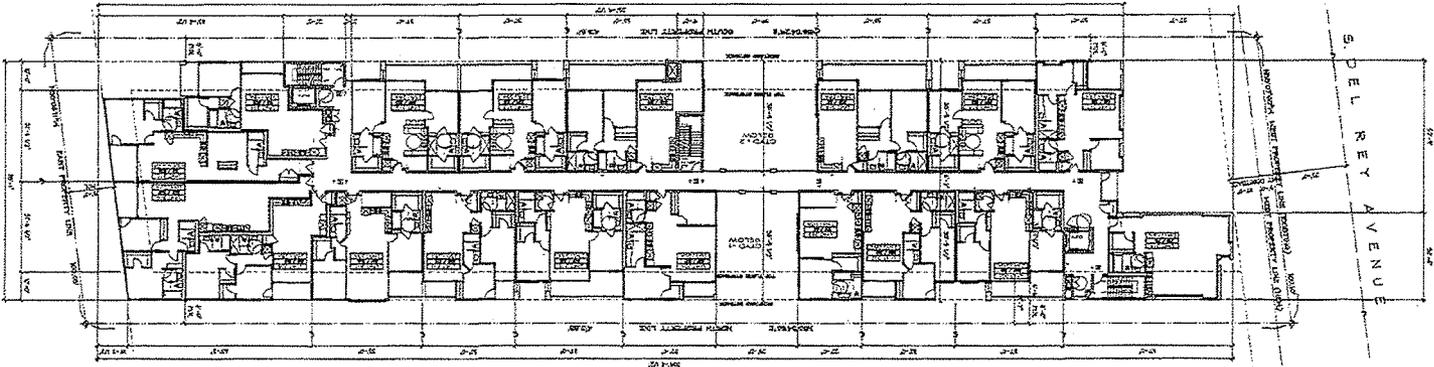
FIRST FLOOR PLAN - PODIUM

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SECOND FLOOR PLAN



THIRD FLOOR PLAN

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A1.3		SHEET 28	
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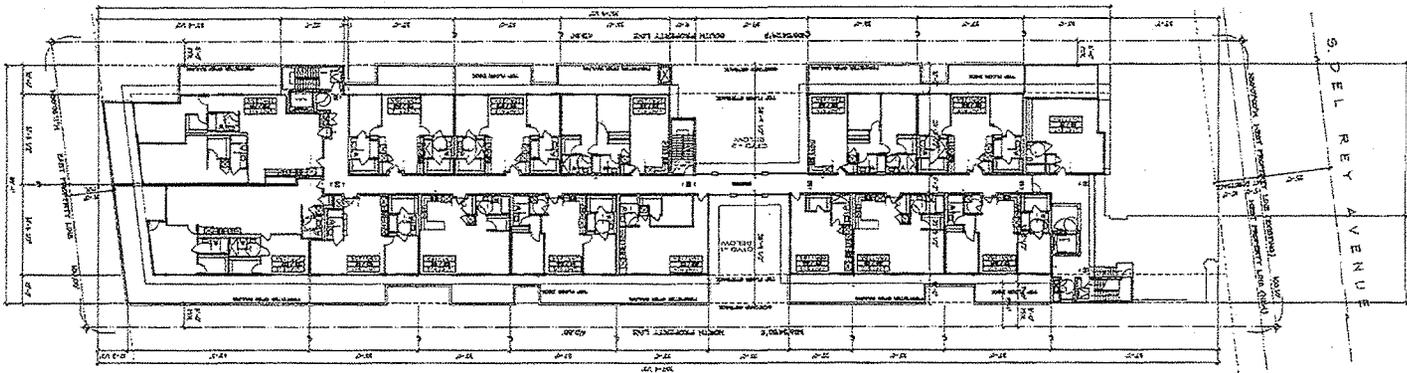
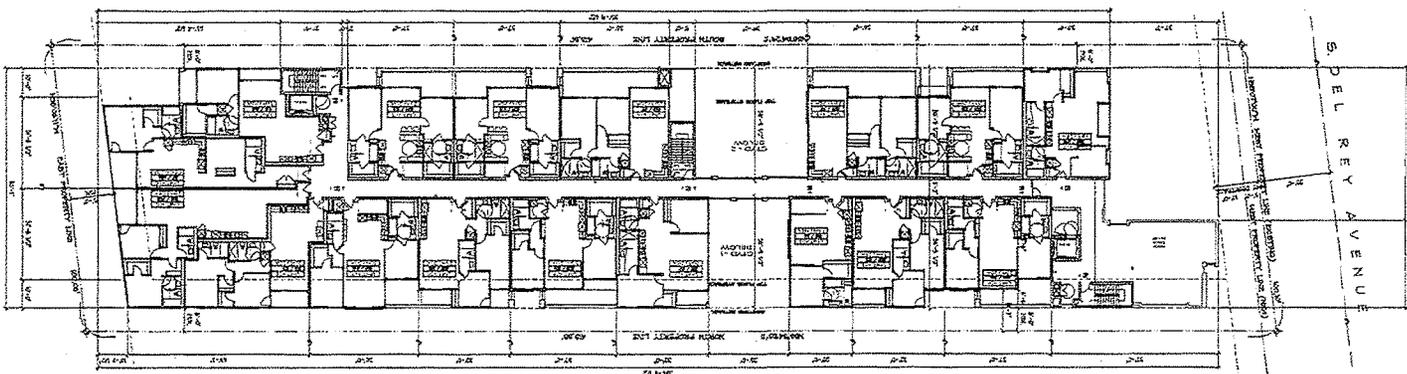


EXHIBIT 'A'
 Page No. 5 of 8
 Case No. DIR-2013-1229-DB-SPR

A1.4

4210
 DEL REY AVENUE
 Los Angeles, CA

KEY PLAN 4TH & 5TH

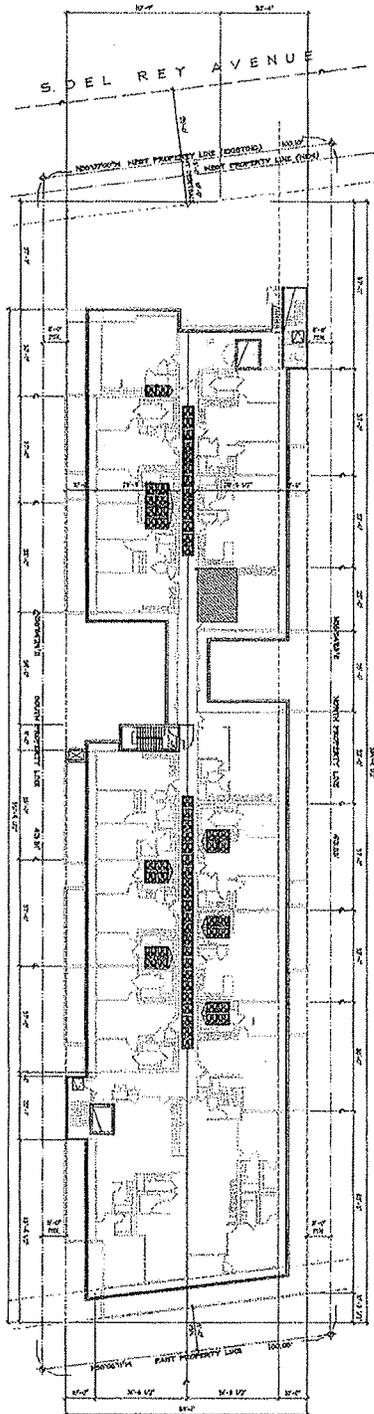
SHEET NO.	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
DRAWN BY	DATE

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FOURTH LEVEL FLOOR PLAN

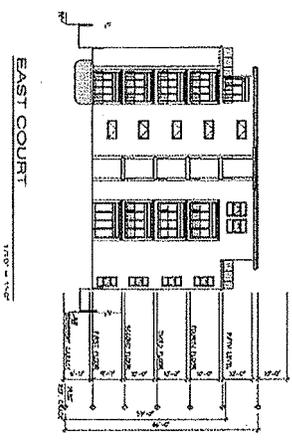
FIFTH LEVEL FLOOR PLAN



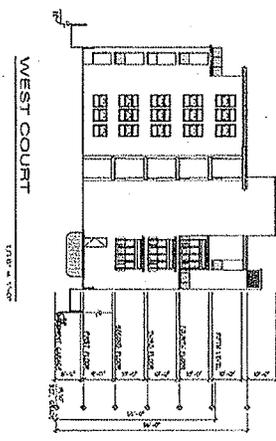
ROOF PLAN

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 Page No. 6 of 8
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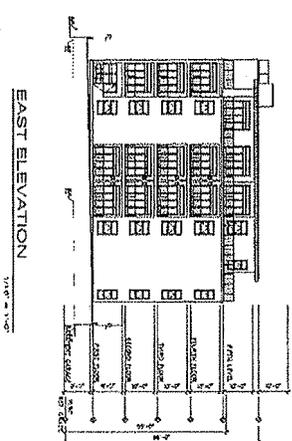
A1.5	4210 DEL REY AVENUE Los Angeles, CA	KEY PLAN ROOF				pk ARCHITECTURE
	SHEET NO.	JOB NO.	REVISIONS			
		DATE				
		DRAWN				



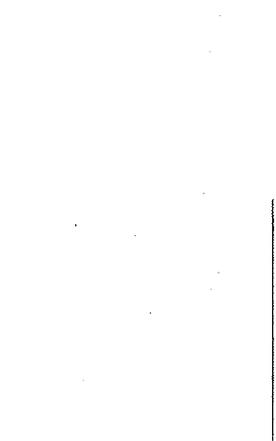
EAST COURT
1/4" = 1'-0"



WEST COURT
1/4" = 1'-0"

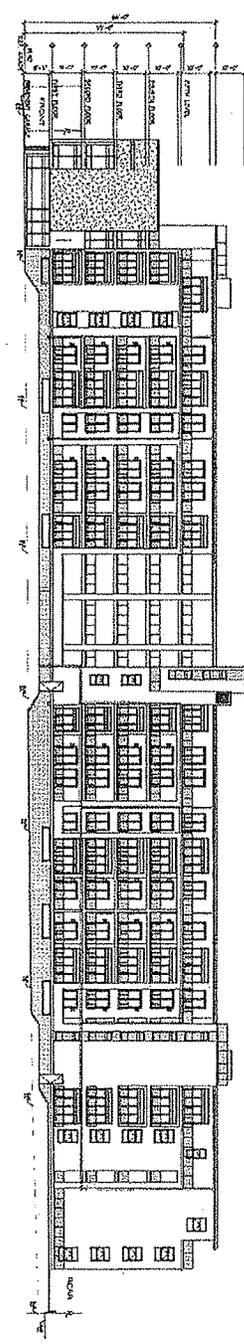


EAST EXTERIOR ELEVATION
1/4" = 1'-0"



WEST EXTERIOR ELEVATION
1/4" = 1'-0"

SOUTH EXTERIOR ELEVATION
1/4" = 1'-0"



NORTH EXTERIOR ELEVATION
1/4" = 1'-0"

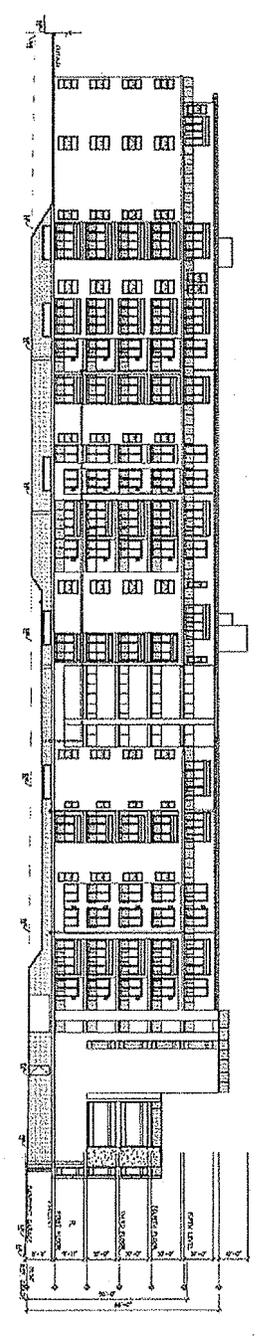
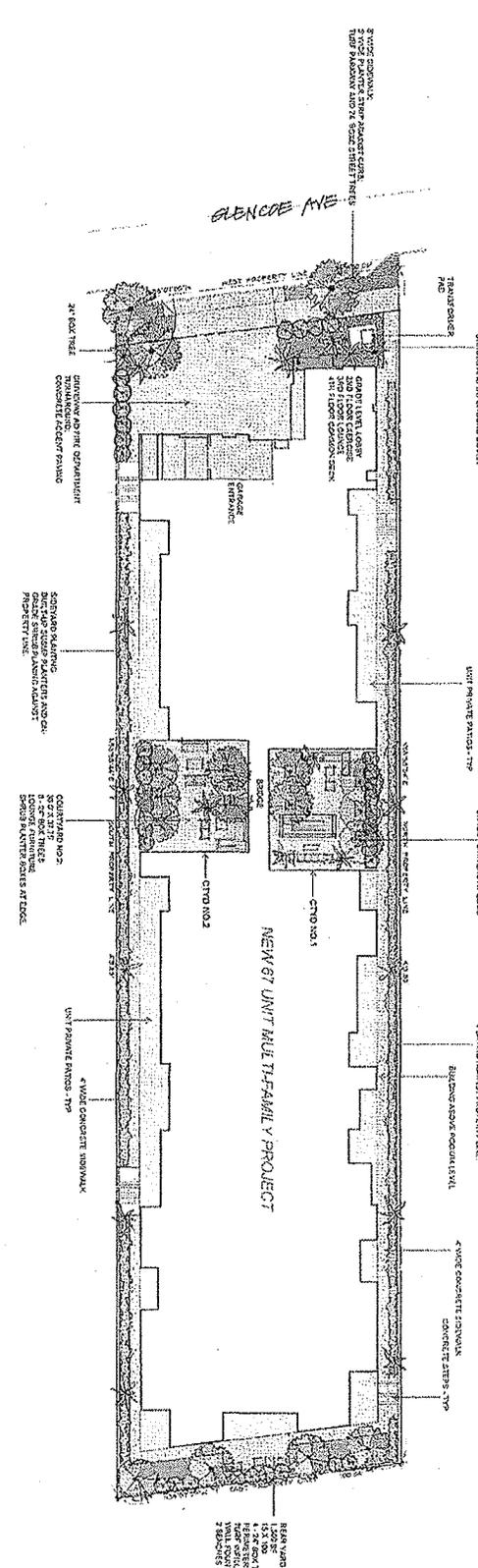


EXHIBIT "A"
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Case No. DR-2013-1229-DB-SFR



PRELIMINARY LANDSCAPE PLAN

LOT COVERAGES INDUSTRY:
 SITE: 22,925 SF
 BUILDING FOOTPRINT: 12,455 SF
 CONCRETE: 1,292 SF
 CONCRETE NO. 1: 1,292 SF
 CONCRETE NO. 2: 1,292 SF
 CONCRETE: 5,411 SF
 LANDSCAPING: 3,438 SF

EXHIBIT "A"
 Page No. 8 of 8
 Case No. DIR-2013-1219-DB-SFR



	4210 DEL REY AVE MARINA DEL REY, CA NEW 67 UNIT MULTI-FAMILY PROJECT	SHEET TITLE CONCEPT LANDSCAPE PLAN	REVISIONS NO. DATE DESCRIPTION
	JOB NO. DATE DRAWN	153106 12/11/13 REVISIONS: 1. INITIAL CONCEPT 2. REVISIONS	

Glencoe Maxella Specific Plan FAR formula for mixed use projects:

5. *For mixed use projects combining residential and nonresidential uses, the floor area of the building shall be such that the sum of the ratios of the actual floor area for each of the uses divided by the total allowable floor area for each of the uses shall not exceed one. This Subdivision shall be interpreted using the following formula:*

$$\frac{\text{Actual Non-residential FAR}}{\text{Allowable Non Residential FAR}} + \frac{\text{Actual Residential FAR}}{\text{Allowable Residential FAR}}$$

New proposed FAR calculation is as follows using a calculation of 1:1 for the Commercial and 1.75:1 for the residential.

Building area (Lot Area) = 41,110.23 sq ft

$$\frac{1,800 \text{ Square feet}}{41,110.23} + \frac{68917.2 \text{ square feet}}{71942.9}$$

$$0.043 + 0.957 = 1 \quad (1,800 + 68917.2 = 70,717.2 \text{ sq ft allowable building area})$$

$$\text{plus 35\% FAR Incentive} = 70,717 \times 1.35 = 95,468.22 \text{ total permitted building area.}$$

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING TENTATIVE MAP
2013
 REVISED MAP FINAL MAP UNIT
 TIME EXTENSION
DEPUTY ADVISORY AGENCY
DIVISION OF LAND
FILING FEE: _____



EXHIBIT B

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles	COUNCIL DISTRICT CD 11 - MIKE BONIN
--	---

PROJECT TITLE ENV-2013-1230-MND	CASE NO. DIR-2013-1229-DB-SPR, VTT-72286-CN
---	---

PROJECT LOCATION
4210 South Del Rey Avenue

PROJECT DESCRIPTION
Vesting Tentative Tract Map No. VTT-72286 to allow the construction of a five story building consisting of 68 residential condominiums and 12 commercial condominiums with 168 total automobile parking spaces (118 residential and 50 commercial) and 80 bicycle parking spaces on an 40,609.71 square foot site in the CM(GM)-2D-CA Zone. The applicant is permitted to construct 50 residential units by-right (density is based on the R3 zone as permitted by the Glencoe/Maxella Specific Plan). The applicant is utilizing a 35% density bonus pursuant to LAMC Section 12.22-A,25 by providing 18 additional units including 6 units (11% of 50 base units) for Very Low Income households. The applicant is also utilizing Parking Option No. 1 pursuant to LAMC Section 12.22-A,25(d)(1) to allow one on-site parking space for each 0-1 bedroom residential unit and two on-site parking spaces for each 2-3 bedroom residential unit thereby permitting 118 residential parking spaces.

The applicant is requesting the following incentives and entitlements:
Pursuant to LAMC Section 12.22-A,25(f) to allow two On-Menu Incentives as follows: (1) Pursuant to LAMC Section 12.22-A,25(f)(4) a 35% increase in Floor Area Ratio not to exceed 2.36:1 in lieu of the otherwise 1.75:1 as limited by the CM(GM)-2D-CA zone thereby allowing 97,922 square feet of building floor area in lieu of the 71,435 square feet otherwise permitted AND (2) Pursuant to LAMC Section 12.22-A,25(f)(5) a height increase of 11% to allow a building 66 feet in height in lieu of the 55 feet otherwise limited by the Glencoe/Maxella Specific Plan;

AND
Pursuant to LAMC Section 16.05 Site Plan Review for the development of 50 or more dwelling units.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
D1 Living, LLC Lou Jacobs
10600 Santa Monica Boulevard
Los Angeles, CA 90025

FINDING:
The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM	TITLE	TELEPHONE NUMBER
SARAH MOLINA-PEARSON	City Planning Associate	(213) 473-9983

ADDRESS

200 N. SPRING STREET, 7th FLOOR
LOS ANGELES, CA. 90012

SIGNATURE (Official)

A handwritten signature in black ink, appearing to read "J. A. Hays", written over a horizontal line.

DATE

08/07/2013

I-10. Aesthetics (Landscape Plan)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- 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.

I-90. Aesthetics (Vandalism)

- Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a less than significant level by the following measures:
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

I-100. Aesthetics (Signage)

- Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a less than significant level by the following measures:
- On-site signs shall be limited to the maximum allowable under the Municipal Code.
- Multiple temporary signs in store windows and along building walls are not permitted.

I-110. Aesthetics (Signage on Construction Barriers)

- Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a less than significant level by the following measures:
- The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

I-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- 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.

I-130. Aesthetics (Glare)

- Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

III-10. Air Pollution (Demolition, Grading, and Construction Activities)

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

- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.

V-20. Cultural Resources (Archaeological)

- Environmental impacts may result from project implementation due to discovery of unrecorded archaeological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- 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.

V-30. Cultural Resources (Paleontological)

- Environmental impacts may result from project implementation due to discovery of unrecorded paleontological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological 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.

V-40. Cultural Resources (Human Remains)

- 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:
- a. Stop immediately and contact the County Coroner: 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)
- b. 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.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.

- d. 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.
- e. 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;
- f. 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.

VI-10. Seismic

- Environmental impacts to the safety of future occupants may result due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a less than significant level by the following measure:
- 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.

VI-20. Erosion/Grading/Short-Term Construction Impacts

- Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:
- 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.
- 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.

VII-10. Green House Gas Emissions

- The project will result in impacts resulting in increased green house gas emissions. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):
- Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

VIII-20. Explosion/Release (Methane Gas)

- Environmental impacts may result from project implementation due to its location in an area of potential methane gas zone. However, this potential impact will be mitigated to a less than significant level by the following measures:
- All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- 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.

IX-20. Stormwater Pollution (Demolition, Grading, and Construction Activities)

-

- 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.
- 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.
- 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.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

X-40. Land Use

- The proposed project would permit a land use which is not compatible with that of the surrounding projects. However, the potential impacts would be mitigated to a less than significant level by the following measure:
- The applicant shall comply with mitigation measures required by this MND.

X-60. Land Use/Planning

- The project will result in land use and/or planning impact(s). However, the impact(s) can be reduced to a less than significant level through compliance with the following measure(s):
- An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)

-
- 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.
- 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.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

XII-40. Increased Noise Levels (Parking Structure Ramps)

- Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- Concrete, not metal, shall be used for construction of parking ramps.
- The interior ramps shall be textured to prevent tire squeal at turning areas.

XII-60. Increased Noise Levels (Mixed-Use Development)

- Environmental impacts to proposed on-site residential uses from noises generated by proposed on-site commercial uses may result from project implementation. However, the potential impact will be mitigated to a less than significant level by the following measure:
- Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

XIV-10. Public Services (Fire)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIV-60. Public Services (Schools)

- Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a less than significant level by the following measure:
- 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.

XIV-70. Public Services (Street Improvements Not Required By DOT)

- Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a less than significant level by the following measure:
- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

XV-10. Recreation (Increased Demand For Parks Or Recreational Facilities)

- Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated to a less than significant level by the following measure:
- (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.

XVI-50. Inadequate Emergency Access

- Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a less than significant level by the following measure:
- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

XVII-10. Utilities (Local Water Supplies - Landscaping)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- 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).
- 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.

XVII-20. Utilities (Local Water Supplies - All New Construction)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- 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.
- Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

- 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.)

XVII-30. Utilities (Local Water Supplies - New Commercial or Industrial)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- All restroom faucets shall be of a self-closing design.

XVII-40. Utilities (Local Water Supplies - New Residential)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- 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.
- 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.

XVII-90. Utilities (Solid Waste Recycling)

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a less than significant level by the following measure:
- **(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.
- **(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.
- **(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.

XVII-100. 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.

XVIII-30. End

- The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document. Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles	COUNCIL DISTRICT: CD 11 - MIKE BONIN	DATE:
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RESPONSIBLE AGENCIES: Department of City Planning

ENVIRONMENTAL CASE: ENV-2013-1230-MND	RELATED CASES: DIR-2013-1229-DB-SPR, VTT-72286-CN
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PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.
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PROJECT DESCRIPTION:
VESTING TENTATIVE TRACT MAP/DENSITY BONUS

ENV PROJECT DESCRIPTION:
Vesting Tentative Tract Map No. VTT-72286 to allow the construction of a five story building consisting of 68 residential condominiums and 12 commercial condominiums with 168 total automobile parking spaces (118 residential and 50 commercial) and 80 bicycle parking spaces on an 40,609.71 square foot site in the CM(GM)-2D-CA Zone. The applicant is permitted to construct 50 residential units by-right (density is based on the R3 zone as permitted by the Glencoe/Maxella Specific Plan). The applicant is utilizing a 35% density bonus pursuant to LAMC Section 12.22-A,25 by providing 18 additional units including 6 units (11% of 50 base units) for Very Low Income households. The applicant is also utilizing Parking Option No. 1 pursuant to LAMC Section 12.22-A,25(d)(1) to allow one on-site parking space for each 0-1 bedroom residential unit and two on-site parking spaces for each 2-3 bedroom residential unit thereby permitting 118 residential parking spaces.

The applicant is requesting the following incentives and entitlements:
Pursuant to LAMC Section 12.22-A,25(f) to allow two On-Menu Incentives as follows: (1) Pursuant to LAMC Section 12.22-A,25(f)(4) a 35% increase in Floor Area Ratio not to exceed 2.36:1 in lieu of the otherwise 1.75:1 as limited by the CM(GM)-2D-CA zone thereby allowing 97,922 square feet of building floor area in lieu of the 71,435 square feet otherwise permitted AND (2) Pursuant to LAMC Section 12.22-A,25(f)(5) a height increase of 11% to allow a building 66 feet in height in lieu of the 55 feet otherwise limited by the Glencoe/Maxella Specific Plan;

AND
Pursuant to LAMC Section 16.05 Site Plan Review for the development of 50 or more dwelling units.

ENVIRONMENTAL SETTINGS:
The project site is 0.93 net acres, consisting of one lot. The site is currently improved with a one-story building to be demolished. The site is subject to the Glencoe/Maxella Specific Plan and is designated a Commercial and Aircraft district.

Adjoining properties to the north are zoned CM(GM)-2D-CA and developed with multi-family residential condominium buildings, offices, an auto body shop, a towing yard and light industrial uses. Properties south of Maxella Avenue are zoned [Q]M1-1 and [T][Q]RAS4-1 and developed with a large shopping center that includes one- and two-story commercial buildings and a large surface parking lot, a 5-story multiple-residential complex, a gas station and the Marriott Hotel. Properties to the west are zoned [Q]M2-1-CDO, [Q]C4(OX)-2D-CDO and C4(OX)-2D and developed with auto-related uses, retail and multi-family residential buildings. Properties to the east are zoned CM(GM)-2D-CA and (Q)RD2-1 and developed with multi-family residential buildings.

Del Rey Avenue is a designated Local Street dedicated to a 50-foot width at the project's street frontage and is improved with curbs, gutters, and sidewalks.

PROJECT LOCATION: 4210 South Del Rey Avenue		
COMMUNITY PLAN AREA: PALMS - MAR VISTA - DEL REY STATUS: <input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan	AREA PLANNING COMMISSION: WEST LOS ANGELES	CERTIFIED NEIGHBORHOOD COUNCIL: DEL REY
EXISTING ZONING: CM(GM)-2D-CA	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 50 residential units	LA River Adjacent: NO
GENERAL PLAN LAND USE: LIGHT MANUFACTURING	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: 50 residential units	
	PROPOSED PROJECT DENSITY: 68 residential units	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



City Planning Associate

(213) 473-9983

Signature

Title

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS <input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES <input checked="" type="checkbox"/> AIR QUALITY <input type="checkbox"/> BIOLOGICAL RESOURCES <input checked="" type="checkbox"/> CULTURAL RESOURCES <input checked="" type="checkbox"/> GEOLOGY AND SOILS	<input checked="" type="checkbox"/> GREEN HOUSE GAS EMISSIONS <input checked="" type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS <input checked="" type="checkbox"/> HYDROLOGY AND WATER QUALITY <input checked="" type="checkbox"/> LAND USE AND PLANNING <input type="checkbox"/> MINERAL RESOURCES <input checked="" type="checkbox"/> NOISE	<input type="checkbox"/> POPULATION AND HOUSING <input checked="" type="checkbox"/> PUBLIC SERVICES <input checked="" type="checkbox"/> RECREATION <input checked="" type="checkbox"/> TRANSPORTATION/TRAFFIC <input checked="" type="checkbox"/> UTILITIES AND SERVICE SYSTEMS <input checked="" type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE
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INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:

D1 Living, LLC
 Lou Jacobs

PHONE NUMBER:

(310) 234-8880

APPLICANT ADDRESS:

10600 Santa Monica Boulevard
 Los Angeles, CA 90025

AGENCY REQUIRING CHECKLIST:

Department of City Planning

DATE SUBMITTED:

04/25/2013

PROPOSAL NAME (if Applicable):

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS				
a.	Have a substantial adverse effect on a scenic vista?			✓
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	✓		
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	✓		
II. AGRICULTURE AND FOREST RESOURCES				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?			✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓
III. AIR QUALITY				
a.	Conflict with or obstruct implementation of the applicable air quality plan?		✓	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	✓		
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓	
d.	Expose sensitive receptors to substantial pollutant concentrations?		✓	
e.	Create objectionable odors affecting a substantial number of people?			✓
IV. BIOLOGICAL RESOURCES				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓
V. CULTURAL RESOURCES				

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				✓
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓		
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d.	Disturb any human remains, including those interred outside of formal cemeteries?		✓		

VI. GEOLOGY AND SOILS

a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?		✓		
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?				✓
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?				✓
e.	Result in substantial soil erosion or the loss of topsoil?		✓		
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
g.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
h.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

VII. GREEN HOUSE GAS EMISSIONS

a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		✓		
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓

VIII. HAZARDS AND HAZARDOUS MATERIALS

a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓		
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
IX. HYDROLOGY AND WATER QUALITY					
a.	Violate any water quality standards or waste discharge requirements?			✓	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	✓			
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	✓			
f.	Otherwise substantially degrade water quality?				✓
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j.	Inundation by seiche, tsunami, or mudflow?				✓
X. LAND USE AND PLANNING					
a.	Physically divide an established community?				✓
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	✓			
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
XI. MINERAL RESOURCES					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓
XII. NOISE					
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	✓			
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	✓			
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	✓			

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

XIII. POPULATION AND HOUSING

a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

XIV. PUBLIC SERVICES

a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?		✓		
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?				✓
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?		✓		
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?		✓		
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?		✓		

XV. RECREATION

a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		✓		
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

XVI. TRANSPORTATION/TRAFFIC

a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e.	Result in inadequate emergency access?	✓			
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓

XVII. UTILITIES AND SERVICE SYSTEMS

a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	✓			
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	✓			

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	✓			
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as ENV-2013-1230-MND and the associated case(s), DIR-2013-1229-DB-SPR, VTT-72286-CN. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/> Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
SARAH MOLINA-PEARSON	City Planning Associate	(213) 473-9983	07/02/2013

Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS		
a.	NO IMPACT	With the implementation of the proposed project the 66-foot height of development on the project site would increase from one story to six stories. However, there are no identified designated panoramic or focal views containing scenic vistas available in the project area. Therefore, no impact will result.
b.	NO IMPACT	There are no identified scenic resources such as rock outcroppings or historic buildings located on-site, and no state-designated scenic highways located adjacent to or within view of the project site. Therefore, no impact will result.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The proposed project would alter the visual character of the project site as it would replace the existing auto body shop. However, the proposed project will incorporate appropriate signage and landscaping and will substantially comply with the Citywide Design Guidelines. Additionally, any vandalism to the property will be reduced to a less than significant level with incorporation of the attached mitigation measures.
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The proposed project will result in glare and increased nighttime lighting impacts. Any impacts will be reduced to a less than significant level with incorporation of the attached mitigation measures.
II. AGRICULTURE AND FOREST RESOURCES		
a.	NO IMPACT	The project vicinity is completely developed with residential, manufacturing and commercial uses. Therefore, the proposed project would have no impact related to the conversion of prime farmland, unique farmland or farmland of statewide importance to a non-agricultural use.
b.	NO IMPACT	The project site is not currently zoned for agricultural use and is not subject to a Williamson Act Contract. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act Contract, and no impact would occur.

Impact?	Explanation	Mitigation Measures	
c.	NO IMPACT		
		<p>The project site is located in an urbanized area and neither the project site nor the surrounding properties are zoned or utilized as forest land or timberland. Therefore, implementation of the proposed project would not result in an impact associated with the conversion of forest land or timberland.</p>	
d.	NO IMPACT		
		<p>The project site is located in an urbanized area and neither the project site nor the surrounding properties are zoned or utilized as forest land. Therefore, implementation of the proposed project would not result in the loss or conversion of forest land to non-forest use.</p>	
e.	NO IMPACT		
		<p>The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. No impact would result.</p>	
III. AIR QUALITY			
a.	LESS THAN SIGNIFICANT IMPACT		
		<p>The project site is in an urbanized area within the Central City Community Plan Area of the City of Los Angeles. The proposed project involves the development of 68 residential units and 12 commercial condominiums on a property that is surrounded by typical urban uses and development. The development of this project will not conflict with or obstruct implementation of the air quality plan.</p>	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED		
		<p>The construction phase may increase the existing basin-wide air quality violations, however, these impacts will be mitigated to a less than significant level by the proposed mitigation measures.</p>	III-10
c.	LESS THAN SIGNIFICANT IMPACT		
		<p>The proposed project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.</p>	
d.	LESS THAN SIGNIFICANT IMPACT		
		<p>The proposed project will not expose sensitive receptors to substantial pollutant concentrations. No impact will result.</p>	
e.	NO IMPACT		
		<p>No objectionable odors are anticipated to result from the proposed project. No impact will result.</p>	
IV. BIOLOGICAL RESOURCES			

Impact?	Explanation	Mitigation Measures	
a.	NO IMPACT	The project site is located in an area fully developed with residential, manufacturing and commercial uses. The proposed project will not have an adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	
b.	NO IMPACT	The site does not contain riparian habitat or sensitive natural communities. No impact will result.	
c.	NO IMPACT	The site does not contain wetlands. No impact will result.	
d.	NO IMPACT	The project area is fully developed with residential, manufacturing and commercial buildings. The site does not contain wildlife corridors. No impact will result.	
e.	NO IMPACT	The site does not contain any trees. No impact will result.	
f.	NO IMPACT	The proposed project will not conflict with any habitat conservation plans.	
V. CULTURAL RESOURCES			
a.	NO IMPACT	The building on-site to be demolished is approximately 40 years old and is not listed as a historic resource. No impact will result.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	It is unknown whether archeological resources are located at the project site. The attached mitigation measures shall be implemented if such resources are discovered at the project site to reduce the impact to a less than significant level.	V-20
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	It is unknown whether paleontological resources are located at the project site. The attached mitigation measures shall be implemented if such resources are discovered at the project site to reduce the impact to a less than significant level.	V-30
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	It is unknown whether human remains are located at the project site. The attached mitigation measures shall be implemented if such remains are discovered at the project site to reduce the impact to a less than significant level.	V-40
VI. GEOLOGY AND SOILS			

Impact?	Explanation	Mitigation Measures	
a.	NO IMPACT	The site is not located in an Alquist-Priolo zone. No impact will result.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The property is subject to strong seismic shaking and is located 6.2 km of a fault. However, this impact will be reduced to a less than significant level by following the California Building Code standards during construction.	VI-10
c.	NO IMPACT	The site is not located in an area that is susceptible to liquefaction. No impact will result.	
d.	NO IMPACT	The site is not susceptible to landslides. No impact will result.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Grading of the site will result in the loss of topsoil. However, this impact will be reduced to a less than significant level by the incorporation of construction mitigation measures.	VI-20
f.	NO IMPACT	The site is stable and is not anticipated to become unstable due to construction of the project. No impact will result.	
g.	NO IMPACT	The site does not contain expansive soils. No impact will result.	
h.	NO IMPACT	No septic tanks are proposed as part of this project. No impact will result.	
VII. GREEN HOUSE GAS EMISSIONS			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The proposed project is for the construction of a 68 unit residential project and 12 commercial condominiums. With implementation of the mitigation measures, any green house gas emissions related to the construction and maintenance of the project will be mitigated to a level of insignificance.	VII-10
b.	NO IMPACT	The proposed project will not conflict with any applicable plans. No impact will result.	
VIII. HAZARDS AND HAZARDOUS MATERIALS			
a.	NO IMPACT	No hazardous materials are proposed to be routinely transported, used, or disposed of as part of this project. No impact will result.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project site is a Methane Hazard site. The attached mitigation measures should be complied with to mitigate the impact to a less than significant level.	VIII-20
c.	NO IMPACT	No hazardous materials are proposed to be used with the proposed project. No impact will result.	

Impact?	Explanation	Mitigation Measures	
d.	NO IMPACT	The site is not located on a list of hazardous materials list. No impact will result.	
e.	NO IMPACT	The site is not located within an airport land use plan. No impact will result.	
f.	NO IMPACT	The site is not located near a private airstrip. No impact will result.	
g.	NO IMPACT	The proposed project would not impair implementation of or interfere with an adopted emergency response plan or emergency evacuation plan. No impact will result.	
h.	NO IMPACT	The site is not located in an area of wildlands. No impact will result.	
IX. HYDROLOGY AND WATER QUALITY			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed project is not anticipated to violate any water quality or waste discharge requirements.	
b.	LESS THAN SIGNIFICANT IMPACT	The proposed project should not cause the depletion of groundwater supplies or the interference of groundwater recharge. The project will continue to be supplied with water by the LADWP.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will be required to control stormwater runoff using best management practices. Additionally, the project will be required to comply with the provisions of the Low-Impact Development Ordinance, Ordinance No. 181,899. After implementation of mitigation measures, the impact will be less than significant.	IX-20
d.	LESS THAN SIGNIFICANT IMPACT	The project will be required to control stormwater runoff using best management practices and a retention basin. After implementation of mitigation measures, the impact will be less than significant.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will be required to control stormwater runoff using best management practices and a retention basin. After implementation of mitigation measures, the impact will be less than significant.	See Mitigation Measure IX-20
f.	NO IMPACT	The proposed project is not anticipated to substantially degrade water quality. No impact will result.	
g.	NO IMPACT	The property is not located in a floodzone. No impact will result.	
h.	NO IMPACT	The property is not located in a floodzone. No impact will result.	

Impact?	Explanation	Mitigation Measures	
i.	NO IMPACT	The property is not located in a potential dam inundation zone. No impact will result.	
j.	NO IMPACT	The subject property is not located within an inundation zone for seiches, tsunamis or mudflow. No impact will result.	
X. LAND USE AND PLANNING			
a.	NO IMPACT	The proposed project is surrounded by residential, industrial and commercial development and would not result in physically dividing an established community.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The applicant is proposing a 68 unit residential project and 12 commercial condominiums in the CM(GM)-2D-CA Zone. The applicant is also seeking a 35% Density Bonus to include 6 units for Very Low Income households and Site Plan Review. The Housing Element of the City of Los Angeles promotes the establishment of "development standards that enhance health outcomes" (Policy 2.1.2) with a program to "...Apply mitigation (air filtration systems) to new residential development." Based on this analysis, it is appropriate to require appropriate air filtration measures in order to resolve the land use conflicts or incompatible uses between proposed sensitive receptors and areas of high air pollution. The operational impacts to the occupants will be mitigated to a less than significant level by the use of an air filtration system. The residential and commercial portions of the proposed project will require the use of MERV 11 filters. The applicant shall comply with all the mitigation measures included in this MND to reduce the impacts of the project to a level of insignificance.	X-40, X-60
c.	NO IMPACT	The proposed project will not conflict with any applicable conservation or natural community conservation plans due to its location in a developed, urban area.	
XI. MINERAL RESOURCES			
a.	NO IMPACT	The site is not located in a known area of mineral resources. No impact will result.	
b.	NO IMPACT	The site is not located in a known area of mineral resources. No impact will result.	
XII. NOISE			

Impact?	Explanation	Mitigation Measures	
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	During construction of the project, the applicant will be required to comply with the city's noise ordinance and the attached construction noise mitigation measures to reduce the impact to a less than significant level.	XII-20
b.	LESS THAN SIGNIFICANT IMPACT	The project construction will be typical of other buildings in the area and is not anticipated to result in excessive groundborne vibration or noise levels.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The parking ramps will need to be constructed from concrete to reduce the noise impact to a less than significant level. Also, additional noise reduction measures for the occupants of the residential units from anticipated noise from the on-site commercial uses will need to be provided	XII-40, XII-60
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is anticipated to result in an increase in ambient noise levels. During construction of the project, the applicant will be required to comply with the city's noise ordinance and the attached construction noise mitigation measures to reduce reduce the noise impact to a less than significant level.	See mitigation measure XII-20
e.	NO IMPACT	The project is not located within a flightpath. No impact will result.	
f.	NO IMPACT	The project is not located within a private airstrip. No impact will result.	
XIII. POPULATION AND HOUSING			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed project will not introduce substantial population growth.	
b.	NO IMPACT	No net housing will be displaced as a result of the proposed project. No impact will result.	
c.	NO IMPACT	No people will be displaced as a result of the proposed project. No impact will result.	
XIV. PUBLIC SERVICES			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located in an area with inadequate fire response times. The project will be reviewed by the LA Fire Department and may require mitigation measures to reduce the fire impact to a less than significant level.	XIV-10
b.	NO IMPACT	The proposed project should not result in an increase of police response times. No impact will result.	

Impact?	Explanation	Mitigation Measures	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will increase the demand on area schools, however, the impact will be reduced to a less than significant level by the payment of school fees to LAUSD.	XIV-60
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will result in an increase in the use of parks, however, this impact will be reduced to a less than significant level by the payment of Quimby fees.	See mitigation measure XV-10
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Street dedications may be required along Del Rey Avenue.	XIV-70
XV. RECREATION			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The increased use of parks by this residential project will be mitigated by the payment of Quimby fees.	XV-10
b.	NO IMPACT	The construction of the proposed project will not result in the construction or expansion of recreational facilities.	
XVI. TRANSPORTATION/TRAFFIC			
a.	LESS THAN SIGNIFICANT IMPACT	The Department of Transportation has reviewed the proposed project and in a memo dated June 26, 2013, determined that the project will result in a net decrease of 67 trips and will therefore not require a traffic study. The impact will be less than significant.	
b.	NO IMPACT	The project would not substantially increase the level of service on the surrounding streets.	
c.	NO IMPACT	No change in air traffic patterns will result from the proposed residential project.	
d.	NO IMPACT	The project does not include any hazardous design features. No impact will result.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Both LADOT and LAFD will review the project's emergency access to ensure that potential impacts are mitigated to a less than significant level.	XVI-50
f.	NO IMPACT	The proposed project will not conflict with any alternative transportation policies. No impact will result.	
XVII. UTILITIES AND SERVICE SYSTEMS			
a.	NO IMPACT	The proposed project should not exceed the wastewater treatment requirements of the Los Angeles regional water quality control board.	
b.	NO IMPACT	The construction of the proposed project will not require the construction of new water or wastewater treatment facilities or the expansion of existing facilities.	

Impact?	Explanation	Mitigation Measures
c.	NO IMPACT The proposed project should not require the construction of new stormwater drainage facilities.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED The Department of Water and Power's most current water management plan indicates that a sufficient water supply is expected to be available to serve the proposed project. Sufficient water supplies would be available to serve the proposed project from existing entitlements and resources, therefore, new or expanded entitlements will not be necessary. The project will be required to incorporate the Department of Water and Power's water-saving mitigation measures to ensure that the project will have a less than significant impact on the City's water supply.	XVII-10, XVII-20, XVII-30, XVII-40
e.	NO IMPACT The increase in wastewater can be accommodated by the wastewater treatment provider. The impact will be less than significant.	
f.	NO IMPACT The local landfills have sufficient capacity to serve the proposed project.	
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED The project will be required to provide on-site recycling to reduce the amount of trash going to landfills. This will reduce the solid waste impact to a less than significant level.	XVII-90, XVII-100
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE		
a.	NO IMPACT The proposed project does not result in any impacts that would cause the above.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED The proposed project will result in environmental impacts, however, each impact can be mitigated to a less than significant level with the incorporation of the attached mitigation measures.	XVIII-30
c.	NO IMPACT After implementation of mitigation measures, the proposed project will not have any significant direct or indirect impacts to human beings.	

EXHIBIT N

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

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Decision Date: October 10, 2013

Appeal Period Ends: October 21, 2013

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Los Angeles, CA 90025

Eric Lieberman (R)
QES, Incorporated
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Van Nuys, CA 91405

Bryan Gentry (E)
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RE: Tentative Tract No. 72286-CN
4210 South Del Rey Avenue
Related Case: DIR 2013-1226(DB)(SPR)
Council District: 11
Existing Zone: CM(GM)-2D-CA
Community Plan: Palms - Mar Vista - Del Rey
CEQA No.: ENV-2013-1230-MND

In accordance with provisions of Section 17.03 of the LAMC, the Advisory Agency approved Tentative Tract Map No. 72286-CN, located at 4210 South Del Rey Avenue for a **maximum 68 residential condominium units and 1,800 square feet of commercial space** including 6-units set-aside for very low-income as shown on map stamp-dated April 25, 2013 in the Palms - Mar Vista - Del Rey Community Plan. This unit density is based on the CM(GM)-2D-CA Zone and LAMC Section 12.22-A.25. (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.) For an appointment with the Development Services Center call (213) 482-7077. The Advisory Agency's approval is subject to the following conditions:

NOTE 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That any fee deficit under Work Order No. EXT00495 expediting this project be paid.
2. That a 5-foot wide strip of land be dedicated along Del Rey Avenue adjoining the tract to complete a 30-foot wide half right-of-way.
3. That the subdivider make a request to the West Los Angeles District Office of the Bureau of Engineering to determine the capacity of the existing sewer in the area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated August 27, 2013, Log No. 80454-01 and attached to the case file for Tract No. 72286-CN.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

5. 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. Provide a copy of affidavit OB-11977. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - b. Provide a copy of DIR case DIR-2013-1229-DB. Show compliance with all the conditions/requirements of the DIR case as applicable.
 - c. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.
 - d. Show zone boundaries on the Map. No required yard or other open space around a building shall be located in a more restrictive zone than that of the property on which such building is located. Revise the Map to show

compliance with the above requirement or obtain approval from the Department of City Planning.

Notes:

This property is located in a Glencoe/Maxella Specific Span Area. Comply with the Specific Span Area requirements with respect to density, FAR, parking, and height or obtain approval from City Planning.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4 (a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The existing or 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. Plan check will be required before any construction, occupancy or change of use

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

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

6. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to comply with the following:
 - a. A minimum of 20-foot reservoir space shall be provided between any security gate(s) and the property line.
 - b. 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.

FIRE DEPARTMENT

7. That prior to recordation of the final map, satisfactory arrangements shall be made with the Fire Department to assure: (MM)

a. Access for Fire Department apparatus and personnel to and into all structures shall be required.

Policy Exception:

L.A.M.C. 57.09.03.B Exception:

- When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- This policy does not apply to single-family dwellings or to non-residential buildings.

b. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater then 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.

c. Entrance to the main lobby shall be located off the address side of the building.

d. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

- e. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- f. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- g. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- h. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- i. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- j. Submit plot plans indicating access road and turning area for Fire Department approval.
- k. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- l. 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.
- m. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- n. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- o. Site plans shall include all overhead utility lines adjacent to the site.
- p. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- q. 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

8. Prior to the issuance of a grading or building permit, satisfactory arrangements shall be made with the Department of Water and Power for the following:
 - a. Comply with all checked items in the memo dated June 14, 2013.

BUREAU OF STREET LIGHTING

9. If new street light(s) are required, then 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

10. 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

11. 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quimby fee be based on the CM(GM)-2D-CA Zone. (MM)

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

13. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards. (MM)

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

14. 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 sixty-eight (68) residential condominium units and 1,800 square feet of commercial space.
- b. Pursuant to LAMC Section 12.22-A,25(d)(1), provide a minimum of one covered off-street parking space for each 0-1 bedroom residential unit and two covered off-street parking spaces for each 2-3 bedroom residential unit. Commercial parking spaces shall be provided pursuant to LAMC Section 12.21-A,4. Bicycle parking spaces for the residential and commercial components shall be provided pursuant to LAMC Section 12.21-A,16. All guest spaces be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. 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.

- d. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety. (MM)
 - 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 considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)
 - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
15. Prior to the clearance of any tract map conditions, the applicant shall submit a revised tract map that reflects the proposed project as approved herein to the satisfaction of the Department of City Planning.
16. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
17. That prior to the issuance of the building permit or the recordation of the final map, a copy of the DIR 2013-1229(DB)(SPR) shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR 2013-1229(DB)(SPR) is not approved, the subdivider shall submit a tract modification.
18. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the Glencoe/Maxella Specific Plan and the Los Angeles Coastal Transportation Corridor Specific Plan.
19. Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a purchase covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve six (6) of the proposed sixty-eight (68) units for occupancy by VERY LOW Income households. The 35% density bonus, grants the applicant an additional eighteen (18) units in excess of the fifty (50) otherwise permitted by

the CM(GM)-2D-CA Zone. These units will be restricted as affordable for-sale dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22-A.25. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)). Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.

20. **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 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

21. That prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 7, 12, 14 (d) and (g) and 22 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, and postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
22. 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:
- 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, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- MM-2. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish,

garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.

- MM-3. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
- MM-4. On-site signs shall be limited to the maximum allowable under the Municipal Code.
- MM-5. Multiple temporary signs in store windows and along building walls are not permitted.
- MM-6. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- MM-7. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- MM-8. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
- MM-9. 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-10. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-11. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
- a. 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.
 - b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- d. 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.
- e. 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.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

MM-12. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:

- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

MM-13. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner: 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).
- b. 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.
 - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - d. 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.
 - e. 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;
 - f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
 - g. *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.
- MM-14. 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-15. 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.
- MM-16. 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.
- MM-17. Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- MM-18. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM-19. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- MM-20. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- MM-21. 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-22. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
- MM-23. Concrete, not metal, shall be used for construction of parking ramps.
- MM-24. The interior ramps shall be textured to prevent tire squeal at turning areas.

- MM-25. Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.
- MM-26. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-27. 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-28. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-29. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
- MM-30. 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). In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- a. Weather-based irrigation controller with rain shutoff
 - b. Matched precipitation (flow) rates for sprinkler heads
 - c. Drip/microspray/subsurface irrigation where appropriate
 - d. Minimum irrigation system distribution uniformity of 75 percent

- e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - f. Use of landscape contouring to minimize precipitation runoff
 - g. 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-31. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- MM-32. Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install:
- a. 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. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
 - b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 - c. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
 - d. 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.)
- MM-33. All restroom faucets shall be of a self-closing design.
- MM-34. Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall:
- 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. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- 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.
- MM-35. 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-36. 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.
- MM-37. To facilitate onsite separation and recycling of demolition and construction related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- MM-38. 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.
22. **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.

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. 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.
 - c. 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. 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.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. 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-9. 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-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-15. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-16. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-17. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-18. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

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 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- SF-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall be prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. 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 the entire tract in conformance with Section 64.11.2 of the 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 comply 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 Transportation 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 streets, 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 be either constructed prior to recordation of the final map or that the construction be 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.

IMPROVEMENT CONDITION: Construct new street light: one (1) on Del Rey Avenue.

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 conditions, 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 Street Tree Division (213) 485-5675 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 be either constructed prior to recordation

of the final map or that the construction be suitably guaranteed:

1. Improve Del Rey Avenue adjoining the subdivision by the construction of the following and in accordance with Glencoe/Maxella Specific Plan under Ordinance No.169102:
 - a. A concrete curb, a concrete gutter, and an 8-foot full-width concrete sidewalk with tree wells.
 - b. Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.
 - c. Any necessary removal and reconstruction of the existing improvements.
 - d. The necessary transitions to join the existing improvements.
2. Construct main line sewer if deemed necessary by West Los Angeles Engineering District.

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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC.

The final map must record 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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2013-1230-MND on August 7, 2013. The Planning Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (landscaping, light, glare);
- Air Quality (construction, operational);
- Cultural Resources (archaeological, paleontological, human remains);
- Geology and Soils (construction, seismic);
- Green House Gas Emissions;
- Hydrology and Water Quality (storm water);
- Land Use and Planning;
- Noise (construction, operational);
- Public Services (fire, schools, street improvements, water supplies);
- Recreation (parks); and
- Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2013-1230-MND 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. 7, 12, 14 (d) and (g) and 22 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.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources. Furthermore, the project site, as well as the surrounding area are presently developed with residential and commercial structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB-3180), 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. 21.

Furthermore, the Advisory Agency hereby finds that modifications to and/or 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.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, California 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 72286-CN 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 IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Palms – Mar Vista – Del Rey Community Plan designates the subject property for Light Manufacturing land use with the corresponding zone of CM(GM)-2D-CA. The property is located within the Glencoe/Maxella and Los Angeles Coastal Transportation Corridor Specific Plan areas. The property contains approximately 0.93 net acres (40,609.71 net square feet after required dedication).

In conjunction with the Tentative Tract Map, the applicant is utilizing a 35% density bonus pursuant to LAMC Section 12.22-A,25 by providing 18 additional units including 6 units (11% of 50 base units) for Very Low Income households. The applicant is also utilizing Parking Option No. 1 pursuant to LAMC Section 12.22-A,25(d)(1) to allow one on-site parking space for each 0-1 bedroom residential unit and two on-site parking spaces for each 2-3 bedroom residential unit thereby permitting 118 residential parking spaces. The applicant is requesting the following incentives and entitlements pursuant to LAMC Section 12.22-A,25(f) to allow two On-Menu Incentives as follows: (1) a 35% increase in Floor Area Ratio not to exceed 1.35:1 in lieu of the otherwise 1:1 as limited by the CM(GM)-2D-CA zone for mixed-use projects thereby allowing 95,468.22 square feet of building floor area AND (2) a height increase of 11 feet to allow a building 66 feet in height in lieu of the 55 feet otherwise limited by the Glencoe/Maxella Specific Plan; AND Pursuant to LAMC Section 16.05 Site Plan Review for the development of 50 or more dwelling units. The project will also include 1,800 square feet of commercial space.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The proposed project is consistent with the following goals, objectives and policies of the Palms – Mar Vista – Del Rey Community Plan:

Goal 1: A safe, secure, and high quality residential environment for all community residents.

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.1: Provide for adequate multi-family residential development.

Objective 1-4: To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.2: Ensure that new housing opportunities minimize displacement of residents.

The project will provide much needed new home ownership opportunities for the adopted Palms – Mar Vista – Del Rey Community Plan area, including six units to be set aside for Very Low Income households as well as office space for future businesses.

As conditioned, and with approval of Case No. DIR-2013-1229(DB)(SPR) the proposed tract map is consistent with the intent and purpose of the applicable General Plan as well as the Glencoe/Maxella Specific Plan. The applicant will also be required to comply with the provisions of the Los Angeles Coastal Transportation Corridor Specific Plan.

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

The CM(GM)-2D-CA zoning on the site allows for the construction R3 uses, thus permitting the construction of 50 by-right residential units. The Density Bonus Ordinance, pursuant to LAMC Section 12.22-A,25, allows for up to a 35% density bonus, totaling 18 additional residential units, including 6 units for Very Low Income households, reduced parking requirements and up to two on-menu incentives. The applicant is requesting an increase in FAR and height, under Case No. DIR-2013-1229(DB)(SPR), as both are limited by the Glencoe/Maxella Specific Plan. In conjunction with the proposed project, the applicant will be required to make street improvements as required by Bureau of Engineering.

Del Rey Avenue is a designated Local Street dedicated to a 50-foot width at the project's street frontage and is improved with curbs, gutters, and sidewalks. The Bureau of Engineering is requiring improvements on Del Rey Avenue adjoining the subdivision to include: concrete curbs, concrete gutters, and 8-foot concrete sidewalks and landscaping of the parkways; suitable surfacing to join the existing pavements and to complete 22-foot half roadways; any necessary removal and reconstruction of existing improvements; and the necessary transitions to join the existing improvements. The Bureau of Engineering is also requiring a 5-foot dedication along Del Rey Avenue.

The project will provide 118 residential parking spaces pursuant to Parking Option No. 1 of LAMC Section 12.22-A,25(d)(1). Commercial parking spaces shall be provided pursuant to LAMC Section 12.21-A,4 and bicycle parking spaces will be provided pursuant to LAMC Section 12.21-A,16.

As conditioned, and with approval of Case No. DIR-2013-1229(DB)(SPR) the proposed design and improvements are consistent with the applicable General Plan and Specific Plans.

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

The site is currently improved with a one-story auto-body building to be demolished. It's one of the few under-improved properties in the vicinity, as many properties in the area contain multiple family structures, office buildings and shopping centers. The development of this tract is an infill of an otherwise mix-use neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

Adjoining properties to the north are zoned CM(GM)-2D-CA and developed with multi-family residential condominium buildings, offices, an auto body shop, a towing yard and light industrial uses. Properties south of Maxella Avenue are zoned [Q]M1-1 and [T][Q]RAS4-1 and developed with a large shopping center that includes one- and two-story commercial buildings and a large surface parking lot, a 5-story multiple-residential complex, a gas station and the Marriott Hotel. Properties to the west are zoned [Q]M2-1-CDO, [Q]C4(OX)-2D-CDO and

C4(OX)-2D and developed with auto-related uses, retail and multi-family residential buildings. Properties to the east are zoned CM(GM)-2D-CA and (Q)RD2-1 and developed with multi-family residential buildings.

The project proposes the development of 68 residential condominiums and 1,800 square feet of commercial space. The applicant is permitted to construct 50 residential condominiums or apartment units by-right on the site. With approval of Case No. DIR-2013-1229(DB)(SPR) the project will comply with the proposed density, parking, height and FAR requirements. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (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 project site, as well as the surrounding area are presently developed with residential, commercial and light manufacturing structures and do not provide a natural habitat for either fish or wildlife.

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

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

The Bureau of Engineering is requiring the applicant to construct the necessary on-site mainline sewers satisfactory to the City Engineer. 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).

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.

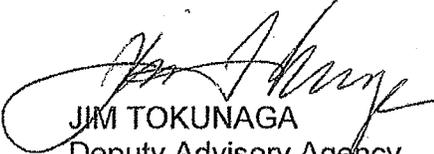
Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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 Vesting Tentative Tract Map No. 72286-CN.

Michael LoGrande
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:SMP:jjq

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 South Los Angeles 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:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

Forms are also available on-line at www.lacity.org/pln.

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.

If you have any questions, please call Subdivision staff at (213) 473-9984.

EXHIBIT O

(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

RENEE DAKE WILSON
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**DIRECTOR'S DETERMINATION
DENSITY BONUS & AFFORDABLE HOUSING INCENTIVES**

January 8, 2014

Applicant/Property Owner:

Jay Nayssan
Aramcost Towers LLC
10350 Santa Monica Boulevard, Ste 190
Los Angeles, CA 90025

Representative

TALA Associates/Kamran Kazemi
1916 Colby Avenue
Los Angeles, CA 90025

CASE NO. DIR-2013-916-DB

CEQA: ENV 2013-915-MND

Related Case: VTT 72073-CN

Location: 1522 Armacost Avenue
Council District: 11 – Mike Bonin
Area Planning Commission: West Los Angeles
Neighborhood Council: West Los Angeles
Plan Area: West Los Angeles
Plan Land Use: Medium Residential
Zone: R3-1
Legal Description: Pacific Farms, Block 3, Lots
17 & 20

Last day to appeal: January 23, 2014

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 (2) on-menu incentives requested by the applicant for a project totaling 26 dwelling units and reserving at least two (2) dwelling units for Very-Low Income Household Occupancy for a period of 30 years, subject to the conditions of approval below.

- a. **Floor Area Ratio (FAR) Increase:** A 32.5 percent increase in the Los Angeles Municipal Code (LAMC) maximum allowable Floor Area Ratio (FAR) of 3:1(30,897 square feet) to a maximum FAR of 3.1:1 (40,939).
- b. **Height Increase:** An 11-foot increase in the permitted 45-foot maximum height limit to 56 feet.

Adopt Mitigated Negative Declaration ENV-2013-915-MND 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.

Adopt the attached Findings.

CONDITIONS OF APPROVAL

- 1. Site Development:** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "**Exhibit A**" and attached to the subject 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 or the project conditions.

NOTE: The Density Bonus Ordinance supersedes the maximum permitted general requirement of the Los Angeles Municipal Code for the R3-1 zone, relative to density, the maximum permitted floor area ratio; the maximum permitted height; and the number of parking spaces. All other requirements of the R3-1 zone remain in force and effect.

Density Bonus/Affordable Housing Incentives Program

- 2. Automobile Parking.** Vehicle parking shall be provided consistent with LAMC 12.22 A.25, Parking Option One (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, 26 two-bedroom units at least 52 parking spaces shall be provided.
- 3. Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, 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.
- 4. Floor Area Ratio (FAR):** The project shall be limited to a total floor area of **40,939** square feet as defined by LAMC Section 12.21.1 A and 12.03.
- 5. Height.** The project shall be limited to 56 feet in height as measured per Section 12.03 and 12.21.1. Rooftop equipment as permitted by Section 12.21.1 B shall be able to exceed the height limit.
- 6. Residential Density.** The project shall be limited to a maximum density of 26 residential units including Density Bonus Units.

7. **Affordable Units.** A minimum of two (2) units, that is, 10 percent of the proposed dwelling units shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2).
8. **Changes in Restricted Units.** Deviations that allow for an increase in the number of restricted affordable units or that change the composition of the units or change the number of parking spaces shall be consistent with LAMC Section 12.22 A 25 (9a-d).
9. **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 Incentive Department (LAHCID) to make, two (2) units, available to Very-Low Income Households, for sale or rent rental as determined to be affordable to such households by LAHCID for a period of 30 years. Enforcement of the terms of said 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 (See note under Density Bonus Legislation Background).

Environmental Mitigation Compliance Conditions

10. **Aesthetics (Vandalism)** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
11. **Aesthetics (Signage on Construction Barriers)** The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS". Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
12. **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. Wetting could reduce fugitive dust by as much as 50 percent.
 - 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.
- 13. 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.
- 14. Geotechnical Report** 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.
- 15. 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. 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.
 - b. 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.
 - c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
 - d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- 16. 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 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
 - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- 17. Relocation** Prior to sign-off of any project-related permit, the applicant shall submit and obtain approval of the plan from the decision-maker.

18. Tenant Displacement (*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.

19. Public Services (Fire)

- a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
 - i. fire lanes, where required, shall be a minimum of 20 feet in width;
 - ii. all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

20. Public Services (Police – Demolition/Construction Sites)

- a. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attracting nuisances.
- b. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

21. Recreation (Increased Demand For Parks Or Recreational Facilities) (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.

22. 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).
- b. 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).

- c. 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/micro-spray/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
 - vii. A separate water meter (or sub-meter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

23. 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. A separate water meter (or sub-meter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- d. 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.)

24. 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).
- c. 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.

- d. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided.
- e. 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.

25. 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

26. 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.

27. Utilities (Power) Environmental impacts may result from project implementation due to the creation of additional demand on the City's power utilities. However, the potential impacts will be mitigated to a less than significant level by the following measure: If conditions dictate, the Department of Water and Power may postpone new power connections for this project until power supply is adequate.

Administrative Conditions

28. Final Plans. Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all the two final building permit construction plans for final review and approval by the Department of City Planning. A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

29. Notations on Plans. Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

- 30. Approval, Verification and Submittals.** Copies of any approval, 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 clearance of any building permits, for placement in the subject file.
- 31. Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 32. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 33. Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or 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.

FINDINGS

The proposed project includes the demolition of an eight unit apartment building and duplex located on two lots and the construction of a 26-unit, five (5)-story, 56-foot high, multiple-family project.

The applicant is seeking approval of two (2) Density Bonus Incentives as provided by the Los Angeles Municipal Code (LAMC) Section 12.22 A 25 (e) for a project that sets aside two (2) required affordable dwelling units. The two (2) incentives are: an increase in the maximum permitted height of 45 feet to 56 feet and an increase in the maximum floor area ratio from 3:1 to 3.1:1.

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 (10 percent) of the 19 dwelling unit base density, for occupation by Very-Low Income Households for a period of 30 years, the project qualifies for at least an automatic 32.5 percent increase (seven (7) 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 has chosen to utilize Parking Option 1, which permits two (2) on-site parking spaces for each residential unit. Based upon the 26 dwelling units, at least 52 parking spaces shall be provided.

Density Bonus Affordable Housing Incentive Compliance Findings

1. The project substantially 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.*

There are four (4) elevations at the project site. One (1) elevation faces the street. Two (2) elevations face adjacent alleys and the last elevation faces the side yard property line to the adjacent property. The front elevation, facing the street, is not a single flat wall plane; but has up to three (3) off-set vertical elements. The balconies extend 2'-6" into the front yard from the primary wall and under a foot from the recessed unit wall. The front façade design is very simple while the other three elevations are on one (1) plane. The main pedestrian entrance to the project is recessed.

- 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.*

The project site has one (1) street façade. The entire project is oriented to the street with a narrow front and a long depth. The east, south and west elevation will always be in view from the public right-of-way with the street on the east, and the side alleys on the south and the west. The north elevation is adjacent to an existing, small, two-story apartment building, and as such is in partial view from the public right-of-way.

- 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 City of Los Angeles designated Historic-Cultural Monument (HCM).*

The existing apartment building and duplex are not contributing structures in a designated Historic Preservation Overlay Zone (HPOZ), nor are they designated Historic-Cultural Monuments (HCM) with the City of Los Angeles.

- 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 this Code.*

The proposed project is not located on a substandard street in a Hillside Area, nor in a Very-High Fire Hazard Severity Zone. It is located on a local street in a topographically flat portion of the City.

2. Pursuant to Section 12.22 A .25 (C) of the LAMC, the Director shall approve a Density Bonus and requested Incentive(s) unless the Director finds that:

- a. *The incentives are not required in order for affordable housing costs as defined in the California Health and Safety Code Section 500052.5 or Section 50053 for rents for the affordable units.*

The incentives are necessary to provide for affordable housing costs per State Law. The requested increase in the floor area and building height are necessary to expand the project's building envelope so that the seven (7) density bonus units being constructed are of equal size, have the same number of bedrooms, the same amenities and quality that are required to be incorporated into the two-two bedroom (2) affordable set-aside units. In addition, the increased height allows the applicant to innovatively provide 40 parking spaces on one (1) basement level with the remaining 13 parking spaces occupying a portion of the ground level. At 53 spaces provided, this is a total that is one (1) more parking space than required. This allows the applicant to provide the required parking spaces without developing an additional level of subterranean garage, thereby reducing the overall potential cost of the project.

- b. *The Incentives will have a Specific Adverse Impact upon health and safety of the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very-Low, Low and Moderate Income Households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

- c. *A Specific Adverse Impact is defined as, "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The Incentive will not have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources. The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act Guidelines and the*

City's L.A CEQA Thresholds Guide. These two (2) documents establish standards and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed thresholds. Analysis of the proposed project involved the preparation of a Mitigated Negative Declaration (MND) (ENV-2013-915-MND), and it was determined that the proposed project may have an impact on the following environmental factors: aesthetics, air pollution from demolition, grading and construction, trees, archaeological resources, paleontological resources, human remains, seismic activity, seismic, storm-water pollution from grading, increased noise levels due to demolition, grading and construction, relocation, impact upon public services (fire, police, parks) impacts on utilities and water supply. Mitigation measures will reduce impacts to less than significant, and are imposed as Conditions of Approval herein (conditions 10 through 27). Therefore, there is no substantial evidence that the proposed project will have a Specific Adverse Impact on the physical environment, on public health and safety, and on property listed in the California Register of Historical Resources.

ENVIRONMENTAL FINDING

A Mitigated Negative Declaration, ENV-2013-915-MND 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 Mitigation 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 "the availability of housing is of vital state-wide 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 65915 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 69515(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 (3) 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, thus providing greater relief from regulatory constraints.

Note: For the United States Department of Housing and Urban Development (HUD) purposes, the Planning Covenant required in the conditions of approval shall prevail unless preempted by State or Federal Law.

FINAL PLAN SIGN OFF AND APPROVAL

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 services with appointment amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center by calling (213) 482-7077 (Figueroa Plaza) or (818) 374-5050 (Marvin Braude Building) 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.

OBSERVANCE OF CONDITIONS-TIME LIMIT-LAPSE OF PRIVILEGES

The approval granted herein shall be for a period of three (3) years from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. The applicant is advised that this approval is not a permit or license and that permits and licenses required by law must be obtained from the proper public agency.

TRANSFERABILITY

In the event the property is sold or leased to any persons or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all conditions and requirements set forth in herein become immediately operative and must be strictly observed.

FINAL PLAN SIGN OFF AND APPROVAL

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the San Fernando Valley. In order to assure that you receive services without waiting, applicants are encouraged to schedule an appointment with the development Services center by calling (213) 842—7077 (Figueroa Plaza) of (818) 374-5050 (Marvin Braude Building) San Fernando Valley 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.

EFFECTIVE DATE AND APPEAL PERIOD

The Director of Planning's determination on this matter will become affective 15 days after the date of this Determination, unless an appeal is filed with the City Planning Commission. Such an appeal must be in writing, on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the effective date, or the appeal will not be accepted. Department of City Planning 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 the Affordable Housing Incentives portion of this determination. Per the Density Bonus Provision of the 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.*

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.

TRANSFERABILITY AND TERMINATION

The approval granted herein shall be for a period of three (3) years from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. The applicant is advised that this approval is not a permit or license and that permits and licenses required by law must be obtained from the proper public agency. If any condition of this approval is violated or not complied with, then the applicant or the applicant's successor in interest may be prosecuted the same as for any violations of the requirements contained in the Municipal Code, or the approval may be revoked.

In the event the property is sold or leased to any persons or corporation other than the applicant, it is incumbent on the applicant to advise such person or corporation regarding the conditions of approval. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

MICHAEL J. LOGRANDE
Director of Planning

Approved by:



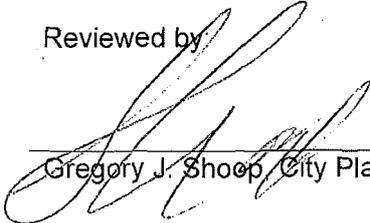
Daniel Scott, Principal Planner

Reviewed by:



Shana Bonstin, Senior City Planner

Reviewed by:



Gregory J. Shoop, City Planner

Prepared by:



Harden A. Carter, Planning Assistant
harden.carter@lacity.org

cc: Councilmember Bonin, 11th District
Adjoining and Abutting Property Owners
Los Angeles Housing and Community Investment Department

EXHIBIT P

RECEIVED

JUN 21 1999

Ans'd.....

REGIONAL INTERPRETIVE GUIDELINES

South Coast Region LOS ANGELES COUNTY

The Los Angeles County Interpretive Guidelines were adopted by the California Coastal Commission to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620(b) of the Coastal Act, are "designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied in the coastal zone prior to certification of local coastal programs."

The guidelines should assist in applying various Coastal Act policies to permit decisions; they in no case supersede the provisions of the Coastal Act nor enlarge or diminish the powers or authority of the Commissions or other public agencies.

ADOPTED
OCTOBER 14, 1980

INTRODUCTION

The Regional Interpretive Guidelines have been developed for use in permit process in the application of the policies in Chapter 3 of the Coastal Act to individual projects. It is the intent of the Commission that the guidelines be used in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints and individual and cumulative impacts on coastal resources.

In addition as Local Coastal Programs, or portions thereof, are prepared the commission will approve, prior to certification by the State Commission, individual projects within these localities that are in conformance with the LCP or portion thereof insofar as it is consistent with the policies of the Coastal Act.

While LCP materials generated by local jurisdictions will be considered in permit decisions, only policies acted upon by a decision making body (generally the planning commission and/or city council) will be considered local policy and will be weighed more heavily than local staff or citizen committees input.

Undoubtedly, there will be instances where locally generated LCP policies are felt by the Coastal Commission and/or its staff to be inconsistent with Coastal Act policies. In such cases resolution will be achieved through either the preliminary or final LCP hearing process. In the interim, coastal commission guidelines will be utilized for the project in question.

In addition to locally prepared LCP documents and the guidelines contained under this cover. Statedwide Interpretive Guidelines must be consulted when applying the policies of the Coastal Act. Statewide Guidelines address the following issues and are available under separate cover:

1. Geologic Stability of Blufftop Development
2. View Protection
3. Public Rights of Access
4. Public Trust Lands
5. Housing Opportunities
6. Siting New Development
7. Definitions
8. Public Access
9. Condominium/Stock Cooperative Conversions
10. Housing/New Construction
11. Wetlands and Other Environmentally Sensitive Habitat Areas

MALIBU

See Malibu Guidelines under separate cover

PACIFIC PALISADES

A. RESIDENTIAL

- 1., 2. Single-Family Dwellings and Multiple-Family Dwellings:
 - a. See Parking Appendix.
 - b. See Bluff Top Development Appendix.
 - c. Development should be visually compatible with local topography and vegetation and should maintain natural land forms. See Alteration of Landform Appendix.
 - d. Any development in the undeveloped areas of the Santa Monica Mountains should be permitted only when adjacent to already developed areas. All development should be compatible with the neighboring Topanga State Park. (30250)
 - e. See Hazardous and Special Area Development Appendix.
 - f. Residential development on the existing commercially zoned parcels within one-quarter mile of the beach will not be allowed. (30222, 30252, 30255)
 - g. New commercial, recreational, institutional and residential developments of 10 or more dwelling units in the Santa Monica Mountains should be required as a condition of approval, to dedicate access trails and parking areas for visitors to Topanga State Park. These shall be provided in a manner deemed appropriate by the Commission. (30210, 30213, 30212.5)
 - h. Road construction or improvements should be based on the suitability of the area to increased access. Where information on the environmental carrying capacity of coastal resources is available, roads and other support facilities should be kept within that capacity. (30240, 30243, 30250)
 - i. The density of new residential development should be limited to a maximum of 24 units per acre gross (city calculations are in gross). For method of calculation, refer to Density Calculations Appendix. (30250, 30252)
 - j. See Hillside Dwelling Unit Density Appendix.
 - k. No residential development should be permitted in Temescal Canyon.

B. COMMERCIAL

1. Commercial establishments should be public recreation and recreation supportive or otherwise coastally related facilities. (30222, 30255)

2. All existing public recreation facilities should be maintained and where feasible expanded. (30222, 30255)

3. See Parking Appendix. (30210, 30252)

4. Petroleum extraction facilities should be permitted when it can be demonstrated that the development or daily operations would not disrupt either coastal recreation activities, access, or neighborhoods. It must also be satisfactorily demonstrated that the facility will not contribute to the geological instability of the area. Development should not significantly disrupt or alter natural land forms. (30240(b), Article 7)

C. PUBLIC ACCESS TO COASTAL ZONE RESOURCES.

1. Views to the shoreline and the Santa Monica Mountains from public roads should be preserved and protected. (30251, 30211)

2. Development adjacent to Santa Monica Mountain Park should protect views from trails and be consistent with access to the trail system and park access. (30251, 30210)

D. TEMESCAL CANYON

1. Primary access to the Canyon shall be obtained from Sunset Boulevard. No road shall be constructed into the Canyon north of Sunset Boulevard which is wider than the private road now in use. (30210, 30213, 30212.5)

2. Permitted uses should preserve the natural habitat values while maintaining pedestrian access.

3. See Habitat Protection Appendix

4. See Hazardous and Special Area Development Appendix

5. See Alteration of Landforms Appendix

SANTA MONICA

For ease of interpretation, the Santa Monica area guidelines consist of five sub-areas as follows:

Beach Front: seaward of Palisades Beach Road, Appian Way, Ocean Avenue, and Barnard Way.

North Santa Monica: all areas north of California Avenue, except lots adjacent to Ocean Avenue, and the Beach Front area.

Ocean Avenue: parcels adjacent to Ocean Avenue.

Downtown: central business district of Santa Monica.

Ocean Park: the area south of Pico Boulevard and the Santa Monica Freeway, north of Venice, and west of Lincoln Avenue.

Beach Front:

1. New development of beach front property should be restricted to low cost, public, visitor-serving facilities and public works improvements. (30211, 30255, 30213)
2. See Parking Appendix. (30210, 30252(4))
3. The Santa Monica Pier should retain its character as a historical landmark. Further development should preserve recreational opportunities, including pier fishing. (30251, 30221, 30253)
4. Development should not encroach further onto sandy beaches.
5. A unique habitat upon which rare and endangered species are dependent is in the immediate area. See Section C on page 5.

North Santa Monica:

A. RESIDENTIAL

- 1., 2. Single-Family Dwellings and Multiple-Family Dwellings:
 - a. See Parking Appendix. (30210, 30252(4))
 - b. Maximum height should be 40 feet above the centerline of the frontage road (CFR). (30251, 30252)
 - c. Curb cuts should be permitted only where no feasible alternative exists. (30210)

B. COMMERCIAL

1. As per city zoning. (30251, 30252)
2. See Parking Appendix. (30210, 30252(4))

Ocean Avenue:

A. RESIDENTIAL

1. Multiple Family Dwellings:
 - a. Maximum height of structures should be 55 feet above centerline of the frontage road (CFR) with no top apparatus extending higher than 65 feet above centerline of the frontage road (CFR). Structures may cover 40 percent of the lot area. A mixture in height, scale, and intensity of developments along Ocean Avenue should be sought to enhance the appearance and diversity of the area. Taller structures should be offset by greater open space. (30251, 30252)
 - b. See Parking Appendix. (30210, 30252(4))

B. COMMERCIAL

1. See Parking Appendix. (30210, 30252)

2. Maximum height of structures should be 55 feet above centerline of the frontage road (CFR) with no top apparatus extending higher than 65 feet above centerline of the frontage road (CFR). Structures may cover 40 percent of the lot area. A mixture in the height, scale, and intensity of development along Ocean Avenue should be sought to enhance the appearance and diversity of the area. Taller structures should be offset by greater open space. (30251, 30252)

3. See Viewpoint Provision Appendix.

Downtown:

A. RESIDENTIAL

1. Multiple-Family Dwellings:

a. See Parking Appendix. (30210, 30252(4))

b. Additional development in Downtown Santa Monica should be encouraged, consistent with pedestrian orientation and the preservation of views from publicly constructed buildings. (30250, 30251, 30252)

See Viewpoint Provision Appendix.

B. COMMERCIAL

1. Additional development in Downtown Santa Monica should be encouraged, consistent with pedestrian orientation and the preservation of views from publicly constructed buildings. (30250, 30251, 30252)

2. See Parking Appendix. (30252, 30210)

3. See Viewpoint Provision Appendix.

Ocean Park:

This area provides housing for many low and moderate income households. The Commission desires to see the community continue to serve these people.

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. Maximum height should be 30 feet above the grade elevation specified in the attached Appendix. See Measurement of Height Appendix for grade reference points and the method of calculation. (30251, 30252)

- b. See Parking Appendix. (30210, 30252(4))
- c. Lot consolidations should be limited to a maximum of two (2) lots, and in no case should they exceed 100 feet of street frontage. (30251, 30213)
- d. In applications for multiple-family units, preference should be given to rental units over condominiums. (30213)
- e. In no case should residential density exceed 33 du/ac net. See Density Calculations Appendix.
- f. Comprehensive landscaping plans and on-site recreational and open space should be provided in new multiple-family development. (30251, 30252)
- g. Density incentives will be considered for low/moderate housing proposals.

B. COMMERCIAL

- 1. See Parking Appendix.

C. HAZARDOUS AND SPECIAL AREA DEVELOPMENT

- 1. On the north side of the pier in the vicinity of the breakwater there is a unique habitat area which has been identified by the State Lands Commission as a critical feeding habitat for endangered species, such as, the Least Tern. Development in the area should not significantly impact upon this unique resource area. (30230)

VENICE

For ease of interpretation, the Venice area guidelines consist of six sub-areas as follows:

- North Venice: area from the mean high tide line south of the Santa Monica City boundary, west of Hampton/Electric and West Washington Boulevard, north of South Venice Boulevard, and including the area west of Strongs Drive and north of Washington Street.
- Oakwood: area between the Santa Monica City boundary, Lincoln Boulevard, California Avenue, West Washington Boulevard and Hampton/Electric Avenue.
- Milwood: area between California Avenue, Lincoln Boulevard, North Venice Boulevard, and Electric Avenue.
- Canals: Lots immediately adjacent to Grand, Sherman, Howland, Linnie and Carroll Canals, north of Washington Street.

Marina Peninsula: that portion of the City of Los Angeles that lies south of Washington Street, west of Ballona Lagoon, Gran Corso and north of the Marina entrance channel.

Southeast Venice: area north of Washington Street and the unincorporated Los Angeles County territory, west of Lincoln Boulevard, south of North Venice and 28th Avenue and east of Ocean Avenue, and Sandborn Avenue.

North Venice:

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

- a. See Parking Appendix. (30210, 30252(4))
- b. Height of the structure should not exceed 30 feet above the centerline of frontage road. (30251, 30252)
- c. New development should provide front setbacks consistent with city zoning requirements but not less than five feet from the property line. (30251)
- d. Paving and access drives should be provided from alleys. (30252)
- e. Common-wall construction may be permitted; common-wall construction projects should be designed to avoid appearance out of character with the neighborhood. Common-wall construction should not extend over more than 60 feet of street frontage or two lots. A six foot break should be provided for each 50 foot width of buildings. Ground level entryways and windows should be provided. (30251-7, 30231)
- f. Lots fronting Ocean Front Walk which are zoned for commercial use and designated for commercial use in the locally adopted General Plan should not be developed residentially. (30255)
- g. Density incentives will be considered for low/moderate housing proposals.
- h. Multiple-family housing on lots containing less than 4000 square feet should be limited to two units per lot. (30210, 30252)

B. COMMERCIAL

1. See Parking Appendix.
2. Height of new structures should not exceed 30 feet above the centerline of the frontage road (CRF). (30251, 30252)

3. In existing commercial areas (such as those on West Washington Street and Windward Avenue), the existing nature of the street with small shops and community institutions should be preserved. (30251, 30252)

4. Common-wall construction should extend over no more than 60 feet of street frontage or two lots. A six foot break should be provided for each 50-foot width of buildings. Ground level entryways and windows should be protected. (30251)

C.: PUBLIC SERVICES

1. Walk-streets should be preserved as walk-streets. (30251)

Oakwood:

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. Height of single-family dwelling structures should not exceed 25 feet above centerline of frontage road (CFR). Multiple-family structures should not exceed 30 feet above the centerline of the frontage road (CFR). (30213, 30251)

b. Density incentives will be considered for low/moderate housing proposals. See Parking Appendix (30210, 30252(4))

c. Multiple-family housing should be limited to three units per lot. (30210, 30252) A density bonus of one additional unit may be permitted for low and very low income housing proposals. (30210, 30252)

B. COMMERCIAL

1. See Parking Appendix. (30210, 30252(4))

2. Height of new structures should be limited to 30 feet above centerline of the frontage road (CFR). (30251)

C. PUBLIC SERVICES

1. Small-scale community facilities (e.g., nursery schools, grocery store, etc.) serving the needs of the neighborhood should be preserved and encouraged. (30251)

Milwood:

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. Height of single-family dwelling structures should not exceed one story or a maximum height of 25 feet above centerline of frontage road (CFR), and 30 feet above CFR for multiple-family dwellings. (30213, 30251)

b. See Parking Appendix.

- c. Paving and access drives should be from alleyways.
- b. Multiple-family housing should be limited to two units per lot.

B. COMMERCIAL

1. Change in use or intensity of small scale commercial and community facilities may be approved. (30251)
2. See Parking Appendix. (30210, 30252(4))
3. Height of new structures should be limited to 30 feet above the centerline of the frontage road (CFR). (30251)

C. PUBLIC SERVICES

1. Walk-streets should be preserved as walk-streets. (30251)

Canals:

1. Single-Family Dwellings:

a. See Parking Appendix.

b. Height of structures should not exceed a maximum of 30 feet above the centerline of the adjacent alley (CFR). (30213, 30252)

c. Setbacks:

1. A rear setback (from the alley or road) of not less than nine feet or other provision for guest parking. (30252)

2. A 450 square foot pervious yard area (unpaved) shall be maintained between the canal property line and the front of the structure. No fill, building extensions shall be placed in or over the area. In no case shall said yard areas be less than 10 feet in width. Fences in front yard areas shall not exceed 42 inches in height. (30240, 30251)

d. Drainage plans for new development should dispose of all but the heaviest storm flows on-site.

e. Public access ways to canals should be maintained and sidewalks, bridges, and banks should be restored and maintained for the public use in a manner consistent with the Coastal Act of 1976.

f. Dredging and filling of canals should be allowed if it is demonstrated that the action will be consistent with the Coastal Act of 1976. Neighborhood character, water quality and habitat will be among the things evaluated in determining consistency.

See Statewide Guidelines Local General Plan & Zoning Ordinances & Local Coastal Program material

g. Private development on city property (e.g., easements, right-of-way, etc.) should be limited to removable fences less than three and one-half feet high that do not impede access along the sidewalks. (30252, 30251, 30211)

h. See Deed Appendix.

i. Only single-family dwellings, public park, and public parking should be developed in this area. (30251)

Marina Peninsula:

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. See Parking Appendix.

b. Residential development should be limited to a maximum height of 35 feet above the centerline of the frontage road. (30250, 30252)

c. Paving and access drives should be provided from alleyways. (30252)

d. Common-wall construction may be permitted; common-wall construction projects should be designed to avoid appearance out of character with the neighborhood. Common-wall construction should not extend over more than 60 feet of street frontage or two lots. A six foot break should be provided for each 50 foot width of buildings. Ground level entryways and windows should be provided. (30231, 30251)

e. Along the frontage to the canal north of Ironsides Avenue, a minimum 20 foot setback should be provided for all structures with a minimum 15 feet to any paved surface. New development must also include a French drain which prevents any runoff into the canal and disposes of all but the heaviest storm flows. (30240)

See the Venice Canal sub-area guidelines for French drain specifications.

f. Submit a deed restriction preventing all construction except the walkway fences (less than three and one-half feet in height) or pervious decks between the line of the 20-foot setback (patios, concrete, and/or brick steps are considered to be construction). (30240, 30251)

g. Canal frontage walks should be improved in a manner which will not drain into the canal, as part of any new construction. (30240, 30211, 30251)

h. Vehicular access to new residential development along Ocean Front Walk should be limited to Speedway Avenue. New vehicular access to residential structures should not be provided from residential streets such as Driftwood, Hurricane, Ketch, Reef, and Voyage Streets, which terminate at the beach. (30211, 30212.5, 30252)

i. New residential development should be limited to a maximum of two units per lot. (30250)

j. No backing of vehicles onto Pacific Avenue. (30211)

B. PUBLIC SERVICES

1. Walk-streets should be preserved as walk-streets. (30251)

C. HAZARDOUS AND SPECIAL AREA DEVELOPMENT

1. California Least Terns (*Sterna al bifrons*), an endangered species, have nested on a state-owned portion of Venice beach just north of the Marina del Rey main channel. Development should not significantly impact any further upon the nesting area. Ballona Lagoon is mapped as critical habitat for the Least Tern for feeding. Development shall not drain directly into the Lagoon or impact feeding areas. (30230, 30240)

Southeast Venice:

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. See Parking Appendix. (30210, 30252(4))

b. Height of new structures should not exceed 25 feet above the centerline of the frontage road (CFR). (30251, 30252)

B. COMMERCIAL

1. See Parking Appendix.

2. Height of new structures should not exceed 25 feet above the centerline of the frontage road. (30251, 30252, 30253)

C. PUBLIC SERVICES

1. Circulation and parking should be designed to minimize conflicts with bike paths and residences. (30252)

MARINA DEL REY

That portion of the Coastal Zone south of Venice and north of the Ballona Wetland and Playa del Rey.

For all classes of development:

1. New development should increase opportunities for the general public to have access to and along the waters of the harbor. (30222, 30211, 30220, 30224)

Existing park and beach areas should be retained and priority given to lower cost public recreational development in the marina and adjacent areas. (30213, 30220)

2. To preserve the beach and water areas for public recreation, no structures should be built on pilings (except docks) or otherwise over the water. (30211, 30251)

Existing parking spaces that support boat-launch ramps, slings, and beach use should be retained, as should the boat rentals and public-launch ramp. (30211, 30224, 30220)

New development should ensure that open water for sailing and wind patterns are unimpeded. (30220, 30224)

3. Offices and general commercial uses should not preempt areas usable for public or commercial recreation or marine related facilities. (30255, 30224)

4. Any new boating facilities should include public-launch ramps, small boat hoists, boat rentals, and slip sizes that provide for boats pursuant to documented demand and for fishing boats, as well as for dry storage. (30213, 30224)

Marine support facilities should be given priority and incorporated within multiple-use developments. (30255, 30224)

5. Public parking and boat storage should be given priority in new developments. (30252, 30224, 30212.5)

6. See Parking Appendix.

7. Any proposed changes in the channel revatment should be designed to eliminate any adverse effect upon sand movement. Any proposed change to the Ballona Creek Flood Control Channel should consider the effect of the proposed modification upon Least Tern (a rare and endangered species) feeding, therein. (30230, 30235, 30240)

8. Residential development proposals should receive the lowest priority in this area. (30234, 30221, 30255)

9. See Viewpoint Provision Appendix.

10. Development should be permitted only when it is demonstrated to be consistent with local street and highway capacities with allowance for recreational traffic. (30252, 30253)

BALLONA WETLAND

That portion of the coastal zone generally bounded by Ballona Creek, Fiji Way, the city-county boundary, Route 90, Lincoln Boulevard, the base of the Playa del Rey Bluffs to Culver Boulevard and Nicholson Street and the Los Angeles City line (as of June 30, 1977), north of Culver Boulevard to Ballona Creek.

This area contains an area of functioning wetlands which has been declared a critical wildlife habitat by the California Department of Fish and Game. Two endangered species, the Least Tern (*Sterna al bifrons*) and the Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*), find critical habitat in this wetlands area. Portions of this area which are not currently functional wetland may be restorable. (30230, 30231, 30233.6(c), 30240, 30255)

1. Proposed development should be demonstrated comparable with the existing and restorable wetlands and habitat area. (30240)
2. Any new development in this area should protect the Ballona Wetland as a valuable habitat area. Adequate buffer areas should be provided and any harmful effects of dredging, discharge of storm waters, or traffic, minimized to the greatest extent possible. Priority should be given to land uses, such as agriculture, which will be compatible with the wetlands area. (30240, 30242, 30236, 30255)
3. Public trust lands should be delineated. (30210)
4. To guarantee continuance of public access, any further development of undeveloped wetland or seafront lands should provide public accessways as a condition of development. Public access easements should not be opened without a resource management plan implemented unless public disruption of resource value is found inconsequential. (30210, 30211, 30212)
5. See Habitat Protection Appendix.

PLAYA DEL REY

A. RESIDENTIAL

- 1., 2. Single-Family Dwellings and Multiple-Family Dwellings:
 - a. See Parking Appendix. (30210, 30252(4))
 - b. Seaward of Trolley Way, the height limit is 25 feet above the centerline of the frontage road (CFR). Inland of Trolley Way, the height limit is 30 feet above CFR, except for lots fronting on or inland of the Esplanade where heights of 35 feet above CFR may be permitted. (30251, 30252)

c. To guarantee continuance of public access, any further development of the undeveloped wetland or seafront lands should provide public access ways as a condition of development. Public access easements should not be opened without a resource management plan implemented unless public disruption to resource value is found inconsequential. (30210, 30211, 30212)

d. No residential projects should be developed in areas presently zoned for commercial uses. (30222, 30255)

e. Proposed development should be demonstrably compatible with the existing and restorable wetlands and habitat areas. (30230, 30231, 30240)

f. All development proposals should retain all existing vista points and minimize alteration of natural land forms. See Alteration of Landform in the Appendix. (30251, 30252)

g. See Hazardous and Special Area Development Appendix.

h. See Habitat Protection Appendix.

B. COMMERCIAL

1. See Parking Appendix. (30210, 30252(4))

2. To guarantee continuance of public access, any further development of the undeveloped wetland or seafront lands should provide public access ways as a condition of development. Public access easements should not be opened without a resource management plan implemented unless public disruption to resource value is found inconsequential. (30210, 30211, 30212)

3. To protect beach areas for long-term recreational needs, only visitor-serving facilities (such as restrooms or snack bars) should be developed on sandy beaches. (30221, 30222)

4. Residential development shall be consistent in scale with existing commercial development.

5. To protect the few visitor-serving commercial recreation facilities on or near the beach front, especially south of Culver Boulevard, existing visitor-serving commercial recreation facilities should be preserved. (30212.5, 30213, 30221, 30222)

6. All development proposals should seek to retain all existing vista points and minimize alteration of natural landforms. See Alteration of Landform Appendix. (30251, 30252)

7. Proposed development should be demonstrably compatible with the existing and restorable wetland and habitat areas. (30240)

C. PUBLIC SERVICES

1. To protect beach areas for long-term recreational needs, only visitor-serving facilities (such as restrooms or snack bars) should be developed on sandy beaches. (30221, 30222)

D. HAZARDOUS OR SPECIAL AREA DEVELOPMENT (Sensitive Ecological Area)

1. The area bounded by Vista del Mar, Imperial Highway, New Pershing Drive, and Napoleon and Waterview Streets will be protected and preserved in its primitive or successional stage pending completion of the Local Coastal Program. This area is the last remaining coastal sand-dune formation and ecosystem in the South Coast Region (San Diego County to Point Conception) and portions are critical as a habitat for the El Segundo Blue Butterfly (*Shijimiseoides Battoides Allynii*) which is an endangered species of national significance. These unique dunes also are habitat for other rare species of flora and fauna (e.g., Noctuidae Palada Scarletina, Anniella Fulchra, Phaloniidae Fanta, and, possibly, members of the family Brennanis). Natural enhancement of this ecosystem should not be diminished by development. Development adjacent to this unique ecosystem area shall be compatible with the habitat and sited and designed to prevent impacts which would significantly degrade the dune ecosystem. (30240(a), 30240(b))

EL SEGUNDO

There are no appropriate guidelines for the El Segundo coastal area. There are only two developments in the area: a Southern California Edison electricity generating plant and a Standard Oil Corporation monobuoy system. Development of these energy facilities is not predictable as industrial technologies in the energy field are constantly evolving. Developers are advised that the habitat of an endangered species is in the immediate area. Development proposals should reflect this fact and be modified as necessary (refer to Section D of the Playa del Rey area guidelines).

EL PORTO

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. On half-lots, a single-family dwelling with a maximum of 1400 square feet (including parking) will be allowed. On full-size lots (or two contiguous combined lots) a triplex is permitted. (30252, 30213)

b. See Parking Appendix. (30210, 30252(4))

c. Height of structures should be limited to a height of 30 feet above the grade elevation specified in the attached Appendix. See Measurement of Height Appendix for grade reference points and the method of calculation.

d. See Deed Appendix.

B. COMMERCIAL

1. See Parking Appendix. (30210, 30252(4))

MANHATTAN BEACH

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

a. On half-lots, construction of a single-family dwelling with a maximum of 1400 square feet (including parking) should be permitted. (30213, 30252)

b. See Parking Appendix. (30210, 30252(4))

c. The height of a structure should be no greater than 30 feet above the grade elevation specified in the attached Appendix. See Measurement of Height Appendix for grade reference points and the method of calculation. (30251, 30252, 30253(5))

d. See Deed Appendix.

B. COMMERCIAL

1. See Parking Appendix. (30210, 30252(4))

2. Local and tourist support businesses which are primarily pedestrian oriented should be permitted in appropriately zoned areas. The predominant street level retail pattern should be maintained if adequate parking is available. (30222, 30253(5))

3. New commercial developments which provide adequate on-site parking may be permitted up to two stories and a maximum height of thirty (30) feet above the grade elevation specified in the attached Appendix. See Measurement of Height Appendix for grade reference points and the method of calculation. (30210, 30251, 30252)

HERMOSA BEACH

A. RESIDENTIAL

See City Zoning Regulations and Local Coastal Program Policies.

B. COMMERCIAL

1. See Parking Appendix.

City of Hermosa Beach, California Coastal Commission Meeting Minutes, December 14, 2011

REDONDO BEACH

A. RESIDENTIAL

1. Single-Family Dwellings:

a. See Parking Appendix. (30210, 30252(4))

b. The height of new construction should not exceed two stories, and in no case exceed 30 feet above the grade elevation specified in the attached Appendix. See Measurement of Height Appendix for grade reference points and the method of calculation. (30251, 30252)

c. See Deed Appendix.

2. Multiple-Family Dwellings:

a. New construction in areas zoned R-5 or R-6, as of June 30, 1977, should not exceed two stories over semi-subterranean garages and not exceed 35 feet above the grade elevation specified in the attached Appendix. See Measurement of Heights Appendix for grade reference points and the method of calculation. (30251, 30252)

b. Density should not exceed 18 du/ac net. See Density Calculations Appendix. (30251)

c. New construction in areas zoned R-3, as of June 30, 1977, should not exceed the density allowed on single lots, 14 du/ac net maximum. Height should not exceed 30 feet above the grade elevation specified in the attached Appendix. See Measurement of Heights Appendix for grade reference points and the method of calculation. See Density Calculations Appendix. (30251, 30252)

d. New development seaward of the first coastal road should where appropriate incorporate view corridors and physical access.

e. See Parking Appendix. (30210, 30252(4))

B. COMMERCIAL

1. Commercial enterprises which are not tourist and neighborhood serving (and primarily pedestrian oriented) or coastal dependent or related should be located inland of, or within, the commercial strip along Pacific Coast Highway. (30222, 30255)

2. In the King Harbor and Marina areas, low cost public recreation facilities which are coastal dependent or related should be permitted in order to achieve an equitable balance between the existing private facilities and public use. (30213, 30255)

3. See Parking Appendix. (30210, 30252 (4))

4. See Viewpoint Provision Appendix.

C. PUBLIC ACCESS TO COASTAL RESOURCES

1. New development which is located on the coast-side of the nearest public road to the coast should incorporate a view corridor. Said view corridor shall be subject to a deed restriction. Where appropriate, physical access should be provided the public. See Vertical Access Appendix. (30210, 30211, 30251)

TORRANCE

Development shall be consistent with the certified Local Coastal Program.

PALOS VERDES ESTATES

Development shall be consistent with the certified Local Coastal Program.

1. See Parking Appendix.

RANCHO PALOS VERDES

Development shall be consistent with the certified Local Coastal Program.

SAN PEDRO

A. RESIDENTIAL

- 1., 2. Single-Family Dwellings and Multiple-Family Dwellings:

- a. See Parking Appendix. (30210, 30252(4))

- b. Maximum height is two stories, but in no case should the structure rise higher than 25 feet above the centerline of the frontage road. (30251, 30252)

Structures in the area bounded by Carolina Street, Pacific Avenue, 39th Street and 26th Street should not rise higher than 25 feet above the grade elevation specified in the attached Appendix. See Measurement of Height Appendix for grade reference points and the method of calculation. (30251, 30252)

- c. No structures should be built on or extend over sandy beaches. (30213, 30221, 30251)

- d. See Bluff Top Development Appendix.

- e. Where feasible, access should be provided to bluff vista points above pocket beaches as a condition of new development on bluff top lots. (30251, 30212)

- f. See Deed Appendix.

- g. If grading is involved, a plan designating the borrow and disposal sites may be required. (30251, 30253)

h. Landscaping in bluff areas should normally be with endemic vegetation. (30253, 30251)

i. The density of new residential development should be limited to a maximum of 20 units per acre gross (city calculations are in gross), or the density allowed by either the zoning or general plan or the most recent community plan draft, whichever is the more restrictive. See Density Calculations Appendix. (30257, 30252, 30213)

j. See Hazardous and Special Area Development Appendix.

k. Development should not significantly impact drainage or riparian areas or significantly alter existing natural land forms. See Habitat Protection Appendix.

l. See Alteration of Land Form Appendix.

m. To the maximum extent feasible existing ocean, shoreline, and harbor viewsheds should be preserved including the view from Lockout Point Park. (30251)

B. COMMERCIAL

1. Commercial facilities within one-quarter mile of the beach or harbor should be coastal or marine dependant or related. (30222, 30221, 30255)

2. Where feasible, low and moderate cost public recreation components should be included in further developments. (30213)

3. See Parking Appendix. (30210, 30252(4))

4. See Viewpoint Provision Appendix.

C. PUBLIC SERVICES

1. Public recreational uses on the Fort MacArthur site will be evaluated on a case by case basis. (30224, 30223, 30220)

WILMINGTON

The unique characteristics of the harbor which necessitated a separate chapter in the California Coastal Act preclude the drafting of guidelines until the LCP is certified. Interim development will continue to be evaluated on an individual basis as to its conformance with the Coastal Act of 1976. This shall be interpreted to include the Commission Parking Guidelines.

See the attached Appendix and other guidelines (e.g., state-wide) as are applicable to the individual project. (30200)

LONG BEACH

Development shall be consistent with the Certified Local Coastal Program and the Certified Port Master Plan.

Development not subject to the Certified Port Master Plan shall be consistent with the California Coastal Act of 1976.

CATALINA ISLAND

To protect Catalina's historical function of providing public recreation, to enhance opportunities for public use of the existing Catalina Conservancy and to recognize Santa Catalina Island as a unique environment for educational and research activities, priority will be given to the development of projects which will enhance these goals during this interim period. No major projects in the unincorporated areas should be approved prior to the certification of the LCP.

A. RESIDENTIAL

1., 2. Single-Family Dwellings and Multiple-Family Dwellings

- a. Land use as per zoning (June 30, 1977) within the Avalon city limits. (30250)
- b. Limited residential development, primarily to house existing Island employees and primarily low- and moderate-income, should be allowed in the Two Harbors area.
- c. Construction should ensure the physical and visual preservation of natural physical features. See Alteration of Landform Appendix. (30251, 30253(2))
- d. Applicant should demonstrate the availability of public services and utilities adequate to meet project needs without precluding an adequate availability (in either quantity or quality) of such service and utilities to serve tourists. (30254, 30255, 30213)
- e. See Deed Appendix.
- f. Where development is located adjacent to the shoreline the applicant shall demonstrate that public access is available to and along the shoreline.

B. COMMERCIAL

1. Tourist commercial facilities may be constructed as per zoning (June 30, 1977) within the Avalon City limits. (30250, 30253)
2. Commercial-industrial facilities of a public utility/public service nature may be developed adjacent to existing development in the Pebbly Beach area. See Section E, Public Services, following. (30250, 30254)
3. Some additions to existing structures may be permitted within the Two Harbors community and within existing camps to provide for the needs of the residents and visiting public. Major development should not commence until the LCP is certified. (30222, 30223, 30250)
4. All developments should ensure the physical and visual preservation of natural physical features. See Alteration of Landform in the Appendix. (30251, 30253(2))

5. Parking should be provided as appropriate for use, and shall be considered on a project by project basis. (30210)

6. Applicant should demonstrate the availability of public services and utilities adequate to meet project needs without precluding an adequate availability (in either quantity or quality) of such services and utilities to serve tourists. (30254, 30255, 30213)

C. PUBLIC SERVICES

1. Public utility development may be allowed outside of developed areas. Adequate information as to the impact of the project on the physical and socio-cultural environment, as well as the project's growth-inducing impacts, shall be provided to enable the Commission to determine compatibility of such a project with the Coastal Act of 1976. (30200, et. seq.)

SAN CLEMENTE ISLAND

Property of the Federal Government. No guidelines are necessary.

A P P E N D I X E S

(LOS ANGELES & ORANGE COUNTIES)

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ALTERATION OF LANDFORM:

Grading, cutting or filling that will alter natural landforms (bluffs, cliffs, ravines, etc.) should be prohibited. In permitted development, landform alteration should be minimized by concentrating the development on level areas (except on ridgelines and hill tops) and designing hillside roads to be as narrow as possible and follow natural contours. (30251, 30253)

In all cases grading should be minimized. New residential development should be sited and designed so that as a general rule, no ponds, creeks, or drainages are filled or cleared: clearance and scraping should be limited to the minimum necessary area for a house pad and the legally required brush clearance area for fire safety. Road cuts and new subdivisions should not create lots requiring massive grading or extensive geological marks or cuts. (30251, 30253, 30240)

Cascading project design should be utilized in new developments along scenic routes or if visually obtrusive as methods to blend the proposal with the surrounding topography. (30251, 30253)

BLUFF TOP DEVELOPMENT:

Proposed development should be set back at least 25 feet from the edge of any coastal bluff. (30251, 30253)

Proposed development upon a canyon bluff top should be set back at least ten feet from the bluff-top edge, or set back in accordance with a string line (see String Line in this Appendix) connecting adjacent development, or set back from the primary vegetation line depending upon site characteristics as determined by a staff inspection of the site. (30251, 30253)

DENSITY CALCULATIONS:

Net $\frac{(\text{No. of units}) \times (43,560 \text{ sq. ft./ac.})}{(\text{Size of lot in square feet})} = \text{du/ac net.}$

Gross Density for Mid-Block Lots $\frac{(\text{No. of units}) \times (43,560 \text{ sq. ft./ac.})}{(\text{Size of lot in square feet}) \times (1.25)} = \text{du/ac gross.}$

Gross Density for Corner Lots $\frac{(\text{No. of units}) \times (43,560 \text{ sq. ft./ac.})}{(\text{Size of lot in square feet}) \times (1.5)} = \text{du/ac gross.}$

DEED:

In cases where minor modification to a proposed structure might result in an additional dwelling unit or units, a legally recorded deed restriction which sets forth and limits the use of the structure to the specific number of dwelling units recorded on the permit shall be required. (30252)

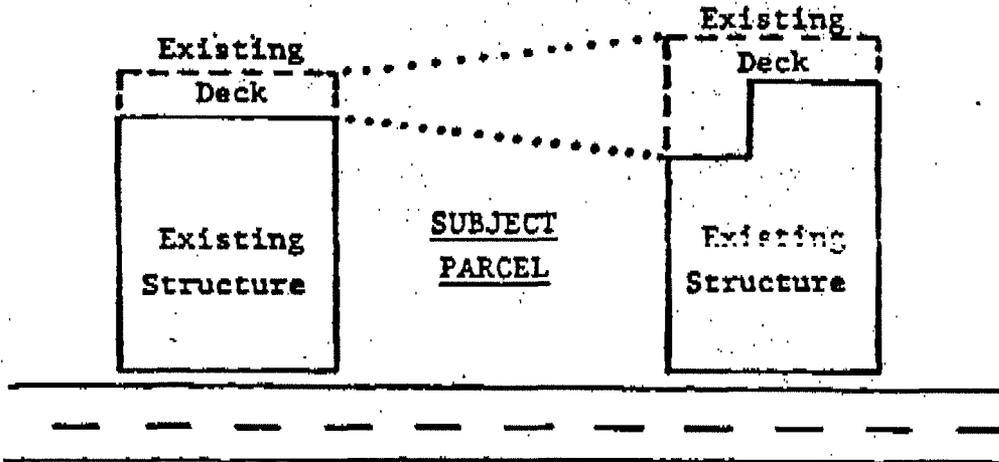
HAZARDOUS AND SPECIAL AREA DEVELOPMENT:

ACCESS:

See COASTAL ACCESS: STANDARDS AND RECOMMENDATIONS,
(adopted by State Commission, August 5, 1980).

STRING LINE:

In a developed area where new construction is generally infilling and is otherwise consistent with Coastal Act policies, no part of a proposed new structure, including decks, should be built further onto a beach front than a line drawn between the nearest adjacent corners of the adjacent structures. Enclosed living space in the new unit should not extend farther seaward than a second line drawn between the most seaward portions of the nearest corner of the enclosed living space of the adjacent structure. (30210, 30251, 30211, 30212)



LOW AND/OR MODERATE INCOME HOUSING:

See Statewide Housing Guidelines

- a) Condominium Conversions
- b) New Construction
- c) Demolitions

STRUCTURAL AREA (DEFINITION):

Gross Structural Area. The total square footage of all structures including the area allocated for required parking whether covered or uncovered.

- Required parking shall be calculated in the gross structural area, all other portions of a structure shall be calculated in the gross structural area, regardless of use.
- Gross structural area shall include all structural levels including mezzanines, lofts and stairwells (stairwell areas are calculated only one level, e.g., in a two-story structure the area of a stairwell is calculated on either the first or second level, not both.
- Atriums completely open to the sky are not included in gross structural area calculations.
- Patios and/or decks completely open to the sky and/or open on two sides are not included in gross structural area calculations.
- Under spaces are included in gross structural area unless there is no access thereto, they have no floors and windows, and the greatest vertical height within such space is 48 inches or less.

PARKING:

The following parking guidelines are intended to insure beach access. They should be used as a general indicator of parking need. The diversity of circumstances occurring within the various areas of the coastal zone require care in the application of these guidelines. Local parking requirements should be considered along with the Commission guidelines when assessing projects.

continued..

RESIDENTIAL USES:

All Residential Dwelling Units 2 spaces for each dwelling unit.

Mobile Home Parks 2 spaces for each mobile home space.

All Multiple-Family-Residential Dwellings shall provide a minimum of 1 (one) guest parking space for each 7 (seven) units (or fraction thereof), except as specified below.

In the following areas guest parking shall be provided at the rate of one space for each 4 (four) units (or fraction thereof):

Pacific Palisades, Los Angeles
 Ocean Avenue, Santa Monica
 North Venice (seaward of Pacific), Los Angeles
 Marina Peninsula, Los Angeles
 Marina del Rey, Los Angeles County
 Playa del Rey, Los Angeles
 Manhattan Beach
 Hermosa Beach
 San Pedro (seaward of Paseo del Mar, Shepard Street, Stephen White Drive, and Bluff Place), Los Angeles

Hotel

2 spaces, plus
 2 spaces for each dwelling unit, plus
 1 space for each guest room or suite of rooms for the first 30;
 1 space for each 2 guest rooms or suites of rooms in excess of 30 but not exceeding 60;
 1 space for each 3 guest rooms or suites of rooms in excess of 60, plus
 1 space for each 100 sq. ft. of gross floor area used for consumption of food or beverages, or public recreation areas, plus
 1 space for each 5 fixed seats and for every 35 sq. ft. of seating area where there are no fixed seats in meeting rooms or other places of assembly.

Motel or Motor Hotel

1 space for each guest room, plus
 2 spaces for each dwelling unit.

Boarding and Lodging Houses, Student Housing, Dormitories and Fraternity or Sorority Houses

2 spaces for each 3 guest rooms, plus
 2 spaces for each dwelling unit. In dormitories, each 100 sq. ft. of gross floor area shall be considered equivalent to one guest room.

continued...

STRUCTURES AND USES**OFF-STREET PARKING REQUIRED****RESIDENTIAL USES:**

Homes for the Aged, Charitable or Welfare Institutions providing Housing Facilities, and Ambulatory Group or Special Care Homes	1 space for each 2 beds, plus 1 space for each employee, guest room or dwelling unit.
Children's Homes, Correctional Institutions and Asylums	1 space for every 5 beds, plus 1 space for every employee, guest room or dwelling unit.

HEALTH USES:

Convalescent Hospital, Rest Home, Nursing Home, or Sanitarium	1 space for each 3 beds, plus 1 space for each employee or staff member.
Hospitals	1 space for each 2 patient beds, including bassinets, plus 1 space for each employee or staff member.
Veterinary Hospital	5 spaces for each doctor, plus 1 space for each additional employee or staff member.
Medical or Dental Office or Clinic	(See Office Uses)
Health Studies or Clubs	1 space for each 150 sq. ft. of gross floor area. (For purposes of this provision swimming pool area shall be counted as floor area.)

EDUCATIONAL AND CULTURAL USES:

Child Care Center, Day Nursery, Preschool or Nursery School	1 space for each staff member, plus 1 space for each 5 children or 1 space for each 10 children where a circular driveway or its equivalent designed for the continuous flow of passenger vehicles for the purpose of loading and unloading children and capable of simultaneously accommodating at least two such vehicles is provided on the site.
Elementary or Junior High School including Auditoriums, and Stadiums on the Site	2 spaces for each teaching station

continued...

STRUCTURES AND USES**OFF-STREET PARKING REQUIRED****EDUCATIONAL AND CULTURAL USES:**

High School, Including Auditoriums and Stadiums on the Site	7 spaces for each teaching station.
College or University, Including Auditoriums and Stadiums on the Site	.85 space for each full-time equivalent student, less the number of spaces provided to serve on-campus housing facilities in accord with this schedule.
Business, Professional or Trade Schools	1 space for each faculty member or employee, plus 1 space for each 3 students based upon the maximum number of students attending classes at any one time during any 24-hour period.
Libraries, Museums, Art Galleries and Aquariums	1 space for each 250 sq. ft. of gross floor area.

PLACES OF ASSEMBLY AND RECREATIONAL USES:

Restaurants, Night Clubs, Bars and Similar Establishments for the Sale and Consumption of Food or Beverages on the Premises	(See Commercial and Business Uses.)
Theater, Auditorium, Arena or Stadium Except When Part of a School or Institutional Use	1 space for each 3 fixed seats and for every 21 sq. ft. of seating area where there are no fixed seats, plus 1 space for each 2 employees.
Churches	1 space for each 3 fixed seats and for every 21 sq. ft. of seating area in the main auditoriums where there are no fixed seats.
Chapels and Mortuaries	1 space for each 3 fixed seats and for every 21 sq. ft. of seating area in the main chapel where there are no fixed seats, plus 1 space for each 350 sq. ft. of gross floor area outside the main chapel.
Dance Halls, Pool or Billiard Parlors, Roller or Ice Skating Rinks, Exhibition Halls and Assembly Halls Without Fixed Seats, Including Community Centers, Private Clubs, Lodge Halls and Union Headquarters	1 space for each 3 persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, or 1 space for each 75 sq. ft. of gross floor area, whichever is greater.
Bowling Alley	5 spaces for each lane.

continued...

STRUCTURES AND USES**OFF-STREET PARKING REQUIRED****PLACES OF ASSEMBLY AND RECREATIONAL USES:**

Golf Driving Range, Open to the Public	1½ spaces for each 10 linear ft. of driving range.
Golf Course (Regulation) Open to the Public	8 spaces for each hole, plus 1 space for each employee.
Miniature or "Par 3" Golf Course, Open to the Public	2 spaces for each hole, plus 1 space for each employee.
Swimming Pool, Commercial	1 space for each 100 sq. ft. of water surface, plus 1 space for each employee, but not less than 10 spaces for any such use.
Tennis Court, Open to the Public	2 spaces for each court.
Private Golf Course, Country Club, Swim Club, Tennis Club, Recreation Center, or Similar Use	1 space for each 4 persons, based upon maximum capacity of all facilities capable of simultaneous use as determined by the staff, plus 1 space for each 2 employees.

OFFICE USES:

Commercial Bank, Savings and Loan Offices, Other Financial Institutions, Public or Private Utility Office, Mutual Ticket Agency, Other Similar Window Service Offices.	1 space for each 225 sq. ft. of gross floor area of the main floor. Non-bank uses within a bank structure shall provide parking pursuant to specific use guidelines.
Professional Offices of Doctors, Dentists or Similar Professions	1 space for each 150 sq. ft. of gross floor area.
General Office and Other Business, Technical Service, Administrative, or Professional Offices	1 space for each 250 sq. ft. of gross floor area.

BUSINESS AND COMMERCIAL USES:

Beauty Shop or Barber Shop	3 spaces for each of the first 2 beauty or barber chairs, plus 1½ spaces for each additional chair.
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continued...

STRUCTURES AND USES

OFF-STREET PARKING REQUIRED

BUSINESS AND COMMERCIAL USES:

Other Personal Service Establishments, Including Cleaning or Laundry Agency or Similar Use	1 space for each 250 sq. ft. of gross floor area.
General Retail Stores, Except as Otherwise Provided	1 space for each 225 sq. ft. of gross floor area.
Shopping Centers	5 spaces for each 1000 sq. ft. of gross floor area within the center; or spaces as required for each individual use within the center. To qualify for the "shopping center" criteria (5/1000) a well balanced mixture of uses within the center must be demonstrated. Where there is an imbalance of high intensity uses, restaurants, theaters, bowling alleys, billiard parlors, beauty schools and other such uses and/or long-term parking uses, parking calculations will be based totally or in part on an individual basis.
Food Store, Grocery Store, Supermarket, or Similar Use	1 space for each 225 sq. ft. of gross floor area.
Restaurants, Night Clubs, Bars and Similar Establishments for the Sale and Consumption of Food or Beverages on the Premises	1 space for each 50 sq. ft. of service area.
Drive-In and Window Service Restaurants Providing Outdoor Eating Area or Walk-Up or Drive-Up Window Service	1 space for each 50 sq. ft. of gross floor area, but not less than 10 spaces for any such use. The above may be modified for walk-up facilities with no seating area (and beach-front walk-up with seating) depending upon the particulars of the individual case.
Laundromats and Coin Operated Cleaners	1 space for each 2 machines.
Automobile Service Stations	2 spaces for each lubrication stall, rack, or pit, plus 1 space for each gasoline pump outlet.
Auto Wash, Except Self-Service	Reservoir (line-up) parking equal to 5 times the capacity of the auto wash. In determining capacity, each 20 linear ft. of wash line shall equal one car length.
Auto Wash, Self-Service	5 spaces for each 2 wash stalls.

continued.

STRUCTURES AND USES**OFF-STREET PARKING REQUIREMENTS****BUSINESS AND COMMERCIAL USES:**

Furniture Store, Appliance Store, Machinery Rental or Sales Store (excluding motor vehicle rental or sales), and Similar Establishments Which Handle only Bulky Merchandise	1 space for each 500 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus 1 space for each 500 sq. ft. of outdoor sales, display or service area.
Commercial Service Establishments, Repair Shops, Motor Vehicle Repair Garages, and Similar Establishments	1 space for each 500 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus 1 space for each 500 sq. ft. of outdoor sales, display, or service area.
Automobile, Truck, Boat, Trailer or Similar Vehicle Sales or Rental Establishments	1 space for each 500 sq. ft. of gross floor area, except area used exclusively for storage or loading, plus 1 space for each 1000 sq. ft. of outdoor sales, display, or service area.
Wholesale Establishments, Mail Order Houses, Printing and Publishing Establishments, and Cartage or Express Facilities	1 space for each 500 sq. ft. of gross floor area, but not less than 5 spaces, plus 1 space for each employee.
Lumber Yard	1 space for each 500 sq. ft. of gross floor area, plus 1 space for each 1000 sq. ft. of outdoor sales, display, or service area, plus 1 space for each 2 employees.
Contractor's Storage Yard, Salvage Yard, Junk Yard, Automobile Wrecking Yard	5 spaces, plus 1 space for each employee.
Retail Plant Nursery, Garden Shop Including Greenhouses or Lathouses, or Similar Outdoor Sales and Display Establishments	5 spaces, plus 1 space for each 500 sq. ft. of outdoor sales, display or service area.

MANUFACTURING AND RELATED USES:

Manufacturing or Industrial Establishment, Including Offices and Other Incidental Operations on the Same Site	1 space for each 350 sq. ft. of gross floor area, but not less than 3 spaces for each 4 employees.
Laboratories and Research Establishments	1 space for each 300 sq. ft. of gross floor area, but not less than 3 spaces for each 4 employees.

continued...

MANUFACTURING AND RELATED USES:

Warehouse or Storage Building	1 space for each 1000 sq. ft. of gross floor area, but not less than 1 space for each employee.
Public Utility Facilities, Including Electric, Gas, Water, Telephone, and Telegraph, Facilities Not Having Business Offices on the Premises	1 space for each employee, but not less than 2 spaces for each such facility.

General:

1. Parking Space, 9 ft. by 19 ft.
2. Aisle width 90° parking = 25 ft. (reduce proportionally for angle.)
3. Residential parking should be on-site.
4. Commercial parking may be within 300 ft. of site when on-site parking is infeasible.
5. Generally parking should take access from alleys or secondary streets.
6. Parking management districts which provide adequate parking for existing and proposed uses shall be acceptable.
7. Tandem parking shall be considered on a case by case basis.
8. Compact spaces will be considered on a case by case basis.

HABITAT PROTECTION:

Development in "significant ecological areas" should be permitted only when it can be demonstrated that no significant and cumulative disruption of habitat value or environmental damage will occur. (30240, 30230, 30231, 30250)

Permitted development in or near "significant ecological areas" should minimize the amount of land vegetation altered to avoid unnecessary impact on life resources with particular regard to the cumulative impact of potential buildout. (30240, 30230, 30231, 30250)

A minimum 50-foot buffer strip (measured from the outer limit of riparian vegetation; or if the waters are estuarian, a minimum of 100 feet from the outer limit of the estuarian vegetation) shall be required in new development to protect habitat value of riparian areas where the opportunity exists. (30251, 30240, 30230, 30231)

New development should restore the life resource value of the parcel if the opportunity exists. (30001.5)

Development that disturbs or destroys shoreline or intertidal habitats or dune vegetation should not be allowed. (30230, 30231, 30240)

continued.

Permitted development that will divert or obstruct the natural flow or change the bed, channel or bank of, or use material from any riparian area, stream or lake should obtain and comply with a Fish and Game Agreement pursuant to Section 1601, 1602, or 1603 of the California Fish and Game Code. (30236, 30231, 30233)

Mitigation measures should be applied in order that drainage channels be maintained in natural state. (30231)

HILLSIDE DWELLING UNIT DENSITY:

Development of lands located in hillside areas should be limited by the suitability of the geology of the area for development, and by the steepness of the natural topography of the various parts of the area.

The Dwelling Unit Density should not exceed that allowed by the following formula:

$$D = \frac{50 - S}{35}$$

Where: D - the maximum number of dwelling units per acre gross allowable, and

S - the average natural slope of the land in percent.

The density permitted in a subdivision or planned development project should be 0.05 dwelling units per acre gross (1 dwelling unit per 20 acres gross parcel) or greater as allowed by the above formula. Adequate access should be available from two or more directions. (30251, 30210, 30260, 30252)

The application of the formula results in the following densities for selected slopes:

When D becomes zero or a negative number, allowable gross density is zero.

The average natural slope is the sum of the slopes (slope - the plane or incline of land visually expressed as a percentage: % slope = vertical distance/horizontal distance X 100) at every point within a given parcel of land divided by its area as computed from either the Los Angeles City Engineer's topographic maps or a topographic map prepared and certified by a registered civil engineer or licensed land surveyor. Average natural slope is slope prior to grading and shall be computed by the formula:

continued...

Where: $S = 1L/A \times 100$

S = Average natural slope in percent

I = Contour interval in feet, at not greater than 25-foot intervals, resulting in at least 5 contour lines

L = Total accumulated length of all contours of interval "I", in feet

A = The area being considered in square feet

Slope may also be computed by 500 feet grid increments, as shown on the Los Angeles City Engineer's topographic maps or by the entire parcel area.

Example:

A 100-acre parcel of vacant hillside land is proposed for development. It is determined that the land lies within a Hillside Area and is designated for Minimum Density Housing on the adopted community plan for the area. The developer's engineer has prepared a topographic map with 25-foot contour intervals and has measured the length of these contours.

The average natural slope must first be computed and then applied to the slope/density formula to determine the allowable dwelling unit density as follows:

A. Compute average natural slope:

$$\text{Average natural slope in \% (S)} = \frac{\text{Contour Interval (I) x Length of all contours (L)}}{\text{Area of Site (A)}}$$

(1) Contour Interval: I = 25 feet

(2) Measure lengths of all contour lines of "I" interval within the subject 100-acre parcel: L = 41,818 feet

(3) Multiply item (1) by item (2): $25 \times 41,818 = 1,045,450$

(4) Calculate area of the subject parcel in square feet (43,560 sq. ft. = 1 acre): $A = 100 \times 43,560 = 4,356,000$

(5) Divide item (3) by item (4): $S = 1,045,450 / 4,356,000 = .24$

(6) Multiply item (5) by 100 to convert to % slope:
 $S = .24 \times 100 = 24\%$ average natural slope

B. Compute allowable density/acre:

$$\text{Density} = \frac{50 - \text{Slope (\%)}}{35} \quad \text{Example} \quad D = \frac{50 - 24}{35} = \frac{26}{35} .74 \text{ du/gross acre}$$

C. Compute total dwelling units:

$$\begin{aligned} \text{Total dwelling units: } T &= A \text{ (in acres) } \times D \\ T &= 100 \times .74 \\ T &= 74 \text{ dwelling units} \end{aligned}$$

The subdivider is allowed a maximum of 74 dwelling units on his 100 acre

SIGN CRITERIA:

The Commission recognizes that different situations present different signing problems. For that reason it has chosen to abandon the traditional approach to sign regulation in favor of flexible guidelines under which signs can be considered on their own merits. These guidelines contain general criteria which must be met before a permit can be issued:

1. Signing shall be restrained in character and no larger than necessary for adequate identification.
2. Signing for an establishment within a commercial or industrial center shall be in harmony with the signing of the entire center. The theme of such signing shall be approved as a part of plans for new commercial or industrial center.
3. No sign will be allowed which disrupts or detracts from the quality of view or the line of sight in any view corridor (e.g., no rooftop signs, flashing or blinking signs).
4. No scenic values or other public interests should be harmed as a result of signing.
5. Signs should be on-site, not off-site.
6. On-premise signs should be designed as an integral part of development.
7. Roof signs will not be allowed.

(30251)

Local jurisdiction sign criteria should be utilized except where found to be in contradiction to the California Coastal Act of 1976 policies.

MEASUREMENT OF HEIGHT:

The maximum allowable height for a structure on a particular lot will be determined by the "Buildable Envelope" of the particular site. This Appendix section contains all of the information necessary to determine the dimensions of a buildable envelope. Development may take place anywhere within the perimeters of the buildable envelope. A structure need not fill the entire envelope, but in no case should any portion of a structure exceed the envelope perimeters.

How to determine the dimensions of the buildable envelope for any site:

A. The necessary information:

The buildable envelope will be unique to the individual site, and can be developed from three pieces of data: 1) the maximum allowable height, specified in the preceding area guidelines, 2) the required building setback lines of the lot, and 3) the grade level from which the height shall be measured.

continued..

The first of these, the specified maximum height, will be found within the preceding area specific section of these guidelines. The second, the required building setback lines for the lot, are those available from the local planning and building department as they are modified (e.g., bluff tops, setbacks) within the preceding area specific section of those guidelines. The third piece of data, the grade level from which the height shall be measured can be determined as follows:

1. Measurement shall be from one of the following two grade elevations, depending upon the characteristics of the project site:

a) Grade Elevation #1 -

Lot Characteristics:

If the lot is: a) within an existing area, and
b) contains an existing graded building pad of sufficient size upon which to construct the proposed structure, then height shall be measured as follows:

Calculation of Height:

Height shall be measured along perpendiculars (plumb lines) from the existing pad elevation (finished grade) to the guideline specified maximum height above grade.

b) Grade Elevation #2 -

Lot Characteristics:

If the lot has characteristics other than those described under Grade Elevation #1, above, then height shall be measured as follows:

Calculation of Height:

Height shall be measured along perpendiculars (plumb lines) from the elevation of the natural grade to the guideline specified maximum height above grade.

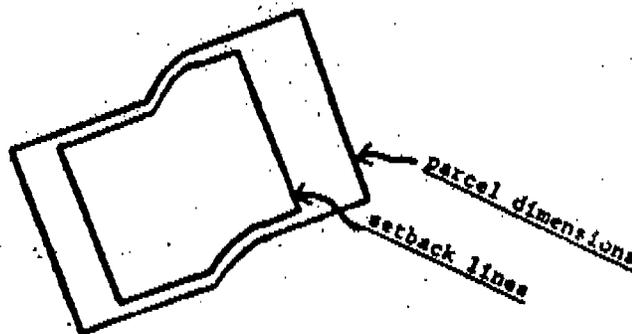
B. Putting it all together to form the buildable envelope.

The above three pieces of data for the parcel can be combined to develop the buildable envelope of the site. A buildable envelope shall be situated upon one of the above two Grade Elevations and will have the following characteristics:

Side Surfaces:

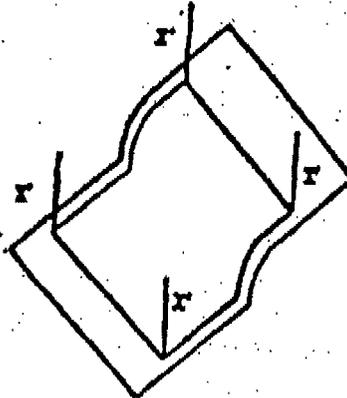
The sides of the envelope are established by the setback lines of the lot.

Figure 1



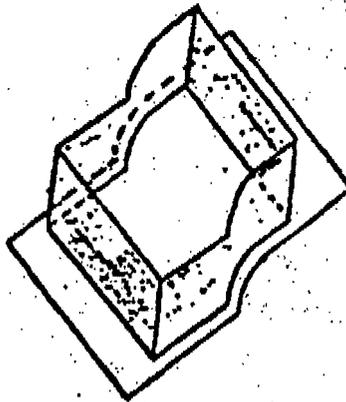
The elevation of any side surface is specified by the maximum guideline height. Height shall be measured along perpendiculars (plumb lines) from the grade elevation.

Figure 2



Side surfaces are established as the guideline height is applied to all points of each side.

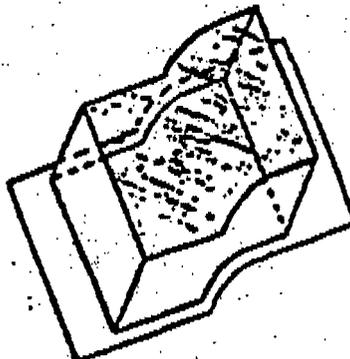
Figure 3



Upper Surface:

The upper surface of the envelope shall run parallel to the underlying grade elevation (contours) at the guideline specified height. In other words, the upper surface is that plane of points perpendicular to all points on the grade surface at the guideline specified height.

Figure 4



continued...

Notes: Minor irregularities of parcel grade shall be considered on a case by case basis.

Development may occur anywhere within the boundaries defined by the maximum envelope perimeter and height, however, the building site on larger parcels should be chosen so as to minimize, as much as practical, disruptions of significant views and vistas from public places and to maximize the preservation of significant site features.

On extremely steep lots some allowance may be made on a case by case basis for overlapping structural blocks. In any case, the exposed height of wall sections should be no greater than the maximum guideline height of the area.

EXHIBIT Q

CALIFORNIA COASTAL COMMISSION

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

**W9a**

Filed:	6/21/13
49 th Day:	Waived
180th Day:	N/A
Staff:	AJP-LB
Staff Report:	7/24/13
Hearing Date:	8/14-15/13

STAFF REPORT: APPEAL --NO SUBSTANTIAL ISSUE

Local Government: City of Los Angeles

Local Decision: Denial

Appeal Number: A-5-PPL-13-212

Applicant: Stefano Coaloa

Project Location: 17030 Sunset Boulevard, Pacific Palisades

Project Description: Construction of a 49 unit, 84,500 square foot residential project.

Appellant: Stefano Coaloa

SUMMARY OF STAFF RECOMMENDATION

The Commission's role at the "substantial issue" phase of an appeal is to decide whether the appeal of the local government action raises a substantial issue as to conformity with the Chapter 3 policies of the Coastal Act. The staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed because the project denied by the City is appropriately based on its adopted findings, which state that the proposed development, due to the absence of more detailed analysis could not provide assurances that potential hazards related to hydrogen sulfide gas in the soil would be mitigated; lack of geologic information to determine location of coastal bluff and appropriate siting of the development.

Therefore, the City correctly determined that the proposed development could not be found to conform with the Chapter 3 policies of the Coastal Act because it would assure stability and structural integrity of the site. The motion to carry out the staff recommendation is on Page Five.

The appellant disagrees with the staff recommendation, asserting that the proposed development is consistent with the Chapter 3 policies of the Coastal Act.

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EXHIBITS

Exhibit 1-- Project Vicinity Map

Exhibit 2—Parcel Map

Exhibit 3—Project Site Plan

Exhibit 4—Appellant Letter

Exhibit 5—Planning Commission Determination report

I. APPELLANTS' CONTENTIONS

The appellant, Stefano Coaloea, who is the applicant of the coastal development permit application, has appealed the City of Los Angeles denial of Local Coastal Development Permit No. ZA-2010-1726 for the proposed development of a 49 unit, 84,500 square foot residential development at 17030 West Sunset Boulevard, Pacific Palisades. The appellant's grounds for the appeal, which are attached to this report as **Exhibit No. 4**, are as follows:

1. City's action fails to determine the site is not on a coastal bluff or cliff.
2. City's action fails to determine the site is not within 300 feet of a coastal bluff or cliff.
3. City's action fails to determine the site is not subject to the Regional Interpretive Guidelines.
4. City's action fails to determine the project is suitable under the Regional Interpretive Guidelines, if they were to apply.
5. City's action fails to determine adequacy of applicant's soils and geology report, approved by City's Department of Building and Safety, with regards to third-party geologist concerns.
6. City's action fails to determine project's compliance with Section 30253 of the Coastal Act.
7. City's action suggests that there is some material potential, unmitigated hazard related to hydrogen sulfide, that has been detected on site.
8. City's action fails to determine if the site is within the single or dual permit jurisdiction zone.

II. LOCAL GOVERNMENT ACTION

On October 20, 2011, the City of Los Angeles zoning administrator approved a Coastal Development Permit for a new approximately 84,500 square foot residential development consisting of three buildings containing a total of 49 units in the dual permit jurisdiction of the California Coastal Zone.

On March 6, 2013, on an appeal, the West Los Angeles Area Planning Commission overturned the approval and denied the coastal development permit (See **Exhibit No. 5**, Planning Commission Determination report).

III. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program, a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits.

Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows any action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200, 30604 and 30625(b)(1).]

After a final local action on a local coastal development permit application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.]

Any appeal of the local action is then analyzed to determine if a substantial issue exists as to conformity with Chapter 3 of the Coastal Act (Sections 30200-30265.5). [Cal. Pub. Res. Code § 30625(b)(1).] Unless the Commission finds that the appeal raises no substantial issue, the Commission then holds a public hearing in which it reviews the coastal development permit as a de novo matter. [Cal. Pub. Res. Code §§ 30621 and 30625.]

At this point, the Commission may decide that the appellant's contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, in which case the action of the local government stands. Or, the Commission may find that a substantial issue exists with respect to the conformity of the action of the local government with Chapter 3 of the Coastal Act if it finds that the appeal raises a significant question regarding consistency with the Chapter 3 policies of the Coastal Act. If the Commission finds that a substantial issue exists, then the hearing will be continued as a de novo permit request. Section 13321 of the Coastal Commission regulations specifies that de novo actions will be heard according to the procedures outlined in Sections 13114 and 13057-13096 of the Commission's regulations.

IV. DUAL PERMIT JURISDICTION

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction area, the Coastal Act requires that the development which receives a local coastal development permit also obtain a "dual" coastal development permit from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (Single Permit Jurisdiction), the City of Los Angeles local coastal development permit is the only coastal development permit required, with the exception of major public works projects or major energy facilities. Based on the maps in the South Coast District office, the proposed development is located within the Dual Permit Jurisdiction.

V. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

Motion:

I move that the Commission determine that Appeal No. A-5-PPL-13-212 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

Staff recommends a **YES** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

Resolution:

The Commission hereby finds that Appeal No. A-5-PPL-13-212 presents a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The appeal involves the denial of a local coastal development permit application for the proposed construction of a new approximately 84,500 square foot residential development consisting of three buildings containing a total of 49 units, a subterranean parking structure and approximately 19,000 cubic yards of grading.

According to the City’s staff report the project design consists of three buildings that will cascade down the hillside from Sunset Boulevard. The northern building (Building 1), will front on Sunset Boulevard and together with Building 2 (middle building) will be built over a subterranean parking garage that will have two to four levels with 129 parking spaces, consistent with zoning requirements. Building 3, the southern building at the lowest elevation, is constructed over a basement level that contains residential amenities.

The subject site is a downward-sloping, south facing parcel located at the base of the Santa Monica Mountains and is located within the dual permit jurisdiction area of the California Coastal Zone and is within the City’s Brentwood-Pacific Palisades Community Plan area. The site is currently vacant and zoned [Q]R3-1, Medium Residential. The site contains approximately 42,538 square feet with approximately 99 feet of frontage on the south side of Sunset Boulevard, with a variable depth between approximately 287 feet and 314 feet. The site is located approximately 325 feet from Pacific Coast Highway and 400 feet from the shoreline (see **Exhibit No. 1-3**).

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 30600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission’s regulations simply indicates that the Commission will hear an appeal unless it “finds that the appeal raises no significant question.” In previous decisions on appeals, the Commission has been guided by the following factors.

1. The degree of factual and legal support for the local government’s decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;

3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP; and,
5. Whether the appeal raises local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

Staff is recommending that the Commission find that no substantial issue exists with respect to whether the local government action conforms with the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

As stated in Section III of this report, the grounds for an appeal of a coastal development permit application acted on by the local government prior to certification of its Local Coastal Program (LCP) are the Chapter 3 policies of the Coastal Act. Any such local government coastal development permit may be appealed to the Commission. The Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act. In this case, staff has recommended that the Commission concur with staff's conclusion that no substantial issue exists.

The applicant/appellant asserts that the development conforms to the Chapter 3 policies of the Coastal Act and would not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the Coastal Act. The applicant/appellant requests that the Commission overturn the City's denial of the local coastal development permit application.

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

The appeal raises no substantial issue as to conformity with Chapter 3 of the Coastal Act (Cal. Pub. Res. Code §§ 30200-265.5).¹ The Determination Report issued by the West Los Angeles Area Planning Commission ("Planning Commission") shows that the Planning Commission applied the policies of Chapter 3 and concluded that the development, as proposed, would be inconsistent with Section 30253 of the Coastal Act, which states:

New development shall:

¹ Unless otherwise indicated, all subsequent statutory references are to sections within the Coastal Act. Cal. Pub. Res. Code §§ 30000 *et seq.*

A-5-PPL-13-212 (Coalooa)

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The Planning Commission's analysis appropriately interpreted the standard established by Section 30253 by finding that there was a lack of information to ensure that the proposed development would minimize risks to life and property. The Planning Commission also appropriately relied upon the Coastal Commission's Interpretive Guidelines, adopted pursuant to Section 30620(a)(3) for the explicit purpose of assisting local governments "in determining how the policies of [the Coastal Act] shall be applied in the coastal zone prior to the certification of local coastal programs." Thus, there is no question that the local decision correctly applied the policies of Chapter 3, and the appeal raises no substantial issue regarding conformity therewith.

Applying the five factors listed in the prior section further clarifies that the appeal raises no "substantial" issue with respect to Chapter 3, as it shows that, even if Chapter 3 were not correctly applied, the nature of the proposed project, the local government action, and the appeal do not implicate any Chapter 3 policies to a level of significance necessary to meet the substantiality standard of Section 30265(b)(1).

The first factor is the degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the Coastal Act. As indicated above, the Planning Commission's conclusion was supported by substantial evidence. Specifically, the Planning Commission's Determination report, attached as **Exhibit No. 5**, explains that based on lack of adequate geotechnical information presented to the Planning Commission, the Planning Commission could not find the project consistent with Section 30253 of the Coastal Act. The Planning Commission's findings state (**Exhibit No. 5**, page F-8):

...based on testimony at the Commission's appeal hearings on January 16, 2013 and March 6, 2013, the Commission was not satisfied that the approved soils report adequately responded to and addressed the issues raised by the third party geologist. Specifically, the approved soils report did not acknowledge or identify mitigations to address the presence of hydrogen sulfide on the site. In the absence of more detailed analysis, the Commissioners concluded that the approved soils report did not provide assurances that potential hazards related to hydrogen sulfide would be mitigated.

Furthermore, the Planning Commission, based on lack of information presented, could not determine the location of the coastal bluff and determine the appropriate and safe siting of the development in relation to the bluff edge. The Planning Commission's findings state (**Exhibit No. 5**, page F-9):

Based on the site's topography and testimony presented at the hearing, there was conflicting information as to whether the site was located within a Coastal Bluff as defined in the Coastal Act...

In the absence of definitive confirmation from the California Coastal Commission affirming whether or not the site was located within a Coastal Bluff, the Commission was unable to evaluate or properly consider the proposed development in light of the Regional Guidelines pertaining to projects on or near Coastal Bluffs.

Therefore in this case, based on the technical information provided and the public testimony, the City determined that there was not adequate information find the project consistent with the Chapter 3 policies of the Coastal Act.

The second factor is the scope of the development as approved or denied by the local government. Here, the proposed development denied by the local government is a 49 unit residential development, not a type of development that is prioritized by the policies of Chapter 3, and the local decision is a denial. The posture in which this proposal comes to the Commission is one in which, if the local decision is allowed to stand, the scope of development would be nil. Put differently, the scope or extent of the development *denied* is limited to the proposed 49 unit residential development, and that denial does not rob the site of any facilities promoted by Chapter 3; and the scope of the development *approved* is none.

The third factor is the significance of the coastal resources affected by the decision. Again, because the local decision is a denial, leaving the local decision in place by declining to accept the appeal would not have any significant affect on any coastal resources. Moreover, as also indicated above, since residential use is a low priority use under the Coastal Act, and there is no Coastal Act policy promoting or protecting residential use, the denial does not represent the loss of any potential improvement of coastal resources. If the local decision were an approval, the Commission would need to consider the significance of the protection of public coastal resources, such as coastal views, community character, coastal access, and geologic hazards, potentially impaired by the development, and thus, the decision. However, given the current posture of the decision, if the local decision is allowed to stand, the public resources that *could have* been affected by the proposed development, regardless of how significant, will be fully protected.

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. Although the City has no certified LCP, this decision could nevertheless have a precedential impact on future decisions under this governing standard. The City's denial of the proposed project is consistent with several precedents relating to location of the development to a coastal bluff and minimizing risks to life and property. Approval of the proposed project with a lack of information addressing the concerns raised by the Planning Commission with regards to bluff setbacks and geologic hazards would be a bad precedent that would prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the Coastal Act.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. Although proper siting of development along coastal bluffs and minimizing geologic risk are important statewide issues, the applicant's appeal of the City's denial does not raise any issues of regional or statewide significance because the City's denial protects the public resource and it is consistent with Commission precedents.

Therefore, in conclusion, the Commission finds that the City used proper discretion in denying the local coastal development permit, finding that the proposed development does not comply with

Chapter 3 of the Coastal Act. Moreover, the local government action does not raise any substantial Chapter 3 issues. Therefore, no substantial issue exists with respect to the Chapter 3 policies of the Coastal Act.

Appellant's contentions

The Commission responds to the appellant's contentions, as follows:

1. City's action fails to determine the site is not on a coastal bluff or cliff.

Section 13311 of the California Coastal Commission Regulations state in part:

A coastal development permit shall be deemed issued (a) when final review has occurred, (b) when, if applicable, all local rights of appeal have been exhausted and (c) when findings have been made that the interpretive guidelines have been reviewed and that the proposed development conforms with the requirements of Public Resources Code, Section 30604(a) and with any applicable decision set by the commission pursuant to Public Resources, Section 30625(c).

The City's coastal development permit ordinance 151.603 states in part that:

(c) That the interpretive guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in light of the individual project in making its determination.

The Planning Commission staff report states in part that:

The project site is an exposed downslope lot that sits on a bluff top, however, the project can not be properly analyzed in light of Coastal Commission's Regional Interpretive Guidelines concerning its location on or near coastal bluffs without proper verification confirming whether the project site is within a "Coastal Bluff" as defined in the Coastal Act.

The interpretive guidelines are designed to provide direction to decision-makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. The guidelines in part pertain to density, landform grading and siting of development within areas of coastal bluffs. The location of a coastal bluff can affect density, grading and siting of development. According to the Planning Commission's Determination report, the Regional Interpretive Guidelines suggest a minimum 25-foot setback from the edge of any coastal bluff. The report states that:

...based on the site's topography and testimony presented at the hearing, there was conflicting information as to whether the site was located within a Coastal Bluff as defined in the Coastal Act. In addition, there was conflicting information between the city's maps and the Coastal Commission's maps concerning whether the site's location was within the single-permit vs. dual permit jurisdiction zone and the map does not contain lot lines to accurately determine the site's location. California Coastal Commission staff conveyed to city staff that verification concerning the site's location on a Coastal Bluff or within the single or dual permit jurisdiction zone would

require investigation by Coastal Commission geologist and possibly require a topographical survey.

In the absence of definitive confirmation from the California Coastal Commission affirming whether or not the site was located within a coastal Bluff, the Commission was unable to evaluate or properly consider the proposed development in light of the Regional Guidelines pertaining to projects on or near Coastal Bluffs.

Although the Planning Commission Determination report states that due to lack of information the Commission was unable to properly consider the proposed development in light of the Regional Guidelines, the City's Planning Commission did consider the Regional Guidelines in making their determination and determined that there was a lack of information to find the project consistent with the guidelines. Moreover, since the standard of review is the project's consistency with the policies of the Coastal Act, not the Regional Interpretive Guidelines, the City found the project inconsistent with the Coastal Act based on lack of information to assure that potential hazards would be properly mitigated, the determination and location of the coastal bluff was not necessary in the City's denial of the proposed development and would not prejudice the City's ability to develop a LCP. Therefore, the appellant's contention does not raise a substantial issue with respect to consistent with the Chapter 3 policies of the Coastal Act.

2. City's action fails to determine the site is not within 300 feet of a coastal bluff or cliff

The appellant is referring to Section 30601 of the Coastal Act that states in part:

Prior to certification of the local coastal program and, where applicable, in addition to a permit from local government pursuant to subdivision (b) or (d) of Section 30600, a coastal development permit shall be obtained from the commission for any of the following:

(1) Developments between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

The City found that there was conflicting information between the City's maps and the Coastal Commission's maps concerning whether the site's location was within the single-permit vs. dual permit jurisdiction zone. The 300 foot distance from a coastal bluff is one of the criteria used to determine single and dual permit jurisdiction within the City's coastal zone for purposes of determining if a coastal development permit would also be required from the Coastal Commission. Although the City found that they could not adequately make a determination as to the location of the single/dual jurisdiction line because of the uncertainty of the location of the coastal bluff, this is a procedural issue and the City's action in not making a determination as to the development's distance from the coastal bluff does not raise any issue with regards to Chapter 3 policies of the Coastal Act.

3. City's action fails to determine the site is not subject to the Regional Interpretive Guidelines

Section 13311 of the California Coastal Commission Regulations state in part that:

a coastal development permit shall be deemed issued... (c) when findings have been made that the interpretive guidelines have been reviewed...

Although the City states that there was inadequate information to consider development in light of the Interpretive Guidelines, the standard of review for the local coastal development permit is Chapter 3 policies of the Coastal Act, not the Interpretive Guidelines. This contention is a procedural issue with the City and does not raise any issue with regards to the project's consistency with the Chapter 3 policies of the Coastal Act.

4. City's action fails to determine the project is suitable under the Regional Interpretive Guidelines, if they were to apply.

Again, as stated above, the City found there was a lack of information to determine consistency with the Guidelines, which are designed to provide direction to local government decision makers. The City does not necessarily need to find the project suitable under the Interpretive Guidelines, but is required to determine if the project is consistent with the Chapter 3 policies of the Coastal Act. In the City's denial of the coastal development permit the City found, based on lack of information and potential adverse impacts, that they could not find the project consistent with the Chapter 3 policies of the Coastal Act.

5. City's action fails to determine adequacy of applicant's soils and geology report, approved by City's Department of Building and Safety, with regards to third-party geologist concerns.

The City found that there was inadequate geologic information to make a finding that the project was consistent with the Chapter 3 policies of the Coastal Act with regards to geologic hazards. Section 30253 of the Coastal Act states in part that new development shall:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

On appeal to the Zoning Administrator approval of the project, a third party geologist on behalf of the appellants, raised several technical questions and identified technical issues that, according to the Planning Commission Determination report were not properly addressed by the applicant's soils and geology report, which was approved by the City's Building and Safety Grading Division. The appellant to this appeal states that the soils and geology report did address the presence of the hydrogen sulfide gas. However, the Planning Commission was not satisfied that the approved soils report adequately responded to and addressed the issues raised by the third party geologist. Therefore, in the absence of more detailed analysis, the Planning Commission concluded that the approved report did not provide assurances that potential hazards would be mitigated. Therefore, based on lack of

A-5-PPL-13-212 (Coaloe)

information the project could not be found consistent with Section 30253 of the Coastal Act and was denied by the City.

The appellant's contention does not raise a substantial issue with respect to consistency with the Chapter 3 polices of the Coastal Act.

6. City's action fails to determine project's compliance with Section 30253 of the Coastal Act.

Although the City's Building and Safety-- Grading Division approved the project's soils and geology report, the Planning Commission, as stated above, determined that with the lack of geotechnical information the City could not find that potential geologic hazards would be adequately mitigated, therefore, could not find the project consistent with Section 30253 of the Coastal Act. Therefore, the appellant's contention does not raise a substantial issue with respect to consistent with the Chapter 3 polices of the Coastal Act.

7. City's action suggests that there is some material potential, unmitigated hazard related to hydrogen sulfide, that has been detected on site.

Hydrogen sulfide gas is a highly flammable, explosive gas and can cause possible life threatening situations. High concentrations can cause health problems and death. As a highly flammable and explosive gas, it is possible that pockets of high concentrations can lead to explosions; however, explosions have mainly occurred in man-made structures, such as, pipelines and enclosed buildings. Although, unlikely, if a pocket of gas does cause an explosion onsite, there is a potential the explosion could cause slope instability or jeopardize development by undermining foundations.

According to a report prepared by SASSAN Geosciences, Inc, dated January 3, 2013, which was prepared for this project and is part of the City's coastal development permit record, hydrogen sulfide is a naturally occurring phenomenon in various types of bedrock formations and is not unusual to encounter this gas in the Pacific Palisades area. The report states that test borings encountered the gas only in borings deeper than 70 feet. The report concludes that the drilling of soldier pile shafts will be monitored and safety measures will be followed pursuant to California's Division of Occupational Safety and Health requirements.

According to the Planning Commission Determination report, the Commission determined there was a lack of geotechnical information and could not find that potential geologic hazards would be adequately mitigated, therefore, they could not find the project consistent with Section 30253 of the Coastal Act. The City, during the public hearing process, raised the issue of the presence of hydrogen sulfide and the potential hazard. Although the City's Building and Safety Division approved the applicant's geotechnical report and the applicant submitted a separate report addressing hydrogen sulfide on the site, the Planning Commission was not satisfied that the approval letter issued by the Department of Building and Safety adequately provided or identified measures to safely address or mitigate the presence of hydrogen sulfide on the site, and determined that this issue raised a concern with regards to the project's consistency with Section 30253 of the Coastal Act. The City determined that the issue needed to be fully addressed with the City in order for the City to find the project consistent with the Chapter 3 polices of the Coastal Act, therefore, the project was denied. Therefore, the appellant's contention does not raise a substantial issue with respect to consistency with the Chapter 3 polices of the Coastal Act.

8. City's action fails to determine if the site is within the single or dual permit jurisdiction zone.

Section 30601 that states in part:

Prior to certification of the local coastal program and, where applicable, in addition to a permit from local government pursuant to subdivision (b) or (d) of Section 30600, a coastal development permit shall be obtained from the commission for any of the following:

(1) Developments between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

Within the areas specified in Section 30601, which is known in the City of Los Angeles coastal development permit program as the Dual Permit Jurisdiction area, the Coastal Act requires that the development which receives a local coastal development permit also obtain a "dual" coastal development permit from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (Single Permit Jurisdiction), the City of Los Angeles local coastal development permit is the only coastal development permit required.

As stated in contention number 2 above, the City found that there was conflicting information between the City's maps and the Coastal Commission's maps concerning whether the site's location was within the single-permit vs. dual permit jurisdiction zone.

The 300 foot distance from the top of the seaward face of a coastal bluff is one of the criteria used to determine single and dual permit jurisdiction within the City's coastal zone. Although the City found that they could not adequately make a determination because of the uncertainty of the location of the coastal bluff, this is a procedural issue and does not raise any issue with regards to Chapter 3 policies of the Coastal Act.

Conclusion

The Commission finds that no substantial issues exist with respect to the grounds on which the appeal was filed. Therefore, the applicant's contentions do not raise an issue in regards to consistency of the local decision with the Chapter 3 policies of the Coastal Act.



- SEE ▽ B4
- 1 TERRACE DR
 - 2 DRIFTWOOD PL
 - 3 SHORE DR
 - 4 TERRACE PL
 - 5 WESTVIEW LN
 - 6 PACIFIC PL
 - 7 OCEAN VW
 - 8 BONNY WY
 - 9 ROLF PL
 - 10 TANTU WY
 - 11 COCO PL

*Project Location
Pacific Ocean*

EXHIBIT NO. **1**

Application Number
A-5-PPK-13212

Vicinity Map

California Coastal Commission

SEE INSET MAP PAGE 49

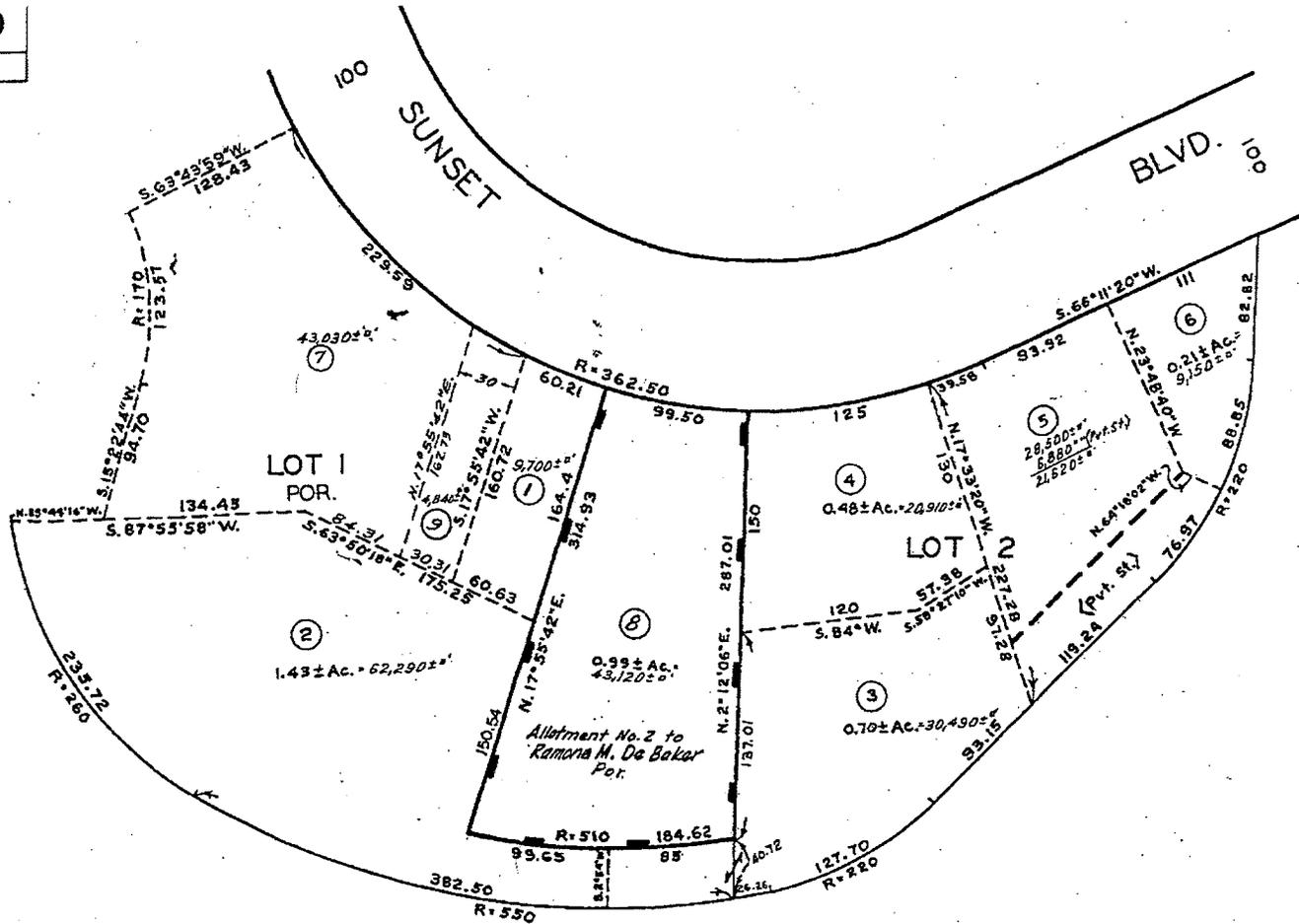
B C D E
SEE 49 MAP

1 2 3 4 5 6
SEE MAP 41

4415 | 20

SCALE 1" = 80'

REVISED
3-1-57
3-11-64
8-6-64
3-4-65
780512



TRACT NO. 10238

M. B. 206-23-26

RO. BOCA DE SANTA MONICA

D.C.C. 2405 - 17TH JUDICIAL DIST.

C.F. 72

EXHIBIT NO. 2

Application Number

Parcel Map

A-5-PPL-13-212

-20-

California Coastal Commission

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



EXHIBIT NO. 3

Application Number
A-5-PPL-13-212
Site Plan

California Coastal Commission

PIN Number: 126B117 485
 Thomas Brother Grid: PAGE 630 - GRID G6
 Assessor Parcel Number: 4415020008
 Tract: RANCHO BOCA DE SANTA MONICA
 Block: None
 Lot: PT ALLOTMENT NO 2 TO RAMONA M DE BAKER
 Arb (Lot cut reference): BAKER
 Map sheet: 25
 Fire district: 126B117
 Zoning: 23
 Lot size: [Q] R3-1 42,538.7 (sq ft)

JUN 21 2013

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL
GOVERNMENT

Sunset Creations, LLC, appeals the May 22, 2013, Determination (the "Determination") of the West Los Angeles Area Planning Commission in: CASE No. ZA-2010-1726-CDP-MEL-1A, CEQA: ENV 2010-1727-MND-REC1, pertaining to a 49-unit 84,500 square feet residential development of an in-fill project (the "Project") consisting of three buildings at 17030 Sunset Blvd., Pacific Palisades, CA.

SECTION IV. Reasons Supporting This Appeal

1. Appeal from that part of mandated finding 3 (on pages F-8 and F-9 of the Determination), which fails to determine the site is not on a Coastal Bluff or Cliff.
 - i. The lack of a proper determination prejudices the ability of the City to prepare a local coastal plan
2. Appeal from that part of mandated finding 3 (on pages F-8 and F-9 of the Determination), which fails to determine the site is not within 300 feet of a Coastal Bluff or Cliff.
3. Appeal from that part of mandated finding 3 (on pages F-8 and F-9 of the Determination) that fails to determine the site is not subject to the Regional Interpretive Guidelines.
4. Appeal from that part of mandated finding 3 (on pages F-8 and F-9 of the Determination) that fails to determine the Project is suitable under the Regional Interpretive Guidelines, if they were to apply.
5. Appeal from that part of mandated findings 1.e.3 and 6 (on pages F-7/F-8 and F-11, respectively, of the Determination) that suggests the applicant's soils and geology report as approved by building and safety fail to adequately address issues or certain questions earlier raised by a third-party geologist. Appeal also from any implication the questions are material to the determination under mandated finding 1.e.3.

EXHIBIT NO.	4
Application Number	7-5-PDL-13-212
Appellant Letter	
California Coastal Commission	

6. Appeal from that part of mandated finding 1.e.3 (on pages F-7 and F-8 of the Determination) that fails to find the Project complies with Section 30253 of the Coastal Act.
7. Appeal from that part of mandated findings 1.e.3 (on pages F-7 and F-8 of the Determination) that there is some material, potential, unmitigated hazard related to hydrogen sulfide.
8. Appeal from that part of mandated findings 6 and 9 (on pages F-10 and F-11, respectfully, of the Determination) that there is some material, potential hazard related to hydrogen sulfide that would not be mitigated.
9. Appeal from that part of mandated finding 3 (on pages F-8 and F-9 of the Determination) that fails to determine whether the site is within the single-permit or dual-permit jurisdiction zone.
10. Appeal from that part of mandated finding 3 (on pages F-8 and F-9 of the Determination) that fails to determine the site is within the single-permit jurisdiction zone.
11. Appeal from all of mandated findings 6 and 9 on pages F-10 of the Determination).

Synopsis of Selected Arguments Supporting Appeal
(Paragraph numbers correspond to Appeal Reasons)

1. & 2. Project not on or within 300 foot of a Coastal Bluff or cliff (Contrary to Finding 3)
 - under the Coastal Act definitions, the site is not on, or within 300 foot of, a Coastal Bluff of Cliff
 - all available information was presented to Commission
 - included copy of map from Coastal Commission office, City's Zimas mapping system, photographs, topography maps
 - Commission voted subjectively, not on Coastal standard
 - Please Concurrently submitted: Coastal Bluff Determination Question prepared by SASSAN Geosciences Inc, 6/5/13.

i. The lack of determination negatively impacts the ability of the City to prepare its LCP. The lack of determination also negatively impacts the ability of the City to evaluate projects.

3. & 4. Project not in violation of Interpretative Guidelines (Contrary to Finding 3)

- the guidelines are not required development standards
- finding required only as far as decision maker considered them but Project not required to adhere to them
- no LCP to conform to
- City has adopted standards, general and site specific (zoning, "Q" conditions, local plan)

5. Applicant did address third party geologist (Contrary to Finding 1.e.3)

- City B&S Dept, Grading Division, reviewed appellant's geologist report and applicant's geologist's response and found no issues (letter dated July 3, 2012)
- third party geologist did not present new data
- applicant has approval of Soils Report for Project and all amendments
- on hydrogen sulfide, please see arguments at 7 & 8 below

6. The Project complies with Coastal Act Section 30253 (Contrary to Finding 1.e.3)

- The City's Department of Building and Safety approved the Project's Soils and Geology Report.
- That approval includes the Building and Safety Grading Division's updated approval letter dated July 3, 2012
- Please see, also, the arguments in 1-5 above and 7-11 below

7. & 8. Presence of hydrogen sulfide ("HS") negligible, analyzed & mitigated to extent necessary (Contrary to Findings 1.e.3, 6 and 9)

- presence of HS recognized by appellant reports/observations and addressed
- HS is heavier than ambient air
- No methane gas within the Project site (ZIMAS)

- historical presence of HS locally and elsewhere, common occurrence not requiring mitigation
- testimony of City Grading Staff before Commission
- reports approved by B&S Grading included HS analysis

9. & 10. Determination of Single or Dual Permit Jurisdiction (Contrary to Finding 3)

--Announcement at the commencement of March 6, 2013, public hearing that the City Attorney had indicated the Project in fact is located in a single permit jurisdiction

--City's Zimas mapping system had indicated dual jurisdiction

--However, Coastal Commission map indicates [REDACTED]

--The arguments in 1 and 2 above are determinative that the Project is not on or within 300 feet of a Coastal Cliff

--Thus the Project is located in a single permit jurisdiction

11. The Project is entitled to environmental clearance under CEQA MND (Contrary to Finding 6)

--City previously approved and certified environmental document under CEQA

--Applicant is appealing each element in Finding 6 in derogation of the City's prior CEQA approval

--Some elements in Finding 6 are outside the CEQA process.

--Some elements in Finding 6 are unsupported by the record.

--Traffic (access, circulation):

--DOT did review studies by applicant's expert

--The studies by applicant's expert analyzed and considered the site's location on the end of a curve, line of site, and other factors in the expert's positive opinion

--DOT does not review access or internal circulation, until the project design is before DOT in an administrative review process

--Torrey Pines:

--Neither the proposed driveways into the project nor any deceleration lane requires the removal of the Torrey Pines

--Applicant wants to preserve the Torrey Pines

--The driveways can be raised to provide protection for the Torrey Pines

--Soils Reports: Please see arguments 5 and 6 above.

--Hydrogen Sulfide: Please see arguments 7 and 8 above.

Background

On October 20, 2011 the City of Los Angeles approved a Coastal Development Permit for a 49-unit 84,500 square foot residential building consisting of three buildings. In its approval the Zoning Administrator made affirmative findings as to the California Coastal Act pursuant to Chapter 3.

On May 22, 2013, on an appeal, the West Los Angeles Area Planning Commission overturned that approval based, in part, on not knowing if the Project was located on a Coastal bluff as defined by the Coastal Act. The Regional Interpretative Guidelines contain different development standards than the City's. The City's standards are based on zoning, specific site development standards ("Q" conditions), and the Brentwood-Pacific Palisades community plan. All of these have been adopted by the City Council.

The Project is an in-fill project, as favored by the Coastal Act. "[T]he proposed Project is located in an area that is already developed consisting of single day's family and multiple days family residential uses as well as institutional uses, thereby making the Project site continues with, and in close proximity to existing developed areas that are able to accommodate it." (Determination, mandated finding 1.e.1, page F-5; Section 30250(a) of the Coastal Act.)

The Project is fully compliant with the Mello Act, with all low or very low-income residential units on site and included within the Project.

The Project is designed to conform to all of the provisions of the L.A.M.C. The applicant seeks no relief or deviation from the Los

Angeles Municipal Code concerning density, height, floor area, yards, open space, retaining walls or parking. (Determination, mandated finding 1.e.2, pages F-6, F-7.)

The design incorporates a walking path (the "Canyon Trail") leading from the foyer of Building one, then threading through Buildings two and three, terminating at the common open space area to the rear of the lot below Building three. (Determination, mandated finding 1.e.2, page F-7.)

The design also incorporates a number of other "green" features that will qualify it for Leeds certification.

PROJECT CHRONOLOGY

The proposed project has undergone an unusual number of repeated reviews and hearings. Repeated reviews include those for geology, transportation, traffic, and environmental clearance under CEQA. Most of these have been done by the City Department in charge of the relevant subject matter.

Repeated hearings include those by the City of Los Angeles Planning Department's West Los Angeles Area Planning Commission (and Zoning Administrator).

Of particular note is a hearing by the West Los Angeles Area Planning Commission on January 16, 2013 where two motions were voted upon; one to deny the appeal and one to approve the appeal. Neither motion received enough votes to carry, letting the Zoning Administrator approval to stand.

At that hearing, one of the Commissioners stated that the project had been vetted enough. However an opinion by the City Attorney asserted that Commissioners still had jurisdiction and needed to hold another hearing. At that hearing, the Commissioners voted to approve the appeal, as reflected in the Determination.

The following is an abbreviated list of reviews and hearings the proposed project has undergone:

- 2.14.11 Issuance of Mitigated Negative Declaration (MND)
- 4.28.11 Public Hearing by Zoning Administrator (ZA)
- 8.25.11 MND Reconsideration issued because haul-route mitigations were excluded
- 10.20.11 ZA Decision letter issued approving project
- 10.30.11 Appeal filed by Amy Greenwood
- 11.2.11 Appeal filed by Edgewater Homeowners Assoc
- 11.16.11 Comm Hearing continued because City Attorney opinion that MND Reconsideration was not properly circulated
- 2.15.12 Comm Hearing continued because B&S soils review of 3rd party geologist and project geologist not completed
- 4.18.12 Comm Hearing continued because B&S soils review of 3rd party geologist and project geologist not completed
- 7.18.12 Comm Hearing continued because B&S soils review of 3rd party geologist and project geologist not completed
- 8.15.12 MND Reconsideration issued based on B&S Soils review
- 10.03.12 Comm Hearing continued because of omissions in MND/Reconsideration omissions
- 1.16.13 West LA Commission conducts public hearing on Appeal; two motions voted, both failed to pass, ZA Decision stands
- 1.18.13 Opinion by City Attorney that no action was taken by Commission requiring that it be returned to Commission for another hearing
- 3.6.13 Re-Hearing by West LA Area Planning Commission
- 5.22.13 Determination Letter Issued by West LA Area Planning Commission

SUPPORTING DOCUMENTS

Concurrently submitted: Coastal Bluff Determination Question prepared by SASSAN Geosciences Inc, 6/5/13. This report analyzes the proposed project's geology per Coastal Commission standards and determines it is not on a coastal bluff.

Other documents and arguments will be provided in support of this appeal.



WEST LOS ANGELES AREA 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: MAY 22 2013

CASE NO: ZA-2010-1726-CDP-MEL-1A
CEQA: ENV 2010-1727-MND-REC1

Location: 17030 West Sunset Boulevard
Council District: 11
Plan Area: Brentwood-Pacific Palisades
Zone: [Q]R3-1
District Map: 126B117

RECEIVED
South Coast Region

MAY 24 2013

Applicant: Stephen Coaloa

Appellants: 1) Amy C. Greenwood
2) Edgewater Towers Homeowners Association

CALIFORNIA
COASTAL COMMISSION

At its meeting on **March 6, 2013**, the following action was taken by the West Los Angeles Area Planning Commission:

1. Granted the appeals.
2. Overturned the Zoning Administrator's Decision and denied the Coastal Development Permit.
3. Adopted the Revised Findings.
4. Did not adopt the environmental clearance ENV-2010-1727-MND-REC1.

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: Commissioner Halper
Seconded: Commissioner Donovan
Ayes: Commissioners Foster and Martinez
Noes: Linnick

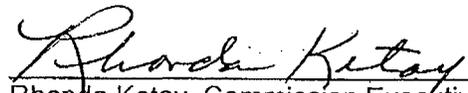
Vote: 4 - 1.

Effective Date

Effective upon the mailing of this notice

Appeal Status

Not further appealable to City Council


Rhonda Ketay, Commission Executive Assistant
West Los Angeles Area 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 1094.5. There may be other time limits which also affect your ability to seek judicial review.

EXHIBIT NO.	5
Application Number	A-5-PPK-13-212
Planning Commission	Report
California Coastal Commission	

1/12

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the statements made at the public hearing on January 16 and March 6, 2013, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, The West Los Angeles Area Planning Commission finds that the requirements and prerequisites for granting a coastal development permit as enumerated in Section 12.20.2 of the Municipal Code have not been established by the following facts:

BACKGROUND

The subject site is a downward-sloping, south facing parcel located at the base of the Santa Monica Mountains and is located within the dual permit jurisdiction area of the California Coastal Zone and is within the Brentwood-Pacific Palisades Community Plan. The site is located within a Hillside Area, a Very High Fire Hazard Severity Zone and is within a Landslide area.

The site contains approximately 42,539 square feet with approximately 99 feet of frontage on the south side of Sunset Boulevard and a variable depth between approximately 287 feet and 314 feet. The site is located approximately 325 feet from Pacific Coast Highway and 400 feet from the shore line. The site is a vacant, unimproved parcel and is zoned [Q]R3-1. The 'Q' Qualified Condition on the site imposes the following development limitations on the site: (1) the height of any portion of a building or structure within 50 feet of property zoned R1 or more restrictive shall not exceed a maximum height of 30 feet and or a maximum height of 35 feet for any portion of building or structure within 100 feet of property zoned R1 or more restrictive; (2) a 20-foot rear yard is required; (3) a 10-foot side yard is required for any portion of building within 50 feet of an R1 zoned lot or more restrictive; and (4) guest parking at a ratio of .25 parking spaces for each rental dwelling unit or .50 parking spaces for each condominium unit is required in excess of code required parking.

Pursuant to the California Coastal Act and to the provisions of Section 12.20.2 of the L.A.M.C. and the applicant requested a Coastal Development Permit for the construction of a new approximately 84,500 square-foot residential development containing a total of 49 dwelling units; and, pursuant to Government Code Section 65590 the applicant is requesting a Mello Act Compliance Determination. The Mello Act is a statewide law that requires local governments to comply with certain provisions designed to preserve and increase the supply of affordable housing in California's coastal zone. The Mello Act applies to any proposal to convert or demolish existing housing, or to develop new housing in the coastal zone. The project is a new housing development in excess of nine (9) dwelling units and is subject to the Mello Act's requirements concerning Inclusionary Residential Units.

Excavation and earthwork for the proposed development, including the subterranean parking structure, is estimated at approximately 19,000 cubic yards.

Public Hearing:

The following is a summary of key issues raised at the January 16, 2013 and March 6, 2013 public hearings by appellants and opponents of the project:

Environmental:

ENV-2010-1727-MND-REC1 issued for the proposed project is inadequate as it did not adequately analyze the impacts and mitigate the significant impacts associated with:

- Traffic impacts and traffic circulation patterns
- Hazards due to access to and from the site
- Presence of hydrogen sulfide on the site and public safety during excavation activities.

Geology/Hazards

The site is on a landslide and poses a serious danger and safety threat to surrounding properties in the event of a landslide. The approved soils report does not adequately address drainage or the proposed sewer connections. The approved soils report does not acknowledge or identify mitigation measures to address the presence of hydrogen sulfide on the site. Questions raised by a third party peer review of the geotechnical reports have not been adequately addressed.

Traffic Safety & Access:

The project site is located on a dangerous curve and visibility for cars entering and exiting the site is not adequate. Traffic on Sunset is fast moving and has a high ratio of traffic accidents. There are serious traffic accidents on this curve every year. If left turns into the project site are prohibited, this will result in a longer more circuitous route to the project site for northbound traffic and vehicles will simply be forced to make unsafe left turns into the project site or u-turns further along Sunset Boulevard. This will alter traffic patterns that have not been properly analyzed.

Off-site improvement to the intersection of Sunset Boulevard and Marquez Avenue should be required.

Coastal Bluff:

The project site is an exposed downslope lot that sits on a bluff top, however, the project can not be properly analyzed in light of the Coastal Commission's Regional Interpretive Guidelines concerning its location on or near coastal bluffs without proper verification confirming whether the project site is within a "Coastal Bluff" as defined in the Coastal Act.

Biological

Torrey Pine Trees have been planted within the right-of-way along Sunset Boulevard, that while not protected trees, are very rare trees that are significant to the community. There are at least three Torrey Pine Trees along the site's frontage that frame the view on the site and if removed will have an impact on scenic vistas.

Streets:

Sunset Boulevard is designated as a Scenic Major Highway Class II dedicated to a width of 100 feet and is improved with two travel lanes in each direction, street trees, but no sidewalk abutting the subject property.

Previous zoning related actions on the site/in the area include:

Subject Property:

Ordinance No. 170,768 - On November 14, 1995, the City Council changed the zone of the subject property to [Q]R3-1. The [Q] condition restricts the height of buildings within 100 feet of a lot zoned R1 or more restrictive.

Case No. CDP 714-79 - In 1979, an application for a Coastal Development Permit for a 12-unit condominium was terminated at the request of the applicant.

Case No. TT-38139 - On September 25, 1979, an application was submitted for a 12-unit condominium. No action was taken.

Surrounding Properties:

Case No. ZA 2006-6000(CDP) - On July 11, 2006 an application for a Coastal Development Permit in conjunction with a Parcel Map Exemption was filed.

Case No. ZA 2005-8856(CDP) - On July 7, 2006, the Zoning Administrator approved a Coastal Development Permit authorizing the conversion of a 16,816 square-foot complex to a school for 246 students (preschool, kindergarten, grades 1 through 8), within the single permit jurisdiction of the California Coastal Zone at 17310 Sunset Boulevard.

Case Nos. ZA 2000-0648(CDP) and ZA 2000-0647(PAD) - On September 24, 2001, the Zoning Administrator approved a Coastal Development Permit authorizing the expansion of an existing private club located within the California Coastal Zone, and a determination of conditional use status and an Approval of Plans to increase the size of an existing private club and to continue the service of a full line of alcoholic beverages at 1680 Pacific Coast Highway.

MANDATED FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

Chapter 3 of the Coastal Act also contains the various policy provisions of such legislation. Pertinent to the instant request are the policies with respect to:

- a. Shoreline Access: The subject property is located on Sunset Boulevard which terminates northwest of the site at Pacific Coast Highway adjacent to the shoreline. The proposed development is located on the south side of Sunset Boulevard and will not interfere with or obstruct any access to coastal resources or ocean use.
- b. Recreation and Visitor Serving Facilities: The project site has no adjacent or nearby recreational facilities for visitors.
- c. Water and Marine Resources: This project will not impact any marine resources. The project is well above the high tide line and will not have any identifiable effect on the Pacific Ocean, or on the sandy inter-tidal zone.
- d. Environmentally Sensitive Habitat Area. The project site is within a fully urbanized area and is not located within or near any Environmentally Sensitive Habitat area, Significant Ecological Area, or in an area governed by a habitat conservation or community conservation plan. The project is limited to the boundary of the private property and does not function as part of wild life corridor, does not contain any wetland habitat. The site is presently disturbed and there is no native or natural riparian vegetation on-site.
- e. New Development:
 - 1) Section 30250(a) of The Coastal Act provides that:

"New development, except as otherwise provided in this division, shall be located within, contiguous, 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 addition, land division, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50% of the usable parcels in the area

have been developed and the created parcels would be no smaller than the average size of the surrounding parcels”.

The site is one of few remaining vacant, unimproved parcels in the area and the proposed project is an infill development within an existing developed community. Sunset Boulevard adjoining the site is a designated Scenic Major Highway Class II dedicated to a width of 100 feet and is improved with two travel lanes in each direction. The north side of Sunset Boulevard across the project site has no curb or sidewalk and the southwest side of Sunset Boulevard along the site’s frontage is improved with curb only and no sidewalks.

The adjoining property to the west has approximately 91 feet of frontage on Sunset Boulevard and is improved with a two-story 4-unit apartment while the adjoining property to the east has 125 feet of frontage on Sunset Boulevard and is improved with a two-story 23-unit apartment. Properties to the north, across Sunset Boulevard, are zoned R1-1 and are through lots with frontage on Sunset Boulevard and Bollinger Drive. These lots are oriented toward and have their access on Bollinger Drive and are improved with single-family dwellings. Adjoining properties to the south are zoned RE40-1 and are improved with a single-family dwelling to the southeast and a tennis court/open space to the southwest. Property further west on Sunset Boulevard is improved with a Self Realization Temple.

Thus, the proposed project is located in an area that is already developed consisting of single-family and multiple-family residential uses as well as institutional uses, thereby making the project site contiguous with, and in close proximity to existing developed areas that are able to accommodate it.

2) Section 30251 of The Coastal Act provides that:

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

The proposed development will not result in the obstruction of any public scenic views. Sunset Boulevard adjoining the site is a designated Scenic Major Highway Class II dedicated to a width of 100 feet and is improved with two travel lanes in each direction. The north side of Sunset Boulevard across the project site has no curb or sidewalk and the southwest side of Sunset Boulevard along the site’s

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frontage is improved with curb only and no sidewalks. The subject site has approximately 99 feet of frontage on the south side of Sunset Boulevard. The adjoining property to the north has approximately 91 feet of frontage on Sunset Boulevard and is improved with a two-story 4-unit apartment while the adjoining property to the south has 125 feet of frontage on Sunset Boulevard and is improved with a two-story 23-unit apartment.

While the site affords a view of the Pacific Ocean from a stationary position, the site is not known as a significant lookout point that draws tourists or visitors and there are no lookout points immediately above or below the project site whose views would be obstructed by the proposed development. The area surrounding the site is not pedestrian friendly due to the lack of sidewalks and is not known for high pedestrian traffic. The subject site is one of the few remaining vacant undeveloped parcels in the area and Sunset Boulevard is a winding street. The site is located on a concave curve such that as both north and south bound traffic approach the site, views to the Pacific Ocean are generally obstructed by the adjoining two-story apartments and by the time a motorist is in front of the site, Sunset curves to the north directing drivers' views away from the shore. Thus, vehicular traffic moving along the site's frontage has a very a brief and limited view to the Pacific Ocean. Consequently, the view from the site's frontage is generally afforded from a stationary position. However, as noted above, this segment of Sunset Boulevard has no sidewalks and does not have high levels of pedestrian traffic and there is no lookout or pull-out on or adjacent to the site.

With respect to potential impacts on views from Pacific Coast Highway (a designated Scenic Highway) below the subject site, the adjoining lots to the rear (south) of the site have their frontage on Pacific Coast Highway. The rear lot line of the site is located approximately 325 horizontal feet from Pacific Coast Highway and 400 horizontal feet from the shore line. There is a significant change in grade from the rear lot line of the subject site to Pacific Coast Highway. The adjoining properties to the south have a very steep down-slope. Due to the topography and based on photo simulations furnished by the applicant, it appears that the proposed development will not be visible to southbound traffic on Pacific Coast Highway and only the upper most portion of the proposed buildings will be visible in the distance to northbound traffic. Existing improvements in the foreground would be more prominently than the proposed development. Any retaining walls required for the project will not be visible.

Otherwise, the proposed development is designed to conform to all of the provisions of the L.A.M.C. The applicant is not seeking any relief

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or deviations from the L.A.M.C. concerning density, height, floor area, yards, open space, retaining walls or parking. The proposed development consists of three detached buildings that will be terraced down the hillside in an effort to reduce massing, minimize grading, and to minimize visual impacts to the extent feasible. The combined footprint of all three buildings will occupy approximately 54% of the site, the remaining 46% of the site is set aside as open areas.

The building elevations consist of a non-reflective glass façade with a venetian stucco finish. The design incorporates a walking path ("Canyon Trail") leading from the foyer of Building 1 that threads through Buildings 2 and 3 terminating at the common open space area to the rear of the lot below Building 3. The project will conform to the "Q" condition on the site, no portion of Building 3 will exceed 35 feet within 100 feet of the adjoining RE40 zoned lot and the proposed development will maintain a 20-foot rear yard. Otherwise, no improvements on the site are within 50 feet from the adjoining RE40 zoned lot and the proposed development will maintain 7-foot side yards in conformance to the code.

3) Hazards

Section 30253 of The Coastal Act provides that:

"Permitted Development shall minimize risks to life and property in areas of high geologic flood and fire hazard; and

Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs or cliffs".

The project site is a downward-sloping, south facing lot overlooking the Pacific Ocean. The northern half of the lot adjacent to Sunset Boulevard is generally level and occupied by a vacant pad. The southerly half of the lot slopes southerly towards the Pacific Ocean and has an overall change in grade of approximately 77 feet from the lowest elevation on the site to the highest elevation adjacent to Sunset Boulevard with gradients ranging from 2:1 to 6:1. The site is located within a designated seismically induced landslide hazard zone, as shown on the "Seismic Hazard Zones" map issued by the State of California.

The Department of Building and Safety Grading Division originally issued a Geology and Soils Approval Letter dated July 7, 2009 based on a review of a Geology and Soils reports prepared by Sassan Geosciences and Ray A. Eastman, CEG dated between May 14,

2004 and May 30, 2009. On appeal, a third party Geologist (on behalf of the appellants) raised several technical questions and identified technical issues that were not properly addressed by the applicant's Soils and Geology Report as approved by Building and Safety. After review and consideration of the technical issues raised by the third party geologist, the Department of Building and Safety Grading Division issued an updated approval letter dated July 3, 2012.

However, based on testimony at the Commission's appeal hearings on January 16, 2013 and March 6, 2013, the Commission was not satisfied that the approved soils report adequately responded to and addressed the issues raised by the third party geologist. Specifically, the approved soils report did not acknowledge or identify mitigations to address the presence of hydrogen sulfide on the site. In the absence of more detailed analysis, the Commissioners concluded that the approved soils report did not provide assurances that potential hazards related to hydrogen sulfide would be mitigated.

- 2. The development will/will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.**

Currently, there is not an adopted Local Coastal Program (LCP) for this portion of the Coastal Zone. In the interim, the adopted Brentwood-Pacific Palisades Community Plan serves as the functional equivalent in conjunction with any pending LCP under consideration. The adopted Brentwood-Pacific Palisades Community Plan designates the subject property for Medium Density Residential land uses with a corresponding zone of R3 and Height District No. 1. The subject site is zoned [Q]R3-1. The proposed development of 49 dwelling units is otherwise consistent with the planned land use and permitted by the underlying zone.

- 3. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination. Such Guidelines are designed to provide direction to decision-makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. In this instance, the Guidelines standards concerning the following are relevant:**

The referenced Interpretive Guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of the Local Coastal Program (LCP). The guidelines pertain to density, landform grading and development within Coastal Bluffs. The proposed development provides the required setbacks in conformance to the Municipal Code including a 20-foot rear yard. However, the Regional Interpretive Guidelines suggest a minimum 25-foot setback from the edge of any Coastal Bluff as well as density limitations.

As previously noted, the project site is a downward-sloping lot overlooking the Pacific Ocean that sits at the top of a bluff. The northern half of the lot adjacent to Sunset Boulevard is generally level and occupied by a vacant pad. The southerly half of the lot slopes down towards Pacific Coast Highway and has an overall change in grade of approximately 77 feet from the lowest elevation on the site to the highest elevation adjacent to Sunset Boulevard with gradients ranging from 2:1 to 6:1.

Based on the site's topography and testimony presented at the hearing, there was conflicting information as to whether the site was located within a Coastal Bluff as defined in the Coastal Act. In addition, there was conflicting information between the city's maps and the Coastal Commission's maps concerning whether the site's location was within the single-permit vs. dual permit jurisdiction zone. An aerial map obtained by the applicant from the California Coastal Commission indicates that the site straddles the border between the single and dual-permit jurisdiction zone and the map does not contain lot lines to accurately determine the site's location. California Coastal Commission staff conveyed to city staff that verification concerning the site's location on a Coastal Bluff or within the single or dual permit jurisdiction zone would require investigation by Coastal Commission geologists and possibly require a topographical survey.

In the absence of definitive confirmation from the California Coastal Commission affirming whether or not the site was located within a Coastal Bluff, the Commission was unable to evaluate or properly consider the proposed development in light of the Regional Guidelines pertaining to projects on or near Coastal Bluffs.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The proposed development conforms with such known applicable decisions and no conflict with any past decisions exists.

5. **The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

The project site is not located between the nearest public road and the shoreline of any body of water located within the coastal zone. Therefore, the proposed development is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act. In addition, there are no environmentally sensitive areas or known archeological or paleontological resources on the site.

6. An appropriate environmental clearance under the California Environmental Quality Act has been granted.

The West Los Angeles Area Planning Commission found that the environmental clearance issued for the proposed project, ENV-2010-1727-MND-REC1, did not adequately analyze or mitigate the proposed project's potential environmental impacts with respect to traffic, site access and internal circulation or potential presence of hydrogen sulfide. The Commission determined that the traffic assessment completed by the Department of Transportation did not consider the site's location on a dangerous curve and how the prohibition of left turns into the project site by the existing double yellow lane would affect traffic patterns and access to the site. Also, the DOT's review of the project did not address the line of sight study submitted by the applicant to evaluate safe ingress and egress to the site and did not provide a comprehensive review of the proposed driveway and internal circulation plans, which include a deceleration lane partially located within the public-right-of-way, which may or may not be feasible. The proposed deceleration lane would also potentially require removal of three existing Torrey Pine Trees along the site's frontage. The trees were planted by the local community along Sunset Boulevard and are a unique feature of the streetscape. The environmental document did not consider or adequately analyze the biological impacts of removing these trees or provide mitigation measures to address biological impacts.

The Commissioners were also not satisfied that the updated soils approval letter issued by the Department of Building and Safety on July 3, 2012 adequately responded to the issues raised by a third party geologist and the soils report analysis and MND did not provide or identify measure to safely address or mitigate the presence of hydrogen sulfide on the site.

7. The project is consistent with the special requirements for low and moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 [Mello Act].

The Mello Act is a statewide law which mandates local governments to comply with a variety of provisions concerning the demolition, conversion and construction of housing units in California's Coastal Zone. All projects that consist of demolition, replacement, conversion, and/or construction of one or more housing units located within the Coastal Zone in the City of Los Angeles must go through a Mello Act Compliance review.

This compliance review is required by the Mello Act, by the City's Interim Administrative Procedures for Complying with the Mello Act (Interim Procedures), and by the terms of the Settlement Agreement between the City of Los Angeles and the Venice Town Council, the Barton Hill Neighborhood Organization and Carol Berman concerning implementation of the Mello Act in the coastal zone areas of the City of Los Angeles.

The subject site is a vacant, unimproved parcel and no dwelling units, affordable or

otherwise, will be demolished on the property. Consequently, no affordable replacement units are required. However, the project is a new housing development in excess of nine (9) dwelling units and is subject to the Mello Act's requirements concerning Inclusionary Residential Units. The Mello Act and the City's Interim Procedures require an applicant for a new housing development to comply with Inclusionary Requirement Options (IP, Part 5.0). It affords one of two inclusionary options:

Option #1: reserve at least 20% of all residential units for Very Low or Low Income Households.

Option #2: reserve at least 10% of all residential units for Very Low Income Households.

The project consists of the construction of 49 new dwelling units. Condition Nos. 11 and 12 of this grant require conformance with the applicable provisions of the Mello Act. Specifically, Condition No. 11 requires that a minimum of 10 dwelling units be reserved for households designated Low Income or Very Low Income, or that a minimum of 5 dwelling units be reserved for households designated Very Low Income.

The site is permitted a maximum density of 53 dwelling units by-right and is eligible for a density bonus up to 35% (for a maximum density of 71 dwelling units). The applicant has not requested a density bonus to satisfy the Mello Act's Inclusionary Zoning Requirement.

ADDITIONAL MANDATORY FINDINGS

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the property is located Outside the Flood Zone.
9. On August 25, 2011, the Department of City Planning issued a Reconsideration of Mitigated Negative Declaration No. ENV 2010-1727-MND-REC1. However, as noted in more detail under Finding No. 6 above, the West Los Angeles Area Planning Commission determined that the environmental document did not adequately analyze or mitigate the proposed project's potential environmental impacts with respect to traffic, site access and internal circulation or potential presence of hydrogen sulfide

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EXHIBIT R

CALIFORNIA COASTAL COMMISSION

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

Filed: 7/26/99
Open & Continued: 8/10/99
49th Day: Waived
Staff: MG-LB
Staff Report: 3/30/00
Hearing Date: April 11-14, 2000
Commission Action:



STAFF REPORT AND RECOMMENDATION ON APPEAL
SUBSTANTIAL ISSUE AND DE NOVO
COASTAL DEVELOPMENT PERMIT

LOCAL GOVERNMENT: City of Huntington Beach

LOCAL DECISION: Approval with Conditions

APPEAL NUMBER: A-5-HNB-99-275

APPLICANT: **The Robert L. Mayer Trust
c/o The Robert Mayer Corporation
and the City of Huntington Beach Redevelopment Agency**

AGENT: Larry Brose, The Robert Mayer Corporation

PROJECT LOCATION: 5.01 acre parcel located approximately 1,000 feet inland of the northwest corner of Pacific Coast Highway and Beach Boulevard, Huntington Beach, Orange County

PROJECT DESCRIPTION: Appeal of City of Huntington Beach approval of coastal development permit to fill 0.8 acres of degraded wetland and 1.4 acres of restorable wetland for unspecified development on a 5.01 acre parcel owned by the City of Huntington Beach. Fill would occur within a 2.9-acre portion of the parcel that is zoned residential with a Conservation Overlay. The proposed off-site mitigation, which consists of the creation of 1.0 acre of new wetland and wetland transitional habitat and the enhancement of 1.4 acres of existing transitional, upland, and woodland habitat is located outside of the Coastal Zone at the Shipley Nature Center.

APPELLANTS: Coastal Commissioners Cecilia Estolano & Pedro Nava

STAFF NOTE:

1. This appeal involves the City of Huntington Beach's approval of .8 acres of wetland fill for unspecified development on a 5 acre parcel owned by the City. The City's approval was based on the application of its LCP that incorporated by reference the Commission's Interpretive Guidelines relating to wetlands. The Commission's several interpretive guidelines, adopted between 1977 and 1981, were intended to assist in understanding how Coastal Act policies may be applied at the time when they were adopted. However, interpretive guidelines are what their name denotes and do not, and indeed cannot, by virtue of their own operation and effect authorize or prohibit any particular uses of coastal resources. In this case, however, because the City of Huntington Beach elected and the Commission approved the incorporation of the wetland guidelines into the LCP, the language of those guidelines

became legally enforceable and controlling provisions of the LCP. Accordingly, decisions identified as having been made pursuant to the Commission's Guidelines were in fact made pursuant to the City's certified LCP.

The Chapter 3 policies of the Coastal Act, the Commission's regulations, and the certified LCP, provide the operative authority and standards of review for regulatory and planning decisions under the Coastal Act. On appeal, the Commission reviews the project as it was proposed to and approved by the local government for its consistency with the certified LCP and where applicable, the access and recreation policies of the Coastal Act. The LCP must be interpreted in a manner consistent with the Coastal Act and its implementing regulations. As with any application of standards of review, the application must also be interpreted in light of and conform to any judicial rulings affecting the implementation of those provisions. Examples of such rulings include *Nollan v. CCC* (1987) 483 U.S. 825, *Dolan v. City of Tigard* (1994) 512 U.S. 374, *Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003, *Sierra Club v. CCC* (1993) 15 Cal.Rptr. 2d 779, and *Bolsa Chica Land Trust v. Superior Court* (1999) 83 Cal.Rptr. 850.

2. On April 16, 1999, the Army Corps of Engineers (Corps) provided a letter of denial without prejudice to the applicants, in response to the applicant's notification to the Corps of their intent to carry out a project under the nationwide permit (NWP) 26. Because the Commission disagreed with the Corps' consistency determination for the Nationwide Permit Process, a Coastal Zone Management Act (CZMA) consistency certification or coastal development permit must be obtained prior to the applicant proceeding under the NWP 26. Because the CDP approved by the City was appealed by the Commissioners, the applicants have not yet received the required consistency with the CZMA. The Corps letter also states that, "... provisional verification is valid for a period not to exceed two years unless the NWP is modified, reissued, revoked, or expires before that time." The NWP has been modified. Recent changes to the regulations governing the NWP 26 will go into effect on June 8, 2000. The changes to the Corps regulations will reduce the maximum area of wetland fill permitted under an NWP 26 from 3 and 1/3 acres to 0.5 acres. Under the new Corps regulations, if the applicants do not receive the required CZMA consistency by June 8, 2000, they will have to re-apply for an individual Corps permit to fill greater than 0.5 acres of wetland.

SUMMARY OF STAFF RECOMMENDATIONS

The staff recommends that the Commission, after public hearing, determine that **A SUBSTANTIAL ISSUE EXISTS** with respect to the grounds on which the appeal has been filed because the locally approved development raises issues of consistency with the City of Huntington Beach certified Local Coastal Program (LCP). More specifically, the wetland fill approved by the City raises issues of consistency with certified LCP policies and standards that require that wetlands be preserved and enhanced.

The City's certified LUP specifically incorporates Section 30233 of the Coastal Act, which limits fill to eight enumerated uses. Although the City's approved coastal development permit (CDP) does not describe the future use of the site, a review of the City's record indicates that the future use is expected to be residential. Neither residential development nor grading for an unspecified future use are allowable uses under Section 30233. Therefore, the project approved by the City raises a substantial issue as to its consistency with the certified LUP policies that limit the types of use for which a wetland can be filled.

The subject site is also discussed in the Implementation Plan portion of the City's certified LCP in the Downtown Specific Plan (DTSP). The DTSP designated the subject site with a Conservation Overlay.

The Conservation Overlay states: *"If any wetland is determined by the California Department of Fish and Game (CDFG) to be severely degraded pursuant to Section 30233 and 30411 of the California Coastal Act, or if it is less than one (1) acre in size, other restoration options may be undertaken, pursuant to the Coastal Commission's Statewide Interpretive Guidelines for Wetlands and other Wet Environmentally Sensitive Habitat Areas (Commission's Guidelines)."*

With regard to wetlands less than one acre in size, the Certified LCP indicates that some fill for a non-allowable use is appropriate only if the overall project is a restoration project and if the wetland to be filled is small, extremely isolated and incapable of being restored. The project as approved by the City proposes wetland fill for an unspecified purpose within a residential zone along with an off-site mitigation plan. Therefore, the purpose of the overall project, including the fill and mitigation, cannot be considered restoration. In addition, the Fish and Game determination for the project site has determined that the freshwater wetland can feasibly be restored to a larger wetland.

With regard to other restoration projects that may be permitted under Section 30411, other than boating facilities, the Certified LCP states that such restoration projects should result in no net loss of the acreage of wetland habitat located on the site. As discussed above, the project approved by the City cannot be considered restoration and would result in the loss of all on-site wetlands. In addition, Section 30411 of the Coastal Act cannot be used as the basis for approval of new development in wetlands for otherwise non-permitted uses. Consequently, section 30411, as referenced in the LCP, cannot be used as a basis for justifying the fill of these wetlands. Therefore, the project as approved by the City raises a substantial issue as to its consistency with the certified LCP, including the Conservation Overlay.

For the reasons described below, staff also recommends that the Commission, at the **DE NOVO** public hearing, **DENY** the proposed project on the grounds that it is inconsistent with the City's certified local coastal program policies and standards regarding wetland protection. As discussed above, the proposed fill of wetlands for an unspecified purpose within a residential zone is not an allowable use under the Certified LCP or the Coastal Act. Additionally, approval of the proposed project would not comply with either the Certified LCP or the California Environmental Quality Act because there are feasible mitigation measures and alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

The applicants have submitted an alternatives analysis to the proposed fill of the on-site wetland. The analysis considered three alternatives: 1) to maintain the wetlands on-site in their current condition; 2) to restore the on-site wetlands and transitional area; and 3) to provide off-site habitat enhancement to offset proposed project impacts.

The applicant dismisses the first alternative of retaining the wetlands on-site in their current condition due to the degraded nature of the wetlands. The applicant dismisses the second alternative of on-site wetlands restoration because the primary water supply feeding the wetlands is low quality urban runoff, and if the site were restored it would provide only minimal habitat value. The third alternative, off-site mitigation, was chosen by the applicant and the City as the preferred alternative because the proposed off-site location (Shipley Nature Center) is a part of a larger wetlands and uplands habitat enhancement program, including restoration, enhancement, and creation of additional freshwater wetland. The applicant has indicated that the Shipley Nature Center is a high value habitat area.

Although the proposed mitigation site may be a significant habitat area, it does not eliminate the necessity for the proposed project to conform to the City's Certified LCP, which includes the requirements of Section 30233. Total loss of the on-site wetlands cannot be considered the least

environmentally-damaging alternative, even if higher value habitat is created elsewhere. The on-site wetlands clearly are degraded. It has been argued that the only way to finance the off-site mitigation is to allow the filling of the on-site degraded wetlands. However, there is no provision in the City's Certified LCP that would allow fill of existing wetlands in order to finance the enhancement of off-site wetlands. In addition, the Fish and Game determination for the project site has determined that the freshwater wetland can feasibly be restored to a larger wetland. Thus, the degraded nature of the on-site wetlands does not provide a basis to justify filling them. In addition, the entire parcel is 5.01 acres. Development of the parcel is clearly feasible without filling the wetland habitat. Retention of the existing wetlands on-site is thus a feasible alternative and would be less environmentally-damaging than elimination of the wetland. Therefore, the proposed project is not the least environmentally-damaging alternative and so is inconsistent with the City's certified LCP requirement to approve wetland fill only if it is the least environmentally damaging alternative.

If the fill of wetlands here were permissible pursuant to the LCP and the Coastal Act, the mitigation approved by the City is not appropriate. The Commission's Staff Ecologist has determined the total wetland acreage to be 0.696 acre. Based on the Commission's criteria, the proposed off-site mitigation to create one acre of wetland is not adequate to fully offset the proposed fill of 0.696 acres of on-site wetland habitat. The mitigation plan proposes to create only 1.0 acre of new wetland and transitional wetland habitat and to enhance 1.4 acres of existing transitional wetland, upland and woodland habitats. In order to fully mitigate the impacts of the loss of wetland, the mitigation must create in-kind habitat. Therefore, only the creation of 1.0 acre of new wetland habitat can be considered as appropriate mitigation for the proposed project.

The creation of new wetland habitat in upland areas, and areas without the appropriate naturally occurring soil types, can also be difficult to accomplish. The success rate of man-made wetland habitat is generally less than with the restoration of naturally occurring wetland habitat. The applicants propose a ratio of mitigated acres to impacted acres of 3:1; however, this ratio includes the proposed enhancement of 1.4 acres of existing transitional wetland, upland and woodland habitats. Because neither out-of-kind mitigation nor enhancement of existing wetlands can fully mitigate the loss of wetlands, only the 1.0-acre of proposed new wetland and transitional wetland habitat can be included in the mitigation ratio. Thus, the mitigation ratio is reduced to approximately 1.25:1, for the 0.8 acre of wetland the applicants propose to impact. Using the total wetland area determined by the Commission's Staff Ecologist, 0.696 acre, the proposed mitigation ratio would then be increased approximately 1.44:1.

To ensure that adverse impacts to wetlands are fully mitigated, the Commission requires a mitigation ratio sufficient to ensure that wetland habitat is successfully created. The proposed in-kind creation of 1.0 acre of new coastal brackish marsh and transitional wetland habitat is not sufficient to offset the proposed fill of 0.696 acre of existing wetland habitat because neither the kind nor amount of the proposed mitigation will assure that 0.696-acre of wetland habitat is successfully created.

Thus, the proposed project: (1) is not an allowable use under the Certified LCP because it is not for a restoration purpose and results in the loss of all on-site wetlands; (2) is not the least environmentally-damaging alternative as required by the LCP because the applicant can develop the 5.01 acre parcel without impacting the wetlands; and (3) does not fully mitigate its impacts as required by the LCP because the project does not propose in-kind mitigation in an amount sufficient to successfully create wetland habitat. Therefore, staff recommends that the Commission deny the proposed project.

STAFF RECOMMENDATIONS FOR SUBSTANTIAL ISSUE AND DE NOVO PERMIT

Procedural Note: When staff recommends substantial issue, unless three or more commissioners wish to hold a hearing on the question of substantial issue the Commission will have found substantial issue and then proceeds to a de novo hearing on the matter either at the current or a subsequent Commission meeting. If the Commission does go into a hearing on the question of substantial issue, the staff recommends that the Commission take the following actions at the conclusion of that hearing.

The staff recommends that the Commission make the following motions and adopt the following resolutions:

A. MOTION AND RESOLUTION FOR SUBSTANTIAL ISSUE

Motion: *I move that the Commission determine that Appeal No. A-5-HNB-99-275 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

Staff Recommendation:

Staff recommends a **NO** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the Commissioners present.

Resolution to Find Substantial Issue:

The Commission hereby finds that Appeal No. **A-5-HNB-99-275** presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

B. MOTION AND RESOLUTION FOR DE NOVO PERMIT

Motion: *I move that the Commission approve De Novo Coastal Development Permit No. A-5-HNB-99-275 for the development proposed by the applicant.*

Staff Recommendation of Denial:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Deny the Permit:

The Commission hereby **DENIES** a coastal development permit for the proposed development on the ground that the development will not conform with the policies of City of Huntington Beach Certified Local Coastal Program. Approval of the permit would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

LIST OF EXHIBITS:

- A. Site Vicinity Map
- B. Project Location Map
- C. Letters in Support of the Proposed Project
- D. Letters and Petition in Opposition to the Proposed Project
- E. City of Huntington Beach Notice of Action
- F. Appeal Form D
- G. SEIR 82-2 Plans Depicting Proposed Residential Housing
- H. Conservation Overlay from Downtown Specific Plan
- I. Assessor Parcel Map
- J. Photographs
- K. Vegetation Types Map (LSA) and Map Showing Area Cleared Within Conservation Overlay
- L. City of Huntington Beach Map for District 8b
- M. Department of Fish and Game Determination of Status of the Huntington Beach Wetlands, February 4, 1983
- N. Coastal Commission Memorandum, November 23, 1999
- O. Sample Elevation Points Within Project Area (LSA)

SUBSTANTIVE FILE DOCUMENTS:

- 1. City of Huntington Beach Certified Local Coastal Program.
- 2. Local Coastal Development Permit No.99-05.
- 3. Department of Fish and Game Determination of the Status of the Huntington Beach Wetlands, February 4, 1983.
- 4. Superior Court of the State of California, County of San Diego, Case No. 703570, Statement of Decision, Bolsa Chica Land Trust vs. The California Coastal Commission

5. Court of Appeal, Fourth Appellate District, Division One, State of California, Case Nos. D029161 and D030270, Statement of Decision, Bolsa Chica Land Trust v. The Superior Court of San Diego County
6. The Waterfront Development Project Addendum to SEIR 82-2, July 15, 1998
7. Biological Resources Evaluation and Jurisdictional/Wetland Delineation for the Waterfront Development Site, Huntington Beach, CA, February 4, 1998.
8. Habitat Mitigation and Monitoring Proposal (HMMP) for the Waterfront Development, LSA, December 18, 1998
9. Waterfront Development –Wetland Analysis According to Coastal Act Wetland Definition, letter from LSA to Larry Brose, The Robert Mayer Corporation, dated November 3, 1999.
10. Waterfront Development – Alternatives Analysis of Wetland and Transitional Area Resources, LSA, November 5, 1999
11. Huntington Beach “Waterfront Development”, Memorandum from John Dixon to Meg Vaughn and Teresa Henry, dated November 23, 1999.
12. Waterfront Wetlands Restoration Project, Letter and Attachments from the Robert Mayer Corporation to the Commission dated February 9, 2000.
13. Waterfront Wetlands Restoration Program, Shipley Nature Center, City of Huntington Beach Redevelopment Agency in partnership with The Robert Mayer Corporation, February 2000.
14. Army Corps of Engineers Letter dated April 16, 1999.

I. SUBSTANTIAL ISSUE FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. APPEAL PROCEDURES

i. Standard of Review

The LCP for the City of Huntington Beach (the City) was effectively certified on March 15, 1984. As a result, the City has coastal development permit (CDP) jurisdiction except for development located on tidelands, submerged lands, or public trust lands. The project approved by the City is within the City’s LCP area (Coastal Zone). Therefore, the standard of review for this substantial issue decision is the City’s certified LCP.

ii. Appealable Development

Section 30603 of the Coastal Act states:

- (a) *After certification of its Local Coastal Program, an action taken by a local government on a Coastal Development Permit application may be appealed to the Commission for only the following types of developments:*
- (1) *Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.*
 - (2) *Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.*

Section 30603(a)(2) of the Coastal Act establishes the proposed project site as being appealable by its location within 100 feet of a wetland (Exhibits A-B).

iii. Grounds for Appeal

The grounds for appeal of an approved local CDP in the appealable area are stated in Section 30603(b)(1), which states:

- (b)(1) *The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in this division.*

Section 30625(b)(2) of the Coastal Act requires a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal. If Commission staff recommends a finding of substantial issue, and there is no motion from the Commission to find no substantial issue, the substantial issue question will be considered moot, and the Commission will proceed to the de novo public hearing on the merits of the project. The de novo hearing will be scheduled at the same hearing or a subsequent Commission hearing. At the de novo public hearing on the merits of the project the standard of review is the certified LCP in light of those provisions of applicable law resulting from binding judicial rulings. In addition, for projects located between the first public road and the sea, findings must be made that any approved project is consistent with the public access and recreation policies of the Coastal Act. Sections 13110-13120 of the California Code of Regulations further explain the appeal hearing process.

iv. Qualifications to Testify Before the Commission

If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing.

The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that no substantial issue is raised by the local approval of the subject project.

At the De Novo hearing, the Commission will hear the proposed project de novo and all interested persons may speak.

v. Public Comment

Thirty-one (31) letters and one (1) citizen's petition have been received regarding the subject appeal. Twenty-two (22) of the letters are in support of the project approved by the City, and nine (9) of the letters oppose the project approved by the City. The petition was received at the February Commission meeting and is signed by 90 residents of the community who are in opposition to the project approved by the City and in support of the Commissioner's appeal.

Eight (8) of the letters of support were received from representatives of the City of Huntington Beach. Two letters, from the Robert Mayer Corporation, were in response to the February hearing Staff Report. The Mayer Corporation letters and attachments were handed out to the Commission at the February hearing. In order to minimize the length of exhibits to this staff report, the attachments were not included in this staff report; however, they are referenced as substantive file documents. Other letters of support were received from Orange County Supervisor, James Silva, the Amigos de Bolsa Chica, the Huntington Beach Chamber of Commerce, the Conference and Visitors Bureau, Huntington Dodge, the Huntington Beach Central Park Equestrian Center, Century Homes, the Bolsa Chica Conservancy, David Guido (Huntington Beach), Roxanne Lane (Huntington Beach), and Harry Crowell (Irvine).

Letters in opposition to the project approved by the City were received from the Bolsa Chica Land Trust (2 letters), Orange County Coastkeeper, Friends of Harbors, Beaches, and Parks, the Southeast Huntington Beach Neighbors Association, Jan Vandersloot, M.D., Nancy Donaven (Huntington Beach), and Ray Bervedicktus and George Hubner (San Clemente), and Tobie and Gerard Charles (Huntington Beach).

B. LOCAL GOVERNMENT ACTION

On June 23, 1999, the City Zoning Administrator held a public hearing on the proposed project. At the conclusion of the public hearing, the Zoning Administrator approved with conditions local CDP No. 99-05, finding that the project, as conditioned, conformed with the City's Certified LCP. The action by the Zoning Administrator was appealable to the Planning Commission within the City's ten- (10) working day appeal period. No appeals were filed to the Planning Commission (Exhibit E). The City's action was then final and an appeal was filed by two Commissioners during the Coastal Commission's 10-day appeal period (Exhibit F).

The project approved by the City includes off-site mitigation at the Shipley Nature Center. The mitigation plan proposes to establish approximately 1.0 acre of wetland habitat and 1.4 acres of transitional wetland/upland and woodland habitats. The mitigation site is approximately four miles to the northwest of the subject site, located within Huntington Central Park. Huntington Central Park borders the Coastal Zone boundary on the outside of the boundary (Exhibit B). The mitigation site is located approximately 1,000 feet outside of the Coastal Zone boundary.

The local CDP was approved by the City, with seven special conditions (Exhibit E). Special condition Nos. 3 through 6 address the off-site mitigation. In the City's findings, Item 1 states that the City approved the concept of the Donald G. Shipley Nature Center Habitat Enhancement and Creation Program.

C. APPELLANTS' CONTENTIONS

The Commission received the notice of final action on local CDP No. 99-05 on July 12, 1999. On July 26, 1999, within ten working days of receipt of the notice of final action, two Coastal Commissioners appealed the local action on the grounds that the approved project does not conform to the requirements of the Certified LCP (Exhibit F). The appellants contend that the proposed development does not conform to the requirements of the certified LCP in regards to the following issues:

i. Wetland Preservation and Enhancement

The City's LUP portion of the certified LCP contains policies that require the preservation and enhancement of wetlands. The subject site contains a wetland and that finding is not disputed. The wetland fill approved by the City, therefore, raises a substantial issue as to its consistency with the certified LUP policies, which require that wetlands be preserved and enhanced.

ii. Allowable Use

The City's certified LUP specifically incorporates Section 30233 of the Coastal Act. Section 30233 of the Coastal Act limits fill to eight enumerated uses. LUP Policy 8f in Section 9.5.4 reiterates that only the uses specifically identified in Section 30233 are allowed in wetlands. Although the City's approved CDP does not describe the future use of the site, the Addendum to the Supplemental EIR (SEIR 82-2) for the property indicates that the future use is expected to be residential (Exhibit G). Neither residential development nor grading for unspecified uses are allowable uses under Section 30233. Therefore, the project approved

by the City raises a substantial issue as to its consistency with the certified LUP policies that limit the types of use for which a wetland can be filled.

iii. Conservation Overlay

The subject site is addressed in the Implementation Plan portion of the City's certified LCP in the DTSP. The DTSP designated the subject site with a Conservation Overlay (Exhibit H). The Conservation Overlay states: If any wetland is determined by the CDFG to be severely degraded pursuant to Section 30233 and 30411 of the California Coastal Act, or if it is less than one (1) acre in size, other restorations options may be undertaken, pursuant to the LCP that has incorporated relevant Coastal Commission Guidelines (Exhibit H).

Based on this language the City's approval allows the on-site wetland to be filled in conjunction with an off-site mitigation program. However, with regard to wetlands less than one acre in size, the City's certified LCP indicates that some fill for a non-allowable use is appropriate only if the overall project is a restoration project. The project as approved by the City allows the fill of an existing wetland based on an off-site mitigation plan. Even though the City proposes off-site mitigation, the fill of an existing wetland can not be considered a restoration project. To be considered a restoration project, the existing wetland would need to be enhanced or new wetland would need to be created on-site.

The DTSP Conservation Overlay in the City's LCP also states that projects permitted under Section 30411, other than boating facilities, should result in no net loss of the acreage of wetland habitat located on the site. The project approved by the City would result in the loss of all on-site wetlands. Thus, the project approved by the City is not consistent with the requirements specified in the City's LCP .

iv. Bolsa Chica Decision

In addition to the inconsistencies with the certified LCP as mentioned above, the interpretation of Section 30411 contained in the DTSP Conservation Overlay is inconsistent with the Coastal Act as (see *Bolsa Chica Land Trust vs. Superior Court* (1999) 83 Cal. Rptr. 850). The appellate court held that Section 30411 may not be used as the basis for approval of uses, which would not otherwise be permitted in Section 30233 of the Coastal Act. The City's approval relies on an interpretation of the Coastal Act that has been invalidated by an appellate court. Therefore, the project as approved by the City raises a substantial issue as to its consistency with the certified LCP's Conservation.

D. SUBSTANTIAL ISSUE ANALYSIS

Section 30603(a)(1) of the Coastal Act states:

The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division

Appellants' Contentions That Raise a Substantial Issue

The contentions raised in the appeal present valid grounds for appeal in that they allege the project inconsistency with policies of the certified LCP and the Commission finds that a substantial issue is raised.

Coastal Act Section 30625(b) states that the Commission shall hear an appeal unless it determines:

With respect to appeals to the Commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Cal. Code Regs., tit. 14, section 13115(b)). In previous decisions on appeals, the Commission has been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to the Code of Civil Procedure, section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City raises a substantial issue with regard to the appellants' contentions regarding wetlands.

i. **SITE DESCRIPTION**

The subject site is located just inland of the intersection of Pacific Coast Highway and Beach Boulevard (Exhibits A and B). The wetland lies immediately to the west of Beach Boulevard. To the west of the wetland, a mobile home park formerly existed; however, the area is currently being graded in conjunction with the overall Waterfront Development project. South of the subject site is vacant land. Directly across Beach Boulevard from the subject site is a large salt marsh.

The City's approval of local CDP No. 99-05 allows the fill of 0.8 acres of wetland for unspecified development on a 5.01 acre parcel owned by the City (Exhibits I and J). The fill approved by the City would take place on a 2.9 acre portion of the parcel that is zoned "residential" with a Conservation Overlay. The northeastern most portion (approximately 1-acre) of the 2.9-acre area, which formerly contained alkali meadow habitat (Exhibit K), has already been cleared and graded. The remaining wetland area has been fenced-off. The southern 2.11-acre portion of the parcel that is not included in the conservation overlay has also been cleared and graded. Evidence of a coastal development permit for the fence and the grading and clearing activities on the 5.01 acre parcel has been requested from the City.

During periods of heavy rains, the subject wetland drains into the larger salt marsh that is across Beach Boulevard via drainpipes under the street. The wetland is not currently subject to tidal flushing due to the installation of flood control devices in the salt marsh east of Beach Boulevard to restrict seawater flow into the marsh during high tides. The subject wetland receives urban freshwater runoff from the properties to the west. However, even though the wetland is considered degraded, there is no dispute that the subject site contains wetlands as defined by the Coastal Act and the City's certified LCP.

The subject site is land use designated High Density Residential/Conservation. The zoning at the subject site is covered by the DTSP, which is a part of the Implementation Plan portion of the certified LCP. The wetland area is located in District 8b of the DTSP (Exhibit L). The use allowed in District 8b is "residential". However, a portion of District 8b is designated with a Conservation Overlay (Exhibit H). The subject site is located within the Conservation Overlay. The Conservation Overlay applies to 2.9 acres of the 5.01-acre parcel, including the area that was determined by the CDFG, pursuant to Section 30411, to be existing wetland (0.8 acre) and restorable wetland (1.4 acre). The CDFG wetland determination is contained in the "California Department of Fish and Game Determination of the Status of the Huntington Beach Wetlands", dated February 4, 1983 (Exhibit M).

Although the project approved under the local CDP includes only the fill of subject wetlands, the wetland area is part of a larger area known as the Waterfront Development Master Plan area. Environmental Impact Report (EIR) 82-2 was prepared for the Huntington Beach Downtown Specific Plan. The Waterfront Development project was conceptually discussed in that EIR. When a detailed development plan for the Waterfront Development project was proposed in 1988, a Supplemental EIR dated July 15, 1999 was prepared by EIP Associates of Los Angeles, California (SEIR 82-2, certified by the City in 1988). Proposed changes to the 1988 development plan for the Waterfront Development project required further environmental evaluation, and so the Addendum to the SEIR 82-2 was prepared. The Addendum to the SEIR is included as part of the City's record for the approved project.

Although the local approval does not describe the future use of the site, the Addendum to the SEIR indicates that the subject site is to be developed with residential development (Exhibit G).

ii. **ANALYSIS OF CONSISTENCY WITH CERTIFIED LCP**

As stated in Section A (iii) of this report, the local CDP may be appealed to the Commission on the grounds that it does not conform to the certified LCP or the public access policies of the Coastal Act. The Commission must then decide whether a substantial issue exists in order to hear the application de novo.

In this case, the appellants contend that the City's approval of the proposed project does not conform to the requirements of the certified LCP. Staff has recommended that the Commission find that a substantial issue does exist with respect to the grounds on which the appeal has been filed.

a. **Conservation Overlay**

The project location is subject to a Conservation Overlay in the certified LCP (Exhibit H). The Conservation Overlay is contained in the DTSP portion of the LCP's Implementation Plan. The subject site is located in District 8b of the DTSP (Exhibit L). Although District 8b extends beyond the subject site, the Conservation Overlay encompasses the entire project site. Development is permitted in the Overlay area only pursuant to an overall development plan for the Overlay area and subject to the following language contained in the Downtown Specific Plan Conservation Overlay (Exhibit H):

If any wetland is determined by the Department of Fish and Game to be severely degraded pursuant to Sections 30233 and 30411 of the California Coastal Act, or if it is less than one (1) acre in size, other restoration options may be undertaken, pursuant to the Coastal Commission's "Statewide Interpretive Guidelines for Wetlands and other Wet Environmentally Sensitive Habitat Areas."

The primary basis for the City's approval of the wetland fill was the above referenced language contained in the DTSP Conservation Overlay. This same language appears in the certified LUP in the Area-by-Area Discussion on page 126. The City's LCP addresses two separate restoration options where some fill of wetlands may occur for a use not specified in Section 30233. The first restoration option requires, among other things, that the subject wetland be less than one acre in size. The second restoration option applies to wetlands that have been identified by the CDFG as degraded pursuant to Section 30411. The subject site was determined to be degraded by the CDFG pursuant to Section 30411 and the wetland delineation figure and is less than one acre in size. Consequently, whether the proposed project qualifies as a restoration option allowed by the certified LCP must be evaluated.

1) **Total Wetland Acreage**

One of the circumstances in which the above-identified Conservation Overlay language applies is if the wetland in question is less than one acre in size. Based on the evaluations of the applicant's consultant, LSA Associates, Inc. (LSA) of Irvine, California and the Commission's Staff Ecologist, the subject wetland is approximately

0.696 acres (Exhibit N), which would mean that the Conservation Overlay language applies to the site (Exhibit H).

The Biological Resources Evaluation and Jurisdictional/Wetland Delineation for the Waterfront Development Site Huntington Beach, CA prepared by LSA Associates, Inc. dated February 4, 1998 (LSA Biological Evaluation) describes the 2.9 acre portion of the subject site that is subject to the Conservation Overlay. The biological evaluation includes a Vegetation Types map (Exhibit K). The map identifies the area determined by the applicant's consultant to be the 0.8-acre wetland area. Areas identified on the map, as alkali meadow, which includes plants such as alkali heath and saltgrass, were not included as part of the wetland acreage figure. The LSA Biological Evaluation finds that 0.57 acre consists of Coastal Brackish Marsh, 1.39 acre is Alkali Meadow, 0.18 acre is Ornamental Trees, and 0.72 acre of Disturbed/Ruderal vegetation. LSA concluded that only the 0.57-acre Coastal Brackish Marsh area should be considered wetland. The Commission's Staff Ecologist determined that in a later report by LSA, dated November 3, 1999, the delineated wetland areas totaled 0.58 of one acre.

LSA's biological evaluation also assesses the soils. The assessment found that the soil type at the subject site is Tidal Flats. Soils of the Tidal Flats soil series are considered hydric. However, the soils assessment also found that this native soil has been covered over by sandy fill material to depths of two to six feet. The fill is assumed to be the result of construction activity during the 1960s. The evaluation concludes that only the soils in the coastal brackish marsh, pickleweed, and cocklebur patches exhibit characteristics of hydric soils. However, hydric soils were identified at depths of two to four feet below the fill material. If the site were to be restored and enhanced, this deeper soil would be conducive to establishing wetland habitat. Therefore, the soil at the subject site has the potential to support wetland habitat.

The Commission's Staff Ecologist visited the subject site on October 14, 1999, and reviewed LSA's evaluations. The Staff Ecologist found additional areas of alkali heath, saltgrass, and willow, which also constitute wetland area. The additional wetland area totals 0.116 of one acre. Thus, the Commission's Staff Ecologist determined that the total wetland acreage on-site is 0.696 (Exhibit N).

Although the applicant's consultant identified only 0.57 acre of wetland at the subject site, the applicant decided to use the acreage figure based on the 1983 CDFG study (Exhibit M), which identified 0.8 acre of on-site wetland. The 0.8-acre area was the wetland figure used by the City when acting on the proposed project. Based on a site visit and review of the information provided by the applicant, Commission staff concurs with the applicant that the total existing wetland acreage on the site is less than one acre.

2) Application of the LCP when a Wetland is Less than One Acre in Size

Based on the Commission's staff review of additional information provided by the applicant, the total acreage for the existing on-site wetland is 0.696 acre (Exhibit N). Thus the standards that apply if the wetland acreage figure is less than one acre must be considered. The LCP's Conservation Overlay provides that if the wetland is less

than one acre in size other restoration options may be undertaken if the wetland is small, extremely isolated and incapable of being restored.”

The City's certified LCP, which incorporated by reference the Commission's Interpretive Guidelines relative to wetlands and which thereby became a part of the LCP, indicates that restoration projects may include some fill for non-allowable uses (Exhibit H). However, the approved project is not itself a restoration project which might then include some fill for non-permitted uses.

The proposed project does not include any use of the subject site beyond the proposed fill itself. Grading for an unspecified use cannot be considered a restoration project. The Addendum to the SEIR prepared for the proposed project indicates that the future use of the site will be residential (Exhibit G). A project with the intended primary function as residential cannot be considered a restoration project. Although the proposed project includes an off-site mitigation plan, the purpose of the overall project, including both the fill and mitigation, cannot be considered a restoration project.

The mitigation site is located approximately four miles from the subject site, outside the coastal zone (Exhibit B). The mitigation program could go forward without the fill of the subject wetlands. In addition, the Fish and Game determination for the project site has determined that the freshwater wetland can feasibly be restored to a larger wetland. Therefore, the site is capable of being restored. Thus, the project does not meet the criteria of the certified LCP, and so is not permissible as an “other restoration option” under the Conservation Overlay in the certified Implementation Plan. In conclusion, the approved project does not qualify as a restoration project and is inconsistent with the certified LCP provisions that incorporate the Commission's Guidelines.

3) Wetlands Degraded Pursuant to CDFG Determination and Section 30411

The second circumstance in which the above-identified LCP Conservation Overlay language would apply is for the restoration of wetlands that have been identified by the DFG as degraded pursuant to Section 30411. The City's certified LCP provides for fill of degraded wetlands for a non-allowable use only if the fill is proposed in conjunction with another restoration option, and if there is no net loss of wetland acreage on the subject site (Exhibit H). The LCP, which because it incorporated the Commission's Guidelines, states: *“Projects permitted under Section 30411 other than boating facilities should result in no net loss of the acreage of wetland habitat located on the site as a minimum.”* The project approved by the City would result in the loss of all on-site wetlands. Therefore, the approved project raises a substantial issue of consistency with the LCP.

4) Bolsa Chica Decision

The interpretation of Section 30411 contained in the City's LCP by virtue of its incorporation of the Commission's Guidelines, has been invalidated by the Fourth District Court of Appeal in Bolsa Chica Land Trust vs. Superior Court, 1999, 83 Cal. Rptr. 850 (Bolsa Chica). In Bolsa Chica, the appellate court held that Section 30411 may not be used as the basis for approval of uses, which would otherwise not be

permitted pursuant to Section 30233 of the Coastal Act. The City's approval relies on an application of its LCP interpreting section 30411 in a manner that has been invalidated by the Fourth Appellate District Court of Appeal. Therefore, the project approved by the City raises a substantial issue of consistency with the certified LCP .

5) Conclusion Regarding Conservation Overlay

As identified above, the purpose of the overall project is not restoration since no wetlands will remain on site. In addition, the Fish and Game study for the project site indicates that wetland restoration at the project site can feasibly be accomplished. Therefore, the project is not allowable under the City's LCP Downtown Specific Plan Conservation Overlay, which discusses "other restoration options." Therefore, the approved project raises a substantial issue of consistency with the LCP .

b. LUP Wetland Policies

The City's certified LCP Land Use Plan contains the following wetland protection policies:

Section 9.5.4, Policy 8f:

Limit diking, dredging, and filling of coastal waters, wetlands, and estuaries to the specific activities outlined in Section 30233 and 30607.1 of the Coastal Act and to those activities required for the restoration, maintenance, and/or repair of the Municipal Pier; conduct any diking, dredging and filling activities in a manner that is consistent with Section 30233 and 30607.1 of the Coastal Act.

Section 9.5.5:

Coastal Act policies clearly restrict uses and activities that are to be allowed in wetland areas. The City implements these Coastal Act policies primarily through its designation of all wetland areas in the coastal zone as Conservation. Coastal Act policy also requires that environmentally sensitive habitats be protected against the detrimental impacts of new development when proposed adjacent to these areas. The intent of the following policies is to provide for this protection:

9. Preserve and enhance environmentally sensitive habitats including the Bolsa Chica, which is within the sphere of influence of the City of Huntington Beach.

9a. Approve only that development adjacent to wetlands and environmentally sensitive habitat areas that does not significantly degrade habitat values and which is compatible with the continuance of the habitat.

9b. Require new development contiguous to wetland or environmentally sensitive habitat area to include buffers, which will consist of a minimum of one hundred foot setback from the landward edge of the wetland where possible. If existing development or site configuration precludes a 100 foot buffer, the buffer shall be established according to the factors listed in Policy 9c and shall be reviewed by the Department of Fish and Game.

In case of substantial development or significantly increased human impacts, a wider buffer may be required in accordance with an analysis of the factors in Policy 9c.

9c. Develop specifications for buffers taking into consideration the following factors:

Biological Significance of Adjacent Lands. The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland.

Sensitivity of Species to Disturbance. The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short- and long-term adaptability of various species to human disturbance.

Susceptibility of Parcel to Erosion. The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage.

Use of Existing Cultural Features to Locate Buffer Zones. Where feasible, development should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area.

In addition to these LUP policies, the LUP includes discussion regarding the protection of wetlands (note: the LUP considers wetlands to be a type of environmentally sensitive area). Following is some of the discussion from the LUP regarding protection of wetlands:

The City's coastal plan complements efforts by State and federal agencies to protect and enhance sensitive habitat areas. Principal objectives of the plan include:

Protection of significant habitat areas by requiring wetland enhancement and buffers in exchange for development rights.

*Improvement of the aesthetic and biological quality of wetland areas.
(Section 6.3, page 64)*

In addition, Section 9.5.4 of the City's LUP specifically incorporates Section 30233 of the Coastal Act. Section 30233 limits the fill of wetlands to eight enumerated uses. Although the City's approved coastal permit does not identify any use beyond the wetland fill, the Addendum to the SEIR indicates that it is expected to be residential. Neither residential development nor grading for unspecified uses are considered allowable uses under 30233. The City's LUP Policy 8f of Section 9.5.4 reiterates that only the specifically identified uses are allowed in wetlands under Coastal Act Section 30233. The proposed fill does not constitute one of the specifically enumerated uses under Section 30233 of the Coastal Act, which is specifically incorporated into the certified LUP. Therefore, the project as approved by the City raises a substantial issue of consistency with the LUP wetland policies of the City's certified LCP.

E. CONCLUSIONS REGARDING SUBSTANTIAL ISSUE ANALYSIS

Based on an evaluation of the project approved by the City in CDP No. 99-05, it is evident that the purpose of the overall project is not restoration, since no wetlands will remain on site. In addition, the Fish & Game determination for the project site indicates that wetland restoration at the project site can feasibly be accomplished. Therefore, the project is not allowable under the City's LCP Downtown Specific Plan Conservation Overlay, which discusses "other restoration options." Section 9.5.4 of City's LUP also specifically incorporates Section 30233 of the Coastal Act which limits the fill of wetlands to eight enumerated uses. The proposed fill does not constitute one of the specifically enumerated uses under Section 30233 of the Coastal Act, which is specifically incorporated into the certified LUP. Finally, the *Bolsa Chica* decision makes clear that Section 30411 may not be used as the basis for approval of uses that would not otherwise be permitted in Section 30233 of the Coastal Act. The City's approval relies on an application of its LCP which interprets Section 30411 in a manner that has been invalidated by the appellate court in *Bolsa Chica*. For these reasons, the approved project raises a substantial issue of consistency with the City's certified LCP.

II. DE NOVO FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. STANDARD OF REVIEW

The action currently before the Commission is the de novo review of a proposed project located within the jurisdiction of the certified Huntington Beach Local Coastal Program (LCP). The Commission's standard of review for the proposed development is the certified Huntington Beach LCP. The Commission shall interpret the Huntington Beach LCP in light of applicable court rulings.

B. INCORPORATION OF SUBSTANTIAL ISSUE FINDINGS

The findings and declarations on substantial issue are hereby incorporated by reference.

C. PROJECT DESCRIPTION

The proposed project is the fill 0.8 acre of existing wetland and approximately 1.4 acres of restorable wetland for unspecified development on a 5.01 acre parcel owned by the City. The fill proposed by the applicants would occur on a 2.9-acre portion of the parcel that is zoned "residential" with a Conservation Overlay. The northeastern most portion (approximately 1-acre) of the 2.9-acre area, which formerly contained alkali meadow habitat (Exhibit K), has already been cleared and graded. The remaining wetland area has been fenced-off. The southern 2.11-acre portion of the parcel that is not included in the conservation overlay has also been cleared and graded. Evidence of a coastal development permit for the fence, grading, and clearing activities on the 5.01-acre parcel has been requested from the applicant and the City.

The proposed project includes off-site mitigation at the Shipley Nature Center. The mitigation plan proposes to establish approximately 1.0 acre of wetland habitat and 1.4 acres of transitional wetland/upland and woodland habitats. The mitigation site is approximately four miles to the northwest of the subject site, located within Huntington Central Park. Huntington Central Park borders the Coastal Zone boundary on the outside of the boundary (Exhibit B). The mitigation site is located approximately 1,000 feet outside of the Coastal Zone boundary.

The proposed project has been amended by the applicant for purposes of any de novo hearing to incorporate the conditions previously imposed by the City (Exhibit E).

D. CONSERVATION OVERLAY

As discussed above, the proposed project location is subject to a Conservation Overlay in the certified LCP (Exhibit H). The Conservation Overlay is contained in the DTSP portion of the LCP's Implementation Plan. The subject site is located in District 8b of the DTSP (Exhibit L). Although District 8b extends beyond the subject site, the Conservation Overlay encompasses the entire project site. Based on the following evaluation of the DTSP Conservation Overlay, the Commission denies the proposed project, which does not conform to the wetland policies or implementation standards of the certified LCP.

The relevant Conservation Overlay language states:

If any wetland is determined by the Department of Fish and Game to be severely degraded pursuant to Sections 30233 and 30411 of the California Coastal Act, or if it is less than one (1) acre in size, other restoration options may be undertaken, pursuant to the Coastal Commission's "Statewide Interpretive Guidelines for Wetlands and other Wet Environmentally Sensitive Habitat Areas."

i. Application of the LCP When a Wetland is Less than One Acre in Size

Based on Commission's staff review of additional information provided by the applicant, it appears that the total acreage for the existing on-site wetland is 0.696 of one acre (Exhibit N). Thus the standards that apply if the wetland acreage figure is less than one acre must be considered. The LCP's Conservation Overlay (Exhibit H) provides that if the wetland is less than one acre in size, other restoration options may be undertaken if the wetland is small, extremely isolated, and incapable of being restored.

The City's certified LCP indicates that restoration projects may include some fill for a non-allowable use (Exhibit H). However, the proposed project is not itself a restoration project, which may then include some fill for non-permitted uses. The certified LCP states: "The Commission found in its decision on the Chula Vista LCP that projects which provide mitigation for non-permitted development may not be broadly construed to be restoration projects in order to avoid the strict limitations of the permitted uses in Section 30233."

The proposed project does not include any use of the subject site beyond the proposed fill itself. Grading for an unspecified use cannot be considered a restoration project. The Addendum to the SEIR prepared for the proposed project indicates that the future use of the site will be residential (Exhibit G). A project with the intended primary function as residential cannot be considered a restoration project. Although the proposed project includes an off-site mitigation plan, the purpose of the overall project, including both the fill and mitigation, cannot be considered restoration.

The City's certified LCP also states that restoration projects may include some fill for unpermitted uses if all of the five listed criteria are met. One of the criteria is that, "The wetland to be filled is so small (e.g., less than 1 acre) and so isolated (i.e., not contiguous to a larger wetland) that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities." Although this wetland area is less than one acre in size, it is contiguous to a larger wetland area located south of Beach Boulevard. The wetlands are connected under Beach Boulevard via pipes. This larger wetland area and the smaller wetland north of Beach Boulevard were once part of a larger wetland area associated with the mouth of the Santa Ana River prior to its channelization (LSA, 1998). Furthermore, the 1983 CDFG Study (Exhibit M) concluded that this wetland area could feasibly be restored with relatively minor restoration activities. Based on these facts, the subject wetland does not meet LCP criteria that would allow restoration projects that include fill for unpermitted uses.

Another criteria that must be met requires that, "The wetland must not provide significant habitat value to wetland fish and wildlife species, and must not be used by any species which is rare or endangered." Appendix 1 of the 1983 CDFG Study (Exhibit M) on the Huntington Beach wetlands lists the presence of several wetland plant species at the subject site. LSA's studies, and the Commission's Staff Ecologist both confirmed the presence of several wetland plant species at the subject site. Staff also noted during a site visit on March 2, 2000, the presence of numerous Red-winged blackbirds (*Agelaius phoeniceus*) and one Snowy egret (*Egretta thula*) along with various other bird species. Appendix 2 of the 1983 CDFG Study is a list of the birds of the Huntington Beach wetlands. Appendix 2 of the CDFG Study lists the Snowy egret as a "Wading bird" and the Red-winged blackbird is listed under "Miscellaneous wetland-related species." It is clear that the wetland at the subject site

provides habitat value to various wetland and wetland related species. Therefore, the subject wetland does not meet LCP criteria that would allow restoration projects that include fill for unpermitted uses.

Other LCP criteria that must be met prior to granting an exception for a restoration project that may include fill for non-permitted uses require that, "Restoration of a another wetland to mitigate for fill can most feasibly be achieved in conjunction with filling a small wetland," and "Restoration of a parcel to mitigate for the fill ...must occur in the same general region (e.g., within the general area surrounding the same stream, lake or estuary where the fill occurred)." The mitigation site is located approximately four miles from the subject site, outside of the coastal zone (Exhibit B). The mitigation program could go forward without the fill of the subject wetlands. Clearly, the mitigation program is neither dependent on the on-site wetlands being filled, nor is it located in the same general region as described above. Thus, the project does not meet the criteria of the LCP and so is not permissible as an "other restoration option" under the Conservation Overlay in the certified Implementation Plan.

ii. Wetlands Degraded Pursuant to CDFG Determination and Section 30411

The second circumstance in which the above-identified LCP Conservation Overlay language would apply is for the restoration of wetlands that have been identified by the CDFG as degraded pursuant to Section 30411. The City's certified LCP provides for fill of degraded wetlands for a non-allowable use only if the fill is proposed in conjunction with another restoration option, and if there is no net loss of wetland acreage on the subject site (Exhibit H). The LCP states: "Projects permitted under Section 30411 other than boating facilities should result in no net loss of the acreage of wetland habitat located on the site as a minimum." The proposed project would result in the loss of all on-site wetlands and is thus not permissible as an "other restoration option" under the certified LCP's Conservation Overlay.

In addition, even if the proposed project could be considered a restoration project, the interpretation of Section 30411 contained in the City's LCP has been invalidated by the Fourth District Court of Appeal in Bolsa Chica Land Trust vs. Superior Court, 1999, 83 Cal. Rptr. 850 (Bolsa Chica). In Bolsa Chica, the appellate court held that Section 30411 can not be interpreted in a manner that permits uses that would otherwise not be permitted pursuant to Section 30233 of the Coastal Act. Therefore, the provisions of Section 30411 in the City's certified LCP cannot be used as a basis for justifying fill of wetlands inconsistent with the provisions of Section 30233, also contained in the City's LCP. Therefore, the proposed project must be denied.

iv. Conclusion Regarding Conservation Overlay

As identified above, the project is not allowable under the City's LCP Downtown Specific Plan Conservation Overlay, which discusses "other restoration options." Therefore, the proposed project is inconsistent with the Conservation Overlay contained in the City's certified LCP. The proposed project should therefore be denied.

E. LUP WETLAND POLICIES

The City's certified LCP Land Use Plan contains the following wetland protection policies:

Section 9.5.4, Policy 8f:

Limit diking, dredging, and filling of coastal waters, wetlands, and estuaries to the specific activities outlined in Section 30233 and 30607.1 of the Coastal Act and to those activities required for the restoration, maintenance, and/or repair of the Municipal Pier; conduct any diking, dredging and filling activities in a manner that is consistent with Section 30233 and 30607.1 of the Coastal Act.

Section 9.5.5:

Coastal Act policies clearly restrict uses and activities that are to be allowed in wetland areas. The City implements these Coastal Act policies primarily through its designation of all wetland areas in the coastal zone as Conservation. Coastal Act policy also requires that environmentally sensitive habitats be protected against the detrimental impacts of new development when proposed adjacent to these areas. The intent of the following policies is to provide for this protection:

9. Preserve and enhance environmentally sensitive habitats including the Bolsa Chica, which is within the sphere of influence of the City of Huntington Beach.

9a. Approve only that development adjacent to wetlands and environmentally sensitive habitat areas that does not significantly degrade habitat values and which is compatible with the continuance of the habitat.

9b. Require new development contiguous to wetland or environmentally sensitive habitat area to include buffers which will consist of a minimum of one hundred foot setback from the landward edge of the wetland where possible. If existing development or site configuration precludes a 100 foot buffer, the buffer shall be established according to the factors listed in Policy 9c and shall be reviewed by the Department of Fish and Game.

In case of substantial development or significantly increased human impacts, a wider buffer may be required in accordance with an analysis of the factors in Policy 9c.

9c. Develop specifications for buffers taking into consideration the following factors:

Biological Significance of Adjacent Lands. The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland.

Sensitivity of Species to Disturbance. The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short- and long-term adaptability of various species to human disturbance.

Susceptibility of Parcel to Erosion. The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage.

Use of Existing Cultural Features to Locate Buffer Zones. Where feasible, development should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area.

In addition to these LUP policies, the LUP includes a discussion regarding the protection of wetlands (note: the LUP considers wetlands to be a type of environmentally sensitive area). Following is some of the discussion from the LUP regarding protection of wetlands:

The City's coastal plan complements efforts by State and federal agencies to protect and enhance sensitive habitat areas. Principal objectives of the plan include:

Protection of significant habitat areas by requiring wetland enhancement and buffers in exchange for development rights.

*Improvement of the aesthetic and biological quality of wetland areas.
(Section 6.3, page 64)*

In addition, the City's LUP specifically incorporates Section 30233 of the Coastal Act. The Coastal Act limits the fill of wetlands to the uses specified in Section 30233 and only where there is no feasible less environmentally-damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. The following subsections describe the consistency of the proposed project with the certified LCP.

a. Allowable Use

Although the proposed project does not identify a specific use for the wetland fill, the Addendum to the SEIR indicates that the use is expected to be residential. Neither residential development nor grading for unspecified uses are allowable uses under Section 30233. The City's LUP Policy 8f of Section 9.5.4 reiterates that only the specifically identified 30233 uses are allowed in wetlands. The proposed fill does not constitute one of the specifically enumerated uses under Section 30233 of the Coastal Act, which is specifically incorporated into the City's certified LCP. Therefore, the proposed project is inconsistent with the wetland policies of the City's certified LCP. Therefore, the proposed project must be denied.

b. Alternatives

The applicants submitted an alternatives analysis prepared by LSA, dated November 5, 1999, for the proposed fill of the on-site wetland (Exhibit C). The analysis considered three alternatives: 1) to maintain the wetlands on-site in their current condition; 2) to restore the on-site wetlands and transitional area; and 3) to provide off-site habitat enhancement to offset proposed project impacts.

LSA dismisses the first alternative of retaining the wetlands on-site in their current condition due to the degraded nature of the wetlands. Regarding this alternative, the applicant's biological consultant states, in part: "As an isolated and degraded resource, the wetland and transitional area do not function as an integral part of a larger habitat area. The parcel recommended to be filled is of marginal habitat value due to its small size, isolation from other habitat areas, poor soil quality, poor water quality, and poor faunal representation."

The consultant also dismisses this alternative due to the fact that the wetland is not tidally influenced.

However, a review of LSA's February 1998 report suggests that tidal influence can be restored to the wetland, due to its connection to the salt marsh east of Beach Boulevard through pipes under Beach Boulevard. LSA's report discusses a "flap gate" that allows water to drain from the salt marsh across Beach Boulevard from the subject site, but "prevents seawater from backing up into the marsh during high tides." Therefore, the "flap gate" restricts tidal action to the salt marsh and, consequently, to the subject wetland which is connected to the salt marsh via pipes.

LSA dismisses the second alternative of on-site wetlands restoration because the primary water supply feeding the wetlands is low quality urban runoff; and, if the site were restored it would provide only minimal habitat value. The applicant's biological consultant has indicated that restoration of the on-site wetlands would provide only minimal habitat value due to its location surrounded by urban development.

According to the applicants, the mobile home park was removed in mid-1999. The pavement has been removed from the area surrounding the wetland providing a more "absorbent" surface of exposed soil. Therefore, the amount of "urban runoff" reaching the subject wetland since mid-1999 has most likely been reduced. The subject wetland, however, is still viable and is providing valuable habitat to various wetland and wetland related species as previously described in the Conservation Overlay section above.

LSA's February 1998 report also states that, "Site hydrology is also directly affected by natural groundwater levels...", and "The lowest lying area on the site, near the southern end, ponds water and appears to coincide with the level of local groundwater." LSA's February 1998 report also states that monitoring has been conducted near the subject wetland over a period of more than ten years. Although the data was not presented in LSA's report, LSA states that, "... the typical groundwater level does not exceed 1.2 feet above MSL, and probably averages less than 1.0 feet above MSL in most years." A report prepared by G.A. Nicholl, "Geotechnical EIR", dated January 22, 1998, and attached to the Addendum to SEIR 82-2 also states that groundwater elevations of monitoring wells on the Ocean Grand Resort property, "range from 1 foot above MSL to 3 inches below MSL..." An elevation survey of the subject wetland was conducted by LSA and described in, "Wetland Analysis According to Coastal Act Wetland Definition," dated November 3, 1999. LSA's survey Figure 2 (Exhibit O) indicates that the ground surface elevations above mean sea level (MSL) range from 0.09 feet above MSL in the wetland areas (wetland bottom) to 3.14 feet above MSL in the transitional and upland areas. Staff has requested that further information on the groundwater monitoring that has been conducted at the Ocean Grand Resort property, which includes the subject parcel.

Based on the information provided by LSA, the typical elevation of groundwater in the vicinity of the subject site is greater than the surveyed elevation of the wetland bottom. Direct influence by local groundwater may be providing the wetland with another, more consistent water source than urban runoff. Therefore, for the reasons stated above, the second alternative of on-site wetlands restoration cannot be dismissed by the applicants

The third alternative, off-site mitigation, was chosen by the applicant and the City as the preferred alternative because the proposed off-site location (Shipley Nature Center) is a part

of a larger wetlands and uplands habitat enhancement program, including restoration, enhancement, and creation of additional freshwater wetland. The applicant has indicated that the Shipley Nature Center is a high value habitat area; that the proposed restoration area is entirely surrounded by existing natural habitat areas; and that the wetlands at the mitigation site are reportedly fed primarily by groundwater, augmented by urban runoff and localized irrigation.

In addition, regarding the subject site, the 1983 CDFG Study (Exhibit M) states:

The portion of the study area (5.0 ac.) west of Beach Boulevard, consists of 0.8 acres of fresh/brackish water marsh and 4.2 acres of former wetland and upland, of which 1.4 acres are restorable as wetland. The 0.8-acre pocket of freshwater wetland has been degraded because of its reduced size, configuration, location and overgrown condition. In order to effect restoration of this wetland such that wildlife values are improved, it would be necessary to both expand its size and decrease the ratio of vegetated to non-vegetated wetland. In this regard, it would be highly advantageous to create non-vegetated open-water area of roughly a 4-foot depth. This 4-foot depth would be adequate to largely preclude invasion by cattails. Lastly, the wetland in this area should be fenced.

This freshwater wetland could feasibly be restored to 2.2 ac (0.8 ac of existing wetland and 1.4 ac of restorable historic wetland). ... This wetland area could be enhanced by increasing both its size and the ratio of open-water to vegetated wetland areas. We find that these restorative measures are all minor, and therefore, can be feasibly accomplished.

The CDFG Study follows this language with conditions that must be met if offsite mitigation is deemed necessary. As discussed below in the section on mitigation, these conditions are not satisfied. Moreover, it has not been demonstrated that off-site mitigation is necessary. Off-site mitigation is only evaluated as a last resort option, and the CDFG Study clearly indicates that there would be a benefit to retaining and enhancing the wetland onsite.

In addition, Section 30233, as expressly incorporated into the City's certified LCP, requires that any fill of wetlands, in addition to being an allowable use, must also be the least environmentally-damaging alternative. Given the size of the 5.01-acre parcel, the parcel can be developed without impacting the wetland area. Also, the 1983 CDFG Study clearly indicates on-site restoration is feasible. Retaining the wetland on-site and on-site wetland restoration are both feasible alternatives. Total loss of the on-site wetlands cannot be considered the least environmentally-damaging alternative, even if higher value habitat is created elsewhere. The on-site wetlands clearly are degraded. It has been argued that the only way to finance the off-site mitigation is to allow the filling of the on-site degraded wetlands. However, there is no provision in the City's certified LCP that would allow fill of existing wetlands in order to finance the enhancement of off-site wetlands. The degraded nature of the on-site wetlands does not provide a basis to justify filling them.

Although the proposed mitigation site may be a significant habitat area, it does not eliminate the necessity for the proposed project to conform to the City's certified LCP, which includes the requirements of Section 30233. Retention of the existing wetlands on-site is a feasible alternative and would be less environmentally-damaging than elimination of the wetland. Even on-site wetlands restoration would be a feasible alternative that would be less

environmentally-damaging than the fill of the wetland. Therefore, the proposed project is not the least environmentally-damaging alternative and so is inconsistent with the City's certified LCP requirement to be the least environmentally damaging alternative. Therefore, the proposed project must be denied.

c. Feasible Mitigation

Section 9.5.4 of the City's LUP policies require that marine resources, including wetlands, be maintained, enhanced and restored, where feasible, to mitigate the adverse impacts of development on the City's marine resources. Section 9.5.4, Subsection 8.f. of the City's LUP relates to the fill of wetland, and states the following:

8.f. Limit diking, dredging, and filling of coastal waters, wetlands, and estuaries to the specific activities outlined in Section 30233 and 30607.1 of the Coastal Act and to those activities required for the restoration, maintenance, and/or repair of the Municipal Pier; conduct any diking, dredging and filling activities in a manner that is consistent with Section 30233 and 30607.1 of the Coastal Act.

As determined in the preceding section of this report, the proposed fill of the subject wetland is not the least environmentally damaging alternative for the development of this parcel. In fact, the very nature of the proposed project will alter and destroy the existing wetland habitat at the subject site. Therefore, the proposed project is inconsistent with the policies set forth in the City's certified LCP.

In addition, as stated above, the 1983 CDFG Study (Exhibit M) that is referred to in the Conservation Overlay and the City's LCP, states that this wetland area could feasibly be restored to 2.2 acres of wetland area, and requires that certain conditions be met if off-site mitigation is deemed necessary. These conditions include the following requirements:

(2) The new mitigation should result in creation of at least 2.2 acres of wetlands which is presently the potential restoration acreage onsite.

(3) The site chosen must be non-wetland in its present condition.

The proposed project does not satisfy either of the above-identified LCP mitigation requirements. The proposed project includes off-site mitigation at an existing wetland area in the Shipley Nature Center. The proposed mitigation is outlined in LSA's, *Habitat Mitigation and Monitoring Proposal*, dated December 18, 1998 (HMMP). The mitigation site is located approximately four miles to the northwest of the subject site within Huntington Central Park. Huntington Central Park borders the Coastal Zone boundary on the outside of the boundary (Exhibit B). The mitigation site within the park is located approximately 1,000 feet outside of the Coastal Zone boundary.

The HMMP proposes to create 1.0 acre of new coastal brackish marsh and transitional wetland habitats, and to enhance 1.4 acres of existing transitional wetland, upland and woodland habitats within Shipley Nature Center. The proposed mitigation plan includes establishing the hydrologic regime necessary to support the new wetland habitat. The creation of the new hydrologic regime will require excavating several basins to below the average water table depth. The basins are designed to enlarge the existing wetland and open water habitat area in the preserve. Therefore, because the site chosen contains

existing wetland, the mitigation is inconsistent with the LCP requirement that the site chosen be non-wetland in its present condition.

Numerous Commission actions have established criteria for wetland fill that encourage on-site mitigation that results in no net loss of wetland habitat. If on-site mitigation is not feasible, off-site mitigation within the Coastal Zone Boundary may be allowed as a last resort. The proposed mitigation site is located approximately 1,000 feet outside of the Coastal Zone boundary. Therefore, the mitigation is not dependent on the fill of the on-site wetland, and is inconsistent with the LCP's criteria for wetland fill. In addition, because the off-site mitigation is outside of the Coastal Zone and proposes to create only 1.0 acre total of new wetland and transitional wetland habitat, the proposed mitigation is not adequate to fully offset the proposed fill of the on-site wetland habitat.

The applicants propose a ratio of mitigated acres to impacted acres of 3:1; however, this ratio includes the proposed enhancement of 1.4 acres of existing transitional wetland upland and woodland habitats. Because neither out-of-kind mitigation nor enhancement of existing wetlands can fully mitigate the loss of wetlands, only the 1.0-acre of proposed new wetland and transitional wetland can be included in the mitigation ratio. Thus, using the 0.8-acre wetland area described in the HMMP, the mitigation ratio is actually reduced to approximately 1.25:1. The Commission's Staff Ecologist has determined the total wetland acreage to be 0.696 (Exhibit N). Using the total wetland area determined by the Commission's Staff Ecologist, 0.696 acre, the proposed mitigation ratio would then be increased from 1.25:1 to approximately 1.44:1.

The mitigation plan, however, proposes to create only 1.0 acre of new wetland and transitional wetland habitat (1 acre total) and to enhance 1.4 acres of existing transitional wetland, upland and woodland habitats. Pursuant to the 1983 CDFG Study, in order to fully mitigate the impacts of the loss of wetland, the mitigation must create at least 2.2 acres of wetland habitat. Only the creation of the 1.0 acre total of new wetland and transitional wetland habitat can be considered as appropriate mitigation for the proposed project. Therefore, the project is inconsistent with the LCP requirements that the mitigation should result in at least 2.2 acres of wetland habitat.

The HMMP does not provide a detailed discussion of the proposed monitoring field methods that will be used to determine the success of the mitigation. The mitigation proposal also indicates that the restoration consultant may perform the monitoring. To ensure that the mitigation is successful, the final determination of whether the restoration meets performance standards should take place at least three years after all restoration and maintenance activities have been completed. The proposed monitoring should also be performed by an independent consultant chosen by the permitting and resource agencies, unless the applicants propose ongoing maintenance in perpetuity.

Finally, the HMMP states on page 7-2, "Specific performance standards may be waived by the Corps and CDFG if monitoring indicates good growth towards a functional habitat, or if all reasonable corrective actions have been identified and implemented." The creation of new wetland habitat in upland areas, and areas without the appropriate naturally occurring soil types can be difficult to accomplish. The success rate of man-made wetland habitat is generally less than with the restoration of naturally occurring wetland habitat. If the performance standards can be waived as described above, the expected mitigation to compensate for the loss of existing valuable wetland habitat may not be achieved.

Therefore, on-site mitigation or restoration of the existing wetland area is preferable to the proposed off-site mitigation at Shipley Nature Center.

The proposed mitigation plan for the in-kind creation of a total of 1.0 acre of new wetland and transitional wetland is not sufficient to offset the proposed fill of 0.696 acre of existing wetland habitat. Neither the type nor the amount of the proposed mitigation is adequate to offset the fill of the existing 0.696-acre of existing wetland habitat consistent with the requirements of the certified LCP. Therefore, the proposed project must be denied.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the California Code of Regulations requires Commission approval of CDP application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

Previous sections of these findings contain documentation of the significant adverse impacts of the proposed development. Specifically, the significant adverse impact resulting from the proposed project is elimination of the existing on-site wetland inconsistent with the certified LCP's wetland protection policies. Feasible alternatives exist that would eliminate the project's adverse impacts. At a minimum, a feasible alternative would be to retain the wetland on-site and provide the buffer between it and adjacent future development. An additional alternative would be to retain and restore the wetland on-site. Therefore, there are feasible alternatives available, which would substantially lessen any significant adverse impact that the activity would have on the environment including some uses allowed in Section 30233 of the Coastal Act. Therefore, the Commission finds the proposed project is not consistent with the requirements of the Coastal Act to conform to CEQA.

EXHIBIT S

CALIFORNIA COASTAL COMMISSION

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Filed: 1/24/00
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 Staff Report: 3/27/00
 Hearing Date: 4/11-14/00
 Commission Action:

STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE for A-5-PPL-00-028

LOCAL GOVERNMENT: City of Los Angeles

LOCAL DECISION: Approval with Conditions

APPEAL NUMBER: A-5-PPL-00-028

APPLICANT: J. Paul Getty Trust/Stephen Rountree

AGENT: Latham & Watkins, Attorneys at Law

PROJECT LOCATION: 17985 Pacific Coast Highway, Pacific Palisades, City of Los Angeles

PROJECT DESCRIPTION: Renovation and expansion of the Getty Villa and Museum facility (an addition of approximately 76,000 square feet to an existing 134,000 square-foot facility, for a new total of 210,000 square feet). Development includes construction of a 600-seat Outdoor Classical Theater and two partially subterranean parking structures for a net increase of 169 parking spaces. Conditions of approval limit the proposed Outdoor Classical Theater to 450 seats and require a total of 460 on-site parking spaces.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that a substantial issue exists with respect to the grounds on which the appeal has been filed because the project approved by the City raises substantial issues of conformity with regard to the Chapter 3 policies involving impacts to traffic and beach access, impacts to habitat

areas, landforms alterations, risks to life and property and stability and structural integrity in an area of high geologic hazards.

APPELLANTS: Palisades Preservation Association, Inc.; Pacific Palisades Residents Association; Barbara Kohn; and Executive Director of the California Coastal Commission, Peter Douglas

SUBSTANTIVE FILE DOCUMENTS:

1. Environmental Impact Report No. 96-0077
2. City of Los Angeles Local Coastal Development Permit No. 83-017

I. APPEAL PROCEDURES

Prior to certification of a local coastal program Section 30602 of the Coastal Act allows any action by local government on a Coastal Development Permit application pursuant to Section 30600(b) to be appealed to the Commission. Sections 13302-13319 of the California Code of Regulations provide procedures for issuance and appeals of locally issued Coastal Development Permits prior to certification of a LCP.

After a final local action on a Coastal Development Permit issued pursuant to section 30600(b) of the Coastal Act prior to certification of the LCP, the Coastal Commission must be noticed within five days of the decision. After receipt of a notice, which contains all the required information, a twenty working day appeal period begins. During the appeal period, any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission (Section 30602). Section 30621 of the Coastal Act states that a hearing on the appeal must be scheduled for hearing within 49 days of the receipt of a valid appeal. The appeal and local action are analyzed to determine if a substantial issue exists as to the conformity of the project to Chapter 3 of the Coastal Act (Section 30625(b)(1)). If the Commission finds substantial issue, the Commission holds a new public hearing to act on the Coastal Development Permit as a de novo matter.

In this case, the City's Notice of Final Local Action was received on December 28, 1999. The twenty working day appeal period was determined on that day, ending on January 26, 2000. The South Coast District office received four appeals of the Local Coastal Development Permit during the appeal period.

The Commission may decide that the appellants' contentions raise no substantial issue of conformity with the Coastal Act, in which case the action of the local government stands. Alternatively, if the Commission finds that the proposed project may be inconsistent with the Chapter 3 policies of the Coastal Act of 1976, it will find that a substantial issue exists with the action of the local government. If the Commission finds substantial issue, then the hearing will be continued open and scheduled to be heard as a de novo permit request at the same or subsequent hearing. Section 13321 specifies that de novo actions will be heard according to the procedures outlined in Section 13114 of the Code of Regulations.

In this case because the development is located within the City's single coastal development permit area, unless the Commission finds substantial issue, the local governments action is final.

II. APPELLANTS' CONTENTIONS

The City of Los Angeles Local Coastal Development Permit #98-015 approves a permit, with conditions, for, as described by the City, the development of:

Renovation and expansion of the Getty Villa and Museum facility (an addition of approximately 76,000 square feet to an existing 134,000 square-foot facility, for a new total of 210,000 square feet). Development includes construction of a 600-seat Outdoor Classical Theater and two partially subterranean parking structures for a net increase of 169 parking spaces. Conditions of approval limit the proposed Outdoor Classical Theater to 450 seats and require a total of 460 on-site parking spaces with parking spaces for up to 8 buses; and include grading and landslide remediation, widening of Pacific Coast Highway to include a turn lane and other transportation improvements along Pacific Coast Highway, Sunset Boulevard and Los Liones Drive.

The City's approval of the proposed development was appealed on January 24, 25, and 29, 2000, by four appellants. The project was appealed by Palisades Preservation Association, Inc.; Pacific Palisades Residents Association; Barbara Kohn, and by the Executive Director of the California Coastal Commission.

The appeal by Palisades Preservation Association, Inc. contends that:

1. Vehicle access will use Los Liones Drive in Los Liones State Park for egress of buses and for ingress and egress of employees, visiting scholars, delivery vehicles, and business visitors. The use of this road will be inconsistent with Sections 30604(c) and 30223 of the Coastal Act.

The appeal by Pacific Palisades Residents Association contends that:

1. The project is contrary to Section 30211 of the Coastal Act.
2. Approval of a project of this magnitude will prejudice the ability of the City of Los Angeles to prepare a local Coastal Program in conformity with Chapter 3 of the Coastal Act.
3. In approving the project, the City of Los Angeles has failed to be guided by prior relevant decisions of the Coastal Commission.
4. The project conflicts with Section 30240(a), which requires that environmentally sensitive habitat be protected from significant disruption.
5. The project violates Section 30253 by increasing risk to life and property in an area of high geologic, flood and fire hazard.
6. The project conflicts with the Interpretive Guidelines for the area as adopted by the Coastal Commission. The project alters natural landforms along bluffs, which should be prohibited under the Guidelines.

The appeal by Ms. Kohn contends that:

1. The 1983 Coastal Commission [approval] limited parking at this site to 291 spaces with visitor capacity limited to no more than 216.
2. The project will result in increased traffic on Pacific Coast Highway.
3. The project is inconsistent with Sections 30211, 30253, 30250 and 30240(a) of the Coastal Act.
4. Approval will prejudice the ability of the City of Los Angeles to prepare an LCP in conformity with the Coastal Act.

The appeal by the Executive Director contends that:

1. The proposed project site is located adjacent to Pacific Coast Highway, which provides the only access to the site. The project will add additional traffic to Pacific Coast Highway and to nearby Sunset Boulevard. Pacific Coast Highway is the major thoroughfare providing north-south access to the various beaches to the south and north of the project site. Sunset Boulevard provides east-west access to the area beaches for people living in the inland areas and to two lower entrances to Topanga State Park. Topanga State Park, which is a major recreational area, is located off of Sunset Boulevard and is within close proximity to

the project site. Additional traffic generated by the proposed development could have an adverse impact to beach access along Pacific Coast Highway and to nearby Topanga State Park.

2. One of the conditions of the City's permit requires an off-site shuttle program to transport visitors to evening performances at the proposed Outdoor Classical Theater. The off-site parking locations have not been identified in the permit. Therefore, there is a potential that use of off-site parking areas may adversely impact beach and recreational parking use if the potential sites are used by beach or recreational users.
3. In the City's approval, the City indicates that with an imposed reservation system and shuttle program adequate parking will be provided to meet the current and expanded use. The City's approval indicates that a total of 560 parking spaces will be provided but does not indicate the current parking supply, nor does it include the existing parking demand and the parking demand generated by the expansion. Furthermore, according to the City's approval, the reservation system is part of a 1974 agreement with the Sunset Mesa Property Owners Association. The agreement was not included as part of the City's approval. Without this parking information it can not be determined what potential parking impacts the proposed project would have on beach access and recreational use.

III. STAFF RECOMMENDATION, MOTION AND RESOLUTION

The staff recommends that the Commission determine that **a substantial issue exists** with respect to the City's approval of the project with the provisions of Chapter 3 of the Coastal Act (commencing with Section 30200), pursuant to Public Resources Code Section 30625(b)(1).

MOTION: Staff recommends a **NO** vote on the following motion:

I move that the Commission determine that Appeal No. A-5-PPL-00-028 raises **NO** substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

RESOLUTION:

The California Coastal Commission hereby finds that Appeal number A-5-PPL-00-028 presents a Substantial Issue with respect to the grounds on which the appeal has been filed under Section 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Area History

The proposed project includes the renovation and expansion of the Getty Villa and Museum facility (an addition of approximately 76,000 square feet to an existing 134,000 square-foot facility, for a new total of 210,000 square feet). Development includes construction of a 600-seat Outdoor Classical Theater and two partially subterranean parking structures for a total of 460 parking spaces. Conditions of approval limit the proposed Outdoor Classical Theater to 450 seats and require a total of 460 on-site parking spaces with parking spaces for up to 8 buses, and include grading and landslide remediation, widening of Pacific Coast Highway to include a turn lane and other transportation improvements along Pacific Coast Highway, Sunset Boulevard and Los Liones Drive.

The project site consists of a 64 acre parcel just off of Pacific Coast Highway in the Pacific Palisades area of the City of Los Angeles. The property is situated within a small canyon. The property is located approximately three miles northwest of the City of Santa Monica and one-half mile east of the City of Malibu.

The surrounding area is residentially developed with Topanga State Park immediately adjacent to the site to the north.

According to the EIR the J. Paul Getty Museum opened to the public in 1953 as a museum housing the art collection of its founder J. Paul Getty. The collection was housed in gallery space located at the east end of the Ranch House, the original residence purchased by J. Paul Getty. In 1957, a gallery wing was constructed adjacent to the Ranch House. In 1974 the collection was moved to the newly completed Roman villa building, which has since served as the Museum.

In 1983 the issued a Coastal Development Permit (#83-017) for the renovation and construction of two new additions to the existing Ranch House and additional staff parking for the Museum.

B. Area Planning History

The City of Los Angeles has a work program to complete a Local Coastal Program in the Pacific Palisades planning area. This work program discusses hillside development standards to reduce grading, the Sunset Boulevard corridor, and landslides above Pacific Coast Highway. There is no draft LCP for this area.

C. DESCRIPTION OF LOCAL APPROVAL

On July 20, 1999, the City's Zoning Administrator approved a coastal development permit, with conditions, for the renovation and expansion of the Getty Villa and Museum facility (an addition of approximately 76,000 square feet to an existing 134,000 square-foot facility, for a new total of 210,000 square feet). Development includes construction of a 600-seat Outdoor Classical Theater and two partially subterranean parking structures for a total of 460 parking spaces. Conditions of approval limit the proposed Outdoor Classical Theater to 450 seats and require a total of 460 on-site parking spaces.

Conditions of the City's permit also include limiting the Museum public hours from 10:00 a.m. to 5:00 p.m. five days per week and 10:00 a.m. to 9:00 p.m. one day per week. The Outdoor Theater is limited to no more than 35 evening performances and 10 performances between 10:00 a.m. and 4:00 p.m. on days when the Museum is not open to the public. Vehicle access for visitors to the Outdoor Theater is restricted to before 5:00 p.m., or no earlier than 7:00 p.m.

The Zoning Administrator's decision was appealed to the Board of Zoning Appeals by the applicant and a protestant. On September 28, 1999, the Board of Zoning Appeals denied the protestant appeal, and granted in part the appeal by the applicant.

With regards to the City's analysis of coastal issues, the City's Coastal Development Permit incorporated by reference the project's EIR (NO. 96-0077). The City's Coastal Development Permit provides an analysis of the project's consistency with applicable Chapter 3 policies of the Coastal Act, including impacts to access, scenic and visual qualities of the coastal area, Environmentally sensitive habitat areas, and hazards. Based on this analysis, the Board of Zoning Appeals found, as part of its CEQA findings, that the project is consistent with all of the applicable policies of Chapter 3 of the Coastal Act. However, as stated above, the proposed project raises substantial issues with respect to the Chapter 3 policies of the Coastal Act.

D. SUBSTANTIAL ISSUE ANALYSIS

Section 30602 of the Coastal Act states:

Prior to certification of its local coastal program, any action taken by a local government on a coastal development permit application may be appealed by the executive director of the commission, any person, including the applicant, or any two members of the commission to the commission..

Coastal Act Section 30625(b)(1) states that the Commission shall hear an appeal filed pursuant to subdivision (a) of Section 30602 (the pre-certification permit option) unless it determines:

(1) ... that no substantial issue exists as to conformity with Chapter 3 (commencing with Section 30200).

The term “substantial issue” is not defined in the Coastal Act or its implementing regulations. The Commission’s regulations indicate simply that the Commission will hear an appeal of a locally issued coastal development permit unless it “finds that the appeal raises no substantial issue in accordance with the requirements of public resources code section 30625(b) and section 13115(a) and (c) of these regulations” (Cal. Code Regs., tit. 14, section 13321.) In previous decisions on appeals, the Commission has been guided by the following factors:

1. The degree of factual and legal support for the local government’s decision that the development is consistent or inconsistent with the policies Chapter 3 of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government’s decision; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government’s coastal permit decision by filing petition for a writ of mandate pursuant to the Code of Civil Procedure, section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City raises a substantial issue with regard to the appellants’ contentions regarding coastal resources.

1. Appellants’ Contentions That Raise a Substantial Issue

Some of the contentions raised in the appeal present valid grounds for appeal in that they allege the approved project’s inconsistency with policies of the Coastal Act. As stated above, four separate appellants have filed appeals. Listed below are the appellants’ contentions that are valid grounds for appeal because they address Chapter 3 policies of the Coastal Act:

A. Public Access

(a) The appeal by Palisades Preservation Association, Inc contends that:

1. The project is contrary to Section 30211 of the Coastal Act.
2. Vehicle access will use Los Liones Drive in Los Liones State Park for egress of buses and for ingress and egress of employees, visiting scholars, delivery vehicles, and business visitors. The use of this road will be inconsistent with Section 30223 of the Coastal Act.

Section 30211 of the Coastal Act states:

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

Section 30223 of the Coastal Act states

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The approved project site abuts the lower southern portion of the 8,000-acre Topanga State Park. Los Liones Drive serves as the entrance road and parking area for the trailhead into Los Liones Canyon, which is located in the lower portion of Topanga State Park. Los Liones Drive is a local roadway providing one through travel lane in each direction and parking along both curbs.

In 1998, the Commission approved park improvements along Los Liones Drive and Los Liones Canyon (CDP no. 5-97-40). Approved improvements include additional visitor serving amenities, such as an amphitheater, picnic tables, shade structures, interpretive panels, landscaping, and hiking trails within Los Liones Canyon. According to the Department of Parks and Recreation, this entrance serves thousands of park visitors annually. The parking area, due to its relative proximity to Will Rogers State Beach (1/3 mile from the beach), also serves as beach parking.

According to the EIR and City's CDP, public access to the museum and proposed theater will be from Pacific Coast Highway, however, Los Liones Drive, located in the northern portion of the site, will be used by employees, visiting scholars, delivery vehicles, and as an exist for

buses. The EIR indicates that buses leaving the museum could stop and use the park facilities.

In responding to the EIR, the California Department of Parks and Recreation expressed concern that the project and the use of Los Liones Drive would adversely impact visitors to Topanga State Park by taking up the limited parking in the area.

The EIR and the City's present CDP do not address the impact of the approved expansion on the adjacent State Park or on the use of the park's parking lot as parking for beach use. Therefore, the local approval does not ensure that potential adverse impacts to visitor use of the park and to beach access are avoided and/or mitigated consistent with the Chapter 3 Policies of the Coastal Act. Because the park is a coastal recreational area and the parking lot provides parking for beach access, additional traffic and use of Los Liones Drive can adversely impact recreational use of the park and beach access. Therefore, the appellant's contentions raise a substantial issue with respect to Section 30211 and 30223 of the Coastal Act.

B. Traffic/ Parking

(a) Ms. Kohn contends that:

1. The project will result in increased traffic on Pacific Coast Highway and will be inconsistent with Section 30250 of the Coastal Act.
2. The 1983 Coastal Commission [approval] limited parking at this site to 291 spaces with visitor capacity limited to no more than 216.

(b) The Executive Director contends that:

1. The approved project will add additional traffic to Pacific Coast Highway and to nearby Sunset Boulevard, which will adversely impact beach access and access to Topanga State Park.
2. In the City's approval, the City indicates that with an imposed reservation system and shuttle program adequate parking will be provided to meet the current and expanded use. The City's approval indicates that a total of 560 parking spaces will be provided but does not indicate the current parking supply, nor does it include the existing parking demand and the parking demand generated by the expansion. Furthermore, according to the City's approval, the reservation system is part of a 1974 agreement with the Sunset Mesa Property Owners Association. The agreement was not included as part of the City's approval. Without this parking information it can not

be determined what potential parking impacts the proposed project would have on beach access and recreational use.

Section 30250 of the Coastal Act states:

(a) 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 addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

The 64-acre Getty Villa property is located just off of Pacific Coast Highway in the Pacific Palisades Area of the City of Los Angeles. Public access to the Getty Villa property is from Pacific Coast Highway. Additional vehicular access is provided for employees and some service vehicles via Los Liones Drive, which is located inland of Pacific Coast Highway and west of Sunset Boulevard. Coastline Drive, which serves an adjoining neighborhood, is located immediately to the west of the project site.

Pacific Coast Highway is the major thoroughfare providing north-south access to the various beaches to the south and north of the project site. Sunset Boulevard provides east-west access to the coast for people living in the inland areas and to two lower entrances to Topanga State Park. Topanga State Park, which is a major 8,000-acre recreational area, is located off of and north of Sunset Boulevard via Los Liones Drive, and is within close proximity to the project site.

Additional traffic generated by the proposed development could have an adverse impact to beach access along Pacific Coast Highway and to nearby Topanga State Park. The EIR indicates that the approved project would result in significant P.M. peak hour traffic impacts at three study intersections (Coastline Drive/Pacific Coast Highway; Porto Marino Way/Pacific Coast Highway; and Sunset Boulevard/Pacific Coast Highway). However, the City's CDP states that with the required non-concurrent use of the Outdoor Classical Theater during museum operating hours (i.e., use of the theater permitted during evenings only and outside of visitor hours to the museum), significant P.M. peak hour traffic impacts resulting from implementation of the project would occur only at the intersection of Coastline Drive and Pacific Coast Highway.

The EIR indicates that the peak parking demand by museum visitors, employees, and business visitors would increase by 10% with development of the approved project.

However, as many of the prior exhibits and programs previously accommodated at this site have been relocated to the Getty Center in Brentwood, the EIR states that it is expected that the level of visitation at the Getty Villa would be the same or lower than previous levels, making the 10% increase a conservative estimate.

However, the number of visitors to the existing museum was limited, as a condition of the City's original Coastal Development Permit (CDP #83-017), by the number of on-site public parking spaces (216) and a reservation system. [The Coastal permit cited by Ms. Kohn did in fact limit the parking spaces as noted, but was in fact issued by the City of Los Angeles under its authority granted by section 30600(b).] The limit on the number of parking spaces and the reservation system was part of a 1974 agreement with the Sunset Mesa Property Owners Association. This original reservation system was incorporated into the City's original Coastal Development Permit and has been incorporated, by reference, in this Coastal Development Permit. The approved project will provide 460 visitor-parking spaces, or 244 more spaces than approved in 1983. Although the approved project will continue the reservation system, as required by the City's approved Coastal Development Permit, the limit on the potential number of visitor vehicles will increase to 460 spaces. Neither the City's 1983 coastal development permit nor the City's current Coastal Development Permit provides information or analysis substantiating the basis for the earlier restriction to 216 visitor spaces or for the present expansion to 460 visitor spaces. The actual 1974 agreement was not included as part of the City's submitted documentation to Commission staff. Without analysis of the reasons for the limitations and without this parking agreement, the City-required reservation system and on-site parking limitations cannot be evaluated for consistency with section 30250 of the Coastal Act. Therefore, the potential parking impacts on beach access and recreational use can not be determined.

Furthermore, as a condition of the City's present permit, in an effort to reduce the parking demand by having the theater and museum operate non-concurrently, the Getty Villa will prohibit entrance of vehicles transporting visitors for theater performances to no earlier than 7:00 p.m., unless theater patrons arrive prior to 5:00 p.m.

This condition and the proposed operation has the potential to increase the on-site parking demand and traffic along PCH beyond the EIR's projected figures. First, contrary to the applicant's expectation that parking will remain the same or even decrease, there is a potential that there may be a simultaneous use of the parking facilities by museum patrons and theater patrons, which may result in an actual increase in the parking demand during the day.

Second, one can not assume that all theater patrons will arrive after the 7:00 p.m. theater parking opening. Taking into account driving distances and traffic conditions that are unpredictable, some theater patrons will undoubtedly arrive prior to 7:00 p.m. Therefore, additional traffic will be generated along PCH by theater patrons that arrive after 5:00 p.m. and before 7:00 p.m. These patrons will not be allowed onto the property and will need to

drive and find temporary parking until the 7:00 opening. This will add additional traffic to Pacific Coast Highway and the surrounding streets and could add to the parking demand in the surrounding area, including the adjoining neighborhoods

Finally, one of the conditions of the City's permit requires an off-site shuttle program to transport visitors to evening performances at the proposed Outdoor Classical Theater. The off-site parking locations or times of use have not been specifically identified in the City's Coastal Development Permit. The conditions of the Coastal Development Permit indicate that potential shuttle sites could be located along the corridor extending from Sunset Boulevard to the McClure Tunnel in Santa Monica and may include City owned parking lots or other public parking areas. Without information as to the specific lots and the times that such lots will be used, the impacts to beach access can not be determined. Therefore, there is a potential that use of off-site parking areas within the coastal zone may adversely impact beach and recreational parking if the potential sites are used by beach or recreational users or the museum/theater usurps support parking for other visitor serving uses. Therefore, the appellant's contentions do raise a substantial issue with respect to Section 30250 of the Coastal Act.

C. Environmentally Sensitive Habitat

(a) Pacific Palisades Residents Association, Inc. and Ms. Kohn contend that:

The project conflicts with Section 30240(a), which requires that environmentally sensitive habitat be protected from significant disruption.

Section 30240(a) states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

According to the EIR utilized by the City in approving the CDP, historical use of the property as a residence and for cultivation of citrus orchards, followed by museum related development, has eliminated nearly all natural vegetation from the southern and central canyon in which the project site is located. Although small numbers of coast live oak trees, western sycamores and native shrub species persist, the lower canyon is currently dominated by non-native plant species.

The southern periphery of the property and slopes lining the lower canyon currently support large numbers of myoporum, eucalyptus and pine trees. Eucalyptus also line the entrance driveway.

According to the approved project's EIR, the Monarch butterfly has previously been observed on the site. Monarch butterflies were observed roosting on the property between 1984 and 1993. According to the EIR, roosts are generally located in tree groves, including exotic trees such as eucalyptus, pine and cypress. The EIR and the City's Coastal Development Permit indicate that the Monarch butterfly is listed by the State as a California Species of Special Concern.

According to the California Department of Fish and Game's Natural Diversity Data Base report, over 1,000 butterflies were observed roosting in a grove of eucalyptus trees south of the public parking lot. In 1989-90, up to 15,000 monarchs returned to the property and roosted in pine trees in the same location. The most recent reported sighting was 500 monarchs in 1992-93. The EIR states that although the groves of eucalyptus and pine trees are still present, no butterflies were observed during field surveys.

The City's coastal development permit states that development will be located within the southern portion of the site. According to the EIR, the southern portion of the site is the location of the Monarch's roosting area. Although the EIR states that monarchs have not been observed during recent field surveys, the report does not state the time of year the surveys were conducted or whether Monarchs were observed in other areas off-site. Therefore, it can not be determined, at this time, if there was an overall decline in the Monarch population during the period of the recent survey, or if there were other factors contributing to Monarchs not roosting on the property or surrounding area.

To address the potential impacts to the Monarch, as a condition of the CDP permit, the City requires that:

Eucalyptus trees on –site shall be maintained, trimmed, and (if necessary) removed at such seasons as will not be detrimental to the migration, resting or reproduction of the Monarch Butterfly, except in the case of emergencies or as necessary for public safety.

The EIR and City's CDP, does not specify the seasons, or potentially critical months to be avoided, to ensure that the Monarch Butterfly will not be adversely impacted. Furthermore, the condition allows the removal of Eucalyptus trees, which may eliminate or adversely impact groves as roosting sites. Because Monarchs roost in groves, the trimming or removal of Eucalyptus trees, as allowed by the condition of the permit, could irreparably damage the grove and eliminate the roosting site. Moreover, the EIR indicates that pine trees on the property were also used as roosting sites, but the City's CDP does not provide any protection or mitigation measures for these trees to minimize damage to the canopy which could have impact on the butterflies. Therefore, the applicant's contention does raise a substantial issue with respect to Chapter 3 polices of the Coastal Act.

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The City's CDP indicates that the Final EIR indicates that implementation of the project would increase the demand for fire protection and Emergency Medical Service and result in significant impacts on fire protection service. The City approval also states that mitigation measures in the EIR and in the Mitigation Monitoring and Reporting Program have been incorporated into the project which will avoid or substantially reduce project impacts to a less than significant level.

According to the EIR, flood and fire hazards will be minimized, as drainage facilities within the site will be adequate to accommodate peak storm flows. Furthermore, emergency access throughout the site will be improved and recommendations of the Fire Department, relative to fire safety, will be incorporated into the building plans.

However, In terms of geologic stability, the EIR indicates that landslides are common in the coastal region surrounding the project site and that three known landslides are located on-site. One of these slides, known as the East Side Slide, occurred on the east side slopes below Castellammare Mesa, to the northeast of the Museum, in March 1995. According to the EIR this landslide represented a partial reactivation of a prehistoric landslide. A possible second, probably prehistoric, landslide is also located on the east side slopes, and a third is located near the entrance to the Getty Villa.

The EIR indicates that remediation of the East Side Slide is proposed. However, the EIR further states that the potential for other landslides exists, primarily along the eastern slopes. The City's Coastal Development Permit does not address the potential impacts of these slides on the approved project or mitigation measures with regards to Sections 30251 and 30253 of the Coastal Act.

Furthermore, the City's approved Coastal Development Permit does not specify the amount or location of grading and remediation that is required. As approved by the City, the grading and remediation is subject to additional on-site evaluation and the City's review. The City's Coastal Development Permit does not indicate that the City's Department of Building and Safety has reviewed the project and determined the project to be safe from geologic hazards. At this time it can not be determined what impact the approved landform alteration will have on the area.

Furthermore, without prior review by the Department of Building and Safety there is the potential that the approved project, once it is reviewed by the Department of Building and Safety, will be significantly modified to address geologic concerns. Such modifications could result in a significantly different project and include additional grading and landform alteration,

which may require the City to issue a new Coastal Development Permit. Therefore, the applicant's contention does raise a substantial issue with Sections 30251 and 30253 of the Coastal Act.

Conclusion

The Commission finds that substantial issues exist with respect to the approved project's conformance with the Chapter 3 policies of the Coastal Act. Therefore, appeal No. A-5-PPL-00-028 raises substantial issue with respect to the grounds on which the appeals have been filed.

2. Issues Raised by Appellants that do not Address the Approved Project's Inconsistency with the Chapter 3 Polices of the Coastal Act

The contentions listed below do not address valid grounds for appeal with respect to Chapter 3 polices of the Coastal Act or raise substantial issues of conformity with respect to the Chapter 3 Policies of the coastal act..

(a) Pacific Palisades Residents Association and Ms. Kohn contend that:

Approval of a project of this magnitude will prejudice the ability of the City of Los Angeles to prepare a local Coastal Program in conformity with Chapter 3 of the Coastal Act.

This contention addresses the Commission's review of Local Coastal Programs and does not identify how the approved project is inconsistent with the Chapter 3 policies of the Coastal Act. Therefore, the appellant's contention does not raise a valid ground for appeal with respect with the Chapter 3 policies of the Coastal Act.

(b) Pacific Palisades Residents Association contends that:

In approving the project, the City of Los Angeles has failed to be guided by prior relevant decisions of the Coastal Commission.

While in administering the pre-certification permit option, the City is directed by the regulations to consider the Commission's past actions, the grounds for appeal remain the chapter 3 policies of the Coastal act. The City, in approving CDP's is guided by the policies of the Coastal Act. This contention does not identify how the approved project is inconsistent with the Chapter 3 policies of the Coastal Act. Therefore, the appellant's contention does not raise a valid ground for appeal with respect with the Chapter 3 policies of the Coastal Act

(c) Pacific Palisades Residents Association contends that:

The project conflicts with the Interpretive Guidelines for the area as adopted by the Coastal Commission. The project alters natural landforms along bluffs, which should be prohibited under the Guidelines.

As noted above the Coastal Act does include provisions to limit the alteration of natural landforms. However, failure to conform to the interpretive guidelines in itself is not a valid basis for appeal.

(d) Palisades Preservation Association, Inc. contend that:

Section 30604(c) states:

Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

The project is not located between the nearest public road and the sea or shoreline. Pacific Coast Highway is the first public road nearest and paralleling the sea. The project is located on the north side of Pacific Coast Highway. Therefore, the appellant's contention raises no substantial issues with respect to Chapter 3 policies of the Coastal Act.

EXHIBIT T



WEST LOS ANGELES AREA 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: MAY 15 2008

CASE NO.: AA 2004-7147-PMLA-1A

Location: 444 N. Surfview Drive

Council District: 11

Plan Area: Brentwood-Pacific Palisades- Brentwood Glen

CEQA: ENV 2004-7148-MND

Zone: RE15-1-H

Applicant: Long K. Ta Representative: Philip Hess

Appellants: 1) Walter O'Brien 2) Joshua Leichtberg; Representative: Ronald Rosen 3) Pacific View Estates Homeowners Association; Representative: John B. Murdock

At its meeting on May 7, 2008, the following action was taken by the West Los Angeles Area Planning Commission:

1. **Denied** the appeals.
2. **Sustained** the Advisory Agency's **approval**, pursuant to Section 17.53 of the Los Angeles Municipal Code, of **Parcel Map No. 2004-7147 PMLA** for a maximum new two-parcel single-family development in the RE15-1-H Zone.
3. **Adopted** the Findings of the Advisory Agency's determination dated June 28, 2005 (attached).
4. **Adopted** the Conditions of Approval (attached).
5. **Adopted** ENV 2004-7148-MND.

Note: The West Los Angeles Area Planning Commission set aside the September 30, 2005 "deemed denied" ruling on February 6, 2008.

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

This action was taken by the following vote:

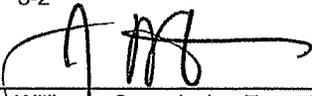
Moved: Washington

Seconded: Burton

Ayes: Martinez

Noes: Brown, Foster

Vote: 3-2


James Williams, Commission Executive Assistant I
West Los Angeles Area Planning Commission

Effective Date/Appeals: This action of the West Los Angeles Area Planning Commission is effective on the mailing date of this Determination. There is no further appeal for the subject case.

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: Appeal Staff Report dated May 7, 2008 and Advisory Agency Determination dated June 28, 2005
Advisory Agency: Lynn Harper

ORIGINAL

**LOS ANGELES CITY PLANNING DEPARTMENT
APPEAL STAFF REPORT**

WEST LOS ANGELES AREA PLANNING COMMISSION

DATE: May 7, 2008
TIME: After 4:30 p.m.*
PLACE: Henry Medina West LA
Parking Enforcement Facility
11214 W. Exposition Boulevard
Second Floor Roll Call Room
Los Angeles 90064

CASE: AA-2004-7147-PMLA-1A (1)(2)(3)
Related Case: ZA 2004-7191 (CDP)(MEL)
ENV-2004-7148-MND
Location: 444 North Surfview Drive
Zone: RE15-1-H
Council District: 11
Plan Area: Brentwood-Pacific Palisades-Brentwood
Glen
Certified Neighborhood Council: NONE
Plan Land Use: Very Low II Residential
District Map: 129 B 113
Legal Description: Lot 30, TR 27667

Public Hearing: June 15, 2005
Not Further Appealable

PROJECT: Subdivide the site into two single-family parcels of approximately 15,800 square feet each.

REQUESTS: Three appeals of the Advisory Agency's conditional approval of the parcel map.

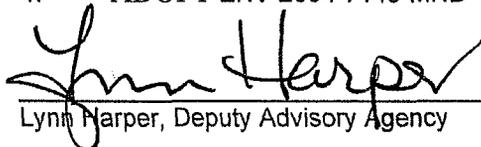
These appeals were originally filed on July 13, 2005. The West Los Angeles Area Planning Commission failed to act on the appeals within the time period required by Section 17.54-A of the Los Angeles Municipal Code. The appeals were deemed denied by operation of law. Subsequently, the appellants filed a petition for a Writ of Mandate. On November 19, 2007, the appellants obtained a peremptory Writ of Mandate from the Los Angeles Superior Court (Case No. BC 100137) commanding the City, within 90 days, to (1) set aside the deemed denial of appeals reflected in the West Los Angeles Area Planning Commission September 30, 2005 ruling on the parcel map appeals, and (2) provide an appellate hearing to Petitioners J. Leichtberg, W. O'Brien, and Pacific View Estates Homeowners Association.

APPELLANTS: A (1) Walter O'Brien ; A (2) Joshua Leichtberg represented by Ronald Rosen; and
A (3) Pacific View Estates Homeowners Association represented by John B. Murdock.

APPLICANT: Long K. Ta represented by Philip J. Hess

RECOMMENDATION:

1. SET ASIDE the September 30, 2005 "deemed denied" ruling on AA 2004-7147-PMLA A(1),A(2), & A(3);
2. DENY the appeals;
3. SUSTAIN the findings and conditions of the Advisory Agency ; and
4. ADOPT ENV-2004-7148-MND


Lynn Harper, Deputy Advisory Agency

Exhibits

- | | |
|---|------------------------------------|
| 1. AA 2004-7191 (CDP)(MEL) appeal report 2/8/06 | 6. Parcel Map |
| 2. Geology and Soils Report Approval Letter | 7. Radius Map |
| 3. ENV 2004-7148-MND | 8. Vicinity Map |
| 4. AA 2004-7191(CDP)(MEL) | 9. Ariel Photo |
| 5. AA 2004-7147-PMLA Determination | 10. Parcel Map Appeal Applications |

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 500, 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 agendaized 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.

STAFF APPEAL REPORT

The subject property is a 31,700 square foot (0.72 acre) RE15-1-H zoned, irregularly-shaped lot having frontage of 134 feet on the northeasterly side of Surfview Drive and a maximum depth of 290 feet. Surfview Drive is designated, fully dedicated and improved as a Hillside Collector Street, with 40 feet of paved roadway and five feet of curb and sidewalk on each side.

The rear property line abuts the 600+ acre Topanga State Park, as do all properties on the northeasterly side of Surfview Drive. The site is 0.6 miles from the Pacific Ocean coastline, 900 feet east of the Malibu City line, and within 500 feet of 28+ acres owned by the Getty Center. All the lots in this neighborhood are designated within a landslide susceptible area and a fault zone as mapped by the California Geological Survey, California Department of Conservation. There are three other RE15-1-H zoned lots, as well the Topanga State Park, that share a property line with this site.

The proposed project is to subdivide the site into two single family parcels of approximately 15,800 square feet each, with proposed Parcel B to have a flag lot configuration. An existing 3,700 square foot, one story house constructed in 1965 is to remain on proposed Parcel A, and a new single family structure with garage will be constructed on proposed Parcel B.

A Geotechnical and Geological Report dated August 30, 2004, submitted to the file by the applicant's engineer—Ralph Stone and Company—states the lot was originally graded in 1964 as a split level with a building pad in the front and a building pad in the rear. Since the building pad for proposed Parcel B already exists, it is anticipated grading will largely focus on creating the driveway access to the rear pad and establishing the adjacent retaining walls.

The site has been estimated as having an average natural slope of 17% to 25%, with an elevation from 480 to 530 feet above sea level over the 290-foot length of the lot. The proposed building pad for Parcel B sits in front of the toe of a 60-foot high hill in the State Park. This hill has an ascending slope to the north into the Topanga State Park at a gradient of 1.5/1 (H:V) for 60 feet. The site does not trigger application of the slope density formula in the Zoning Code or in the Community Plan.

On June 15, 2005, a joint public hearing for the preliminary parcel map application and the Coastal Development Permit was held. Approximately 20 form letters in opposition were received to the file, and a copy of a petition in opposition signed by about 30 individuals was delivered to the file. The applicant's representative and four members from the public gave verbal and written testimony.

The public testimony in opposition to the parcel map centered on the smaller lot sizes, flag-lot configuration, inadequate hillside drainage, potential grading, the legal obligation of the current owners of the property to adhere to the covenants and restrictions established in 1965 by the Pacific View Estates Homeowners Association, and potential loss of view of the immediate neighbors.

The Bureau of Engineering and the Department of Building and Safety staff who were in

attendance at the public hearing as part of the Subdivision Committee, responded to the public's concerns and stated that prior to the issuance of any building permit, they will review the plans for grading, drainage and construction to ensure compliance with all applicable provisions of the Building and Zoning Codes including any shoring, lateral support, temporary shoring, excavation, export, risk of slope failure, etc. The applicant's representative also spoke at the hearing and agreed to the conditions and recommendations from the City Departments and the mitigation measures required in ENV-2004-7148-MND.

On June 28, 2005 the Advisory Agency issued an approval letter allowing the two parcel subdivision, with numerous conditions, including obtaining a Coastal Development Permit and implementation of over twenty mitigation measures relative to hydrology, storm water drainage, preservation of native landscaping and landform grading. On July 13, 2005, three appeals were filed against the approval of AA-2004-7147-PMLA from two adjacent neighbors and the Pacific View Estates Homeowners Association.

The West Los Angeles Area Planning Commission failed to act on the subject appeals within the required time period. Pursuant to Section 17.54-A of the Los Angeles Municipal Code the appeals are deemed denied by operation of law, and the determination of the Advisory Agency dated June 28, 2005, regarding AA-2004-7147-PMLA was affirmed.

The Associate Zoning Administrator issued Coastal Development Permit, Case No. ZA 2004-7191 (CDP)(MEL), filed incidental to the parcel map, on October 6, 2005. This CDP only authorized subdivision of the existing lot into two parcels. A separate CDP application will have to be filed to authorize construction of a house on proposed Parcel B once the final parcel map is recorded. The subdivider selected to wait to receive approval of the house design from the Coastal Commission until after the house design has complied with and received approval from the Pacific View Estates Homeowners Association.

On October 21, 2005 two appeals of ZA 2004-7191 (CDP)(MEL) were filed with the West Los Angeles Area Planning Commission by Pacific View Estates Homeowners Association and Josh Leichtberg. The WLA APC held a public hearing regarding the CDP appeals on May 17, 2006. On June 22, 2006 the WLA APC issued a denial of the appeal of the CDP based on a 2-2 vote by the Commission.

The appellants subsequently appealed the CDP to the California Coastal Commission, and on September 15, 2006 the Coastal Commission issued a "Notice of Action" stating they would hear the appeal. However, on November 19, 2007, the appellants obtained a peremptory writ of mandate from the Honorable Dzintra I. Janavs of the Los Angeles Superior Court (Case No. BC 100137) commanding the City to set aside its "deemed denied" ruling on the parcel map appeal and hold an appeal hearing.

The California Coastal Commission notified the City Planning Department, Division of Land that the CDP appeal hearing will not be held until the parcel map appeal is heard by the West Los Angeles Area Planning Commission, thereby clarifying the status of the parcel map. If the parcel map appeal is granted by the West Los Angeles Area Planning Commission, the companion CDP and CDP appeal are moot.

THE APPEALS

A copy of the appeal packages prepared by each appellant is attached to this report. The following summarizes the three appellants' main arguments.

Appellants:

1. The parcel map request violates the original Pacific View Estates tract plan.

Staff's response:

The Advisory Agency implements governmental regulations such as the General Plan, the Municipal Code, the California Environmental Quality Act, the California Coastal Act, the State Subdivision Map Act and any conditions imposed on subdivision approvals. The Pacific View Estates tract was approved for 90 lots in 1964. Since then six subdivisions have been recorded bringing the total lots to 96. No written documentation that a tract map condition was imposed by the City regarding limitation of density for the original Pacific View Estates Final Map has been submitted to the subject file.

Verbal testimony speculated there might be language on the original deeds or a separate covenant between the original homeowners and the Pacific View Estates Homeowners Association. However, unless there is written evidence that the City or State imposed such a condition on the Final Map for the Pacific View Estates, the adjudication of private contracts or deed restrictions that further curtail or control the use or density of the subject site, is a matter of civil law and outside the purview of the Advisory Agency.

Appellants:

2. The City previously denied a request to subdivide this same lot in 1983.

Staff's response:

Two previous applications for a similar project at this site were denied 25 years ago:

PM 5355-On February 11, 1983, the Advisory Agency disapproved a proposed two-parcel subdivision of the subject site based on the unacceptable lot design and re-orientation of the parcels not in character with the surrounding neighborhood.

Coastal Development Permit 82-043- On February 11, 1983, the Advisory Agency also disapproved the incidental Coastal Development Permit application based on lack of conformance with the Regional Interpretive Guidelines regarding the 25% natural slope of the existing parcel. The Hillside Dwelling Unit Density formula from the Regional Interpretive Guidelines when applied to this property in 1983 resulted in only one dwelling being allowed on the site.

The decision in 2005 to approve this project to create two single family parcels from one 31,700 square foot lot in the RE15-1-H Zone was grounded in current City regulations

nonexistent in 1983, including an environmental review document; and an assessment based on analysis of nearby lots that the proposal is in character with the surrounding neighborhood.

In making the determination to approve the subject parcel map, the Advisory Agency had before her the following which were not available in 1983: 1) the Mitigated Negative Declaration which contains over 20 conditions addressing grading, geologic safety and storm water runoff protection for environmentally sensitive lands; 2) the Hillside Development Guidelines (required for this project as a mitigation), 3) the Department of Building and Safety Division of Grading approval letter, prepared specifically for the subject site, which contains 38 additional technical conditions, 4) the Bureau of Engineering Geotechnical Division review requirement, 5) expert testimony from various City Departments including Fire and Transportation, and 6) new City legislation controlling the development of hillside property by the Department of Building and Safety.

Section 12.20.2 of the Los Angeles Municipal Code (adopted by ordinance in 1978) establishes the permit review and approval process for Coastal Development Permits consistent with Public Resources Code Section 30600(b) which authorizes permits prior to certification of a local coastal program. Section 12.20.2 of the LAMC requires the Regional Interpretive Guidelines be "reviewed, analyzed, and considered in the light of the individual project...". In 2005, the Advisory Agency did carefully considered all portions of the Regional Interpretive Guidelines before making the decision to conditionally approve the subject parcel map. However, the Advisory Agency chose not to apply the Hillside Dwelling Unit Density formula from the Coastal Commission's Regional Interpretive Guidelines, to the subject site.

The Los Angeles County-South Coast Regional Interpretive Guidelines were last adopted 28 years ago in October 1980 by the California Coastal Commission to supplement the Statewide Guidelines. In the Regional Interpretive Guidelines there is a section on Pacific Palisades (pages 1-2) which contains policies and development standards relevant to the subject project. Among the applicable standards from the Pacific Palisades section of the Regional Guidelines, the only standard that can not be made or met by the subject project relates to the Hillside Dwelling Unit Density formulas which are enumerated in the Appendix of the Guidelines.

There is a dearth of written materials which can guide the decision maker in interpreting the intention of the Coastal Commission in promulgating the original Hillside Dwelling Unit Density formula. Therefore the Advisory Agency staff depended on a verbal interview with senior Coastal Commission employee Pam Emerson (562) 590-5971, who was on staff when the Interpretive Guidelines were issued in 1980.

Ms. Emerson confirmed that the Regional Guidelines are just that- -guidelines, not strict requirements. The Regional Interpretive Guidelines state in part that the Guidelines are to be "...used in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints and individual and cumulative impacts on coastal resources."

Ms. Emerson characterized the initial intentions behind the Hillside Dwelling Unit Density calculations for Pacific Palisades in the 1980 Regional Interpretive Guidelines as being to

reduce grading, reduce destruction of natural cover (meaning native plants), preserve habitat, promote geological safety, and protect public views. All public policy and regulatory issues not then fully addressed by the City in the early 1970s, but for which there are now substantial LAMC requirements. And finally, Ms. Emerson stated the density calculations were developed in anticipation of large residential subdivisions invading the undeveloped areas of Pacific Palisades and the Santa Monica Mountains. However, there are no longer large undeveloped private lands available in Pacific Palisades for subdivision. The subject project involves one additional single family dwelling within an older, well established subdivision.

Over the last 28 years since the Interpretive Guidelines were issued, the City of Los Angeles has executed the following legislation and documents in the form of new ordinances and guidelines which address hillside development, promotes with great specificity the goals of the original Coastal Commission Regional Interpretive Guidelines, including requirements that result in reduced grading, minimal impacts on steep slopes, preservation of natural topography, and geologic safety, and which are integrated into the existing Zoning and Building Codes or environmental mitigation measures:

Hillside Ordinance (initially adopted in 1992 with revisions in 1993, 1994, 1995, 2000, 2002 and 2004) - This ordinance amended various Sections of the LAMC governing development of hillside lots for new construction, additions and remodeling and establishes regulations and definitions for height (maximum of 45 feet as measured from lowest point of the natural grade five feet out from the structure), front and side yards, fire protection, lot coverage, parking, street access, sewer connections and grading. Most of these provisions can be found in Section 12.21-A.17 of the LAMC.

The provisions of the Hillside Ordinances as they apply to this site are implemented by the Department of Building and Safety, Grading Division during the plan check portion of the building permit process. A soils and geology report was prepared for the Division of Grading within the Department of Building and Safety. After review of this report the Division of Grading issued an approval letter with multiple conditions.

The Hillside Development Site Design Guidelines (initially prepared in 1990) includes sections on preservation of natural character by retaining natural ridgelines, canyons, creek beds and drainage courses, oak trees, wood lands and other natural vegetation (page 43). The Guidelines also require that grading be limited to that which is necessary for the primary use of each lot (page 45.) The Guideline requires the developer to use landform grading, decks instead of patios, connect natural areas on site to provide continuity of plan material and viable wild life corridors (page 46-48).

Building Code Special Hillside Conditions (Ordinance # 171,939 effective April 1998) Added Sec. 91.7006.7 .3- All grading conditions on subdivision approvals must be part of the grading permit; and Sec. 917006. 7.4.- no permits for hauling more than 1,000 cubic feet within the hillside area shall be issued without approval from the Departments of Building and Safety, Transportation, and Public Works. Notification of neighbors is required, and a public hearing may be held. This is a requirement above and beyond the public hearing required for the Coastal Development Permit and the parcel map.

Retaining Wall Ordinance (Ordinance # 176,445, effective March 2005) This legislation limits the number and height of retaining walls allowed in designated Hillside areas-including the subject site. Only one retaining wall of a maximum of 12 feet in height is allowed per parcel, unless there is at least 3 horizontal feet between retaining walls, then a maximum of two retaining walls are allowed per parcel, to a maximum total height of 20 feet. In order to obtain additional or taller retaining walls a Zoning Administrator approval is required.

Appellants:

3. An additional house at the rear of this property will seriously compromise a scenic corridor, and "loom" over the properties at 434 and 468 Surfview Drive.

Staff's response:

The proposed new dwelling will be set back at least 170 feet from Surfview Drive, behind an existing one storey residence. The proposed new dwelling will be subject to stricter regulations than those in effect when any of the adjacent structures were constructed.

The existing structure on a property 30 feet uphill, and to the northwest (468 Surfview Drive owned by appellant Walter O'Brien), is a 6,500 square-foot, two-storey dwelling with pool; the adjacent portion of the Topanga State Park is a public dog park on top of a 60-foot cliff that overlooks the subject property; and the flag lot to the south (434 Surfview Drive owned by appellant Josh Leichtberg) is improved with a 4,000 square-foot two-storey dwelling with a pool and tennis court, closer to the ocean than the instant site and immediately adjacent to the State Park. There is no fair argument that the project will have a significant adverse effect on any scenic vista or otherwise degrade the existing visual character of this area which is already substantially developed with two-storey single family homes.

Appellants:

4. There needs to be an analysis of the detailed plans and elevations of the proposed new dwelling to make sure it will not be "out of scale with the character of the community," and thereby incompatible with the adjacent residences at 434 and 468 Surfview Drive.

Staff's response:

The State Subdivision Map Act does not give the Advisory Agency authority to address the scale, design or aesthetics of the building unless the project requires deviations from Code provisions, or the owner/subdivider volunteers such additional limitations. The proposed new dwelling will be held to all the standards and criteria regarding height, setbacks, etc. that are currently in the Municipal Codes. However, there is authority within the Coastal Act to address scale of the structure.

The currently approved Coastal Development Permit is only for the two parcel subdivision and use of both parcels for single family dwellings. Since neither the site plans - architectural and structural-nor the building elevations for the proposed new dwelling were before the Associate Zoning Administrator, the developer/owner will have to obtain a separate Coastal Development Permit in order to obtain a building permit for the proposed

construction of the new single family dwelling for Parcel B. There is an opportunity for the adjacent neighbors to address the scale and height of the new building during the public hearing and review of this second Coastal Development Permit process.

Appellants:

5. Section 17.50-A of the LAMC requires the Advisory Agency to "preserve property values".

Staff's response:

The proposed development, as conditioned, is consistent with the underlying RE15-1-H zoning and the Very Low II residential land use designation. The zoning and land use designation found in the Community Plan and the Municipal Code authorize single family residential uses. The implementation of the Community Plan and zoning ordinances are common public practices designed to preserve neighborhood character, property values and promote the public welfare. At least six other subdivision maps have been recorded in this tract since 1964. The area is already developed with 96 one and two-storey single family homes. This proposed project--the development of one more single family home--conforms with neighboring residential uses.

Appellants:

6. Section 17.52 of the LAMC requires lot designs and lot sizes which closely conform to the size of contiguous or nearby lots on the same street. These proposed parcels are not characteristic of the neighborhood.

Staff's response:

Based on an analysis of lot configurations and sizes, the Advisory Agency determined the proposed parcel map was characteristic of the neighborhood. The proposed parcels were larger than some other lots with frontage on Surfview Drive, and of an average size for the neighborhood. The proposed flag lot was similar in configuration to the existing flag lot immediately adjacent to the southeast.

The Advisory Agency staff examined the lot configurations and lot sizes for properties within a 500-foot radius of the site. The lots along Surfview Drive within 500 feet of the subject site vary in area from 14,200 square feet to 32,600 square feet. The lot two doors south of the site for example, and also adjacent to 434 Surfview (Leichtberg residence), is 15,200 square feet. However, the typical or most representative lot size along Surfview Drive within 500 feet is between 16,000 and 18,000 square feet.

There are three properties with flag lot configurations within a 500 foot radius of the proposed subdivision:

- a) 434 North Surfview Drive-- The adjacent property immediately to the south east (owned by Appellant Josh Leichtberg) contains a flag lot in the RE15-1-H Zone with a lot area of approximately 32,600 square feet, improved with a 4,000 square foot single family dwelling, pool and tennis court, built about 1978. The tennis court on this property

observes a setback of approximately 10 feet from the abutting Topanga State Park. The single-family dwelling on this flag lot is setback approximately 25 feet from the property line adjoining the subject site.

- b) 376 North Surfview Drive—a 22,000 square foot lot, improved with a 2,900 square foot single-family dwelling of 1965 vintage, also adjacent to the Getty Center property.
- c) 17965 West Surfview Lane—Five lots to the east of the subject site is a 19,000 square foot RE15-1-H Zoned flag lot, immediately adjacent to the Getty Center property, and improved with a 4,600 square foot single family structure originally built in 1965.

A fourth flag lot 800 feet away located at 18069 Blue Sail Drive is a 17,000 square foot property in the RE15-1-H Zone, improved with a 3,000 square foot single-family dwelling built in 1967. This lot is immediately adjacent to the City of Malibu.

Furthermore, The Hillside Development Site Design Guidelines on page 54 state:

“Use flag lots if the result is the preservation of topography by minimizing grading and the protection of view slots.”

In the subject case, the flag lot configuration protects public views towards the coast and up towards the cliffs of the Topanga State Park by placing the new dwelling behind the existing dwelling, yet below the cliffs.

Appellants:

- 5. The conditions of approval have not been shown to be feasible yet the owner may still assert a “vested right” to this entitlement.

Staff's response:

The conditions of approval may not be feasible. It is the obligation of the subdivider to clear each condition, and if even one condition can not be cleared, the final parcel map may not be recorded or the parcels sold separately. The subdivider has not been granted a vested right through the conditional approval of this preliminary parcel map. The subdivider must clear the conditions within a maximum of eight years (three years with one five year extension) or the conditional parcel map approval expires.

Appellants:

- 6. The mitigated negative declaration is not adequate because it does not disclose or mitigate the full impacts associated with grading or vegetation removal.

Staff's response:

A copy of the mitigated negative declaration (ENV-2004-7148-MND) is attached to this report. The parcel map conditional approval and companion Coastal Development Permit are only for permission to split the lot and maintain one single family dwelling with garage on

each parcel. A separate Coastal Development Permit will have to be obtained when the owner applies for a building permit for the construction of the single family dwelling on Parcel B. The environmental document will be reconsidered at that point to address the specific impacts of the building footprint and elevations regarding grading and landscaping. The proposed building or addition will have to be found consistent with the Hillside Development Guidelines and the City's "Land Form Grading Manual" which require landform grading and preservation of native habitat. (see page 2 of ENV-2004-7148-MND).

Appellants:

7. The Brentwood-Pacific Palisades-Brentwood Glen Community Plan states there should be a limitation of residential development on hillsides having more than 15% slope.

Staff's response:

It is correct that limitation of residential development on hillsides is one of the issues addressed in the Community Plan. The policy and criteria for reaching this goal are stated in the Community Plan on page III-2 and III-3 are as follows:

***"Slope Density Standards:** Section 17.05-C of the Planning and Zoning Code sets forth the Slope Density formula, i.e., "In the Hillside Areas as defined in Chapter IX of the Los Angeles Municipal Code which are designated in the minimum density housing category by the applicable element of the General Plan adopted by the City Council, the dwelling unit density shall not exceed that allowed by the following formula:*

$$D = 50 - S / 35$$

Where D = the maximum number of dwelling units per gross acres allowable, and

S = the average natural slope of the land in percent.

Minimum density - is a land use designation of the Community Plan maps. In the Brentwood-Pacific Palisades Community the minimum density category is qualified by the following plan footnote:

Development of land located in the hillside areas may be limited by the suitability of the geology of the area for development; and the steepness of the natural topography of the various parts of the area. In areas designated for minimum density housing, the dwelling unit density shall not exceed that allowed by the following formula:" [see above] "The density permitted in a subdivision or planned development project shall be 0.05 dwelling unit per gross acre or greater as allowed by the above formula. In general, land designated as privately owned open space are considered to be in the minimum density category. Density transfer shall be allowed in areas designated minimum density category as long as the total number of dwelling units indicated in any development is not increased and adequate access is available from two or more directions."

The subject property is in the Very Low II residential land use designation and therefore the slope density formula in the Community Plan is not triggered, nor is Section 17.50-E or 17.05 of the LAMC. The Brentwood-Pacific Palisades-Brentwood Glen Community Plan was updated in 1998. This plan makes repeated reference to implementing the Hillside Ordinance and the slope density limitations for residential projects in the minimum density land use designation. However, the Community Plan update did not extend the strictest slope density limitation to the neighborhood in which the subject site is located.

Appellants:

8. There is no quantification of the amount and areas to be graded for the pad or hillside, therefore there is no indication of how the grading on the site will be minimized.

Staff's response:

The final grading scheme or final plan has not yet been presented to the City Departments, but is required to be reviewed and approved before the final map can be recorded. The grading plan and permits will be reviewed by at least three departments to make sure they meet City standards and the CEQA mitigation measures in the MND. Typically subdivision projects do not prepare final building and grading plans before they obtain the conditional determination from the Advisory Agency. If the subdivider can not meet all the approval conditions of the parcel map, the final map may not record.

The parcel map conditions of approval require the subdivider to obtain a sign-off from two different departments on the soils and geology reports. Condition No. 1 requires:

"That prior to recordation of the final map, a soil and geology report pertaining to the proposed parcel map, be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval." (Emphasis added)

Condition No. 5 requires:

"That prior to issuance of a grading or building permit or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated February 28, 2005, Log No. 46840* and attached to the case file for AA-2004-7147-PMLA. "(Emphasis added)

*Log No. 46840 contains 38 additional soil and geology conditions and is attached to this report as Exhibit 2.

The parcel map conditions of approval require the subdivider to obtain a clearance from the Advisory Agency regarding implementation of the mitigation measures and specifically application of the Hillside Development Guidelines and the Landform Grading Manual.

Conditions No. 16 and 17 require:

16. Prior to recordation of the final map, a Covenant and Agreement be recorded satisfactory to the **Advisory Agency**, binding the subdivider and all successors to all the environmental mitigation measures stated in the related MND No. ENV-2004-7148-MND.
17. 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 Condition No(s). 16 and 18 of the Parcel Map 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, post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items."
(Emphasis added)

Condition 1b1. of the Mitigated Negative Declaration, ENV-2004-7148-MND requires:

"Environmental impacts, such as alteration of existing or natural terrain may result from project implementation. However, these impacts will be mitigated to a level of insignificance by the following measures:

- * Grading shall be kept to a minimum.
- * Natural features, such as prominent knolls or ridge lines shall be preserved.
- * Project shall comply with the City's Hillside Development Guidelines."

Condition VI b. of the Mitigated Negative Declaration, ENV-2004-7148-MND requires:

*"Environmental impacts may result from the visual alteration of natural landforms on the site due to grading. However, this impact will be mitigated to a level of insignificance by designing the grading plan to conform to the City's Landform Grading Manual guidelines, **subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.**" (Emphasis added)*

Staff Recommendation:

Development standards for hillside areas are a focus of recent amendments and additions to the City's Zoning and Building Codes. The Advisory Agency and Zoning Administrator seek to evenhandedly apply these Municipal Code regulations, the State Subdivision Act, the California Environmental Quality Act, and the California Coastal Act. The Advisory Agency has imposed conditions requiring additional review and approvals from various City departments, compliance with the Hillside Development Guidelines, Landform Grading Manual, and Storm Water Best Management Practices. Further more, the proposed new dwelling will require additional Coastal Development Permits based on the final design, elevations and building configuration of the one new proposed single family dwelling.

Staff recommends that the decision of the Advisory Agency in approving AA 2004-7174-PMLA be sustained and the appeals be denied.

EXHIBIT U

California Coastal Commission

LAND FORM ALTERATION POLICY GUIDANCE

**ATTACHMENT 2: LAND FORM
ALTERATION: CCMP COASTAL
HAZARDS REGULATORY PROCESS**

DECEMBER 1993

This report was prepared by the staff of the California Coastal Commission as part of a Project of Special Merit for the Office of Coastal Resource Management of the National Oceanic and Atmospheric Administration. It has not been approved by the Commission.

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I. INTRODUCTION

The alteration of natural land forms often results in significant impacts on coastal resources, such as erosion and siltation into streams or wetlands, visual scarring of scenic areas or reduction of biologic productivity. The alteration of natural land forms and the impacts from such alteration were raised as concerns during the development of the California Coastal Plan and subsequently in the preparation and implementation of the Coastal Act. This concern carried into the regional interpretive guidelines and the certified Local Coastal Programs (LCPs). These elements, the California Coastal Act, the Regional Interpretive Guidelines, and the LCPs encompass the Commission's regulatory policies that relate to land form alteration.

The Coastal Act, Commission regulatory decisions, and certified LCPs have worked, through decisions, policy guidance, or regulations to avoid or mitigate the negative impacts from land form alteration. On the other hand, requirements from other agencies such as Fire Districts or local government engineers

may require land form alteration for roads, water tanks, etc. in excess of what the Commission would otherwise find acceptable, resulting in significant negative impacts of coastal resources and an inconsistent decision-making process for applicants.

No regulations or policies require that land form alteration be maximized; however, there are various safety regulations which often establish development standards that are normally met through land form alteration. Developed land must provide safe access, manageable by fire equipment, access to water and electric service, either sewer access or on-site septic, and a cleared area for structures and their foundations. While it is often relatively easy to provide these needs for a flat or lowland site without substantial land form alteration, it can often be difficult to do so on steep slopes or in areas prone to landslides. Typically, access to and development of steep slope areas has been achieved with massive cut and fill slopes to level out the land, and slope instability has been corrected through either removal and recompaction of the slide material or construction of a large buttress fill. Significant land form alteration is a result or by-product of these efforts.

This report discusses:

- the overall guidance which was given to local governments concerning land form alteration, through the California Coastal Act and the Regional Interpretive Guidelines
- general techniques used in the LCPs to address land form alteration, and
- other policies and practices which tend to conflict with efforts to minimize land form alteration.

This report is the second of three reports prepared to examine the policy aspects of land form alteration. The first report identified many of the problems which can occur from excessive land form alteration. The final report will be policy guidance for land form alteration. These three policy reports have been prepared to complement an earlier technical report which provided an overview of engineering techniques which can be used to minimize grading.

II. COASTAL ACT POLICIES AND INTERPRETIVE GUIDELINES THAT ADDRESS LAND FORM ALTERATION

A. CALIFORNIA COASTAL ACT POLICIES ON LAND FORM ALTERATION The California Coastal Act (Cal. Pub. Res. Code Sections 30000 *et seq.*)[**1**], the foundation of the California Coastal Management Program (CCPM)[**2**], was enacted by the State Legislature in 1976 to provide for the conservation and development of the state's 1,100-mile coastline. The Act established the California Coastal Commission as a permanent state coastal management and regulatory agency and created a unique state and local government partnership to assure that public concerns of statewide importance are reflected in local decisions about coastal development. The Coastal Act contains specific policies establishing standards to which coastal development must conform (Sections 30200 - 30264; 30700 - 30721). These policies relate to land and water use, natural resources, industrial and residential development, energy, public access and recreation, transportation, agriculture, offshore oil development and other used of the coastal zone.

Authorities In carrying out the objectives and policies of the Coastal Act, the Coastal Commission delegates much of its authority to control coastal development to local government. Coastal Act Section 30004 declares that:

to achieve maximum responsiveness to local conditions, accountability, and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement.

To this end, the Act directs the cities and counties lying wholly or partly within the coastal zone to prepare for Commission review and certification a Local Coastal Program (LCP) for local government's portion of the coastal zone. Following LCP certification, the local government assumes responsibility for administering coastal development permits (CDPs) within its jurisdiction in the coastal zone subject to limitations set forth in Section 30519[**3**]. Coastal Act policies or the policies in an approved LCP establish the criteria for granting or denying permits in a given area.

Although the Commission delegates certain authority to local governments, the Commission retains several well-defined regulatory responsibilities. For example, the Commission:

- Retains permanent permit jurisdiction over some lands, including the immediate shoreline (state tidelands, submerged lands, public trust lands).
- Reviews and certifies or denies LCPs and amendment to certified LCPs. Ensures that CDPs issued by local governments with certified LCPs are consistent with the Coastal Act by (1) ensuring that certified LCPs are consistent with the Coastal Act's Chapter 3 policies (Sections 30200 - 30264), and (2) monitoring to ensure that coastal development permits issued at the local government level comply with the policies set forth in the certified LCPs.
- Issues CDPs for all new development within parts of the coastal zone not covered by a certified LCP.
- Retains appeal jurisdiction in certain area and for specific development projects approved by a local government with a certified LCP. For example, an action taken by a local government on a CDP application may be appealed to the Commission for the following types of development:
 - (1) development between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is greater;
 - (2) Development located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet on the top of the seaward face of any coastal bluff;
 - (3) development located in a sensitive coastal resource area;
 - (4) any development approved by a coastal county that is not designated as the principal permitted use under the approved zoning ordinance or zoning district map; and
 - (5) any development that constitutes a major public works project or major energy facility (Section 30603).
- Reviews federal actions (e.g., Department of Interior OCS pre-lease sale activities) and federally permitted or federally funded projects to determine whether a specific project or activity affects the coastal zone. If it does, the Commission reviews the action to determine whether (1) the federal action is **consistent to the maximum extent practicable** with Coastal Act policies or (2) the federally permitted or federally funded action is consistent with Coastal Act policies. This process occurs under the Coastal Zone Management Act (CZMA) and ensures that the above actions are consistent with the federally approved CCMP.
- In addition, the Commission staff comments on Environmental Impact Reports/Statements, Negative Declarations and other environmental documents for proposed projects involving land form alteration.

Commission authority over land form alteration projects The Coastal Act's primary direction relating to land form alteration is presented in Section 30231 which states that "biological productivity ... shall be maintained and, where feasible, restored through controlling runoff, ..., maintaining natural vegetation buffer areas that protect habitats and minimizing alteration of natural streams," and Section 30251 which states that, "Permitted development shall be sited ... to minimize the alteration of natural land forms ... ". Both of these sections direct the Commission to address effects to land forms and drainage in its review of projects. In addition, land form alteration can directly or indirectly impact many other resources such as Environmental Sensitive Habitat Areas, riparian habitat, archaeological resources, all of which are addressed by the Coastal Act. A detailed discussion of the environmental impacts from land form alteration can be found in the Commission's March 1993 report, "Landform Alteration Policy Concerns".

The Coastal Commission may become involved in the process of reviewing permits for land form alteration in a number of ways. The following is a brief overview of provisions for Commission involvement.

- 1) If the proposal includes development[4] in an area of the coastal zone[5] where the city or county does not have a fully certified LCP, a CDP from the Coastal Commission will be required under Coastal Act Section 30600(a).
- (2) The Commission retains permit jurisdiction over any portion of a project that is in state waters, on land up to the mean high tide line, or on lands subject to the public trust. If development is proposed within these areas, a Commission permit will be required.
- (3) The Commission will review LCP amendments that provide for land form alteration or

development which could lead to land form alteration.

(4) In areas where there is a certified LCP, a proposed project may be appealable to the Commission under the appeal provisions of Coastal Act Section 30603.

B. REGIONAL INTERPRETIVE GUIDELINES: Regional interpretive guidelines have been adopted by the California Coastal Commission to assist in applying the policies of the Coastal Act (Act) to proposed development prior to certification of an LCP and provide guidance for preparation of an LCP which could be certified. Regional interpretive guidelines were adopted for most of the Coastal Zone between 1978 and 1981, but there are some areas within the Coastal Zone (Del Norte, Mendocino, Humboldt, and San Mateo Counties) for which Interpretive Guidelines have not been prepared. The regional interpretive guidelines commonly recommend policies or techniques which limit natural land form alterations or grading within the Coastal Zone. The methods of development guidance are grouped under headings: Steep Slope Development, Ridge or Bluff Development, Habitat Protection and General Development Guidelines.

For most areas, the Regional Interpretive Guidelines have been replaced or supplanted by Land Use Plans (LUP) or LCPs. These locally prepared plans may modify or completely change the recommendations made in the Regional Guidelines, but usually maintain the general intent of the guidelines. The summary of the Regional Guidelines is followed by a second summary of the land form alteration policies of the LCPs.

North Central Coast Region (Sonoma, Marin and San Francisco Counties)

The interpretive guidelines for the North Central Coast provide guidance for land form alteration, erosion/sediment control, and slope development on a community by community basis.

Steep Slope Development

- On residential properties with a slope of 10% or greater, specific storm water and runoff control measures should be required. Development within significant watersheds should include runoff controls, buffer zones and other protective measures as appropriate for the preservation of special habitat areas.
- Areas of high slope constraint may require design review, minimum lot sizes and restriction on development patterns to the intensity that currently exist.
- Some areas may require engineered septic design, septic maintenance and monitoring performed by qualified professionals.

Ridge or Bluff Development

- Setbacks should be required for bluff tops.
- Geologic investigation and report should be required for all bluff development.

Habitat Protection

- Setbacks should be required for creek corridors and riparian habitat.

General Development Guidelines

- Cluster development, lot consolidation and public acquisition of highly constrained properties are suggested as development options. In specific areas, applicants should be required to substantiate geologic stability through certification by licensed professional.
- Access roads should be upgraded with all weather surfacing, and a drainage plan.

Central Coast Region (Santa Cruz and Monterey Counties)

Interpretive guidelines for the Central Coast Region provide development controls on a generalized basis. Specific development guidelines and design standards for development within the Coastal Zone were

provided as appendices. The design guidelines contained in the appendices cover limits of site disturbance, site coverage, impervious surface area, seasonal grading limitation, slope modification restriction and requirements that applications include: topography, limits of disturbance, surface coverage, and impervious surfaces, location of septic, and proposed landscaping.

Steep Slope Development

- Slope alteration should not be allowed to meet septic design requirements, and special septic design may be required in areas of high slope constraint.
- Pole or step foundations should be used on slopes over 15%; only use pole foundations for slopes over 30% slopes.
- No leaching systems should be allowed on slopes greater than 30%; slopes should not be modified to meet these slope requirement.

Ridge or Bluff Development

- Maximum feasible screening, through siting adjustment and tree planting, should be included in development proposals.

Habitat Protection

- Minimize disturbance of natural vegetation.
- Disturbed areas should be revegetated with native species.
- For wetland viability and habitat protection, development should be required to connect to existing sewer lines; where septic systems are used, they must meet County Standards.

General Development Guidelines

- Site disturbance should not to exceed 25% of the parcel including utilities, septic and access. Within that area of disturbance, site coverage should be limited to 15% of the site with impervious surface limited to 10% of site coverage.
- Site grading should not be allowed from November 1 - April 1, without prior approval from the State Department of Fish and Game.

South Central Coast Region (Cayucos, Morro Bay, and Oceano Beach)

Regional Interpretive Guidelines for the South Central Region provide both site specific and generalized development restrictions.

Steep Slope Development

- Minimum lot sizes in certain areas to limit engineered land form alteration, required for highly slope constrained properties.
- Specific site development limitations to minimize impact on natural land forms.

Ridge or Bluff Development

- Setbacks for bluffs.

Habitat Protection

- Setbacks to protect streams and riparian vegetation.
- Buffer zones around state park lands.
- Protection of erosion retarding vegetation and riparian zone for natural filtering.

General Development Guidelines

- Residential lot coverage restriction though matrix of lot sizes.
- Drainage systems should be designed to accommodate on-site disposal of post-project runoff, in excess of pre-project levels.

South Coast District (Malibu -Santa Monica Mountains)

The District Interpretive Guidelines for Malibu and the Santa Monica Mountains are very comprehensive, making reference to specific areas within the district and as well as providing generalized development guidance for the whole district. The guidelines identify "Significant Ecological Areas (SEAs), buffer areas for the SEAs, a mechanism for transfer of development credits, calculations for allowable gross structural area, road and driveway designs, fuel modification, fire/emergency access guidelines, stream alteration restrictions, bluff top development, and buffer areas.

Steep Slope Development

- No development should occur in landslide or rock slide areas.
- Driveway designs should minimize cuts and fill; combined driveways if feasible.
- Driveways should conform to natural contours, average slope should be less than 12%, may increase to 20% for short distances.
- Slope intensity formula, or Allowable Gross Structural Area (GSA), to limit size and intensity of development according to size and slope of parcel.

Ridge or Bluff Development

- Ridge line or hill top development discouraged.
- Setback for bluff development (25 feet).
- Blend development with natural land forms.

Habitat Protection

- Identify "Significant Ecological Areas" (SEA), only resource dependent uses allowed in SEAs; no land divisions within SEAs.
- Avoidance of stream crossings; bridges preferred if necessary.
- Setback for streams (100 feet).

General Development Guidelines

- Clustering of residential development.
- Grading limitation, generally not to exceed 1000 cubic yards for residential development; including driveways, septic systems, and utilities.
- Provide adequate fire/emergency access.
- Runoff not to exceed existing level prior to development.
- Transfer of Development Credit program to allow more intensive development of level properties and to extinguish development potential for properties with development constraints.

South Coast Region (Los Angeles)

The South Coast Region Interpretive guidelines prepared for the Los Angeles area, excluding Malibu and the Santa Monica Mountains, provide development direction on an area specific basis. The guidelines for individual areas refer almost exclusively to standardized development restrictions contained in the appendices.

Steep Slope Development

- Natural land form alteration in bluffs ravines, cliffs should be prohibited.
- Hillside dwelling unit density formula should be followed.
- Hazard and special area development guidelines should be followed.

Ridge or Bluff Development

- Land form alteration on bluffs or cliffs, or in ravines should be prohibited.
- Bluff development guidelines should be followed; bluff setbacks maintained.
- Alteration of land form guidelines should be followed.

Habitat Protection

- Riparian buffers (50 ft.) from outer limit of stream side vegetation.
- Hazard and special area development guidelines should be followed.
- Habitat protection guidelines should be followed.

General Development Guidelines

- Density Calculation guidelines should be followed.
- Multiple-family and new housing should be limited to two (2) units per lot.

South Coast Region (Orange County)

Interpretive Guidelines for the Orange County Region utilize the same format as the Los Angeles Region with development restrictions contained in appendices.

Steep Slope Development

- Hazard and special development area guidelines should be followed.

Ridge or Bluff Development

- Bluff top development guidelines should be followed.
- Land form alteration guidelines should be followed.

Habitat Protection

- Habitat protection guidelines should be followed.

General Development Guidelines

- Density guidelines should be followed.

San Diego Region

Interpretive Guidelines for the San Diego Region refer to specific areas; however, provide little or no guidance on limitation for grading and stream alteration restriction.

Steep Slope Development

- Development shall conform to the natural land form.

Ridge or Bluff Development

- Development height should generally be subordinate to bluff height.
- Development on the west side of Pacific Street should be limited to two stories and 25' in height.

Habitat Protection

- Setbacks from water ways and lagoon should be required.
- Removal of existing vegetation should be minimized.
- Buffer area should be utilized for sensitive lands and riparian habitat.

General Development Guidelines

- Intensity of development should not exceed General Plan land use designations.

III. LCPs AND APPROACHES TO LAND FORM ALTERATION

Local governments have addressed land form alteration for many years through planning, zoning, and ordinances. While the Coastal Act heightened local governments' awareness of the concern for land form alteration, many of the regulatory techniques to minimize such alteration were already being used by local governments. For example, the City of Los Angeles adopted the first grading ordinance in 1952, in response to destructive rains during the 1951-52 winter, and in 1966 Los Angeles County adopted a brush removal ordinance for hilly and mountainous areas. Chapter 70 of the Uniform Building Code was first issued in 1964 to provide guidance on minimum safety standards for cut, fill and excavations. And many local governments had existing zoning and ordinances to address some or all of the concerns for steep slope development and land form alteration which they incorporated in their LCPs.

Probably the most significant effort to address the minimizing of land form alteration is through controls on steep slope development and efforts to protect sensitive habitat. The following discussion is a general overview of techniques or approaches taken throughout the coast. A portion of this discussion is taken from a September 28, 1984 Memorandum to the Commissioners and Interested Parties from Jim McGrath, Coastal Program Analyst, relating to Development Restrictions on Steep Slopes.

Within California there are 126 existing LCP segments. Of those, 104 have an effectively certified Land Use Plan, 85 effectively certified Implementation Plans and 81 have certified LCPs and are issuing permits (from Annual LCP Status Report, as of July 1, 1993, presented to the Commission August 31, 1993.). While only 64% of the total segments have fully certified LCPs, these segments cover 85% of the coast, by geographic area. "There are a number of areas within the Coastal Zone which for one reason or another have not been included in an LCP (or any segment thereof) and will need to be addressed at some time in the future." These areas are mostly fully developed areas, such as Wilmington, which make up a small geographic portion of the coastal zone. These areas, along with Areas of Deferred Certification and uncertified LCP segments receive project review based on the Coastal Act, with planning assistance as needed from the Interpretive Guidelines and relevant effectively certified Land Use or Implementing Plans.

Most of the Del Norte County coastal zone is a gently sloping coastal terrace, or is lands that are in public ownership and managed for public recreation or resource protection. The LCP for Del Norte County developed generalized stability maps which indicate areas where further stability analysis or foundation investigations should be made for roads, subdivision or critical structures. Geologic reports are required for all development, including roads, in landslide prone areas, and high hazard areas should be used for recreation, open space and low intensity park activities, if feasible. Residential development is discouraged on slopes that exceed 30%, and "modifications of hills to the north and east of Smith River should be undertaken only after a qualified assessment is made of the potential for upsetting the tenuous natural balance." (Del Norte County LCP, pg. 216)

Unlike Del Norte County, Humboldt County has a number of steep areas that are regulated in the LCPs to protect resources. The grading requirements in Chapter 70 of the Uniform Building Code are followed throughout the county. To protect natural land forms, topography must be restored as closely as possible to natural contours and it should be revegetated. Access roads and utility corridors should follow natural contours and in hilly areas, minimum street widths can be waived if the reductions are consistent with

public safety. Large portions of the county are forested and the LCP incorporated county wide efforts to adopt "best management practices" to protect and conserve timber soils and limit the intensity of development in timber and other steep slope areas.

The Trinidad LCP requires that no structures, septic tanks or driveways be placed on unstable soils, and that structures, septic tanks or driveways be placed on lands of questionable stability or within 100 feet upslope of unstable lands only if a geologist indicates that the proposed development will not significantly increase erosion, slope stability or septic failure. In sensitive or scenic areas, vegetation removal is limited to that allowed by the City Engineer to address imminent hazard. No slab foundations can be used on slopes greater than 15%; no development is allowed on portions of lots with slope greater than or equal to 20% or in areas requiring access on slopes greater than or equal to 20%.

Mendocino County has both grading and erosion standards. The LCP uses development overlays to address various resource protection or development constraint needs. The maximum lot coverage is based on a percentage of the parcel size and each zoning category requires minimum lot sizes, setbacks, building heights, accessory uses and dwelling density. No development is allowed for slopes greater than 30% unless evidence is given by a civil engineer that no increased erosion will occur. Development in areas that results in hazardous road cuts shall not be allowed; roads should follow ridge lines when possible. The Mendocino County LCP also requires a permit from the Planning Director for major vegetation removal and harvesting, where major removal is considered to be removal of vegetation from a slope greater than 15% or adjacent to an ESHA, removal of trees with contiguous ground cover of 6,000 sq. ft., or removal of more than 15 trees or more than 10% of the total trees with diameter of 12" or more, at breast height.

Much of the Sonoma County coastal zone is agricultural lands and the general approach to resource protection is a strict limitation on development and parcel size in areas suitable for agriculture. Development controls are established for continued build-out of existing subdivisions. Rural residential densities are based on both water and sewer availability, and maximum lot coverage is 35% regardless of lot size. Site development provisions were proposed for the entire county, but were never adopted; therefore, some of the development provisions for the coastal zone are not mirrored by similar county-wide provisions. Within the county, all lot development proposals are reviewed individually, and there are no absolute provisions against steep slope development for reasons of grading impacts or site disturbance. For reasons of health and safety, no leach fields are allowed on lands steeper than 30%.

In the coastal zone there may be no development or grading on slopes greater than 30% (unless this restriction would completely prohibit development on a legal lot) and site development must follow the guidelines provided in the Erosion and Sediment Control Handbook, prepared by Perry Amimoto for the State of California Conservation Department. Grading permits are required for exploratory excavations exceeding 200 sq. ft., cleared vegetation exceeding 1,000 sq. ft., excavation exceeding 4 ft. vertical depth or a fill slope exceeding 5 ft. in height. There can be no disturbance of native vegetation more than 15 days prior to grading and exposure must be limited to the area of immediate construction. All residential development greater than 1,000 sq. ft. must be served by an all-weather road with a minimum width of 12 ft., maximum grade of 15% and turnouts every 300 ft. if designed as a single lane road.

Sea Ranch is a 5,200 acre low-density residential development in Sonoma County. A Sea Ranch Review Committee has developed design guidance, requiring that homes be sited to take advantage of natural land forms and vegetation, that buildings be clustered in some areas to achieve screening and greater open space. The overriding aim of the Sea Ranch Review Committee is to insure that new development is visually compatible with existing development and the rural setting. Much of the visual concern leads to minimization of land form alteration through the protection of native vegetation, avoidance of development of ridge lines and encouragement of natural landscape compatibility.

The basis resource protection approach in Marin County is similar to that of Sonoma County -- protection of agricultural areas by limiting development and parcel size. The County's grading policies apply to all projects involving 150 cubic yards or more of grading and they require that development be designed to fit the site's topography and that grading, cut and fill operations be kept to a minimum. No construction, land form alteration or vegetation removal is allowed in riparian protection areas and the only alteration of stream channels shall be for water supply or flood impoundment, where no other protection is possible. Development plans shall include sediment, erosion, runoff controls and revegetation measures, and all sediment shall be retained on site. No limits are placed on the time that grading can occur; however, land

clearing in the rainy season is discouraged and stabilizing slopes shall be in place before the beginning of the rainy season.

In Marin County, road construction is believed to have a greater impact on land resources than the subsequent construction of houses. The County's grading policy strictly limits creation of new lots and development of existing steep lots on ridges. No construction is permitted on top or within either 100 ft. vertical or 300 ft. horizontal of visually prominent ridges if other suitable locations are available. Finally, the County recognizes that many lots are characterized by one or more geologic hazards and thus conditions many permits to make clear that the permit is not a warrant of the property's safety and requires that a waiver of liability be executed.

San Mateo County has county Regulations of Grading and Excavation Operations and well as Topsoil Regulations. The LCP requires that new development, roads and other structural improvements be designed to fit the natural topography to minimize grading. Private drives should be shared, where possible and development should be prohibited where it requires grading that would substantially alter or destroy the appearance of natural land forms. Maximum densities are determined from the slope of the site and the existence of geologic constraints such as landslides or active faults. In Half Moon Bay, Dystra Ranch, there can be no development on slopes in excess of 25% or above the 160 ft. contour.

On slopes of 30% or greater, development, including land division that would create steep slope parcels, should be prohibited, unless no alternative exists. If development must be sited on steep slope lots, engineering geology reports shall be required to minimize hazards and the Design Review Zoning Ordinance and Community Design Manual for Development on Slopes 30% or Greater shall be followed. In addition to concern for steep slopes, the County has developed a Geologic Hazard District which overlays zoning maps for areas of landslide and seismic hazard. Development in such areas requires a geotechnical investigation and no permit shall be approved until it has been approved by the County geologist and a deed restriction has been recorded.

Santa Cruz County included the steep, heavily wooded Santa Cruz mountains. Policies regulating development on steep slopes include the prohibition of discretionary development on slopes greater than 30% and require a geologic hazard assessment in all cases where development is planned on slopes greater than 30%. Erosion policies exclude lands with slopes greater than 30% in urban areas and greater than 50% in rural areas from density calculations for land division purposes. The County also uses an Urban Open Space designation for various lands, including slopes over 30%. Site slopes are a component of the County's Density Determination Matrix system for guiding development in rural areas, with distinctions made for different slopes, soil types, landslide potential, proximity to a fault zone, availability of utilities, and others. (from McGrath, 9/28/84)

All exposed soils must be protected from October 15th to April 15th; all disturbed sites must be stabilized and all erosion and sediment must be controlled on site. Site disturbance must be limited to 25% of the site, with final disturbance after revegetation limited to 15%; and impervious surfaces must be limited to 10%. The County has guidelines for development in steep slope areas, such as clustering development and limiting the size of cut or fill slopes to less than 10 feet. Step or pole foundations should be used for slopes greater than 15% and pole foundations only for slopes greater than 30%. Roads must be at least 16' wide, or 12' with turnouts that are approved by the fire department; no access roads may cross slopes steeper than 30%. Erosion control plans are required for any clearing more than one acre, except for existing agriculture. For areas with high erosion potential, final site development, drainage and erosion control plans must be prepared and approved prior to any clearing or grading activity.

The Monterey County coastal zone encompasses much of the Elkhorn Slough watershed and extends far inland in the north part of the county. Much of the concern in this area is for erosion and sedimentation controls, resulting primarily from agricultural practices. The certified North County LCP uses slopes to establish development standards, protect vegetation, require soils and geologic reports and reduce or mitigate erosion in each sub-watershed. Slopes greater than 25% are designated as Critical Erosion Areas, as are other soils of high erosion potential. Development must avoid these Critical Erosion Areas, unless avoidance is not possible. No oak woodland or chaparral may be removed from slopes steeper than 25%.

Southern Monterey County is a relatively undeveloped area and visual quality and habitat protection are significant concerns. The overall regulatory approach to development in the southern part of the county is to establish low intensity development, with 1 unit per 40 acres for slopes less than 15%, 1 unit per 80

acres for slopes between 15 and 30% and 1 unit per 320 acres for slopes greater than 30%. There is also a county-wide restriction against grading during the winter months, between October 15th and April 15th.

San Luis Obispo County has a very rural character, with rather large land holding throughout much of the county. To protect the visual character of the area, development is prohibited on slopes greater than 20% in all rural areas, or in areas outside central Pismo Beach and Morro Bay. No grading is permitted in the county from November through March, and revegetation must be started as soon as possible after grading is completed. Road alignments are to be designed and constructed to minimize terrain disturbance, consistent with safety and construction costs. The LCP provides maps of Geologic Study Areas where geologic and soils studies are required for approval of new development.

Much of Santa Barbara County is also rural, with large agricultural land holdings; concentrated development is limited to the major urban centers. Two of the dominant concerns in Santa Barbara which affect land use planning are water availability and agricultural lands preservation. No new land subdivisions are allowed unless the applicant can demonstrate that adequate water is available to serve the newly created lots, except for lots designated as "Not A Building Site". Several communities in Santa Barbara County have developed Community Plans to address decisions of land use and resource protection. For example, Goleta's Community Plan provides protection of many upland areas through habitat protection policies. Two hundred foot buffers are required the in Mountainous GOL for riparian vegetation in which grading and vegetation removal shall be limited, consistent with the purpose and intent of the overlay district. Throughout the entire community, excessive grading for the sole purpose of creating or enhancing views shall not be permitted.

In much of the north part of the county the minimum lot sizes are 100 or 320 acres, and a Slope Density Curve is used throughout the county for lot development. Structures shall be subordinate in appearance to natural land forms and no above ground structure, except utilities or agricultural fences may be sited on undisturbed slopes exceeding 40%. A Brush Removal Permit is required for construction of service roads or clearing of natural vegetation for orchards on slopes greater than 20%. If major vegetation removal on slopes steeper than 20% is proposed for non-agricultural development, the Soil Conservation Service must be consulted and their recommendations should be followed. Projects requiring grading may be denied if it is determined that the development can be carried out with less alteration of natural terrain and areas which, due to hazardous conditions, are not suitable for development, should remain open space. When grading is undertaken, the exposed areas should be as small as practicable and shall be quickly revegetated. No site clearing can occur during the winter months and all eroded sediments should be retained on site or moved to an appropriate dumping location.

The most significant steep slope area in Ventura County is the Santa Monica Mountains. This zone also includes a narrow portion of the frontal slope of the Santa Inez Mountains along the north coast. In these areas, the county uses a slope density formula for new development, requiring at least 10 acres per unit for slopes less than 15% to 100 acres per unit for slopes greater than 35%, average slope. In addition, many upland habitat areas have been mapped for protection and areas with slope greater than 30% are to be preserved as open space. Development is not to intrude onto ridge lines, or into the view sheds of public recreation areas. Grading is not permitted from November 15th to April 15th. (from McGrath, 9/28/84)

Much of the Santa Monica Mountains extend south into Los Angeles County and the City of Malibu. Unlike the portion in Ventura County, much of the Los Angeles portion has been substantially subdivided. There are often significant resource concerns associated with development of these sites, including view shed impacts, slope stability, suitability of the site for septic tanks and impacts to sensitive resources. Many habitat concerns have been highlighted through the mapping of Significant Ecological Areas (SEAs), where development is prohibited. Due to the alteration of drainage associated with road construction, the Commission has tried to limit the further expansion of new roads and driveways. Due finally to the large number of small lots or lots with significant development constraints, the Commission also instituted a program of Transfer of Development Credits to encourage preservation of these sensitive areas as open space. Development levels through the area are based on a slope density formula in combination with Transfer of Development Credits.

The Malibu Land Use Plan (Malibu has a certified LUP, but the Coastal Commission continues to issue Coastal Development Permits since the area does not have a certified LCP) has a number of policies addressing land form alteration. Geology Reports must be prepared for any development proposed within potentially geological unstable areas. Hillside Management Procedures must be followed for sites with

average slopes greater than 25%; there can be no grading or development-related clearing where slopes exceed 25%, except that driveways and utilities may be located on such slopes where there is no less environmentally damaging feasible alternative means of providing access to home sites located on slopes of less than 50%. All new development is reviewed to ensure that it will not generate increased run-off, debris and/or chemical pollution.

Areas of the Santa Monica Mountains have been subdivided into very small, urban scale parcels; however, it is expected that many of these sites will not build out due to slope or geologic conditions, septic limitations, development costs or other. A 1978 study found that an estimated 3,614 parcels would be considered "non-conforming" which could, theoretically be built out. The LUP proposes a mix of techniques, such as development allocation, fee acquisition, offers of tax delinquent parcels, lot consolidations, redevelopment and surplus land exchange to mitigate potential effects and reduce build out.

Los Angeles County requires grading permits for any activity involving excavation greater than 3' below ground level, fill greater than 3' above ground level or more than 20 cubic yards on any one lot, any fill that obstructs a drainage course, or any fill having a natural grade steeper than 3:1. Grading plans must be prepared by a registered civil engineer and if grading exceeds 1,000 cubic yards, a bond may be required. Fill slope design must follow the recommendations of Chapter 70 of the Uniform Building Code. In addition to a grading requirement, the County has developed a Brush Removal Ordinance which controls the removal of brush and vegetation from hillside and mountainous areas. Permits area required from the Department of Public Works for removal of vegetation from all slopes greater than 8%, unless clearing will be less than 2.5 acres in any 12 month period, or is for clearance on order of the Fire Department. The County has strict erosion control measures during the rainy season, including penalties for non-compliance. Leach fields cannot be built on slopes steeper than 30%; however, seepage pits have no such slope limitation and have been approved for use in fill slopes, bedrock shales and above landslide scarps.

The City of Manhattan Beach's Land Use Plan was approved recently by the Commission, with requirements for an aggressive response to dealing with storm water and non-point source pollution. The city initiated a storm water pollution abatement program and is developing codes and standards to implement the Good Housekeeping Requirements and Best Management Practices of the Santa Monica Bay Restoration Project Action Plan.

The City of Rancho Palos Verdes is perhaps best known for the Portuguese Bend landslide, an large active slide which has destroyed or damaged over 150 residences since it was activated in 1956. Total losses from the slide have exceeded 9 million dollars, making the City very conscious of the long-term problems which can occur from development on a landslide. As a result, Rancho Palos Verdes is one of the few local governments which requires detailed geologic reports and soils tests for thorough landslide identification prior to approval of any subdivision. In addition, Rancho Palos Verdes has a coastal setback line to minimize land form alteration along the coast.

Much of the Orange County coastal zone is developed. The two steep slope areas which are part of the coastal zone are the Irvine Ranch and Aliso Canyon, both in south Orange County. Within the Irvine Ranch, the downcoast two-thirds of the property has been protected through either purchase of the land for public recreation or dedication of the land for open space. This effort has protected these steep slope areas and associated habitats from disturbance. In Aliso Canyon, the Commission adopted a policy of preserving Wood Canyon and natural hillsides from the ridge top to the stream. In both situations, significant land holdings were available to establish both developable areas and protected areas.

In the areas of Orange County where development is allowed, erosion control plans are required for grading between October 15th and April 15th, and grading is prohibited if sedimentation cannot be controlled. Runoff controls have been incorporated into the plans for development on Irvine Ranch and in Aliso Canyon, with the intention of preventing long-term erosion from stream beds. In addition, Orange County has developed a handbook on Grading Fundamental Principles and Design Considerations which serves as a source of information for the development of alternative grading standards such as contour grading and the use of vegetation for site development and erosion control. Siltation, however, is viewed as a valuable source of beach quality material and the County supports efforts to insure that this material can reach the coast.

The San Diego County coast consists of a number of steep coastal bluffs and an extensive network of

coastal lagoons. Most of the restrictions on steep slope development have attempted to address sedimentation of wetlands from upland development. In the Batiquitos watershed, the LCPs attempt to concentrate development on slopes less than 20%, or less than 10% for highly erodible soils; grading is prohibited between November 1st and March 31st. The County has mapped sensitive chaparral habitat for preservation and prohibits development throughout the county on slopes greater than 25%. This combination of slope and habitat protection has led to a network of open space along the bluffs fronting the lagoons as well as preservation of significant riparian corridors.

Many of the urban areas in the County have developed maximum site densities based on the average slope of the site. Drainage from the site must be controlled to be equal to or less than pre-project levels. Soils studies are required for all subdivisions. The City of Oceanside has developed a Hillside Development Manual and Ordinance, allowing development on 20 to 40% slopes only if geologic stability is verified and the integrity of the slope of preserved. Runoff must be controlled on site or diverted to channels or culverts that provide energy dissipation to prevent erosion and siltation into rivers.

IV. OTHER PLANNING TOOLS WHICH ADDRESS LAND FORM ALTERATION

Over the years a number of reports and handbooks have been prepared on techniques to minimize or control runoff and sedimentation from various land use activities. In 1978, the State of California, Department of Conservation published an "Erosion and Sediment Control Handbook", prepared by Perry Amimoto. More recently, the Department of Forestry has published a Draft "Soil and Water Conservation Handbook: Water Quality Management for National Forest System Lands in California", the State of California Department of Transportation has published the "Storm Water Pollution Prevention Plan Handbook", and under the direction of the State Water Resources Control Board and other agencies in the Storm Water Task Force, Camp Dresser & McKee prepared the "State of California Storm Water Best Management Practice Handbooks".

Other states are also developing guidance and handbooks relating to slope management, for example "Slope Stabilization and Erosion Control using Vegetation: A Manual of Practice for Coastal Property Owners", prepared by Myers Biodynamics, Inc. for the State of Washington Department of Ecology. Likewise, many local governments have developed grading or slope stability guidance such as, "Grading: Fundamental Principles and Design Considerations" prepared by Center for Planning and Research for Orange County; "Groundwork: A Handbook for Erosion Control in North Coastal California", prepared by Liza Prunuske for the Marin County Resource Conservation District; "Hillside Residential Design Guidelines Manual", prepared by Gast and Hillmer for the City of San Raphael; "Single Family Residence Design Guidelines" prepared by a Guidelines Sub-Committee for the City of Santa Barbara; "Grading Guidelines", prepared by the County of Los Angeles, Department of Public Works; "Planning Guidelines: Landform Grading Manual", by the Department of City Planning, City of Los Angeles; or "Manual of Standards for Erosion and Sediment Control Measures", by the Association of Bay Area Governments.

V. REGULATIONS OR STANDARDS WHICH ADD TO LAND FORM ALTERATION

For site development there are a number of requirements for site safety which often result in land form alteration. The three primary concerns are the Fire Department concerns about site access, it concern about fuel modification and the Health Department concern about septic systems and water supply. In areas prone to land slides, there is a fourth concern relating to general site stability. For efforts at minimizing land form alteration to be truly effective, the issues of access, fuel clearance, sites for septic systems and, if appropriate, the potential for landslides need to be addressed at the time that legal lots are being established. It is at the subdivision stage that areas can be determined to be undevelopable due to unstable slopes, unacceptable levels of grading for road access or excessive site clearing for fuel modification. More appropriately, it is at the subdivision stage that the developability of each lot should be demonstrated, since there are rarely clear definitions of what is either unacceptable or undevelopable.

Once a lot is legally subdivided, the general assumption is that the lot can be made safe for development through various engineering and technical efforts. At this point, planners are often faced with large quantities of non-discretionary grading necessary to safely develop a remote site or site on steep terrain. Regulatory agencies find it very difficult to deny permits for massive quantities of grading, if the grading is the minimum necessary to allow a property owner to develop their lot. As stated by William M. Brown, Physical Scientist for the U.S.G.S., for landslides, but equally applicable to other site development concerns, "Avoiding hazards can be done by selecting suitable sites for construction; this activity is one

of intelligent foresight or, more commonly, is controlled by land-use zoning or building codes." (in "Coping With Landslide Hazards in California and the San Francisco bay Region", by William M. Brown III, Menlo Park, no date.)

Fire protection is one of the major concerns affecting the land form alteration requirements of new development, especially residential development. The two major factors in protecting a structure from fire are accessibility by fire equipment and distance from flammable material. Following the 1991 fires in North East Washington State, the National Wildland/Urban Interface Fire Protection Initiative found, among others factors, that, "roadways and restricted driveways to homes limited response and operational choices of fire fighters. The terrain features roads that twisted to follow the hillsides and ridges." (in "Fire Storm '91: Case Study") The study also found that, " The most consistent factor associated with structure loss of the homes studied in these fires was the distance of the homes from adjacent combustible vegetation. In most cases, the proximity of homes to flammable fuels was 20 feet or less." Structural features too can be a factor, where the study found that, "wood exterior construction and open wood decks, porches, or balconies also provided a ready source of easily ignitable fuel. Decks, porches and balconies did serve as an easy path for burning vegetation to reach structures (becoming) even more hazardous when the areas underneath them were used to store combustibles such as firewood."

Most local governments have road requirements which are established to insure that the available fire equipment can access a possible fire site. For the County of Los Angeles, for example, the Fire Code Standard for Private Access Roads and Driveways for Single Family Dwellings requires that, "access roads must be provided which will support Fire Department apparatus". The code goes on to discuss requirements for grade, width, curve radii, paving, drainage, turnouts, etc. Similarly most local and county governments have requirements in low density development areas for fuel modification or fuel clearing to provide a safety buffer between the structure and combustible material.

Once the need for fire access roads or vegetation clearing has been established and the extent of land form alteration from these actions has been found to be excessive, there are some opportunities to modify the access or clearing requirements to reduce the level of impact. Most fire equipment is custom designed, allowing communities which have a significant amount of hillside development to specific design options which allow access along windy hillside roads. In the same way that developers often transfer flat land designs to hillside and steep slope development, many developed hillside fire prevention efforts center around using flat land equipment, requiring the site to adapt to the available technology. Rather than a classic hook and ladder truck, hillside fire fighting efforts may rely more on equipment that can be mounted on pick-up trucks, with hydrants and other supporting equipment provided as part of the hillside development. For example, most of the fire vehicles used in Marin County are four-wheel drive trucks which can negotiate the narrow steep roads that provide access to hillside development. For areas without hydrants, water is supplied by water towers or tenders mounted on four-wheel drive vehicles. Hillside fire fighting may also rely strongly on aerial equipment. Such equipment changes, if possible, would limit road access to a size appropriate for the ingress and egress requirements of the residents.

When equipment modifications are not feasible or reasonable, some modification to the standard access may allow for some reduction in the extent of land form alteration. Most fire access requirements allow a one lane road with turnouts to be substituted for a two lane access road. This can often reduce the total grading required for access. Alternatively, a split road could reduce total land form alteration by using two small road cuts rather than one large road cut. Bridges, too can be used to span areas which would otherwise require significant cut and fill to develop an access route or to maintain a gentle grade. A variety of access options should be examined if the initial access proposal would lead to excessive land form alteration.

Fuel clearing is often viewed as a major factor in land form alteration, but often can be accomplished without causing significant impacts. Ideally, fuel clearing will result not in a barren swathe surrounding the structures to be protected, but in a reduction in combustible vegetation and in a replacement of high hazard fuel types with more fire-resistant vegetation. Much clearing can be done manually, eliminating the need for heavy equipment or vehicle access in the area surrounding the structures. Clearing can be done during times of the year when the clearing activities are least likely to trigger erosion and sedimentation. Finally, since utility corridors and proximity of power lines to flammable vegetation to are often identified as the causes of non-arson fires, the clearance requirements for utilities needs to be considered in locating utilities. In some cases, underground utilities may be reasonable options when the issues of vegetation clearing and fire protection are considered.

Septic systems with leach fields require fairly gently sloping land with granular soils to be effective. Most local health departments are familiar with the slope and soil requirements for safe septic operation. In addition to testing that the soils on site will percolate, it is normal for leach fields to be limited to slopes less than 30%. In some locations this limitation can effectively prohibit development on a lot; however, some areas such as Los Angeles county allow seepage pits to be used if leach fields cannot be established. Recent water quality standards which encourage greater use of on-site disposal systems may expand the use of such systems. For a multi-unit subdivision, a community-wide treatment plant or septic system may replace individual leach fields and allow a reduction in site disturbance.

While some restriction on site modification can be relaxed to accommodate development, restriction on septic design are usually taken as absolute, with no relaxation of requirements possible. However, if a lot has an area suitable for a septic system, this may not only dictate developability but also the location of development. Site disturbance would include not only the disturbance for the structure, but also disturbance for the septic system and necessary construction equipment. A second issue with septic systems or seepage pits in steep terrain is that these systems function by carrying waste water into the ground to be cleaned as it migrates downslope. In areas with landslide potential, slides can be activated by increases in groundwater. Complete analysis of a site must consider all the constraints which may occur. Although a single septic system may not be enough to raise concern about the activation of a landslide, the cumulative impact from ten or twenty lots, with septic systems, irrigated landscaping and other small sources of groundwater, may pose a serious concern.

In steep coastal areas with the potential for landslides, landslide remediation can result in significant alteration of natural land forms. When landslide activity has played a major role in developing the dominant land forms, efforts to mitigation landslides can have a dramatic effect on the region. In addition to changing the visual character of the area, large engineered slopes can change to natural runoff and drainage characteristics since most efforts to assure slope stability are concerned with preventing water from percolating into the engineered slope. Ignoring or improperly mitigating landslides can also have a dramatic effect; in California between 1973 and 1983, it has been estimated that one hundred million dollars in damage occurred annually due to landslides (adapted from Brabb, 1984; presented in Federal Emergency Management Agency, "Landslide Reduction: A Guide for State and Local Government Planning", August 1989).

In areas with high landslide potential, the best way to minimize alteration of natural land forms is often to locate and avoid all slide hazards. (While avoidance may be the best way to minimize land form alteration and the expense of landslide remediation, property owners have been found liable for the impacts from slides, even on undeveloped property which encourages property owners to consider remediation even when avoidance is possible.) Numerous papers and books have been published on landslide mitigation efforts, descriptions of various techniques, comparisons between various techniques for specific slide types, and other landslide mitigation topics. In almost all cases, land slide mitigation requires land form alteration, either to remove and recompact the slide, or to access the area to install stabilizing to retaining efforts. The Commission staff report, "Overview of Engineering Techniques to Reduce Grading," describes many of the common techniques to stabilize landslides and discusses options for reducing the amount of land form alteration; however, only the option of avoidance eliminates the need for some amount of land form alteration.

VI. CONCLUSIONS

When the City of Manhattan Beach was working to amend its Land Use Plan to address storm water pollution abatement, one of the findings was, "In the process it was found that a number of ordinances already exist on the books that cover most of the original concerns [relating to illegal dumping to catch basins and the storm drain system]. It was determined that those significant codes contain strong enforcement capabilities and that the present city staff needs to be educated and made aware of those existing codes The program is to develop codes and building standards, educate staff, eliminate potential loopholes within the existing code sections" Similarly, it seems that for land form alteration, there are available state regulations, interpretive guidelines, local policies and ordinances, and a broad range of handbooks and technical guidance to promote land development efforts which minimize land form alteration. There are also established codes and practices for the various efforts which tend to exacerbate efforts to reduce land form alteration, such as requirements for fire access, health and safety requirements for septic systems or established practices for land slide remediation.

Despite this vast array of information, the concerns for land form alteration often are either overlooked or

relaxed in the face of detailed technical requirements. The review of planning material relating to land form alteration shows an understanding on the concerns for land form alteration and a broad range of regulations and guidelines to safeguard against both excessive land form alteration and the resultant problems which can occur from any alteration activity. However, these concerns for land form alteration are often relaxed to comply with the absolute health and safety requirements for septic design, road widths or stability of landslide remediation. Development activities can often accommodate all planning, health, safety and stability concerns, but all the concerns must be examined early in the project design phase, and all concerns need to be approached with some flexibility and opportunity for alternatives or modifications.

ENDNOTES

1. All Statutory citations herein refer to the California Public Resources Code unless otherwise noted.
2. The CCMP, which was approved by the Secretary of Commerce in 1977, consists of specific state and federal laws and policies, including but not limited to the Coastal Act, the Commission's administrative regulations, LCPs, the federal Clean Water Act (CWA), the State Water Resources Control Board's California Ocean Plan, and other plans adopted pursuant to the CWA.
3. A CDP is required of any person that intends to perform or undertake any development in the coastal zone other than a power plant subject to the provisions of Section 25500 (Section 30600 (a)).
4. "Development means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any ... gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land ...; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility.... As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electric power transmission and distribution line (Section 30106).
5. "Coastal zone" means that land and water area of the State of California ... extending seaward to the state's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards. The coastal zone does not include the area of jurisdiction of the San Francisco Bay Conservation and Development Commission ... nor any area contiguous thereto, including any river, stream, tributary, creek, or flood control or drainage channel flowing into such area (Section 30106)

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EXHIBIT V

VENICE COASTAL ZONE

Specific Plan

Ordinance No. 175, 693
Effective January 19, 2004

Specific Plan Procedures
Amended pursuant to L.A.M.C. Section 11.5.7

**This Specific Plan was adopted by City Council on December 2, 2003.
Certification by the California Coastal Commission is pending.**

Please refer to the certified **Venice Coastal Land Use Plan** for other development standards that may apply to your project. Contact the Community Planning Bureau for further assistance.

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VENICE COASTAL ZONE

Specific Plan

An ordinance amending the Venice Coastal Specific Plan.

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

Section 1. Ordinance No. 172,897 is repealed.

Section 2. ESTABLISHMENT OF THE VENICE COASTAL SPECIFIC PLAN.

- A. The City Council establishes this Venice Coastal Specific Plan applicable to that area of the City of Los Angeles shown on the Specific Plan Area map, Exhibit 1a and 1b. The Specific Plan area is divided into eight subareas, as shown by Exhibits 2 through 5.

Ballona Lagoon West Bank Subarea, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 2.

Ballona Lagoon (Grand Canal) East Bank Subarea, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 2.

Silver Strand Subarea, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County boundary on the east, and Ballona Lagoon on the west, as shown on Exhibit 2.

Marina Peninsula Subarea, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the west, and the Pacific Ocean on the west, as shown on Exhibit 2.

Venice Canals Subarea, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eastern Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 3b.

North Venice Subarea, generally bounded by the Los Angeles City boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 3a and 3b.

Oakwood-Milwood-Southeast Venice Subarea, generally bounded by the Los Angeles City boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court and Strongs Drive on the west, as shown on Exhibits 4a and 4b.

Oxford Triangle Subarea, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 5.

Section 3.

PURPOSES. The purposes of this Specific Plan are as follows:

- A. To implement the goals and policies of the Coastal Act.
- B. To implement the Local Coastal Program (LCP) for that portion of the Venice community within the Coastal Zone as designated by the State Legislature.
- C. To protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
- D. To assure that public access to the coast and public recreation areas is provided as required by the Coastal Act and the LCP.
- E. To prepare specific provisions tailored to the particular conditions and circumstances of Venice Coastal Zone, consistent with the general policies of the adopted Los Angeles General Plan.
- F. To regulate all development, including use, height, density, setback, buffer zone and other factors in order that it be compatible in character with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas.

Section 4.

RELATIONSHIP TO OTHER PROVISIONS OF THE MUNICIPAL CODE.

- A. The regulations of the Specific Plan are in addition to those set forth in the Planning and Zoning provisions of Chapter 1 of the Los Angeles Municipal Code (LAMC), as amended, and any other relevant ordinances, and do not convey any rights not otherwise granted under those provisions except as specifically provided in this Specific Plan.
- B. Wherever provisions of this Specific Plan differ from provisions contained in Chapter 1 of the LAMC, (with regard to use, density, lot area, floor area ratio, height of buildings or structures, setbacks, yards, buffers, parking, drainage, fences, landscaping, design standards, light, trash and signage) this Specific Plan shall supersede those other regulations. Whenever this Specific Plan is silent, the regulations of the LAMC shall apply.

Section 5.

DEFINITIONS. The following words, whenever used in this Specific Plan, shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in LAMC Section 12.03 or 12.20.2.1, if defined there:

- A. Architectural Features.** Features including, but not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.
- B. Blank Wall.** A Street Wall or vehicle entry facing the street and having no architectural detailing, windows, doors or similar features.
- C. Building Frontage.** The maximum length of a line or lines formed by connecting the points representing projections of the exterior building walls onto a public street or onto a courtyard that is directly accessible by pedestrians from a public street, whichever distance is greater.
- D. Beach Impact Zone.** All lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice subareas described in Section 1, Exhibits 2, 3a and b, of this Specific Plan.
- E. Change in Intensity of Use.** A change in intensity of use includes but is not limited to any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of Service Floor to a commercial or industrial use; or (c) a change in the number of trips as calculated in the Trip Table, Appendix C; or (d) a change in the number of provided or required parking spaces as calculated in Section 12 D and E of this Specific Plan.
- F. Change of Use.** A change from (1) an existing residential use to a commercial or industrial use; or (2) an existing commercial use to a residential or industrial use; or (3) an existing industrial use to a residential or commercial use.
- G. Encroachment.** Any structure or building or portion of a structure or building that projects into a right-of-way or required setback.
- H. Environmentally Sensitive Habitat Area.** Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.
- I. Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
- J. Fill.** Earth or any other substance or material, including pilings placed for the purposes of erecting a structure on it.
- K. Flat Roof.** Any roof form which has a slope of 2 vertical inches or fewer to 12 horizontal inches.

- L. **Grand Canal Lot.** Any lot shown on Exhibit 2 of this Specific Plan that is immediately adjacent to Grand Canal.
- M. **Ground Floor.** The lowest story within a building, which is accessible to the street, the floor level of which is within three feet above or below curb level, which has frontage on or is primarily facing any pedestrian-oriented street, and which is at least 20 feet in depth or the total depth of the building, whichever is less.
- N. **Lagoon Buffer Strip.** The strip of land immediately adjacent to the Ballona Lagoon that separates the developable portion of a lot from the waters of Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77 and Appeal No. A-266-77.
- O. **Lagoon Lot.** Any lot that is immediately adjacent to the Ballona Lagoon as shown on Exhibit 2 of this Specific Plan.
- P. **Local Coastal Program.** A program that includes land use plans, zoning ordinances, zoning district maps, and within sensitive coastal resource areas, other implementing actions, which when taken together meet the requirements and provisions of the California Coastal Act.
- Q. **Lot Consolidation.** Lot consolidation occurs when: (1) one or more structures are built over a lot line that divided two existing lots; or (2) a lot line is abandoned, a lot line is adjusted, lots are merged, or other action is taken by the City, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.
- R. **Permeable.** A material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface material poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area of loosely laid material such as crushed stone or gravel.
- S. **Premise.** A building or portion of a building used as a location for a single business or non-commercial use.
- T. **Replacement Affordable Unit.** Any affordable housing unit to be provided as replacement for an existing unit on a Venice Coastal Development Project site. Affordable housing units are dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth on a rent schedule prepared by the City's Housing Department or any successor agency. In order for a Venice Coastal Development Project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy.

- U. **Roof Access Structure.** An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.
- V. **Service Floor.** All areas where the customer can be served, except the restroom, including the indoor and outdoor dining area, bar, waiting room and tavern.
- W. **Store Frontage.** The horizontal length of a Premise abutting the exterior public access level walkway that serves the Premise.
- X. **Street Wall.** An exterior wall of a building that faces a street.
- Y. **Trip.** A single or one direction vehicle movement with either origin or destination (exiting or entering) inside the Venice Coastal Development Project site.
- Z. **Varied Roofline.** Any roof that has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped or curved roofline.
 - aa. **Venice Coastal Development Project.** Any of the following actions taken on any lot located in whole or in part within the area identified in Exhibit 1a and b of this Specific Plan. On land, in or under water, the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; the grading, removing, dredging, mining or extraction of any materials; any change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use; any change in the intensity of use of water or of access to the water; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code). On-site and off-site parking areas that serve a Venice Coastal Development Project shall be considered a part of the project.
 - bb. **Venice Coastal Zone.** The area within the Venice Community Plan area west of Lincoln Boulevard, including those lots fronting on the west side of Lincoln Boulevard and shown on the Specific Plan Area map, Exhibit 1a and b.
 - cc. **Walk Street.** A public street in the Venice Coastal Zone that has been improved for public pedestrian use over part of its width and is landscaped (publicly or privately) over the remainder, but which has not been improved for public vehicular access, as identified in

Appendix A of this Specific Plan and as shown on Exhibits 16 a and b.

Section 6. **JURISDICTION.** No demolition, grading, building permit or certificate of occupancy shall be issued for any Venice Coastal Development Project unless the Venice Coastal Development Project has received a Venice Coastal Specific Plan Exemption, a Planning Director signature on the Building Permit Application Clearance Summary Worksheet, or has been reviewed and approved in accordance with the Specific Plan Procedures of LAMC Section 11.5.7, Section 7 of this Specific Plan and the Coastal Development Provisions of LAMC Section 12.20.2.1.

Section 7. **APPLICABILITY.** The provisions of this Specific Plan shall not apply to any Venice Coastal Development Project for which a valid Project Permit Compliance or Exemption was granted pursuant to the Venice Coastal Specific Plan, Ordinance No. 172,897, provided architectural and structural plans incorporating all conditions of the permit or exemption were accepted for plan check by the Department of Building and Safety and a fee paid not more than 365 days after the effective date of this Specific Plan and no subsequent changes occur on the plans, which would cause the Venice Coastal Development Project to exceed any provision of the permit or previously granted exemption.

Section 8. **REVIEW PROCEDURES.** Applications for Venice Coastal Development Projects shall be filed and processed as follows:

A. DIRECTOR OF PLANNING SIGN-OFF. The following Venice Coastal Development Projects are exempt from the Project Permit Compliance procedures contained in LAMC Section 11.5.7 C. For these projects, no demolition, grading, building permit or certificate of occupancy shall be issued unless the Director of Planning has reviewed the application and determined, by signature, that the Venice Coastal Development Project complies with all applicable provisions of this Specific Plan.

1. In the Appealable Area, any improvement to an existing single or multiple-family dwelling unit that is not located on a Walk Street;
2. In the Non-Appealable Area:
 - a. Any improvement to an existing single or multiple-family dwelling unit that is not located on a Walk Street;
 - b. New construction of one single family dwelling unit, and not more than two condominium units, not located on a Walk Street;
 - c. New construction of four or fewer dwelling units, not located on a Walk Street;
 - d. Demolition of four or fewer dwelling units.

3. Any improvement to an existing commercial or industrial structure of any Venice Coastal Development Project that increases the total occupant load, required parking or customer area by less than ten percent.
4. Any Venice Coastal Development Project that has been Categorically Excluded pursuant to a Categorical Exclusion order issued by the Coastal Commission.

B. PROJECT PERMIT COMPLIANCE REVIEW. All other applications for Venice Coastal Development Projects that are not described in Section 8 A above shall be processed in accordance with LAMC Section 11.5.7.

For Venice Coastal Development Projects listed below, the Approving Authority may waive the public hearing for a Coastal Development Permit if it can make the Findings in accordance with Section 12.20.2.1 E4.

1. Any Venice Coastal Development Project located on a Walk Street.
2. Any improvement to an existing commercial or industrial structure that increases the total occupant load, required parking or customer area by ten percent or more.
3. In the Appealable area, any Venice Coastal Development Project that consists of:
 - a. Any new single family unit and not more than two condominium units;
 - b. Demolition of four or fewer dwelling units;
 - c. New construction of four or fewer dwelling units.

C. FINDINGS. In granting a Project Permit Compliance Review in the Venice Coastal Zone, the Approving Authority shall make each of the findings in Section 11.5.7 and the following findings:

1. That 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;
2. That the Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program;
3. That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Venice Coastal Development Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing;
4. That 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).

Section 9.

GENERAL LAND USE AND DEVELOPMENT REGULATIONS. In addition to the regulations contained in Chapter 1 of the LAMC and as shown on Exhibits 6-15, the following regulations shall apply:

A. LOT CONSOLIDATION. Lot Consolidation of contiguous lots may be permitted, provided the consolidation complies with conditions specified in Subsection 1 and 2 below. Subterranean development that is entirely below street elevation is exempt from this subsection.

1. Number of Lots.

a. Venice Canals and Silver Strand residentially-zoned lots:

Lot Consolidation shall not be permitted.

b. Walk Streets:

If residentially-zoned lots front on a Walk Street, a maximum of two residentially-zoned lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

c. Ballona Lagoon West, Ballona Lagoon (Grand Canal) East, Southeast Venice, Milwood, North Venice and Oxford Triangle residentially-zoned lots:

A maximum of two residentially-zoned lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

d. Oakwood and Marina Peninsula neighborhoods:

A maximum of three residentially-zoned lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

e. Commercially- and Industrially-Zoned Lots:

(1) Any number of Lots abutting Lincoln Boulevard or Washington Boulevard and located east of Oxford Avenue may be consolidated with no limit on the number of lots, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

(2) Other Commercial Venice Coastal Development Projects:

Two lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below; or three lots may be

consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below and parking is subterranean with the roof at natural grade.

(3) Industrial Venice Coastal Development Projects:

Any number of lots may be consolidated for industrial Venice Coastal Development Projects, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below and parking is subterranean with the roof at natural grade.

(4) Mixed-Use and Multi-Family Residential Venice Coastal Development Projects:

Lot consolidation of more than two lots shall be permitted for mixed-use and multi-family residential Venice Coastal Development Projects, provided the project conforms to the existing scale and characteristic of the surrounding community, the required parking is on-site and the project conforms with development standards in Section 9 A 2 below.

2. Development Standards.

- a. Access to subterranean parking shall be from an alley, where an alley exists, and all subterranean parking shall be fully below natural grade and shall not be visible from the street.
- b. Buildings shall be designed with visual breaks or Architectural Features, including balconies or terraces, with a change of material or a break in the plane for every 20 feet in horizontal length and every 15 vertical feet. Residential buildings shall provide habitable space on the Ground Floor, a ground level entrance, and landscaping and windows fronting the street.
- c. In the RD and R3 multiple-family zones, construction on the single building site may combine the density of the previously-established lots.
- d. For residential Venice Coastal Development Projects, front porches, bays and balconies shall be provided to maximize architectural variety.
- e. In the Oakwood and Marina Peninsula neighborhoods, if the building footprint of a structure extends across all three consolidated lots, the structure shall be designed to appear to be two or more distinct buildings. The structure may be joined in the rear. All development standards in Subsections 2 a through 2 d shall also apply.

B. HEIGHT. Height shall be measured as the vertical distance from ground level, as specified below for each subarea, to the highest point of the roof

or parapet wall, excluding roof deck railings that do not exceed 36 inches and are of an open design, unless specified otherwise in this Section.

1. For the Lagoon Lots in the Silver Strand and Ballona Lagoon West Bank Subareas, height shall be measured from the average existing natural grade.
2. For lots in the Venice Canals Subarea, height shall be measured from the elevation of the centerline of the adjacent alleyway measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed on that lot, height for each building shall be measured from the projection of the midpoint of each building.
3. For all other lots, height shall be measured from the centerline of the street or alley or walk adjacent to the front lot line measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed on that lot, height for each building shall be measured from the projection of the midpoint of each building. For through lots, height shall be measured from the centerline of whichever adjacent street is the lowest in elevation. In any case involving a Grand Canal Lot, height shall be measured from the elevation of the Grand Canal Esplanade sidewalk.

C. ROOF STRUCTURES.

1. In addition to the limitations contained in LAMC Section 12.21.1 B 3, Roof Access Structures shall conform to the following limitations:
 - a. For subareas where there is a specified Flat Roof height limit, Roof Access Structures shall not exceed the Flat Roof height limit by more than ten feet regardless of roof type;
 - b. For subareas where there is no specified Flat Roof height limit, Roof Access Structures shall comply with LAMC Section 12.21.1 B 3;
 - c. Roof Access Structures shall be designed and oriented so as to reduce their visibility from adjacent public walkways and recreation areas;
 - d. The area within the outside walls of the Roof Access Structure shall be minimized and shall not exceed 100 square feet as measured from the outside walls;
 - e. Roof Access Structures shall not exceed the 30 foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal and the inland side of the Esplanade (City right-of-way);
 - f. In the Venice Canals Subarea, Roof Access Structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

2. Notwithstanding other provisions of this Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limits specified in Section 10 by not more than five feet.

D. SIGNS. Billboards and roof top signs shall be prohibited within the Specific Plan area.

Section 10.

LAND USE AND DEVELOPMENT REGULATIONS FOR SUBAREAS. In addition to the regulations in Section 9, the following regulations shall apply within each of the specified subareas in Sub-sections A-H below.

A. BALLONA LAGOON WEST BANK.

1. **Height.** Within 60 feet of the mean high tide of the Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water as determined by a licensed surveyor, Venice Coastal Development Projects shall not exceed a maximum height of 30 feet. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including Roof Access Structures, roof deck railings and Architectural Features) shall exceed the 30 foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water.

2. Lagoon Buffer/Setback/Yards.

a. Lots located between Topsail Street and Via Marina:

- (1) All Venice Coastal Development Projects, including balconies or other Architectural Feature, shall be set back a minimum of 25 feet from the inland edge of Esplanade West, or, where no Esplanade West exists, from the lot line that separates the lot from the west bank of the Ballona Lagoon. Ground level Permeable decks not exceeding 18 inches in height, landscaping, railings and fences may encroach ten feet into the setback.

- (2) No development other than public access improvements and habitat restoration shall be permitted within the easterly fifteen-foot portion of the 25-foot required setback area. The City may require dedication of easements as a condition of development if the City finds that there is a nexus between the impacts of the Venice Coastal Development Project and the need to protect the Lagoon Buffer Strip for public access improvements and habitat restoration.

b. Lots located north of Ironsides Street:

- (1) All Venice Coastal Development Projects shall be set back an average of 15 feet but not less than ten feet from the lot line nearest to the water.
 - (2) 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 that faces the water and the front of any structure. No building extensions, including stairs and balconies, shall be allowed in the required Permeable yard area, except for ground level Permeable decks that do not exceed 18 inches in height.
 - (3) The combined height of any decks, railings, garden walls and fences situated within the required Permeable yard shall not exceed six feet above the elevation of the adjacent public walkway.
 - (4) The sideyard shall be consistent with LAMC requirements, but shall not be less than 3 1/2 feet.
3. **Fill.** No Fill shall be permitted in the lagoon and buffer area, except for the minimum amount necessary for habitat restoration and public access.
 4. **Drainage.** Prior to issuance of a building permit for a new Venice Coastal Development Project or an expansion of the existing building footprint by more than ten percent, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

B. BALLONA LAGOON (GRAND CANAL) EAST BANK.

1. **Density.** Residential uses in commercial zones shall not exceed R3 density.
2. **Height.** Within 60 horizontal feet of the inland side of the Esplanade (City right-of-way), Venice Coastal Development Projects shall not exceed a maximum height of 30 feet. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including Roof Access Structures, roof deck railings and Architectural Features) shall exceed the 30-foot height limit within 60 horizontal feet of the inland side of the Esplanade (City right-of-way).
3. **Setback/Yards.**
 - a. All Venice Coastal Development Projects shall be set back an average of 15 feet, but not less than 10 feet from the lot line which separates the lot from the east bank of the Grand Canal.

- b. 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. No building extensions, including stairs and balconies, shall be allowed in the required Permeable yard area, except for ground level Permeable decks.
 - c. The combined height of any decks, railings, garden walls and fences situated within the required Permeable yard shall not exceed six feet above the elevation of the adjacent public walkway.
 - d. The sideyard shall be consistent with LAMC requirements, but shall not be less than 3 1/2 feet.
4. **Fill.** No Fill shall be permitted in Grand Canal.
5. **Drainage.** Prior to issuance of a building permit for a new Venice Coastal Development Project or an expansion of the existing building footprint by more than 10 percent, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

C. SILVER STRAND.

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.
2. **Height.** Within 60 horizontal feet of the inland edge of Esplanade East or the mean high tide line of Ballona Lagoon or inland side of the Esplanade, whichever is furthest from the water, Venice Coastal Development Projects shall not exceed a maximum height of 30 feet. Beyond 60 horizontal feet, one additional foot in height is permitted for each additional two horizontal feet to a maximum height of 45 feet. No portion of any structure (including Roof Access Structures, roof deck railings and Architectural Features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, or inland side of the Esplanade, whichever is furthest from the water.
3. **Lagoon Buffer Strip and Setback.**
- a. Lots fronting on the lagoon and lots adjacent to Esplanade East:
 - (1) **Lagoon Buffer Strip.** No Venice Coastal Development Project other than public access improvements and habitat restoration shall be permitted within a 40-foot strip immediately adjacent to the Ballona Lagoon, as

established by the amended Coastal Permit A-266-77. The City right-of-way (Esplanade) comprises part of the 40-foot wide buffer, with the remainder comprised of 24 to 30-foot wide portions of the lagoon fronting lots over which easements have been, or shall be, dedicated to the City for open space and public access per the requirements of amended Coastal Permit A-266-77. The City may require dedication of easements as a condition of development if the City finds that there is a nexus between the impacts of the Venice Coastal Development Project and the need to protect the Lagoon Buffer Strip for public access improvements and habitat restoration.

- (2) **Setback.** All portions of a dwelling, except for decks, shall be set back from the easterly edge of the Lagoon Buffer Strip a minimum of ten feet or 15 percent of the depth of the lot, excluding the Lagoon Buffer Strip, whichever is greater, but this setback need not exceed 15 feet.
- (3) The total combined height of any decks, railings, garden walls and/or fences situated within the ten to 15-foot setback from the Lagoon Buffer Strip shall not exceed six feet above the elevation of the Lagoon Buffer Strip located immediately adjacent to the setback area.
4. **Fill.** No Fill shall be permitted in the lagoon or Lagoon Buffer Strip except for the minimum amount necessary for habitat restoration and public access.
5. **Drainage.** Prior to issuance of a building permit for a new Venice Coastal Development Project or an expansion of the existing building footprint by more than ten percent for lots fronting the Lagoon, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.
6. **Public Access.** All landscaped pedestrian malls in public rights-of-way, public streets and alleys and all public parking spaces shall remain open and available for use by the general public to the extent the Board of Public Works determines that it is reasonable and feasible.

D. MARINA PENINSULA.

1. Density.

- a. 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.

- b. 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.

2. Height.

- a. All Venice Coastal Development Projects shall be limited to a maximum height of 35 feet.
- b. Notwithstanding Paragraph a above, structures fronting on Walk Streets are limited to a maximum height of 28 feet.

3. Access.

- a. 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.
- b. 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.
- c. Vehicular access to Venice Coastal Development Projects on lots located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

E. VENICE CANALS.

- 1. **Land Use Limitation.** Pursuant to LAMC Section 63.50, recreational boating use of Venice Canals shall be limited to non-commercial shallow-bottom non-motorized boats, such as canoes and rafts.

- 2. **Height.** A maximum height of 22 feet shall be permitted for any portion of a Venice Coastal Development Project which is within ten feet from the property line that faces the canal. Thereafter, an ascending height equal to one half the horizontal depth shall be permitted to a maximum height of 30 feet.

3. Setback/Yard.

- a. **Setback.** An average setback of 15 feet, but not less than ten feet shall be maintained in the front yard adjacent to the property line which faces the canal.
- b. **Yard.** An open, Permeable yard with an area of at least 15 times the lot width and a minimum area of 450 square feet shall be maintained between the property line that faces the canal and the front of any structure. No Fill nor building extensions, including stairs and balconies, shall be placed in or over the required Permeable front yard area except fences up to 42

inches in height or Permeable decks at grade level not more than 18 inches high.

4. **Drainage.** Prior to issuance of a building permit for a new dwelling unit or an expansion of the existing footprint by more than ten percent, the applicant shall submit drainage plans, subject to the review and approval of the Department of Building and Safety, for a 100 cubic foot french drain or other water filtering device which provides equivalent on-site percolation. The french drain or other water filtering device shall be constructed and maintained as shown on the final plans. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

F. NORTH VENICE.

1. **Land Use.** For lots designated Neighborhood Commercial in the Coastal Land Use Plan, located between Pacific Avenue and Main Street, and between Westminster Avenue and Market Street, drive-through uses shall be prohibited.

2. **Density.**

- a. **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; 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.

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

3. **Height.**

- a. Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 30 feet; or 35 feet for Venice Coastal Development Projects with Varied Rooflines, provided that any portion of the roof that exceeds 30 feet is set back from the required front yard at least one foot in depth for every foot in height above 30 feet.
- b. **Walk Streets.** Notwithstanding Paragraph a above, Venice Coastal Development Projects fronting on Walk Streets shall not exceed a maximum height of 28 feet.

4. Setback.

- a. 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.
- b. Commercial Venice Coastal Development Projects along Ocean Front Walk may set their front yard at the building line.

5. Access.

- a. 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.
- b. 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.
- c. Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

G. OAKWOOD, MILWOOD, SOUTHEAST VENICE.

1. Land Use Limitation. For lots designated Community Commercial in the Coastal Land Use Plan and located along Rose Avenue, between Seventh and Fourth Avenues, no second floor retail use is permitted.

2. Density.

a. Residential Zones.

- (1) 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.
- (2) 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.

(3) R3 Zone.

- (i)** Lots located north of North Venice Boulevard and south of Victoria Avenue; lots located south of South Venice Boulevard and north of Harding and Woodlawn Avenues, east of Zeno Place only; and lots located north of Washington Boulevard, and south of Van Buren and Harrison Avenues shall be developed as permitted by the R3 Zone.
- (ii)** 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.

b. Commercial Zones. No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed a density of that allowed in the R3 Zone.

3. Height.

- a.** Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 25 feet. Venice Coastal Development Projects with a Varied Roofline shall not exceed a maximum height of 30 feet, provided that any portion of the roof that exceeds 25 feet is set back from the required front yard at least one foot in depth for every foot in height above 25 feet.
- b. Walk Streets.** Notwithstanding Paragraph a above, Venice Coastal Development Projects fronting on Walk Streets shall not exceed a maximum height of 28 feet.

4. Access.

- a.** 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.
- b.** Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

H. OXFORD TRIANGLE. Venice Coastal Development Projects located in the Oxford Triangle Specific Plan area shall comply with all applicable provisions contained in the Oxford Triangle Specific Plan in addition to the provisions contained in this Specific Plan

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.

2. Height.

- a. R-1 Residential Zone. Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 25 feet. Venice Coastal Development Projects with a Varied Roofline shall not exceed a maximum height of 30 feet.
- b. C2 Commercial Zone. Venice Coastal Development Projects shall not exceed a maximum height of 30 feet on all C2 zoned lots.

Section. 11.

COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS.

A. EXEMPTION. Any commercial and/or industrial Venice Coastal Development Project that consists solely of (i) additions or alterations to an existing building or structure, which results in a ten percent or less increase in total occupant load, or (ii) a Change in Use, which results in a ten percent or less increase in Trips, is exempt from this section.

B. COMMERCIAL DEVELOPMENT. In addition to the applicable regulations in Sections 9, 10, 12, 13 and 14 of this Specific Plan, the following standards shall apply to all commercial Venice Coastal Development Projects.

1. Ground Floor Commercial Development. The following regulations shall apply to all commercial Venice Coastal Development Projects, which are new buildings or additions, except that commercial lots along Lincoln Boulevard, Washington Boulevard east of Oxford Avenue and in the Oxford Triangle Subarea are exempt from the following requirements:

- a. The Venice Coastal Development Project shall include a Street Wall, which shall extend for at least 65 percent of the length of the Building Frontage, and shall be located at the lot line or within five feet of the lot line, except that commercial buildings located on Ocean Front Walk shall have the Street Wall set zero feet from the building line. If the Street Wall is adjacent to a sidewalk cafe, public plaza, retail courtyard, arcade, or landscaped area, the Street Wall may be set back a maximum of 15 feet along the portion of the Venice Coastal Development Project that consists of the cafe, plaza, courtyard, landscaping or arcade. These areas shall not be considered in calculating the buildable area of a Venice Coastal Development Project, but with the exception of areas used only for landscaping, shall be considered in calculations for required parking. The required Street Wall at the Ground Floor shall have a minimum height of 13 feet.
- b. At least 50 percent of the area of the Ground Floor Street Wall of a commercial Venice Coastal Development Project shall be devoted to pedestrian entrances, display windows or windows offering views into retail, office gallery or lobby space.

- c. Blank Walls shall be limited to segments of 15 feet in length, except that Blank Walls that contain a vehicle entry door shall be limited to the width of the door plus five feet.
- d. All Venice Coastal Development Projects shall provide at least one pedestrian entrance into each business or use for each Store Frontage.
- e. Ground Floor exterior building walls that face rear parking areas shall provide a pedestrian entrance into the building.

2. Abbot Kinney Boulevard Ground Floor Commercial Development. In addition to Section 11 B 1 of this Specific Plan, the following requirements shall apply to all commercial Venice Coastal Development Projects that are new buildings or additions located along Abbot Kinney Boulevard between Brooks Avenue and Palms Boulevard.

- a. At the Ground Floor, continuous and unarticulated glass curtain walls shall not be permitted. Facades of buildings shall be divided into individual store fronts.
- b. Large expanses of glass shall be subdivided into units not larger than six feet wide separated by the mullions.
- c. No store front windows shall be lower than 12 inches above sidewalk grade. The windows shall have a solid base surfaced with high quality materials, such as a ceramic tile, marble, granite, limestone, slate, brick, wood or similar materials approved by the Planning Director. The top of the window shall not extend to the ceiling height, and shall be capped with an Architectural Feature.

3. Floor Area Ratio. In all commercial zones, floor area ratio (FAR) shall be limited to:

- 0.5 to 1 for retail only, including restaurants
- 1.0 to 1 for retail/office
- 1.5 to 1 for retail and/or office and residential

4. Building Separation. A minimum of five feet shall be provided between commercial and residential buildings, except for mixed-use Venice Coastal Development Projects.

5. Access.

- a. 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. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.
- b. Driveways and vehicular access to Venice Coastal Development Projects adjacent to Ocean Front Walk shall be

provided from Speedway, unless the Department of Transportation determines that it is not Feasible. In no case shall vehicular access be permitted from Ocean Front Walk.

- c. Driveways and vehicular access to Venice Coastal Development Projects adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue, unless the Department of Transportation determines that it is not Feasible.

6. Landscaping.

- a. Any open portion of the lot on which the Venice Coastal Development Project is located, which is not used for buildings, parkways, driveways, or other access features, shall be landscaped. A list of applicable plant materials appears in the attached Appendix B.
- b. A landscape development plan prepared by a State licensed landscape architect, State licensed architect or landscaped contractor shall be submitted to the Director of Planning for review and approval. This plan shall include the location of a permanent underground sprinkler system designed to insure complete coverage of all plant materials.

7. Light. Lighting from commercial Venice Coastal Development Projects shall be directed away from residential Venice Coastal Development Projects and Environmentally Sensitive Habitat Areas.

8. Trash. Venice Coastal Development Projects shall have trash enclosures for regular and recyclable trash.

C. GROUND FLOOR INDUSTRIAL DEVELOPMENT. In addition to the applicable regulations in Sections 9, 10, 12, 13 and 14 of this Specific Plan, at least 65 percent of the total width for the first 12 feet of elevation of any new building or addition that is parallel to and facing the street, shall be devoted to entrances, eye-level displays, a contrast in wall treatment, an offset wall line or other decorative features. Outdoor seating and/or landscaping shall be used to enhance visual interest and pedestrian vitality.

D. PARKING STRUCTURES AND LOTS. The following shall apply to any new parking structure or surface parking lot or any addition to a parking structure or surface parking lot:

1. Landscaping.

- a. All parking areas shall be improved and landscaped in accordance with LAMC Section 12.21 A 6.
- b. For any new or addition to a surface parking lot that abuts a public street or is located across an alleyway from an R1 or more restrictive zone, except at pedestrian or vehicle entrances, a three-foot wide area shall be provided along the perimeter of the portion of the lot abutting the public street and

shall be fully landscaped with lawn, trees, shrubs or suitable ground cover. In addition, a three-foot high decorative masonry wall, as measured from the highest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjacent to the wall, shall be located between the parking lot and the landscaped area. However, where a three-foot high landscaped berm is provided within the landscaped area, the wall shall not be required. Vines and shrubs shall be planted along the sides of the wall facing the street to screen the wall without blocking visibility into the parking area as required by LAMC Section 12.21 A6(f).

- c. All surface parking abutting an R1 Zone or more restrictive zone shall be screened by a decorative masonry wall, a minimum of five feet and nine inches and a maximum of eight feet in height, as measured from the highest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjacent to the wall. The wall shall have a top cap, and the split-faced side shall face the adjacent residential zone. The wall shall be placed on the lot line that is adjacent to the R1 or more restrictive zone.

- 2. **Parking Structures.** In multi-level parking structures, where there is parking on the Ground Floor, 70 percent of the frontage of the Ground Floor along the property line that adjoins a public street shall contain financial services, neighborhood retail, neighborhood services or other related uses permitted by the zone and determined by the Director of Planning.

Section. 12.

WALK STREETS. The following regulations shall apply to Walk Streets, as listed in Appendix A of this Specific Plan and shown on Exhibit 16a and 16b.

A. RESIDENTIAL DEVELOPMENT STANDARDS.

- 1. **General Regulations.** Building materials, colors, massing and scale of new Venice Coastal Development Projects shall complement those of existing structures on lots fronting on or adjacent to a Walk Street. Building facades shall be varied and articulated to provide visual interest to pedestrians. Ground floor residential building entrances and frequent windows shall face the Walk Streets. Front porches, bays, and balconies shall be encouraged. For two family dwellings and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, and shall face Walk Streets and be well-defined and separate.
- 2. **Public Right-of-Way.**
 - a. The existing gardens/patios located within the public right-of-way, between the fences and the property line, shall be maintained to provide a transitional zone between the public pathways and private dwellings.

- b. No shrub or hedge in the public right-of-way shall be higher than 42 inches. The bottom of tree canopies shall be maintained at least eight feet above the existing grade.
- c. Any fence erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is recommended. New fences shall be located in a straight line with existing fences on the same side of the street.
- d. Vehicular access on Walk Streets shall be restricted to emergency vehicles.

B. PERMANENT ENCROACHMENTS.

- 1. Permanent Encroachments within the existing public right-of-way of a designated Walk Street shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences and shall be permitted only by obtaining a revocable encroachment permit from the City Department of Public Works.
- 2. No Encroachments, including fences, hedges or other accessory structures, shall be permitted within five feet of the centerline of the existing public right-of-way except in the Milwood area where fences shall be permitted in stringline with the existing fences. Encroachments shall not exceed 42 inches above natural grade.

Section 13.

PARKING.

- A. **PARKING REQUIREMENTS.** Except as otherwise provided below, the parking standards are those set forth in Subsection D. The Parking Requirement Table shall apply to all Venice Coastal Development Projects.
- B. **EXCEPTION.** Any additions or alterations to an existing single-family or multiple dwelling shall not be required to comply with the parking standards set forth in this Section. However, if the addition or alteration results in an additional dwelling unit, the Parking Requirement Table in Subsection D and the requirements in Subsection E shall apply for the addition of a dwelling unit or units.

Venice Coastal Development Projects where more than 50 percent of the existing exterior walls are removed or replaced are considered demolitions and new constructions and are not subject to this exception.

- C. **EXISTING DEVELOPMENTS.** A Change of Use that results in a Change in Intensity of Use shall be required to comply with the parking standards set forth in Subsections D and E as if it were a new project or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for any deficiency created due to the change of use.

The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of Subsections D and E below.

D. PARKING REQUIREMENT TABLE

USES	OFF-STREET PARKING REQUIRED
RESIDENTIAL USES	
Single-family dwelling on a lot less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.	Two spaces; except Venice Coastal Development Projects in the Silver Strand and Venice Canals Subareas, where three spaces are required. The third space may be uncovered and in tandem with the other two required covered parking spaces. In the Venice Canals Subarea, the third space may also be located in the garage driveway within the required rear yard.
Single-family dwelling on a lot of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	Three spaces; the third space may be uncovered and in tandem with the other two required covered parking spaces.
Artist-in-residence	Two spaces for each artist-in-residence unit
Multiple dwelling and duplex on a lot less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.	Two spaces for each dwelling unit
Multiple dwelling and duplex on a lot of 40 feet or more in width, or for 35 feet or more in width if adjacent to an alley	Two spaces for each dwelling unit; plus a minimum of one guest parking space for each four or fewer units (e.g., 0.25 guest parking space per unit, any fraction shall be rounded up to require one additional guest parking space). Exception: for Venice Coastal Development Projects where all required parking spaces are fully enclosed, any required guest spaces may be paid for at the same in lieu fee rate defined for BIZ parking under Section 13 E(1)(2) of this Specific Plan
Mobile Home Park	Two spaces for each mobile home space
Hotel	Two spaces; plus Two spaces for each dwelling unit; plus One space for each guest room or each suite of rooms for the first 30; plus One space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; plus One space for each three guest rooms or suites or rooms in excess of 60; plus One space for each 100 square feet of floor area used for consumption of food or beverages, or public recreation areas; plus One space for each five fixed seats and for every 35 square feet of seating area where there are no fixed seats in meeting rooms or other places of assembly.
Motel or Motor Hotel	One space for each guest room; plus two spaces for each dwelling unit

Boarding and Lodging House	Two spaces for each three guest rooms
HEALTH USES	
Veterinary Hospital	One space for each 150 square feet of floor area
Medical or Dental or clinic	See office uses
Health Studio or Club	One space for each 150 square feet of floor area. (For purposes of this provisions, swimming pool area shall be counted as floor area.)
EDUCATIONAL & CULTURAL USES	
Child Care Center, Day Nursery, Preschool or Nursery School	One space for each 500 square feet of floor area
Business, Professional or Trade School	One space for each 25 square feet of floor area
RECREATIONAL USES	
Theater, Auditorium	One space for each two fixed seats and for every 21 square feet of seating area where there are no fixed seats
Dance Hall, Pool or Billiard Parlor, Roller or Ice Skating Rink, Exhibition Hall and Assembly Hall without fixed seats, including Community Center, Private Club, Lodge Hall and Union Headquarters	One space for each 75 square feet of floor area
OFFICE USES	
Commercial Bank, Savings and Loan Office, other Financial Institutions, Public or Private Utility Office, Ticket Agency, other similar Window Service Offices	One space for each 225 square feet of floor area of the main floor
Professional Offices of Doctors, Dentists or similar professions	One space for each 150 square feet of floor area
General Office and other Business, Technical Service, Administrative or Professional Offices	One space for each 250 square feet of floor area
BUSINESS AND COMMERCIAL USES	
Personal Service Establishment, Including Cleaning or Laundry Agency or similar use	One space for each 250 square feet of floor area
General Retail Store, except as otherwise provided	One space for each 225 square feet of floor area

Shopping Center (A well balanced mixture of uses within the center. Where there is an imbalance of high intensity uses, such as restaurants, theaters, bowling alleys, billiard parlors, beauty schools and other similar uses and/or long-term parking uses, parking calculation shall be based totally or in part on an individual basis.)	One space for each 200 square feet of floor area within the center, or as otherwise required for each individual use within the center, whichever is greater
Food Store, Grocery Store, Supermarket, or similar use	One space for each 225 square feet of floor area
Open Air Vending, Swap Meet	1.25 spaces per vending stall or sales space
Restaurant, Night Club, Bar and similar establishments and for the sale or consumption of food and beverages on the Premises	One space for each 50 square feet of Service Floor (including outdoor service areas).
Drive-Through and Window Service Restaurant providing Outdoor Eating Area or Walk-up or Drive-up Window Service	One space for each 50 square feet of floor area, but no fewer than ten spaces. The above may be modified for walk-up facilities with no seating area and beach front walk-up with seating depending on the particulars of the individual case as determined by the Director, Zoning Administrator or Planning Commission, whichever has jurisdiction
Laundromat and Coin-Operated Cleaners	One space for each 150 square feet of floor area
MANUFACTURING AND RELATED USES	
Manufacturing and Industrial Establishment, including Offices and operations	Three spaces; plus One space for each 350 square feet of floor area
Software, Music, Film and Video Manufacturing	Three spaces; plus One space for each 350 square feet of floor area
Laboratory and Research Establishment	Three spaces; plus One space for each 300 square feet of floor area
Warehouse Storage Building (including mini storage)	Three spaces; plus One space for each 1,000 square feet of floor area
Public Utility Facility not having a Business Office on the Premises	Two spaces; plus One space for each 1,000 square feet of floor area
OTHER USES NOT LISTED	Parking shall be provided as determined by the City's Department of Transportation.

E. BEACH IMPACT ZONE PARKING REQUIREMENTS.

In addition to the above requirements, all Venice Coastal Development Projects located within the Beach Impact Zone shall provide parking spaces in accordance with this Subsection.

1. One parking space for each 640 square feet of floor area of the Ground Floor for commercial and industrial Venice Coastal Development Projects. In lieu of physically providing the spaces, a fee of \$18,000.00 per space may be paid for up to 50 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of any parking space required by LAMC Section 12.21 A4. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund.
2. One parking space for each 1,000 square feet of the floor area of the Ground Floor for multiple dwelling Venice Coastal Development Projects of three units or more. In lieu of physically providing the space, a fee of \$18,000.00 per space may be paid for up to 100 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of any parking space required by the LAMC. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund.
3. In no event shall the number of Beach Impact Zone parking spaces required for Venice Coastal Development Projects of three or more dwelling units, or commercial or industrial Venice Coastal Development Projects, be less than one parking space for residential Venice Coastal Development Projects and two parking spaces for commercial and industrial Venice Coastal Development Projects.

F. SHARED PARKING. Shared parking may be permitted as authorized by LAMC Section 12.24 X20, provided that public beach parking lots shall not be used and that the decision-maker makes an additional finding that the shared parking will not negatively affect coastal access or access to public recreational facilities.

Section 14.

VENICE COASTAL PARKING IMPACT TRUST FUND.

- A. There is already established within the Treasury of the City of Los Angeles a trust fund, Fund No. 864, entitled "The Venice Coastal Parking Impact Trust Fund" (Fund). The monies collected pursuant to Section 12D of this Specific Plan shall be deposited into the Fund.
- B. The Fund shall be used for the purpose of accepting and retaining funds collected by the Department of Transportation pursuant to this Specific Plan for expenditure only for parking mitigation measures in, adjacent to or serving the Beach Impact Zone. Those improvements shall include but not be limited to:
 1. Venice Boulevard median public parking facility improvement, including land acquisition and construction.
 2. Development of public parking facilities on the former railroad right-of-way at Electric Avenue.
 3. Development of public parking facilities on City-owned lots in the Venice Coastal Zone.

4. Development of public parking facilities on the site of the Los Angeles County Metropolitan Transportation Authority (MTA) located between Main Street and Pacific Avenue south of Sunset Avenue.
 5. Operation of shuttle buses to remote/intercept parking lots.
- C. The Department of Transportation shall collect payments derived from Venice Coastal Development Projects in the Venice Coastal Zone and remit all these funds to the Treasurer for deposit into the Fund. All interest on other earnings from money received into the Fund shall be credited to the Fund and devoted to the purposes set forth in this Section.
 - D. The Controller, at the request of the General Manager of the Department of Transportation, may designate accounts to be established within the Fund for the classification of various types of receipt or disbursement.
 - E. The Fund shall be administered by, and shall be under the jurisdiction and control of the Department of Transportation. Expenditures shall be authorized by the General Manager of the Department or the designee of the General Manager in accordance with established City practice and Government Code Section 66000, *et seq.* No expenditures shall be made from the Fund for purposes that are contrary to the budgetary policy for the Department as established by the Mayor and the City Council.
 - F. All monies in the Fund shall be held separate and apart from other City funds and shall be expended upon the authority of the General Manager of the Department of Transportation or his or her designee, in accordance with this Specific Plan and pursuant to the following restrictions:
 1. No more than five percent of the funds placed in the Fund each year shall be transferred to the administrative account of the Fund each year and used for administrative expenditures, including but not limited to staff for the Department of Transportation.
 2. No more than five percent of the funds placed in the Fund each year may be used for the purchase and installation of bicycle racks and storage.

Section. 15.

SEVERABILITY. If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect other Specific Plan provisions, clauses or application which can be implemented without the invalid provisions, clause or application, and, to this end, the provisions and clauses of this Specific Plan are declared to be severable.

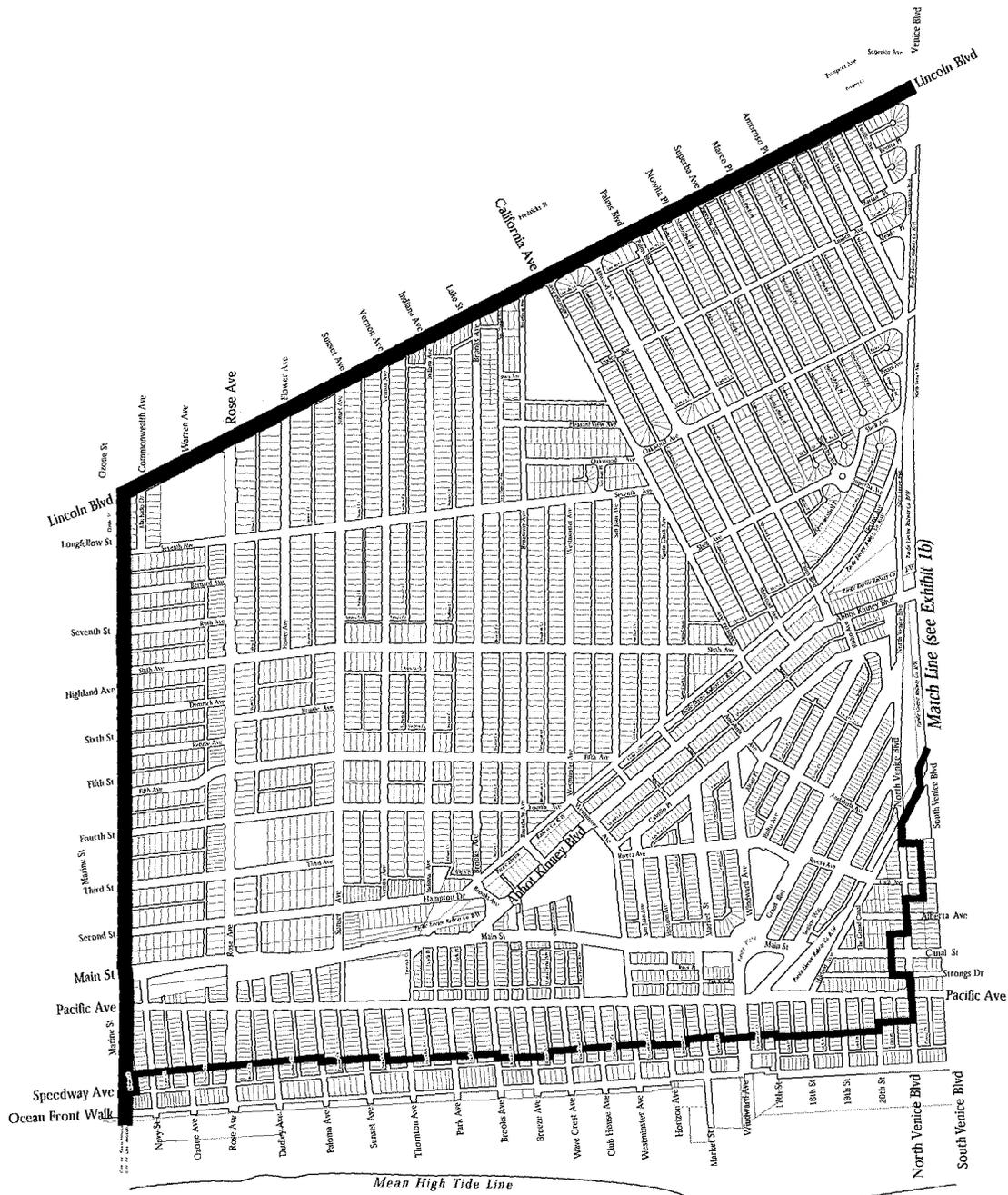


Exhibit 1a
Venice Coastal Zone

- Venice Coastal Zone Specific Plan Area
- Dual Jurisdiction Zone

Dual Jurisdiction This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 100' of the top of the seaward face of coastal bluff. If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

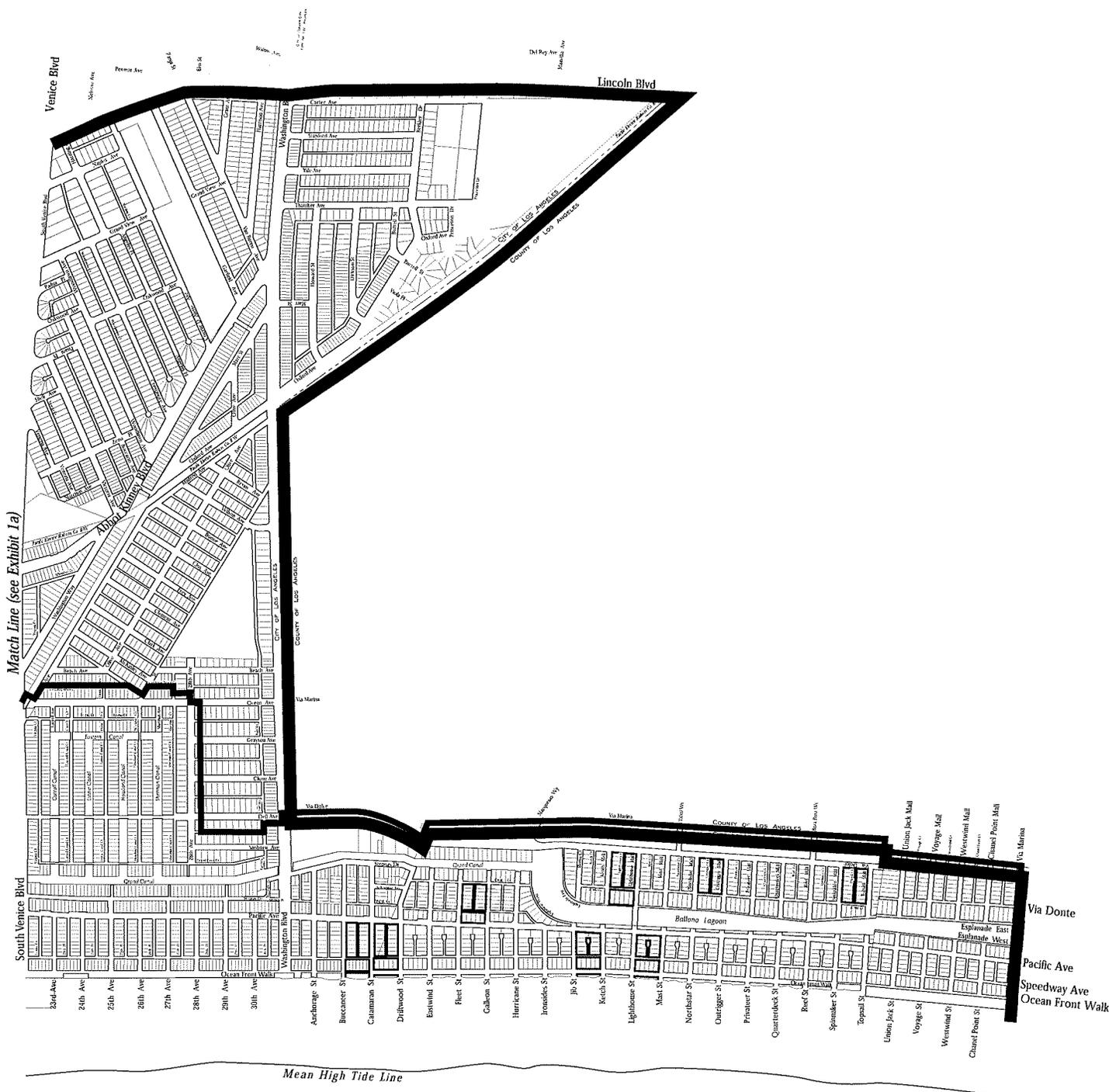


Exhibit 1b
Venice Coastal Zone

- Venice Coastal Zone Specific Plan Area
- Dual Jurisdiction Zone

Dual Jurisdiction This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 100' of the top of the seaward face of coastal bluff.

If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information.

This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

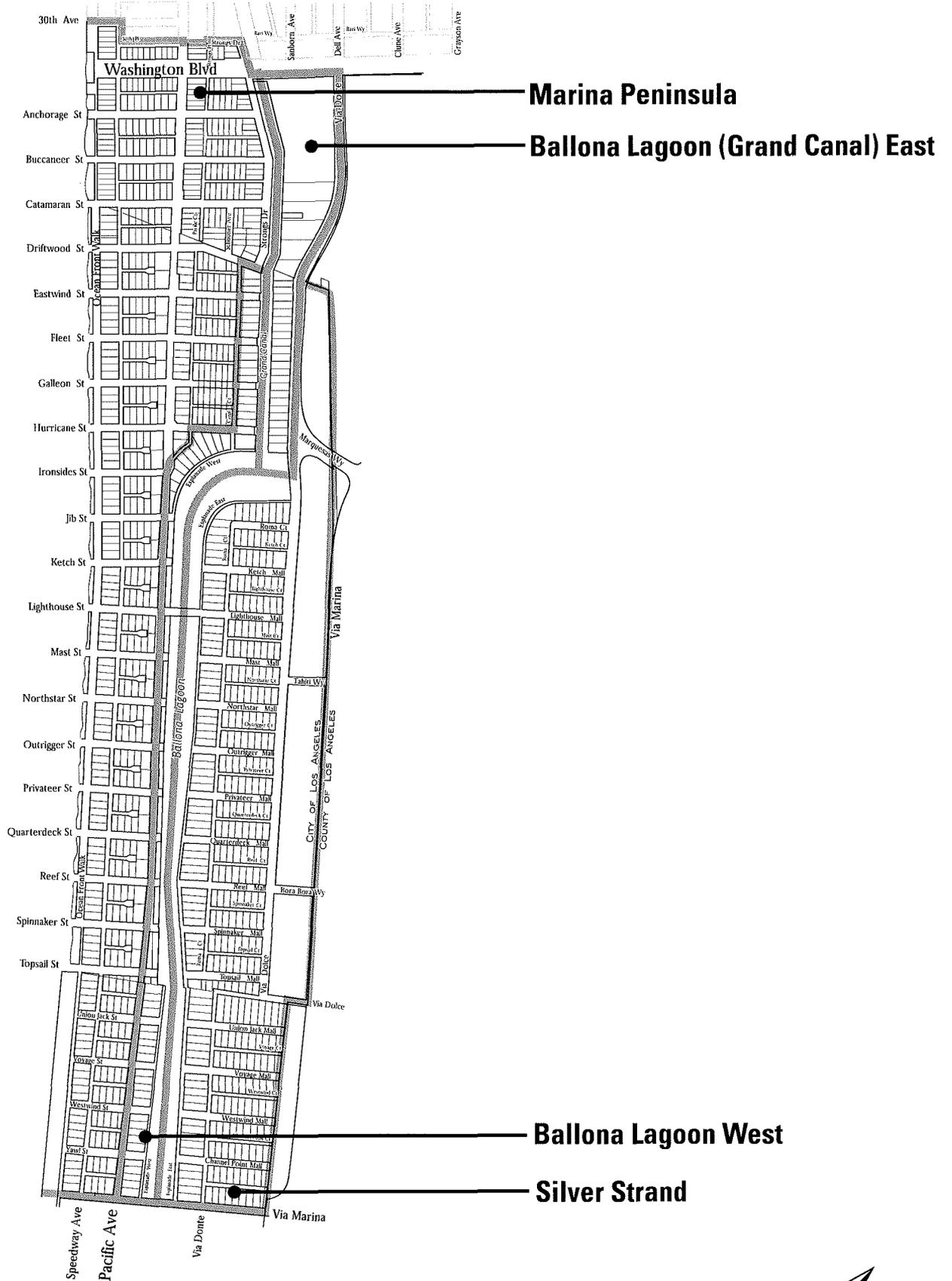


Exhibit 2

**Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East**



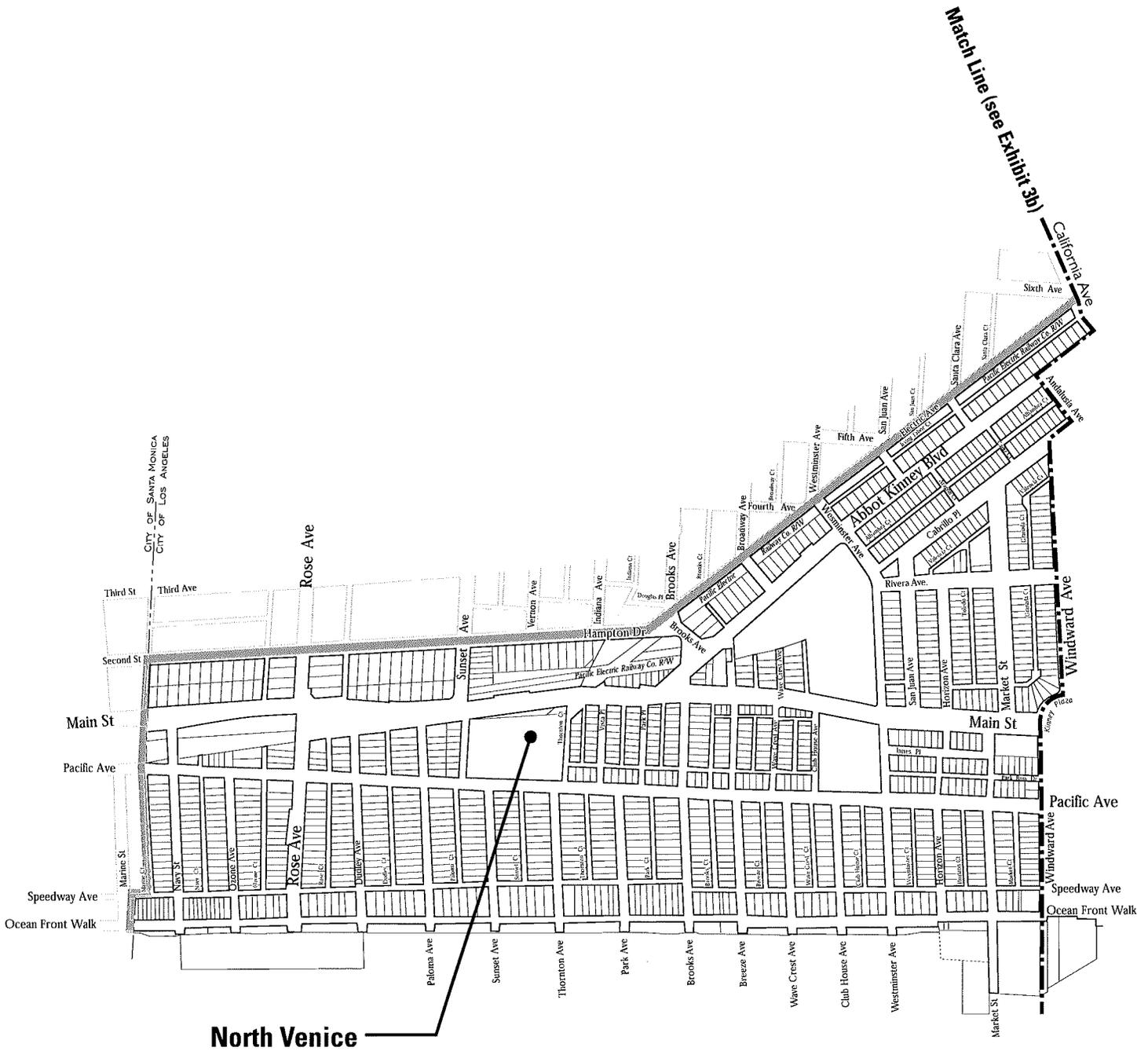


Exhibit 3a
Subarea: North Venice • Venice Canals



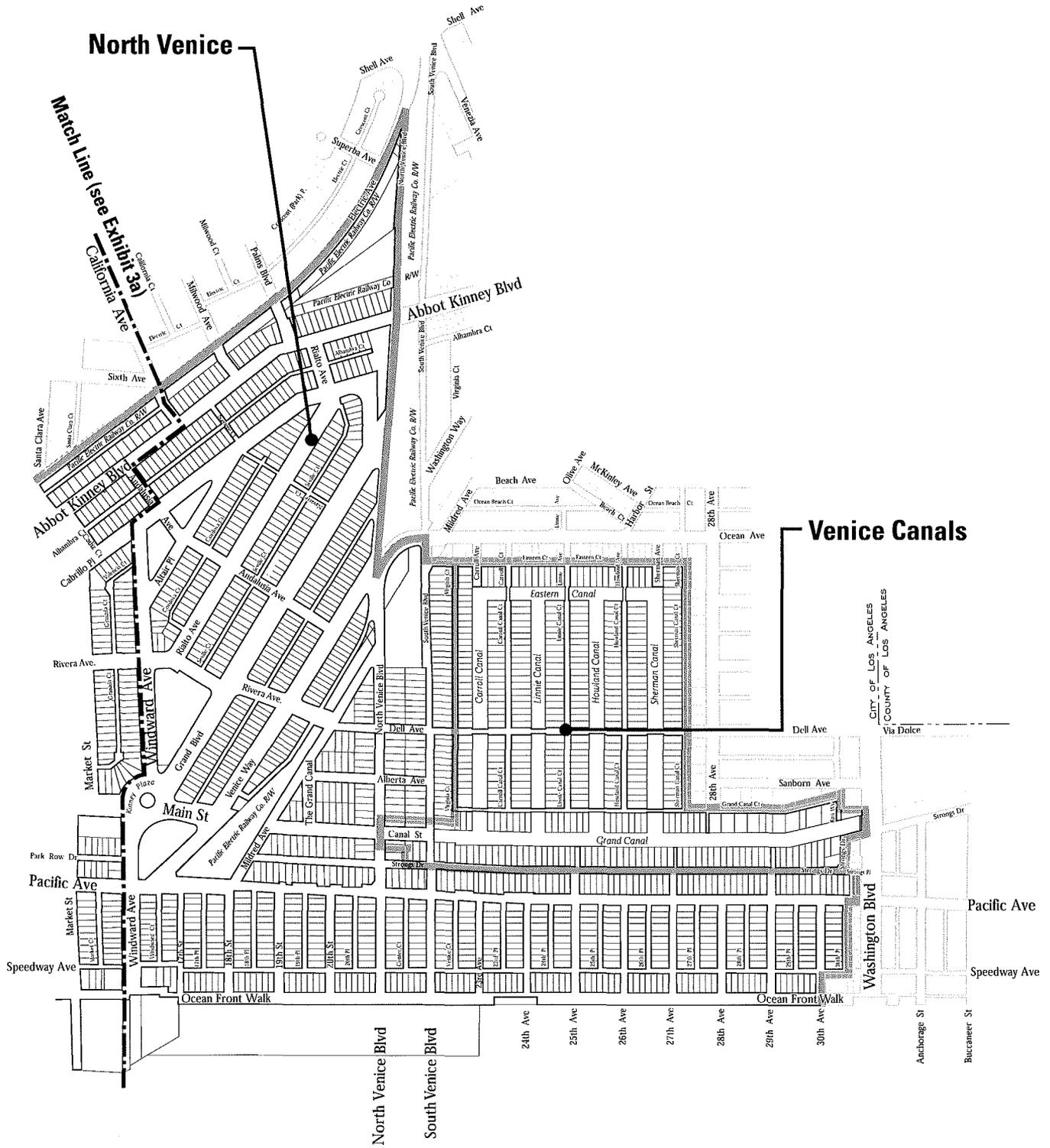
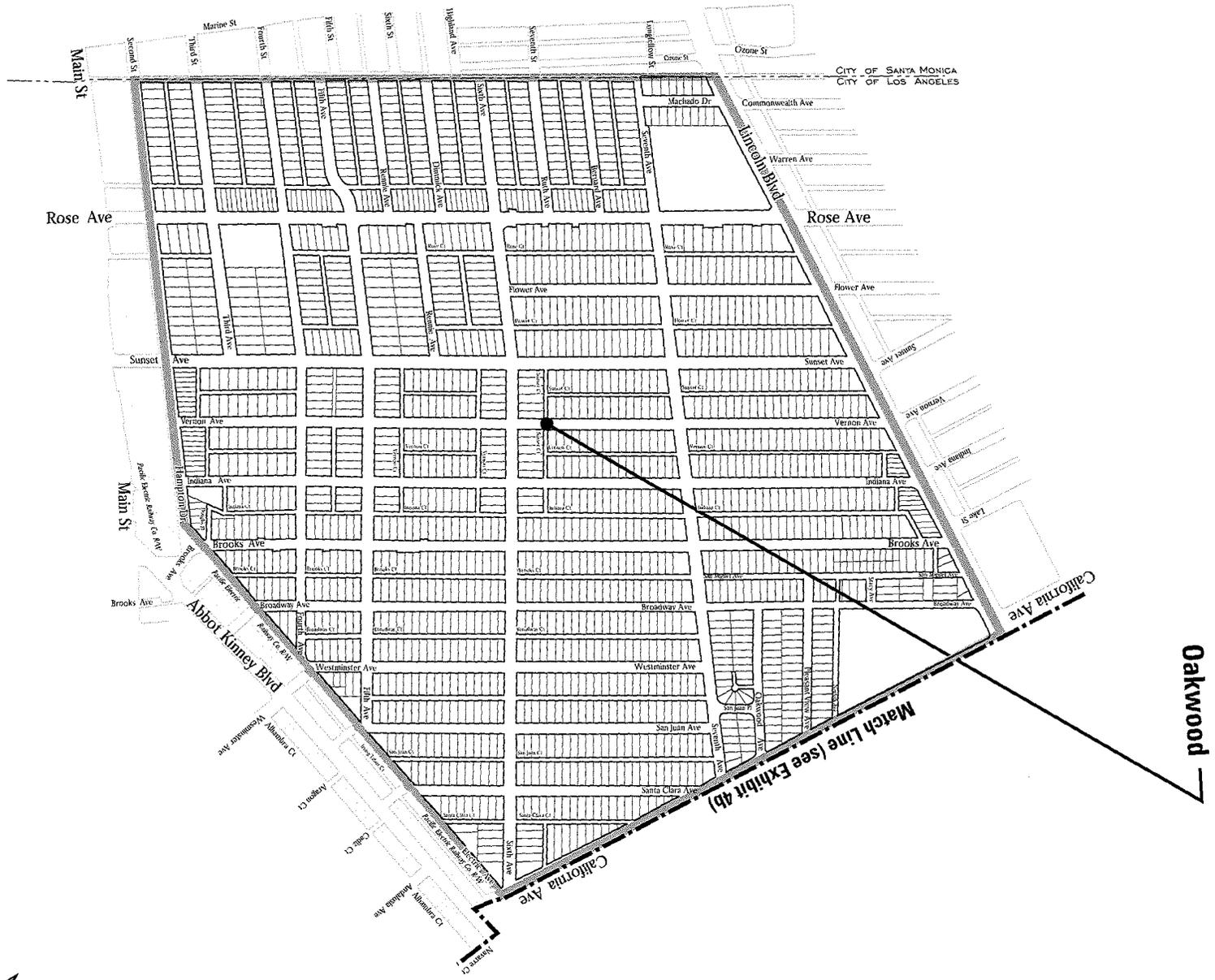


Exhibit 3b
Subarea: North Venice • Venice Canals



Exhibit 4a
Subarea: Oakwood • Milwood • Southeast Venice



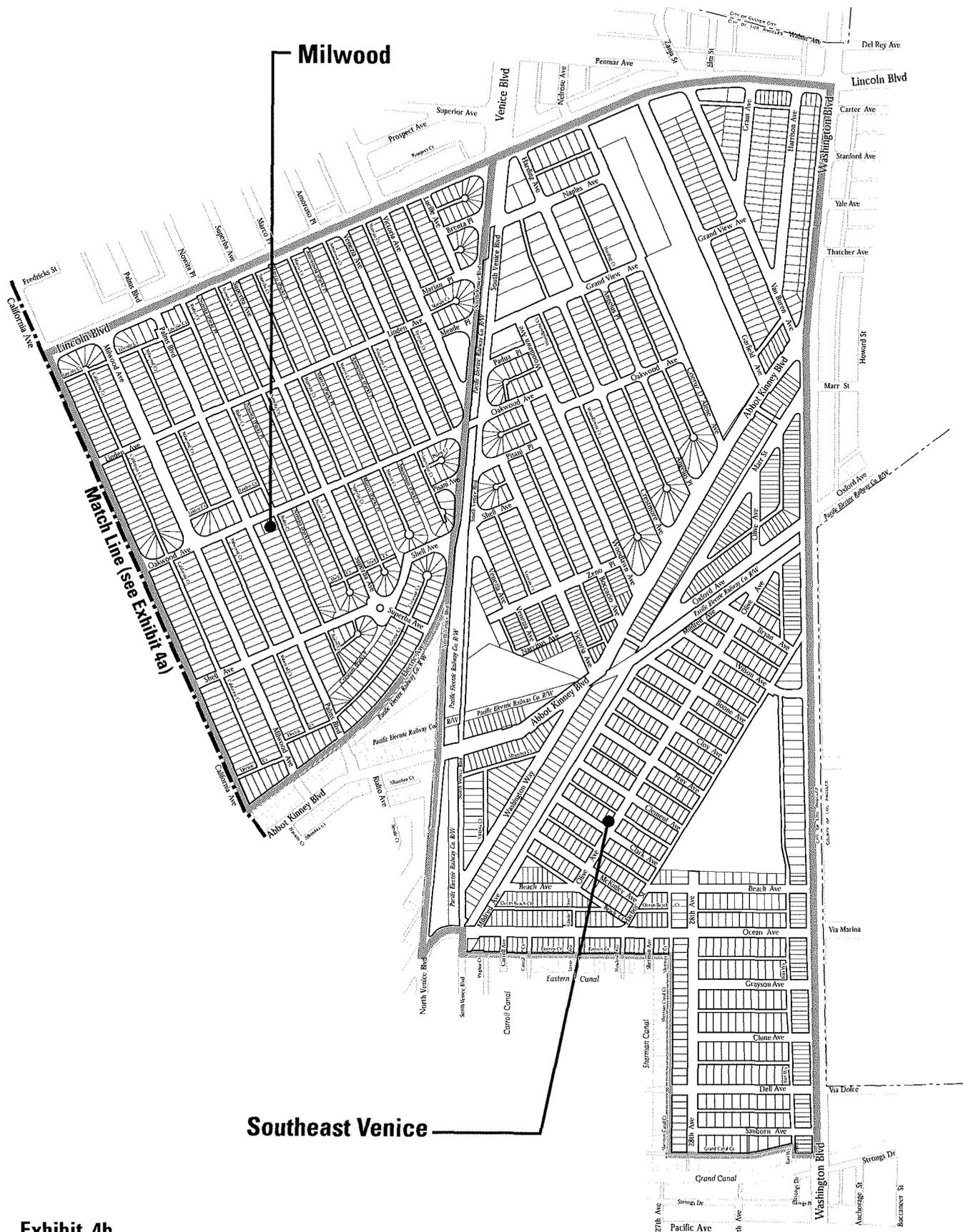


Exhibit 4b
Subarea: Oakwood • Milwood • Southeast Venice



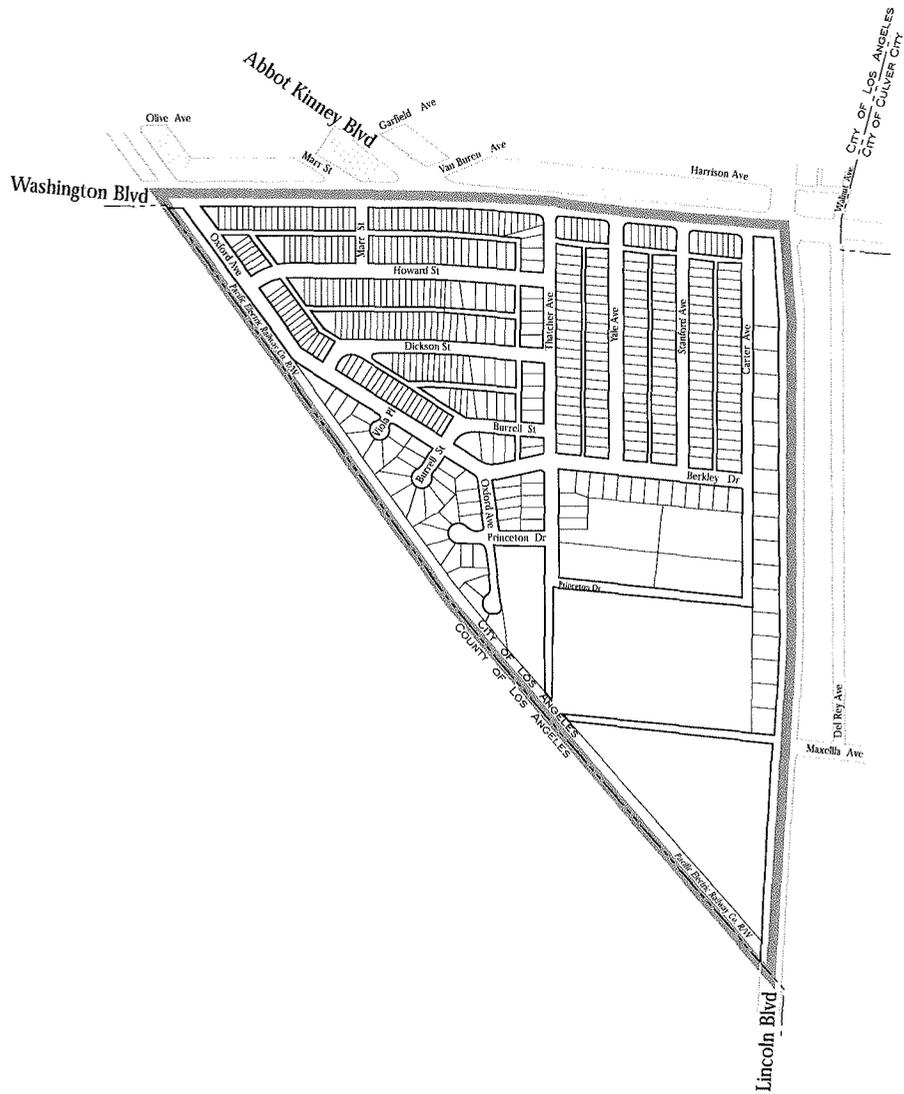


Exhibit 5
Subarea: Oxford Triangle



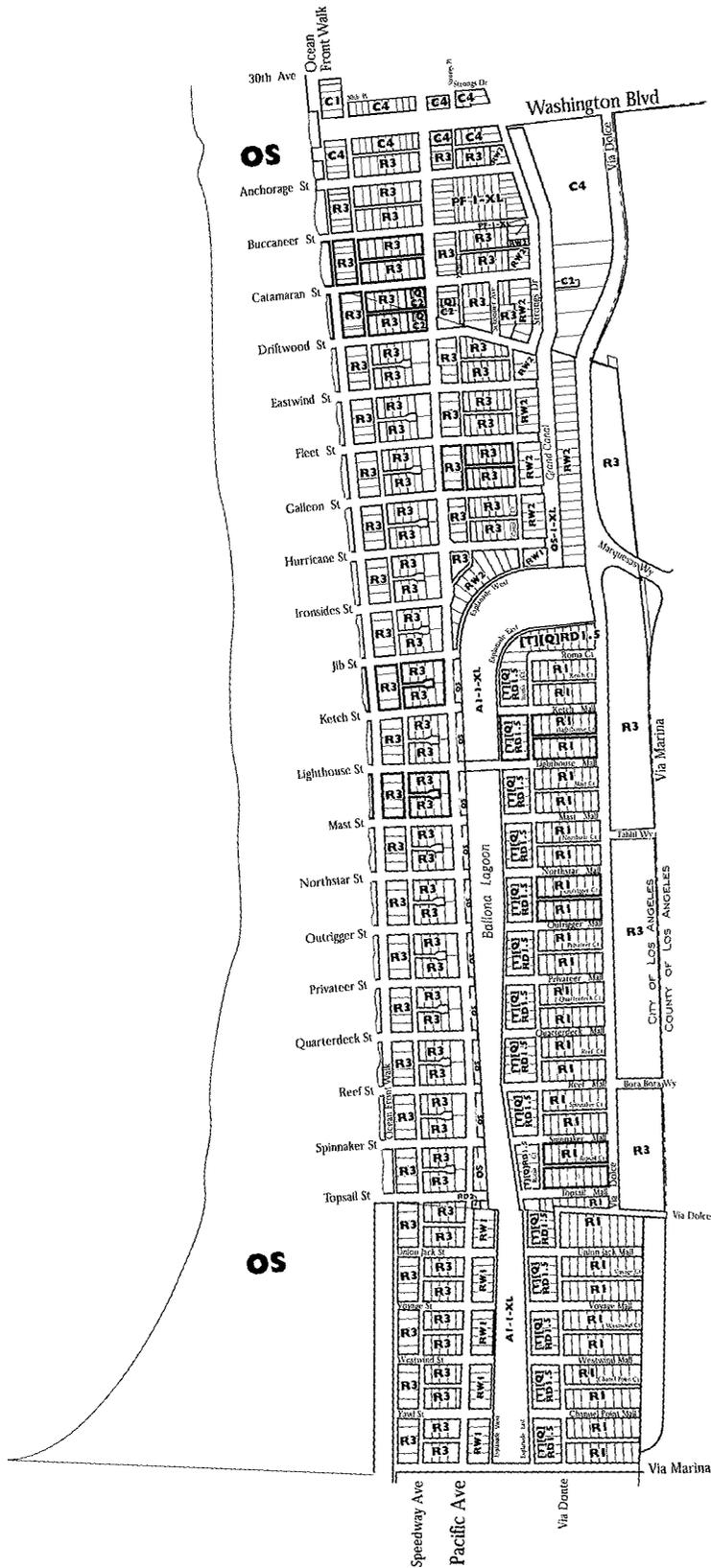


Exhibit 6
Existing Zoning
Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East

Match Line (see Exhibit 7b)
California Ave

City of Santa Monica
City of Los Angeles

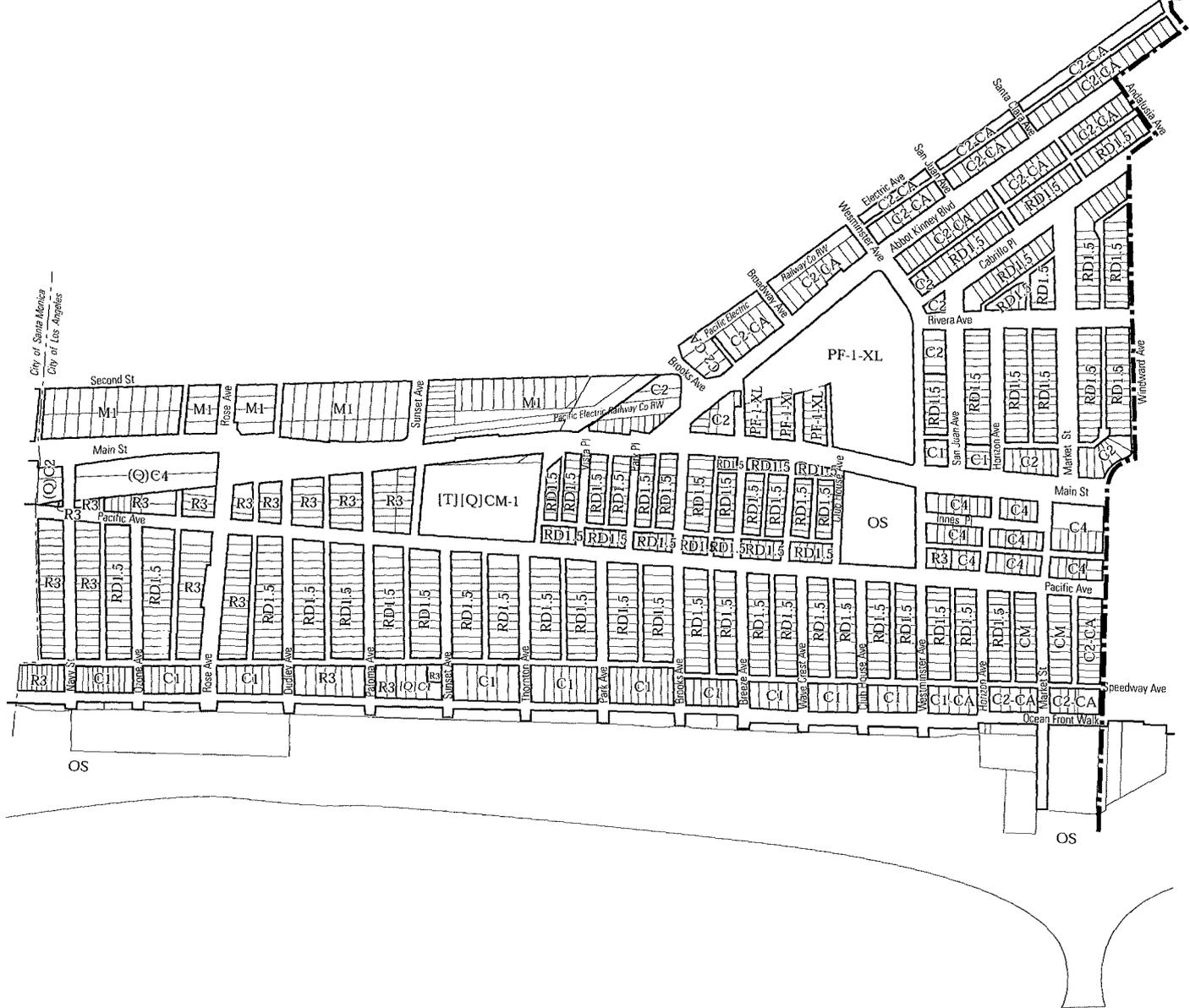


Exhibit 7a
Existing Zoning
Subarea: North Venice • Venice Canals



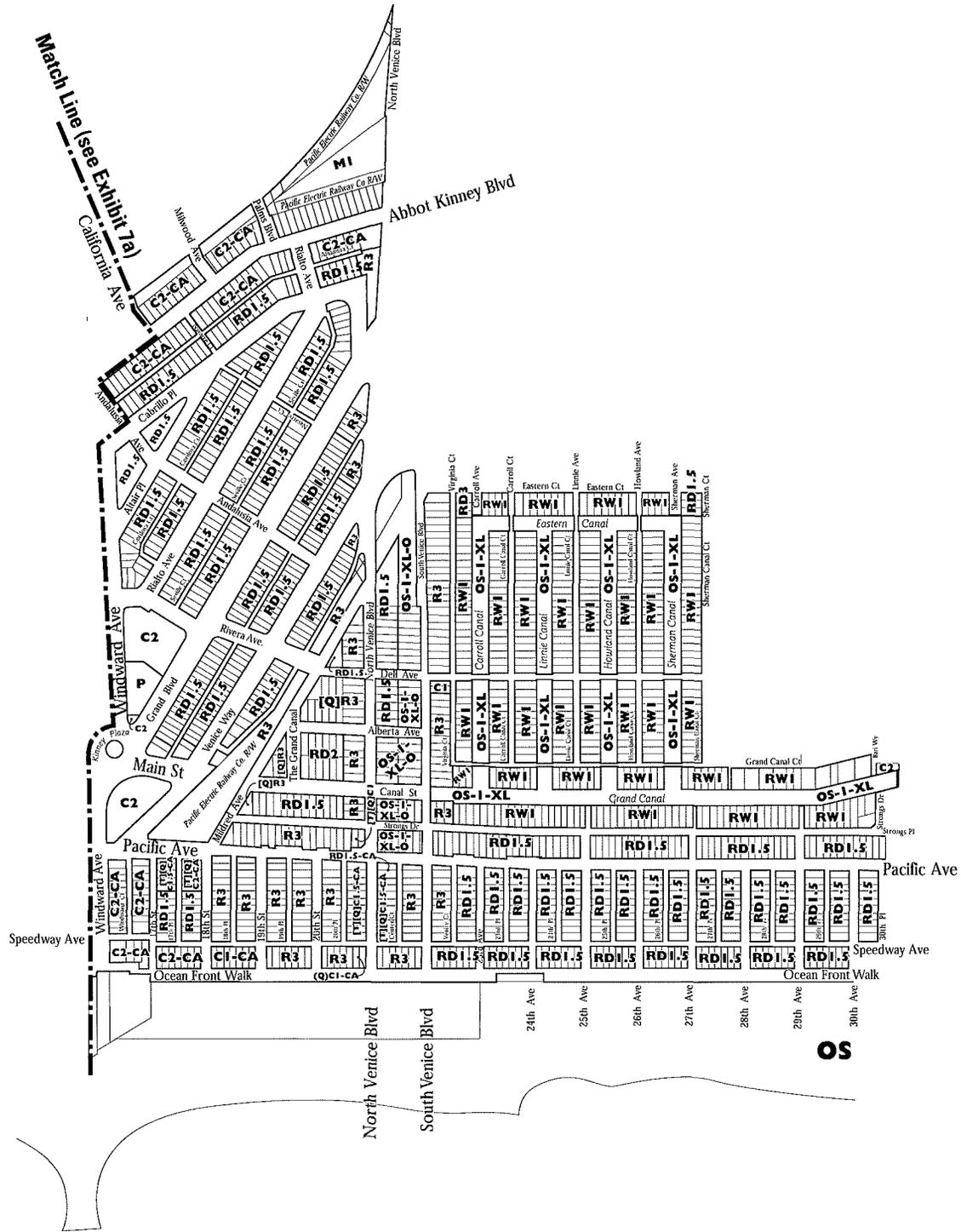


Exhibit 7b
Existing Zoning
Subarea: North Venice • Venice Canals



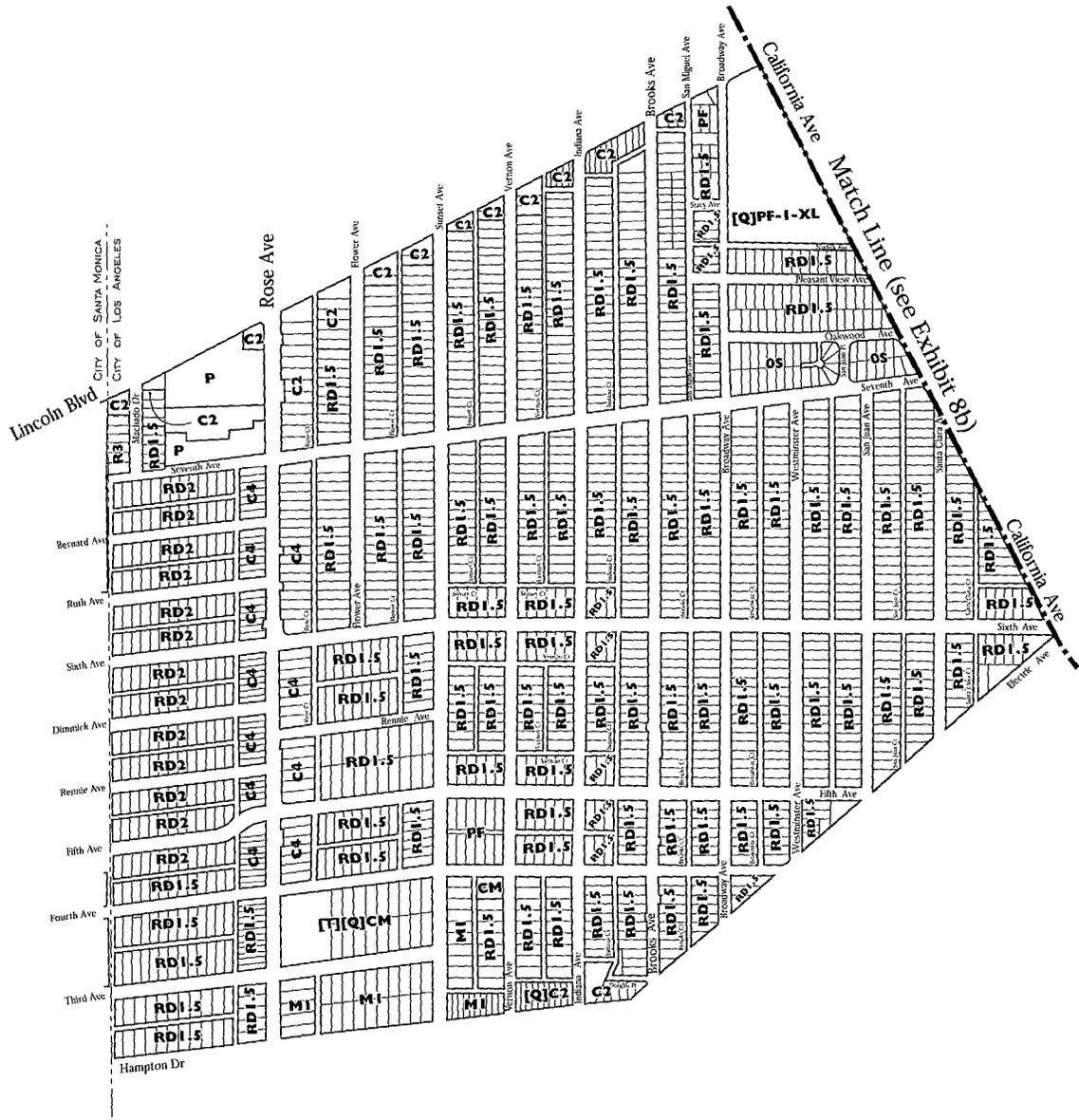


Exhibit 8a
Existing Zoning
Subarea: Oakwood • Milwood • Southeast Venice



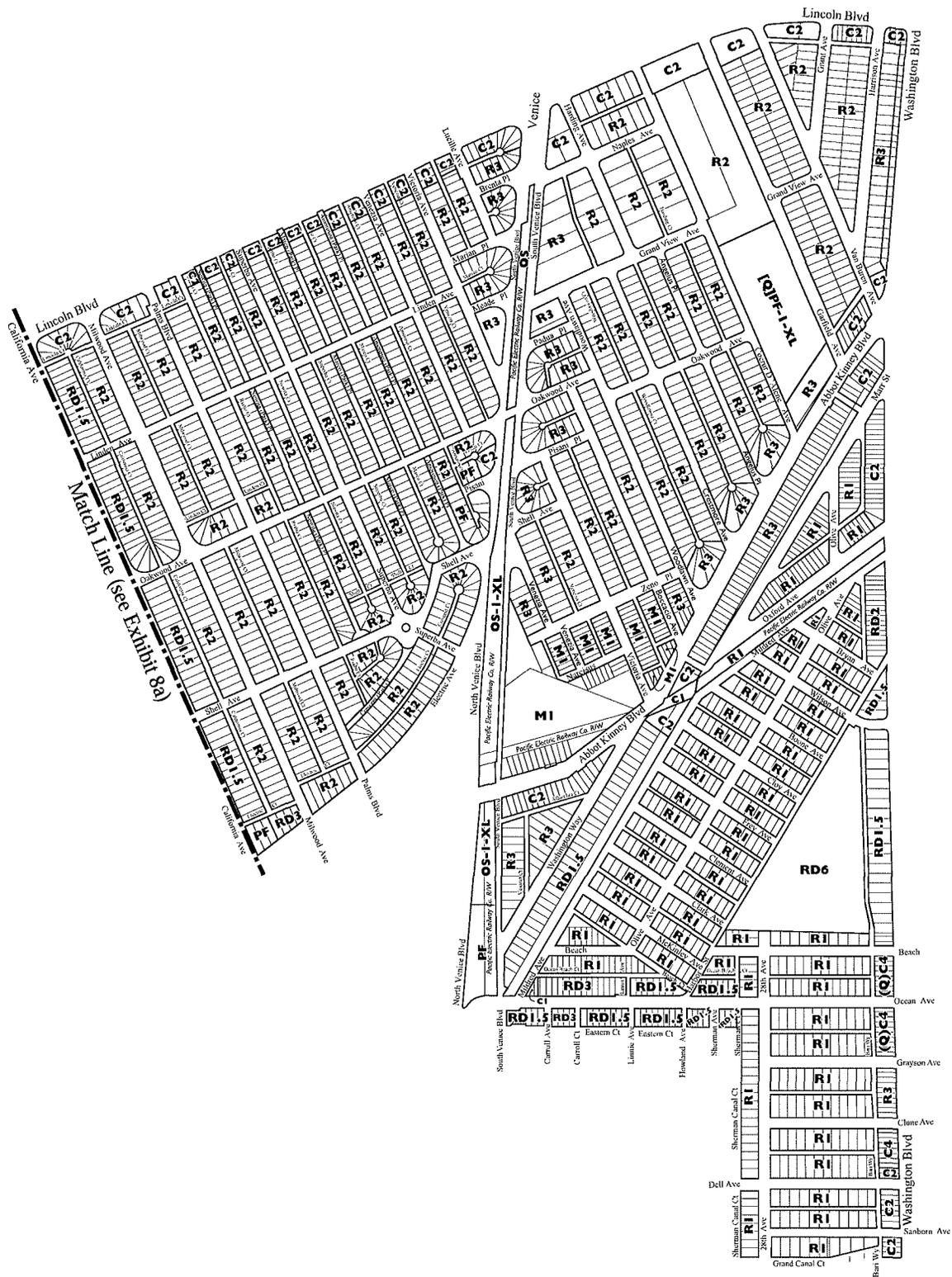


Exhibit 8b
 Existing Zoning
Subarea: Oakwood • Milwood • Southeast Venice



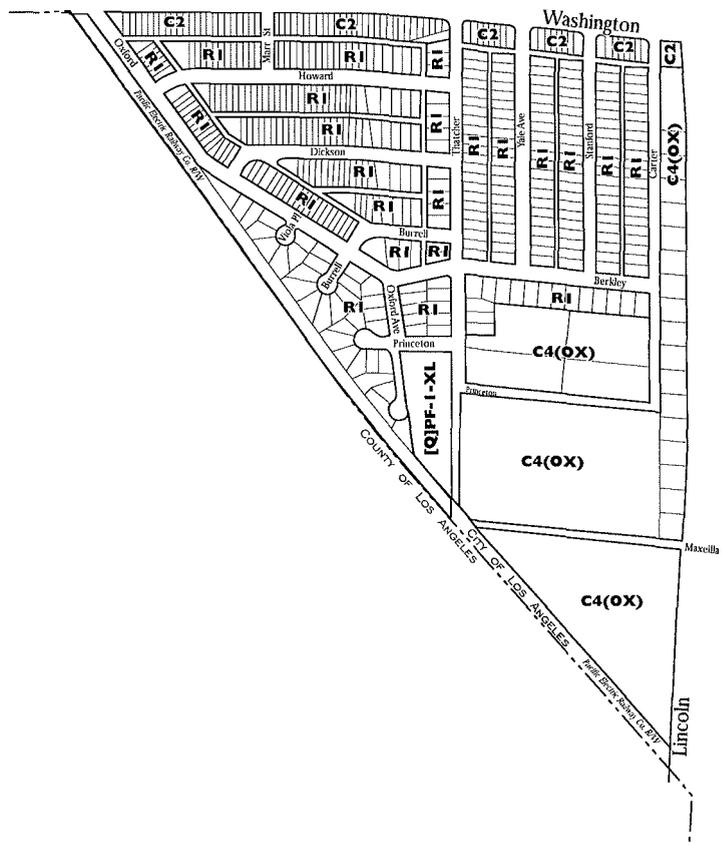
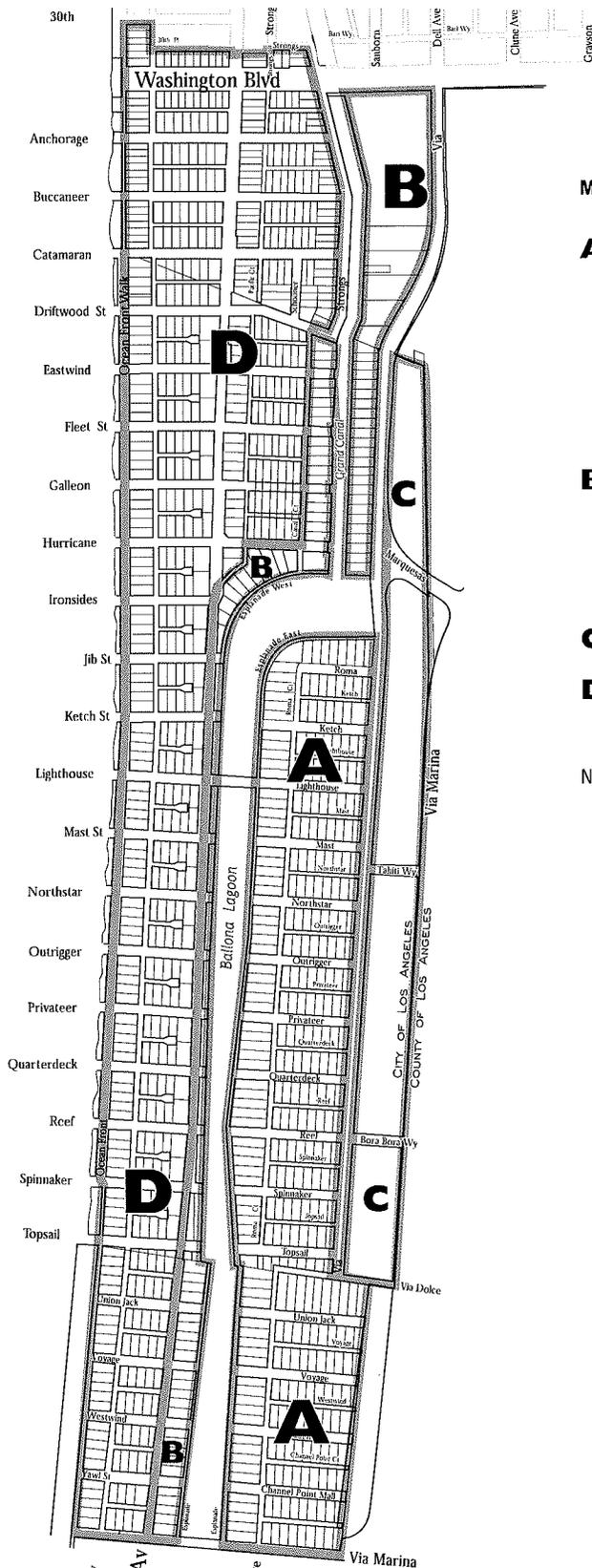


Exhibit 9
Existing Zoning
Subarea: Oxford Triangle





Maximum Building Height

- A** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45'. 45-foot limit for structures or portions of structures located further than 60 horizontal feet of the mean high tide line of Ballona Lagoon and the inland side of the Esplanade.
- B** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet.
- C** 45'
- D** 35', 28' along Walk Streets.

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except on lagoon lots where all building heights shall be measured from the average existing natural grade.

*No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30' height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way).

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 10
Height**

**Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East**



Maximum Building Height

- E** 22'-30'
- F** 30' with a flat roof
35' with varied
28' along walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except in the Venice Canal Subarea (E) where all building heights shall be measured from the elevation of the adjacent alley.

*Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

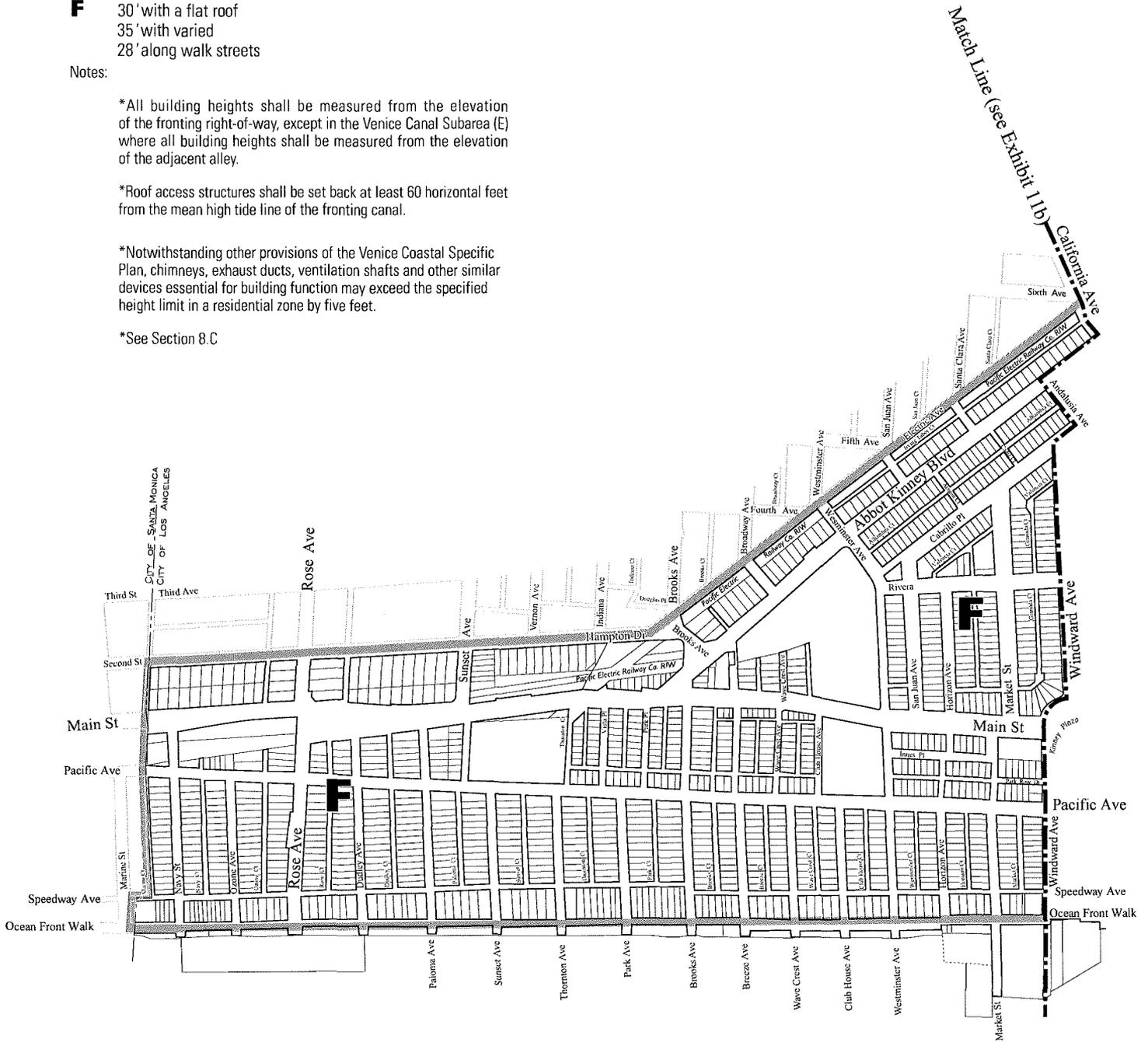
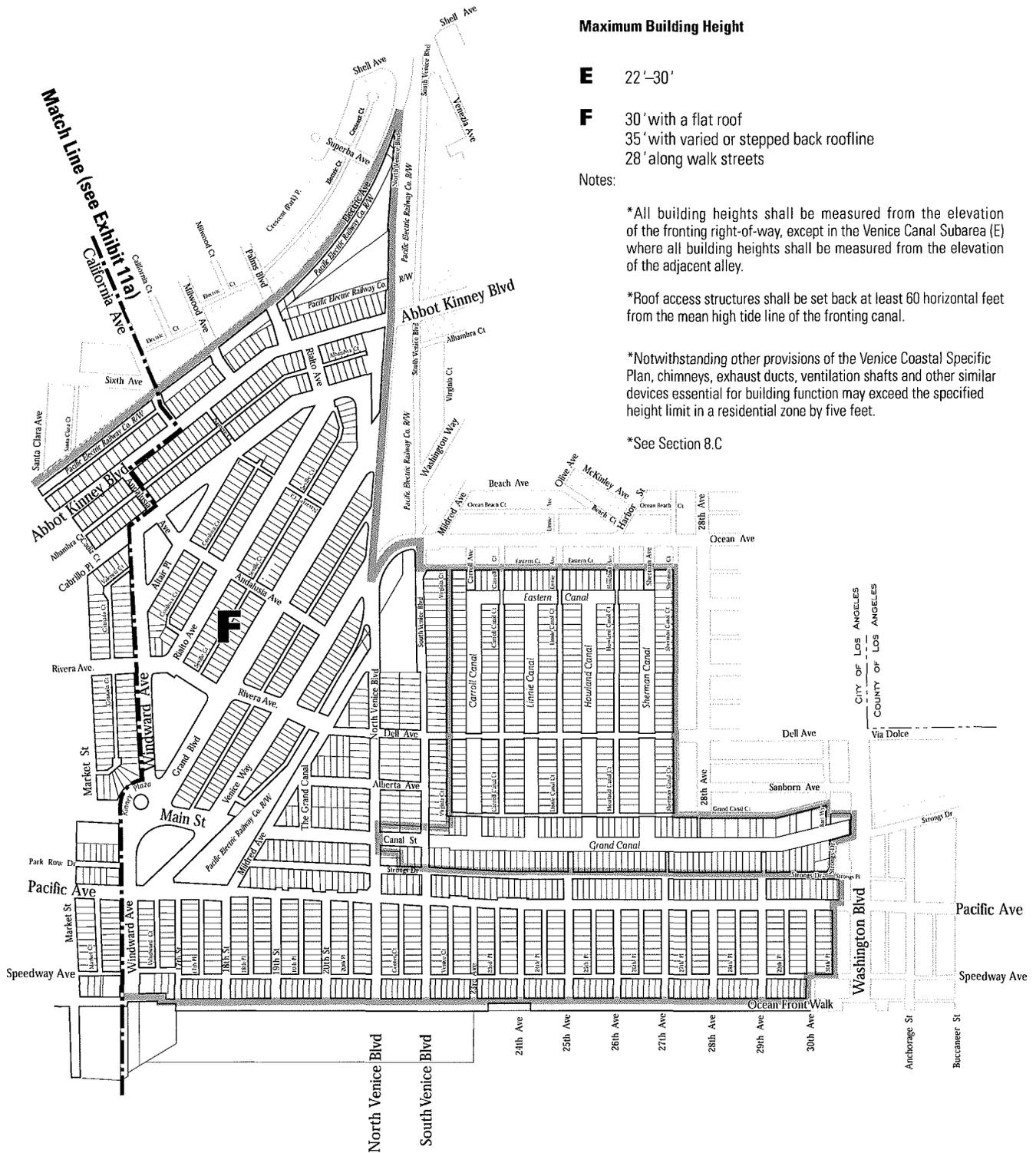


Exhibit 11a
Height
Subarea: North Venice • Venice Canals





Maximum Building Height

E 22'-30'

F 30' with a flat roof
 35' with varied or stepped back roofline
 28' along walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except in the Venice Canal Subarea (E) where all building heights shall be measured from the elevation of the adjacent alley.

*Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 11b
 Height
 Subarea: North Venice • Venice Canals**



Maximum Building Height

- G** 25' with a flat roof
- 30' with varied or stepped back roofline
- 28' along Walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C



Exhibit 12a
Height
Subarea: Oakwood•Milwood•Southeast Venice





Maximum Building Height

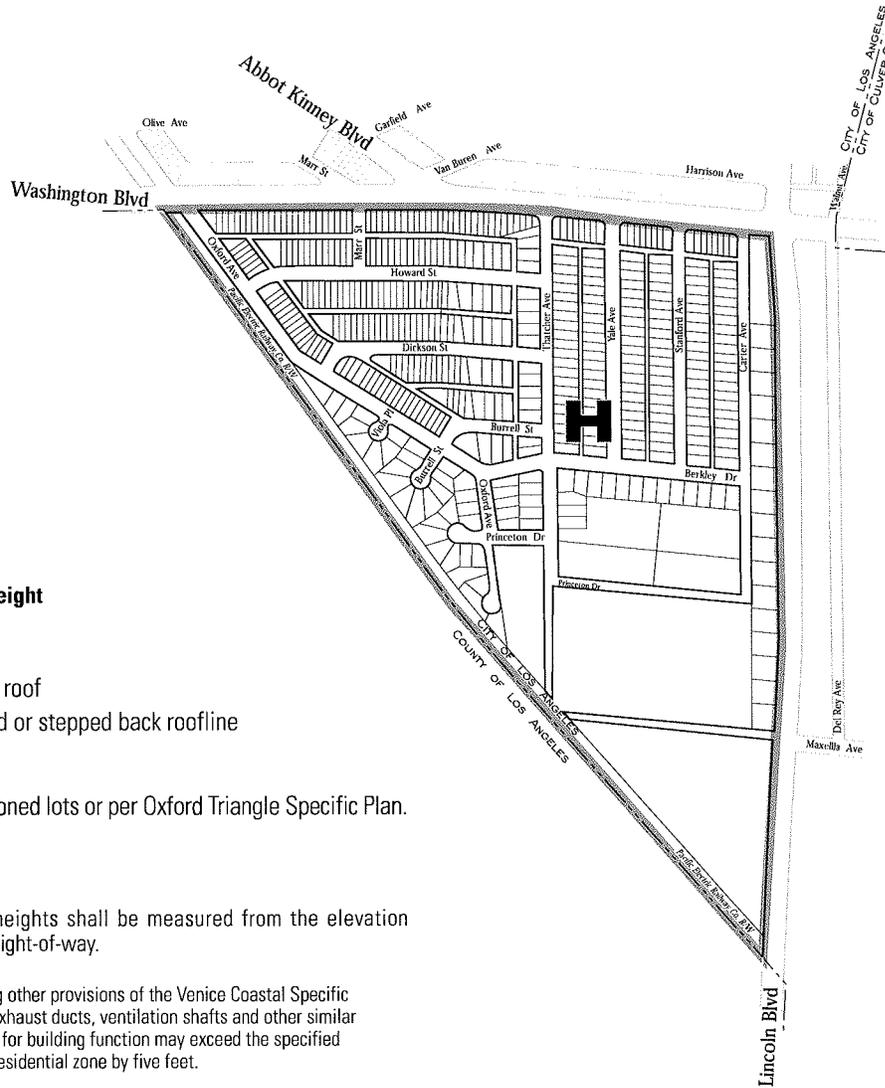
- G** 25' with a flat roof
- 30' with varied or stepped back roofline
- 28' along Walk streets

Notes:

- *All building heights shall be measured from the elevation of the fronting right-of-way.
- *Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.
- *See Section 8.C

**Exhibit 12b
Height
Subarea: Oakwood • Milwood • Southeast Venice**





Maximum Building Height

- H** Residential
 - 25' with a flat roof
 - 30' with varied or stepped back roofline
- Commercial
 - 30' on all C2-zoned lots or per Oxford Triangle Specific Plan.

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 13
Height
Subarea: Oxford Triangle**



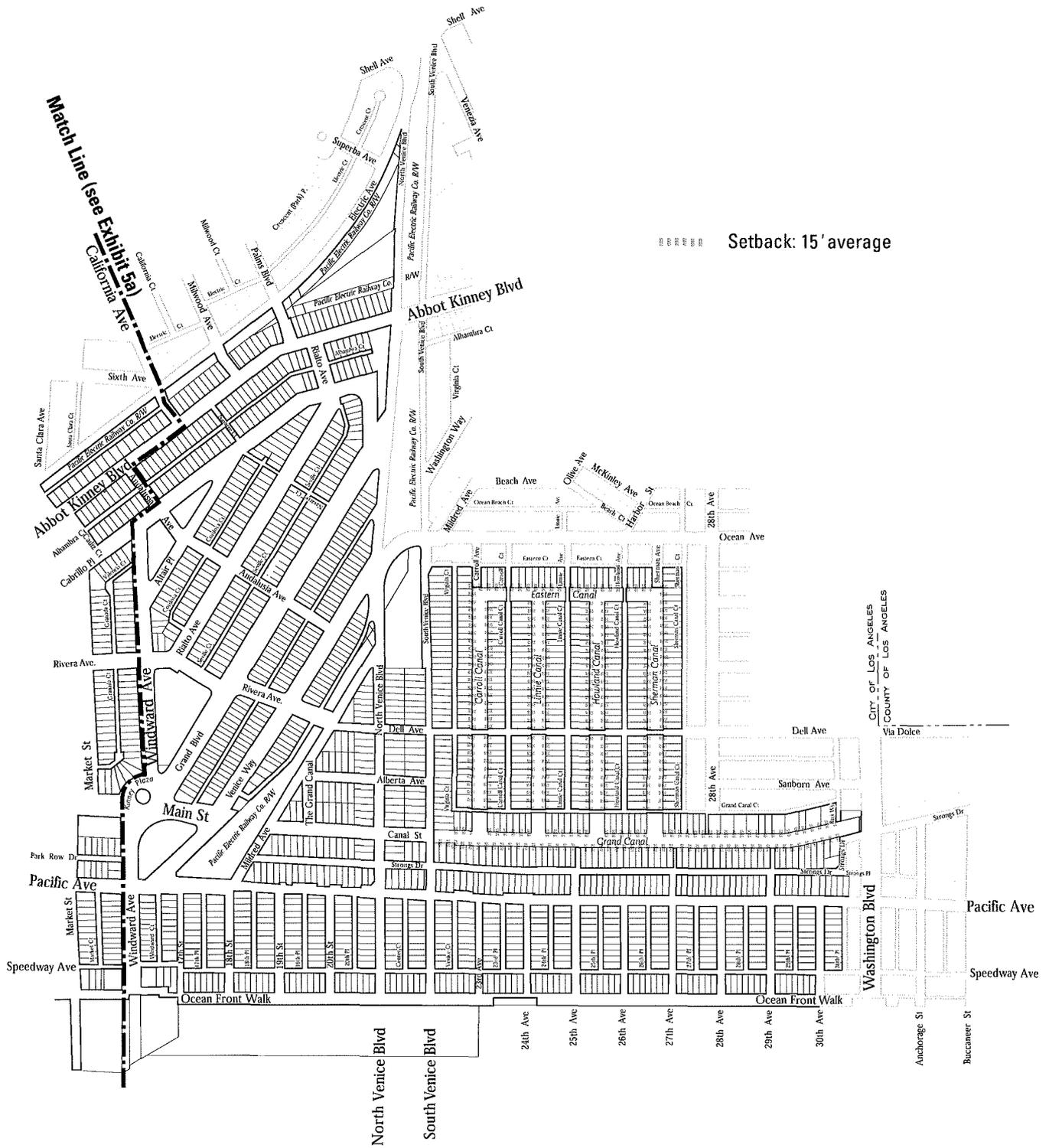
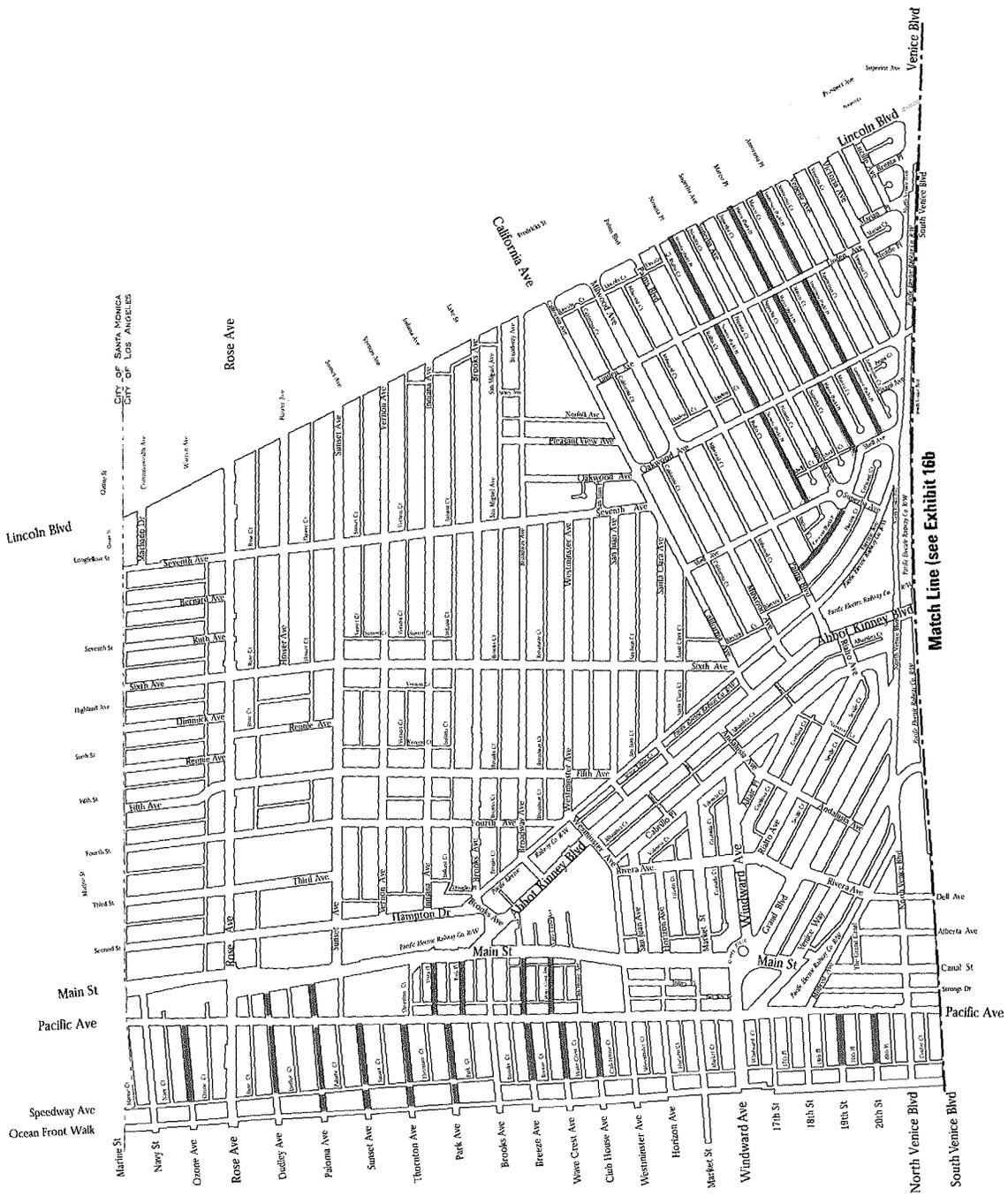


Exhibit 15
Buffer/Setback
Subarea: North Venice • Venice Canals





Walkstreets

**Exhibit 16a
Walk Streets**



Exhibit 16b Walk Streets



APPENDIX A

WALK STREETS The following streets are designated as walk streets.

West of Pacific Avenue and east of Ocean Front Walk:

- a. Sunset Avenue
- b. Thornton Avenue
- c. Park Avenue
- d. Twenty-third Avenue
- e. Twenty-fourth Avenue
- f. Twenty-sixth Avenue
- g. Twenty-seventh Avenue
- h. Twenty-eighth Avenue
- i. Twenty-ninth Avenue
- j. Thirtieth Avenue
- k. Galleon Street
- l. Privateer Street
- m. Reef Street
- n. Spinnaker Street
- o. Westwind Street
- p. Yawl Street
- q. Via Marina

Between Lincoln Boulevard and Shell Avenue:

- a. Nowita Place
- b. Marco Place
- c. Amoroso Place

West of Main Street and east of Speedway:

- a. Dudley Avenue
- b. Breeze Avenue
- c. Wave Crest Avenue

West of Main Street and east of Ocean Front Walk:

- a. Paloma Avenue

West of Main Street and east of Pacific Avenue:

- a. Park Place
- b. Vista Place

West of Pacific Avenue and east of Speedway:

- a. Ozone Avenue
- b. Club House Avenue
- c. Nineteenth Avenue
- d. Twentieth Avenue
- e. Twenty-fifth Avenue
- f. Eastwind Street
- g. Fleet Street
- h. Ironsides Street

- i.** Jib Street
- j.** Ketch Street
- k.** Mast Street
- l.** Northstar Street
- m.** Outrigger Street
- n.** Quarterdeck Street
- o.** Union Jack Street
- p.** Voyage Street

West of Via Dolce and east of Esplanade East:

- a.** Ketch Mall
- b.** Mast Mall
- c.** Northstar Mall
- d.** Outrigger Mall
- e.** Privateer Mall
- f.** Quarterdeck Mall
- g.** Reef Mall
- h.** Spinnaker Mall
- i.** Topsail Mall

East of Speedway and West of Pacific Court:

- a.** Buccaneer Street
- b.** Catamaran Street

West of Los Angeles County boundary and east of Esplanade East:

- a.** Union Jack Mall
- b.** Voyage Mall
- c.** Westwind Mall
- d.** Channel Point Mall

And:

- a.** Crescent Place between Palms Boulevard and Shell Avenue.
- b.** Lighthouse Street between Esplanade East and Pacific Avenue
- c.** Anchorage Street between Ocean Front Walk and Pacific Court.

APPENDIX B

LANDSCAPE MATERIALS

All required plant materials shall be selected from this list:

TREES

- Fern Leaf Acacia
- Deodar Cedar
- Western Rosebud
- Arizona Cypress
- Eucalyptus (many varieties)
- European Olive
- Toyon
- Palms (many varieties)
- Italian Stone Pine
- Alleppo Pine
- Canary Island Pine
- California Pepper
- California Live Oak
- Valley Oak
- Cork Oak
- Salt Cedar
- Silk Oak
- Carob
- Catalina Ironwood
- African Sumac
- Giant Sequoia
- Flaxleaf Paperbark
- Loquat
- California Black Walnut
- Rhus Lancia
- Geijera Parvifolia
- Locust

SHRUBS

- Agave
- Yarrow
- California Lilac
- Hopseed Bush
- Junipers (many varieties)
- Oregon Grape
- Shiny Xylosma
- Sugar Bush
- Yucca
- Strawberry Tree
- Wormwood
- Saltbush
- Contauroa
- Pittosporum
- Elephant's Food
- Dusty Miller

VINES

Bougainvillea
Wisteria
Cup-of-Gold Vine
Potato Vine
Cape Honeysuckle
Vitis Vinifera (Wine Grape Vine)
Trumpet Creeper

GROUND COVERS

Dwarf Coyote Brush
Junipers (many varieties)
Rosemary
Ice Plant (many varieties)
Gazania
African Daisy
Creeping St. Johnswort

FLOWERING

Red Valerian
Bush Morning Glory
Pampas Grass
Coreopsis
Smoke Tree
Broom
Escallonia
Buckwheat
Red-Hot Poker
Lavender
Sea Lavender
Mickey Mouse Plant
Fountain Grass
Cape Plumbago
Bird of Paradise
Marilyn Poppy
Winter Savory
Bush Germander
Oleander
Lemon Bottlebrush
Rockrose
Aloe
Feathery Cassia
Lantana
Fremontia

APPENDIX C

LAND USE VEHICLE TRIPS

Shopping Center (A group of architecturally combined commercial establishments built on a site that is planned, developed, and managed as a unit.)

More than 300,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
200,000 to 300,000 sq. ft. of Gross Floor Area	4.8 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	5.5 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	6.9 per 1,000 sq. ft. of Gross Floor Area
Less than 50,000 sq. ft. of Gross Floor Area	7.9 per 1,000 sq. ft. of Gross Floor Area

Commercial establishments not in a Shopping Center:

Automobiles Uses

Car Wash	81.0 per car wash
Gas Station:	
without convenience store or car wash	14.6 per fueling position
with convenience store	13.4 per fueling position
with convenience store and car wash	3.2 per fueling position
Repair/Service	3.4 per 1,000 sq. ft. sq. ft. of Gross Floor Area

Banking Uses

Walk-in Bank	17.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	43.6 per 1,000 sq. ft. of Gross Floor Area
Savings & Loan	5.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	6.8 per 1,000 sq. ft. of Gross Floor Area

Supermarket

(larger than 5,000 sq. ft. of Gross Floor Area)	11.5 per 1,000 sq. ft. of Gross Floor Area
--	---

Convenience Market

(5,000 sq. ft. of Gross Floor Area or smaller)	
Open 24 hours/day	54.7 per 1,000 sq. ft. of Gross Floor Area
Open 15-16 hours/day	34.6 per 1,000 sq. ft. of Gross Floor Area

Wholesale Market	0.5 per 1,000 sq. ft. of Gross Floor Area
Movie Theater	0.15 per seat
Hospital	
General	1.2 per bed
Convalescent	0.2 per bed
Church	0.7 per 1,000 sq. ft. of Gross Floor Area
Synagogue	3.1 per 1,000 sq. ft. of Gross Floor Area
Storage (Household Goods)	0.3 per 1,000 sq. ft. of Gross Floor Area
Lodging	
Hotel	0.61 per guest room
Motel or Apartment Hotel	0.73 per guest room or dwelling unit
Offices	
Commercial Office	
under 25,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
25,000 to 50,000 sq. ft. of Gross Floor Area	3.2 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	2.2 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	1.6 per 1,000 sq. ft. of Gross Floor Area
over 200,000 sq. ft. of Gross Floor Area	1.5 per 1,000 sq. ft. of Gross Floor Area
Government Office	3.6 per 1,000 sq. ft. of Gross Floor Area
Medical Office	3.7 per 1,000 sq. ft. of Gross Floor Area
Artist in Residence	0.7 trips per dwelling unit, plus 5 trips per 1,000 sq. ft. of other than habitable floor area.
Restaurants	
Low turnover (sit-down restaurant with no counter service)	7.5 per 1,000 sq. ft. of Gross Floor Area
High turnover (sit-down restaurant with counter service)	10.9 per 1,000 sq. ft. of Gross Floor Area

Fast food (high turnover restaurant with automobile service)	33.5 per 1,000 sq. ft. of Gross Floor Area
Fast food (without drive-through)	26.1 per 1,000 sq. ft. of Gross Floor Area
Other Commercial	
Specialty retail establishments	5.0 per 1,000 sq. ft. of Gross Floor Area
Warehouse	0.51 per 1,000 sq. ft. of Gross Floor Area
Manufacturing	
(transforming raw materials into finished products)	0.74 per 1,000 sq. ft. of Gross Floor Area
General Industrial	0.98 per 1,000 sq. ft. of Gross Floor Area

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Revised February 2004

EXHIBIT W

VENICE

Local Coastal Program

Land Use Plan

TABLE OF CONTENTS

VENICE COASTAL ZONE MAPS

LAND USE PLAN

- Chapter 1. Introduction
- Chapter 2. Land Use Plan Policies
 - I. Locating and Planning New Development/
Coastal Visual Resources and Special Communities
 - II. Shoreline Access
 - III. Recreation and Visitor-Serving Facilities
 - IV. Water and Marine Resources and Environmentally
Sensitive Habitat Areas
 - V. Public Works

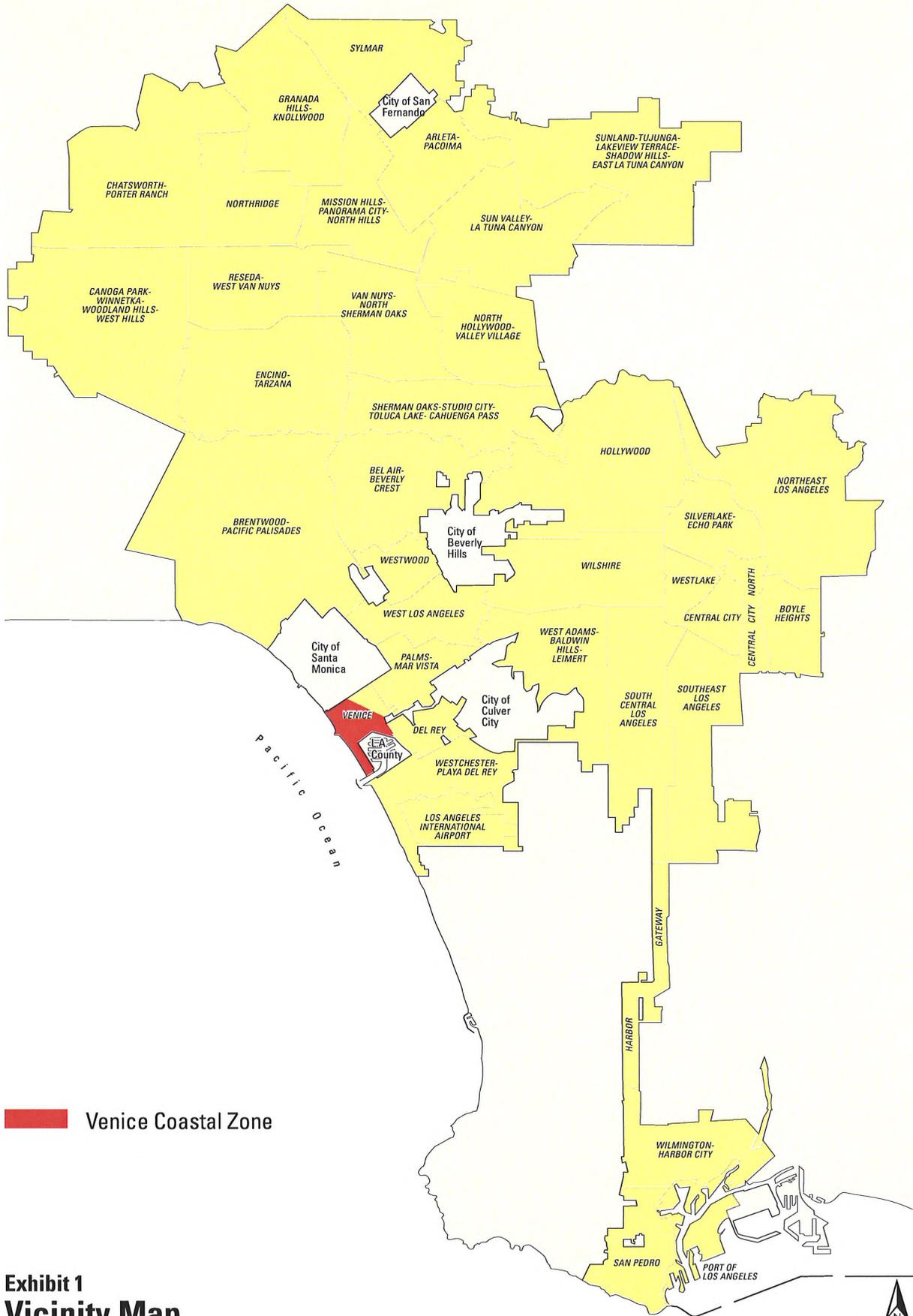


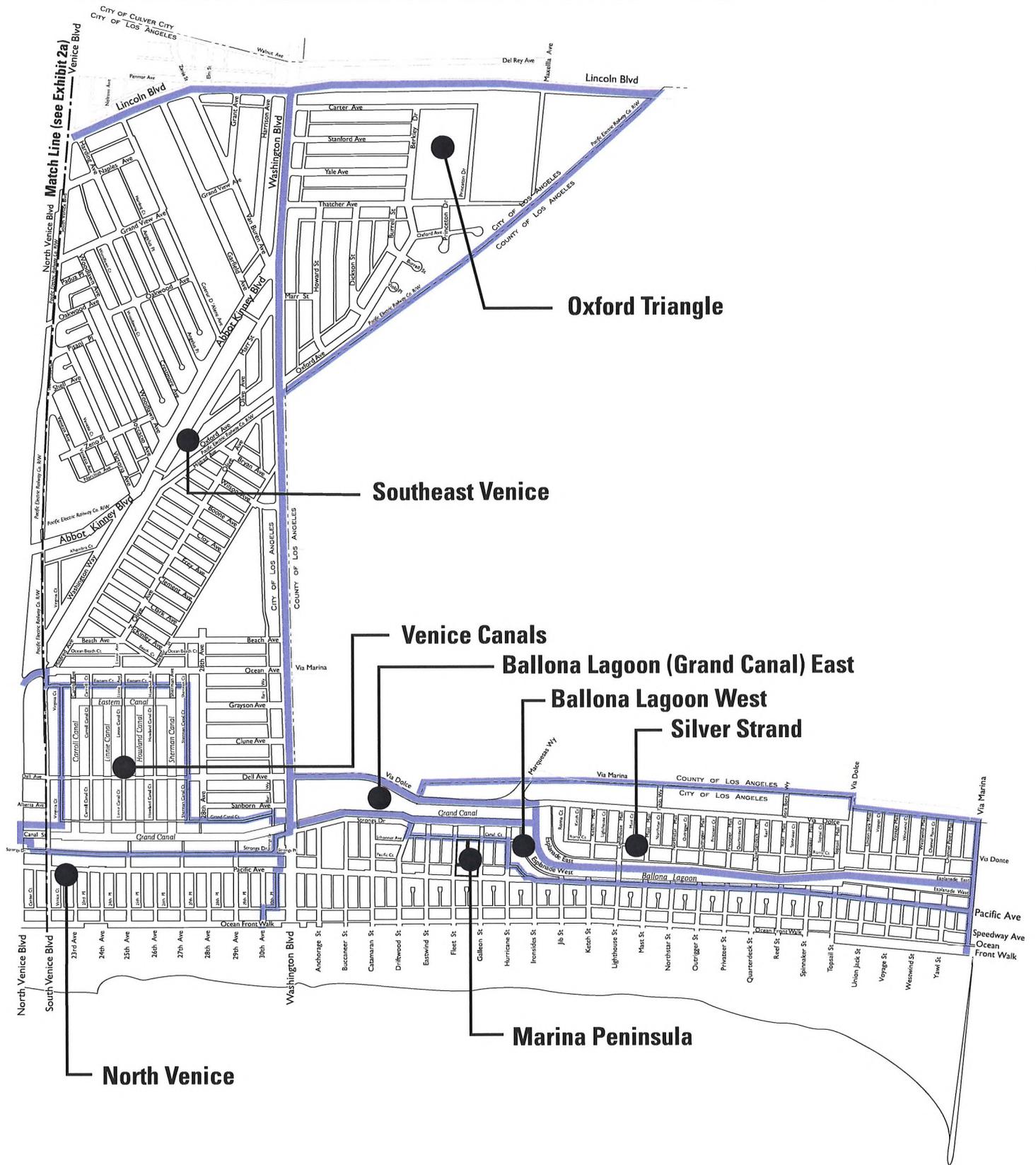
Exhibit 1
Vicinity Map



Exhibit 2a
Venice Coastal Zone

Note: Map does not show area of Palms • Del Rey portion of coastal zone that is located inland of Lincoln Boulevard.





**Exhibit 2b
Venice Coastal Zone**



VENICE

Local Coastal Program

LAND USE PLAN

Chapter I

INTRODUCTION

THE COASTAL ACT

This plan has been prepared to comply with the California Coastal Act of 1976. The Coastal Act directs each local government lying wholly or partly within the Coastal Zone to prepare a Local Coastal Program (LCP) for those areas located in the State's designated Coastal Zone. The Venice Coastal Zone is the area generally bounded by Marine Street on the north, the City-County boundary, Washington Boulevard and Via Marina on the south, Lincoln Boulevard and Via Dolce on the east, and the Pacific Ocean on the west (see Exhibit 1, Vicinity Map and Exhibit 2, Venice Coastal Zone Map).

ORGANIZATION OF THE VENICE LOCAL COASTAL PROGRAM

The Local Coastal Program (LCP) consists of a local government's land use plans, zoning ordinances, zoning district maps, and other implementing actions which implement the provisions and policies of the California Coastal Act at the local level. The LCP contains a Land Use Plan (LUP) and a Local Implementation Plan (LIP).

The LUP consists of LCP Chapters 1 and 2, the maps entitled "Venice Coastal Land Use Plan Maps", and Exhibits 1 through 23 with the emphasis placed upon establishing plan goals and defining policy. It indicates the "kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions."

The LIP will consist of LCP Chapter 3 and will contain the regulatory controls and incentives for the systematic implementation of the LUP. The LIP will be comprised of a specific plan and related implementing ordinances and zoning map. The LIP will implement the certified LUP with specific zoning designations and development standards for all uses within the Venice Coastal Zone.

SUMMARY OF COASTAL ISSUES

Chapter 3 of the California Coastal Act outlines the following 14 policy groups which must be addressed, if applicable, in the LCP.

1. Shoreline Access
2. Recreation and Visitor-Serving Facilities
3. Housing
4. Water and Marine Resources
5. Diking, Dredging, Filling and Shoreline Structures
6. Commercial Fishing and Recreational Boating
7. Environmentally Sensitive Habitat Areas
8. Agriculture
9. Hazards
10. Forestry and Soils Resources
11. Locating and Planning New Development
12. Coastal Visual Resources and Special Communities
13. Public Works
14. Industrial and Energy Development

The City and California Coastal Commission seek the widest possible public input to identify local coastal issues. To this end, the Department of City Planning has had an ongoing program of citizen involvement. Starting in 1978 seven public meetings were held in both coastal and inland communities. The 14 policy groups were distributed at the meetings to inform the public of the general scope of the coastal issues. In addition, federal, state and local agencies were contacted for their input. City staff and Coastal Commission staff held several subsequent meetings to determine which of the 14 California Coastal Act policies applied in Venice, to identify the extent to which existing plans met Coastal Act requirements, and to delineate any potential conflicts between existing plans, development proposals and the policies of the Coastal Act. The resulting local issues were translated into a Work Program, which was approved in 1979 by the City and the California Coastal Commission. The Work Program issues are outlined in Exhibit 3. Coastal policy groups which were considered inapplicable to the Venice Coastal Zone are Commercial Fishing, Agriculture, Forestry and Soils, and Energy Development.

Since 1979, the Coastal Act has been amended to remove the policies that related to the protection of affordable housing in the coastal zone. The responsibility for carrying-out the provisions of Government Code Section 65915 (Affordable Housing) now rests with local government.

EXHIBIT 3

SUMMARY OF VENICE COASTAL ISSUES

Locating and Planning New Development

Residential Land Use and Development

- Preservation of existing housing stock, and discouragement of conversion of residential uses to commercial use where appropriate.
- Provision of very low, low, and moderate income housing for a cross-section of the population, including persons with special needs.
- Illegal conversion of residential uses to commercial uses and illegal provision of residential uses.
- Enforcement and regulation of encroachments into public rights-of-way.

Commercial Land Use and Development

- Encouragement of coastal development, recreation, neighborhood- and visitor-serving facilities.
- Regulation of development which is out of scale with existing community character.
- Regulation of open-air vendors along Ocean Front Walk.
- Over-development of the Coastal Zone resulting in traffic congestion.
- Over-intensification of commercial uses.

Industrial and Railroad Rights-of-Way Land Use and Development

- Preservation of the existing industrial land use base and employment opportunities.
- Regulation of the location and types of non-coastal-dependent industrial uses.
- Appropriate use of railroad rights-of-way.

Development within Natural and Recreational Resource Areas/ Protection of Views

- Protection of existing natural and recreational resources, including the Venice Canals, Ballona Lagoon, Grand Canal south of Washington Boulevard, and Venice Beach.
- Protection of coastal views and vistas.

Preservation of Venice as a Special Coastal Community

- Preservation of community character, scale and architectural diversity.
- Development of appropriate height, density, buffer and setback standards.
- Development of a landscape plan.

Preservation of Cultural Resources

- Preservation and restoration, where feasible and necessary, of historical landmarks.
- Designation of historical sites as historic-cultural monuments.
- Preservation of significant archeological sites.

Shoreline Access

Parking

- Conflict between residential and beach visitor parking.
- Inadequate signage of available parking for beach visitors on weekends resulting in added traffic congestion.
- Inadequate parking provided by non-conforming uses.
- Inadequate off-street parking near or on the beach frontage for visitors and residents.
- Intrusion of non-resident vehicles on residential streets to locate available parking spaces.
- Preventing polluted stormwater runoff from parking lots from entering the Venice Canals and Ballona Lagoon.

Alternate Transit and Traffic Management

- Lack of adequate alternate public transportation systems, including shuttle systems; park and ride facilities; (bikeways;) and public bus services.
- Lack of an adequate traffic management program to facilitate coastal access to and within the Venice Coastal Zone.

Pedestrian and Bicycle Access

- Inadequate access to walkways due to lack of adequate parking facilities.
- Walk streets are often illegally used as private driveways and parking.
- Open areas in activity nodes and special districts are often completely surfaced with asphalt and concrete without provisions for pedestrian

relief from the sun's heat and reflected glare. Resting places or other people-oriented accommodations are seldom provided.

- The eastern sidewalk of Pacific Avenue from Via Marina to Jib Street and the western sidewalk of Pacific Avenue from Driftwood Avenue to Mildred Street is unimproved and cannot be used for public pedestrian uses due to encroachments on public right-of-way and requirements for buffers for habitat protection.
- Lack of pedestrian walkways along the banks of the Venice Canals where the deteriorated sidewalks have been withdrawn from public use,* and along the banks of the Ballona Lagoon.
- Lack of bicycle routes to complement existing and future transportation modes.
- Inadequate maintenance of walkways and bikeways.
- Lack of convenient and secure bicycle (parking/storage) facilities provided at public buildings, retail uses, parks and multiple family housing developments.
- Inadequate handicap access (e.g. vertical ramps) to the beach.

Recreation and Visitor-Serving Facilities

- Inadequate public support facilities, such as bike racks and storage lockers, public restrooms, outdoor eating areas, trash cans, recycling bins, etc.
- Inadequate visitor facilities on or near the Peninsula south of Washington Boulevard.
- Utilization of vacant, publicly owned lots on the Peninsula for recreational purposes.
- Identification, preservation and enhancement of existing recreational and visitor serving facilities, both private and public (including water faucets and restrooms).
- Inadequate recreational opportunities and pedestrian amenities, such as walkways, bikeways, walk street improvements, open space and viewing areas.
- Inadequate maintenance of public recreational facilities.

Water and Marine Resources, Environmentally Sensitive Habitat Areas

- Enhancement and maintenance of habitat value, including foraging habitat for the Least Tern, an endangered species.
- Invasion of non-native plant species along the banks of the Venice Canals, Ballona Lagoon and in the intertidal habitat zone.
- Regulation of surface runoff into the canals and the provision of adequate drainage.*

- Regulation of tidal exchange between Ballona Lagoon and the sea.
- Poor circulation and water stagnation in Ballona Lagoon.
- Contamination of Ballona Lagoon from accidental raw sewage discharge from the Venice Pumping Plant.*
- Erosion of the banks along Ballona Lagoon.

**Diking, Dredging,
Filing, Shoreline
Structures**

- Provision of adequate regulation of diking, dredging and placement of fill in coastal waterways.
- Regulations regarding placement of shoreline structures.
- Prevention of hazards, such as liquefaction and flooding.

**Environmentally
Sensitive Habitat Areas**

- Identification of existing clam beds and domestic duck feeding and nesting areas, if any, in the Ballona Lagoon and adjoining canals, and protection and preservation of same.

Public Works

- Adequacy of public facilities in terms of stormwater drainage, water supply, sewer capacity, and roadway capacity and maintenance.
- Lack of adequate and regular maintenance program for the Venice Canals* and Ballona Lagoon. Effluvium (odors) resulting from poor circulation, lack of maintenance, and occasional accidental sewage discharges in the Venice Canals* and Ballona Lagoon.
- Deteriorated canal sidewalks, currently withdrawn from public use, requiring restoration.*
- Development and implementation of a comprehensive streetscape plan.

* This issue has been resolved as indicated in the LUP text; it is mentioned for historical reference.

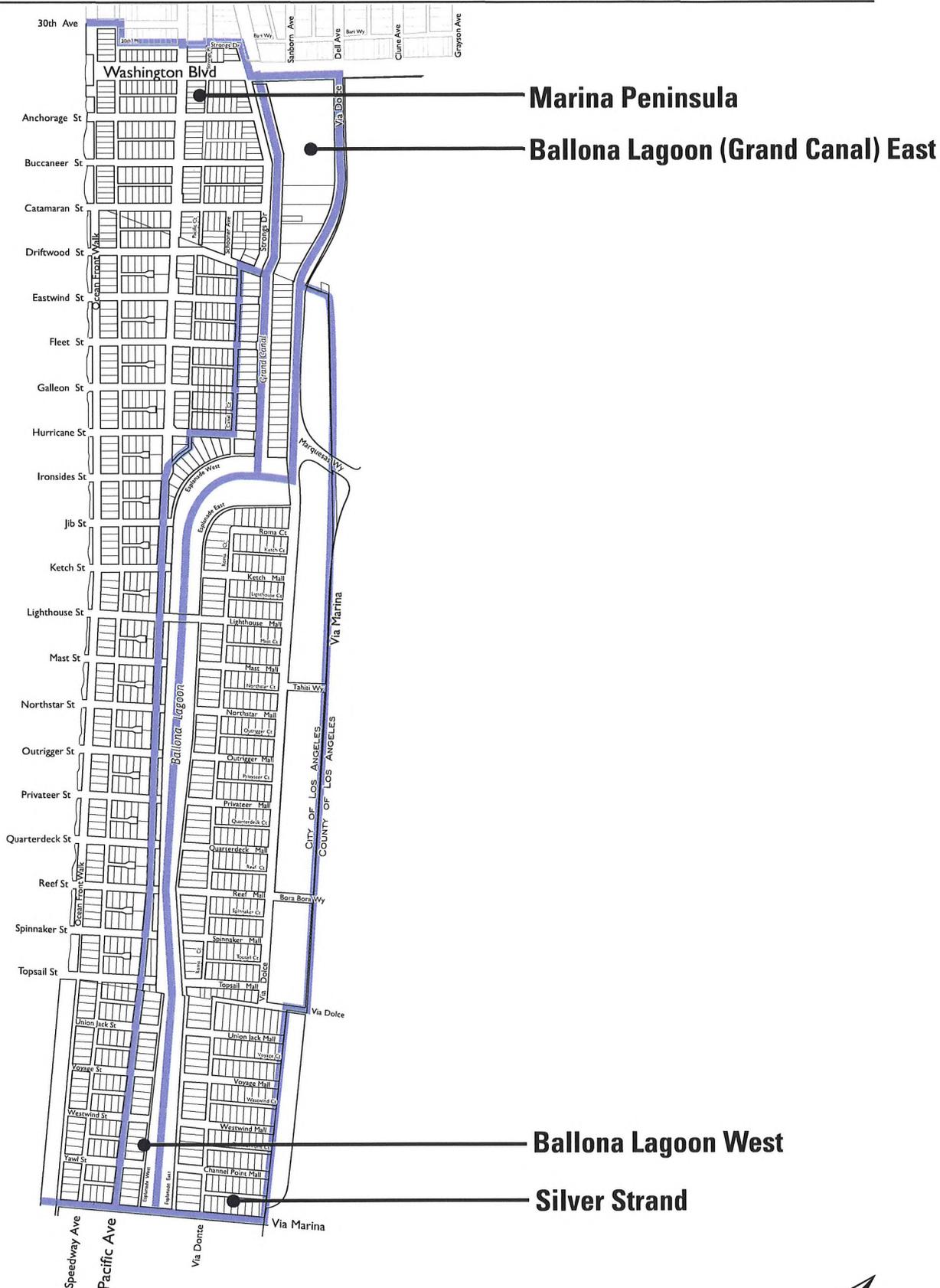


Exhibit 4
Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East



VENICE COASTAL ZONE SETTING

To facilitate discussion of issues, policies and development standards, the Venice Coastal Zone has been divided into eight (8) subareas, as follows:

- **Ballona Lagoon West Bank Subarea**, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon and Grand Canal on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 4.
- **Ballona Lagoon (Grand Canal) East Bank Subarea**, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 4.
- **Silver Strand Subarea**, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County line on the east, and Ballona Lagoon on the west, as shown on Exhibit 4.
- **Marina Peninsula Subarea**, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the east, and the Pacific Ocean on the west, as shown on Exhibit 4.
- **Venice Canals Subarea**, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eterna (Eastern) Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 5b.
- **North Venice Subarea**, generally bounded by the City of Los Angeles boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 5a and 5b.
- **Oakwood-Milwood-Southeast Venice Subarea**, generally bounded by the City of Los Angeles boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court, and Strongs Drive on the west, as shown on Exhibits 6a and 6b.
- **Oxford Triangle Subarea**, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 7.

These eight specific plan subareas roughly follow the boundaries of the older neighborhoods previously used by the City Council and neighborhood groups for public participation in neighborhood issues.

VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)

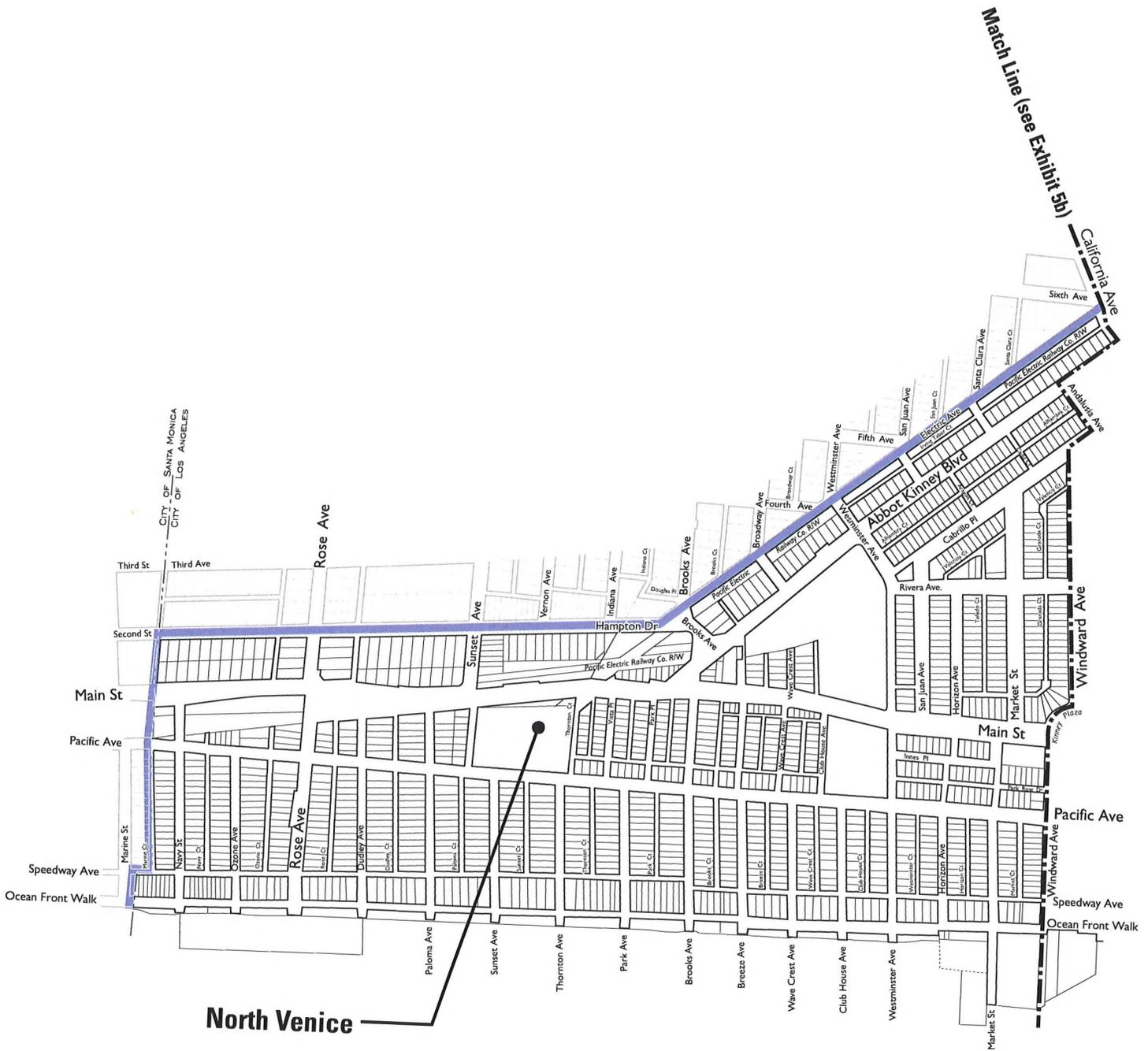


Exhibit 5a
Subarea: North Venice • Venice Canals



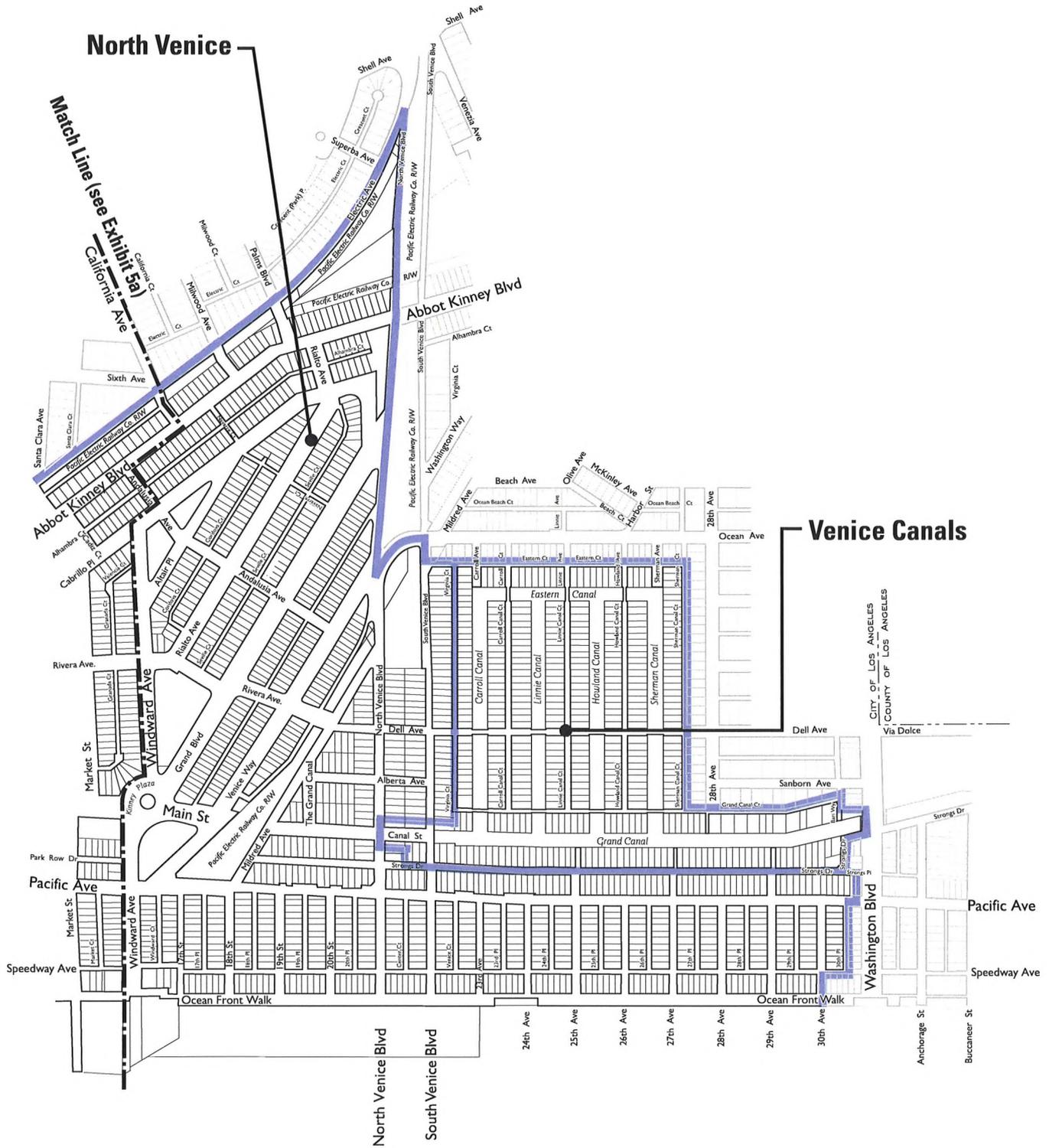


Exhibit 5b
Subarea: North Venice • Venice Canals



VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)

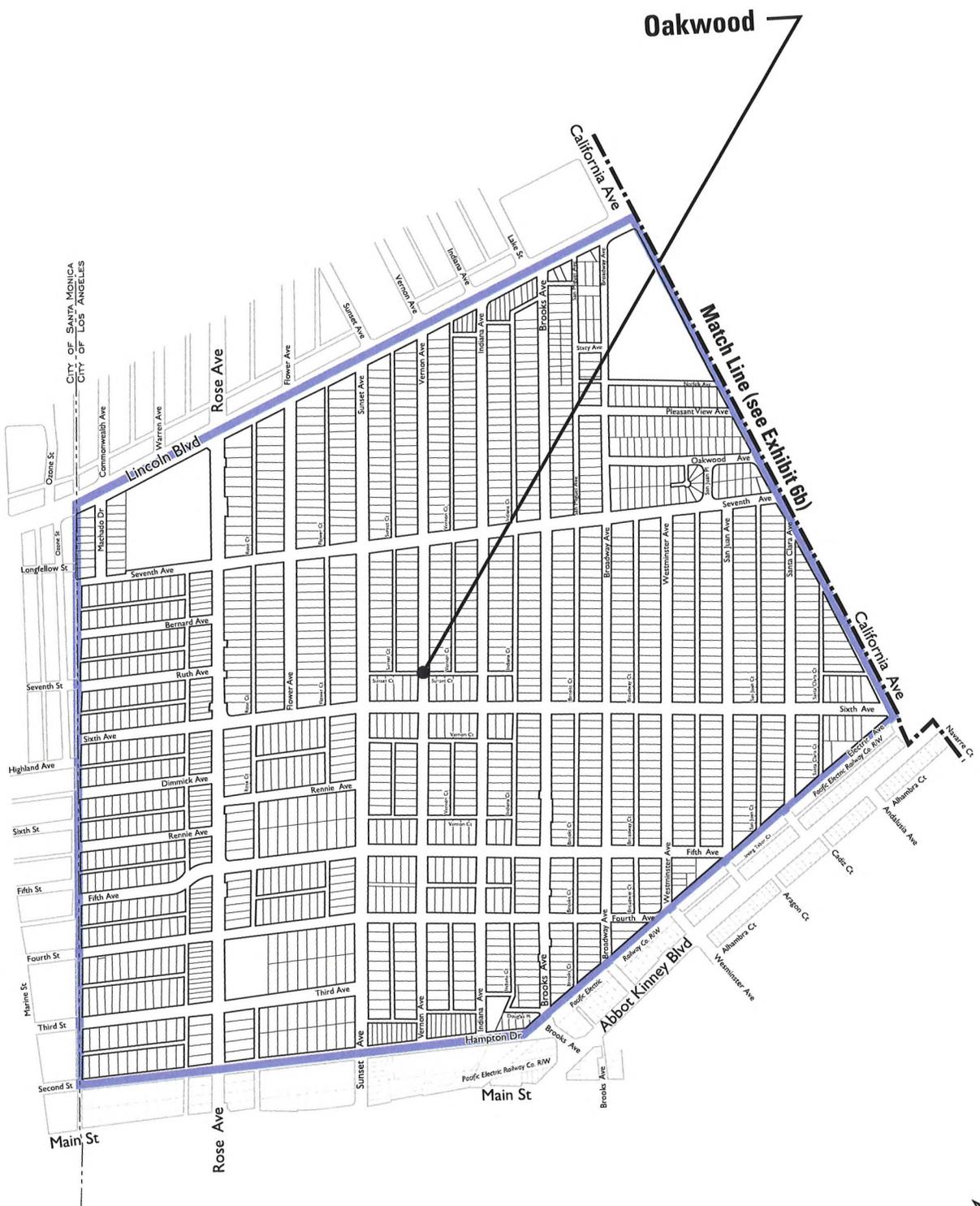


Exhibit 6a
Subarea: Oakwood • Milwood • Southeast Venice



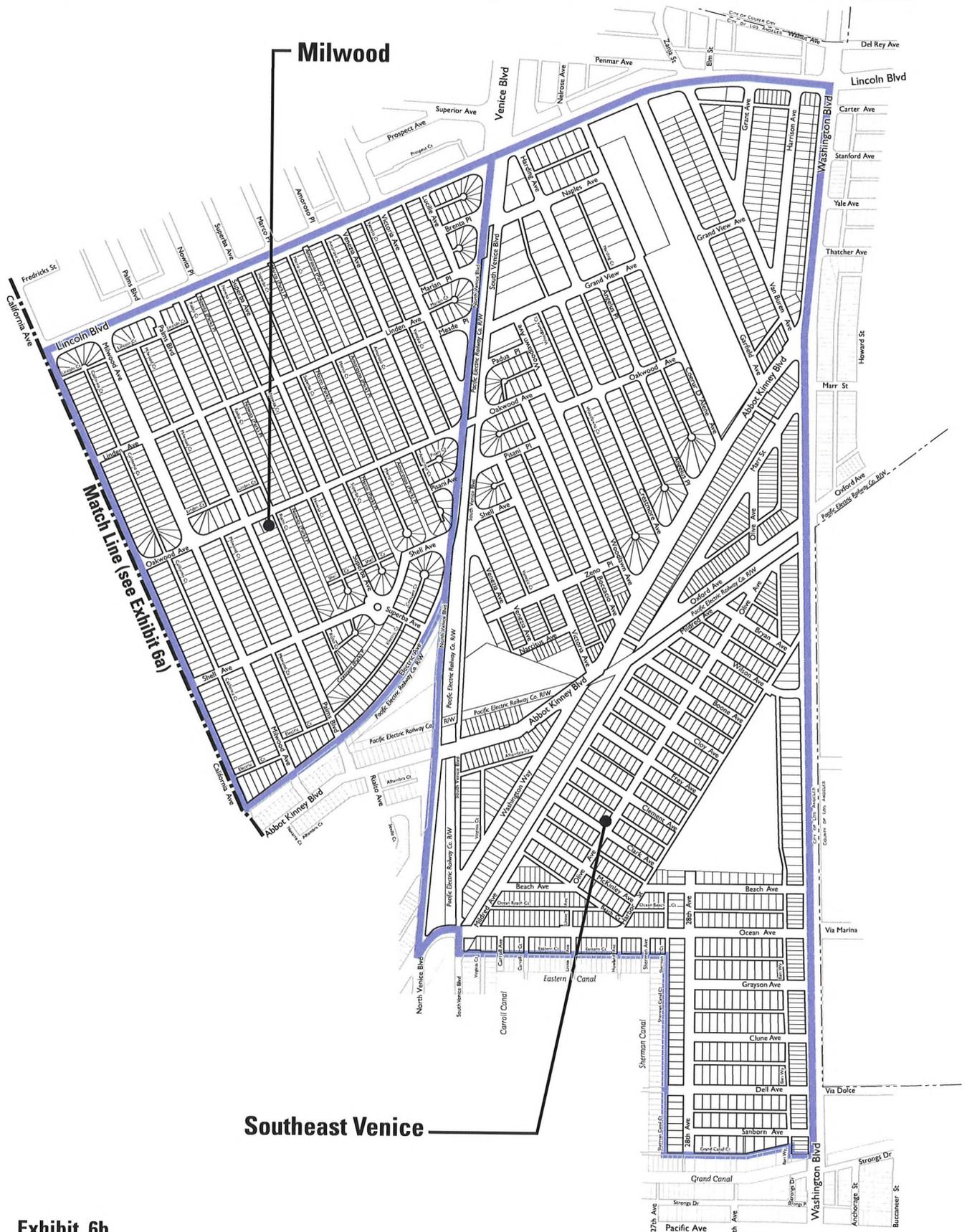


Exhibit 6b
Subarea: Oakwood • Milwood • Southeast Venice



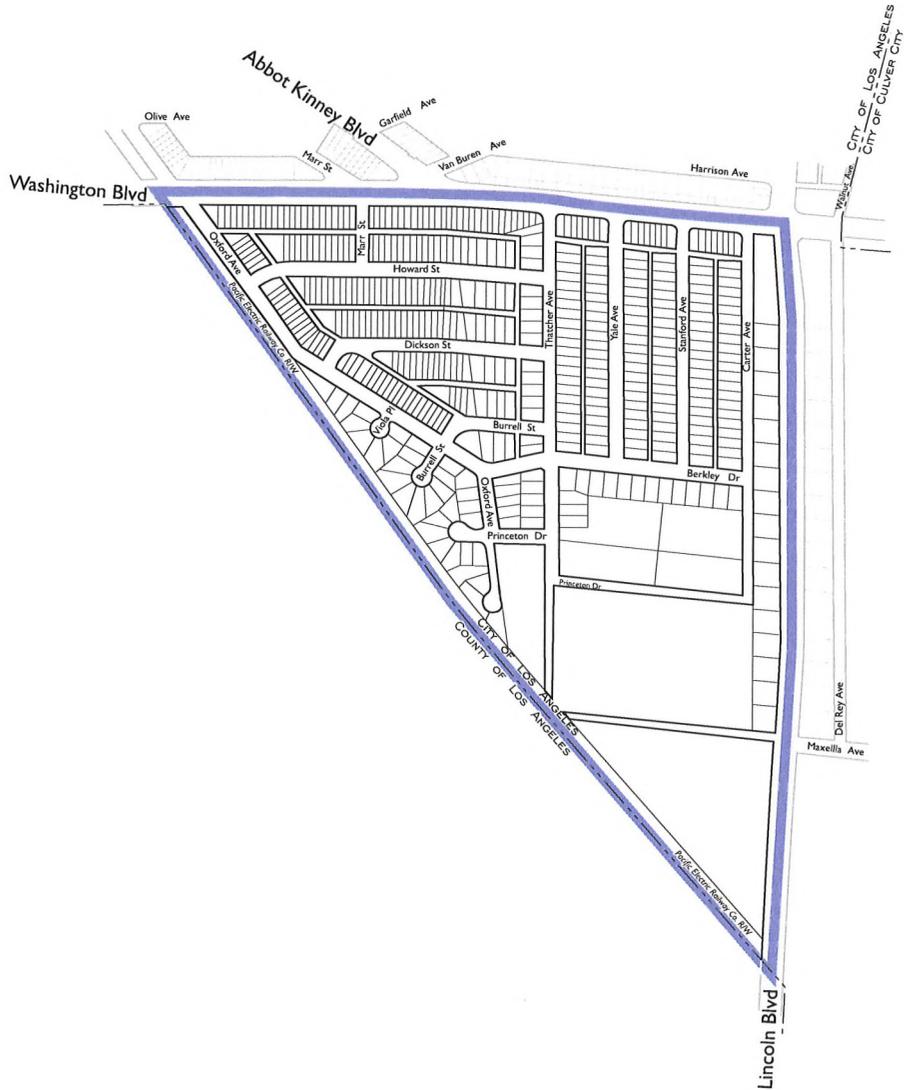


Exhibit 7
Subarea: Oxford Triangle



RELATIONSHIP TO OTHER CITY PLANS AND PROCEDURES

The most effective means of addressing the largest number of issues identified in the work program is through the development of the Venice LCP and the associated general plan amendments and the adoption of implementing ordinances including a Venice specific plan. Detailed and specific coastal issues can be addressed in the LUP through general plan amendments including policy statements and specific programs. The LIP will contain a specific plan process to address development standards and other implementation tools to implement the policies of the LUP.

The Land Use Plan is adopted by means of a plan amendment to the Venice Community Plan. The specific plan ordinance adopts zoning and development standards which carry the full weight of zoning law. All new development within the boundaries of the specific plan must comply with the ordinance. The specific plan ordinance is an integral part of the Los Angeles Municipal Planning and Zoning Code, and is enforced accordingly.

Wherever the specific plan contains provisions which differ from provisions contained in Chapter I of the Los Angeles Municipal Code, the specific plan shall prevail and supersede the applicable provisions of the Code. In order to be certified by the Coastal Commission, the specific plan must conform to, and be adequate to carry out, the policies and land uses maps of the certified LUP.

After certification of the LCP, permit processing procedures for coastal permits in the Venice Coastal Zone are controlled by the Coastal Act and the California Code of Regulations. The City's permit issuing ordinances must be certified as part of the Local Implementation Plan (LIP). After certification of the Local Coastal Program by the Coastal Commission, the authority of the Coastal Commission is limited to development within the retained, or original jurisdiction (i.e. Submerged lands, public trust lands and tidelands) and to appeals of locally issued coastal development permits. The Coastal Commission will also retain jurisdiction over amendments to coastal development permits that it approved before certification of the LCP. Section 30519(a) of the Coastal Act provides that, except for appeals to the Commission (as provided in Section 30603) after a LCP, or any portion thereof, has been certified and all implementing actions have become effective, the development review authority provided for in Chapter 7 (commencing with Section 30600) of the Coastal Act shall no longer be exercised by the Coastal Commission and shall at that time be delegated to the local government that is implementing the LCP. Section 30519(b) states that 30519(a) does not apply to development proposed or undertaken on any tidelands, submerged lands, or on public trust lands. The Commission also retains jurisdiction over coastal development permits that were previously approved by the Commission as well as amendments to such permits.

All development, land use and coastal-related activities (including but not limited to maintenance and recreational activities) in the Venice Coastal Zone will be required to be consistent with the certified LCP.

The Oxford Triangle Specific Plan (OTSP) (Ordinance 162,509) was adopted by the City Council on June 30, 1987 and includes the area bounded by Lincoln Boulevard, Washington Boulevard and the City-County of Los Angeles boundary. The OTSP established the C4(OX)-2-D zone. The primary purpose of the OTSP as it relates to the C4(OX)-2-D zone is to encourage mixed-use developments on properties designated for Community Commerce to create a lively urban environment. Upon adoption by the City Council and certification by the Coastal Commission, the Venice Local Coastal Program will incorporate the OTSP as part of the LIP. The OTSP may have to be modified in order to conform to and be adequate to carry out the policies of the certified LUP.

The Los Angeles Coastal Transportation Corridor Specific Plan (CTCSP) (Ordinance 168,999) was adopted by the City Council on August 4, 1993 and includes the areas governed by the Westchester-Playa Del Rey District Plan, the Palms-Mar Vista-Del Rey District Plan, the Venice Community Plan and the Los Angeles International Airport Interim Plan. The CTCSP may have to be modified in order to conform to and be adequate to carry out the policies of the certified LUP.

CITIZEN PARTICIPATION/ADOPTION PROCESS: LCP

The Department of City Planning has had an ongoing program of citizen involvement. (For more information refer to Chapter 1.C, Summary of Coastal Issues.) In 1988, a total of 27 public meetings and workshops were held to solicit information from the community and to present the Draft Venice Coastal Land Use Plan (LUP) which was released to the public in April 1988. Numerous public comments were received on the Draft LUP between April and August 1988. The comments were summarized and organized by coastal policy group in the document, "Summary of Community Comments Received on the Draft Venice Coastal Land Use Plan," dated January 1989.

A Preliminary LUP was prepared and released to the public in March 1990. The Preliminary LUP incorporated information contained in the April 1988 Draft LUP and the summary of comments, in addition to the following reports and documents identified in Exhibit 8.

A public workshop on the Preliminary LUP was held on March 19, 1990. The workshop was attended by approximately 100 persons. A public hearing on the Preliminary LUP was held by a Hearing Officer on March 28, 1990, during which 65 of the approximately 150 persons who attended, testified.

Ninety-six written communications were received at the public hearing and during the Preliminary LUP public review period held between March 5, 1990 and April 12, 1990. A summary of the comments raised during the public hearing and in the written communications, along with the Department of City Planning's response to those comments, are provided in the Preliminary LUP "Response Document," dated October 1990.

The Preliminary LUP was transmitted to the City Planning Commission on

January 3, 1991.

In the spring of the 1992, staff held several workshops with members of the community to discuss and clarify development standards for each of the eight subareas.

The Department of City Planning received the California Coastal Commission staff's comments on June 22, 1994.

The Department of City Planning continued the development of the proposed Venice LUP with several more public workshops and public hearings in 1998-99.

EXHIBIT 8

RELEVANT DOCUMENTS

1. Coastal Commission Findings for rejection of Venice Canals Marina Peninsula proposed LCP as submitted and approval of LCP with suggested modifications, July 28, 1983.
2. Venice Coastal Interim Control Ordinance (Ord. No. 172,019).
3. Coastal Conservancy Urban Waterfront Restoration Plan Policies.
4. North Venice B and C Areas Planning Committee report, Oct. 30, 1988.
5. Milwood Planning Committee report, Nov. 2, 1988.
6. Development Standards and the Local Coastal Program, Venice Neighborhood Study, Central Area, Nov. 5, 1988.
7. Planning Workshop Summary for Oakwood, Nov. 5, 1988.
8. Report of South-East Venice Specific Plan Study Group, Nov. 1988.
9. Oxford Triangle Neighborhood Study Presentation - Development Standards and the Local Coastal Program, Nov. 5, 1988.
10. Venice Neighborhood Design Workshop Standards and Recommendations for the Local Coastal Plan - North Beach Area "A", Nov. 2, 1988.
11. Preserving the Future, North Venice Beach Area 'A' Design Study Group Development Standards and the Local Coastal Program, Oct. 1988.
12. Development Standards and the Local Coastal Program, Venice Canals Neighborhood Study Group, Nov. 1988.
13. Marina Peninsula Development Outline, Nov. 1988.
14. Addendum from the Silver Side of Upper East Peninsula - Development Standards, Dec. 1988.
15. West Washington Boulevard Ad Hoc Sub-Committee - Venice Neighborhood Study - Local Coastal Program, Nov. 1988.
16. Preliminary Background Report, Venice Local Coastal Program, May 1988.
17. Venice Parking - Venice Area Parking Task Force Report, March 1987.

18. Draft Waterfront Restoration Plan, May 1990.
19. Venice Canals Rehabilitation Plan, 1991.
20. Community Working Papers, 1992.
21. Ballona Lagoon Enhancement Plan, 1992.
22. Walk Streets Preservation Committee Report, 1993.
23. Venice Beach Ocean Front Walk Refurbishment Plan, November 1995.

24. Venice Traffic and Parking Study: Prepared for City of Los Angeles, Department of City Planning. The study consists of the following working papers:
 - Venice Traffic and Parking Study, Existing Traffic Conditions Background Working Paper, May 1991.
 - Venice Traffic and Parking Study, Existing Parking Conditions Background Working Paper, May 1992.
 - Venice Traffic and Parking Study, Future Weekday Traffic Conditions Background Working Paper, June 1992.
 - Venice Traffic and Parking Study, Transportation Improvement Plan Working Paper, March 1995.
 - Venice Traffic and Parking Study, Final Report, April 1995.

DEFINITIONS

The following words or phrases, whenever used in this land use plan, shall be construed as defined in this section. Words and phrases not defined herein shall be construed as defined in Section 12.20.2B, 12.03 and 12.40 D of the Los Angeles Planning and Zoning Code (See Definitions Appendix). Words and phrases not defined therein shall be construed as defined in Chapter 4 of the Los Angeles Building Code, if defined therein.

Affordable Unit: Dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth in the rent schedule prepared by the City's Housing Department or its successor agency. In order for a development project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy.

Architectural Features: Features including, but not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.

Athletic Facility: A facility which offers the use of the premises and equipment to the general public for physical exercise, dance, or sports activities.

Beach Impact Zone: The area which includes all lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice Subareas (see Exhibits 17a and 17b).

Blank Wall: A street wall or vehicular entry facing the street and having no architectural detailing, windows, doors or similar features.

Change in Intensity of Use: A change in intensity of use includes, but is not limited to, any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of floor area or customer area to a commercial or industrial use; or (c) a change in the number of trips as calculated by the Trip Table (See Appendix); or (d) a change in the number of provided or required parking spaces as calculated by the LUP parking requirements contained in LUP Policies II.A.3 and II.A.4.

Change of Use: A change from (a) an existing residential use to a new residential use resulting in an increase in the total number of dwelling units; or (b) an existing residential use to a commercial or industrial use; or (c) an existing commercial use to a residential use or industrial use; or (d) an existing industrial use to a residential use or commercial use; or (e) an existing industrial use to a new industrial use, when an increase in the number of trips results from the new use, as calculated by the Trip Table

(See Appendix); or (f) an existing commercial use to a new commercial use, when an increase in the number of Trips results from the new use, as calculated by the Trip Table (See Appendix), or when an increase in the number of required parking spaces results, as calculated by the LUP parking requirements contained in LUP Policies II.A.3 and II.A.4.

Coastal-Dependent Development or Use: Any development or use which requires a site on, or adjacent to the sea to be able to function at all (See Coastal Act Section 30101).

Coastal-Related Development: Any use that is dependent on a coastal-dependent development or use.

Coastal Development Permit: A permit for any development within the Coastal Zone that is required pursuant to subdivision (a) of Section 30600 of the California Coastal Act.

Development: (See Coastal Act Section 30106) "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (PRC § 30106).

Encroachment: Any structure or building or portion of a structure or building which projects into a right-of-way or required setback.

Environmentally Sensitive Habitat Area: any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Fill: Earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area.

Feasible: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Flat Roof: Any roof form which has a slope of 2 inches to 12 inches or less.

Height: Height shall be measured as the vertical distance from base elevation (as specified in LUP Exhibits 13 through 16) to the highest point of the roof or parapet wall, excluding roof deck railings that do not exceed 36 inches and are of an open design. Roof access structures may exceed the otherwise allowable height limit only as specified in LUP Exhibits 13 through 16.

Implementing Actions: The ordinances, regulations, zoning maps, and programs which implement the Land Use Plan portion of a certified Local Coastal Program.

Lagoon Buffer: The land area that separates the developable portion of a lot from the waters of Ballona Lagoon.

Lagoon Lot: Any lot which is immediately adjacent to the Ballona Lagoon (as shown on Exhibit 4 of this land use plan).

Lot Consolidation: Lot consolidation occurs when: (1) one or more structures are built over a lot line dividing two lots created in a previous subdivision; or (2) a lot line is abandoned, a lot line is adjusted, lots are merged, or other action is taken, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.

Permeable: A paving material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface collectively comprising less than two-thirds of the total surface area of the lot and loosely laid materials, such as crushed stone or gravel.

Public Utilities: All production, storage, transmission, and recovery facilities for water, oil, gas, sewage, telephone, and other similar utilities owned or operated by any utility company subject to the jurisdiction of the Public Utilities Commission.

Public Works:

- a. All production, treatment, storage, transmission, conveyance, and recovery facilities for water, sewerage, stormwater, telephone, and other similar utilities owned or operated by a public agency.
- b. All public transportation facilities, including streets, roads, highways, streetlights, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.
- c. All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.
- d. All community college facilities.

Remodel: In the coastal zone, a remodel is an improvement to an existing structure in which no more than fifty percent (50%) of the exterior walls are

removed or replaced.

Replacement Unit: Any affordable housing unit to be provided as replacement for an existing unit on a project site.

Replacement Parking: Any parking space to be provided as replacement for an existing parking space on a project site.

Roof Access Structure: An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.

Sensitive Coastal Resource Areas: Those identifiable land and water areas within the Coastal Zone of vital interest and sensitivity, including the following:

- a. Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the Coastal Plan.
- b. Areas possessing significant recreational value.
- c. Highly scenic areas.
- d. Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
- e. Special communities or neighborhoods which are significant visitor destination areas.
- f. Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
- g. Areas where divisions of land could substantially impair or restrict coastal access.

Service Floor: All areas where the customer can be served, except the bathroom, including the indoor and outdoor dining area, bar, waiting room and tavern.

Seven-Foot Contour: The mean sea level as defined by the U.S. Geological survey.

Silver-Strand Lagoon Buffer Strip: The strip of land (lagoon buffer) immediately adjacent to the Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77, Permit Amendment No. A-266-77, and Appeal No. A-266-77.

Special Coastal Community: An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the

visual attractiveness of the coast.

Street Wall: An exterior wall of a building that faces a street.

Subarea: One of the areas in the Venice Coastal Zone within which a project is located as defined in the "Locating and Planning New Development" Section of the Venice Land Use Plan, as shown in Exhibits 4 through 7.

Stepped Back Roofline: A roof on which the portion that exceeds the flat roof height limit is set back from the required front yard one foot for every foot in height above the flat roof height limit.

Trip: A single or one direction vehicle movement with either origin or destination (exiting or entering) generated by the use of a subject site.

Varied Roofline: Any roof which has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped, curved, or stepped back roofline.

Venice Coastal Zone: The area within the Venice community planning area west of Lincoln Boulevard, including those lots fronting on the west side of Lincoln Boulevard (See Exhibits 2a and 2b of this Land Use Plan).

Walk Street: A public street in the Coastal Zone and/or beach area that has been improved for public pedestrian use over part of its width and is landscaped (privately or publicly) over the remainder, but which has not been improved for vehicular access.

Wetland: Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or support the growth of hydrophytes, and shall include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. Wetlands include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Chapter II LAND USE PLAN POLICIES

POLICY GROUP I. LOCATING AND PLANNING NEW DEVELOPMENT/COASTAL VISUAL RESOURCES AND SPECIAL COMMUNITIES

INTRODUCTION

Developed as a beach resort, Venice was known as the Coney Island of the Pacific. Historically it has attracted people from all social and ethnic groups to the coast to live, work and play. While little remains of the "Venice of America" that was built by Abbot Kinney, Venice is still strongly influenced by its past. Each weekend hundreds of thousands of people are still attracted to the shore to enjoy the ambience of this coastal community. Kinney envisioned Venice to be more than a resort and today it is home to 32,270 permanent residents many of whom inhabit the small summer homes built on substandard lots along paved streets over canals. Others live on substandard lots (many are less than 3,000 square feet in area) that have been redeveloped with more substantial single-family homes and multi-unit structures. Yet Venice remains the quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing. Diversity of lifestyle, income and culture typifies the Venice community. United by the term Venetians with all its connotative meanings, Venice is really a group of identifiable neighborhoods with unique planning and coastal issues.

As a result of prior development and changes in land use, there has emerged a blend of residential uses of various intensities, commercial uses and some minor industrial uses. Housing is located in single-family homes, multi-family dwellings, and mixed-use structures including live/work artist studios. Although many of the commercial uses are oriented to the automobile traffic, there are numerous instances of commercial uses which are more pedestrian oriented, particularly near the beach. While Venice contains traditional light industrial uses it also has a concentration of industrial structures which house artist galleries and live/work studios. Much of this unusual mixture of uses has its origin in the area's initial amusement park activities.

The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines. Lots range in size from less than 3,000 square feet near the beach to 5,000 square feet closer to Lincoln Boulevard. Few of the original canals remain. Most have been filled in and have become streets for vehicular traffic, while others are now part of the system of walk streets.

The requirements of the California Coastal Act, the historic development of the community, and the traffic study conducted for the LCP in conjunction with numerous planning workshops held in the community were among the factors considered in assigning Land Use Categories in the plan.

Residential land use densities in this LCP have been assigned in the Venice coastal area to reflect the year 2010 Venice population as projected by the Southern California Association of Governments (SCAG). Based on circulation and infrastructure limitations, the assigned Land Use Categories result in substantially lower build out densities than current zoning capacity. The development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass. New residential development is linked to the availability of public services and infrastructure, and in addition to traffic consideration, environmental and coastal access concerns as required by the Coastal Act.

Based upon the SCAG projections, the coastal zone within the Venice Community Plan area has a projected (year 2010) population of approximately 38,325 persons. This represents an increase of approximately 19 percent (or 6,055 persons) over the existing population of approximately 32,270 persons (as of 1990). This is based upon a constant rate of projected growth to all Los Angeles communities and assumes a projected growth which would occur if current trends remain unchanged.

Coastal Act Policies

The policy groups covered by this part of the LUP address the following Sections of the California Coastal Act, which are included as part of the Land Use Plan:

Section 30244. *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Officer, reasonable mitigation measures shall be required.*

Section 30250.

- a. *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 addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*
- b. *Where feasible, new hazardous industrial development shall be located away from existing developed areas.*
- c. *Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

Section 30251. *The scenic and visual qualities of coastal areas shall be*

considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30252. *The location and amount of new development should maintain and enhance public access to the coast by:*

- 1. facilitating the provision or extension of transit service,*
- 2. providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,*
- 3. providing non-automobile circulation within the development,*
- 4. providing adequate parking facilities or providing substitute means of serving the development with public transportation,*
- 5. assuring the potential for public transit for high intensity uses such as high-rise office buildings and, by*
- 6. assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.*

Section 30253. *New development shall:*

- 1. Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- 2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.*
- 3. Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*
- 4. Minimize energy consumption and vehicle miles traveled.*
- 5. Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor*

destination points for recreational uses.

Section 30254. *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the services would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

Section 30255. *Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

Section 30260. *Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Section 30261 and 30262 if:*

- 1. alternative locations are infeasible or more environmentally damaging;*
- 2. to do otherwise would adversely affect the public welfare; and*
- 3. adverse environmental effects are mitigated to the maximum extent feasible.*

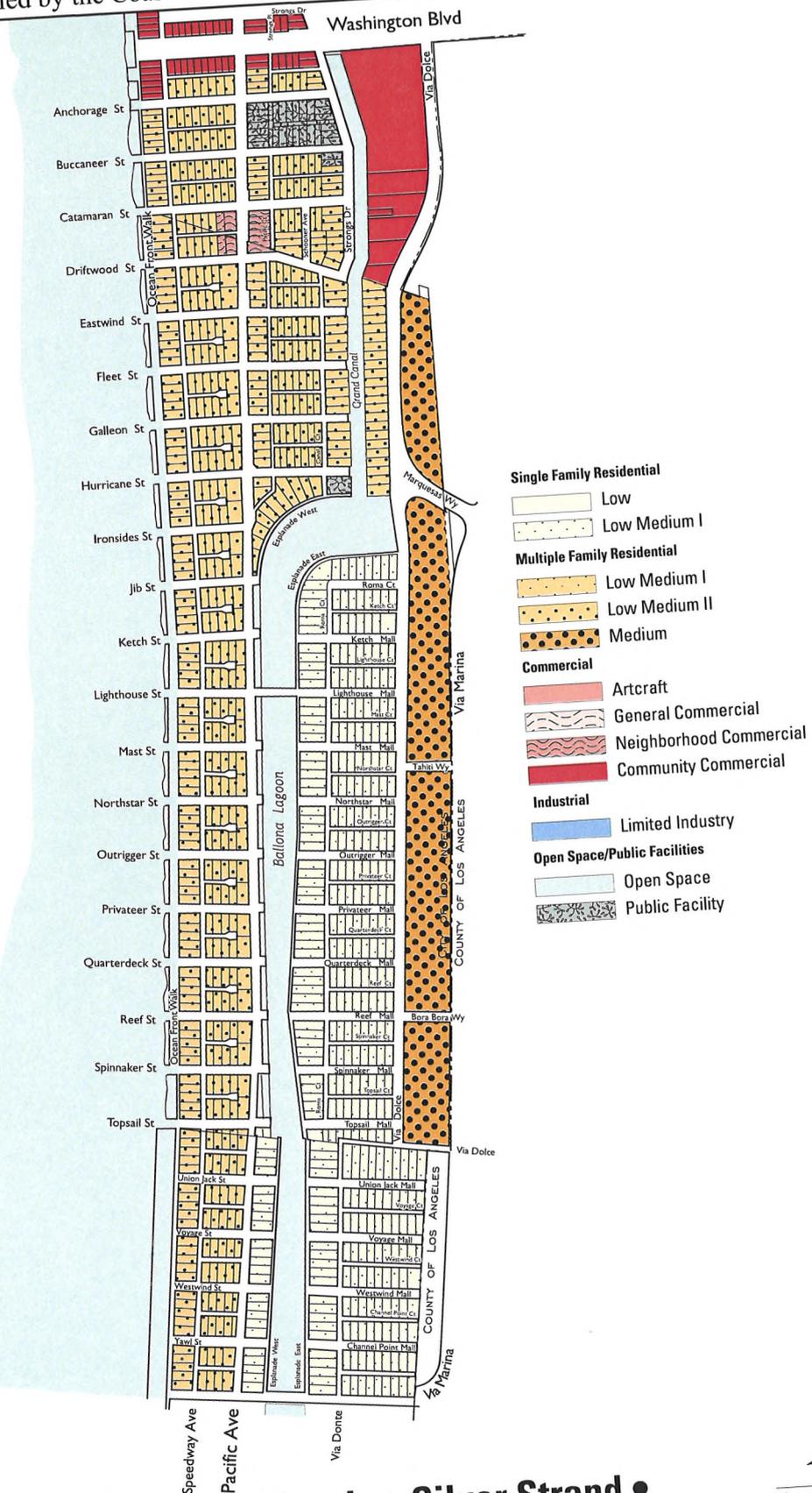


Exhibit 9
Land Use Plan (Map): Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East



- Single Family Residential**
 -  Low
 -  Low Medium I
- Multiple Family Residential**
 -  Low Medium I
 -  Low Medium II
 -  Medium
- Commercial**
 -  Artcraft
 -  General Commercial
 -  Neighborhood Commercial
 -  Community Commercial
- Industrial**
 -  Limited Industry
- Open Space/Public Facilities**
 -  Open Space
 -  Public Facility



Exhibit 10a
Land Use Plan (Map): North Venice • Venice Canals



- Single Family Residential**
 - Low
 - Low Medium I
- Multiple Family Residential**
 - Low Medium I
 - Low Medium II
 - Medium
- Commercial**
 - Artcraft
 - General Commercial
 - Neighborhood Commercial
 - Community Commercial
- Industrial**
 - Limited Industry
- Open Space/Public Facilities**
 - Open Space
 - Public Facility

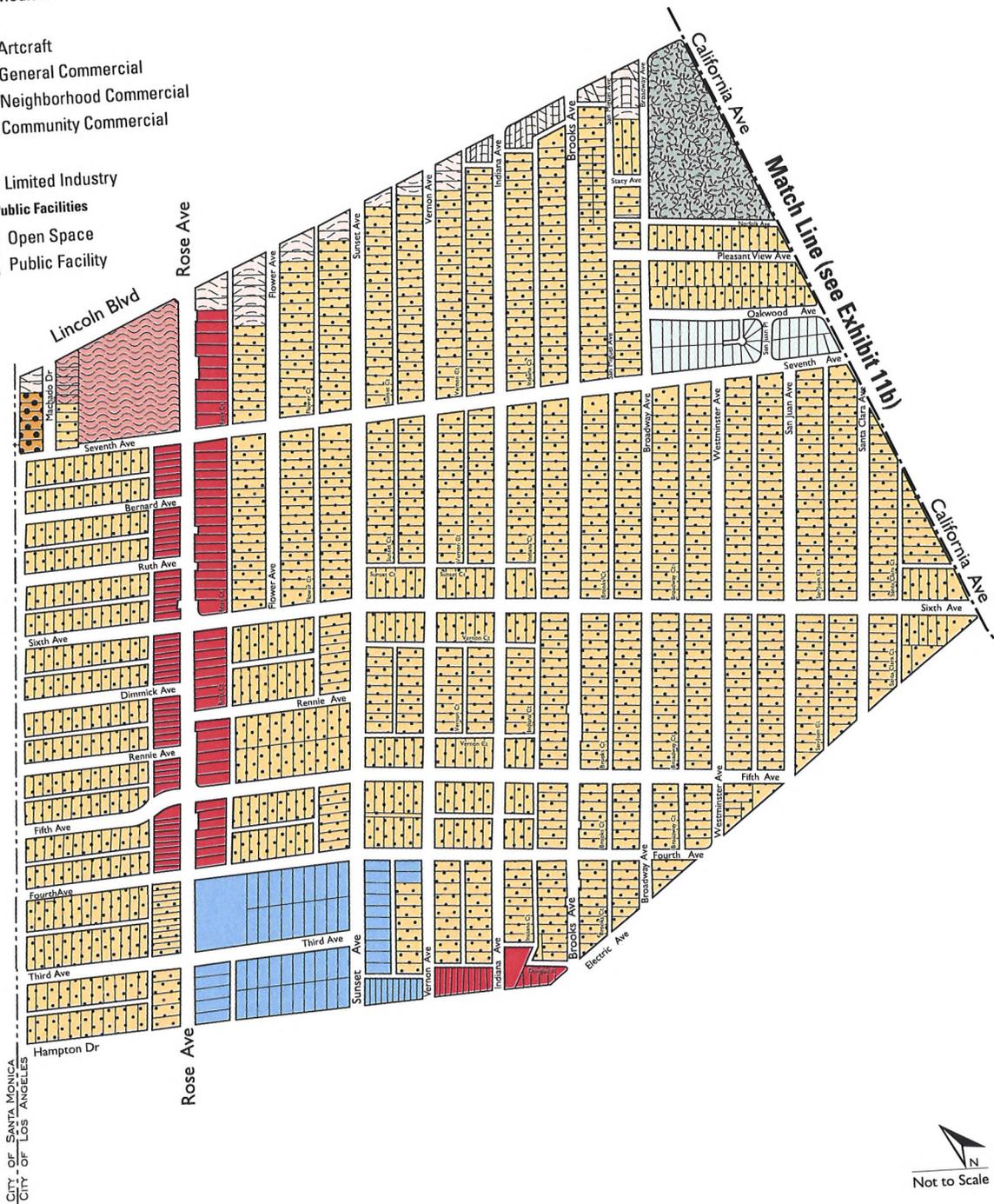


Exhibit 11a
Land Use Plan (Map): Oakwood • Milwood • Southeast Venice

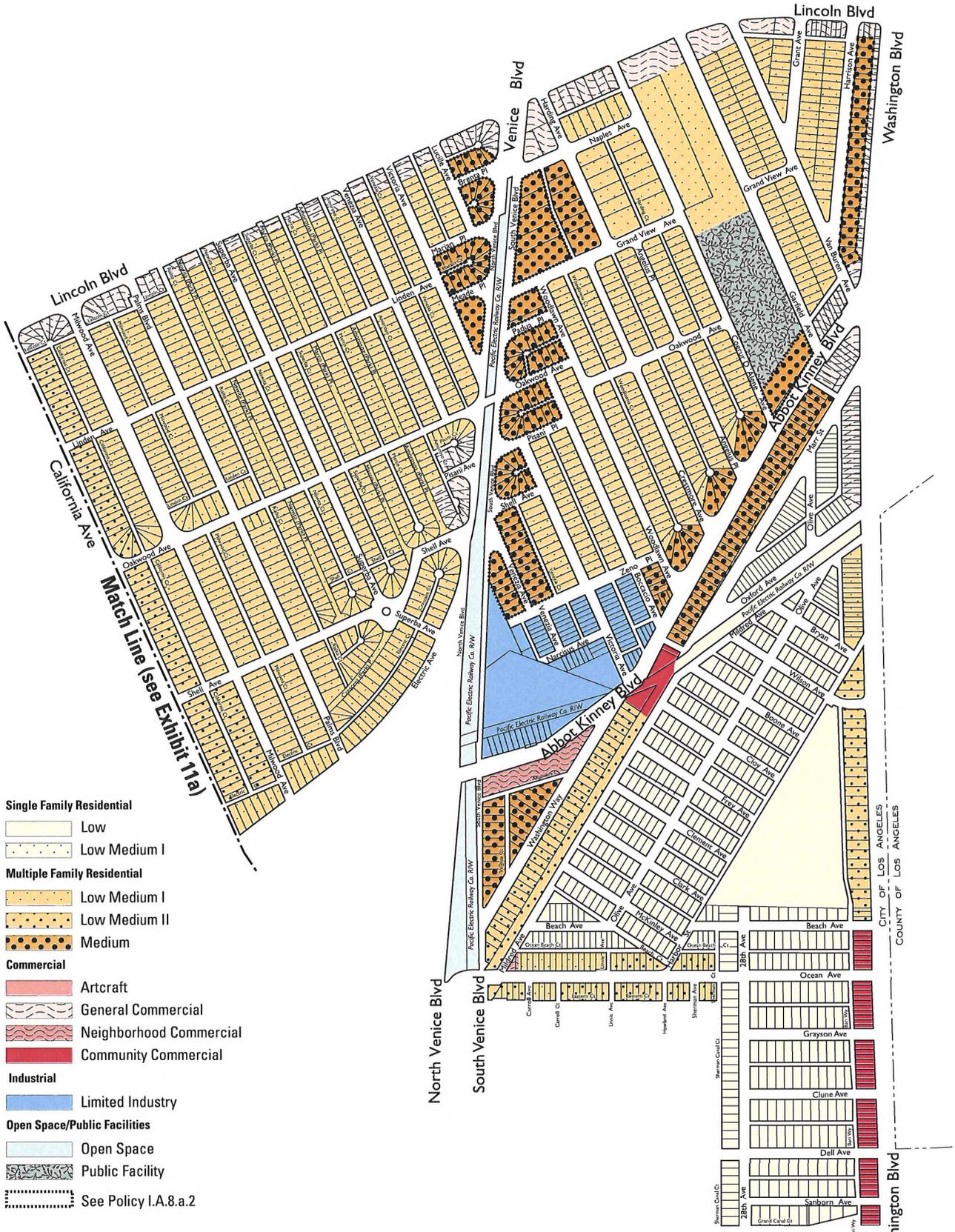


Exhibit 11b
Land Use Plan (Map): Oakwood • Milwood • Southeast Venice



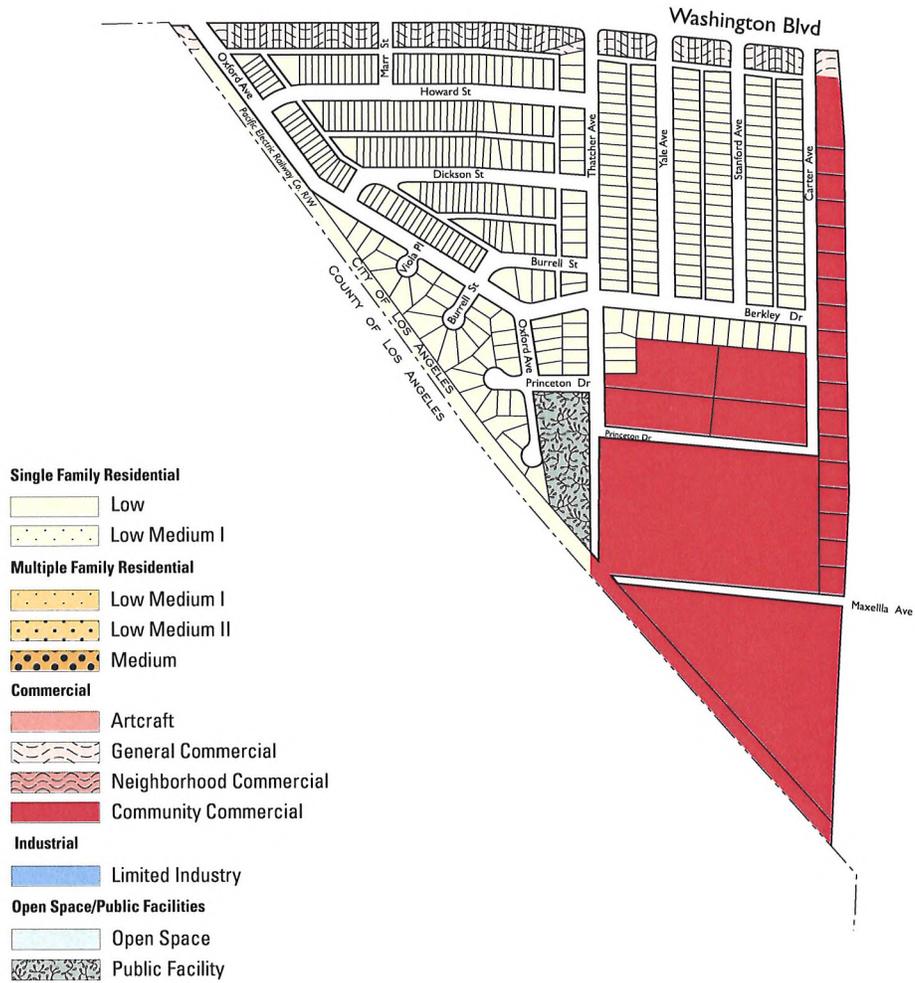
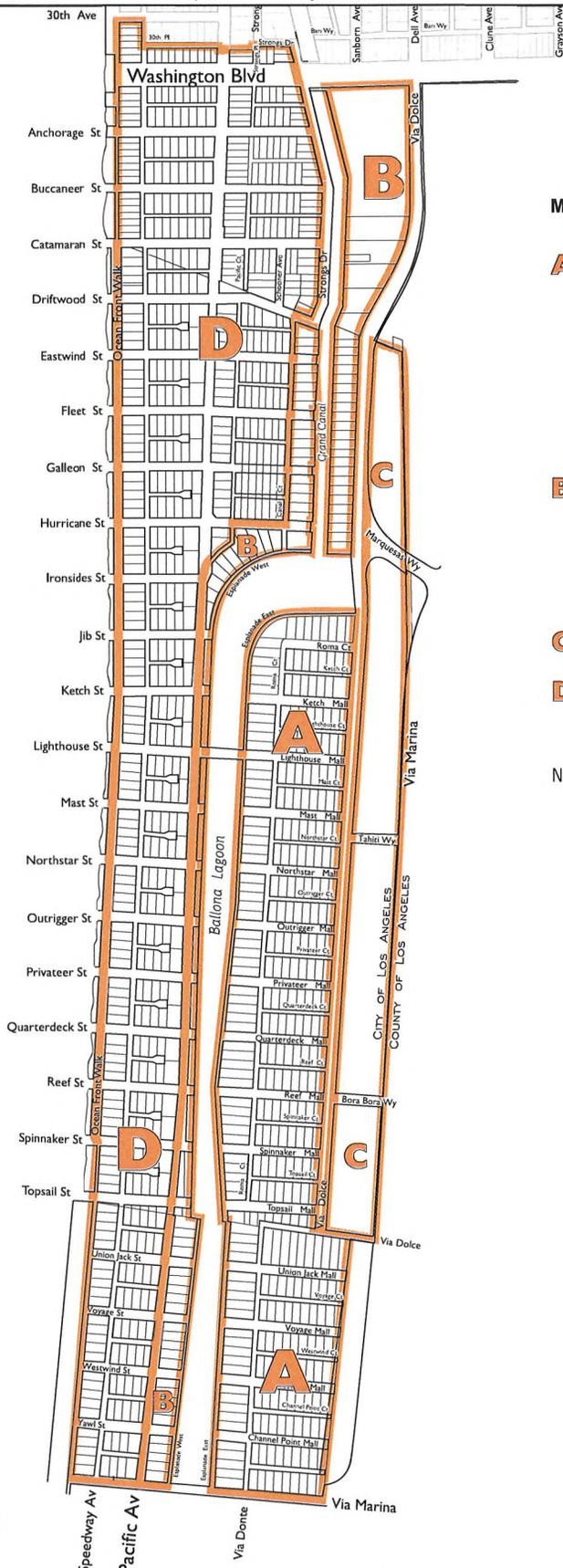


Exhibit 12
Land Use Plan (Map): Oxford Triangle



VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)



Maximum Building Height

- A** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45'. 45-foot limit for structures or portions of structures located further than 60 horizontal feet of the mean high tide line of Ballona Lagoon and the inland side of the Esplanade.
- B** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet.
- C** 45'
- D** 35', 28' along Walk Streets.

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except on lagoon lots where all building heights shall be measured from the average existing natural grade.

*No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30' height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way).

*Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Policy I.A.1 for policy limiting roof access structures.

*See Policy I.B.7 for commercial and mixed-use development standards.

**Exhibit 13
Height**

**Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East**



Maximum Building Height

- E** 22'-30'
- F** 30' with a flat roof
35' with varied or stepped back roofline
28' along walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except in the Venice Canal Subarea (E) where all building heights shall be measured from the elevation of the adjacent alley.

*Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

*Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Policy I.A.1 for policy limiting roof access structures.

*See Policy I.B.7 for commercial and mixed-use development standards.

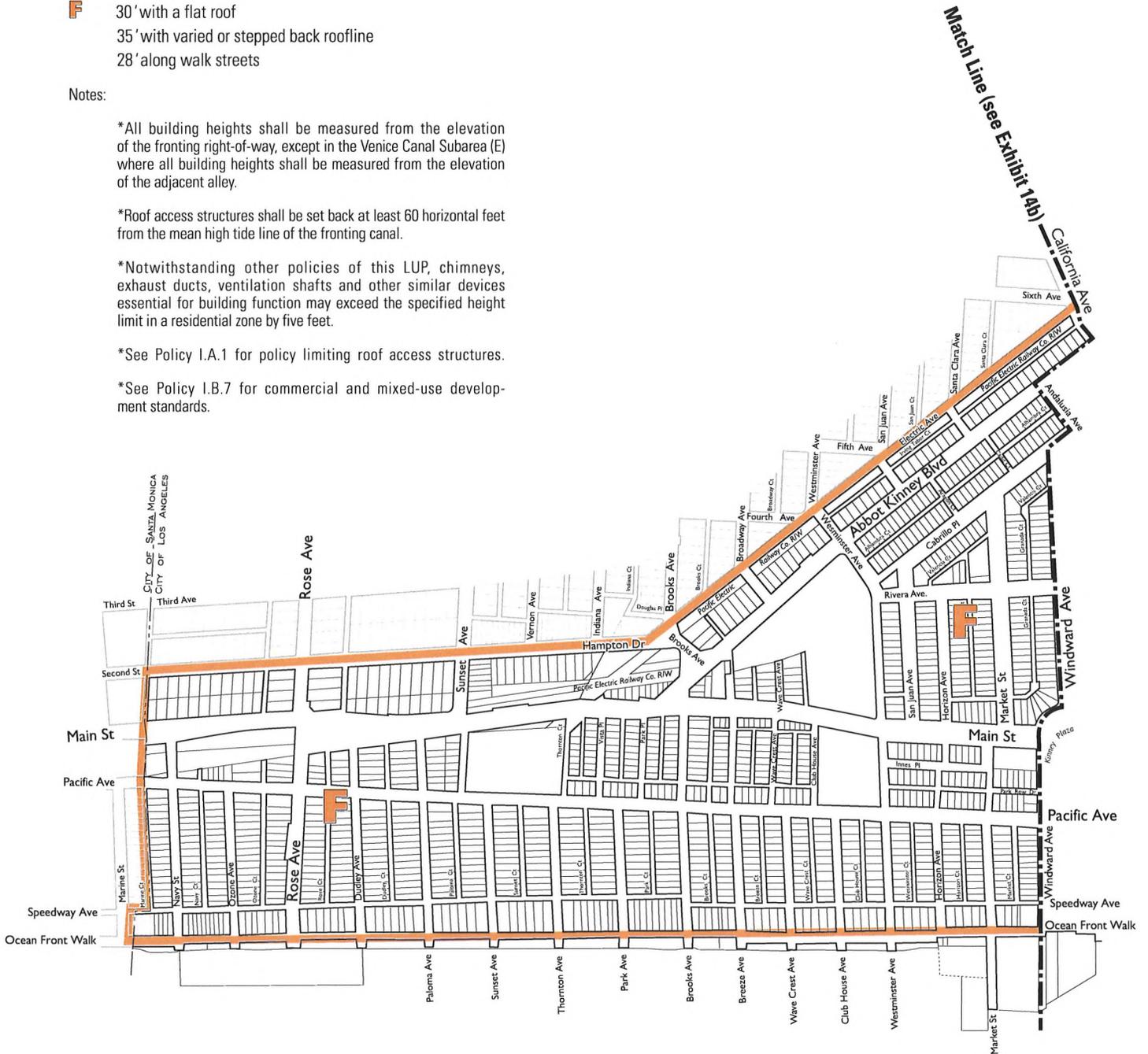


Exhibit 14a
Height
Subarea: North Venice • Venice Canals



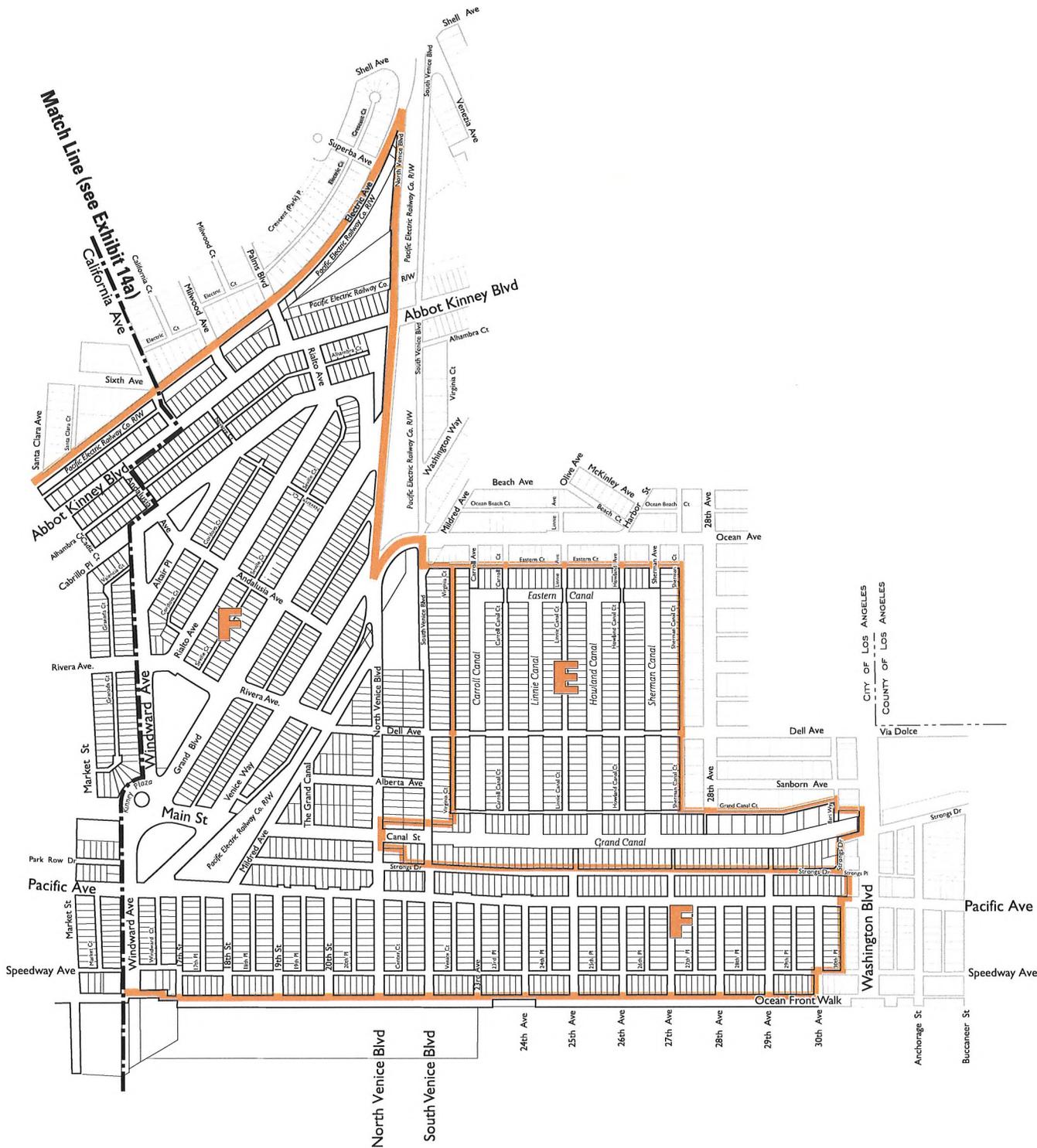


Exhibit 14b
Height
Subarea: North Venice • Venice Canals



Maximum Building Height

- G** 25' with a flat roof
- 30' with varied or stepped back roofline
- 28' along Walk streets

Notes:

- *All building heights shall be measured from the elevation of the fronting right-of-way.
- *Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.
- *See Policy I.A.1 for policy limiting roof access structures.
- *See Policy I.B.7 for commercial and mixed-use development standards.



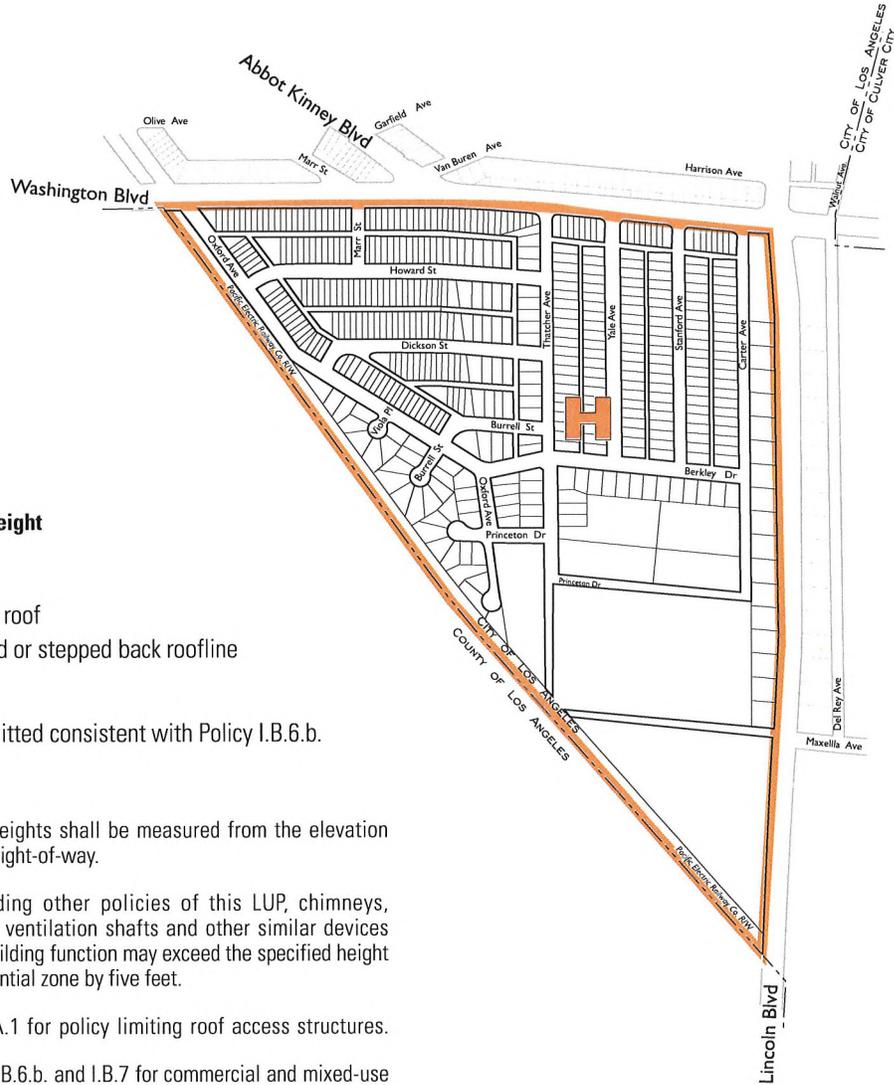
Exhibit 15a
Height
Subarea: Oakwood•Milwood•Southeast Venice





Exhibit 15b
Height
Subarea: Oakwood • Milwood • Southeast Venice





Maximum Building Height

- H** Residential
 - 25' with a flat roof
 - 30' with varied or stepped back roofline
- Commercial
 - 30' or as permitted consistent with Policy I.B.6.b.

Notes:

- *All building heights shall be measured from the elevation of the fronting right-of-way.
- *Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.
- *See Policy I.A.1 for policy limiting roof access structures.
- *See Policies I.B.6.b. and I.B.7 for commercial and mixed-use development standards.

Exhibit 16
Height
Subarea: Oxford Triangle



LAND USE PLAN POLICIES AND IMPLEMENTATION STRATEGIES

Residential Land Use and Development Standards

Policy I. A. 1. Residential Development. The maximum densities, building heights and bulks for residential development in the Venice Coastal Zone shall be defined by the Land Use Plan Maps and Height Exhibits (Exhibits 9 through 16), and the corresponding land use categories and the development standards as described in this LUP. Refer to Policies II.C.10 for development standards for walk streets and to Policies II.A.3 and 4 for parking requirements.

a. Roof Access Structures. Building heights and bulks shall be controlled to preserve the nature and character of existing residential neighborhoods. Residential structures may have an enclosed stairway (roof access structure) to provide access to a roof provided that:

- i. The roof access structure shall not exceed the specified flat roof height limit by more than 10 feet;
- ii. The roof access structure shall be designed and oriented so as to reduce its visibility from adjacent public walkways and recreation areas;
- iii. The area within the outside walls of the roof access structure shall be minimized and shall not exceed 100 square feet in area as measured from the outside walls; and,
- iv. All roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of Ballona Lagoon, Venice Canals, Grand Canal and the inland side of the Esplanade (City right-of-way).

Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

b. Residential Lot Consolidations. In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand residential neighborhoods. No more than two lots may be consolidated in the Ballona Lagoon West, Ballona Lagoon (Grand Canal) East, Southeast Venice, Milwood, North Venice and Oxford Triangle neighborhoods and on walk streets. Lot consolidations of not more than three lots shall be permitted in the Oakwood and Marina Peninsula residential neighborhoods. Lot consolidations may be permitted only subject to the following limitations:

- i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation with the exception of subterranean development that is entirely below street elevation.
- ii. Building facades shall be varied and articulated to provide a

pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street. No increase in the number of units shall result from the lot consolidation.

- iii. Front porches, bays and balconies shall be provided to maximize architectural variety.

Single-Family Residential

The Venice LUP recognizes the importance of the existing pedestrian scale single-family residential neighborhoods and the need to conserve them. As most communities, the greater portion of Venice was originally developed with single-family homes for both permanent residents and as temporary resort housing. Today stable single-family neighborhoods continue to exist in portions of Venice. While the standard low density, one unit per 5,000 square foot lot is common in Venice, single-family homes on lots as small as 2,500 square feet are just as common and a reminder of the community's origin as a resort town. The maintenance of the character and density of these stable single-family neighborhoods is consistent with the objectives of the State Coastal Act and the City's General Plan.

Policy I. A. 2. Preserve Stable Single-Family Residential Neighborhoods. Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development. A second residential unit or an accessory living quarter may be permitted on lots designated for single-family residence land uses, provided that the lot has a minimum lot area of 4,600 square feet in the Venice Canals subarea, or 10,000 square feet in the Silver Strand, Southeast Venice, or Oxford Triangle subareas, and all units conform to the height limit, parking requirements, and other development standards applicable to the site.

Policy I. A. 3. Single-Family Dwelling - Low Density. Accommodate the development of single-family dwelling units in areas designated as "Single-family Residential" and "Low Density" on the Venice Coastal Land Use Plan. (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and the Oxford Triangle

Use: Single-family dwelling / one unit per lot

Density: One unit per 5,000 square feet of lot area

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

Height: Not to exceed 25 feet for buildings with flat roofs or 30 feet for buildings with a varied or stepped back roof line. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Policy I. A. 4. Single-Family Dwelling - Low Medium I Density. Accommodate the development of single-family dwelling units in areas designated as “Single-family Residential” and “Low Medium I Density” on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

a. Venice Canals

Use: Single-family dwelling / one unit per lot

Density: One unit per 2,300 square feet of lot area. Lots smaller than 5,000 square feet shall not be subdivided. Lots larger than 2,300 square feet shall not be combined.

Buffer/Setback: In order to provide a setback for access, visual quality, and to protect the biological productivity of the canals, an average setback of 15 feet, but not less than 10 feet, shall be maintained in the front yard adjacent to the canal property line.

Yards: An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the canal property line and the front of any structure. A minimum 10-foot front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No fill nor building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of 42-inch high fences or permeable decks at grade (no more than 18” high).

Height: Not to exceed 22 feet for any portion within 10 feet from the canal property line. Thereafter, an ascending height equal to one half the horizontal depth from this 10-foot line with a maximum height of 30 feet. Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

b. Silver Strand

1. Lagoon Fronting Lots/Lots Adjacent to Esplanade East:

Use: Single-family dwelling / one unit per lot

Density: One unit per 4,000 square feet of lot area

Lagoon Buffer: No development other than public access improvements and habitat restoration shall be permitted within a 40-

foot strip immediately adjacent to the Ballona Lagoon, as established by amended Coastal Permit A-266-77. The City right-of-way (Esplanade) comprises part of the 40-foot wide buffer. The remainder is comprised of 24 to 30-foot wide portions of the lagoon fronting lots over which easements have been, or shall be, dedicated to the City for Open Space and public access per the requirements of amended Coastal Permit A-266-77. Easements shall be dedicated to the City to protect the lagoon buffer for public access and habitat as a condition of development.

Setback: All portions of a dwelling, except for a deck, shall be set back from the easterly edge of the Buffer Strip for a minimum setback of 10 feet or 15% of the depth of the lot excluding the Buffer Strip, whichever is greater, but such setback need not exceed 15 feet. The total combined height of any deck, deck railings, garden walls and/or fences situated within the 10 to 15-foot setback from the Buffer Strip shall not exceed 6 feet above the elevation of the Buffer Strip located immediately adjacent to the setback area.

Height: Not to exceed 30 feet for any portion within 60 horizontal feet of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water. Open decks including railings shall not extend more than six feet above natural grade. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be placed in the lagoon. No fill shall be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

2. All other single-family lots:

Use: Single-family dwelling / one unit per lot

Density: One unit per 3,000 square feet of lot area

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

Height: Not to exceed 45 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16). Open decks including railings shall not extend more

than six feet above natural grade.

c. Ballona Lagoon West Bank Properties Between Topsail and Via Marina

Use: Single-family dwelling / one unit per lot

Density: One unit per 3,000 square feet of lot area

Lagoon Buffer: No development other than public access improvements and habitat restoration shall be permitted within 15 feet of the lot line located nearest the water. Easements shall be dedicated to the City as a condition of development to protect the lagoon buffer for public access improvements and habitat restoration.

Setback: All portions of a dwelling, except for a ground level deck (no more than 18" high), shall be set back a minimum of 25 feet from the inland edge of Esplanade West, or where no Esplanade exists, from the property line which separates the parcel from the west bank of Ballona Lagoon. Ground level permeable decks, landscaping and railing and fences may encroach ten feet into the setback. The remaining 15 feet of the setback area nearest the water (lagoon buffer) shall be protected for public access and habitat restoration.

Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide of the lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill may be placed in the lagoon. No fill may be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

d. Ballona Lagoon West Bank Properties South of Ironsides to Topsail.

These properties, commonly known as the Alphabet Lots, consist of the lagoon lots located between Ironsides and Topsail Streets. The City shall retain ownership of these parcels adjacent to the environmentally sensitive habitat area. The use of the subject parcels shall be permanent Open Space with restoration of the native vegetation. Non-intrusive public access amenities may be permitted in a manner that protects the environmentally sensitive habitat area.

Fill: No fill may be placed in the lagoon and buffer except for the minimum necessary for wetland restoration and public access.

Duplex/Multi-Family Residential

It is the intent of Venice LUP to maintain existing stable multi-family residential neighborhoods. In those stable neighborhoods characterized by a mix of densities and dwelling types, permitted densities may be reduced to levels consistent with the character of the entire area in order to minimize impacts on infrastructure, services, and to maintain or enhance the residents' quality of life. The loss of potential units in these locations can be offset by the provision of new housing opportunities via bonuses for the replacement of affordable housing and in mixed-use development.

Policy I. A. 5. Preserve and Protect Stable Multi-Family Neighborhoods. Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained and improved.

Policy I. A. 6. Multi-Family Residential - Low Medium I Density. Accommodate the development of duplexes and multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium I" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and Milwood

Use: Two units per lot, duplexes and multi-family structures

Density: One unit per 2,500 square feet of lot area. Lots smaller than 5,000 square feet are limited to a maximum density of two units per lot.

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

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

Height: Not to exceed 25 feet for buildings with flat roofs, or 30 feet for buildings with stepped back or varied rooflines. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Policy I. A. 7. Multi-family Residential - Low Medium II Density. Accommodate the development of multi-family dwelling units in the areas

designated as "Multiple Family Residential" and "Low Medium II Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

a. Ballona Lagoon (Grand Canal) East Bank

Use: Two units per lot including duplexes

Density: One unit per 1,500 square feet of lot area

Grand Canal Esplanade: The Esplanade (City right-of-way) shall be maintained and improved in order to provide for continuous public pedestrian access along the Grand Canal waterway.

Grand Canal Buffer/Setback: In order to provide a setback for public access, visual quality, and to protect the biological productivity of the canals, an average setback of 15 feet, but not less than 10 feet, shall be maintained in the front yard adjacent to the canal property line.

Yards: Minimum side yard of 3 ½ feet. An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the canal property line and the front of any structure. A minimum 10-foot front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of permeable decks. The total combined height of any deck, deck railings, garden walls and/or fences situated within the required permeable front yard area shall not exceed 6 feet above the elevation of the adjacent public walkway.

Height: Not to exceed 30 feet within 60 horizontal feet of the inland side of the Esplanade (City right-of-way). Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the inland side of the Esplanade (City right-of-way). Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be permitted in Grand Canal.

b. Ballona Lagoon and Grand Canal West Bank Properties North of Ironside

Use: Two units per lot including duplexes.

Density: One unit per 1,500 square feet of lot area

Esplanade: The Esplanade (City right-of-way) shall be maintained and improved in order to provide for continuous public pedestrian access along Ballona Lagoon and the Grand Canal waterway.

Grand Canal and Lagoon Buffer/Setback: In order to provide a setback for public access, visual quality, and to protect the biological productivity of the canals, an average setback of 15 feet, but not less than 10 feet, shall be maintained in the front yard adjacent to the property line nearest the water.

Yards: Minimum side yard of 3 ½ feet. An open, permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the lagoon/canal property line and the front of any structure. A minimum 10-foot front yard setback, with a required 15-foot setback average, shall provide the required permeable front yard area. No building extensions, including stairs and balconies, shall be placed in or over the required permeable front yard area with the exception of permeable decks. The total combined height of any deck, deck railings, garden walls and/or fences situated within the required permeable front yard area shall not exceed 6 feet above the elevation of the adjacent public walkway.

Height: Not to exceed 30 feet within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Fill: No fill shall be permitted in the lagoon. No fill may be placed in the lagoon buffer except for the minimum amount necessary for habitat restoration and public access.

c. Marina Peninsula

Use: Two units per lot, duplexes and multi-family structures.

Density: One unit per 1,200 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units per lot.

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of

stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 35 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

d. Oakwood, Milwood, Southeast and North Venice

Use: Duplexes and multi-family structures.

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

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

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

Height:

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

North Venice: Not to exceed 30 feet for buildings with flat roofs; or 35 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Policy I. A. 8. Multi-Family Residential - Medium Density.

Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Medium Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

a. Southeast Venice

1. For all multi-family residential lots designated Medium Density Residential except the ones defined below in Policy I.A.8.a.2 (See LUP Exhibit 11b).

Use: Two units per lot, duplexes and multi-family structures.

Density: One unit per 1,200 square feet of lot area. Lots smaller than 4,000 square feet in lot area are limited to a maximum density of two units per lot.

Replacement Units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,200 square feet in excess of 4000 square feet of lot area if the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies I.A.9 through I.A.16).

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

Height: Not to exceed 25 feet for buildings with flat roofs, or 30 feet for buildings with stepped back or varied rooflines. The portion that exceeds 25 feet in height shall be set back one horizontal foot from the required front yard for every foot in height above 25 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

2. The lots designated Medium Density Residential north of North Venice Boulevard and south of Victoria Avenue; lots south of South Venice Boulevard and north of Harding and Woodlawn Avenues, east of Zeno Place only; and the lots north of Washington Boulevard, and south of Van Buren and Harrison Avenues (See LUP Exhibit 11b).

Uses: Multi-family structures.

Density: One unit per 800-1,200 square feet of lot area.

Height: Not to exceed 25 feet for buildings with flat roofs, or 30 feet for buildings with stepped back or varied rooflines. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

b. Silver Strand

Use: Multi-Family structures.

Density: One unit per 800-1,200 square feet of lot area.

Height: Not to exceed 45 feet. (See LUP Height Exhibits 13-16).

c. North Venice

Use: Two units per lot, duplexes and multi-family structures.

Density: One unit per 1,200 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units per lot.

Replacement Units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one additional unit for each 1,200 square feet in excess of 4000 square feet of lot area if the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies I.A.9 through I.A.16).

Height: Not to exceed 30 feet for buildings with flat roofs or 35 feet for buildings utilizing stepped back or varied rooflines. The portion of the structure that exceeds 30 feet in height shall be set back one horizontal foot for every foot in height above 30 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Implementation Strategies

Specific regulations for the implementation of the development standards for new residential developments shall be contained in the LIP.

Replacement of Affordable Housing

Policy I. A. 9. Replacement of Affordable Housing. Per the provisions of Section 65590 of the State Government Code, referred to as the "Mello Act", the conversion or demolition of existing residential units occupied by persons and families of low or moderate income shall not be permitted unless provisions have been made for replacement of those dwelling units which result in no net loss of affordable housing in the Venice Community in accordance with Section 65590 of the State Government Code (Mello Act).

Policy I. A. 10. Location of Replacement Housing. The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

Policy I. A. 11. Replacement Ratios for Replacement Units. Replacement ratios shall be at a minimum of 1:1 (one unit replaced for each unit removed). Replacement ratios shall increase according to how far from the affected site replacement units are located as defined in the Mello Act.

Policy I. A. 12. Displaced Residents Priority. Displaced residents shall be given right of first refusal on the new replacement units.

Policy I. A. 13. Density Bonus Applications. Required replacement

dwelling units shall be counted as reserved units in any related State-mandated density bonus application for the same project. In order to encourage the provision of affordable housing units in the areas designated as "Multiple Family Residential" and in mixed-use developments, the City may grant incentives such as reduced parking, additional height or increased density consistent with Government Code Section 65915 provided that the affordable housing complies with the following:

- a. This is an incentive program that allows developers of any one of the types of residential projects described in Government Code Section 65915(b), and which complies with all standards set forth in Government Code Section 65915, to build no more than 25 percent more units than a property's zoning would ordinarily allow. In exchange for this density bonus, the owners must make the units affordable for 30 years if an incentive is utilized in addition to a density bonus specified in Government Code Section 65915(b) or for 10 years if a second incentive is not utilized.
- b. In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan. In the Coastal Zone, the otherwise maximum allowable residential density shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the coastal zoning ordinances and land use element certified by the Coastal Commission. The density bonus shall be applicable to housing development consisting of five or more units.
- c. In the coastal zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent, to the maximum extent feasible and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and development standards. If the City approves development with a density bonus, the City must find that the development, if it had been proposed without the 25 percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. If the City determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the City shall require that the density increase be accommodated by those means. If, however, the City determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a 25 percent density increase, the City shall identify all feasible means of accommodating the 25 percent density increase and consider the effects of such means on coastal resources. The City shall require implementation of the means that are most protective of significant coastal resources.
- d. The City may prepare an LCP amendment for certification by the Commission for specific areas or subregions within the planning area where density bonuses in excess of 25 percent may be permitted

based on a finding that no adverse impacts on coastal resources would result.

- e. In addition to a 25 percent density bonus, a qualifying housing development shall receive one of the incentives identified in Government Code Section 65915(h), unless it is found that the additional incentive is not required in order to provide for affordable housing costs or rents. If the City determines that the additional development incentive requested by an applicant pursuant to this section will not have any adverse effects on coastal resources, the City may grant the requested incentive. If the City determines that the requested incentive will have an adverse effect on coastal resources, the City shall consider all feasible alternative incentives and the effects of such incentives on coastal resources. The City may grant one or more of those incentives that do not have an adverse effect on coastal resources. If all feasible incentives would have an adverse effect on coastal resources, the City shall grant only that additional incentive which is most protective of significant coastal resources.
- f. For the purposes of this section, "coastal resources" means any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Public Resources Code section 30200 *et seq.*, including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

Policy I.A.14. Parking Requirements for Affordable Housing. Reduced parking is permitted for low income units only if: a) the project is consistent with LUP policy I.A.13; and b) it is demonstrated that the prospective occupants of the project will have a reduced demand for parking. However, if a unit changes its status from low or low-moderate income to market rate unit, parking should be provided for market rate units according to the parking standards listed in LUP Policies II.A.3 and II.A.4.

Policy I. A. 15. In-Lieu Credits for Replacement Housing. In-lieu of construction of the required affordable replacement units as set forth above, residential projects shall be permitted to pay a fee, equivalent to the cost to subsidize each required dwelling unit. The in-lieu fee shall be set forth in the Citywide guidelines for the implementation of the Mello Act.

Policy I. A. 16. Exceptions. No exceptions to the replacement housing policies of this LUP shall be permitted within the Venice Coastal Zone except as permitted by Section 65590 of the State Government Code (Mello Act).

Policy I. A. 17. Youth Hostels and Hotels. Development of temporary housing opportunities, such as hotels and youth hostels, shall be permitted through the conditional use permit/coastal development permit process in the Medium Density Residential and Community Commercial categories. The capacity of the proposed youth hostel shall be a factor of consideration for residential zones. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in Community Commercial and General

Commercial land use categories.

Implementation Strategies

Specific conditions in lieu fees, and findings for the replacement of affordable housing have been proposed by the City Planning Department, Citywide Division, to implement the requirements of the Mello Act. As permitted by the Mello Act and where appropriate, the City may set forth more restrictive replacement housing criteria and enforcement procedures in the LIP in order to ensure the continued availability of affordable housing in the Venice Coastal Zone.

The criteria contained in the Citywide guideline shall set forth a maximum time period during which the replacement dwelling units shall be provided and available for use following the date work commenced on the conversion or demolition of the residential dwelling unit, and shall set forth minimum time periods which the affordable units are to remain reserved. The Mello Act and any additional affordable housing policies shall be enforced by the City Departments of Building and Safety and Planning.

To preserve existing rental housing stock and prevent excessive conversion of permanent rental housing to youth hostels, the LIP may set forth a maximum number of youth hostel units (based on a percentage of total number of existing rental units) permissible in the Venice Coastal Zone.

Commercial Land Use and Development Standards

Policy I. B. 1. Commercial Intensity. New commercial development in the Venice Coastal Zone shall be located as defined by the Land Use Policy Maps (Exhibits 9 through 12). The LUP designates approximately 160 acres of commercial and related parking uses in the following commercial land use categories: Commercial Artcraft, General Commercial, Neighborhood Commercial and Community Commercial. The land uses permitted within these categories are set forth in this section within each category. Development standards and intensities are set forth in Policy I.B.7. Parking is a permitted use in all commercial land use categories.

Mixed-Use Development

Mixed-use development provides an on-site mix of housing, retail, jobs and recreational opportunities consistent with the character of the Venice commercial areas, the City's General Plan Framework Element and Coastal Act Policy Section 30252. The Venice Community has many structures both older and newer containing various forms of mixed use development. This is particularly true in the Commercial Artcraft districts where artisans live and work in their studios.

Policy I. B. 2. Mixed-Use Development. Mixed-use residential-commercial development shall be encouraged in all areas designated on the Land Use Policy Map for commercial use. Residential density in commercial land use designations shall not exceed one unit per 800-1200 square feet of lot area and shall comply with the Floor Area Ratio (FAR) limits set forth in Policy I.B.7. The design of mixed-use development is

intended to help mitigate the impact of the traffic generated by the development on coastal access roads and reduce parking demand by reducing the need for automobile use by residents and encouraging pedestrian activity. Such development shall comply with the density and development standards set forth in this LUP.

Implementation Strategy

The LIP (Specific Plan) shall include specific standards which provide for mixed-use development in commercial areas.

Mixed-Use - Commercial Artcraft Designation

Policy I. B. 3. Commercial Artcraft Land Use Designation. The purpose of this land use designation is to create enclaves in which the artisan segments of the population may live, create, and market their work, to maintain the variety and distinctiveness of Venice's lifestyles. Residential density in the Commercial Artcraft designation shall not exceed one unit per 800-1200 square feet of lot area.

Land designated Commercial Artcraft in the Venice Coastal Zone shall include the following areas:

North Venice: As indicated on the Land Use Policy Maps (Exhibits 10a and 10b), properties located along Abbot Kinney Boulevard from North Venice Boulevard to Westminster Avenue, along Windward Avenue from Ocean Front Walk to Pacific Avenue, and along Ocean Front Walk in that vicinity, including a small site at North Venice Boulevard and Pacific Avenue.

Uses: Artcraft activities including mixed-use, combining residential and commercial uses which emphasize artist-in-residence uses, small businesses, light industrial and artisan activities are permitted in these areas. Drive-thru facilities and billboards shall be prohibited in the Commercial Artcraft land use designation.

General Commercial Areas

Policy I. B. 4. General Commercial Land Use. This land use designation is intended to maintain the uses, density, and character of existing low intensity commercial areas. Neighborhood commercial facilities shall also be encouraged within designated General Commercial corridors which are adjacent to residential neighborhoods. This designation primarily occurs at the intersections of major and secondary streets, or as low rise, low density linear "strip" development along major and secondary streets, and includes areas identified as "Mixed-Use Boulevards". Land designated for General Commercial in the Venice Coastal Zone is shown on Exhibits 9 through 12.

Additional restrictions for General Commercial designated properties along both sides of Washington Boulevard.

Prohibited Uses: The following uses shall be prohibited: adult entertainment, automobile repair and testing, fraternity/sorority houses, rescue missions, car wash, drive-thru restaurants, dance halls, motels or hotels, nightclubs or bars, convenience stores, gas stations, recyclable materials collection, freestanding commercial sales or establishments dispensing alcoholic beverages for consumption off-site, grocery stores, billboards, and video arcades.

Neighborhood Commercial Areas

Policy I. B. 5. Neighborhood Commercial Land Use. The Neighborhood Commercial designation is intended to accommodate local neighborhood commercial facilities and services which provide daily convenience goods and services to persons living in nearby residential areas. Small scale neighborhood stores and community services shall be preserved and encouraged. Neighborhood retail goods and services include, but are not limited to the following: art galleries; barber shops or beauty parlors; dry cleaners; laundry services; shoe repair; tailors; florists; hardware stores; drug stores; food/grocery stores; newsstands; medical facilities; and job service centers. Drive-thru facilities and billboards shall be prohibited on properties designated as neighborhood commercial. Community services include day-care, community-meeting rooms, recreational, religious or cultural facilities and similar uses. The clustering of uses minimizes multiple vehicle trips and encourages walking to and from adjacent residential neighborhoods. Areas designated for Neighborhood Commercial Land Use are shown in Exhibits 9 through 12.

Physically, Neighborhood Commercial areas are generally characterized by one and two story low-rise structures. Pedestrian activities shall be encouraged by the emphasis on local serving uses, design of buildings, and the incorporation of streetscape amenities.

Community Commercial Areas

Policy I. B. 6. Community Commercial Land Use. The areas designated as Community Commercial on the Land Use Policy Map (Exhibits 9 through 12) will accommodate the development of community-serving commercial uses and services, with a mix of residential dwelling units and visitor-serving uses. The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and for visitor-serving commercial uses. They differ from Neighborhood Commercial areas in their size and intensity of business and social activities. The existing community centers in Venice are most consistent with, and should be developed as, mixed-use centers that encourage the development of housing in concert with multi-use commercial uses. The integration and mixing of uses will increase opportunities for employees to live near jobs and residents to live near shopping. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in the Community Commercial land use category.

Uses/Density: Community commercial uses shall accommodate neighborhood and visitor-serving commercial and personal service

uses, emphasizing retail and restaurants; and mixed residential/commercial use with retail on the ground floor and personal services and residential uses on upper floors. Drive-thru facilities and billboards shall be prohibited in the Community Commercial land use category. On a commercial lot, residential uses shall not exceed one unit per 800-1200 square feet of lot area.

Community Commercial Areas of Special Interest

- a. **Marina Peninsula [Washington Blvd.] (Exhibit 9).** The commercial frontage on Washington Boulevard from Ocean Front Walk to Via Dolce is a mix of retail, restaurants, and small offices with an eight-story office structure. Office uses shall be discouraged in this popular coastal recreation area in favor of visitor-serving commercial uses.
- b. **Oxford Triangle Community Commercial (Exhibit 12).** The scenic and visual qualities of the Oxford Triangle subarea shall be considered and protected. The intent of the Oxford Triangle Community Commercial designation is to protect the existing single-family residential neighborhood located in the Oxford Triangle subarea from adjacent incompatible and more intense scale and uses. Mixed-use development shall be encouraged within Oxford Triangle Community Commercial designated area to create a lively urban environment; to maximize residential development potential and take advantage of the transportation infrastructure; and to encourage innovative design integrating residential, retail, recreational and commercial uses. Incentives such as increased floor area ratios (3:1 for mixed use projects and 1.5:1 for commercial-only projects) and building heights may be granted within the Oxford Triangle Community Commercial designated area in order to encourage these goals. However, a progressive height limitation shall be imposed within the Oxford Triangle Community Commercial designated area in order to buffer the single-family residential neighborhood located in the Oxford Triangle subarea from higher buildings and more intense commercial uses.
- c. **North Venice Community Commercial.** Properties located along Ocean Front Walk from 17th Avenue to the Santa Monica City Line (Exhibit 10).
Uses: Visitor-serving and personal services emphasizing retail and restaurants. Mixed-use with retail and/ or personal services on the ground floor with either residential or personal services on upper floors.
- d. **Oakwood Community Commercial.** Properties located along Rose Avenue between Fourth and Seventh Avenues (Exhibit 11a).
Uses: Residential use, neighborhood retail and services, personal services, and small scale businesses oriented to the local community.

Policy I. B. 7. Commercial Development Standards. The following standards shall apply in all commercial land use designations, unless specified elsewhere within this Land Use Plan.

Density/Intensity: Maximum Floor Area Ratio (FAR)

- 0.5 to 1 for retail only (including restaurants)
- 1.0 to 1 for retail / office
- 1.5 to 1 for retail and/or office and residential

Parking: See Land Use Plan Policies II.A.3 and II.A.4.

Lot Consolidation. Two commercial lots may be consolidated, or three with subterranean parking with the following restrictions:

1. Methods for insuring that the structure does not look consolidated (breaks in front wall of ten feet minimum) shall be utilized.
2. Subterranean parking shall be fully depressed with roof at natural grade.

Exception: Lot consolidation of more than two lots shall be permitted for mixed-use projects which conform to the existing scale and character of the surrounding community and provide adequate on-site parking.

Building Separation: A minimum of five feet between commercial and residential buildings (except for mixed-use projects).

Yards: Per the following Ground Level Development Policy which requires that commercial development be designed in scale with, and oriented to, the adjacent pedestrian accessways (i.e. sidewalks).

Ground Level Development: Every commercial structure shall include a Street Wall, which shall extend for at least 65% of the length of the street frontage, and shall be located at the property line or within five feet of the property line, except on Ocean Front Walk, where all commercial buildings shall have the Street Wall set zero (0) feet from the building line. The required Street Wall at sidewalk level shall be a minimum of 13 feet high. (A Street Wall is the exterior wall of a building that faces a street.)

Street Walls adjacent to a sidewalk café, public plaza, retail courtyard, arcade, or landscaped area may be setback a maximum of 15 feet along the project which consists of the sidewalk café, public plaza, retail courtyard, arcade, or landscaped area. Such areas shall not be considered in calculating the buildable area of a project but, with the exception of areas used only for landscaping, shall be considered in calculations for required parking.

At least 50% of the area of the ground floor Street Wall shall be devoted to pedestrian entrances, display windows, and/or windows affording views into retail, office, gallery, or lobby space.

Blank walls shall be limited to segments of 15 feet in length, except

that walls containing a vehicle entry shall be limited to the width of the door plus five feet.

All projects shall provide at least one pedestrian entrance into each business or use for each street frontage.

Landscaping:

Where possible, parkways shall be created as buffer zones between commercial and residential properties.

Any portion of the lot not used for parking, buildings, driveways or other features shall be landscaped.

A landscape development plan prepared by a State licensed landscape architect, architect or landscape contractor shall be submitted to the City Planning Department for review and approval.

Access: Driveways and vehicular access to projects shall be provided from alleys unless the Department of Transportation determines that it is not possible. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.

Driveways and vehicular access to projects adjacent to Ocean Front Walk shall be provided from Speedway, unless the Department of Transportation determines that it is not possible. In no case shall vehicular access be permitted from Ocean Front Walk.

Driveways and vehicular access to projects adjacent to Pacific Avenue shall be provided from streets other than Pacific, unless the Department of Transportation determines that it is not possible.

Trash: Projects shall be required to provide and maintain trash enclosures for all trash including recyclables.

Light: Lighting from commercial projects shall be directed away from residential properties and environmentally sensitive habitat areas (Exhibit 22).

All lighting equipment installed in the public right-of-way shall be designed to minimize glare and light trespass. Equipment will be approved by the Bureau of Street Lighting.

Signage: No roof top or billboard signs.

All sign lighting shall be designed to minimize glare and prevent light pollution.

Implementation Strategies

Specific regulations for the implementation of development standards for new commercial development shall be contained in the LIP.

Industrial and Rights-of-Way Land Use and Development Standards

Policy I. B. 8. Weekend Arts and Crafts Fair. To reinforce the intent of the artcraft district and to provide a visitor-serving attraction, weekend arts and crafts fairs may be permitted on City-owned property only if compatible with neighboring uses, public recreation, and public beach access.

Policy I. B. 9. Artcraft Overlay District Uses. Uses currently permitted by code in citywide designated artcraft overlay districts shall be evaluated for their appropriateness in the Venice Coastal Zone. In order to protect residents from the adverse effects of potentially detrimental uses (i.e., those that require use of toxic substances or create excessive noise), such uses shall either be eliminated or restricted in the Venice Coastal Zone.

Policy I. B. 10. Open Air Sales Ocean Front Walk. Ocean Front Walk is a significant tourist attraction where the operation of vendors shall be permitted at certain times of the year, with appropriate temporary use and parking requirements for vendors and their employees to ensure they are compatible with neighboring uses. Open air sales on private property shall be permitted through the City's conditional use permit/coastal development permit procedure. Constitutionally protected free speech activities on the seaward side of Ocean Front Walk shall be allowed and regulated by the Department of Recreation and Parks in order to ensure that public access and recreational opportunities are protected. Restaurant dining areas and other encroachments in front of commercial establishments on the inland side of Ocean Front Walk shall not be permitted to interfere with pedestrian access along the boardwalk.

Policy I. B. 11. Intensification of Commercial Uses. Intensification of existing commercial uses, including, but not limited to additions to commercial structures, expansion of indoor or outdoor dining areas, and conversions of retail uses to sit-down restaurants, shall be required to provide adequate parking to meet the demands of the intensification consistent with LUP Policies II.A.3 and II.A.4.

Policy I. B. 12. Parking Structures. Multi-level parking structures may be permitted in all commercially designated areas provided that the use, design, scale and height of the structure is compatible with adjacent uses and the neighboring community.

Policy I. C. 1. Industrial Land Use. The Land Use Plan designates approximately 53 acres of land for Limited Industry land uses. It is the policy of the City to preserve this valuable land resource from the intrusion of other uses, and to ensure its development with high quality industrial uses. Commercial use of industrially designated land shall be restricted. Artist studios with residences may be permitted in the Limited Industry land use category. Adequate off-street parking shall be required for all new or expanded industrial land uses consistent with Policies II.A.3 and II.A.4. The design, scale and height of structures in areas designated for industrial land uses shall be compatible with adjacent uses and the neighboring community.

Policy I. C. 2. Coastal Industry. Boat building, servicing, supply, and

marine support industry, as they are considered a coastal-related use and are particularly suitable for the industrially designated lands in the Venice Coastal Zone, shall be encouraged.

Policy I. C. 3. Coastal-dependent industrial facilities, multi-company use of existing industrial facilities, hazardous industrial development and the expansion and location of non-coastal-dependent industrial development shall be placed in appropriate land use categories and maintained or eliminated when appropriate.

Policy I. C. 4. Accessory Retail Use. On-site retail sale of goods produced in industrially designated lands and in areas recommended for artcraft shall be encouraged. Adequate off-street parking shall be required for all uses consistent with Policies II.A.3 and 4.

Policy I. C. 5. Oil Wells. All idle, non-operational oil wells shall be safely removed.

Policy I. C. 6. Hazardous Uses. Hazardous industrial uses shall not be located adjacent to residential uses.

Policy I. C. 7. Bus Yard Redevelopment. Should the site become available, priority uses for the future redevelopment of the former MTA (formerly Southern California Rapid Transit District (RTD)) bus service maintenance and storage facility, located on Main Street, between Sunset Avenue and Thornton Place, include affordable housing, which may be a mixed-use residential-commercial project, and public parking structure as a measure to improve public access.

Policy I. C. 8. Railroad Rights-of-Way. Abandoned railroad rights-of-way in the Venice Coastal Zone shall be developed with public transit including bikeways, residential uses, parking and/or open space uses, subject to a discretionary review by means of a coastal development permit. Compatibility with adjacent land uses and potential as a coastal resource shall be factors considered in evaluating use permits for railroad rights-of-way.

Policy I. C. 9. Public Rights-of-Way. Public rights-of-way in the Venice Coastal Zone shall be reserved for public transportation uses including use by private vehicles, pedestrians and bicyclists. Uses that do not interfere with coastal access, transportation and visual quality may be permitted, subject to a discretionary review by means of a coastal development permit. Vacations of public rights-of-way shall not be permitted in the area between the first public road and the sea, Ballona Lagoon or any canal except for public purposes consistent with all applicable local, state and federal laws.

**Development Within
Natural and
Recreational Resource
Areas/Protection of
Views**

Policy I. D. 1. Canals and Ballona Lagoon Waterways. The Venice estuaries and wetlands including the Ballona Lagoon, Venice Canals, and Grand Canal south of Washington Boulevard, are designated in the Land Use Plan as natural and coastal recreational resources, and are rezoned to the "Open Space" designation.

Adjacent Use/Development: The only permitted development adjacent to the canals and lagoon shall be habitat restoration, single-family dwellings, public parks and walkways, subterranean or surface public parking lots, maintenance activities and emergency repairs. Surface public parking lots shall be permitted only where sufficient access and roadway capacity exists to accommodate such parking. New construction along the Canals, and Ballona Lagoon shall comply with standards for setbacks, noise barriers, landscape plan, pervious surfacing with drainage control measures to filter storm run-off and direct it away from environmentally sensitive habitat areas, buffer areas in permanent open space, land dedication for erosion control, and wetland restoration including off-site drainage improvements. For more details refer to the provisions contained in Policy Group I.A., Residential Land Use and Development Standards, and Policies IV.C.1 and IV.C.2, Stormwater Runoff and Circulation.

Policy I. D. 2. Venice Beach. Venice Beach stretches along the coast from Navy Street on the north to the entrance channel of Marina Del Rey.

Use/Density: The beach shall be zoned Open Space and used for public recreation. There should be no further construction on the beach other than police substation, City's and County's operational and management offices, recreational and accessory facilities such as playground equipment, athletic facilities, restrooms, lifeguard stations, bikeways, related short-term bicycle parking, walkways, lighting facilities where appropriate, and necessary expansion of existing or installation of new infrastructure. Reconstruction and rehabilitation of existing facilities shall be encouraged. Development shall be sited to protect Least Tern nesting areas and other environmentally sensitive habitat areas.

Policy I. D. 3. Views of Natural and Coastal Recreation Resources. The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A and I.B, Residential and Commercial Land Use and Development Standards of this LUP, in order to protect public views of highly scenic coastal areas and vista points, including, but not limited to, the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

Policy I. D. 4. Signs. Roof top signs and billboards are prohibited in all land use categories. Business identification signs shall comply with the height limits and development standards specified in the LUP to ensure they do not adversely affect view sheds and view corridors.

**Preservation of Venice
as a Special Coastal
Community**

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk,

height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

Implementation Strategies

The LIP shall include development regulations and procedures (with respect to bulk, scale, height, setbacks, density, landscaping and types of use) to implement these policies.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

Policy I. E. 4. Redevelopment. Projects involving large-scale land acquisition and clearance shall be discouraged in favor of rehabilitation, restoration and conservation projects, especially those involving single-family dwellings.

Policy I. E. 5. Nonconforming Structures. Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:

Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

Policy I. E. 6. Constitution. This LUP/LCP is not intended, and shall not be construed, as authorizing the City to exercise its power to grant or deny a permit in a manner which will constitute an unconstitutional taking of private property for public use. This policy is not intended to increase or

decrease the rights of any owner of property under the Constitution of the State of California or the United States.

**Preservation of
Cultural Resources**

Policy I. F. 1. Historic and Cultural Resources. The historical, architectural and cultural character of structures and landmarks in Venice should be identified, protected and restored where appropriate, in accordance with historical preservation guidelines.

The following buildings, streets, and trees have been identified through the coordinated efforts of surveys performed by the Venice Historical Society, Venice Community, State Coastal Conservancy and City of Los Angeles as significant architectural, historical and cultural landmarks in the Venice Coastal Zone.

Venice City Hall
Lighthouse Street Bridge
Eastwind Community Gardens
Crown Arms (Catamaran St.)
Bay Cities Laundry
Sidewalk Café (1915)
Waldorf Hotel (1913)
St. Charles Hotel (1905) - (St. Marks Annex).
Abbot Kinney Boulevard between Venice Boulevard and Brooks Avenue
Old Venice Jail
Breakwater (1905)
Brick Street - 18th Street
64-72 Market Street (1913-14)
Canals Bridges
Old Venice Library
The Windward area, including the Windward Colonnades, Windward Apartments (1906), 52 Windward Avenue and 80 Windward Avenue (constructed in 1905 and housed the Venice First National Bank).
Walk streets (as shown in the LUP on Exhibit 19, Pedestrian Access and Bicycle Trails).

Policy I. F. 2. Reuse and Renovation of Historic Structures. Wherever possible, the adaptive reuse and renovation of existing historic structures shall be encouraged so as to preserve the harmony and integrity of historic buildings identified in this LUP. This means:

- a. Renovating building facades to reflect their historic character as closely as possible, and discouraging alterations to create an appearance inconsistent with the actual character of the buildings.
- b. Protecting rather than demolishing historic or culturally significant properties by finding compatible uses which may be housed in them that require a minimum alteration to the historic character of the structure and its environment.

- c. Rehabilitation shall not destroy the distinguishing feature or character of the property and its environment and removal or alteration of historical architectural features shall be minimized.
- d. The existing character of building/house spaces and setbacks shall be maintained.
- e. The existing height, bulk and massing which serves as an important characteristic of the resource shall be retained.

Implementation Strategies

Where appropriate, historic preservation overlay zones, historic districts or historic-cultural monuments shall be designated within the Venice Coastal Zone, which will be afforded special regulations governing demolition or alteration. Nominated significant historic sites for official designation as City Historic-Cultural Monuments shall be processed through the City's Cultural Heritage Commission.

Properties not eligible for monument status, as well as monuments, will be flagged for review by the Department of Building and Safety and the Cultural Heritage Commission for all building and demolition permits.

Guidelines providing for the protection and restoration of these resources shall be developed to protect architecture and historic character of buildings. These guidelines shall include provisions for rehabilitation and new construction, demolition controls and use regulation.

Policy I. F. 3. Venice Canals. The historic integrity of the Venice Canals shall be preserved. The canals are deemed to be significant as an early example of community recreational planning in a coastal marshlands area. Included in the historic district are the six canals, their associated sidewalks and a number of pedestrian and vehicular bridges. The Venice Canals are listed on the National Register of Historic Places as an historic district (August 30, 1982). Additionally, the City of Los Angeles Cultural Heritage Commission declared the Venice Canal System a Los Angeles City Historic-Cultural Monument (HCM No. 270, August 2, 1983).

Policy I. F. 4. Windward Historic Arcade. The Windward Historic Arcade District boundaries are the south side of Market Street between Pacific Avenue and Ocean Front Walk on the north, the east side of Ocean Front Walk between Horizon Avenue and the 17th Avenue on the West, both sides of Windward Avenue between Pacific Avenue and Ocean Front Walk on the south, and the east side of Pacific Avenue between Market Street and Windward Avenue on the east. New development shall maintain and preserve the historical arcade area of Venice and be required, where feasible, to restore or replicate the arcade if they fall within the historic arcade locations.

Implementation Strategy

Guidelines for arcade location and design, street widths and designation and development standards for the building in the Windward Historic Arcade District shall be developed in the LIP.

Policy I. F. 5. Historic Street Lighting. Consideration shall be given as to whether ornamental street lighting shall be refurbished and/or reinstalled to preserve the character of the community, in addition to providing adequate lighting for motorists and pedestrians.

Policy I. F. 6. Archaeological Resources. Significant archaeological resources shall be protected from permanent loss. A preliminary cultural resources record search to determine the existence of significant archeological sites shall be required for developments which require more than minimal grading. Mitigation plans for the protection of such resources shall be required. If, during construction, any archaeological resources are discovered, work shall be stopped to prevent further disturbance of the resources, and the proper authorities shall be immediately notified.

Implementation Strategy

Prior to the issuance of coastal development permits, grading, demolition, or building permits, applicants of all projects located in the Venice Coastal Zone which propose to grade more than one cubic yard of material shall submit a preliminary cultural resources record search from the South Central Coast Archeological Information Center. If this search reveals that cultural resources may be located on the site, the applicant shall file an Environmental Assessment Form (EAF) with the Planning Department and be subject to the applicable provisions of the California Environmental Quality Act.

POLICY GROUP II.

SHORELINE ACCESS

Introduction - Setting

Shoreline resources in the Venice Coastal Zone are: Venice Beach, Ballona Lagoon, the Venice Canals, and the Marina del Rey north jetty which lies partly in the jurisdiction of the City of Los Angeles.

Public access to the shoreline is provided through a variety of transportation modes as shown on Exhibits 17a through 19b. Regional access is provided through a network of three freeways: the Santa Monica Freeway (Interstate 10), the San Diego Freeway (Interstate 405), and the Marina Freeway/Expressway (State Route 90). In addition, Lincoln Boulevard (State Highway No. 1), Venice Boulevard, and Washington Boulevard serve as major routes into and out of the Venice Coastal Zone. Detailed descriptions of the principal highways and streets serving the area, including number of lanes, roadway widths, median types, intersection controls, on-street parking and speed limits, are contained in the Venice Traffic and Parking Study, Existing Traffic Conditions Background Working Paper, dated May 1991. Local shoreline access is provided by local streets, walk streets, pedestrian walkways and paths, and bikeways. Venice Beach is a publicly owned sandy beach which provides direct access to the entire oceanfront shoreline. (Refer also to Policy Section II.C, the Pedestrian and Bicycle Access Section of this LUP.)

The Venice Coastal Zone is serviced by the regional transit lines. In addition, the area is serviced by a local shuttle service "LADOT" in summer time. The regional service is provided by four bus operators and consists of the following:

Los Angeles County Metropolitan Transportation Authority (MTA).

Santa Monica Municipal Bus Lines (SMMBL), also known as the "Big Blue Bus".

Culver City Municipal Bus (CCMB), also known as the "Culver City Bus".

Los Angeles Department of Transportation (LADOT).

As shown on Exhibit 18, these operators collectively provide a total of ten regional lines serving the Venice Coastal Zone, with the majority of these primarily operating along Pacific Avenue, Main Street, Lincoln Boulevard, and Washington Boulevard. (For more information, including hours of operation and ridership data, refer to the Venice Traffic and Parking Study, Final Report, dated April 1995.) Along with the regional transit service, a local shuttle service operated by LADOT serves the area. The LADOT DASH was designed explicitly to provide beach access from a remote parking lot. (Exhibit 18a and b, Existing Public Transit Routes.)

According to the parking study (inventory in Summer 1991), a total of approximately 18,153 parking spaces were found to exist within the Venice Coastal Zone. Of these, about 11,486 were on-street and 6,667 were off-street. Of the 11,486 on-street parking spaces, 10,253 were unmetered and unrestricted, 543 were unmetered but had limitations on length of stay, and 690 were metered with limitations on length of stay. Of the 6,667 off-street spaces, 2,555 were available for public use (consisting of 1,393 spaces in publicly-owned lots and 1,162 spaces in privately-owned lots open to the public) while 4,112 were for customer parking only. The publicly-owned lots include the Los Angeles County lots located on the beach at the ends of Rose Avenue (289 spaces), Venice Boulevard (321), Washington Boulevard (302), and parking along the Marina and Pacific Avenues (60 spaces); and lots owned by the City of Los Angeles between North and South Venice Boulevards and at Pacific Avenue and Windward Avenue. Additional data regarding the locations, restrictions, and types of on-street and off-street parking spaces is contained in the Venice Traffic and Parking Study, Existing Parking Conditions Background Working Paper, dated March 1992.

As a result, the Venice Coastal Zone is one of the most heavily utilized beach recreation areas in Southern California. The County Department of Beaches and Harbors estimates that Venice Beach is visited by 250,000 people on a typical summer weekend.

The intent of the Shoreline Access Section of the LUP is to insure and improve this continued accessibility while minimizing negative impacts on the residential and business community. The shoreline access issues in the Venice Coastal Zone include on-street and off-street parking near or on the beach frontage for visitors and residents, conflicts between residential and beach visitor parking, signage of available parking on weekends, intrusion of non-resident vehicles on residential and business streets, alternative transportation modes, walkway and street access points to beach areas, and use of publicly-owned parcels as beach access points.

This section presents policies and implementation strategies to maintain and enhance public shoreline access, including portions devoted to parking improvements, public transportation, traffic management solutions, non-vehicular coastal access, pedestrian access, and bicycle ways and skate ways.

The land use and development standard policies in Section I of the LUP also relate directly to shoreline access issues, since they involve controls on development density. Required parking provisions for private development are addressed in this Section (Policies II.A.3 and 4).

The Venice Parking and Traffic Study was prepared to determine the extent of existing traffic capacity, the degree of congestion on local streets, the adequacy of off-street parking, the effectiveness of the public transportation system, and to define a range of possible mitigation measures. The study defines and analyses traffic and parking conditions in the Beach Impact Zone and Expanded Beach Impact Zone (See Exhibit 17a and 17b). The Beach Impact Zone (BIZ) is defined as the area west of Main Street from Marine Street to Abbot Kinney Boulevard, southeast on Abbot Kinney Boulevard to Venice Boulevard, west along South Venice Boulevard to

Eternal (Eastern) Canal, south to the Sherman Canal, west to the Grand Canal, and south along the Esplanade to the Marina del Rey Channel entrance. The Expanded Beach Impact Zone includes the Beach Impact Zone plus the area bounded by North and South Venice Boulevards from Abbot Kinney Boulevard east to Lincoln Boulevard. The implementation strategies outlined in this section of the LUP are partially based on the recommendations of the study.

Coastal Act Policies

The policy groups covered by this section of the LUP address the following Coastal Act Policies, which are included as part of the Land Use Plan:

Section 30210. *In carrying out the requirement of Section 4 of Article 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resources areas from overuse. (Amended by Ch, 1075, Stats. 1978)*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212. *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

1. *it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
2. *adequate access exists nearby, or*
3. *agriculture would be adversely affected. Dedicated access way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.*

Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by section 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

(Amended by Ch. 1075, Stats, 1978.)

(Amended by Ch. 919, Stats, 1979.)

(Amended by Ch. 744, Stats, 1983.)

Section 30214.

- a. *The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstance in each case including, but not limited to, the following:*

1. *Topographic and geologic site characteristics.*
 2. *The capacity of the site to sustain use and at what level of intensity.*
 3. *The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity for the collection of litter.*
- b. *It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.*
- c. *In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize costs and encourage the use of volunteer programs.*

(Amended by Ch, 919, Stats., 1979.)

Section 30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.*



- Beach Impact Zone
- Expanded Beach Impact Zone
- Existing Public Parking
- Potential New or Expanded Surface Parking Site
- Potential Public Parking Structure Site
- ✱ Privately Owned Public Parking

Exhibit 17a
Coastal Access Map
Parking and Beach Impact Zone



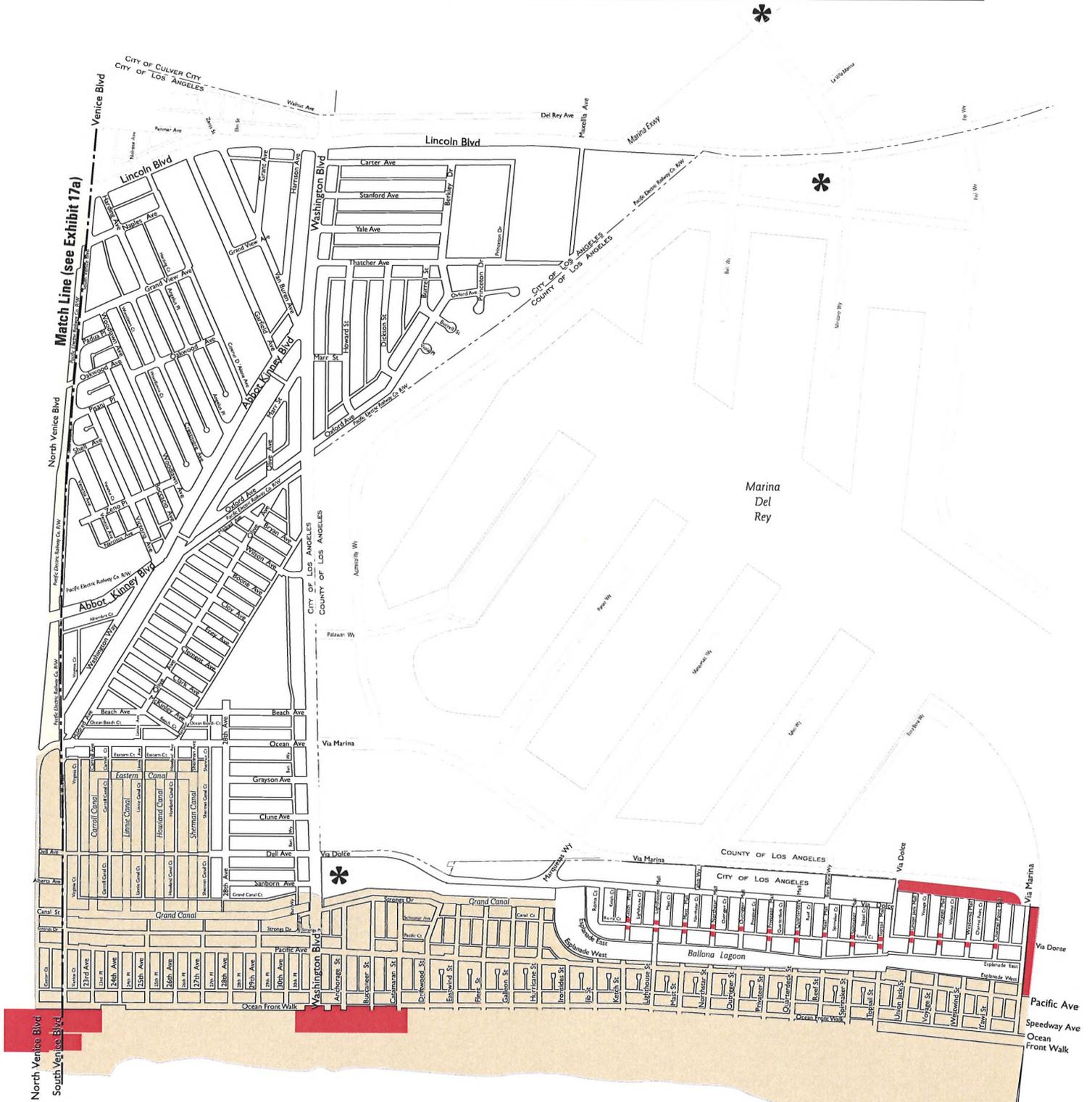


Exhibit 17b
Coastal Access Map
Parking and Beach Impact Zone

Not to Scale



Exhibit 18a
Existing Public Transit Routes



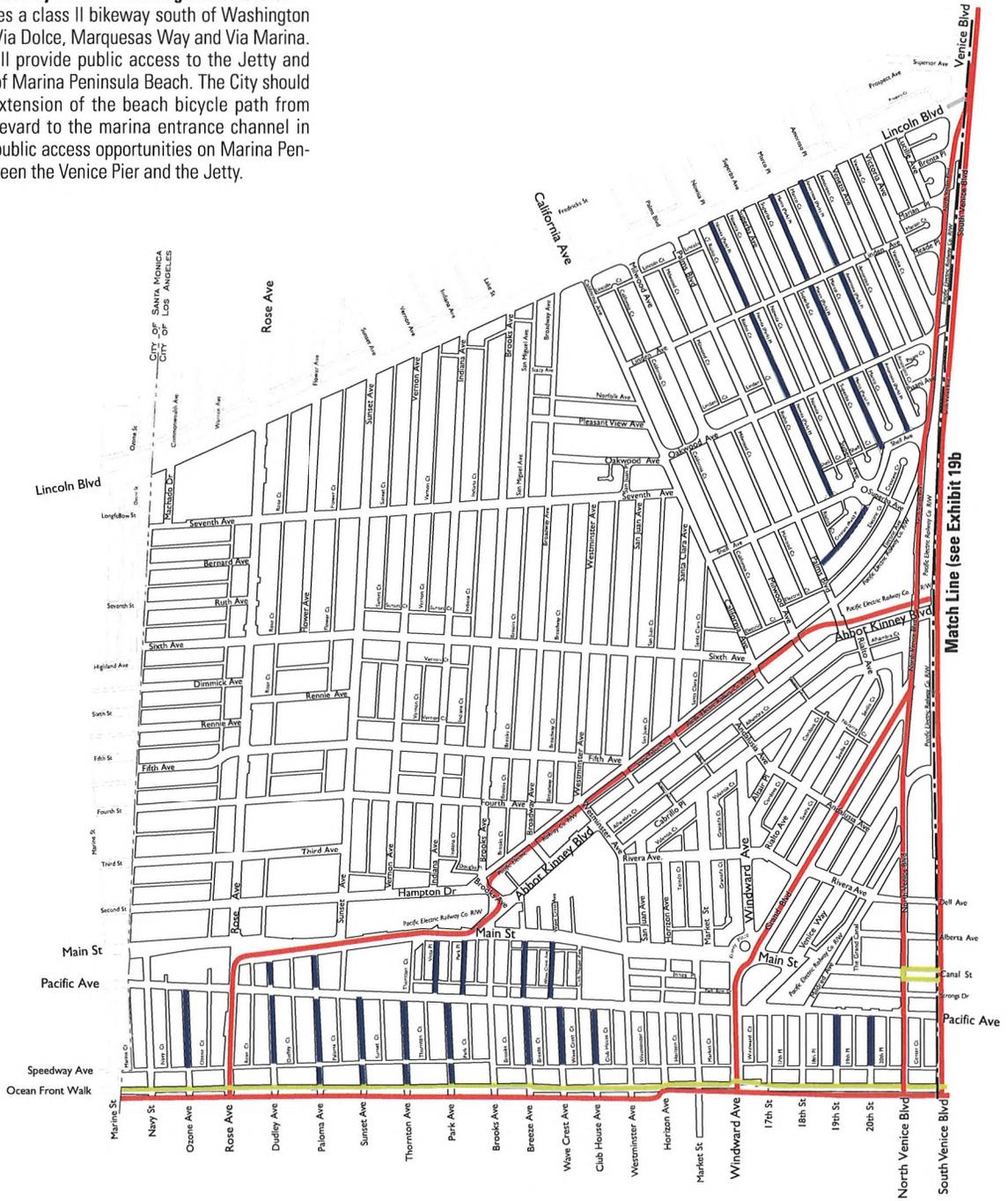
VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)



Exhibit 18b
Existing Public Transit Routes



• **Policy II. C. 14. Bikeway South of Washington Boulevard.**
 The LUP designates a class II bikeway south of Washington Boulevard, along Via Dolce, Marquesas Way and Via Marina. This bike path will provide public access to the Jetty and to the south part of Marina Peninsula Beach. The City should provide for the extension of the beach bicycle path from Washington Boulevard to the marina entrance channel in order to improve public access opportunities on Marina Peninsula beach between the Venice Pier and the Jetty.



- Coastal Accessways
- Walkstreets
- Existing Bikeways
- Proposed Bikeway

Exhibit 19a
Coastal Access Map
Pedestrian Access and Bikeways





Exhibit 19b
Coastal Access Map
Pedestrian Access and Bikeways



**Land Use Plan Policies
and Implementation
Strategies**

Parking

Policy II. A. 1. General. It is the policy of the City to provide increased parking opportunities for both visitors and residents of Venice, and improve summer weekend conditions with respect to Venice Beach parking and traffic control.

A comprehensive package of parking measures and strategies that addresses the needs and balances the competing demands of residents and beach visitors is proposed. Parking facilities shall be increased, subject to the availability of funding, to meet existing unmet needs for residents and beach visitors in order to improve public access opportunities and reduce conflicts between residential and beach visitor parking. Parking facilities for beach overload parking shall be located outside of the Beach Impact Zone. To facilitate ingress and egress to the beach area, a shuttle system that serves outlying parking areas, lots or structures should be developed and maintained. The development of parking facilities shall be consistent with Coastal Act policies.

The City's policy is to provide sufficient parking for beach goers outside of local streets, and encourage the use of this parking (simply restricting use of on-street parking without providing an alternative would diminish public access to the beach). An integrated plan should contain the following types of measures:

- Provision of new parking supply for beach goers;
- Measures to encourage beach goers to use the new supply;
- Measures to reduce parking demand; and
- Management and coordination of the parking and traffic system.

Policy II. A. 2. Expansion of Public Beach Parking Supply. The construction of new public parking facilities should be implemented, as well as maximizing the use of existing ones by restriping existing parking lots or converting them to multi-level structures where consistent with other Coastal Act policies. The parking lots located west of the Ocean Front Walk shall remain surface parking lots. In no case shall such structures obstruct ocean views or be inconsistent with other Coastal Act or LUP Policies.

Implementation Strategies

Public use of private parking facilities currently underutilized on weekends (i.e. serving office buildings) within the Beach Impact Zone shall be negotiated and included in the signing and advertising program (See Policy II.A.4). An example would be the existing 414-space subterranean parking garage serving the 330 Washington Boulevard office building (on the southwest corner of Washington Boulevard and Via Dolce). Public use of existing private parking facilities has the advantage of requiring little or no capital cost.

The site of the Los Angeles County Metropolitan Authority (MTA) bus maintenance yard located between Main Street and Pacific Avenue south of Sunset Avenue is a potential site for public parking. It is estimated that about 350 spaces could be provided on the approximately 3-acre site. This site affords good walking access to the beach, and good vehicular access via Main Street and Pacific Avenue.

School parking lots and playgrounds may be used as parking areas during periods of high beach use providing vehicular access to such lots is sufficient. In the off-season, the existing parking areas may be used for resident-serving needs, such as basketball courts and farmers' markets.

The established Venice Coastal Parking Impact Trust Fund, into which in-lieu parking fees shall be paid, will continue to be utilized for expenditure on improvement and development of public parking facilities that improve public access to the Venice Coastal Zone as specified in the LUP.

Policy II. A. 3. Parking Requirements. The parking requirements outlined in the following table shall apply to all new development, any addition and/or change of use. The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of this policy. Extensive remodeling of an existing use or change of use which does not conform to the parking requirements listed in the table shall be required to provide missing numbers of parking spaces or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for the existing deficiency. The Venice Coastal Parking Impact Trust Fund will be utilized for improvement and development of public parking facilities that improve public access to the Venice Coastal Zone.

PARKING REQUIREMENT TABLE

RESIDENTIAL USES	OFF-STREET PARKING REQUIRED
Single-family dwelling	2 spaces; except projects in the Silver Strand and Venice Canals Residential Subareas, where three spaces are required.
Single-family dwelling on lots of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	3 spaces
Artist in residence (no sales)	2 spaces for each dwelling unit.
Multiple dwelling	2 spaces for each dwelling unit.
Multiple dwelling and duplex on lots 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	2 spaces for each dwelling unit; plus a minimum of 1 (one) guest parking space for each 4 (four) or fewer units (i.e. 2.25 spaces per unit; always round-up to highest whole number of spaces). Exception: For projects where all required parking spaces are fully enclosed, any required guest spaces may be paid for at the same in lieu fee rate defined for BIZ parking.
Mobile Home Park	2 spaces for each mobile home space.
Hotel	2 spaces; plus 2 spaces for each dwelling unit; plus 1 space for each guest room or each suite of rooms for the first 30; plus 1 space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; plus 1 space for each three guest rooms or suites of rooms in excess of 60; plus 1 space for each 100 square feet of floor area used for consumption of food or beverages, or public recreation areas; plus 1 space for each five fixed seats and for every 35 square feet of seating area where there are no fixed seats in meeting rooms or other places of assembly.
Motel or Motor Hotel	1 space for each guest room; plus 2 spaces for each dwelling unit
Boarding and Lodging House	2 spaces for each three guest rooms.

PARKING REQUIREMENT TABLE (Cont.)

HEALTH USES	OFF-STREET PARKING REQUIRED
Veterinary Hospital	1 space for each 150 square feet of floor area.
Medical or Dental or Clinic	See office uses.
Health Studio or Club	1 space for each 150 square feet of floor area. (For purposes of these provisions, swimming pool area shall be counted as floor area).
EDUCATIONAL AND CULTURAL USES	
Child Care Center, Day Nursery, Preschool or Nursery School	1 space for each 500 square feet of floor area.
Business, Professional or Trade School	1 space for each 25 square feet of floor area.
RECREATIONAL USES	
Theater, Auditorium	1 space for each two fixed seats and for every 21 square feet of seating area where there are no fixed seats.
Dance Hall, Pool or Billiard Parlor, Roller or Ice Skating Rink, Exhibition Hall and Assembly Hall without fixed seats, including Community Center, Private Club, Lodge Hall and Union Headquarters	1 space for each 75 square feet of floor area.
OFFICE USES	
Commercial Bank, Savings and Loan Office, other Financial Institutions, Public or Private Utility Office, Ticket Agency, other similar Window Service Offices	1 space for each 225 square feet of floor area of the main floor.
Professional Offices of Doctors, Dentists or similar professions	1 space for each 150 square feet of floor area.
General Office and other Business, Technical Service, Administrative or Professional Offices	1 space for each 250 square feet of floor area.

PARKING REQUIREMENT TABLE (Cont.)

BUSINESS AND COMMERCIAL USES	OFF-STREET PARKING REQUIRED
Personal Service Establishment, Including Cleaning or Laundry Agency or similar use	1 space for each 250 square feet of floor area.
General Retail Store, except as otherwise provided	1 space for each 225 square feet of floor area.
Shopping Center	1 space for each 200 square feet of floor area within the center, or as otherwise required for each individual use within the center, whichever is greater.
Food Store, Grocery Store, Supermarket, or similar use	1 space for each 225 square feet of floor area.
Open Air Vending, Swap Meet	1.25 spaces per vending stall or sales space.
Restaurant, Night Club, Bar, and similar establishments and for the sale or consumption of food and beverages on the premises	1 space for each 50 square feet of service floor area (including outdoor service areas).
Drive-in and Window Service Restaurant providing Outdoor Eating Area or Walk-up or Drive-up Window Service	1 space for each 50 square feet of floor area, but not fewer than 10 spaces. The above may be modified for walk-up facilities with no seating area and beachfront walk-up with seating depending on the particulars of the individual case.
Laundromat and Coin-operated Cleaners	1 space for each 150 square feet of floor area
MANUFACTURING AND RELATED USES	
Manufacturing and Industrial Establishment, including Offices and other than incidental operations	3 spaces; plus 1 space for each 350 square feet of floor area.
Software, music, film and video manufacturing	3 spaces; plus 1 space for each 350 square feet of floor area.
Laboratory and Research Establishment	3 spaces; plus 1 space for each 300 square feet of floor area.
Warehouse Storage Building	3 spaces; plus 1 space for each 1,000 square feet of floor area.

PARKING REQUIREMENT TABLE (Cont.)

OTHERS USES NOT LISTED	OFF-STREET PARKING REQUIRED
Public Utility Facility not having a Business Office on the premises	2 spaces; plus 1 space for each 500 square feet of floor area.
	Parking shall be provided pursuant to a detailed parking study that demonstrates that the project will provide adequate parking to meet the needs of the development without causing negative impacts to coastal access or access to public recreational facilities.

Policy II. A. 4. Parking Requirements in the Beach Impact Zone. Any new and/or any addition to commercial, industrial, and multiple-family residential development projects within the Beach Impact Zone shall provide additional (in addition to parking required by Policy II.A.3) parking spaces for public use or pay in-lieu fees into the Venice Coastal Parking Impact Trust Fund.

Beach Impact Zone (BIZ) Parking Impact Trust Fund criteria:

- a. Commercial and industrial projects in the BIZ shall provide one additional parking space for each 640 square feet of floor area of the ground floor. Up to 50% of the total number of these additional parking spaces required in this section may be paid for in lieu of providing the spaces.
- b. Multiple family residential projects in the BIZ shall provide an additional parking space for each 1,000 square feet of floor area of the ground floor for multiple dwelling projects of three units or more. Up to 100% of the total number of these additional parking spaces required in this section may be paid for in lieu of providing the spaces. The recommended rates shall be established based upon the development cost study of the area.
- c. All in-lieu fees shall be paid into the Venice Coastal Parking Impact Trust Fund to be administered by the City of Los Angeles Department of Transportation for improvement and development of public parking facilities that support public access to the Venice Coastal Zone.
- d. In no event shall the number of BIZ parking spaces (over and above those spaces required by the parking requirements set forth in Policy II.A.3) required for projects of three or more dwelling units, or commercial or industrial projects, be less than one (1) parking space for residential projects and two (2) parking spaces for commercial and industrial projects.

Implementation Strategies

The in lieu fee for a BIZ parking space shall be established in the (LIP) at a rate proportional to the cost of providing a physical parking space.

Policy II. A. 5. Intercept Parking Lots. A limited number of large intercept parking facilities at remote locations shall be provided and connected to the beach with a shuttle bus service operated on summer weekend days and holidays, with a signing and advertising program to direct beach goers to the intercept parking lots.

Implementation Strategies

This measure should build upon the current system (which, in the summer of 1994, consisted of a Venice DASH shuttle bus service operating at 10-minute headway connecting a single remote lot located at the Marina Business Center on Glencoe Avenue near the Marina Freeway), by potentially adding more lots and modifying the shuttle routes accordingly. (Refer also to Implementation Strategies for Policy II.B.3, Shuttle System.)

The intercept parking lots may be public lots or private lots which are underutilized during weekends (i.e. office building parking) and should be located along major access streets, not within residential neighborhoods. Possible locations could include continued use of the Marina Business Center lot on Glencoe Avenue served by the existing Venice DASH shuttle service, future parking to be provided by the Channel Gateway project in accordance with its development agreement or other sites to be determined. (See Policy II.B.3 for further discussion of shuttle operations.)

The capital cost to implement this measure could be low, if the intercept lots are located at existing parking lots or City-owned parcels, or vacant parcels are leased. However, ongoing operating costs would be higher due to the operating and maintenance costs of the shuttle service. If private lots are to be used, their use would either have to be compelled through development agreements/developer requirements or negotiated with the owner, and the City may have to assume liability risk.

Policy II. A. 6. Preferential Parking. Establishment of residential preferential parking districts shall be contingent upon replacing displaced public parking spaces with new public parking at a minimum one-to-one ratio.

Implementation strategies

To provide adequate visitor parking, the preferential parking district(s) should be operated as follows:

- Parking restriction shall not be less than 4-hour within designated residential district(s); meters, if provided, shall be priced and enforced to encourage use of off-street lots and shall accept payment for time increments up to 4 hours.
- Require that the general public maintain the right to buy a day-permit allowing parking on all streets within the zone.

Policy II. A. 7. Metered Parking on Abbot Kinney Boulevard. The City shall install 4-hour parking meters in the commercial district along Abbot Kinney Boulevard to encourage turnover and discourage long-term beach parking, which in turn should help to increase parking availability for short-term commercial customers.

Policy II. A. 8. Signage and Management of Public Beach Parking. The availability of alternative beach parking shall be advertised via ads and/or signs at the Venice beach and boardwalk, flyers distributed at local businesses and on the boardwalk.

To facilitate public parking, adequate signage with directions shall be installed to inform beach goers of the availability of public beach parking facilities and remote lots with shuttle service. A tiered system of lots shall be established, with beach goers directed to each tier in turn until it is full.

The use of traffic controls, special signing, and advance publicity in regional media will be utilized to direct traffic to the standby reservoir of inland parking facilities during peak holidays and to facilitate shuttle service to visitor-serving areas.

Implementation Strategies

A beach parking signage program will consist of the following:

Fixed guide signs on major arrival routes entering the Venice area (e.g. Lincoln Boulevard from the north and south, Marina Freeway from the east, Washington Boulevard from the east, Venice Boulevard from the east and possibly Main Street and Pacific Avenue from the north) identifying locations of and routes to alternative beach parking lots.

The tiered system of lots should operate as follows:

- 1st Tier - Public lots located on the beach (i.e. existing City-owned, County-leased beach parking lots located at the ends of Rose Avenue, Venice Boulevard and Washington Boulevard) and the existing City-owned public parking lots between North and South Venice Boulevards east of Pacific Avenue.
- 2nd Tier - Other public lots within the Beach Impact Zone (i.e. proposed new public parking lot on the former MTA bus yard site, private parking facilities with negotiated agreements for public use).
- 3rd Tier - Intercept/remote lots.

As the 1st tier lots fill up, the manually-operated guide signs at the respective lot and on Rose Avenue, Venice Boulevard, and Washington Boulevard (as appropriate) shall be changed to direct beach goers to the 2nd tier lots.

As the 2nd tier lots fill up, signs shall be posted at each lot in turn as it fills up directing beach goers to the 3rd tier lots. Also, the manually-operated guide signs at the tier 1 lots and on Rose Avenue, Venice Boulevard, Washington Boulevard, and the existing City-owned public parking lots between North and South Venice Boulevard (as appropriate) shall be changed to direct beach goers to 3rd tier lots rather than to the 2nd tier lots.

Hands-on operation of the management and signing program shall be required during the critical period between 10 A.M. and 2 P.M., when most people arrive and lots fill up.

Operation of County-owned beach parking lots with existing and/or new City-provided lots shall be coordinated. Parking lot attendants at both County-owned and City-provided lots shall keep track of how full the lots are, and report this information to the senior traffic enforcement officer in charge of the program.

Policy II. A. 9. Protection of Public Parking. The following policies shall be implemented and enforced in order to protect and enhance public parking opportunities provided on public rights-of-way and in off-street parking areas:

- a. **Beach Parking Lots.** The beach parking lots located at Washington Boulevard, Venice Boulevard and Rose Avenue shall be protected for long-term (4-8 hours) public beach parking. No parking spaces in the

beach parking lots shall be used to satisfy the parking requirements of Policies II.A.3 and II.A.4. The temporary short-term lease or reservation of parking spaces in the beach parking lots may be permitted if the proposed temporary use of the parking supply does not conflict with the need for public parking by beach goers. Any proposal to allow overnight residential parking in the beach parking lots shall include provisions to enforce a prohibition against the storage of vehicles in the lots during the daylight hours by non-beach goers.

- b. Street Ends.** It is the policy of the City to not permit privatization of street ends. Public parking opportunities shall be protected and encouraged at improved and unimproved street-ends that abut Ocean Front Walk and/or the beach.
- c. Rights-of-Way.** In order to maintain and increase the public parking supply, the City shall maximize and protect the availability of public parking opportunities on City streets that currently accommodate vehicular traffic.
- d. Curb Cuts.** In order to protect on-street parking opportunities, curb cuts shall not be permitted where vehicular access can be provided from an alley. When vehicular access cannot be safely provided from an alley, curb cuts shall be limited to the minimum amount necessary to provide safe vehicular access to a site. Old curb cuts shall be restored to curbside public parking when feasible.
- e. Private Parking.** Existing ordinances shall be enforced to ensure that parking areas situated on street-ends and on public rights-of-way are protected for public use and shall not be privatized or posted for private use.

Policy II. A. 10. Valet Parking. Valet parking programs may be permitted and implemented in order to increase the amount of available public parking in parking impacted areas. In order to ensure that any valet parking program that is permitted to operate in the Venice Coastal Zone does not negatively impact coastal access opportunities, all approved valet parking programs shall comply with the following policies:

- a.** The use of public parking areas for valet vehicle Drop-off/Pick-up stations shall be limited to the minimum area necessary and occupy the fewest number of public parking spaces.
- b.** Vehicle Storage/Parking. The storage of vehicles by valets is prohibited in public parking lots, on public rights-of-way and in on-street parking spaces (except for loading and unloading) unless it is determined that use of the public parking area will not conflict with the need for public parking by beach goers.
- c.** A valet parking program that utilizes public property in the coastal zone shall be available for use by the general public with no preference granted to any group or type of use (i.e., restaurant customers vs. beach goers).

Policy II. A. 11. Shared Parking. Shared parking arrangements may be permitted to accommodate new commercial uses and intensification of

**Alternative Transit and
Traffic Management**

existing commercial uses provided that a detailed parking study demonstrates that the proposed shared parking arrangement will not negatively affect coastal access or access to public recreational facilities. Public beach parking lots shall not be used for shared parking arrangements.

Policy II. B. 1. Public Transportation. It is necessary to maintain existing and develop new public transportation facilities to facilitate coastal access in Venice.

The City shall pursue establishment of a subregional transit system. The subregional system shall include Venice as one of the interconnecting destinations. Those portions of the system located within the Venice LCP area should be linked to those portions located within the County's Marina del Rey LCP area, to ensure a single, integrated system.

A public transit service within and to Venice to meet recreational needs is of prime importance and shall be maintained and expanded, subject to available funding. The City Department of Transportation (LADOT) shall work with the regional bus operators, such as the Metropolitan Transportation Authority (MTA), Santa Monica Municipal Bus Lines, and Culver City Municipal Bus, inter-operator fare integration task force to provide peak period and event scheduling of bus services for the area and to develop park-and-ride lots.

Implementation Strategies

The funding and resources of various jurisdiction, such as Proposition A/C Local Discretionary Funds, shall be coordinated to maximize beach transit service.

Policy II. B. 2. Beach Bus Service. Special beach bus service from targeted areas to Venice Beach shall be provided. The objective of the beach bus service would be to provide specialized bus service to the Venice beach area and offer beach goers an alternative means of accessing the beach.

Implementation Strategies

The beach bus service would be provided during summer weekends and holidays by using school buses or LADOT commuter express buses which are otherwise not utilized on weekends. High schools located in the targeted areas could serve as the pick-up/drop-off points for the beach bus service.

Policy II. B. 3. Shuttle System. The City shall develop a comprehensive shuttle (DASH) system for the Venice Coastal Zone as a transit alternative to the automobile for use by beach visitors. Shuttles should be located along well-utilized routes to the beach to ensure adequate use of the system.

To serve Marina Peninsula, the current Venice DASH shuttle bus route shall be modified to operate along Pacific Avenue, south of Washington Boulevard to the Marina Jetty.

Implementation Strategies

The Venice intercept parking shuttle route(s) shall be designed to interface with regional transit routes. For example, the current Venice DASH shuttle bus route travels along Mindanao Way, Admiralty Way, Ocean Avenue and Venice Way to Pacific Avenue, interfacing with MTA line 33 via stops along Venice Way and with Culver City Municipal Bus line 1 and Santa Monica Municipal Bus Line 2 at Pacific Avenue. Adding stops within Marina del Rey along Admiralty Way and on Mindanao Way near Lincoln Boulevard would also allow transfers to/from MTA line 108 and Santa Monica Municipal Bus Line 3. If the shuttle route is modified or new shuttle routes are provided to serve new intercept parking lots, the new or modified routes should also coordinate with regional transit services. (See Exhibits 18a and 18b).

The shuttle system should be implemented as follows:

1. Shuttle bus operation on Venice Boulevard between beach and inland parking areas, including: (a) Venice Boulevard Median Lot expansion; (b) new Venice Branch Library lot; and (c) Electric Avenue lots.
2. Shuttle bus operation on Washington Boulevard between a prospective lot at Mildred Avenue, the Venice Pier, and the beach, with potential stops at existing available parking facilities (e.g., the 400-space Washington Square garage at Via Dolce and Washington Boulevard).
3. Other shuttle bus routes to connect inland standby parking facilities (e.g. school sites) during peak days (e.g. summer and holidays). Shuttle buses would operate on summer weekends and holidays plus other days that might be identified as periods of high public beach demand.

New commercial developments shall be required to contribute to the cost of funding a Venice coastal shuttle system. The City should support coordination and participation of privately operated shuttle systems.

Subject to availability of funding, the City should establish park-and-ride lots along regional bus line routes that could be served by commuters on weekdays and which could also be utilized by visitors to recreational areas on weekends.

Subject to availability of funding, the City should establish park-and-ride lots parallel to the Santa Monica Freeway route which could be utilized by car-poolers traveling to metropolitan Los Angeles on weekdays, and which could also be linked to the coastal area by a shuttle service on weekends.

The City shall continue coordination efforts with CALTRANS to design a park-and-ride lot on the median of the Marina Freeway.

Policy II. B. 4. Traffic Management. The City shall develop and implement traffic management programs to improve and facilitate coastal access in Venice. This includes development of a Transportation Demand Management (TDM) program to more efficiently utilize available parking and street capacities and to encourage beach visitors to alter their mode of travel. It also should include the implementation of improvements to the

street system and reduction of automobile congestion, including intersection signalization and improvement of traffic lane efficiency.

Implementation Strategies

The City shall submit the Coastal Transportation Corridor Specific Plan (CTCSP) (Ord. No. 168,999, which replaced Ord. No. 160,394) adopted by the Los Angeles City Council on August 13, 1993, as part of the LIP. The CTCSP is, in part, an effort to ensure implementation of transportation improvements with planned commercial and industrial development. The CTCSP is intended to provide for coastal access and to coordinate comprehensive transportation plans and programs with other jurisdictions and public agencies. Developers of commercial and industrial projects are required to contribute traffic impact assessment fees for transportation improvements to offset increased traffic demand. The coastal transportation plan will be periodically updated and revised to reflect current costs of proposed improvements and the feasibility thereof. The Coastal Transportation Corridor Trust Fund fees are levied by the City at the time of issuance of the local building permit and will be used to mitigate traffic impacts of new development to the maximum extent feasible.

Potential Traffic Mitigation Measures: Potential mitigation measures which could be implemented to alleviate project traffic impacts at the analyzed intersections are described below. (For detailed information refer to Draft Final Report, Venice Traffic and Parking Study, April, 1995.)

1. **Signalization Improvements:** The City is in process of implementing Automated Traffic Surveillance and Control (ATSAC) at the following 20 locations:
 - Pacific Avenue & Rose Avenue
 - Pacific Avenue & Brooks Avenue
 - Pacific Avenue & Westminster Avenue
 - Pacific Avenue & Windward Avenue
 - Pacific Avenue & North Venice Boulevard
 - Pacific Avenue & South Venice Boulevard
 - Pacific Avenue & Washington Boulevard
 - Main Street & Rose Avenue
 - Main Street & Abbot Kinney Boulevard/Brooks Avenue
 - Dell Avenue/Via Dolce & Washington Boulevard
 - Ocean Avenue/Via Marina & Washington Boulevard
 - Palawan Way & Washington Boulevard (includes installation of traffic signal)
 - Abbot Kinney Boulevard & Venice Boulevard
 - Mildred Avenue & Washington Boulevard
 - Abbot Kinney Boulevard & Washington Boulevard
 - Lincoln Boulevard & Brooks Avenue/Lake Street
 - Lincoln Boulevard & California Avenue
 - Lincoln Boulevard & Superba Avenue
 - Ocean Avenue/Venice Way & North Venice Boulevard
 - Ocean Avenue/Venice Way & South Venice Boulevard

2. **Physical Mitigation Measures:** The City shall implement restriping and lane improvements within existing pavement widths at the following locations, as recommended in the Venice Traffic and Parking Study.

Public transportation and bicycle transportation opportunities shall be integrated into roadway designs.

- Pacific Avenue & Rose Avenue - Provide an exclusive left -turn on the westbound Rose Avenue approach.
- Pacific Avenue & Westminster Avenue - Restripe the eastbound Westminster Avenue approach to provide an exclusive left-turn lane.
- Pacific Avenue & North Venice Boulevard - Provide an additional northbound through lane on Pacific Avenue by restriping the northbound left-turn lane as a shared left-turn/through lane.
- Pacific Avenue & South Venice Boulevard - Provide an additional northbound through lane on Pacific Avenue by restriping the northbound approach for one through lane and a shared through/right- lane.
- Main Street & Rose Avenue - Restripe the westbound Rose Avenue approach to provide an exclusive left-turn lane.

Potential Revenue Sources: Potential revenue sources to finance Implementation Strategies as recommended in the Venice Traffic and Parking Study may include the following:

1. Developer in-lieu parking fees to help fund new public parking facilities (i.e. fees paid into the Venice Coastal Parking Impact Trust Fund).
2. Charge for parking in new City-provided beach parking lots in the Beach Impact Zone.
3. Charge for parking in intercept lots and/or to ride Venice intercept parking shuttle system (recent experience with the current Venice DASH system, however, indicates that farebox recovery is likely to be low).
4. Revenue from new parking meters installed as part of plan in both residential and commercial districts.
5. City parking meter fund.
6. Preferential parking permit fees (fee level should be set and used to offset administrative costs of issuing permits only).
7. Coastal Transportation Corridor Trust Fund.
8. City general fund.
9. Other cities served by potential sponsored beach bus service.
10. Fares for sponsored beach bus service (fare box recovery likely to be very low, however, if fares are to be set at an affordable level).
11. Benefit assessment district.

12. Los Angeles County (relative to signage improvements at the County-owned beach parking lots).
13. Proposition A and Proposition C local return funds.
14. Revenues available through MTA's biannual Multi-Year Call for Projects, including:
 - Proposition A and Proposition C discretionary funds
 - Flexible Congestion Relief (FCR) and Transportation System Management (TSM) funds (Propositions 108 and 111)
 - Federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds

Pedestrian and Bicycle Access

Venice Beach is readily accessible to pedestrians and cyclists. Pacific Avenue is the major paralleling street to the area. Direct access from the east is via Rose Avenue, Venice Boulevard, and Washington Boulevard.

The walk streets in North Venice, Marina Peninsula and Milwood neighborhoods are among the most pleasant pedestrian amenities in Los Angeles and provide excellent vertical access to the beach. The Venice Boardwalk extends approximately 1.5 miles along the sand, providing immediate access to the beach. (See Exhibit 19a and 19b).

A segment of the Los Angeles South Bay bicycle trail runs through Venice for 1.5 miles along the beach, from the City boundary in the north to the Washington Boulevard parking lot.

Ballona Lagoon is accessible through a decomposed granite pedestrian path with a double rail wood fence along the entire eastern shoreline of the lagoon. The path is accessible at either end from Via Marina or Via Dolce and from numerous walk streets/malls within the existing development to the east of the lagoon.

The walkways along the banks of the Venice Canals (north of Washington Boulevard) were restored in 1996 and they provide public pedestrian access to and along the canals. The public walkways along Grand Canal (south of Washington Boulevard) also provide public pedestrian access along both sides of the waterway, but are in need of substantial repairs. The City is currently planning a Grand Canal rehabilitation project to improve the neglected walkways.

Policy II. C. 1. General Non-Vehicular Coastal Access Policy. Pedestrian and bicycle access ways are identified on Exhibit 19. Pedestrian Access and Bicycle Trails shall be developed, protected and maintained, and new development adjacent to the coast and coastal waterways shall be required to provide public access in a manner that is consistent with the policies of the Coastal Act.

A network of pedestrian and bicycle routes shall be developed, enhanced and maintained to provide linkages within residential neighborhoods and between visitor-serving commercial areas and coastal recreational access

points, transit routes, existing and projected parking facilities, and areas of historical significance to facilitate circulation of visitors within the heavily congested areas in Venice.

Implementation Strategies

Public Works Projects

To enhance pedestrian access, improvements should establish and reinforce pedestrian connections between Ocean Front Walk, existing walk streets, the Venice Canals, Grand Canal and Ballona Lagoon, West Washington Boulevard, and streets that were part of the original Kinney Canals.

Private Developments:

Development standards in this LUP and the LIP for the walkways along the canals, lagoon, and designated walk streets shall focus on preserving pedestrian orientation by preserving the walkways and limiting height and types of development permitted adjacent to the walkways. (For more detailed information refer to Policy II.C.10 and 11).

Policy II. C. 2. Grand Canal Pedestrian Access. The three existing public rights-of-way from the Grand Canal to Strongs Drive and Pacific Avenue shall be improved and appropriately signed. South of Washington Boulevard, the public walkways that provide public pedestrian access along both sides of Grand Canal shall be improved and appropriately signed.

Policy II. C. 3. Ballona Lagoon Enhancement Plan (Pedestrian Access). Pedestrian access and interpretative overlooks to the Ballona Lagoon shall be enhanced without invading the privacy of adjoining residents. The existing public walkway on the east bank of Ballona Lagoon, and the overlook on the southern end of the lagoon near Via Marina, shall be maintained and protected for public access. (Refer also to Policy IV.B.1).

Implementation strategies

Eastern Shore:

The existing public path along the eastern shore is presently maintained by the homeowners association. (Refer to the Ballona Lagoon Enhancement Plan for specific proposals.) The portion of the restored Ballona Lagoon buffer that is situated between the public path and the water is maintained by the City pursuant to Coastal Commission Coastal Development Permit 5-95-152 and amendments.

North Lagoon:

1. The new sidewalk installed along the edge of Via Dolce where it fronts the lagoon shall be maintained and protected for public access. The sidewalk connects the existing decomposed granite path at the eastern shore to the public path at the northeastern edge of the lagoon.

2. At the end of Canal Court a secondary access point shall be provided to the western access paths.
3. The existing footpath shall be improved along the northwest shore of the lagoon from the Canal Court access point to Pacific Avenue where it is intersected by Jib Street and continue south along Pacific Avenue to Lighthouse Street. As elsewhere, regulatory signs and trash receptacles should be placed intermittently along the trail.

Western Shore:

Because of the steep embankment and the need to provide some buffering from the automobile traffic on Pacific Avenue, the strategy along the western shore is to limit physical access. A future study shall be done, as part of the Ballona Lagoon Enhancement Plan, before any public access along the western shore is improved.

Policy II. C. 4. Venice Canals. The Venice Canals Walkways have been fully rehabilitated and shall be maintained for public access. The Department of Transportation shall provide signs on Venice Boulevard which direct the public to the Venice Canals Historic District and the existing Venice Canals Walkways.

Policy II. C. 5. Ocean Front Walk. It is the policy of the City to complete a continuous public pedestrian walkway that extends from the boundary with City of Santa Monica to the Marina del Rey entrance jetty as indicated on Exhibit 19. Ocean Front Walk shall be preserved and enhanced for public access including but not limited to improvements, such as repaving and landscaping along Ocean Front Walk, development of a pedestrian plaza along Washington Boulevard and provision of landscaping and decorative treatments at Windward Avenue as outlined in the 1995 Venice Beach Ocean Front Walk Refurbishment Plan.

Implementation Strategies

Conservancy Waterfront Restoration Plan and 1995 Venice Beach Ocean Front Walk Refurbishment Plan. Using the Proposition A money, the City of Los Angeles Recreation and Parks Department will implement the 1995 Venice Beach Ocean Front Walk Refurbishment Plan components designed to enhance pedestrian access.

Policy II. C. 6. Disabled/Elderly Access Paths. Access paths should be provided across beach lands to the shoreline for use primarily by the elderly and disabled persons. Such paths should be located in the vicinity of the Venice Pier and be compatible with the Least Tern nesting ground. The existing public access path on the Marina del Rey north entrance jetty shall be maintained and enhanced, and may also include a shaded overlook area, provided that public views are not significantly impaired.

Policy II. C. 7. Walk Streets. Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas

and 4½ feet in the Milwood area. The remaining public right-of-way shall be limited to grade level uses including landscaping, patios, gardens and decks.

The following streets are designated as walk streets (as shown on Exhibit 19):

West of Pacific Avenue and east of Ocean Front Walk:

- | | |
|--------------------------|---------------------|
| a. Sunset Avenue | j. Thirtieth Avenue |
| b. Thornton Avenue | k. Galleon Street |
| c. Park Avenue | l. Privateer Street |
| d. Twenty-Third Avenue | m. Reef Street |
| e. Twenty-Fourth Avenue | n. Spinnaker Street |
| f. Twenty-Sixth Avenue | o. Westwind Street |
| g. Twenty-Seventh Avenue | p. Yawl Street |
| h. Twenty-Eighth Avenue | q. Via Marina |
| i. Twenty-Ninth Avenue | |

Between Lincoln Boulevard and Shell Avenue:

- a. Nowita Place
- b. Marco Place
- c. Amoroso Place

West of Main Street and east of Speedway:

- a. Dudley Avenue
- b. Breeze Avenue
- c. Wave Crest Avenue

West of Main Street and east of Ocean Front Walk:

- a. Paloma Avenue

West of Main Street and east of Pacific Avenue:

- a. Park Place
- b. Vista Place

West of Pacific Avenue and east of Speedway:

- | | |
|------------------------|-----------------------|
| a. Ozone Avenue | i. Jib Street |
| b. Club House Avenue | j. Ketch Street |
| c. Nineteenth Avenue | k. Mast Street |
| d. Twentieth Avenue | l. Northstar Street |
| e. Twenty-fifth Avenue | m. Outrigger Street |
| f. Eastwind Street | n. Quarterdeck Street |
| g. Fleet Street | o. Union Jack Street |
| h. Ironsides Street | p. Voyage Street |

West of Via Dolce and east of Esplanade East:

- | | |
|---------------|---------------------|
| a. Ketch Mall | f. Quarterdeck Mall |
| b. Mast Mall | g. Reef Mall |

- c. Northstar Mall
- d. Outrigger Mall
- e. Privateer Mall
- h. Spinnaker Mall
- i. Topsail Mall

East of Speedway and west of Pacific Court:

- a. Buccaneer Street
- b. Catamaran Street

West of Los Angeles County boundary and east of Esplanade East:

- a. Union Jack Mall
- b. Voyage Mall
- c. Westwind Mall
- d. Channel Point Mall

And:

- a. Crescent Place between Palms Boulevard and Shell Avenue.
- b. Lighthouse Street between Esplanade East and Pacific Avenue
- c. Anchorage Street between Ocean Front Walk and Pacific Court

Policy II. C. 8. Emergency Vehicle Access. Adequate access for emergency vehicles shall be provided and maintained at all times to residences on walk streets while preserving the integrity and character of the walk streets to the extent feasible.

Policy II. C. 9. Alley Access and Improvements. Alleyways shall remain clear of all vehicles, structures, storage and debris at all times so that fire apparatus may service all residences on walk streets. The alleyways may be used solely for ingress and egress to garages and to private parking areas. New development shall incorporate any improvements necessary to upgrade or retain alleys to current standards and to enhance public safety.

Policy II. C. 10. Walk Streets -- Residential Development Standards. New residential development along walk streets shall enhance both public access and neighborhood character.

Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged. In case of duplexes and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, shall face walk streets, and be well-defined and separate.

Policy II. C. 11. Encroachments into Walk Street Right-of-Way. Encroachments into City right-of-way shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences.

The gardens/patios in the right-of-way, between the fences and the buildings, shall be permitted to provide a transitional zone between the public path ways and private dwellings.

To create a defensible space, the planting along the walk streets shall not impede the view of walkways by the residents and the view of the gardens by the pedestrian.

Creative use and arrangement of permeable paving materials shall be encouraged.

Any fence, wall or hedge erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is encouraged. New fences shall be located in line with existing fences on the same side of the street.

Implementation Strategies

As part of the LIP, an ordinance should be adopted amending Bureau's Standard Plan D-22459 and creating a standard street category for walk streets. The Street Standards Committee should adopt improvement standard for walk streets.

The following criteria are recommended for walk streets:

- a. The City of Los Angeles Department of Public Works, Fire Department, Department of City Planning, Department of Recreation and Parks, and Department of Cultural Affairs shall work cooperatively to maintain and enhance these walk streets as pedestrian rights-of-way.
- b. No financing is currently allocated to improve the walk streets. Any improvements are likely to be the result of assessment financing or development conditions.
- c. The City shall seek funding for regular maintenance (including tree trimming) and cleaning of walk streets shall be regulated.

Permanent encroachments within the existing public right-of-way of a designated walk street shall be permitted only by obtaining a revocable encroachment permit from the City Department of Public Works.

The City shall investigate the feasibility of purchasing special fire fighting vehicles and equipment which would permit the Fire Department to access structures along walk streets with narrower than 28-foot-wide rights-of-way.

The City Department of Transportation shall investigate and install as appropriate 'No Parking' signs in public alleyways adjacent to walk streets to keep alleyways clear for emergency vehicles.

For eventual undergrounding of all wires in alleyways, the Department of Building and Safety shall require that for a permit for new construction and/or major remodeling a conduit be undergrounded in anticipation of later hook-up connection.

Policy II. C. 12. Ocean Front Walk Pedestrian Amenities. In order to support pedestrian activities along Ocean Front Walk, commercial development should include design elements aimed at providing for pedestrian safety and convenience, such as shade, seating, directional signs, courtyards and walkways.

Implementation Strategy

Implementation strategies will be set forth in the LIP to encourage pedestrian activity. These implementation strategies shall include, but are not limited to, the following:

- Require that new commercial developments be consistent with the Development Standards for Ground-Level Development (See Policy I.B.7.)
- Support a Business Improvement District (BID) comprised of visitor-serving commercial properties. Funds obtained from this assessment district would be designated specifically for the Ocean Front Walk area and used for maintenance, improvement and development of public pedestrian amenities.

Policy II. C. 13. Bikeways. The City shall develop and maintain those bikeways delineated on Exhibits 19a and 19b, Pedestrian Access and Bikeways and continue to identify future bikeway locations for potential bicycle trip demand.

Implementation Strategies

Bikeways shall be integrated with those in the communities of Westchester, Playa Vista, Palms, Mar Vista, Los Angeles County, Culver City, the City of Santa Monica and with existing and proposed recreation facilities.

Bikeways shall be selected to complement other present and future transportation modes such as, but not limited to walking, automobiles, buses, commuter rail and rapid transit.

To the extent feasible, complete separation of motor vehicle traffic from bicycle traffic should be achieved by making use of off-street rights-of-way, such as those associated with electric power transmission, drainage, public land and abandoned railways for class I bikeways (bike paths). Where the bikeway must be in the usable roadway and the pavement is sufficiently wide, a lane for the exclusive use of bicycles class II bikeways (bike lanes) should be designated and identified by striping and signs.

Bikeways and bicycle support facilities are funded primarily through Transportation Development Act (TDA) Article 3 funds; additional potential funding sources include Los Angeles County Proposition A as well as State and Federal programs for recreational bikeway development. (Refer also to the City of Los Angeles Bicycle Plan.)

Policy II. C. 14. Bikeway South of Washington Boulevard. The LUP designates a class II bikeway south of Washington Boulevard, along Via Dolce, Marquesas Way and Via Marina. This bike path will provide public access to the Jetty and to the south part of Marina Peninsula Beach. The

City should provide for the extension of the beach bicycle path from Washington Boulevard to the marina entrance channel in order to improve public access opportunities on the Marina Peninsula beach between the Venice Pier and the Jetty.

Policy II. C. 15. Bicycle Support Facilities. Convenient and secure bicycle parking and storage facilities shall be provided at transit centers and public buildings, retail developments, theaters, parks and similar trip generators. Bike racks should be provided at the western terminus of streets at Ocean Front Walk and at the Jetty.

Landscaping and Lighting: Class I bikeways (bike paths) shall be landscaped whenever feasible. Landscaping may be used to emphasize the separation from motor traffic or from pedestrian traffic, but shall not impede coastal views. Where bike paths are isolated, as recommended by the Los Angeles Police Department, safety measures such as security lighting shall be included in their design.

Implementation Strategies

The LIP shall include standards for requiring new non residential development to provide additional bicycle access and support facilities, including bikeways, bike racks, public restrooms, bike lockers, drinking fountains, trash cans, recycling bins, seats, etc.

The City shall investigate the feasibility of providing a "park-and-bike" lot on the abandoned Pacific Electric right-of-way along Mildred Avenue west of Washington Boulevard, as this lot could be linked with the beach bike path and Venice Pier via the bike lane along Washington Boulevard.

Policy II. C. 16. The City shall work with the Metropolitan Transportation Authority (MTA) and other public transit agencies to provide the capability to transport bicycles to and in the area aboard public transit.

Temporary Events

Policy II. D. 1. Temporary Events. Activities or events that involve the reservation or exclusive use of any public beach parking area or sandy beach area shall be regulated in order to protect public access to the shoreline and public access to parking supplies that support recreational opportunities. Public access and recreation shall have priority over other uses on the beach and in the public beach parking areas.

POLICY GROUP III.

RECREATION AND VISITOR-SERVING FACILITIES

Introduction

Recreation and visitor-serving facilities in the Venice Coastal Zone include the opportunities offered by Venice Beach, Ocean Front Walk, and the bike path; the restaurants and shops along Ocean Front Walk and Main Street; and the walkways and waterways of the Venice Canals and Ballona Lagoon which offer sightseeing, birdwatching and boating. Existing recreation and visitor-serving facilities are shown in Exhibits 19a through 21b.

Venice Beach is acknowledged as one of the most popular attractions in Southern California. It extends along the coast from Navy Street to the Marina del Rey jetty and entrance channel, providing 2.9 miles of ocean frontage and 238 acres of sandy beach. The beach area, bike path and Ocean Front Walk are used by local, county-wide residents, and visitors from around the world. Summertime attendance is estimated to average 100,000 on Saturday and 150,000 on Sunday (County of Los Angeles, Department of Beaches and Harbors). According to the same source, annual attendance has been estimated to be around 5.5 million (1993). The beach is owned by the City of Los Angeles and operated by the county of Los Angeles.

The beach area is a vast, integrated recreation facility, providing free or low-cost opportunities for those who bike, skate, jog, walk, fly kites, picnic, swim, fish and sunbath along the Pacific shore. For participants and spectators, there are public courts for basketball, volleyball, handball and paddle tennis; weight lifting equipment, and children's play areas. Ocean Front Walk is a paved walkway located at the inland edge of the beach, used by pedestrians, roller skaters and skateboarders. Recreational and visitor support facilities along the beach and Ocean Front Walk include five restroom buildings, twenty lifeguard towers, concession stands, bicycle and roller skate rentals, drinking fountains, and refuse containers. (See Exhibit 21a and 21b).

Private businesses such as retail shops, restaurants and vendors along Ocean Front Walk and Main Street are also an attraction and service for residents and visitors alike. Hotels, motels and hostels are located within a walking distance from the beach and are also considered visitor-serving uses.

The Los Angeles County South Bay Bicycle Trail runs from Santa Monica to Torrance. Through Venice, a bike path runs 1.5 miles along the beach from the City boundary on the north, stopping at the Washington Boulevard parking lot. In order to continue across the Marina channel, cyclists continue inland to Lincoln Boulevard via bike lanes on Venice Boulevard or Washington Boulevard.

The Venice Pier, located at the terminus of Washington Boulevard, was constructed in 1964 and was used for concession, fishing, bait, and fishing equipment. The pier was closed in 1989 due to structural deficiencies, and was slated for demolition by the City. However, in response to strong community sentiment to save the pier, the City Department of Recreation and Parks renovated and reopened the Venice Pier in 1997 using funding

from Proposition A (See Coastal Commission Coastal Development Permit 5-95-293).

In general, public use of the beach in the Marina Peninsula south of Washington Boulevard is less intensive than that of the North Venice Beach portion. Uses are primarily sunbathing, swimming, picnicking, active recreational uses on the sand, and fishing from the Marina Channel jetty. More intensive use is limited due to restricted access, parking, and lack of recreation facilities. The area provides a respite from the activity of the northern portion and a more serene coastal experience.

In 1988, the State Coastal Conservancy initiated a collaborative planning and design project with the City of Los Angeles and the Venice community focused on improving public facilities and enhancing significant community spaces and recreational facilities. In May 1990, the State Coastal Conservancy released a draft Waterfront Restoration Plan. The draft plan presents conceptual design alternatives for improvements to the Venice Pier, the Venice Pavilion, Ocean Front Walk and related beach facilities, Windward Avenue Circle, Washington Boulevard, and Venice Boulevard median.

In March of 1995, the City of Los Angeles Recreation and Parks Department retained a team of private consultants to prepare a plan for the refurbishment of approximately 1.7 miles of Ocean Front Walk. (Refer to Venice Beach Ocean Front Walk Refurbishment Plan, November 3, 1995.) The improvements recommended in this plan are in keeping with the overall vision, goals and recommendation of Coastal Conservancy Waterfront Restoration Plan. The Refurbishment Plan was implemented and completed in 2000 (See Coastal Commission Coastal Development Permits 5-96-176 and 5-99-427).

In addition to the beach area, the walkways and waterways along the Venice Canals and Ballona Lagoon provide opportunities for more passive recreational and educational uses such as birdwatching, nature study, strolling, and sightseeing. Non-motorized boating is permitted in the Venice Canals. The waterways are a sensitive environmental habitat, and the Land Use Plan balances recreation uses with the need for habitat protection (See Sections I and IV for additional policies related to the Canals and Lagoon.)

Parking and access issues, including bikeways, are further discussed in Section II.

Coastal Act Policies

The policy groups covered by this section of the LUP address the following Coastal Act Policies, which are included as part of the Land Use Plan:

Section 30212.5. *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.*

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Development providing public recreational opportunities are preferred.*

Neither the commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low- or moderate-income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

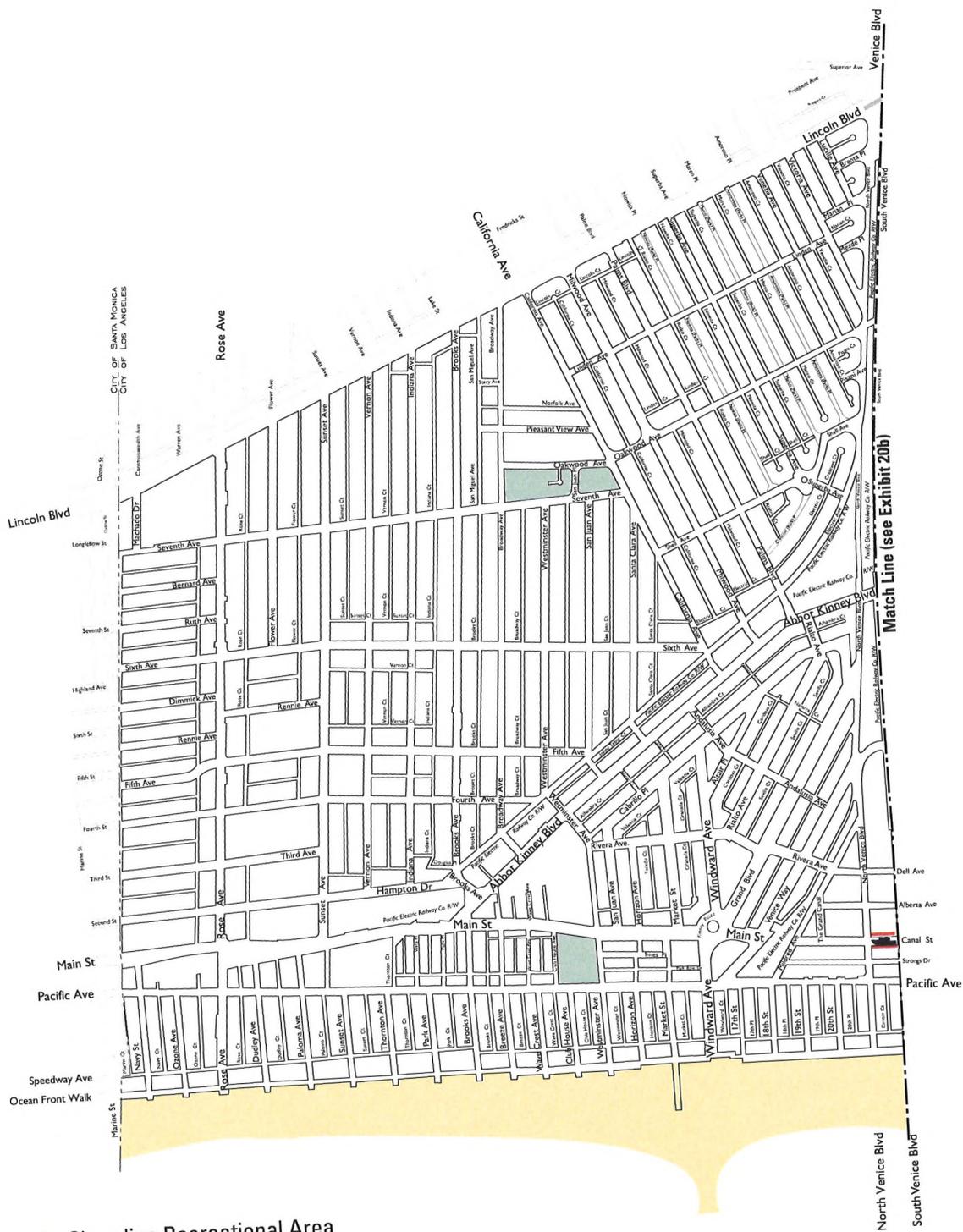
Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreational shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Section 30224. *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

Section 30250. *(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*



- Shoreline Recreational Area
- Coastal Waterways
- Park Facilities
- Pedestrian Paths and Improved Walkways along Ballona Lagoon, Grand Canal and Venice Canals
- Public Boat Launch

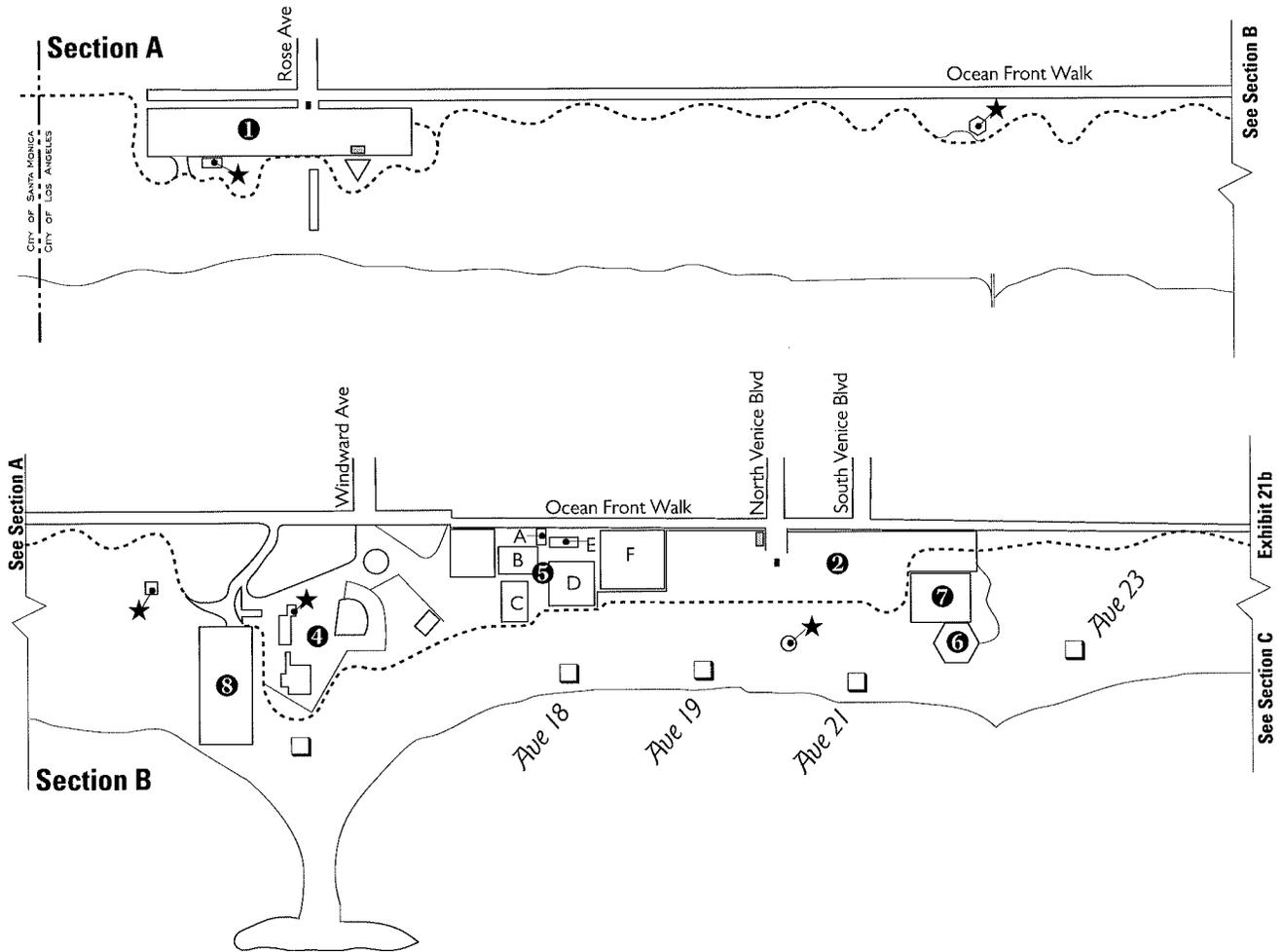


Exhibit 20a
Recreation and Visitor Serving Facilities



Exhibit 20b
Recreation and Visitor Facilities





- | | | | |
|---|--|---|------------------------|
| ▪ | Parking Booths | ④ | Venice Pavillion |
| ▽ | Covered Picnic Areas | ⑤ | Venice Athletic Center |
| □ | Lifeguard Towers | A | Office/Restroom |
| ★ | Restrooms | B | Basketball |
| ▣ | Bike Rentals | C | Handball |
| ⋯ | Bike Path | D | Swings |
| ① | Rose Ave. Parking Lot | E | Weight Yard |
| ② | Venice Blvd. Parking Lot | F | Tennis |
| ③ | Washington St. Parking (L.A. City Dept. of Parks and Recreation) | ⑥ | Lifeguard Headquarters |
| | | ⑦ | Maintenance Yard |
| | | ⑧ | Oil Drilling Area |

Exhibit 21a
Existing Shoreline Recreational Area

Source: Los Angeles County Department of Beaches and Harbors



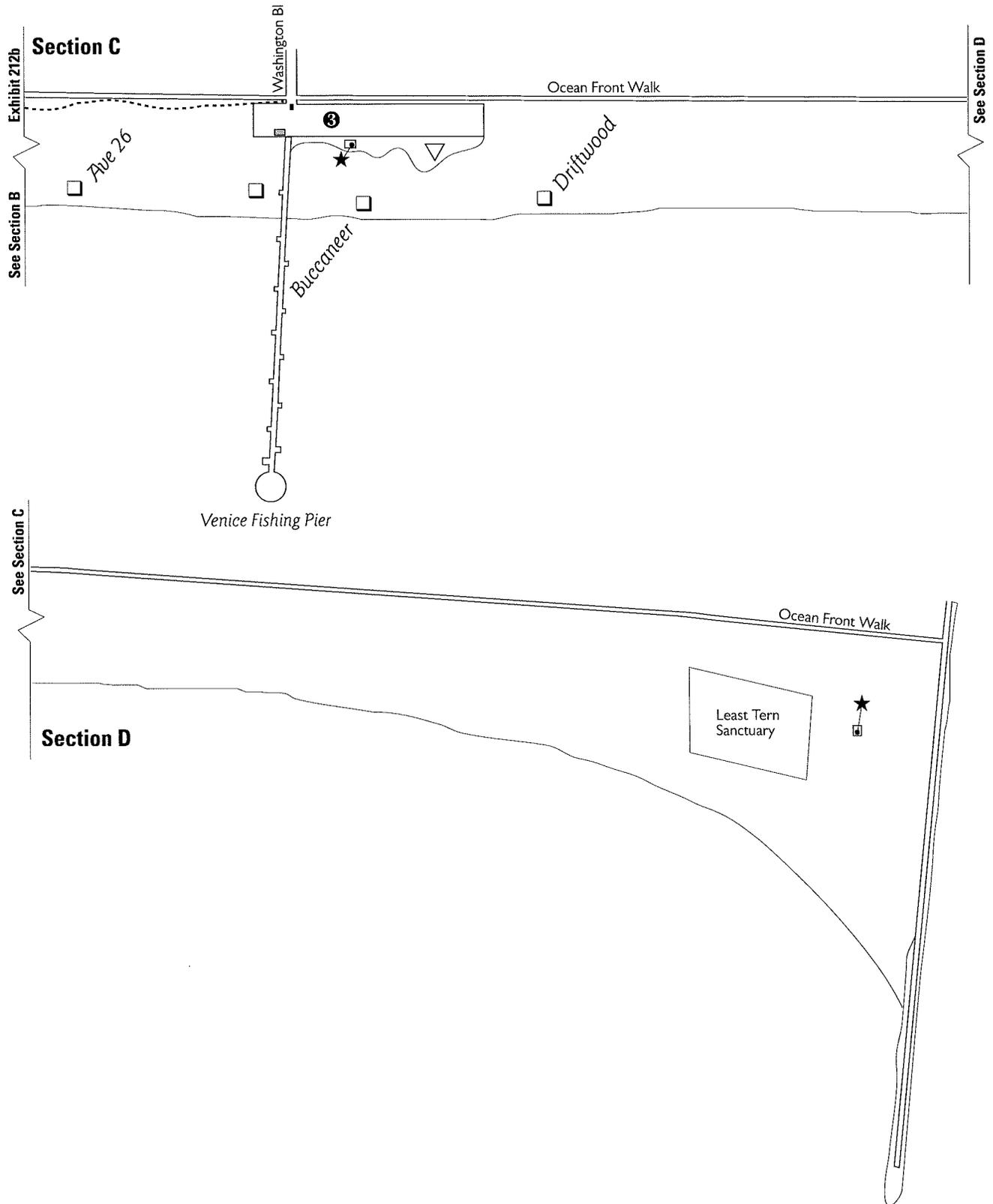


Exhibit 21b
Existing Shoreline Recreational Area

Source: Los Angeles County Department of Beaches and Harbors



LAND USE PLAN POLICIES AND IMPLEMENTATION STRATEGIES

Recreational Opportunities

Policy III. A. 1. General. New recreational opportunities should be provided, and existing recreational areas, shown on Exhibits 19a through 21b, shall be protected, maintained and enhanced for a variety of recreational opportunities for both residents and visitors, including passive recreational and educational activities, as well as active recreational uses.

- a. Recreation and visitor-serving facilities shall be encouraged, provided they retain the existing character and housing opportunities of the area, and provided there is sufficient infrastructure capacity to service such facilities.
- b. Acquisition, expansion and improvement of parks and facilities throughout the Venice Coastal Zone shall be encouraged and accelerated, subject to the availability of funds.
- c. Where feasible and compatible with the surrounding neighborhood, recreational uses shall be located in conjunction with other new public facilities, such as public parking lots.
- d. Recreation facilities shall be refurbished and constructed to maximize recreational opportunities.
- e. Beach Hours: Public access and recreational opportunities on the sandy beach shall be protected and encouraged. Any limitations to public access, including changes to the hours of operation, shall be subject to a coastal development permit.

Implementation Strategies

The City shall designate and zone public recreation areas shown on Exhibits 20a and 20b, including Ocean Front Walk, as Open Space use.

The City shall maintain an inventory of vacant land suitable for potential acquisition as public open space, and shall encourage continuing efforts by County, State and Federal agencies to acquire such land and work with the Coastal Conservancy towards this end. Potential funding sources include: Quimby funds, the Tide-Lands Oil Trust Funds, and the Venice Surplus Real Property Fund. Unutilized or underutilized public land (including rights-of-way), particularly publicly-owned lands having potential for multiple uses, such as school playgrounds, should be made available for park and recreational uses.

Citizen groups and merchants' associations shall be encouraged to undertake private action for community improvements, such as: business improvement district's (BID's) initiation of programs by property owners and merchants to increase off-street parking facilities serving adjacent shopping areas, promoting street tree planting programs, sponsoring clean-up and beautification programs to improve the general environment, and, development and maintenance of small parks.

North Venice

The Coastal Conservancy's 1990 Draft Waterfront Restoration Plan is a

comprehensive program of public beach and related pedestrian, circulation and community improvements which could be developed over the next several years, subject to available funding. The 1990 Draft Waterfront Restoration Plan identifies conceptual design options and provides preliminary estimates of project costs. The Coastal Conservancy and City agencies will continue to refine conceptual designs based on costs, funding, design and engineering studies, and community and City priorities. The 1995 Venice Beach Ocean Front Walk Refurbishment Plan, prepared for the Department of Recreation and Parks, is a detailed plan for North Ocean Front Walk and bike paths. The 1995 Refurbishment Plan is an extension of the Coastal Conservancy's 1990 Plan, and they are not mutually exclusive plans. The 1995 Refurbishment Plan is the guiding document for implementation and refurbishment of the north segment of the Venice Beach Ocean Front Walk

Policy III. B. 1. 1990 Waterfront Restoration Plan and 1995 Venice Beach Ocean Front Walk Refurbishment Plan. The City shall support implementation of the Coastal Conservancy Waterfront Restoration Plan and related studies, such as the 1995 Venice Beach Ocean Front Walk Refurbishment Plan, which complements the Venice LUP policies for public and recreational facilities.

The two plans address the following facilities:

Ocean Front Walk: The 1990 Draft Waterfront Restoration Plan provided design options and concepts for Ocean Front Walk from North Venice to the Venice Pier at Washington Boulevard.

The 1995 Venice Beach Ocean Front Walk Refurbishment Plan is the plan prepared for the City Department of Recreation and Parks, which includes design plans for North Ocean Front Walk and bike paths. The Plan proposes relocation, expansion of some existing recreational facilities and addition of new ones along North Ocean Front Walk and the adjoining beach area. Proposed improvements, approved pursuant to Coastal Commission Coastal Development Permit 5-96-176 and amendment, include:

- Ocean Front Walk resurfacing and lighting, street furniture, sand wall and trash and recycling containers.
- A new separate 10-14 foot bikepath west of the existing bikepath; allowing use of existing path for joggers and skaters.
- Relocation and expansion of the existing children's play area and creation of a new children's play area near the Rose Avenue parking lot.
- Handicapped access to the beach.
- Skate dance area, grandstand basketball court, resurfacing and lighting of existing basketball courts, handball court improvements and expansion.
- Reconstruction and addition of new restrooms.

- Pagoda restoration.

Venice Pavilion: The Venice Pavilion was demolished and the area restored to sandy beach and landscaped public park with public recreation improvements pursuant to Coastal Commission Coastal Development Permit 5-99-427/A5-99-449 (Jan. 2000).

Windward Avenue and Circle: In response to community support to create a pedestrian oriented environment in the area of Windward Avenue and Circle, the 1990 Draft Waterfront Restoration Plan proposes several conceptual designs. This would involve providing better linkage between the Ocean Front Walk and Pavilion area on the beach, and Windward Avenue from Speedway to Windward Circle. The Draft Plan would create a formal plaza between Speedway and Ocean Front Walk, create an enhanced pedestrian area from Speedway to Pacific Avenue, and establish pedestrian connections along Windward Avenue to Main Street at Windward Circle. The improvements to the Circle would establish it as a central focus for pedestrians and vehicles.

The 1995 Venice Ocean Front Walk Refurbishment Plan supported the idea of creating a formal plaza between Speedway and Ocean Front Walk and proposed a plaza park at this location which forms a staging area and pedestrian drop-off zone at Speedway.

A continuation of the arcaded-facade Venetian architecture is assumed in future restoration or new construction on Windward Avenue.

Washington Boulevard: The Draft Waterfront Restoration Plan has prepared conceptual illustrations of a redesigned Washington Boulevard between Pacific Avenue and the beach parking lot at the Venice Pier. The improvements are designed to provide better connections between the existing beach facilities, including the pier and beach parking lot, and Washington Boulevard.

Implementation Strategies

Proposition A, approved by the voters of Los Angeles County in November 1992, included \$10 million specifically for the Venice Beach area. The City Department of Recreation and Parks will implement the 1995 Refurbishment Plan components designed to enhance pedestrian access, as approved pursuant to Coastal Commission Coastal Development Permit 5-96-176 and amendment.

Policy III. B. 2. Venice Pier. The Venice Pier has been restored and open since November 1997. The pier shall remain open to the public. Free unobstructed public access and recreational fishing access shall be provided and maintained to and upon the Venice Pier, subject only to temporary limitations for public safety necessitated by unsafe conditions (See Coastal Commission Coastal Development Permit 5-95-293).

Implementation Strategies

The Coastal Conservancy Waterfront Restoration plan found strong community sentiment for restoration and reopening of the Pier (providing

there is no intensification of use over previous pier operation). Coastal Development Permit 5-95-293, approved by the Coastal Commission in 1996 for the restoration and reopening of the Venice Pier, has been issued and implemented. The terms and conditions of Coastal Commission Coastal Development Permit 5-95-293 remain in effect and still apply to the operation of the pier.

Policy III. B. 3. Venice Pier Parking Lot. The public beach parking lot located south of Venice Pier may be renovated and improved in its current location, but shall not be expanded outside of its 1982 footprint. Any private encroachments over the portion of the Ocean Front Walk right-of-way abutting this parking lot shall be removed concurrently with the improvement of the parking lot in order to restore public pedestrian access to the Ocean Front Walk right-of-way. The placement of riprap or other hard shoreline protection device on the beach between the parking lot and the sea shall be discouraged. The operation and any improvements to this parking lot shall be consistent with the water quality and public access policies of this LUP.

Marina Peninsula

Policy III. C. 1. Visitor Serving Facilities. Additional visitor-serving recreation facilities shall be encouraged and provided on the Marina Peninsula south of Washington Boulevard. A minimum of one additional restroom facility including drinking fountains, trash receptacles, and bicycle racks shall be constructed on the Peninsula Beach, preferably within the vicinity of the mid-beach area, to support beach access and protect the public health.

Implementation Strategies

The City shall request that the County of Los Angeles Department of Public Works or other appropriate entity construct a minimum of one additional restroom facility on the Peninsula Beach.

Policy III. C. 2. Least Tern Nesting Area. No development permits shall be granted for development which would have a potential significant impact on the Least Tern nesting ground in the vicinity of the jetty at the Marina Channel.

Policy III. C. 3. Marina del Rey Entrance Jetty. Public access, public parking, and fishing opportunities shall be protected, encouraged and maintained on the Marina del Rey entrance jetty. Any changes or limitations to public access shall be subject to a coastal development permit.

Coastal Waterways

Policy III. D. 1. General. Existing bodies of water, including the Venice Canals, Grand Canal south of Washington Boulevard, Ballona Lagoon, and the Pacific Ocean and beaches, shall remain open to the public for recreational uses, as specified in this LUP.

Policy III. D. 2. Boating Use of Canals and Lagoon. Recreational boating use of the Venice Canals shall be limited to non-commercial shallow-bottom, non-motorized boats such as canoes and rafts, in order to permit recreation while protecting the environmentally sensitive habitat area and maintain a quiet ambience within the neighborhoods of the plan area.

No boating shall be permitted in Ballona Lagoon and the portion of Grand Canal south of Washington Boulevard.

A public boat launch facility was built as part of the Venice Canals Rehabilitation Project at the Grand Canal and North Venice Boulevard. The City shall protect the public's ability to access the canals by boat by maintaining public access to the Grand Canal public boat launch. The facility shall provide adequate on-site public parking consistent with the sizes and types of boats to be launched and frequency of launching pursuant to the County Department of Small Craft Harbors standards.

Policy III. D. 3. Venice Canals Boat Docks. Construction of small non-commercial private boat docks along the restored canal banks may be permitted, subject to the approval of the Department of Public Works and a coastal development permit, to provide boating access while protecting habitat along the banks.

Policy III. D. 4. Boating and Recreational Use of Pacific Ocean and Adjacent Beaches. The Pacific Ocean and adjacent beaches may be used for boating; however, no boat launching will be permitted from sandy beaches. Swimming, surfing, water sports, picnicking and sunbathing are encouraged on the beaches. Fishing from the piers and jetty shall be allowed.

Policy III. D. 5. Educational and Passive Recreational Use of Waterways. Educational use of coastal waterways by schools and other groups shall be encouraged. Passive educational and recreational opportunities shall be maintained and enhanced via a public walkway along the Grand Canal and lagoon wetlands. The City shall establish observation areas with seating and shade, subject to the availability of sufficient space and funding, to provide opportunities for passive recreation in the lagoon and canals in such a manner as to provide public access, consider the privacy of adjacent residences, and to protect public views.

Implementation Strategies

Venice Canals: Canals Rehabilitation Project (Department of Public Works). (Refer to Policy IV.A.1, Water and Marine Resources and Environmentally Sensitive Habitat Areas, of this LUP for a detailed discussion). The recently restored walkways in the canal area are open to the public for passive recreation and educational activities such as bird watching, strolling and sightseeing (Exhibit 20b, Recreation and Visitor-Serving Facilities). The Department of Transportation will maintain signs on Venice Boulevard to direct the public to the Venice Canals Walkways. (See Coastal Commission Coastal Development Permit 5-91-584).

Ballona Lagoon and Grand Canal south of Washington Boulevard: Ballona Lagoon Enhancement Plan (Ballona Lagoon Marine Preserve California State Coastal Conservancy, August, 1992). (Refer to Policy IV.B.1 of this LUP for a detailed discussion.) A 40-foot wide dedicated open space with a pedestrian trail has been provided adjacent to the east banks of the Ballona Lagoon in the Silver Strand Subarea, for passive recreational activities. This buffer strip shall be maintained by the City and the homeowners association. (See Coastal Commission Coastal Development Permit 5-95-152 and amendments).

Policy III. D. 6. Venice Canals Parks. New parks, with parking to the rear, shall be considered on some of the City-owned lots on the canals, provided that such facilities are compatible with the existing residential use of the area.

POLICY GROUP IV.

WATER AND MARINE RESOURCES, ENVIRONMENTALLY SENSITIVE HABITAT AREAS, AND HAZARDS

Introduction

This section of the LUP addresses water and marine resource issues relating to regulation of storm water runoff, tidal circulation, and protection and enhancement of environmentally sensitive habitat areas within the Venice Coastal Zone.

The environmentally sensitive habitat areas in the Venice Coastal Zone include Ballona Lagoon and Grand Canal south of Washington Boulevard, Venice Canals north of Washington Boulevard, habitat buffer areas on the east and west banks of Ballona Lagoon, and the California Least Tern nesting areas, as identified on the Environmentally Sensitive Habitat Area Map (Exhibits 22 a, b and c). The existing and potential sensitive values in these areas shall be protected, enhanced, and where feasible, restored.

The Venice Canals, along with the adjacent Ballona Lagoon, support some of the last remaining pockets of coastal wetland habitat in Los Angeles County. The Venice Canals are part of the Ballona Lagoon sea water system and are connected with Ballona Lagoon via Grand Canal. For sixty years the canals waterways had been subject to bank erosion, runoff and stagnant water conditions. The Venice Canals Rehabilitation Project was completed in 1993 to rectify these conditions. In September 1986, a supplemental environmental impact report was prepared for the Venice Canals Rehabilitation Project (City of Los Angeles, Department of Public Works). According to this report, six species of fish were present in the canal system: topsmelt, California killifish, arrow goby, bay pipefish, longjaw mudsucker and diamond turbot. According to the same study, a great array of bird species have been identified in the immediate vicinity of the canal system. Most of these species are observed in the southern portion of Ballona Lagoon. The majority of the bird utilization of the Venice Canals is by domestic birds such as ducks and geese. Yet, occasionally individual California Least Terns are observed in the canal area.

Ballona Lagoon is an easily accessible natural area of estuarine and intertidal habitat. Currently, the lagoon environment is degraded by bank erosion, poor water quality, inadequate tidal exchange, and invasion of non-native plant species. An enhancement plan has been prepared for the lagoon to improve water quality and habitat values, and provide public access. The plan also includes measures to increase biological productivity of the lagoon and Grand Canal. The following information relating to Ballona Lagoon is from this plan.

There are two vegetation types around Ballona Lagoon: upland terrestrial vegetation and intertidal salt marsh vegetation. The upland vegetation is dominated by exotic species, especially ice plant. Native plants include alkali weed, sand verbena, and alkali health. The intertidal salt marsh vegetation is dominated by pickleweed, with jaumea prevalent at the north end of the lagoon. The lagoon is also rich in invertebrate and fish species, some of which are easily observable from the shore.

Mudflats in Ballona Lagoon are especially important to shorebirds, which forage there in the fall and winter in surprisingly high numbers considering the small size of the lagoon and the limited mudflats available. Open water in the lagoon is utilized by grebes, herons, egrets, gulls, and terns, all of which forage on fish. The green-backed heron, which is uncommon in the region, but occurs regularly on the lagoon, fishes from the shore in shallow water. Some waterfowl species, such as bufflehead and red-breasted mergansers, also forage for fish, while mallards feed on aquatic vegetation. (For more detail on existing water conditions, vegetation, wildlife and coastal strand habitat refer to the Ballona Lagoon Enhancement Plan and Coastal Commission Coastal Development Permit 5-95-152 and amendments.)

The California Least Tern (*Sterna albifrons browni*), is a Federal-and-State-listed endangered bird species. Although the Least Tern formerly nested on upper beaches at numerous locations along the California coast, breeding is now limited to a small number of managed sites in Southern California and around San Francisco Bay. Least Terns forage for small fish in the marina, Ballona Creek, Ballona Lagoon and the canals, and nest on a State-owned portion of Venice Beach just north of the Marina Del Rey main channel from late April to August. The Least Tern is afforded Federal and State protection under the Endangered Species Act of 1973 and the U.S. Fish and Wildlife Coordination Act of 1976.

The Venice Coastal Zone, except the area approximately north of Rose Avenue between Second and Sixth Avenues, is susceptible to liquefaction.

The area approximately west of Ocean Front Walk, between Marine Street on the north and Via Marina on the south, is in a 100-Year Flood Plain area according to the Federal Emergency Management Agency (FEMA) Flood Insurance Map.

Flood control along Grand Canal and Ballona Lagoon involves two mechanisms. Water from the ocean enters the lagoon and canals system through a set of gates between the lagoon and the Marina Entrance Channel. This gate is owned and operated by the County Department of Public Works. A second set of gates, on Grand Canal at Washington Boulevard, owned and operated by the City, regulates water levels in the Venice Canals.

The second mechanism is the network of drainage features and devices located in the land adjacent to Grand Canal and Ballona Lagoon. The Bureau of Engineering requires that drainage facilities be part of a private development in subdivisions or lot-splits. Runoff enters Grand Canal through several outlets that must be designed to be non-erosive. Dwellings in the area are generally elevated and inundation by floodwaters is limited to a few garages.

Coastal Act Policies

This part of the LUP addresses the following sections of the California Coastal Act, which are included as part of the Land Use Plan:

Section 30230. *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological*

productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30236. *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.*

Section 30240.

- a. *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- b. *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

Section 30411.

- b. *The Department of Fish and Game, in consultation with the Commission and the Department of Boating and Waterways, may study degraded wetlands and identify those which can most feasibly be restored in conjunction with development of a boating facility as provided in subdivision (a) of Section 30233. Any such study shall include consideration of all of the following:*
 - 1. *Whether the wetland is so severely degraded and its natural processes so substantially impaired that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities.*
 - 2. *Whether a substantial portion of the degraded wetland, but in no event less than 75 percent, can be restored and maintained as a highly productive wetland in conjunction with a boating facilities project.*
 - 3. *Whether restoration of the wetland's natural values, including its biological productivity and wildlife habitat features, can most feasible be achieved and maintained in*

conjunction with a boating facility or whether there are other feasible ways to achieve such values.

Section 30233.

- a. *The diking, filling, dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*
1. *New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
 2. *Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
 3. *In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.*
 4. *In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
 5. *Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
 6. *Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
 7. *Restoration purposes.*
 8. *Nature study, aquaculture, or similar resource-dependent activities.*
- b. *Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.*

- c. *In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.*
- d. *Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the Littoral Zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method or placement, time of year of placement, and sensitivity of the placement area.*

Section 30235. *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Section 30253. *New development shall:*

1. *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
2. *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.*

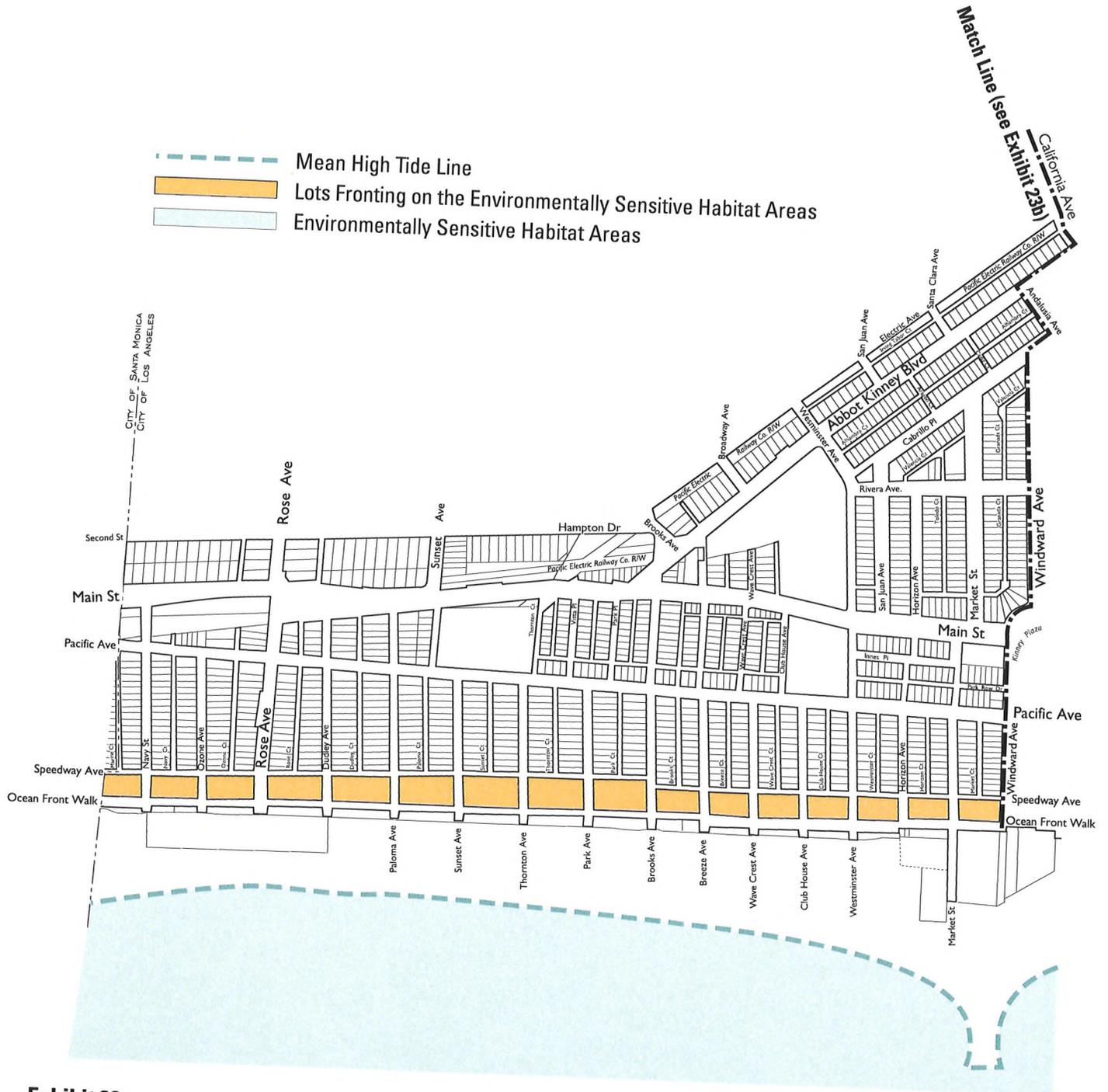


Exhibit 22a
Environmentally Sensitive Habitat Areas

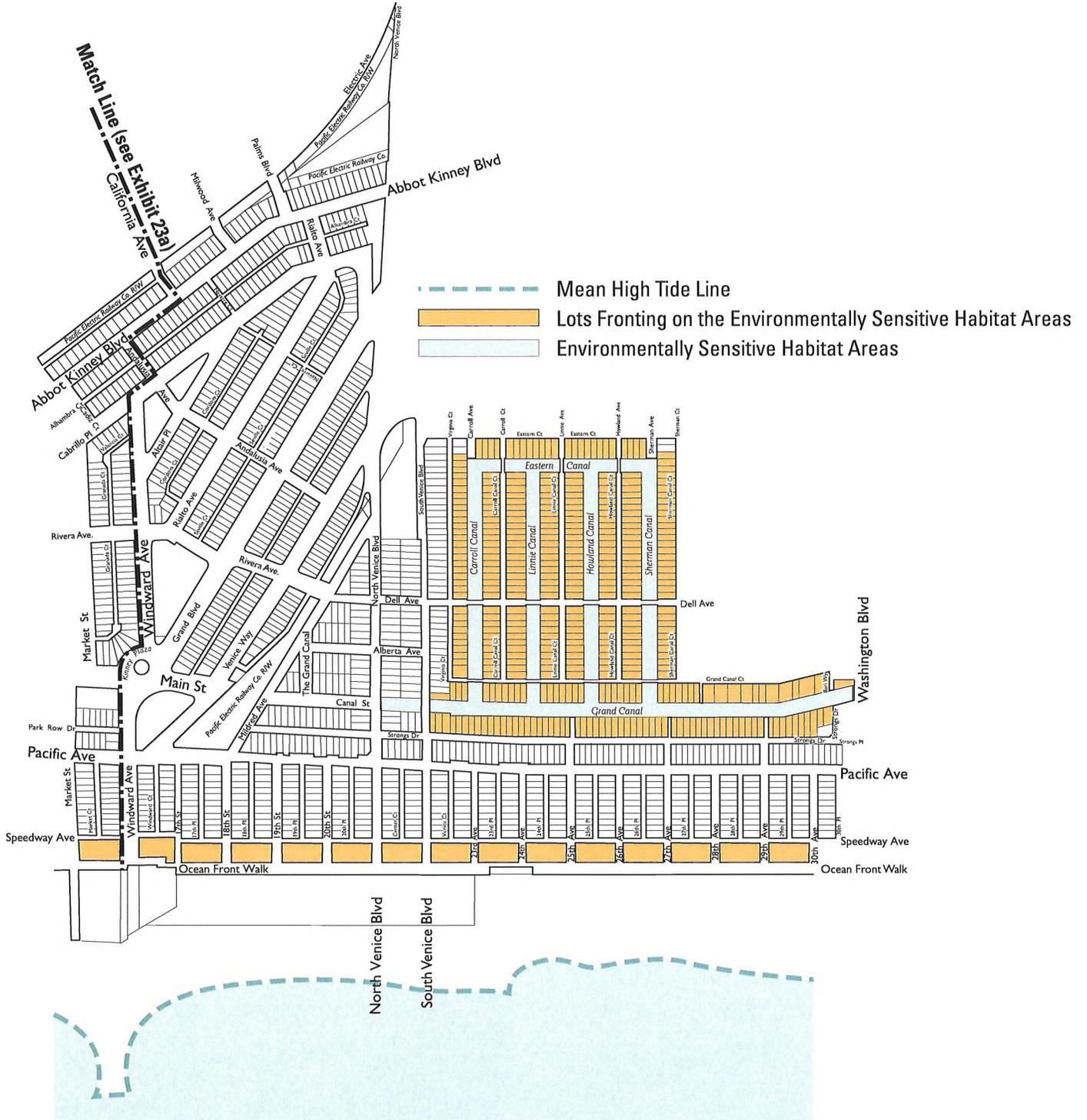


Exhibit 22b
Environmentally Sensitive Habitat Areas



VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)

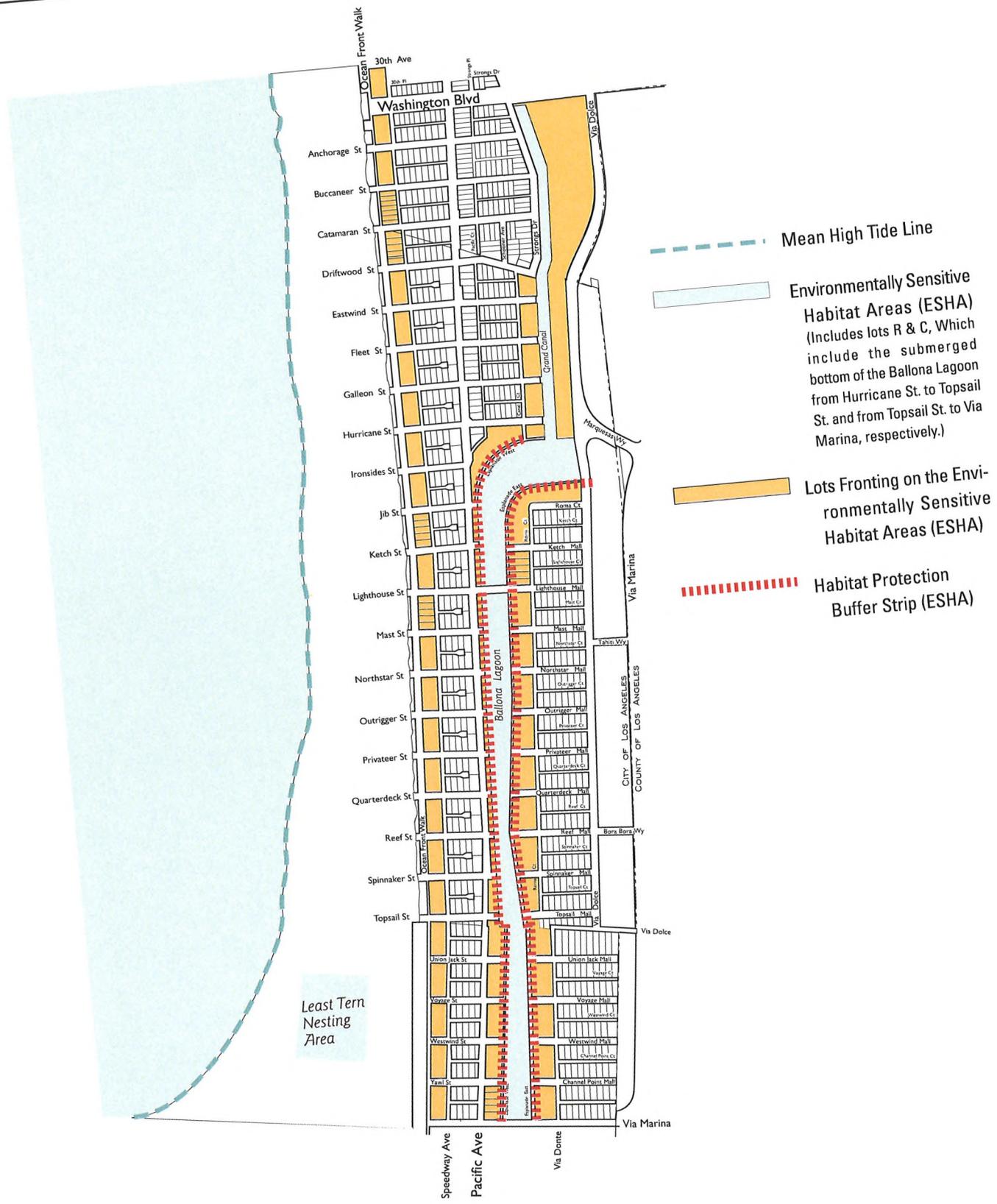


Exhibit 22c
Environmentally Sensitive Habitat Areas



Not to Scale

LAND USE PLAN POLICIES AND IMPLEMENTATION STRATEGIES

Venice Canals (Exhibit 22b)

The Venice Canals Rehabilitation Plan, proposed by the City of Los Angeles, Department of Public Works was approved by the Coastal Commission in 1991 (See Coastal Commission Coastal Development Permit 5-91-584). The rehabilitation project, completed in December 1993, involved dredging of the canals, construction of new canal banks and new public walkways along the banks, reconstruction of several bridges and revegetation along the canal banks. The restoration of the Venice Canals was completed by the Bureau of Engineering. The Board of Public Works awarded a contract for regular maintenance of the waterways, landscaping and removal of litter and debris. The best approach to long-term maintenance of the canals is still being studied at this time. Prior to the rehabilitation project, the Bureau of Street Maintenance (BSM) maintained the canals. This responsibility fell to them because the canals are considered "streets". During construction, maintenance was handled by the Bureau of Engineering (BOE), through a restoration project contractor. BSM has indicated that they do not want to resume maintenance responsibility. BOE does not generally perform maintenance activities and does not have the appropriate staff for this operation. The Department of Recreation and Parks may have personnel that are adequately trained and equipped to maintain wetland habitat; however, they do not have funding.

The formation of a maintenance assessment district has been suggested but is controversial within the community. Ultimately, the City is responsible, under a Coastal Permit, for maintaining the canals. The Department of Public Works will continue to work on this issue with the community, the Council Office and California Coastal Commission staff. It should be noted that the Coastal Commission retains permit jurisdiction for tidelands and submerged lands.

Policy IV. A. 1. Canals Rehabilitation Project. The canal area north of Washington Boulevard shall continue to be maintained as a unique coastal, environmental and social resource, as provided by the Venice Canals Rehabilitation Plan approved by Coastal Commission Coastal Development Permit 5-91-584. The goals and objectives of the rehabilitation plan shall continue to be implemented in order to improve water quality, bank stability, public access, and biological productivity. The canal tidal gates located beneath the Washington Boulevard bridge shall be operated in a manner that sustains and enhances biological productivity in the canals by ensuring maximum water circulation.

Policy IV. A. 2. Permitted Uses. Uses permitted in or adjacent to the canals shall be implemented in a manner to protect the biological productivity of marine resources and maintain healthy populations of marine organisms. Such uses as open space, habitat management, controlled nature study and interpretation, and passive public recreation use of walkways for birdwatching, photography, and strolling shall be encouraged and promoted.

Policy IV. A. 3. Venice Canals Landscape Buffer. To protect the marine habitat, a one and one-half to two-foot-wide safety landscape buffer strip shall continue to be provided and maintained between the canal banks and sidewalks. Landscaping in the buffer strip shall consist of native

coastal strand marshland or wetland vegetation as specified in the Venice Canals Rehabilitation Plan approved by Coastal Commission Coastal Development Permit 5-91-584.

Policy IV. A. 4. Venice Canals Setback and Yard Area. In order to provide a setback for access, to protect visual quality and the biological productivity of the canals, and to limit water runoff, a setback with an average depth of 15 feet (and a minimum depth at any point of 10 feet) shall be provided and maintained in the front yard areas of private residences (adjacent to the canal property line). This setback shall provide a permeable yard with an area at least 15 feet times the width of the lot line at the canal side. (See also Policy I.A.4a for details).

Policy IV. A. 5. Canal Zoning. The canal waterways are rezoned Open Space (OS). This zoning designation serves to protect the recreational, residential and scenic uses of this coastal area while providing for other uses which would benefit the public without significant impairment of the recreational and residential uses.

**Ballona Lagoon and
Grand Canal South of
Washington Boulevard
(Exhibit 22c)**

Ballona Lagoon is an easily accessible natural area of estuarine and intertidal habitat. Currently, the lagoon environment is degraded by bank erosion, poor water quality, inadequate tidal exchange, and invasion of non-native plant species. In March 1988, the State Coastal Conservancy authorized a grant to the Ballona Lagoon Marine Preserve (BLMP) to prepare a resource enhancement plan for Ballona Lagoon. The Ballona Lagoon Enhancement Plan was completed on August 1992 and adopted by the Coastal Conservancy in October 1993. The overall goal of the Enhancement Plan is to clean up the lagoon for wildlife, fisheries and people. (See Coastal Commission Coastal Development Permit 5-95-152 and amendments).

The public streets, landscaped public pedestrian malls, public parking facilities, and infrastructure for the lots located east of the lagoon, in the Silver Strand Subarea (Exhibit 4), are subject to the requirements of Coastal Development Permit (CDP) Nos. A-266-77, 5-87-112, and 5-86-641 and amendments issued by the Coastal Commission. These permits have been granted subject to the conditions to ensure that the new development around the lagoon area conforms to the public access and habitat protection policies of the Coastal Act. The development approved by these permits has occurred. Refer to the Land Use and Development Standards Section (Policy Group I) of this LUP.

The portion of Grand Canal between Hurricane Street and Washington Boulevard has not been included in either the Venice Canals Rehabilitation Plan or the Ballona Lagoon Enhancement Plan. The Bureau of Engineering is working with the Sixth District Council Office, the Ballona Lagoon Marine Preserve and the State Coastal Conservancy to improve this section of Grand Canal for improved public access and habitat protection.

Policy IV. B. 1. Ballona Lagoon.

- a. **Ballona Lagoon Enhancement Plan.** The Ballona Lagoon shall be restored, protected and maintained for shallow tidal and intertidal marine habitat, fisheries and public access as provided in the Ballona

Lagoon Enhancement Plan (See Coastal Commission Coastal Development Permit 5-95-152 and amendments). The plan is intended to improve water quality and tidal flushing; reduce the amount of garbage, sediment and other pollutants in the lagoon; maintain and expand habitat values for the endangered least tern, shorebirds and fisheries; restore native vegetation; protect banks from erosion; maintain and if possible increase the existing 50-year flood protection; and enhance public trails and interpretative overlooks without invading the privacy of adjoining residents. The goals and policies of the Enhancement Plan shall be carried out in a manner consistent with the policies of this LUP. The Ballona Lagoon tidal gates located beneath Via Marina shall be operated in a manner that sustains and enhances biological productivity in the lagoon by ensuring maximum water circulation.

- b. Permitted Uses.** Only uses compatible with preservation of this habitat shall be permitted in and adjacent to the lagoon. Uses permitted in or adjacent to the lagoon shall be carried out in a manner to protect the biological productivity of marine resources and maintain healthy populations of marine organisms. Such uses as open space, habitat management, controlled nature study and interpretation, and passive public recreation such as birdwatching, photography, and strolling shall be encouraged and promoted. No fill shall occur in Ballona Lagoon unless it is consistent with Coastal Act Section 30233 and is the least environmentally damaging alternative. No untreated runoff shall be directed into the lagoon.

Implementation Strategies

The California Coastal Commission reviewed the Enhancement Plan and on January 10, 1996, granted Coastal Development Permit No.5-95-152, for restoration of Ballona Lagoon and lagoon bluffs along the east bank, subject to conditions.

Policy IV. B. 2. Ballona Lagoon Buffer Strip. The City shall implement methods of permanent protection of the lagoon, including acceptance of all outstanding and future offers to dedicate open space and public access buffer strips along the east and west banks.

- a. East Bank.** The habitat protection buffer strip, a 40-foot wide dedicated open space and public easement shall continue to be provided and maintained adjacent to the east bank of Ballona Lagoon, in the Silver Strand Subarea, as required by Coastal Development Permit (CDP) Nos. A-266-77, 5-87-112, and 5-86-641. For additional details, see Policy I.A.4b.
- b. West Bank.** A habitat protection buffer strip shall be provided and maintained between the lagoon and all development permitted on the properties situated on the west bank of Ballona Lagoon. Because of the steep embankment and the need to provide some buffering from the automobile traffic on Pacific Avenue, the strategy along the western shore is to limit physical access. Most of the lots located on the west side of the lagoon, particularly between Ironsides and Topsail Streets, are quite narrow. Given the location and size of these parcels, first priority for use of these parcels is permanent open space.

However, in case of any development, all structures located south of Ironsides Street to Via Marina shall be set back at least twenty-five feet from the property line nearest the lagoon. North of Ironsides Street, an average setback of 15 feet, but not less than 10 feet, shall be maintained. (See LUP Policies I.A.4.c, I.A.4.d and I.A.7.b for specific lagoon buffer and setback requirements).

- c. West Bank Properties South of Ironsides Street to Topsail Street.** These properties, commonly known as the Alphabet Lots, consist of the vacant lots located on the west bank of Ballona Lagoon between Ironsides Street and Topsail Street. The use of these parcels shall be permanent Open Space with restoration of the native vegetation. Non-intrusive public access may be permitted in a manner that protects the environmentally sensitive habitat areas (See also Policy I.A.4.d).
- d. Permitted Uses.** Permitted uses within the buffer strip shall be limited to open space, habitat management, nature study and interpretation for educational purposes and pedestrian walkways for passive recreation such as birdwatching, photography and strolling. Landscaping in the buffer strip shall consist of native plants and shrubs. Non-native species shall be phased out and the area restored as feasible. (For more detailed, refer to the Ballona Lagoon Enhancement Plan.)

Policy IV. B. 3. Ballona Lagoon Development Standards. The setbacks and height of buildings adjacent to the lagoon shall continue to be limited as provided in Policies I.A.4b, c, and d so that development is compatible with the continuance of the environmentally sensitive habitat area and avoids adverse impacts on avian flight patterns.

Implementation Strategies

The lagoon waterway from Hurricane Street south to the Marina del Rey entrance channel, known as Lots R and C, has been recorded as permanent recreational open space and shall be maintained as a permanent conservation open space easement.

The City shall maintain ownership of the vacant lots along the west side of the lagoon, between Ironsides and Topsail Streets, known as the Alphabet Lots, for preservation as permanent open space. Most of these lots are narrow, between 3 feet and 30 feet wide. The Department of Fish and Game has consistently required a 30-40 foot wide minimum buffer along both sides of Ballona Lagoon to protect its habitat value. The development of these lots is difficult because of the buffer requirement, the narrowness of the lots and the steepness of the slope. The City shall keep these sites for habitat conservation.

Policy IV. B. 4. Lagoon and Grand Canal Zoning. The lots beneath the waterways of the Ballona Lagoon and Grand Canal south of Washington Boulevard shall be rezoned as Open Space (OS). This zone protects recreational and scenic uses of the coastal area while providing for other uses which would benefit the public without significant impairment of the recreational and residential uses.

Policy IV. B. 5. Boating Prohibited. Boating shall not be permitted within the lagoon because of its disruption to wildlife utilizing this resource.

Policy IV. B. 6. Domestic Animals. A program should be developed to protect the wetland area of Ballona Lagoon and the Grand Canal south of Washington Boulevard from intrusion by domestic animals and pets, particularly cats and dogs.

Policy IV. B. 7. Grand Canal Rehabilitation. The Grand Canal between Hurricane Street and Washington Boulevard shall be restored and maintained in order to improve water quality, aquatic habitat, and public pedestrian access along the waterway in a manner that is sensitive to the privacy of adjoining residents.

Storm Water Runoff and Circulation

Policy IV. C. 1. Stormwater Runoff. All new public and private development, substantial rehabilitation, redevelopment or related activity, which discharges stormwater runoff into the Ocean, Ballona Lagoon, Grand Canal south of Washington Boulevard or the Venice Canals shall be designed and conducted in compliance with the County-wide Municipal National Pollution Discharge Elimination System (NPDES) Stormwater Permit, issued by the California Regional Water Quality Control Board (RWQCB), the RWQCB approved Standard Urban Stormwater Mitigation Plan, and the NPDES General Permit for Stormwater Discharges Associated with Construction Activity, issued by the State Water Resources Control Board (SWRCB), where applicable. Methods to improve water quality, such as the mitigation of the first-flush stormwater runoff entering coastal waterways, shall be imposed as conditions of development by the City of Los Angeles in accordance with SWRCB and RWQCB recommendations and regulations, and the Santa Monica Bay Restoration Project Action Plan in order to protect, restore, and where feasible, enhance the water quality and habitat of these waterways.

Policy IV. C. 2. Water Quality. The methods to improve water quality, recommended in California's Plan for the Control of Non-Point Source Pollution (January 2000), such as watershed planning and management programs, and habitat restoration projects, shall be considered and implemented by the City of Los Angeles where feasible opportunities exist. Selected Best Management Practices (BMPs) or suites of BMPs shall be designed to treat, infiltrate or filter the stormwater runoff from each runoff event up to and including the 85th percentile, 24-hour runoff event for volume based BMPs and/or the 85th percentile, 1 hour event, with an appropriate safety factor, for flow-based BMPs.

Implementation Strategies

Prior to issuance of building permits for all developments adjacent to the canals area, Grand Canal and Ballona Lagoon, a grading and drainage plan indicating that low flow surface runoff is prevented from traveling directly from the lot into the coastal waterways by one or more of the following methods are recommended:

Installation of green strip filters or equivalent pollution-reducing devices in all new private and public parking areas adjacent to the canals and lagoon; upgrading of existing illicit storm drain connections with french

drains; surface runoff directed to an existing storm drain; lot sloped to drain toward the alley; and, front yards adjacent to the canals and lagoon shall be required to have a permeable surface, or where the surface is not permeable, provide a drainage system to prevent runoff directly into the lagoon or canals. An engineering and soils report to determine suitability of soils for french drains may be required.

The Bureau of Sanitation's Stormwater Management Division is the lead City agency regarding the municipal NPDES requirements of the Federal Clean Water Act. This permit commits the City to a variety of activities designed to address stormwater issues, including the preparation of Citywide Stormwater Management Plans. These plans, in part, will address stormwater-related development issues, including a discussion of various regulatory options such as standards. Development activities within the Venice coastal area will be subject to the applicable provisions of this plan. Activities within the Venice coastal area will also be subject to statewide plan(s) generated under the Coastal Zone Management Act (CZMA) reauthorization of 1990. The required plan(s) will address stormwater management issues; the Coastal Commission is the lead agency for the State.

Improvement of the water quality of storm drain runoff entering the canals, as well as the ocean from the drainage pipes at Thorton Avenue and Market Street, shall be achieved as part of the citywide Stormwater Management Program through the implementation plans and use of various Best Management Practices (BMPs). Funding is derived from various fees and grants.

The City is an active member of the Santa Monica Bay Restoration Project, and is working to implement the Project's Action Plan. This plan includes many BMP's designed to reduce pollution from storm drain runoff into the Santa Monica Bay, Venice Canals and Ballona Lagoon.

California Least Tern

Policy IV. D. 1. Venice Canals Habitat. The Venice Canals have been identified by the Least Tern Recovery Team as a foraging habitat for the Least Tern. Development within or adjacent to the canals that might affect this foraging habitat shall not be permitted.

Policy IV. D. 2. Ballona Lagoon Habitat. The Ballona Lagoon has been identified by the Least Tern Recovery Team as a critical habitat for the Least Tern for feeding. Development within or adjacent to the lagoon that might adversely impact the quality of this foraging habitat shall not be permitted.

Policy IV. D. 3. Venice Beach. The Least Tern nesting habitat on Venice Beach shall be preserved and shall not be disturbed by encroachments of public improvements and activities.

Implementation Strategies

The California Department of Fish and Game and the U.S. Fish and Wildlife Service shall make the final determination as to whether or not there is an adverse impact to the habitat in accordance with the Endangered Species Act of 1973 and the U.S. Fish and Wildlife Coordination Act of 1976.

The City shall seek funding from various sources to implement the Ballona Lagoon Enhancement plan proposals which would enhance foraging habitat values.

The LUP contains appropriate development and activity regulations (e.g. setback requirements, restrictions on boating, etc.) for those areas adjacent to the Least Tern critical habitat.

Maintenance

Policy IV. E. 1. The banks, waterways and public walkways of the Venice Canals, Ballona Lagoon and Grand Canal south of Washington Boulevard shall be periodically maintained by the City or other appropriate entity, to keep these areas free of accumulated trash and wastes, thereby maintaining the biological, water quality, recreational and aesthetic resources of these areas.

Implementation Strategies

The City shall seek permanent sources of funding to be used to provide cleanup and maintenance of the banks, waterways, and public walkways along the Venice Canals, Grand Canal south of Washington Boulevard and Ballona Lagoon.

Programs for public participation in periodic cleanup of these areas shall be encouraged, and the coastal shall explore opportunities for establishing permanent maintenance agreements with appropriate entities such as non-profit groups, Conservation Corps, etc.

The Department of Public Works shall continue to fund a maintenance contract for regular maintenance of the waterways, landscaping and removal of litter in Venice Canals area.

The Isthmus Landowners Association or their designee or successor shall maintain the 40-foot buffer strip and the trail area along east side of Ballona Lagoon in Silver Strand subarea.

Diking, Dredging, Filling and Shoreline Structures

Policy IV. F. 1. Diking, dredging and fill shall be permitted only in conjunction with an approved restoration plan and maintenance activity consistent with Coastal Act Section 30233. No construction shall be permitted on sandy beaches, except for construction in conjunction with approved recreational, ecological, and erosion control facilities. No fill shall be permitted in coastal waterways or below the seven foot contour for structures adjacent to the lagoon unless it is consistent with Coastal Act Section 30233 and is the least environmentally damaging alternative.

Implementation Strategies

All diking and dredging shall be done in strict compliance with applicable State and Federal regulations. Further, diking and dredging is likely to occur in the area of retained Coastal Commission jurisdiction.

Hazards

Policy IV. G. 1. Flood Setback. Potential flood hazard to residents along the west bank of the Ballona Lagoon and the east bank of the Grand

Canal shall be alleviated by increasing the development setback in the Silver Strand area and along the banks of the Grand Canal and Ballona Lagoon (see Policies I.A.4 and 7), and by controlling erosion along the banks by the use of native flora.

Implementation Strategies

Regulations regarding the use of native flora, setbacks, and higher floor and driveway elevations to mitigate potential for erosion and flooding, and to provide for habitat protection, shall be consistent with the Venice Canals Rehabilitation Plan approved by Coastal Commission Coastal Development Permit 5-91-584, and the Ballona Lagoon Enhancement Plan approved by Coastal Commission Coastal Development Permit 5-95-152 and amendments.

Policy IV. G. 2. Hazard Mitigation for New Construction. Special development standards shall be developed for those areas within the Venice Coastal Zone which present potential flood and liquefaction hazards.

Implementation Strategies

A pre-grading inspection, subject to the satisfaction of the City of Los Angeles Department of Building and Safety, shall be required for those areas in the Venice Coastal Zone subject to potential liquefaction hazards.

The Department of Building and Safety (B&S) is responsible for determining that a possibility of inundation exists; B&S refers the applicant to Bureau of Engineering (BOE) who completes an inundation report; and B&S obtains any necessary waivers.

Potential flood areas shall be subject to the Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA).

Policy IV. G. 3. Shoreline Protection. The City shall study potential hazards to oceanfront properties caused by wave erosion, tsunamis and flooding. No new shoreline protection projects shall be approved until such studies are completed.

POLICY GROUP V. PUBLIC WORKS

Introduction

This section addresses the following issues: the appearance of streets, landscape, street improvements (including street lighting), public services and utilities (roadways, drainage, domestic water and sewer systems), and the competing needs of residents and visitors for roadway capacities. Public works issues related to the Venice Canals, Ballona Lagoon and stormwater management are discussed in Policy Group IV.

The adequacy of public facilities falls under the jurisdiction of a number of different City agencies. Water and electricity supply are within the purview of the Department of Water and Power (DWP); sewer capacity is evaluated by the Bureau of Engineering (BOE); roadway capacity is determined by the Department of Transportation (DOT); roadway maintenance falls to the Bureau of Street Maintenance (BSM) for minor repairs (potholes), and to BOE/BSM for other maintenance needs; roadway and sidewalk construction is regulated by the BOE; street lighting installation and maintenance is under jurisdiction of the Bureau of Street Lighting; law enforcement is provided by the City of Los Angeles Police Department; Fire protection is provided by the City of Los Angeles Fire Department; the Venice Coastal Zone is served by the Los Angeles Unified School District. Policies and implementation strategies in this section are provided by and shall be implemented by the appropriate City agencies.

The Venice Traffic and Parking Study projected and evaluated Year 2000 traffic conditions for three different land use alternatives. These alternatives consist of: 1) build out of the current zoning code; 2) build out of Alternative A, for a more intense level of office/commercial and residential uses (as compared with the current zoning alternative); 3) build out of Alternative B, for a less intense development of residential dwelling units (as compared with the current zoning alternative) and less office/commercial uses. Alternative B results in substantially lower build out densities than current zoning. The traffic impacts of total build out of the Venice Coastal Zone under current zoning cannot be mitigated. Therefore, Alternative B has been selected as the project alternative and its traffic impact, for the Year 2000 has been analyzed. (Refer to Venice Parking and Traffic Study (April 1995) for details.) The streets and highway designations to accommodate the anticipated traffic levels are identified on the Circulation Map, Exhibit 23.

Coastal Act Policy

The policies in this section of the LUP address the following Coastal Act Policy, which is included as part of the Land Use Plan:

Section 30254. *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not include new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries*

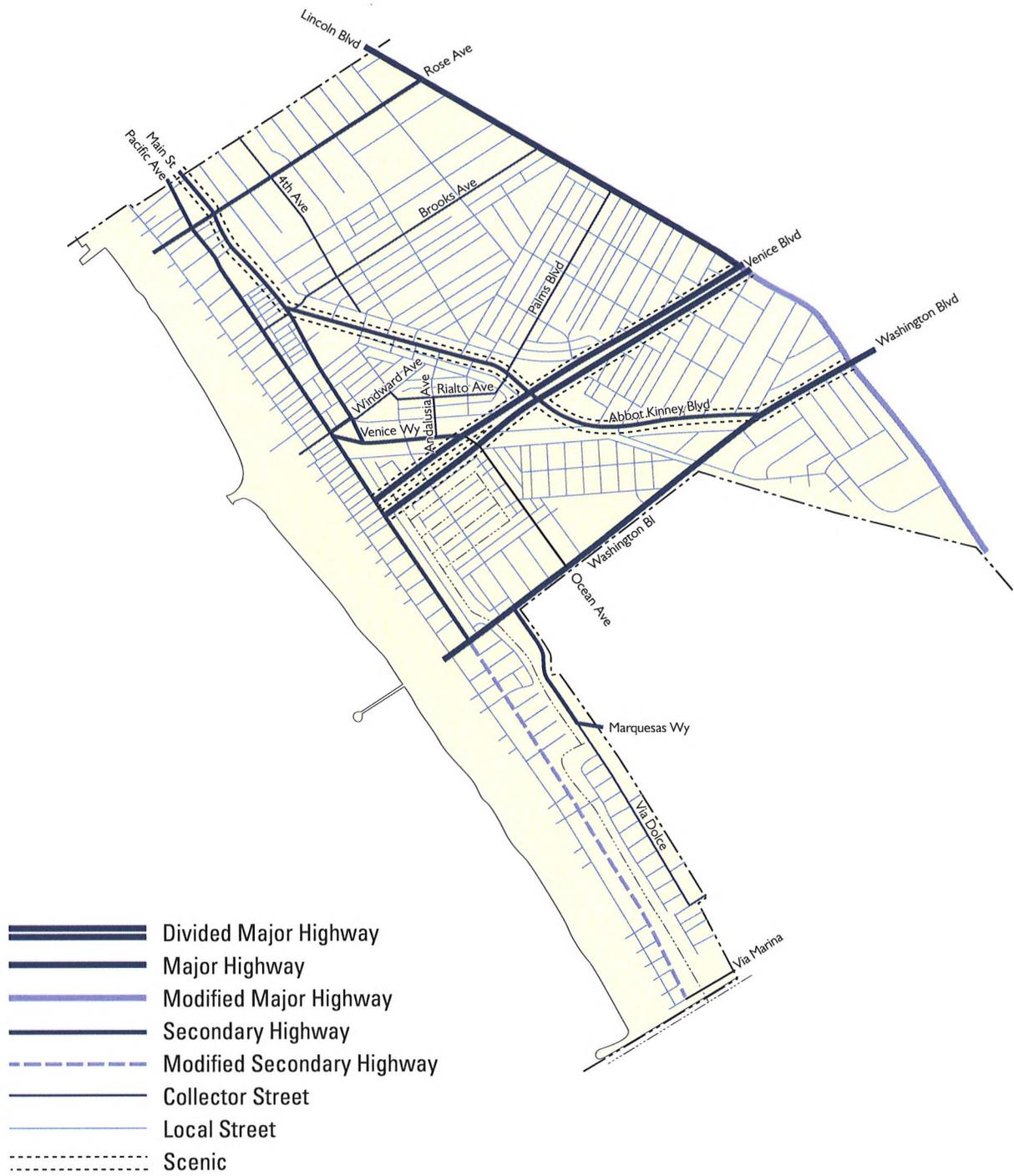


Exhibit 23
Circulation Map



vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Land Use Plan Policies and Implementation Strategies

Policy V. A. 1. General. Public services shall consider the competing needs of residents and visitors for use of roadways, existing parking, service systems, domestic water, public restrooms, etc., and shall allocate resources to expand the use of these existing facilities and create new facilities where necessary in a manner that they do not adversely affect residents. Public works projects shall be reviewed for consistency with the Coastal Act and the Venice Land Use Plan through the coastal development permit process as required by the Coastal Act.

Policy V. A. 2. Street and Highway Improvements. Streets and highways shall be designed and improved to adequately accommodate development and to enhance public access to the shoreline. (Refer to Circulation Map, Exhibit 23, and to Policy II.B.4 for street and highway improvements).

Implementation Strategies

Street improvement projects can be divided into three general categories: capital improvement projects, assessment projects, and private development projects. Capital improvements are wholly financed by public monies and are generally restricted to non-local streets. Improvements to local streets must generally be paid for by local residents through one of several types of assessment proceedings. Private developers may be required to fund street improvements for subdivisions, parcel maps, zone changes or conditional use permits.

In no case shall any density increase be effectuated by a zone change unless appropriate consideration has been given to adequately accommodate the traffic generated thereby on the local streets and major and secondary highways serving the property involved. Only that density shall be permitted that is consistent with this LUP. Additional density considerations for affordable units shall be permitted along or near secondary and major highways.

Policy V. A. 3. Infrastructure. New sewer, storm drain, and water lines shall be installed using the least environmentally disturbing method feasible. The City of Los Angeles Department of Public Works shall develop a comprehensive citywide Storm Water Management Program, as discussed further in Implementation Strategy of Policy IV.C.1 of this LUP, to control stormwater run-off from new public and private developments and, where feasible, to remove pollutants from that run-off. Development of infrastructure shall precede or be constructed concurrently with the construction of developments or in lieu-fee should be paid.

Implementation Strategies

The adequacy of existing infrastructure for all proposed developments shall be investigated during the environmental documentation stage. A full disclosure of all capacity inadequacies shall be discussed within the

individual project environmental documents, together with activities and impact associated with appropriate mitigation measures.

The City of Los Angeles Department of Public Works shall study problems associated with salt water intrusion into sewer pipes and rectify identified problems where economically feasible.

The City of Los Angeles Department of Public Works shall coordinate the citywide Clean Water Program, which is a comprehensive 10-year plan to modernize and renovate the entire wastewater system, thereby enhancing and protecting coastal water quality.

The program includes a broad scope of projects and studies all focused on improving the quality of water returned to the environment by the mid-to-late 1990's. Included in the program are the following: (a) replacement of deteriorated sewer lines; (b) upgrading wastewater treatment plant to provide at least secondary treatment; (c) sealing some existing sewer lines to prevent stormwater and groundwater inflow from leaking into and over filling the lines; and, (d) recycling or recovery of biosolids and water; and expanding monitoring and enforcement programs.

Policy V. A. 4. Conservation Programs. Conservation programs for public works services within the Venice coastal zone shall be encouraged and developed.

Implementation Strategies

Conservation policies that will facilitate efficient use of current public works capacities shall include, but not be limited to:

1. The citywide Water Conservation Ordinance, under the purview of the Department of Water and Power, promotes or requires:
 - a. Low-flush toilets
 - b. Low-flow shower heads
 - c. Xeriscape (drought resistant low water landscaping)
 - d. Mandatory recycling of water in water features.
2. The Bureau of Sanitation oversees recycling activities including the following:
 - a. Mandatory recycling facilities in new developments.
 - b. Establishment of a community-wide recycling program, including curbside recycling.
 - c. Recycling or recovery of biosolids and water as proposed in the citywide Clean Water Program.
3. Encouraging use of native plants as a water-saving methodology.

Policy V. A. 5. Streetscapes. Streetscape improvements throughout the Venice Coastal Zone shall be maintained and enhanced to enhance pedestrian activity and contribute to a high quality of life and visual image for residents and visitors.

Public and private developments within the Venice Coastal Zone shall be required to include elements that will contribute to and enhance streetscape improvements in accordance with a Venice Coastal Zone streetscape plan.

Implementation Strategies

A streetscape plan for public and private developments should be developed for the Venice Coastal Zone in conjunction with the Bureaus of Engineering, Street Maintenance, and other Departments with jurisdiction over street design should include the following:

“It is the intent of the City that whenever a ... street ... is to be improved, complete street improvements should be installed whenever feasible whether a project is initiated by a public agency or a private party.... Any item may be eliminated from an improvement project if the item would not contribute to the safety or welfare of the community, or if unusual conditions make its installation impractical or unnecessary.”

The Venice coastal zone streetscape plan should also include the following:

1. Consideration of roadway and sidewalk widths based on pedestrian and vehicular needs.
2. Promotion of pedestrian and bicycle access and transit use emphasizing circulation along major retail corridors, as well as establishing and reinforcing connections between the beach, walk streets, canals and lagoon, and other areas of pedestrian activity.
3. Provision of amenities for pedestrians, cyclists and transit users such as street trees, mini parks, improved lighting, special paving, graphics, and street furniture.
4. A boulevard beautification program should be included in the Local Implementation Plan involving street tree planting, landscaping, or construction of gardens. Trees which are a minimum of 24-inch box size are encouraged. Trees should be drought tolerant and associated with California coastal areas. A distinction should be made on the plan map between the species of trees to be planted along all major and secondary highways and local and collector streets. The following streets should be targeted for the beautification program.
 - a. Lincoln Boulevard
 - b. Rose Avenue
 - c. Pacific Avenue
 - d. Venice Boulevard
 - e. Washington Boulevard
 - f. Abbot Kinney Boulevard

- g. Main Street
- h. Venice Way

5. Require that all surface parking lots incorporate landscaping in their interior and along their perimeter.
6. Require that all new development in the Venice coastal zone provide open space and landscaping which contributes to a high quality visual environment. New residential developments should incorporate landscaping that supplements and enhances existing deficient landscaping or complements the existing landscape where a high visual quality exists. Commercial developments should provide landscaping along their street frontages such that it is designed to enhance pedestrian activity.

RICHARD RIORDAN, Mayor
James Kenneth Hahn, City Attorney
Rick Tuttle, Controller

CITY COUNCIL

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Deborah Lee, Deputy Director
Teresa Henry, District Manager
Pam Emerson, Los Angeles County Area Supervisor
Charles Posner, Coastal Program

DEPARTMENT OF CITY PLANNING

Con Howe, Director of Planning
Franklin Eberhard, Deputy Director
Gordon B. Hamilton, Deputy Director
Robert H. Sutton, Deputy Director

**COMMUNITY PLANNING BUREAU
WEST COASTAL UNIT**

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Betsy Weisman, Principal Planner
Merryl Edelstein, Senior City Planner
Helene T. Bibas, City Planner
Bob Duenas, City Planner*
Frank Parrello, City Planner*
Haideh Aghassi, City Planning Associate*
Socorro Smith-Yumul, Planning Assistant

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Paul Burns, GIS Supervisor I
Cathy Luijt, GIS Supervisor I
Art Espinoza, GIS Specialist

ADMINISTRATIVE SERVICES

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Rey Hernandez, Graphics Designer III*
Michael Uhlenkott, Graphics Designer III
Luis Quinones, Graphics Designer II
Joyce Odell, Cartographer

DUPLICATING

Larre Pendleton, Senior Clerk

PUBLICATION

Jae H. Kim, City Planning Associate
Hilda Garcia, Principal Clerk
Gary Xiao, Clerk Typist

* Former Staff

Updated Oct 2001

EXHIBIT X

BILL ANALYSIS

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|SENATE RULES COMMITTEE | SB 1818|
|Office of Senate Floor Analyses |
|1020 N Street, Suite 524 |
|(916) 445-6614 Fax: (916) |
|327-4478 |
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UNFINISHED BUSINESS

Bill No: SB 1818
 Author: Hollingsworth (R), et al
 Amended: 8/23/04
 Vote: 21

SENATE HOUSING & COMM. DEV. COMMITTEE : 6-0, 4/19/04
 AYES: Ducheny, Hollingsworth, Alarcon, Cedillo, Dunn,
 Torlakson
 NO VOTE RECORDED: Ackerman, Florez, Vacancy

SENATE APPROPRIATIONS COMMITTEE : Senate Rule 28.8

SENATE FLOOR : 38-0, 5/19/04
 AYES: Aanestad, Ackerman, Alarcon, Alpert, Ashburn,
 Battin, Brulte, Burton, Cedillo, Chesbro, Denham,
 Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth,
 Johnson, Karnette, Kuehl, Machado, Margett, McClintock,
 McPherson, Morrow, Murray, Oller, Ortiz, Perata,
 Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson,
 Vasconcellos, Vincent
 NO VOTE RECORDED: Bowen, Vacancy

ASSEMBLY FLOOR : 68-4, 8/24/04 - See last page for vote

SUBJECT : Density bonuses

SOURCE : California Association of Realtors
 California Rural Legal Assistance Foundation
 Western Center on Law and Poverty

DIGEST : This bill makes various changes in the law
 CONTINUED

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relating to the provision of affordable housing and in the density bonus law.

Assembly Amendments make numerous changes without altering the intent.

ANALYSIS : Given California's high land and construction costs for housing, it is extremely difficult for the private market to provide a product that is affordable to low and even moderate income households. Public subsidy is often required to fill the gap on affordable units. Density bonus law, however, allows public subsidies to be reduced or even eliminated by allowing a developer to include more total units in a project than would otherwise be allowed by the zoning in order to spread the cost of the affordable units over the project as a whole. The idea is to give developers regulatory incentives in place of additional subsidy for providing affordable housing.

Under existing law, cities and counties are required to grant a density bonus and at least one other specified incentive, or other housing incentives of equivalent value, to a developer who agrees to construct an affordable housing development of five or more units unless the local government makes a finding that the bonus and incentives are not needed to achieve affordability. To qualify for the benefits of this provision, a proposed housing development must contain at least 10 percent of the units affordable to very low income households, 20 percent of the units affordable to low income households, 20 percent of the units in a condominium development affordable to moderate income households, or 50 percent of the units reserved for seniors.

The density bonus must be at least 25 percent over the existing maximum density for the site, except that the density bonus for condominium projects with 20 percent of

the units affordable to moderate income households is 10 percent. The additional incentive the local government must provide may include any of the following:

- 1.A reduction in site development standards.
- 2.A modification of zoning code requirements (including a

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reduction in setbacks, square footage requirements, or parking spaces, or architectural design requirements that exceed the minimum building standards)

- 3.Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if such nonresidential uses are compatible with the project.
- 4.Other regulatory incentives or concessions proposed by the developer or the city or county that result in identifiable cost reductions.

A density bonus does not require, in and of itself, a general plan amendment, zoning change, or other discretionary approval.

This bill makes various changes in the law relating to the provision of affordable housing and density bonuses: Specifically, this bill:

- 1.Lowers the number of housing units required to be provided at below market rate in order to qualify for a density bonus as follows:
 - A. From 20 percent to 10 percent of the total units of a housing development, for lower income households.
 - B. From 10 percent to five percent of the total units of a housing development, for very low income households.
 - C. From 50 percent of the total units for seniors to any senior citizen housing development as allowed under existing law.
 - D. From 20 percent to 10 percent of the units in a condominium development, for moderate-income households.
- 2.Lowers the density increase from 25 percent to 20 percent for low, very low or senior housing and lowers

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to five percent for moderate income, with respect to the number of extra units that may be included over the otherwise maximum allowable residential density under the local zoning ordinance.

- 3.Requires that the density bonus increase incrementally according to the following:
 - A. For each one percent increase above 10 percent for lower income households, the density bonus shall increase by 1.5 percent to a maximum of 35 percent.
 - B. For each one percent increase above five percent for very low income households, the density bonus shall increase by 2.5 percent to a maximum of 35 percent.
 - C. For each one percent increase above 10 percent for moderate-income households, the density bonus shall increase by one percent to a maximum of 35 percent.
- 4.Requires local governments to provide a developer the following number of incentives or concessions if below market rate units are included within the project:
 - A. One incentive or concession if the project includes at least 10% of the total units for

low-income, or five percent very low-income, or 10 percent for moderate-income households.

- B. Two incentives or concessions if the project includes at least 20 percent of the total units for low-income, or 10 percent very low-income, or 20 percent for moderate-income households.
 - C. Three incentives or concessions if the project includes at least 30 percent of the total units for low-income, or 15 percent very low-income, or 30 percent for moderate-income households.
- 5.Requires that the local government ensure that the initial occupants of the moderate-income units are actually moderate income.

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- 6.Allows, upon sale of the unit, the seller to keep the value of any improvements, the down payment, and the seller's proportionate share of appreciation.
- 7.Provides that the local government shall recapture its proportionate share of appreciation, which shall be used within three years for promotion of affordable homeownership.
- 8.Provides a 15 percent density bonus to the developer of any market rate housing project who donates land to a local government that could accommodate housing for very low income households equal to at least 10 percent of the number of units in the market rate development. For each one percent increase above the 10 percent the density bonus shall increase by one percent up to a maximum combined mandated density increase of 35 percent.
- 9.Provides that to be eligible for the bonus allowed above, all of the following conditions must be met:
- A. The applicant must donate and transfer the land no later than the approval of the final subdivision map, parcel map or development application.
 - B. The land being donated is suitable to accommodate at least 10% of the number of residential units of the proposed development.
 - C. The transferred land is at least one acre or can accommodate 40 units, has the appropriate general plan designation, is appropriately zoned for affordable housing, can be served by infrastructure, and the land has all the necessary permits and approvals.
 - D. The land is subject to deed restrictions ensuring continued affordability.
 - E. The land is donated to the local agency or to a housing developer approved by the local agency.
 - F. The transferred land shall be either within the

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boundary or mile of the proposed development.

- 10.Expands the definition of "housing development" to include a subdivision, or a planned unit development, or condominium project.
- 11.Requires that incentives or concessions offered by the local government result in identifiable, financially sufficient, and actual cost reductions.
- 12.Clarifies that local governments may still grant density bonuses greater or lower than what is provided under these provisions.
- 13.Provides that, upon the developer's request, the local government may not require parking standards greater than the following (the developer may, however request

additional parking incentives or concessions):

- A. Zero to one bedrooms: one onsite parking space.
- B. Two to three bedrooms: two onsite parking spaces.
- C. Four or more bedrooms: two and one-half parking spaces.

Comments

To help address the affordable housing shortage, the Legislature enacted the density bonus law to encourage development of more low and moderate income housing units. Under existing law, a local government is required to grant a density bonus or other housing incentive or concession of equivalent value to a developer who agrees to construct housing that is affordable for persons of very low or low income, unless the city finds that the density bonus or housing incentive or concession is unnecessary for specified reasons.

According to the sponsors of this bill, density bonus law could potentially play a stronger role in meeting our state's housing needs, but the law is not as effective as it could be and needs to be strengthened.

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Nothing in this bill affects or otherwise seeks to preempt local ordinances which may require the inclusion of affordable (low, very low or moderate-income) units within a housing development.

Arguments in Support

Added Flexibility . According to the sponsors, California Association of Realtors, California Rural Legal Assistance Foundation and Western Center on Law and Poverty, this bill increases the flexibility and usefulness of density bonus law by both reducing the minimum percentage of targeted units needed to obtain a density bonus and by increasing the amount of density bonus that can be obtained when the percentage of targeted units is increased. Current law provides a flat 25 percent density bonus if the applicant includes 20 percent low, 10 percent very low or 50 percent senior housing in the development and a flat 10 percent density bonus if the applicant includes 20 percent moderate-income units in a condominium development. The sponsors also assert that this bill makes the density bonus more accessible by reducing those percentages to 20 percent density bonus for 10 percent low, five percent very low or senior housing and a five percent density bonus for 10 percent moderate. The bill also expands density bonus law by incrementally increasing the amount of the density bonus, up to a maximum of 35 percent, if the applicant increases the percentage of targeted units.

Current law limits the moderate-income density bonus to condominium developments. This bill expands that to include moderate income planned unit developments. The bill, according to the sponsors, adds flexibility to the law by requiring the first occupant of such units to be moderate income rather than requiring a 10-year term of affordability by moderate-income households.

Cost Reductions . Current law requires local governments to provide applicants for density bonuses with incentives and concessions in addition to a density bonus, but the law does not quantify the value of the incentives and concessions that must be offered. This bill requires that the incentives and concessions "result in identifiable, financially sufficient and actual cost reductions."

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Incentives for Land Donation . To further expand the usefulness of density bonus law, say supporters, this bill creates a new land donation density bonus that provides an incentive for donation of land to local governments for affordable housing. Under the bill, for example, if an applicant for a 1,000 unit development donates five acres

of land within that development sufficient to permit construction of 100 very low- or low-income units, the applicant would be entitled to a 15 percent density bonus, or 150 units. The land donation density bonus could be increased incrementally up to a maximum of 35 percent if the applicant increases the amount of land donated, and could be used in conjunction with the general density bonus, up to a combined maximum of 35 percent.

Arguments in Opposition

Costs . Opponents express concerns over the costs implied by this bill. They state that the bill fails to provide sufficient funding to pay up front for the costs of revising existing local density bonus ordinances.

Bonus is too High . Local governments also object to the high-density bonuses in relation to the small percentage of affordable housing. They claim that a 20 percent density bonus is too high given what is provided in affordable units has been reduced in half from the original density bonus law requirements.

Mandated Concessions . The opponents note that the bill includes a new mandate requiring the city and county to grant one, two or three concessions, depending on the amount of affordable housing provided or risk being sued by the developer. It also removes a provision of existing law that allows a city or county to make a written finding, based on substantial evidence that the concession is not necessary. This will require, according to the opposition, local governments to give the developer whatever the developer wants.

Price Controls on Moderate-Income Housing . The local governments object to having to manage price controls on sale of moderate-income condominiums. They state that

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existing law regarding the continued affordability of the moderate-income units for 10 years should remain. It allows local agencies to choose how to maintain affordability of moderate-income units rather than specifying a method requiring a resale share.

FISCAL EFFECT : Appropriation: No Fiscal Com.: Yes
Local: Yes

SUPPORT : (Verified 5/12/04) (Unable to reverify at time of writing)

California Association of Realtors (co-source)
California Rural Legal Assistance Foundation (co-source)
Western Center on Law and Poverty (co-source)
Agora Group, The, Goleta
Beacon Housing, Los Angeles
Bet Tzedek Legal Services, Los Angeles
Cabrillo Economic Development Corp, Saticoy
California Affordable Housing Law Project, Oakland
California Church IMPACT
California Labor Federation, AFL-CIO
California Legislative Council for Older Americans
California Partnership, Downey
California Reinvestment Coalition, San Francisco
California Rural Legal Assistance Foundation,
Center for Community Advocacy, Salinas
Central City SRO Collaborative, San Francisco
Chicano Consortium, Sacramento
Civic Center Barrio Housing Corporation, Santa Ana
Coalition for Economic Survival, Los Angeles
Community Housing Improvement Program, Chico
Congregations Building Community, Modesto
Council of Churches of Santa Clara County, Cupertino
East Palo Alto Council of Tenants, East Palo Alto
Emergency Housing Consortium, San Jose
Enterprise Foundation, Los Angeles
Esperanza Community Housing Corporation, Los Angeles
Fair Housing Council of Riverside , Riverside
Father Joe's Villages, San Diego
First Community Housing Inc, San Jose
Fisher Sehgal Yanez Architects Inc, Los Angeles
Fresno Interdenominational Refugee Ministries, Fresno
Fresno West Coalition for Economic Development, Fresno

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Golden State Mobilehome Owners League, Chapter 24, East Palo Alto
 Gray Panthers California
 Greenlining Institute, The, Oakland
 Hillview Mental Health Center Inc, Pacoima
 Housing Leadership Council of San Mateo County, Redwood City
 Housing Rights Committee of San Francisco, San Francisco
 Human Rights/Fair Housing Commission of the City and County of Sacramento
 Inclusive Homes Inc, Los Angeles
 Inquilinos Unidos, Los Angeles
 Jericho
 La Raza Centro Legal Inc, San Francisco
 Loaves and Fishes, Sacramento
 Los Angeles Housing Law Project, Los Angeles
 Los Angeles Housing Partnership Inc, Los Angeles
 Martha's Village and Kitchen, Indio
 Mental Health Advocacy Services Inc, Los Angeles
 Mid-Peninsula Housing Coalition, Redwood City
 Neighborhood Housing Services of Orange County, Anaheim
 New Directions Inc, Los Angeles
 Nightingale Manor, Palm Springs
 O.N.E. Company, Los Angeles
 Orange County Community Housing Corporation, Santa Ana
 Partners in Housing Inc, Ventura
 People of Progress, Redding
 Planning for Elders, San Francisco
 Protection and Advocacy, Sacramento
 Public Advocates, San Francisco
 Public Law Center, Santa Ana
 Rubicon Programs, Inc, Richmond
 Rural Communities Housing Development Corp, Ukiah
 Sacramento Neighborhood Housing Services, Sacramento
 Saint Vincent de Paul Village, San Diego
 San Francisco Homeless Senior Task Force, San Francisco
 Sanders and Associates, Barbara, Oakland
 Santa Cruz Affordable Housing Advocates, Santa Cruz
 Senior Action Network, San Francisco
 Shelter Inc of Contra Costa County, Martinez
 Shelter Partnership Inc, Los Angeles
 Skid Row Housing Trust, Los Angeles
 Southern California Association of Non-Profit Housing, Los Angeles

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Southern California Housing Development Corp, Rancho Cucamonga
 Southern California Indian Center, Inc., Fountain Valley
 Strategic Actions for a Just Economy, Los Angeles
 Tenderloin Housing Clinic, San Francisco
 Valley Housing Foundation, Pacoima
 Vietnam Veterans of California - Sacramento Veterans Resource Center, Sacramento
 W.O.R.K.S., Los Angeles
 West Hollywood Community Housing Corp
 Western Center on Law and Poverty
 WRJ Group Inc, Fountain Valley

OPPOSITION : (Verified 5/12/04)

American Planning Association
 California State Association of Counties
 League of California Cities

ASSEMBLY FLOOR :

AYES: Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Diaz, Dutra, Dutton, Dymally, Frommer, Garcia, Harman, Haynes, Jerome Horton, Shirley Horton, Houston, Keene, Kehoe, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Maddox, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nation, Negrete McLeod, Oropeza, Pacheco, Parra, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolke, Wyland, Nunez
 NOES: Hancock, Maldonado, Nakano, Yee
 NO VOTE RECORDED: Daucher, Firebaugh, Goldberg, Jackson, Koretz, Lowenthal, Pavley, Simitian

NC:cm 8/25/04 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

**** END ****

SENATE THIRD READING
SB 1818 (Hollingsworth)
As Amended August 23, 2004
Majority vote

SENATE VOTE :38-0

HOUSING 8-0 LOCAL GOVERNMENT 9-0

Ayes: Lowenthal, Dutton,	Ayes: Salinas, Lieber, Daucher,
Cogdill, Dutra, Kehoe,	Garcia,
Mullin, Runner, Salinas	La Suer, Leno, Mullin,
	Steinberg, Wiggins

APPROPRIATIONS 13-2

Ayes: Chu, Runner, Berg,	
Firebaugh, Goldberg,	
Haynes, Keene,	
Leno, Negrete McLeod,	
Oropeza, Ridley-Thomas,	
Wesson, Wiggins	
Nays: Laird, Yee	

SUMMARY : Makes various changes in the law relating to the provision of affordable housing and density bonuses. Specifically, this bill :

1)Lowers the number of housing units required to be provided at below market rate in order to qualify for a density bonus as follows:

- a) From 20% to 10% of the total units of a housing development, for lower income households;
- b) From 10% to 5% of the total units of a housing development, for very low income households;

- c) From 50% of the total units for seniors to any senior citizen housing development as allowed under existing law; and,
- d) From 20% to 10% of the units in a condominium development, for moderate-income households.

2)Lowers the density increase from 25% to 20% for low, very low or senior housing and lowers to 5% for moderate income, with respect to the number of extra units that may be included over the otherwise maximum allowable residential density under the local zoning ordinance.

3)Requires that the density bonus increase incrementally according to the following:

- a) For each 1% increase above 10% for lower income households, the density bonus shall increase by 1.5% to a maximum of 35%;
- b) For each 1% increase above 5% for very low income households, the density bonus shall increase by 2.5% to a maximum of 35%; and,
- c) For each 1% increase above 10% for moderate-income households, the density bonus shall increase by 1% to a maximum of 35%.

4)Requires local governments to provide a developer the following number of incentives or concessions if below market rate units are included within the project:

- a) One incentive or concession if the project includes at least 10% of the total units for low-income, or 5% very low-income, or 10% for moderate-income households;
- b) Two incentives or concessions if the project includes at

least 20% of the total units for low-income, or 10% very low-income, or 20% for moderate-income households; and,

- c) Three incentives or concessions if the project includes at least 30% of the total units for low-income, or 15% very low-income, or 30% for moderate-income households.
- 5) Requires that the local government ensure that the initial

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occupants of the moderate-income units are actually moderate income.

- 6) Allows, upon sale of the unit, the seller to keep the value of any improvements, the down payment, and the seller's proportionate share of appreciation.
- 7) Provides that the local government shall recapture its proportionate share of appreciation, which shall be used within three years for promotion of affordable homeownership.
- 8) Provides a 15% density bonus to the developer of any market rate housing project who donates land to a local government that could accommodate housing for very low income households equal to at least 10% of the number of units in the market rate development. For each 1% increase above the 10% the density bonus shall increase by 1% up to a maximum combined mandated density increase of 35%.
- 9) Provides that to be eligible for the bonus allowed above, all of the following conditions must be met:
- a) The applicant must donate and transfer the land no later than the approval of the final subdivision map, parcel map or development application;
 - b) The land being donated is suitable to accommodate at least 10% of the number of residential units of the proposed development;
 - c) The transferred land is at least one acre or can accommodate 40 units, has the appropriate general plan designation, is appropriately zoned for affordable housing, can be served by infrastructure, and the land has all the necessary permits and approvals;
 - d) The land is subject to deed restrictions ensuring continued affordability;
 - e) The land is donated to the local agency or to a housing developer approved by the local agency; and,
 - f) The transferred land shall be either within the boundary or mile of the proposed development.

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- 10) Expands the definition of "housing development" to include: a subdivision, or a planned unit development, or condominium project.
- 11) Requires that incentives or concessions offered by the local government result in identifiable, financially sufficient, and actual cost reductions.
- 12) Clarifies that local governments may still grant density bonuses greater or lower than what is provided under these provisions.
- 13) Provides that, upon the developer's request, the local government may not require parking standards greater than the following (the developer may, however request additional parking incentives or concessions):
- a) Zero to one bedrooms: one onsite parking space;
 - b) Two to three bedrooms: two onsite parking spaces; and,
 - c) Four or more bedrooms: two and one-half parking spaces.

EXISTING LAW (Government Code Section 65915):

- 1) Requires local governments to grant a density bonus and at least one identified incentive or concession if a developer includes the specified percentage of affordable units within the project, unless it makes written findings that the additional incentive is not necessary in order for the rents to be affordable, or if the development would have an adverse effect on health, safety, environment or an adverse impact on any property listed in the California Register of Historical Resources.
- 2) Specifies that development concessions or incentives may include the following:
 - a) A reduction in site development standards;
 - b) A modification of zoning code requirements (including a reduction in setbacks, square footage requirements, or parking spaces, or architectural design requirements that exceed the minimum building standards);

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- c) Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if such nonresidential uses are compatible with the project; or,
- d) Other regulatory incentives or concessions proposed by the developer or the city or county that result in identifiable cost reductions.

FISCAL EFFECT : Unknown

COMMENTS : To help address the affordable housing shortage, the Legislature enacted the density bonus law to encourage development of more low and moderate income housing units. Under existing law, a local government is required to grant a density bonus or other housing incentive or concession of equivalent value to a developer who agrees to construct housing that is affordable for persons of very low or low income, unless the city finds that the density bonus or housing incentive or concession is unnecessary for specified reasons.

According to the sponsors of this measure, density bonus law could potentially play a stronger role in meeting our state's housing needs, but the law is not as effective as it could be and needs to be strengthened.

Nothing in this bill affects or otherwise seeks to preempt local ordinances which may require the inclusion of affordable (low, very low or moderate-income) units within a housing development.

_ Arguments in support:

- 1) Added flexibility: According to the sponsors, California Association of Realtors, California Rural Legal Assistance Foundation, and Western Center on Law and Poverty, SB 1818 increases the flexibility and usefulness of density bonus law by both reducing the minimum percentage of targeted units needed to obtain a density bonus and by increasing the amount of density bonus that can be obtained when the percentage of targeted units is increased. Current law provides a flat 25% density bonus if the applicant includes 20% low, 10% very low or 50% senior housing in the development and a flat 10% density bonus if the applicant includes 20%

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moderate-income units in a condominium development. The sponsors also assert that SB 1818 makes the density bonus more accessible by reducing those percentages to 20% density bonus for 10% low, 5% very low or senior housing and a 5% density bonus for 10% moderate. The bill also expands density bonus law by incrementally increasing the amount of the density bonus, up to a maximum of 35%, if the applicant increases the percentage of targeted units.

Current law limits the moderate-income density bonus to condominium developments. SB 1818 expands that to include moderate income planned unit developments. The bill, according to the sponsors, adds flexibility to the law by requiring the

first occupant of such units to be moderate income rather than requiring a 10-year term of affordability by moderate-income households.

- 2) Cost reductions: Current law requires local governments to provide applicants for density bonuses with incentives and concessions in addition to a density bonus, but the law does not quantify the value of the incentives and concessions that must be offered. SB 1818 requires that the incentives and concessions "result in identifiable, financially sufficient and actual cost reductions."
- 3) Incentives for land donation: To further expand the usefulness of density bonus law, say supporters, SB 1818 creates a new land donation density bonus that provides an incentive for donation of land to local governments for affordable housing. Under the bill, for example, if an applicant for a 1,000 unit development donates five acres of land within that development sufficient to permit construction of 100 very low- or low-income units, the applicant would be entitled to a 15% density bonus, or 150 units. The land donation density bonus could be increased incrementally up to a maximum of 35% if the applicant increases the amount of land donated, and could be used in conjunction with the general density bonus, up to a combined maximum of 35%.

Arguments in Opposition:

- 1) Costs: Opponents express concerns over the costs implied by SB 1818. They state that the bill fails to provide sufficient funding to pay up front for the costs of revising existing local density bonus ordinances.

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- 2) Bonus is too high: Local governments also object to the high-density bonuses in relation to the small percentage of affordable housing. They claim that a 20% density bonus is too high given what is provided in affordable units has been reduced in half from the original density bonus law requirements.
- 3) Mandated concessions: The opponents note that the bill includes a new mandate requiring the city and county to grant one, two or three concessions, depending on the amount of affordable housing provided or risk being sued by the developer. It also removes a provision of existing law that allows a city or county to make a written finding, based on substantial evidence that the concession is not necessary. This will require, according to the opposition, local governments to give the developer whatever the developer wants.
- 4) Price controls on moderate-income housing: The local governments object to having to manage price controls on sale of moderate-income condominiums. They state that existing law regarding the continued affordability of the moderate-income units for 10 years should remain. It allows local agencies to choose how to maintain affordability of moderate-income units rather than specifying a method requiring a resale share.

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319-2085

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California
LEGISLATIVE INFORMATION

SB-1818 Density bonuses. (2003-2004)

SECTION 1. Section 65915 of the Government Code is amended to read:

65915. (a) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall provide the applicant with incentives or concessions for the production of housing units and child care facilities as prescribed in this section. All cities, counties, or cities and counties shall adopt an ordinance that specifies how compliance with this section will be implemented. ~~Failure to adopt an ordinance shall not relieve a city, county, or city and county from complying with this section.~~

(b) ~~(1)~~ A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), ~~a density bonus~~ and incentives or concessions, ~~as concessions~~ described in subdivision ~~(d)~~, (d) when an ~~the~~ applicant for a ~~the~~ housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:

~~(A)~~ (1) Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code.

~~(B)~~ (2) Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code.

~~(C)~~ (3) A senior citizen housing development, ~~development~~ as defined in Sections 51.3 and 51.12 of the Civil Code, ~~or mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.~~

~~(D)~~ (4) Ten percent of the total dwelling units in a ~~common interest condominium project as defined in subdivision (f) of, or in a planned development as defined in Section 4100 subdivision (k) of, Section 1351 of the Civil Code Code,~~ for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, ~~provided that all units in the development are offered to the public for purchase. Code.~~

~~(2)~~ For purposes of calculating the amount of the density bonus pursuant to subdivision (f), the applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), or (D) of paragraph ~~(1)~~.

~~(3)~~ For the purposes of this section, "total units" or "total dwelling units" does not include units added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.

(c) (1) An applicant shall agree to, and the city, county, or city and county shall ensure, continued affordability of all low ~~and very low income units that qualified the applicant for the award of the density bonus~~ *lower income density bonus units* for 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. ~~Rents for the lower income density bonus units shall be set at an affordable rent. Those units targeted for lower income households, as defined in Section 50079.5 of the Health and Safety Code, shall be affordable at a rent that does not exceed 30 percent of 60 percent of area median income. Those units targeted for very low income households, as defined in Section 50053 50105 of the Health and Safety Code. Owner occupied units Code, shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code. affordable at a rent that does not exceed 30 percent of 50 percent of area median income.~~

(2) An applicant shall agree to, and the city, county, or city and county shall ensure that, the initial occupant of the moderate-income units that are directly related to the receipt of the density bonus in the ~~common interest development, condominium project as defined in Section 4100 subdivision (f) of, or in the planned unit development as defined in subdivision (k) of, Section 1351 of the Civil Code,~~ are persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, ~~and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 Code. Upon resale, the seller of the unit~~

~~shall retain the value of any improvements, the downpayment, and the seller's proportionate share of appreciation. The local government shall recapture its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code. The local government shall enforce an equity-sharing agreement, unless it is in conflict with the requirements of another public funding source or law. The following apply to the equity-sharing agreement: Code that promote homeownership. For purposes of this subdivision, the local government's proportionate share of appreciation shall be equal to the percentage by which the initial sale price to the moderate-income household was less than the fair market value of the home at the time of initial sale.~~

~~(A) Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller's proportionate share of appreciation. The local government shall recapture any initial subsidy, as defined in subparagraph (B), and its proportionate share of appreciation, as defined in subparagraph (C), which amount shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.~~

~~(B) For purposes of this subdivision, the local government's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.~~

~~(C) For purposes of this subdivision, the local government's proportionate share of appreciation shall be equal to the ratio of the local government's initial subsidy to the fair market value of the home at the time of initial sale.~~

(d) (1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any *either* of the following:

(A) The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

~~(C) The concession or incentive would be contrary to state or federal law.~~

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a ~~common-interest condominium or planned~~ development.

(B) Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a ~~common-interest condominium or planned~~ development.

(C) Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a ~~common-interest condominium or planned~~ development.

(3) The applicant may initiate judicial proceedings if the city, county, or city and county refuses to grant a requested density bonus, incentive, or concession. If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. Nothing in this subdivision shall be interpreted to require a local government to grant an incentive or concession that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Nothing in this subdivision shall be interpreted to require a local government to grant an incentive or concession that would have an adverse

impact on any real property that is listed in the California Register of Historical Resources. The city, county, or city and county shall establish procedures for carrying out this section, that shall include legislative body approval of the means of compliance with this section. *The city, county, or city and county shall also establish procedures for waiving or modifying development and zoning standards that would otherwise inhibit the utilization of the density bonus on specific sites. These procedures shall include, but not be limited to, such items as minimum lot size, side yard setbacks, and placement of public works improvements.*

~~(e) (1)~~ -In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. An applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law. *Resources.*

~~(2) (f)~~ A proposal for *The applicant shall show that* the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d). *modification is necessary to make the housing units economically feasible.*

~~(f) (g) (1)~~ For the purposes of this chapter, *except as provided in paragraph (2),* "density bonus" means a density increase of at least 20 percent, unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, county, or city and county. The applicant may elect to accept a lesser percentage of density bonus. The amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b). *For each 1 percent increase above 10 percent in the percentage of units affordable to lower income households, the density bonus shall be increased by 1.5 percent up to a maximum of 35 percent. For each 1 percent increase above 5 percent in the percentage of units affordable to very low income households, the density bonus shall be increased by 2.5 percent up to a maximum of 35 percent. All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. The density bonus shall not be included when determining the number of housing units that is equal to 5 or 10 percent of the total. The density bonus shall apply to housing developments consisting of five or more dwelling units.*

~~(1)~~ For housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Low Income Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
17	30.5
18	32
19	33.5
20	35

~~(2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:~~

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

~~(3) For housing developments meeting the criteria of subparagraph (C) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of senior housing units.~~

~~(4) For housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:~~

Percentage Moderate Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31

37	32
38	33
39	34
40	35

~~(5)~~ (2) For the purposes of this chapter, if a development does not meet the requirements of paragraph (1), (2), or (3) of subdivision (b), but the applicant agrees or proposes to construct a condominium project as defined in subdivision (f) of, or a planned development as defined in subdivision (k) of, Section 1351 of the Civil Code, in which at least 10 percent of the total dwelling units are reserved for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, a "density bonus" of at least 5 percent shall be granted, unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, county, or city and county. For each 1 percent increase above 10 percent of the percentage of units affordable to moderate-income households, the density bonus shall be increased by 1 percent up to a maximum of 35 percent. All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. The density bonus shall not be included when determining the number of housing units that is equal to 10 percent of the total. The density bonus shall apply to housing developments consisting of five or more dwelling units.

~~(g)~~ (1) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county in accordance with this subdivision, the applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density for the entire development, as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

~~(2) (h) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county as provided for in this subdivision, the applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan for the entire development. For each 1 percent increase above the minimum 10 percent land donation described in paragraph (2) of this subdivision, the density bonus shall be increased by 1 percent, up to a maximum of 35 percent. This increase shall be in addition to any increase in density mandated by subdivision (b), up to a maximum combined mandated density increase of 35 percent if an applicant seeks ~~an~~ both the increase required pursuant to ~~both~~ this subdivision and subdivision (b). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:~~

~~(A) (1) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.~~

~~(B) (2) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.~~

~~(C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned with appropriate development standards for development at the density described in paragraph (3) of subdivision (c) of Section 65583.2, and is or will be served by adequate public facilities and infrastructure.~~

~~(D) (3) The transferred land shall have *is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have* all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the local government may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the local government prior to the time of transfer.~~

~~(E) (4) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with paragraphs (1) and (2) of subdivision (c), which shall be recorded on the property at the time of the transfer. *dedication.*~~

~~(F) (5) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.~~

~~(G) (6) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.~~

~~(H) A proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.~~

~~(h) (i) (1) When an applicant proposes to construct a housing development that conforms to the requirements of subdivision (b) and includes a child care facility that will be located on the premises of, as part of, or adjacent to, the project, the city, county, or city and county shall grant either of the following:~~

~~(A) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.~~

~~(B) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.~~

~~(2) The city, county, or city and county shall require, as a condition of approving the housing development, that the following occur:~~

(A) The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).

(B) Of the children who attend the child care facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).

(3) Notwithstanding any requirement of this subdivision, a city, county, or a city and county shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

(4) "Child care facility," as used in this section, means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and schoolage child care centers.

~~(i)~~ (j) "Housing development," as used in this section, means ~~a development project for five or more residential units— one or more groups of projects for residential units constructed in the planned development of a city, county, or city and county.~~ For the purposes of this section, "housing development" also includes a subdivision or ~~common interest development— a planned unit development or condominium project,~~ as defined in Section ~~4100~~ 1351 of the Civil Code, approved by a city, county, or city and county and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units ~~shall be on contiguous sites that are the subject of one development application,~~ but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

~~(j)~~ (k) The granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. This provision is declaratory of existing law.

~~(k)~~ (l) For the purposes of this chapter, concession or incentive means any of the following:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.

(2) Approval of ~~mixed-use— mixed use~~ zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable, financially sufficient, and actual cost reductions.

~~(l)~~ This ~~Subdivision—(k)~~ subdivision does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(m) ~~This— Nothing in this~~ section shall ~~not~~ be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of ~~1976—~~ (Division 20 (commencing with Section 30000) of the Public Resources Code).

(n) ~~If permitted by local ordinance, nothing— Nothing~~ in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.

(o) For purposes of this section, the following definitions shall apply:

(1) "Development standard" includes a ~~site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open space requirement, or a parking ratio that applies conditions that apply~~ to a residential development pursuant to any ordinance, general plan element, specific plan, ~~charter, charter amendment,~~ or other local condition, law, policy, resolution, or regulation.

(2) "Maximum allowable residential density" means the density allowed under the zoning ordinance ~~and land use element of the general plan, ordinance,~~ or if a range of density is permitted, means the maximum allowable density for the specific zoning range ~~and land use element of the general plan~~ applicable to the project. ~~Where the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan, the general plan density shall prevail.~~

(p) (1) Upon the request of the developer, no city, county, or city and county shall require a vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of subdivision (b), that exceeds the following ratios:

(A) Zero to one ~~bedroom:~~ *bedrooms*: one onsite parking space.

(B) Two to three bedrooms: two onsite parking spaces.

(C) Four and more bedrooms: two and one-half parking spaces.

(2) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide "onsite parking" through tandem parking or uncovered parking, but not through onstreet parking.

(3) This subdivision shall apply to a development that meets the requirements of subdivision (b) but only at the request of the applicant. An applicant may request *additional* parking incentives or concessions beyond those provided in this subdivision ~~pursuant section, subject~~ to subdivision (d).

SEC. 2. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.*

EXHIBIT Y

VENICE SPECIFIC PLAN
ORDINANCE NO. 172897

An ordinance establishing a Specific Plan for the Venice Coastal Zone.

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

**Section 1. ESTABLISHMENT OF THE VENICE COASTAL ZONE
SPECIFIC PLAN**

A. The City Council hereby establishes this Venice Coastal Zone Specific Plan applicable to that area of the City of Los Angeles shown within the heavy black lines on the Specific Plan Area map, as shown on Exhibit 1a and b.

B. The Specific Plan area is divided into eight subareas, as shown by Exhibits 2 through 5.

- **Ballona Lagoon West Bank Subarea**, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 2.

- **Ballona Lagoon East Bank Subarea**, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 2.

- **Silver Strand Subarea**, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County boundary on the east, and Ballona Lagoon on the west, as shown on Exhibit 2.

- **Marina Peninsula Subarea**, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the east, and the Pacific Ocean on the west, as shown on Exhibit 2.

- **Venice Canals Subarea**, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eterna (Eastern) Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 3b.

- **North Venice Subarea**, generally bounded by the City of Los Angeles boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and

Strong's Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 3a and b.

- **Oakwood-Milwood-Southeast Venice Subarea**, generally bounded by the City of Los Angeles boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court and Strong's Drive on the west, as shown on Exhibits 4a and b.

- **Oxford Triangle Subarea**, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 5.

VENICE SPECIFIC PLAN

172897

POSTED

- Section 1 Establishment of the Venice Coastal Zone Specific Plan
- Section 2 Purposes
- Section 3 Relationship to Other Provisions of the Municipal Code
- Section 4 Definitions

- A. Architectural Features
- B. Blank Wall
- C. Buffer Strip
- D. Building Frontage
- E. Beach Impact Zone
- F. Change of Use
- G. Development
- H. Director
- I. Director's Determination
- J. Dual Permit Jurisdiction
- K. Encroachment
- L. Fill
- M. Flat Roof
- N. Ground Floor
- O. Height
- P. Lagoon Lot
- Q. Local Coastal Program
- R. Other Permit(s) and Approval(s)
- S. Permeable
- T. Premise
- U. Project
- V. Project Permit
- W. Replacement Affordable Unit
- X. Service Floor
- Y. Store Frontage
- Z. Street Wall

- aa. Trip
- bb. Varied Roofline
- cc. Venice Coastal Zone
- dd. Walk Street

Section 5 Prohibition

Section 6 Exemptions

Section 7 Procedures

- A. Project Permit
- B. Director's Determination
- C. Building and Safety Determination
- D. Authority

- 1. Project Permit
- 2. Director's Determination

- E. Applications.
- F. Project Permit Procedures
- G. Director's Determination Procedures
- H. Findings
- I. Appeals

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- A. Construction on Contiguous Lots
- B. Ballona Lagoon West Bank

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- 2. Lagoon Buffer and Setback
- 3. Fill
- 4. Drainage

C. Ballona Lagoon East

- 1. Density
- 2. Height
- 3. Setback
- 4. Fill
- 5. Drainage

D. Silver Strand

- 1. Density
- 2. Height
- 3. Lagoon Buffer and Setback

- a. Buffer
- b. Setback

- 4. Fill
- 5. Drainage
- 6. Public Improvements
- 7. Public Access

E. Marina Peninsula

- 1. Density
- 2. Height
- 3. Access

F. Venice Canals

- 1. Land Use Limitations
- 2. Height
- 3. Buffer/Yard

- a. Buffer/setback
- b. Yard

- 4. Drainage

G. North Venice

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- a. Commercial Artcraft
- b. Neighborhood Commercial
- c. General Commercial

- 2. Density

- a. Residential Zone
- b. Commercial Zones

- 3. Height
- 4. Setback
- 5. Access

H. Oakwood, Milwood, Southeast Venice

1. Land Use Limitation
2. Density

a. Residential Zone

- 1) R2 Zone
- 2) RD1.5 and RD2 Zones
- 3) R3 Zone

3. Height
4. Access

I. Oxford Triangle.

1. Density
2. Height

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1. Ground Floor Industrial Development
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D. Parking

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1. General Regulations
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Section 11 Parking

- A. Parking Requirements
- B. Exception
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- D. Beach Impact Zone Parking Requirements

Section 12 Venice Coastal Parking Impact Trust Fund

Section 13 Severability

Appendix A

Appendix B

Appendix C

List of Exhibits

Exhibit 1a and 1b	Venice Coastal Zone Specific Plan Area Map
Exhibit 2	Marina Peninsula, Silver Strand, Ballona Lagoon West Bank and Ballona Lagoon East Bank Subareas
Exhibit 3a and b	North Venice and Venice Canals Subareas
Exhibit 4a and b	Oakwood-Milwood-Southeast Venice Subarea
Exhibit 5	Oxford Triangle Subarea
Exhibit 6	Existing Zoning: Marina Peninsula, Silver Strand, Ballona Lagoon West Bank and Ballona Lagoon East Bank Subareas
Exhibit 7a and b	Existing Zoning: North Venice and Venice Canals Subareas
Exhibit 8a and b	Existing Zoning: Oakwood-Milwood-Southeast Venice Subarea
Exhibit 9	Existing Zoning: Oxford Triangle Subarea
Exhibit 10	Height: Marina Peninsula, Silver Strand, Ballona Lagoon West Bank and Ballona Lagoon East Bank Subareas
Exhibit 11a and b	Height: North Venice and Venice Canals Subareas
Exhibit 12a and b	Height: Oakwood-Milwood-Southeast Venice Subarea
Exhibit 13	Height: Oxford Triangle Subarea
Exhibit 14	Buffer/Setback: Marina Peninsula, Silver Strand, Ballona Lagoon West Bank and Ballona Lagoon East Bank Subareas
Exhibit 15	Buffer/Setback: North Venice and Venice Canals Subareas
Exhibit 16a and b	Walk Streets

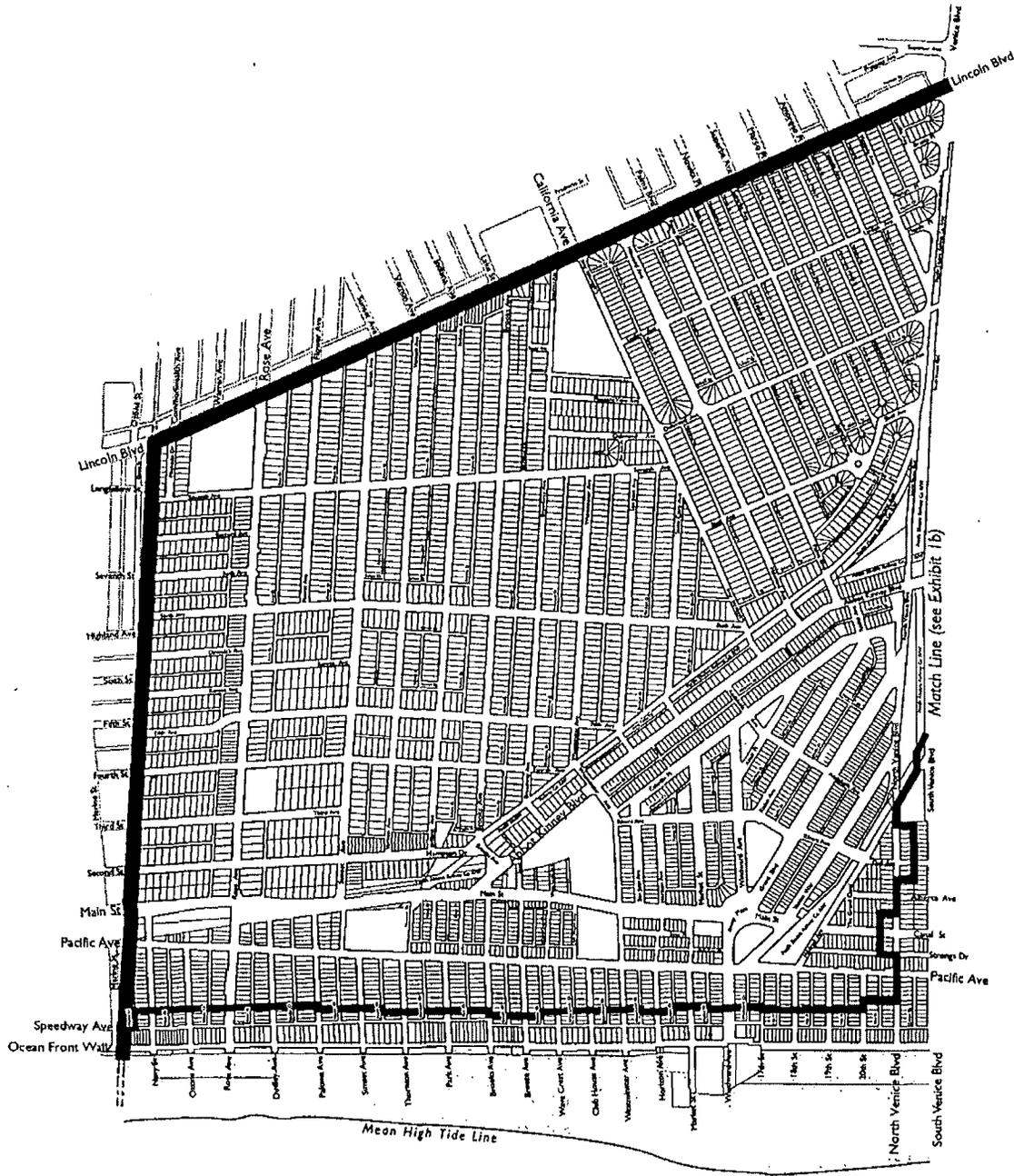


Exhibit 1a
Venice Coastal Zone

-  Venice Coastal Zone Specific Plan Area
-  Dual Jurisdiction Zone

Dual Jurisdiction This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 100' of the top of the seaward face of coastal bluff.

If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information.

This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

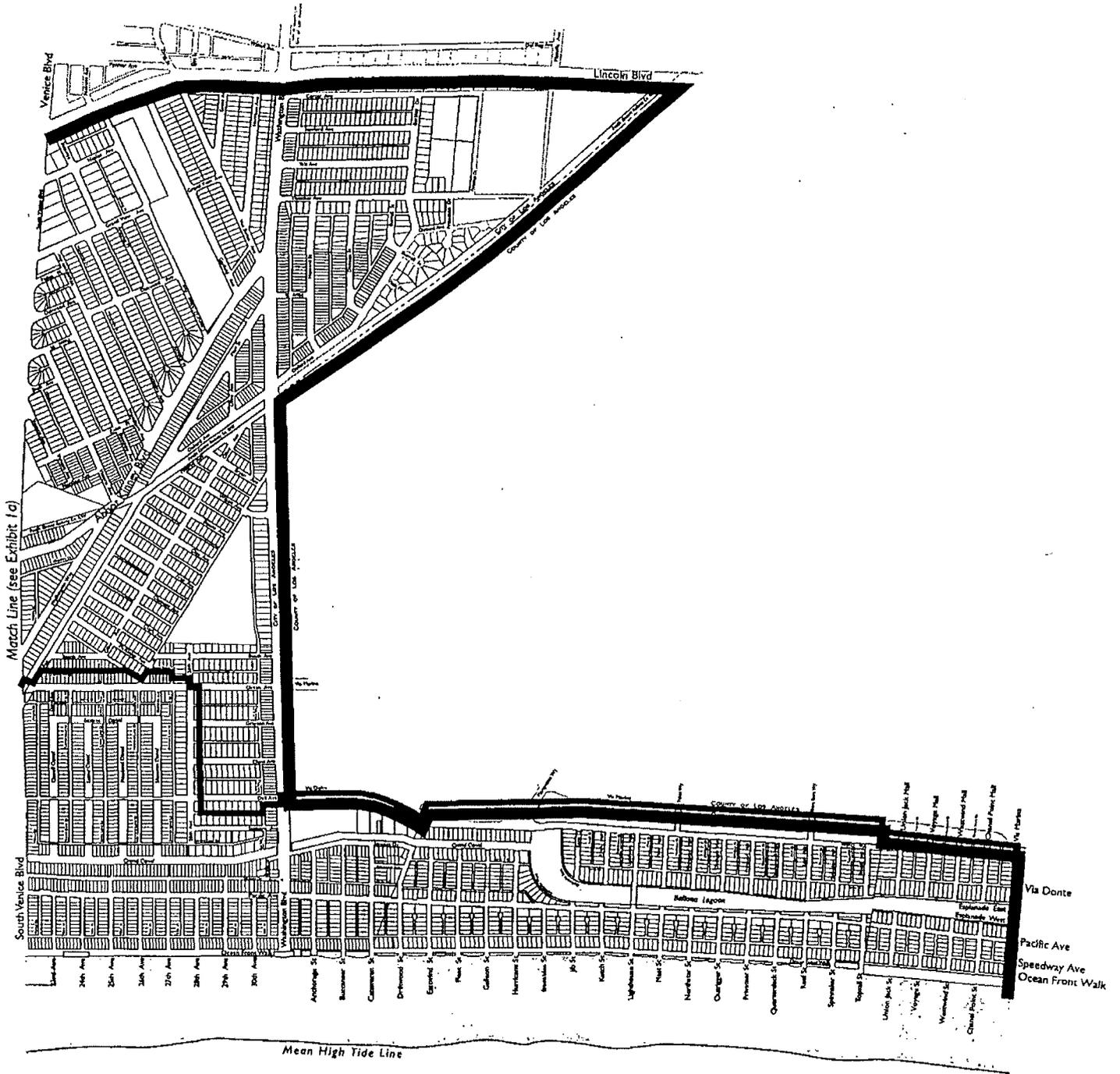


Exhibit 1b
Venice Coastal Zone

- ▨ Venice Coastal Zone Specific Plan Area
- ▬ Dual Jurisdiction Zone

Dual Jurisdiction This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 100' of the top of the seaward face of coastal bluff.

If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information.

This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

Not to Scale 

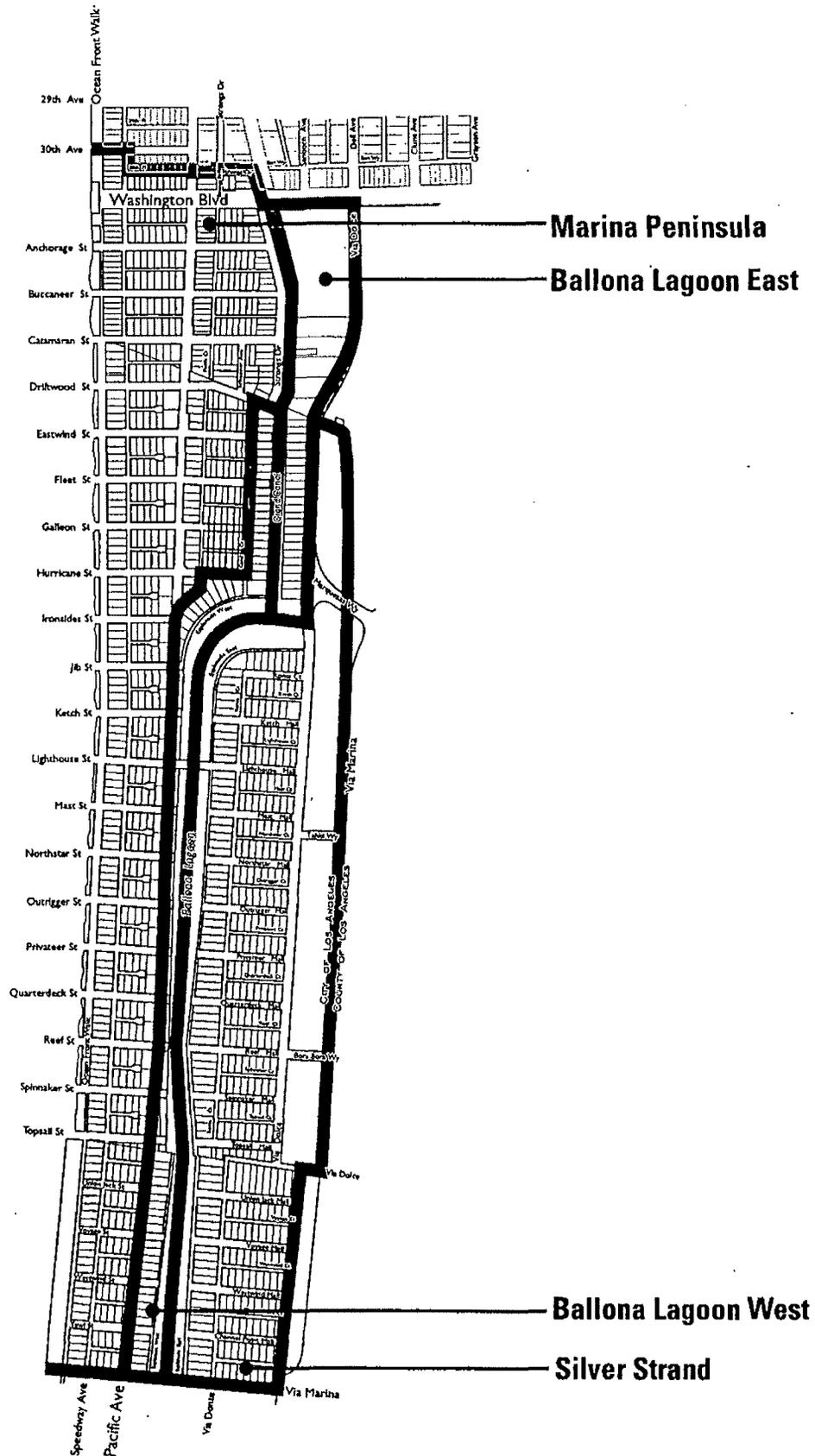


Exhibit 2
Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon East



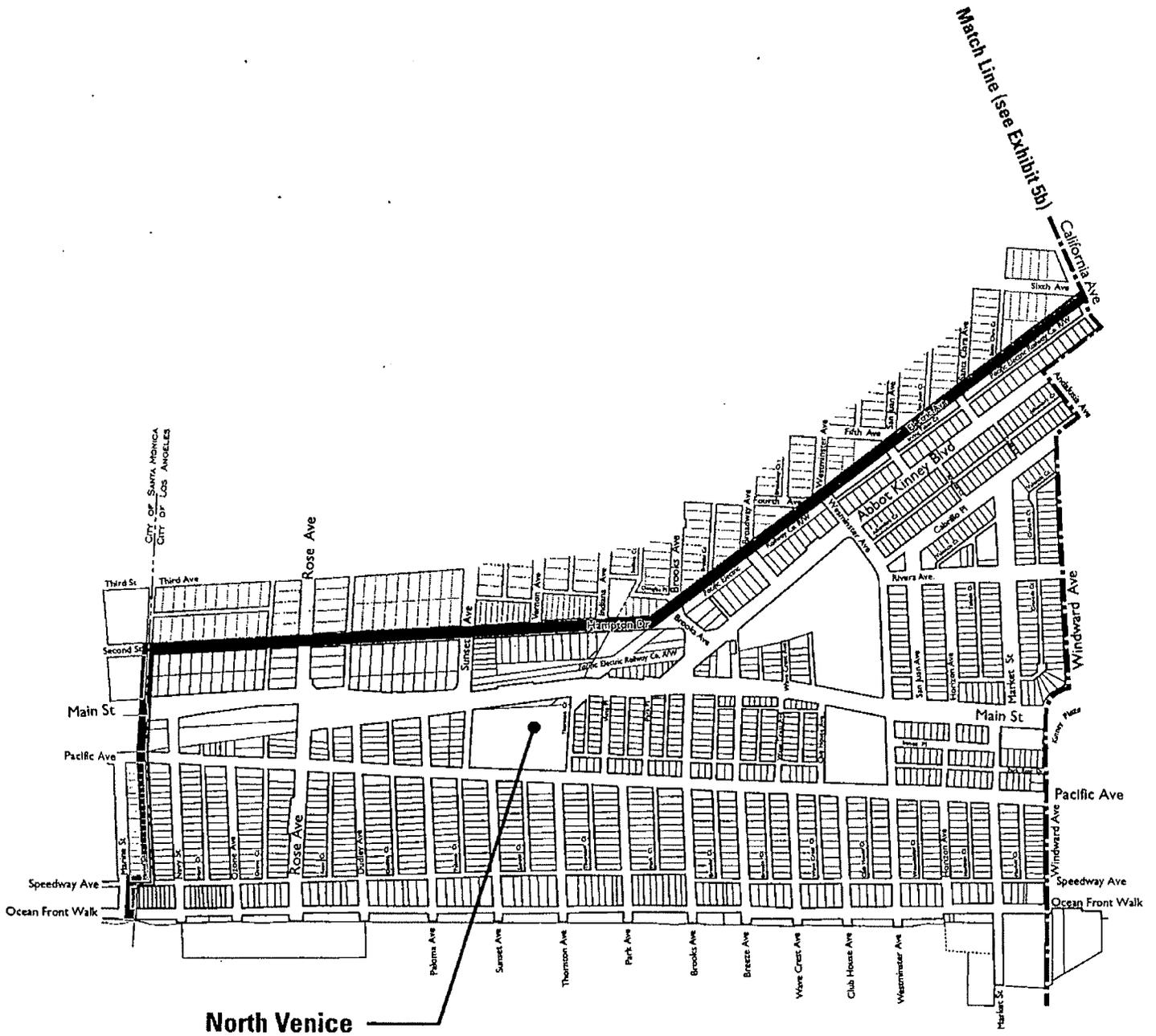


Exhibit 3a
Subarea: North Venice • Venice Canals



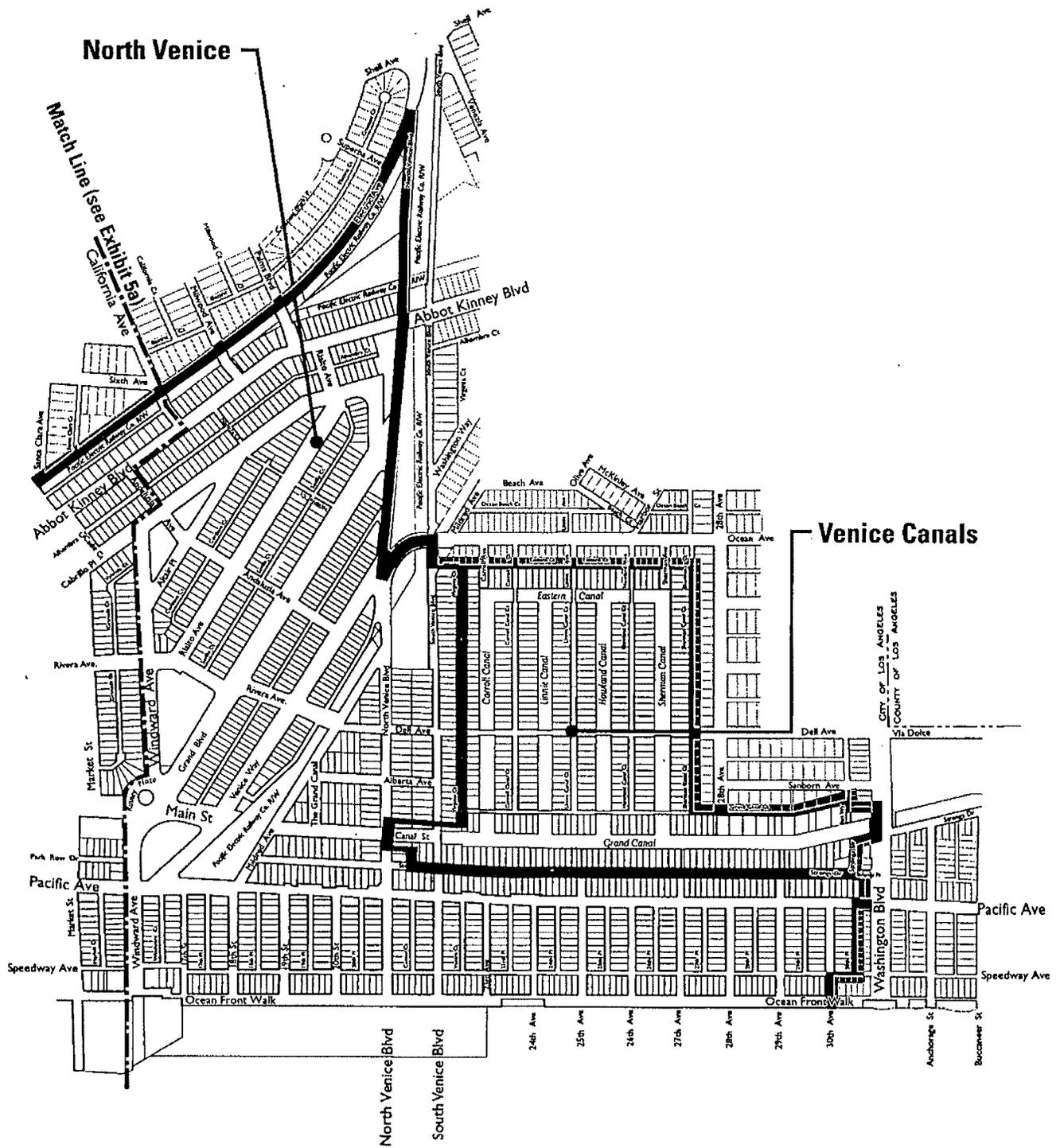


Exhibit 3b
Subarea: North Venice • Venice Canals

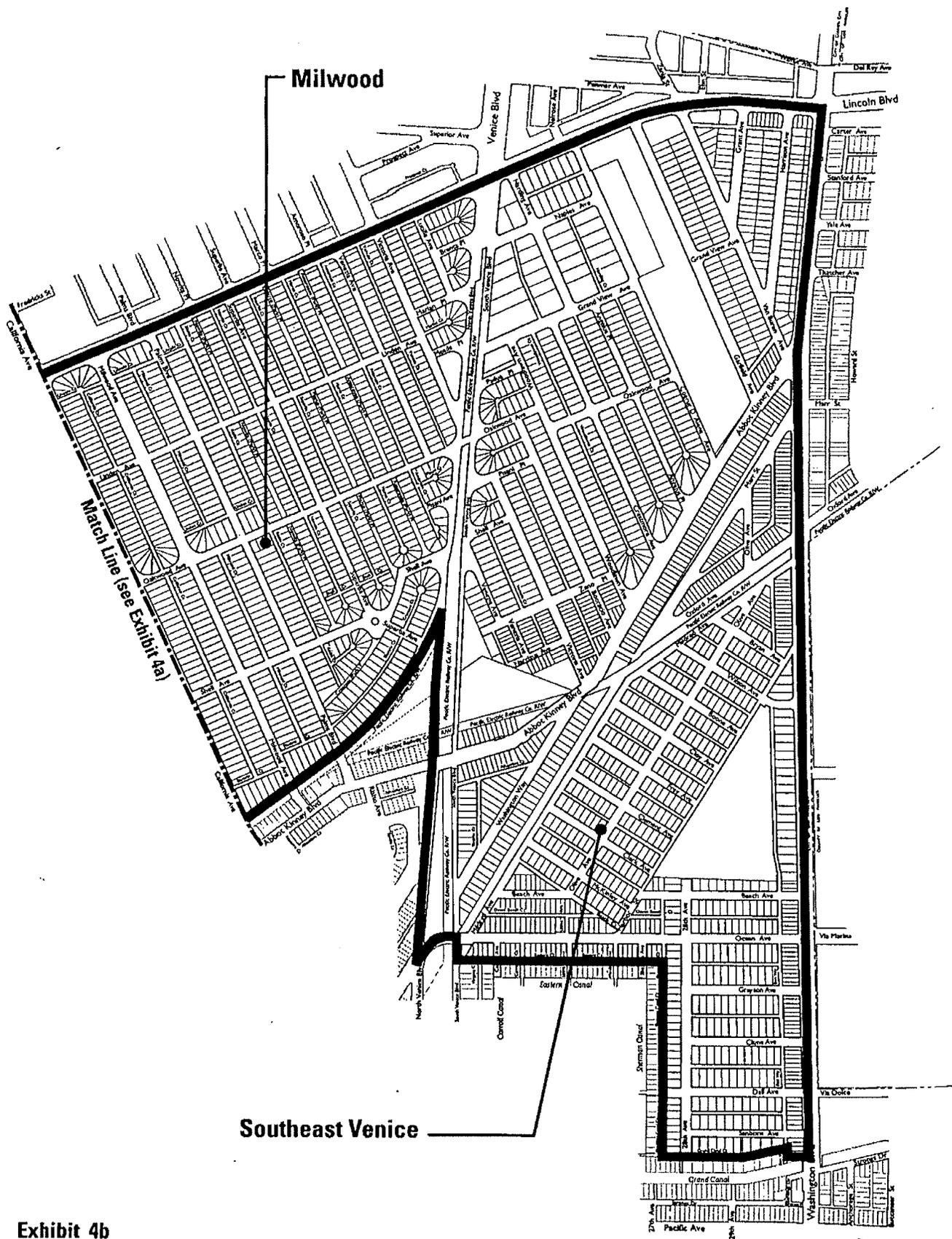


Exhibit 4b
Subarea: Oakwood • Milwood • Southeast Venice



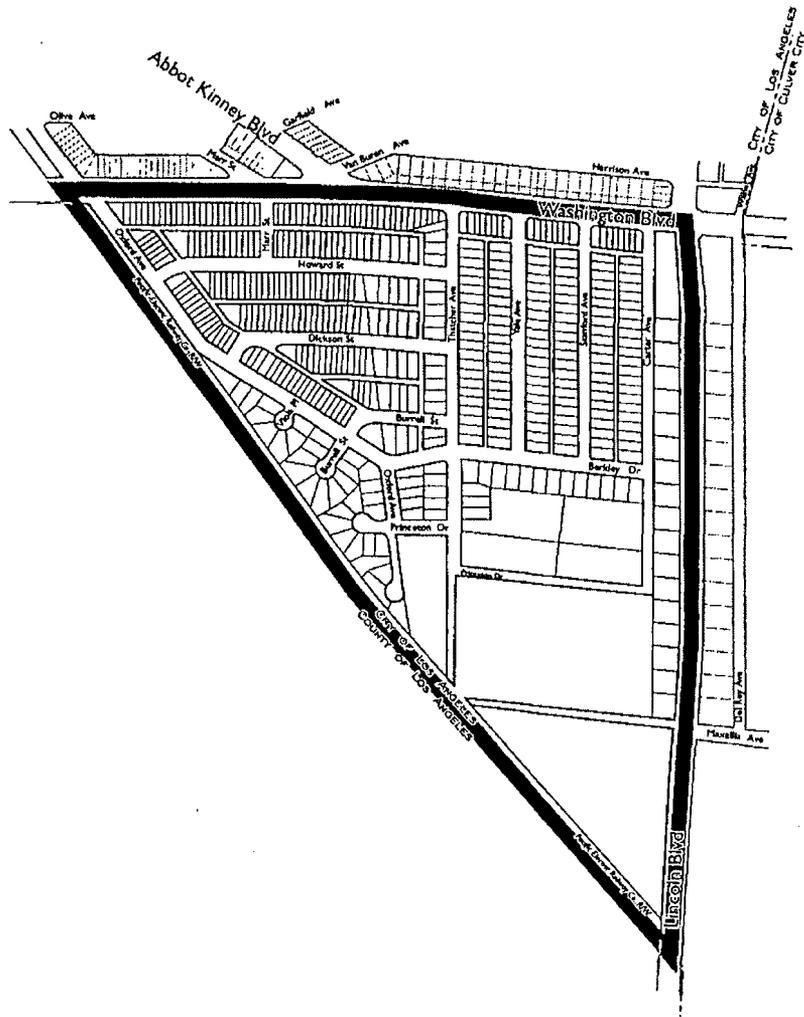


Exhibit 5
Subarea: Oxford Triangle



Sec. 2. PURPOSES. The purposes of this Specific Plan are as follows:

- A. To implement the goals and policies of the Coastal Act.
- B. To implement the Local Coastal Program (LCP) for that portion of the Venice Community within the Coastal Zone as designated by the State Legislature.
- C. To protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
- D. To assure that public access to the coast and public recreation areas is provided as required by the Coastal Act and the LCP.
- E. To prepare specific provisions tailored to the particular conditions and circumstances of Venice Coastal Zone, consistent with the general policies of the adopted Los Angeles General Plan.
- F. To regulate all development, including use, height, density, setback, buffer zone and other factors in order that it be compatible in character with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas.

Sec. 3. RELATIONSHIP TO OTHER PROVISIONS OF THE MUNICIPAL CODE

- A. The regulations of the Specific Plan are in addition to those set forth in the Planning and Zoning provisions of Chapter 1 of the Los Angeles Municipal Code (LAMC), as amended, and any other relevant ordinances, and do not convey any rights not otherwise granted under those provisions except as specifically provided herein.
- B. Wherever provisions of this Specific Plan differ from provisions contained in Chapter 1 of the LAMC, (with regard to use, density, lot area, floor area ratio, height of buildings or structures, setbacks, yards, buffers, parking, drainage, fences, landscaping, design standards, light, trash and signage) this Specific Plan shall supersede those other provisions. Whenever this Specific Plan is silent, the provisions of the LAMC shall apply.
- C. The procedures for the granting of exceptions to the requirements of this Specific Plan are set forth in LAMC Section 11.5.7 D. In addition to the findings in Section 11.5.7 D, the City Planning Commission shall find that any action taken will be in conformity with the Coastal Act.

Sec. 4. DEFINITIONS. The following words, whenever used in this Specific Plan, shall be construed as defined in this Section. Words and phrases not defined here shall be construed as defined in LAMC Section 12.03 or 12.20.2.1, if defined there.

A. Architectural Features. Features including, but not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.

B. Blank Wall. A Street Wall or vehicle entry facing the street and having no architectural detailing, artwork, landscaping, windows, doors or similar features.

C. Buffer Strip. The strip of land immediately adjacent to the Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77 and Appeal No. A-266-77.

D. Building Frontage. As defined in LAMC § 13.07 C.

E. Beach Impact Zone. All lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice subareas described in Section 1, Exhibits 2, 3a and b, of this Specific Plan.

F. Change of Use. A change from (1) an existing residential use to a new residential use resulting in an increase in the total number of dwelling units; or (2) an existing residential use to a commercial or industrial use; or (3) an existing commercial use to a residential or industrial use; or (4) an existing industrial use to a residential or commercial use; or (5) an existing industrial use to a new industrial use, when an increase in the number of Trips results from the new use, as calculated by the attached Trip Table, Appendix C; or (6) an existing commercial use to a new commercial use when an increase in the number of Trips results from the new use, as calculated by the attached Trip Table, Appendix C, or when an increase in the number of required parking spaces results, as calculated in the Parking Requirement Table contained in Section 11 C of this Specific Plan.

G. Development. As defined in LAMC § 12.20.2 B.

H. Director. The Director of Planning of the Department of City Planning, or his/her authorized designee.

I. Director's Determination. An approval issued by the Director pursuant to Section 7 of this Specific Plan.

J. Dual Permit Jurisdiction. The area designated on Exhibit 1a and b.

K. Encroachment. Any structure or building or portion of a structure or building which projects into a right-of-way or required setback.

L. Fill. Earth or any other substance or material, including pilings placed for the purposes of erecting a structure on it.

M. Flat Roof. Any roof form which has a slope of 2 inches to 12 inches or less.

N. Ground Floor. As defined in LAMC § 13.07 C.

O. Height. Height shall be measured as the vertical distance from ground level, as specified below for each subarea, to the highest point of the roof or parapet wall, excluding roof deck railings that do not exceed 36 inches and are of an open design. Roof structures may exceed the otherwise allowable Height limit provided the structures conform to LAMC Section 12.21.1 B 3. Roof structures housing stairways shall be limited to the minimum area required to comply with city and state requirements for stairways and landings plus an additional ten percent.

1. For the Lagoon Lots in the Silver Strand, Ballona Lagoon West Bank and Ballona Lagoon East Bank Subareas, ground level shall be measured from the average existing natural grade.

2. For the Venice Canals Subarea, ground level shall be the elevation of the centerline of the adjacent alleyway measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed, ground level for each building shall be measured from the projection of the midpoint of each building.

3. For each of the other subareas, ground level shall be the elevation of the centerline of the street or alley or walk adjacent to the front lot line measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed, ground level for each building shall be measured from the projection of the midpoint of each building. In any case involving a through lot, ground level shall be measured from the centerline of whichever adjacent street is the lowest in elevation.

P. Lagoon Lot. A lot within the Silver Strand Subarea shown on Exhibit 2 of this Specific Plan which is immediately adjacent to the Ballona Lagoon.

Q. Local Coastal Program. A program which includes land use plans, zoning ordinances, zoning district maps, and within sensitive coastal resource areas, other implementing actions, which when taken together meet the requirements and provisions of the California Coastal Act.

R. Other Permit(s) and Approval(s). Any discretionary permits, approvals, or other land use entitlements, other than a coastal development permit, required to be issued by the City before a Project may proceed.

S. Permeable. A paving material that permits water penetration to a soil depth of 18 inches or more, including a non-porous surface which is collectively less than two-thirds of the total surface area of the lot and loosely laid materials, such as crushed stone or gravel.

T. Premise. A building or portion thereof used as a location for a single business or non-commercial use.

U. Project. The erection of, construction of, demolition of, addition to or Change of Use of any building or structure on any lot located in whole or in part within the areas identified in Exhibit 1a and b of this Specific Plan, including any Encroachment, grading, or placement of Fill into a setback or buffer required by this Specific Plan, or alterations of an existing building or structure. On-site and off-site parking areas which serve a Project, including parking lots and parking structures, shall be considered a part of the Project.

V. Project Permit. A permit issued pursuant to Section 7 of this Specific Plan.

W. Replacement Affordable Unit. Any affordable housing unit, as defined in LAMC Section 12.22 A 25(b), to be provided as replacement for an existing unit on a Project site.

X. Service Floor. All areas where the customer can be served, except the bathroom, including the indoor and outdoor dining area, bar, waiting room and tavern.

Y. Store Frontage. The length of a Premise abutting the exterior public access level walkway that serves the Premise.

Z. Street Wall. An exterior wall of a building that faces a street.

aa. Trip. A single or one direction vehicle movement with either origin or destination (exiting or entering) inside the Project site.

bb. Varied Roofline. Any roof which has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped, curved, or stepped back roofline.

cc. Venice Coastal Zone. That portion of the City of Los Angeles shown within the heavy black lines on the Specific Plan Area map, Exhibit 1a and b.

dd. Walk Street. A public street that has been improved for public pedestrian use over part of its width and is landscaped (publicly or privately) over the remainder, but which has not been improved for public vehicular access, as identified in Appendix A of this Specific Plan and as shown on Exhibits 16 a and b.

Sec. 5. PROHIBITION

A. No demolition, grading or building permit shall be issued for any Project unless a Project Permit, Director's Determination or Building and Safety Determination has been issued pursuant to Section 7 of this Specific Plan.

B. No Project Permit, Director's Determination or Building and Safety Determination shall be issued unless the Project complies with all applicable provisions of this Specific Plan.

Sec. 6. EXEMPTIONS

The provisions of this Specific Plan shall not apply to:

A. Any Project for which a still-valid project permit or a hardship exemption was granted pursuant to the Venice Interim Control Ordinance (ICO), (Ordinance Nos. 166,986, 167,056, 168,122, 169,239, 170,556, 171,435, and 172,019), provided architectural and structural plans incorporating any and all conditions of the permit or exemption were accepted for plan check by the Department of Building and Safety and a fee paid not more than 365 days after the effective date of this Specific Plan and no subsequent changes occur on the plans which would cause the Project to exceed any provision of the permit or previously granted exemption.

B. Any addition or alteration to an existing one-family dwelling or multiple family dwelling, including structures directly attached or accessory to the existing dwelling, if the dwelling or structure (a) is not located in the Dual Permit Jurisdiction of the California Coastal Zone and does not result in more than a ten percent increase in the Height; or (b) is located in the Dual Permit Jurisdiction and (i) does not result in an addition of ten percent or more to the floor area, and (ii) does not result in more than a ten percent increase in the Height, and (iii) does not encroach into a buffer/setback area required by Section 8 and depicted in Exhibits 14 and 15 of this Specific Plan.

However, in no case may the addition or alteration result in an increase in the total number of dwelling units.

C. Any addition or alteration to an existing commercial or industrial structure, including structures directly attached or accessory to the existing structure, if the structure (a) is not located in the Dual Permit Jurisdiction and does not increase the total occupant

load; or (b) is located in the Dual Permit Jurisdiction and (i) does not result in an addition of ten percent or more to the floor area, and (ii) does not result in more than a ten percent increase in the Height and (iii) does not increase the total occupant load.

However, in no case may the addition or alteration result in the addition or creation of a dwelling unit.

D. Any Project which receives an exemption, other than a CALVO exemption, pursuant to the Coastal Act of 1976.

E. Demolitions required by the Department of Building and Safety.

F. Any Project for which a building permit is required to replace or restore a building or structure which was damaged or partially destroyed by fire, flood, wind, earthquake, or other natural disaster (pursuant to LAMC Section 12.23 A 4); provided, however, that the construction does not increase the Height or the floor area of the original building and the building permit is obtained within a period of two years from the date of the damage or destruction.

G. Any Project for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair an unsafe or substandard condition; provided, however, that the construction does not increase the Height or floor area of the original building.

Sec. 7. PROCEDURES

A. Project Permit. A Project Permit shall be required for any Project which requires a coastal development permit pursuant to LAMC § 12.20.2 or which requires Other Permits and Approvals.

B. Director's Determination. A Director's Determination that the Project is consistent with Sections 8 through 11, as applicable, shall be required (i) for any Project which requires an approval in concept as required by the California Coastal Act; (ii) for any residential Project located along a Walk Street as defined in Section 10 of this Specific Plan and (iii) for any commercial or industrial Project which does not require a Project Permit.

C. Building and Safety Determination. For any residential Project which does not require either a Project Permit or a Director's Determination, the Department of Building and Safety shall determine that the project complies with the requirements of Sections 8 and 11 of this Specific Plan.

D. Authority

1. Project Permit. The Zoning Administrator and the City Planning Commission shall have authority to issue Project Permits. Any approval or disapproval of a Project Permit application by the Zoning Administrator shall be appealable to the Board of Zoning Appeals, and any action of the Board shall be appealable to the City Council. Any approval or disapproval of a Project Permit application by the City Planning Commission shall be appealable to the City Council.

2. Director's Determination. The Director of Planning shall have the authority to issue a Director's Determination. Any approval or disapproval of a Director's Determination shall be appealable to the City Planning Commission in the manner set forth in LAMC Section 16.05 H.

E. Applications.

1. An application for a Project Permit or Director's Determination shall be filed with the Director of Planning upon the Master Land Use application form.

2. For all Projects which require either a coastal development permit or Other Permits or Approvals, any applications for the Other Permits or Approvals shall be filed and processed concurrently with the coastal development permit and the Project Permit.

3. No application shall be accepted unless it is submitted simultaneously with the appropriate application for development within the Coastal Zone pursuant to City and State Coastal Commission permitting procedures.

4. The application and appeal fees shall be as follows:

a. The application fee for a Project Permit or Director's Determination shall be \$250.00 and the appeal fees shall be as set forth in LAMC Section 19.01 B.

b. Notwithstanding the provisions in paragraph 4 a above, no fees shall be required for appeals filed by the Councilmember of the District in which the Project is located.

F. Project Permit Procedures. The procedural requirements for a Project Permit shall be the same as the procedural requirements, including appeal procedures, applicable to a coastal development permit as set forth in Section 12.20.2 of the Los Angeles Municipal Code. If a coastal development permit is not required for a

Project, then the Project Permit shall be processed in the same manner as Other Permits or Approvals. Notwithstanding the above, the following exceptions shall apply:

1. An application for a Project Permit before the Zoning Administrator shall not be set for public hearing if the Zoning Administrator makes written findings that the requested Project Permit: i) will not have a significant effect on adjoining lots or on the immediate neighborhood; or ii) is not likely to invoke public controversy; or iii) the Office of Zoning Administration has received written evidence from all adjoining property owners that these owners have no objection to the Proposed Project.

2. In granting a Project Permit, the Zoning Administrator, the City Planning Commission, or the Board of Zoning Appeals or the City Council on appeal, may impose conditions on the same basis the Zoning Administrator or the City Planning Commission would in approving a conditional use as enumerated in LAMC Section 12.24 D 5.

G. Director's Determination Procedures.

1. The Director shall make a determination within 20 working days from the date of the filing of a complete application and payment of the applicable fee. This time may be extended by mutual agreement of the applicant and the Director.

2. If the Director fails to make a determination within the prescribed time period, the applicant may file a request for a transfer of jurisdiction to the City Planning Commission for a determination on the original application, in which case the Director shall lose jurisdiction. This request shall be filed in the public office of the Department of City Planning. The Department shall transmit the request and the Department file to the Commission. The Commission shall make a determination on the application in the manner set forth in LAMC Section 16.05 G 5.

3. A copy of the Director's Determination shall be mailed to the applicant, the owner of the property, the Councilmember in whose District the Project is located, the Department of Building and Safety, and any interested parties who have filed a written request.

4. The Director's determination shall become effective and final 15 days after the date of mailing the Director's Determination to the applicant, unless a written appeal is filed with the City Planning Commission within that period.

H. Findings. In granting a Project Permit or Director's Determination, the Director, the Zoning Administrator, the City Planning Commission, or the Board of Zoning Appeals or the City Council on appeal, shall make each of the following findings:

1. That the Project is compatible in scale and character with the existing neighborhood, as defined by the Coastal Commission Regional Interpretive Guidelines, and that the Project would not be materially detrimental to adjoining lots or the immediate neighborhood;

2. That the Project is consistent with the policies and provisions of the General Plan and all applicable Specific Plans;

3. That the Project is consistent with the goals of the California Coastal Act, and that the Project will not prejudice the development, adoption or implementation of the Local Coastal Program in the Venice Coastal Zone;

4. That the Project complies with all development requirements of this Specific Plan;

5. That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing;

6. That the 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).

I. Appeals. The applicant, any aggrieved person or the Councilmember of the District in which the Project is located may appeal the Project Permit or Director's Determination. An appeal of the initial decision on a Project Permit or Director's Determination application shall automatically constitute an appeal of the decision on the application for the Other Permits or Approvals.

Sec. 8. LAND USE AND DEVELOPMENT REGULATIONS.

In addition to the regulations contained in Chapter 1 of the LAMC and as shown on Exhibits 6-15, the following regulations shall apply:

A. CONSTRUCTION ON CONTIGUOUS LOTS.

1. No building or structure shall be constructed on more than two contiguous lots, except that subterranean development shall not be held to this

restriction. A lot tie agreement creating a single building site recorded after the effective date of this Specific Plan shall not be construed as authorizing the construction of a building or structure on more than two previously established lots; however, the construction on the single building site may combine the density of the two previously established lots.

2. In addition, except for lots fronting on Walk Streets, a maximum of three lots may be consolidated if the Director of Planning, the Zoning Administrator or the Planning Commission determines that:

a. the building is designed with visual breaks or any Architectural Features, including balconies or terraces, with a change of material or a break in the plane every 20 feet in horizontal length and every 15 feet in vertical length, and;

b. access to any subterranean parking is from an alley, where an alley exists, and the subterranean parking is invisible from the street and is fully below natural grade.

3. Commercially zoned lots abutting Lincoln Boulevard and Washington Boulevard and located east of Oxford Avenue are exempt from this Section.

B. BALLONA LAGOON WEST BANK

1. Height

a. Lots located south of Ironsides Street.

Within 60 feet of the mean high tide of the Ballona Lagoon, as determined by a licensed surveyor, all Projects shall be limited to a maximum Height of 30 feet. Beyond 60 horizontal feet, one additional foot in Height is permitted for each two additional horizontal feet to a maximum Height of 45 feet.

b. Lots located north of Ironsides Street.

All Projects shall be limited to a maximum Height of 38 feet.

2. Lagoon Buffer and Setback

a. Lots located south of Ironsides Street.

1) All Projects located on lots south of Ironsides Avenue shall be set back a minimum of 25 feet from the inland edge of

Esplanade West, or, where no Esplanade West exists, from the lot line which separates the lot from the west bank of the Ballona Lagoon.

2) The California Coastal Commission has jurisdiction to review development proposals for lots located in the areas adjacent to the Ballona Lagoon. The Commission has generally required public access, maintenance of public areas, public parking and measures for habitat protection (CDP Nos. 5-87-112; 5-86-641; and A-266-77).

No landscaping shall occur within the easterly fifteen-foot portion of the twenty-five foot required set back area, with the exception of landscaping with native vegetation compatible with the preservation of the wetland coastal strand environment and a public walkway, if approved by the Coastal Commission.

b. All Projects located on lots north of Ironsides Avenue shall be set back a minimum of 20 feet from the easterly edge of Esplanade West, or, where no Esplanade West exists, from the lot line which separates the lot from Grand Canal.

c. Ground level Permeable decks, landscaping and railings and fences which do not exceed six feet in Height may encroach into this setback provided they observe a minimum setback of 15 feet from the Esplanade West or Grand Canal.

3. Fill

No Fill shall be permitted in the lagoon and buffer area.

4. Drainage

Prior to issuance of a building permit for a new Project or an expansion of the existing building footprint by more than ten percent, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved development consistent with the drainage plans approved by the Department of Building and Safety.

C. BALLONA LAGOON EAST

1. Density

Residential uses in commercial zones shall not exceed R3 density.

2. Height

All Projects shall be limited to a maximum Height of 38 feet.

3. Setback

All Projects shall be set back 20 feet from the lot line which separates the lot from the east bank of the Grand Canal. Ground level permeable decks, landscaping and railings and fences which do not exceed six feet in Height may encroach into this setback provided they observe a setback of 15 feet from the east bank of the Grand Canal.

4. Fill

No Fill shall be permitted in the lagoon and buffer area.

5. Drainage

Prior to issuance of a building permit for a new Project or an expansion of the existing building footprint by more than ten percent, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved development consistent with the drainage plans approved by the Department of Building and Safety.

D. SILVER STRAND

1. Density

In the R1 and [Q]RD1.5 zones, all Projects shall be limited to a maximum density of one dwelling unit per lot.

2. Height

Within 60 horizontal feet of the inland edge of Esplanade East, all Projects shall be limited to a maximum Height of 30 feet. Beyond 60 horizontal feet, one additional foot in Height is permitted for each additional two horizontal feet to a maximum Height of 45 feet. Open decks, including railings, shall not extend more than six feet above the natural grade.

3. Lagoon Buffer and Setback

a. BUFFER. The California Coastal Commission has jurisdiction to review development proposals for lots located in the areas adjacent to the Ballona Lagoon. The Commission has generally required public access, maintenance of public areas, public parking and measures for habitat protection (CDP Nos. 5-87-112; 5-86-641; and A-266-77).

b. SETBACK. All portions of a dwelling, except for ground level decks, shall be set back from the easterly edge of the Buffer Strip a minimum of at least ten feet or 15 percent of the depth of the lot, excluding the Buffer Strip, whichever is greater, but such setback need not exceed 15 feet.

4. Fill

No Fill shall be permitted in the lagoon and buffer area.

5. Drainage

Prior to issuance of a building permit for a new Project or an expansion of the existing building footprint by more than ten percent for lots fronting the Lagoon, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved development consistent with the drainage plans approved by the Department of Building and Safety.

6. Public Improvements

The California Coastal Commission has jurisdiction to review development proposals for lots located in the areas adjacent to the Ballona Lagoon. The Commission has generally required public access, maintenance of public areas, public parking and measures for habitat protection (CDP Nos. 5-87-112; 5-86-641; and A-266-77).

7. Public Access

All landscaped pedestrian malls in public rights-of-way, public streets and alleys and all public parking spaces shall remain open and available for use by the general public to the extent the Board of Public Works determines that it is reasonable and feasible.

E. MARINA PENINSULA

1. Density

a. On commercially zoned lots, no residential or commercial/residential mixed use Project shall exceed a density as permitted in the R3 zone.

b. 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.

2. Height

a. All Projects shall be limited to a maximum Height of 35 feet.

b. Notwithstanding a above, structures located along Walk Streets are limited to a maximum Height of 28 feet.

3. Access

a. Driveways and vehicular access to 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.

b. Vehicular access to 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.

c. Vehicular access to Projects on lots located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

F. VENICE CANALS

1. Land Use Limitations

Pursuant to LAMC Section 63.50, recreational boating use of Venice Canals shall be limited to non-commercial shallow-bottom non-motorized boats, such as canoes and rafts.

2. Height

A maximum Height of 22 feet shall be permitted for any portion of a Project which is within ten feet from the property line that faces the canal. Thereafter, an ascending

Height equal to one half the horizontal depth from this ten feet line shall be permitted to a maximum Height of 30 feet.

3. Buffer/Yard

a. Buffer/setback. An average setback of 15 feet, but not less than ten feet, shall be maintained in the front yard adjacent to the property line which faces the canal.

b. Yard. An open, Permeable yard of at least 450 square feet for a 30-foot wide lot, and at least 600 square feet for a 40-foot wide lot, shall be maintained between the property line which faces the canal and the front of any structure. If this open yard is located more than 20 feet from the property line which faces the canal, it shall not be counted as part of this requirement. No Fill nor building extensions, including stairs and balconies, shall be placed in or over the required Permeable front yard area with exception of fences up to 42" in Height or Permeable decks at grade level.

4. Drainage

Prior to issuance of a building permit for a new dwelling unit or an expansion of the existing footprint by more than ten percent, the applicant shall submit drainage plans, subject to the review and approval of the Department of Building and Safety, for a 100 cubic foot french drain or other water filtering device which provides equivalent on-site percolation. The french drain or other water filtering device shall be constructed and maintained as shown on the final plans. The applicant and all successors in interest shall maintain the approved development consistent with the drainage plans approved by the Department of Building and Safety.

G. NORTH VENICE

1. Land Use Limitations

a. Commercial Artcraft. Lots located along Abbot Kinney Boulevard from North Venice Boulevard to Westminster Avenue, along Windward Avenue from Ocean Front Walk to Pacific Avenue, and along Ocean Front Walk between Westminster Avenue and 19th street.

Artcraft activities, including mixed-use, combining residential and commercial uses which emphasize artist-in residence uses, small business, light industrial and artisan activities shall be permitted in these areas.

b. Neighborhood Commercial. Lots located between Pacific Avenue and Main Street, and between Westminster Avenue and Market Street. Drive-through uses shall be prohibited.

c. General Commercial. Lots located along Abbot Kinney and designated General Commercial in the Land Use Plan. Drive-through facilities are permitted subject to a Conditional Use Permit according to LAMC Section 12.24 C 59 to ensure adequate site access, traffic flow and to mitigate impact on the adjacent neighborhood including the school site across Abbot Kinney Boulevard.

2. Density

a. Residential Zone. A maximum of two dwelling units per lot shall be permitted for all Projects on multiple family residentially zoned lots. However, the lot area per dwelling unit shall not be less than 1500 square feet on RD1.5 zoned lots and 1200 square feet on R3 zoned lots; except that

Lots greater than 4000 square feet are permitted one unit for each 1500 square feet on RD1.5 zoned lots or one unit for each 1200 square feet on R3 zoned lots, in excess of 4000 square feet, if all units beyond the first two are Replacement Affordable Units.

b. Commercial Zones. No residential Project on a commercially zoned lot shall exceed the density as permitted in the R3 zone.

3. Height

a. Projects with a Flat Roof shall not exceed a maximum Height of 30 feet; or 35 feet for Projects with Varied Rooflines, provided that any portion that exceeds 30 feet is set back from the required front yard at least one foot in depth for every foot in Height above 30 feet.

b. Along Ocean Front Walk, and Windward Avenue, west of Kinney Plaza, notwithstanding a above, Projects with Architectural Features, when each Feature does not exceed 200 square feet in area as measured from the outside surface of the Architectural Features, may extend to a maximum Height of 38 feet. The Architectural Features shall not be occupied by individuals, goods, materials or equipment and shall not be used for warehousing or office purposes.

c. Walk Streets. Projects located along Walk Streets shall not exceed a maximum Height of 28 feet.

4. Setback

a. All residential Projects shall have a front yard setback of not less than five feet. Ground level patios, decks, landscaping and railings, wall and fences which do not exceed six feet in Height may encroach into this setback provided they observe a setback of one foot.

b. Commercial Projects along Ocean Front Walk may set their front yard at the building line.

5. Access

a. Driveways and vehicular access to Projects shall be provided from alleys, unless the Department of Transportation determines that it is not feasible.

b. Vehicular access to 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.

c. Vehicular access to Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

H. OAKWOOD, MILWOOD, SOUTHEAST VENICE

1. Land Use Limitation

Community Commercial. Lots located along Rose Avenue, between Seventh and Fourth Avenues. No second floor retail use is permitted.

2. Density

a. Residential Zone

1) R2 Zone. A maximum of two dwelling units per lot shall be permitted on lots less than 5000 square feet in area.

For lots greater than 5000 square feet in area, one additional dwelling unit shall be permitted for each 2000 square feet of lot area in excess of 5000 square feet if the dwelling unit is a Replacement Affordable Unit.

2) 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 4000 square feet, one additional dwelling unit shall be permitted for each 1500 square feet of lot area in excess of 4000 square feet in the RD1.5 zone, and one additional dwelling unit shall be permitted for each additional 2000 square feet of lot area in excess of 4000 square feet in the RD2 zone, provided the additional dwelling unit is a Replacement Affordable Unit.

3) R3 Zone.

(i) Lots located north of North Venice Boulevard and south of Victoria Avenue; lots located south of South Venice Boulevard and north of Harding and Woodlawn Avenues, east of Zero Place only; and lots located north of Washington Boulevard, and south of Van Buren and Harrison Avenues shall be developed as permitted by the R3 zone.

(ii) 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 1200 square feet.

One additional dwelling unit shall be permitted on lots greater than 4000 square feet for each 1200 square feet of lot area in excess of 4000 square feet if the dwelling unit is a Replacement Affordable Unit.

b. Commercial Zone. No residential Project on a commercially zoned lot shall exceed a density of that allowed in the R3 Zone.

3. Height

a. Projects with a Flat Roof shall not exceed a maximum Height of 25 feet. Projects with a Varied Roofline shall not exceed a maximum Height of 30 feet, provided that any portion that exceeds 25 feet is set back from the required front yard at least one foot in depth for every foot in Height above 25 feet.

b. Walk Streets. Projects located along Walk Streets shall not exceed a maximum Height of 28 feet.

4. Access

a. Driveways and vehicular access to Projects shall be provided from alleyways, unless the Department of Transportation determines that it is not feasible.

b. Vehicular access to Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

I. OXFORD TRIANGLE.

1. Density

Commercial Zone. No residential Project shall exceed a density that is allowed in the R3 Zone except as permitted by the Oxford Triangle Specific Plan.

2. Height

a. R-1 Residential Zone. Projects with a Flat Roof shall not exceed a maximum Height of 25 feet. Projects with a Varied Roofline shall not exceed a maximum Height of 30 feet.

b. Commercial Zone. Projects shall not exceed a maximum Height of 30 feet on all C2 zoned lots.

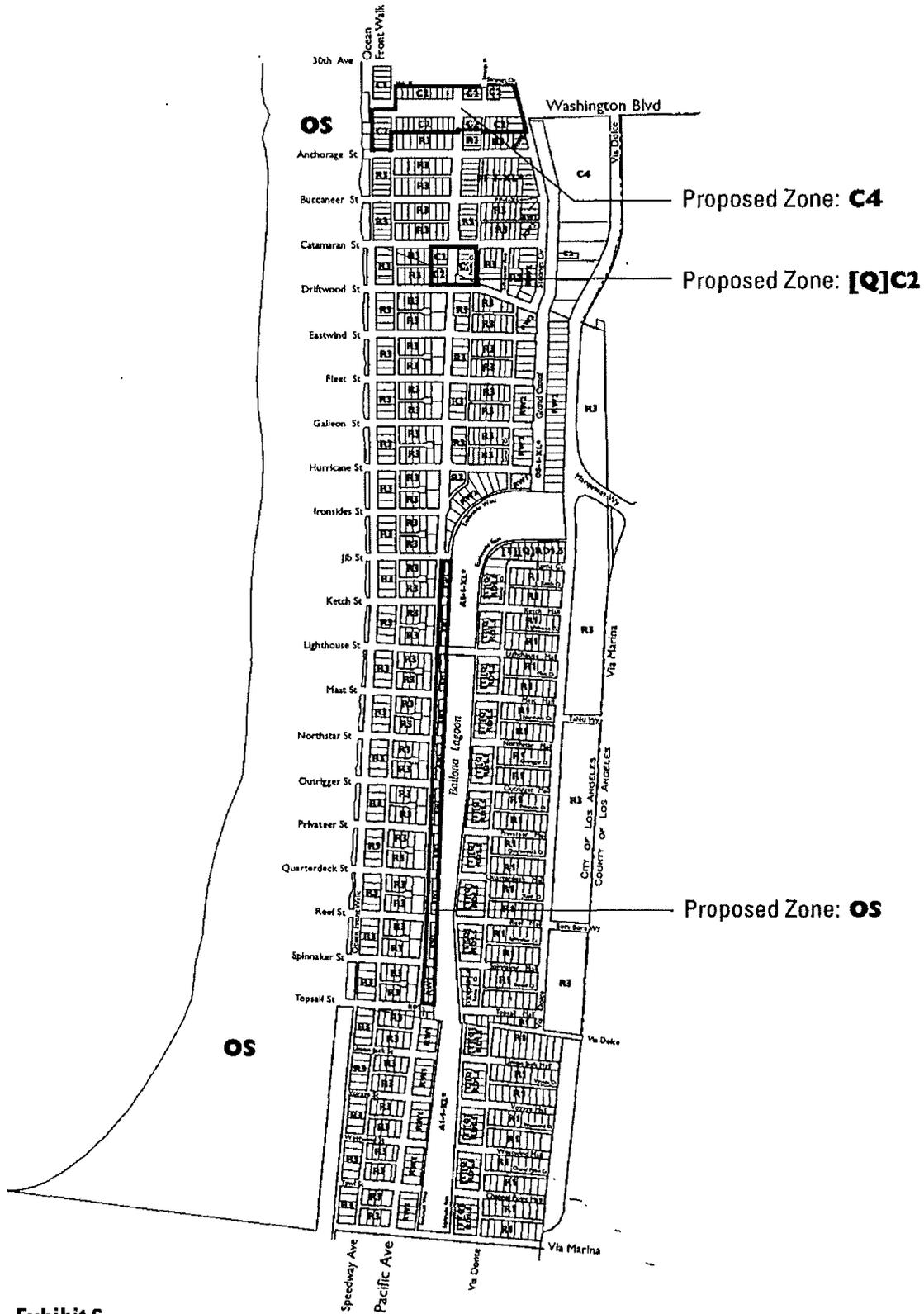


Exhibit 6
Existing Zoning
Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon East



Not to Scale

• Public Facilities Program Open Space II & III Clean-up CPC95-0148 GPC
 ** Does not include Height Districts

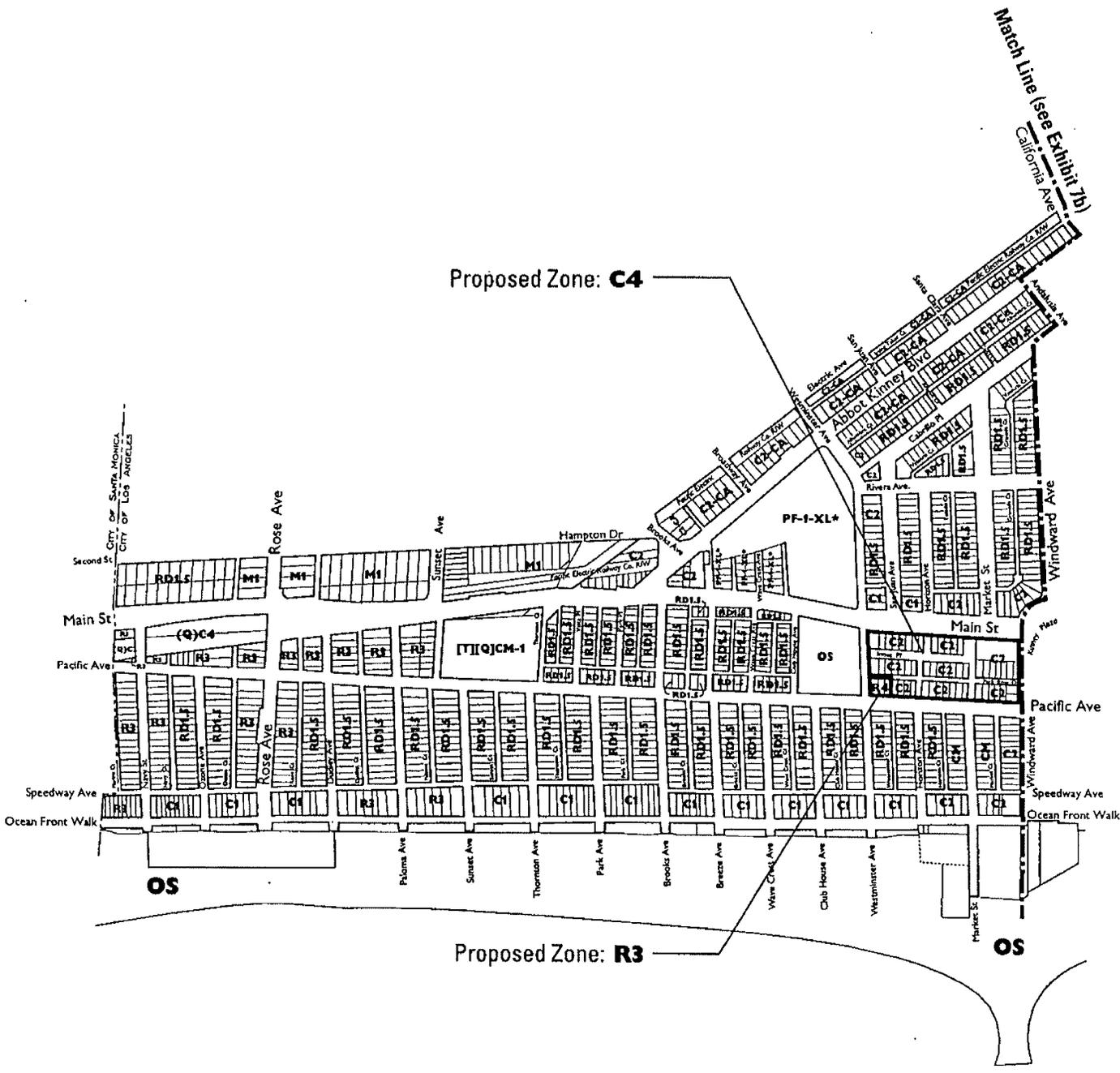
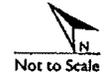


Exhibit 7a.
Existing Zoning
Subarea: North Venice • Venice Canals

• Public Facilities Program Open Space II & III Clean-up CPC95-0148 GPC
 •• Does not include Height Districts



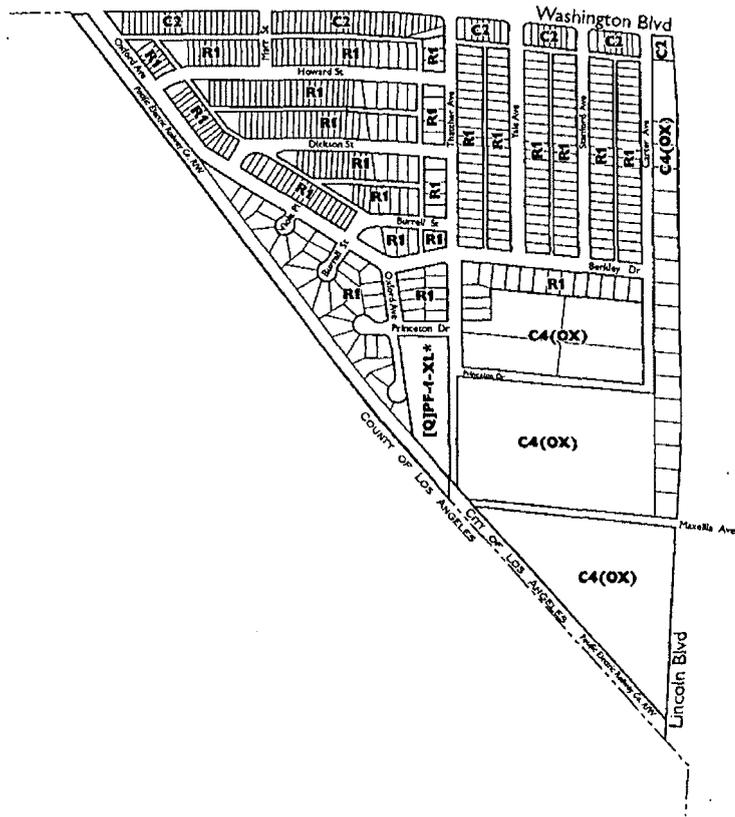
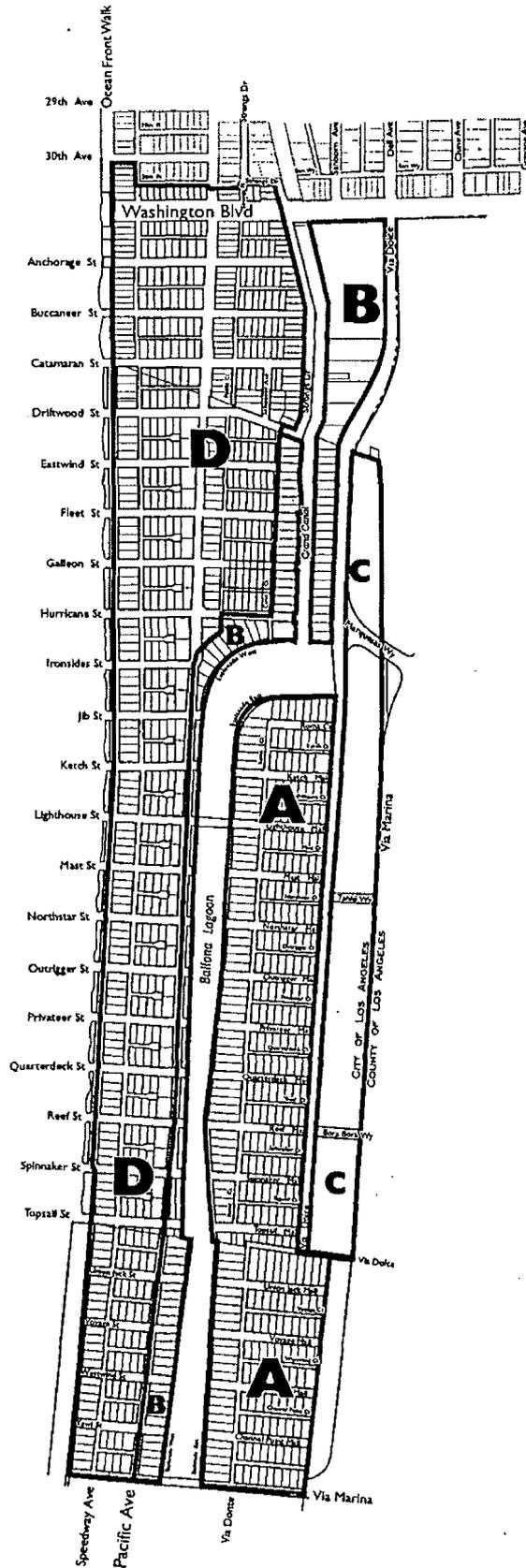


Exhibit 9
Existing Zoning
Subarea: Oxford Triangle

* Public Facilities Program Open Space II & III Clean-up CPC95-0148 GPC
 ** Does not include Height Districts





Maximum Building Height

- A** 30'-45'
- B** 38' North of Ironsides St
30'-45' South of Ironsides St
- C** 45'
- D** 35'
28' along Walk Streets

**Exhibit 10
Height**

**Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon East**



Maximum Building Height

- F** 30' with a Flat Roof
- 35' with a Varied Roofline
- 28' along Walk Streets
- 38' Architectural Features

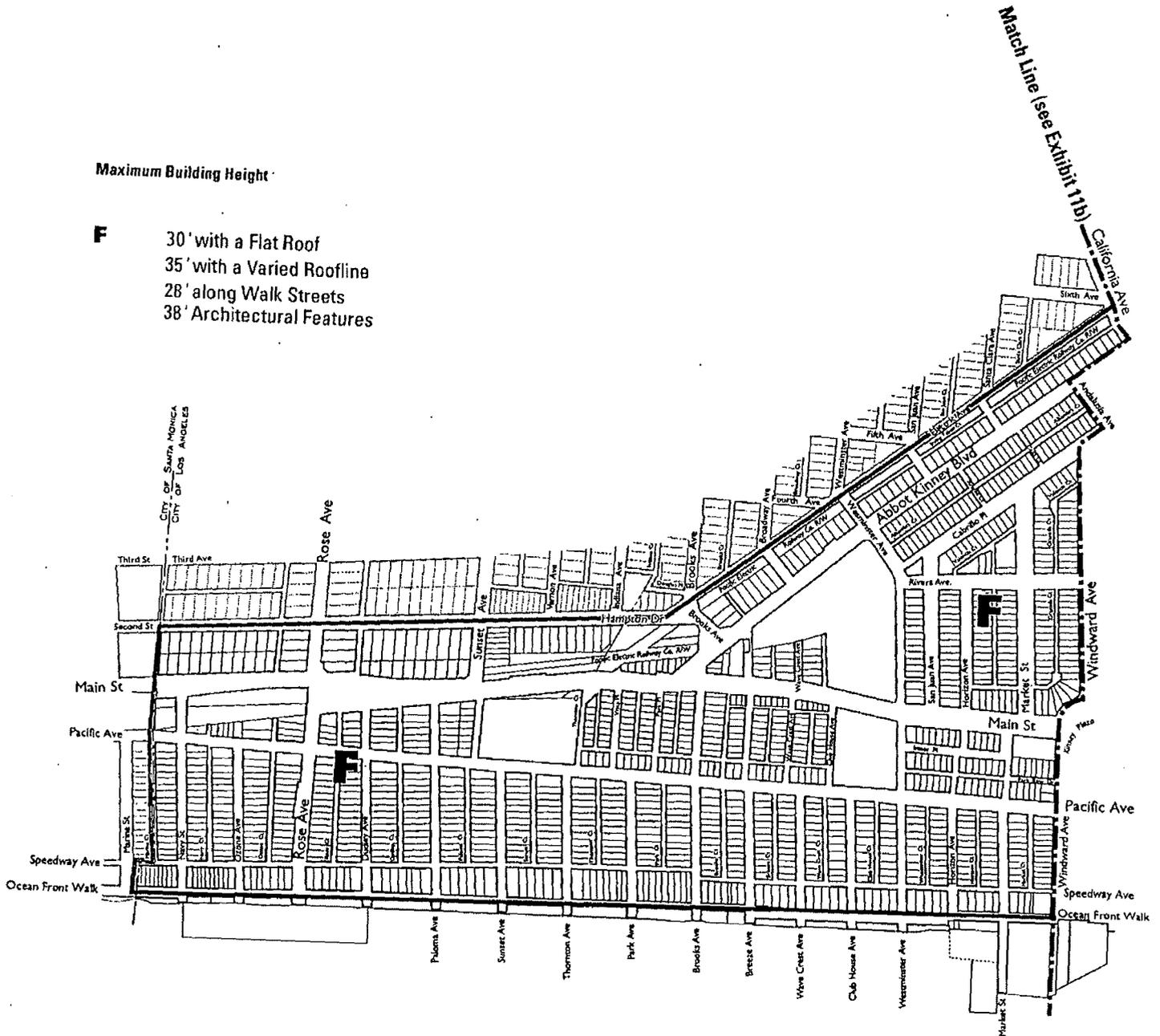
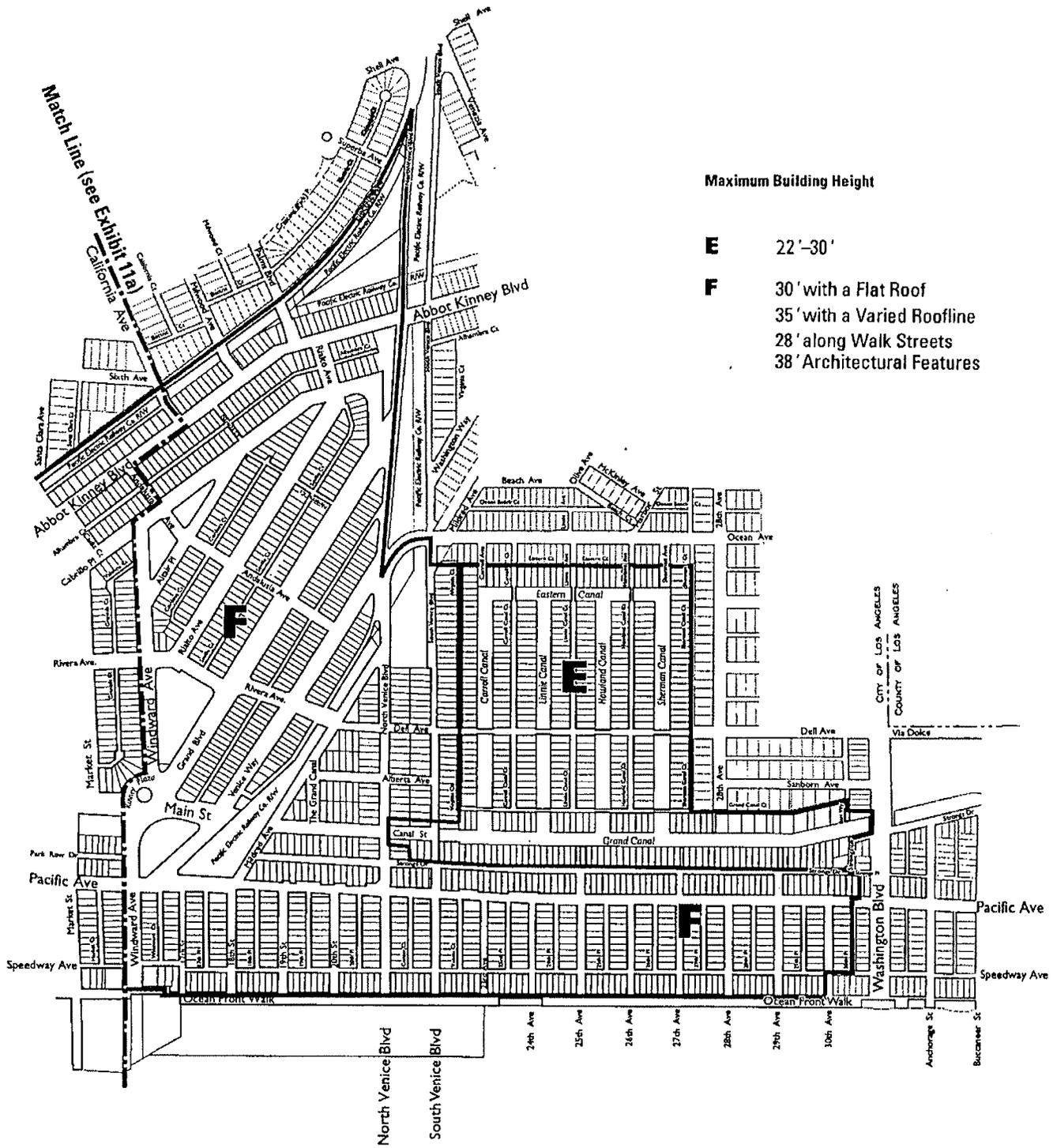


Exhibit 11a
Height
Subarea: North Venice • Venice Canals





Maximum Building Height

- E** 22'-30'
- F** 30' with a Flat Roof
35' with a Varied Roofline
28' along Walk Streets
38' Architectural Features

Exhibit 11b
Height
Subarea: North Venice • Venice Canals



Maximum Building Height

G
25' with a Flat Roof
30' with a Varied Roofline
28' along Walk Streets

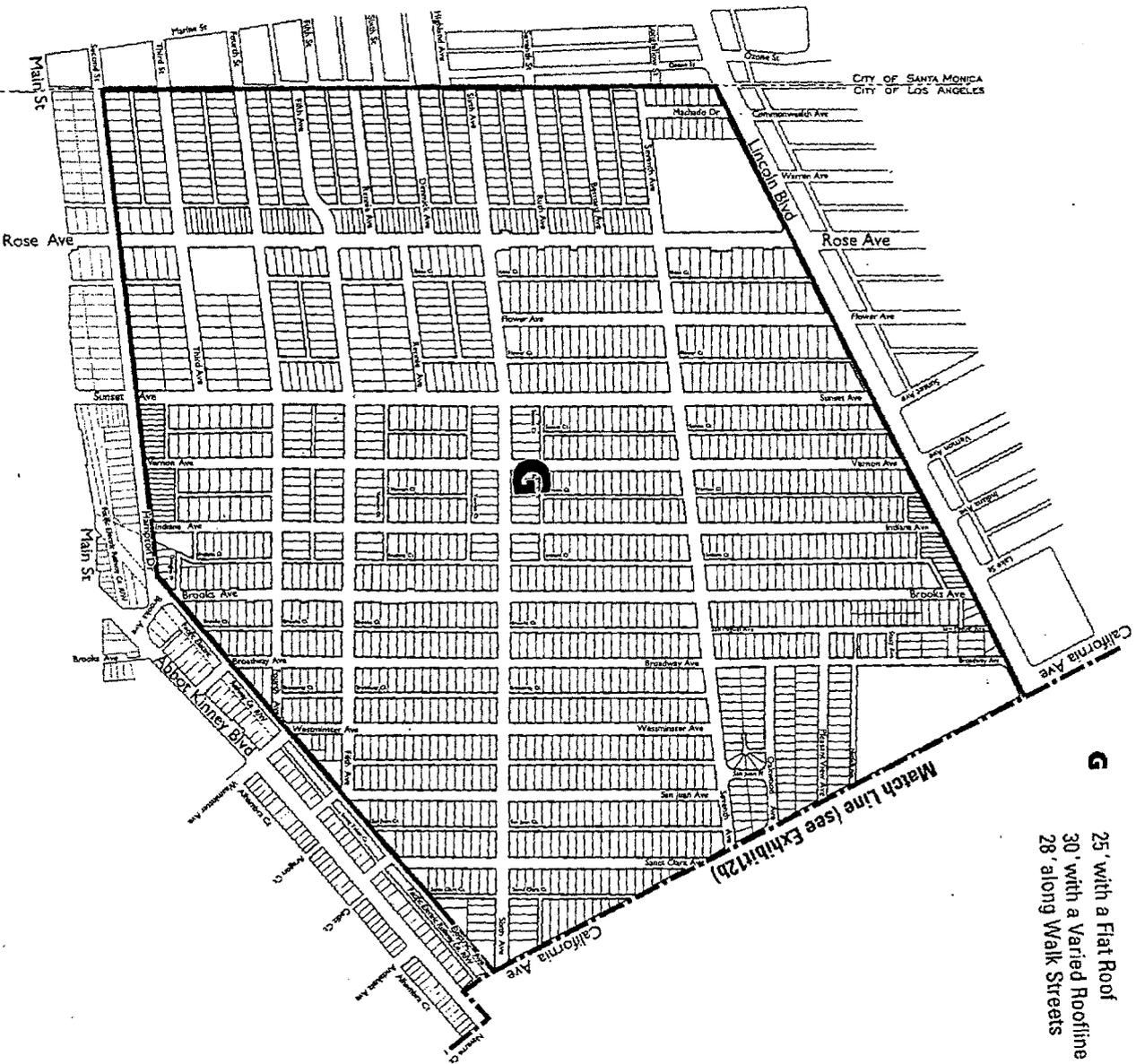
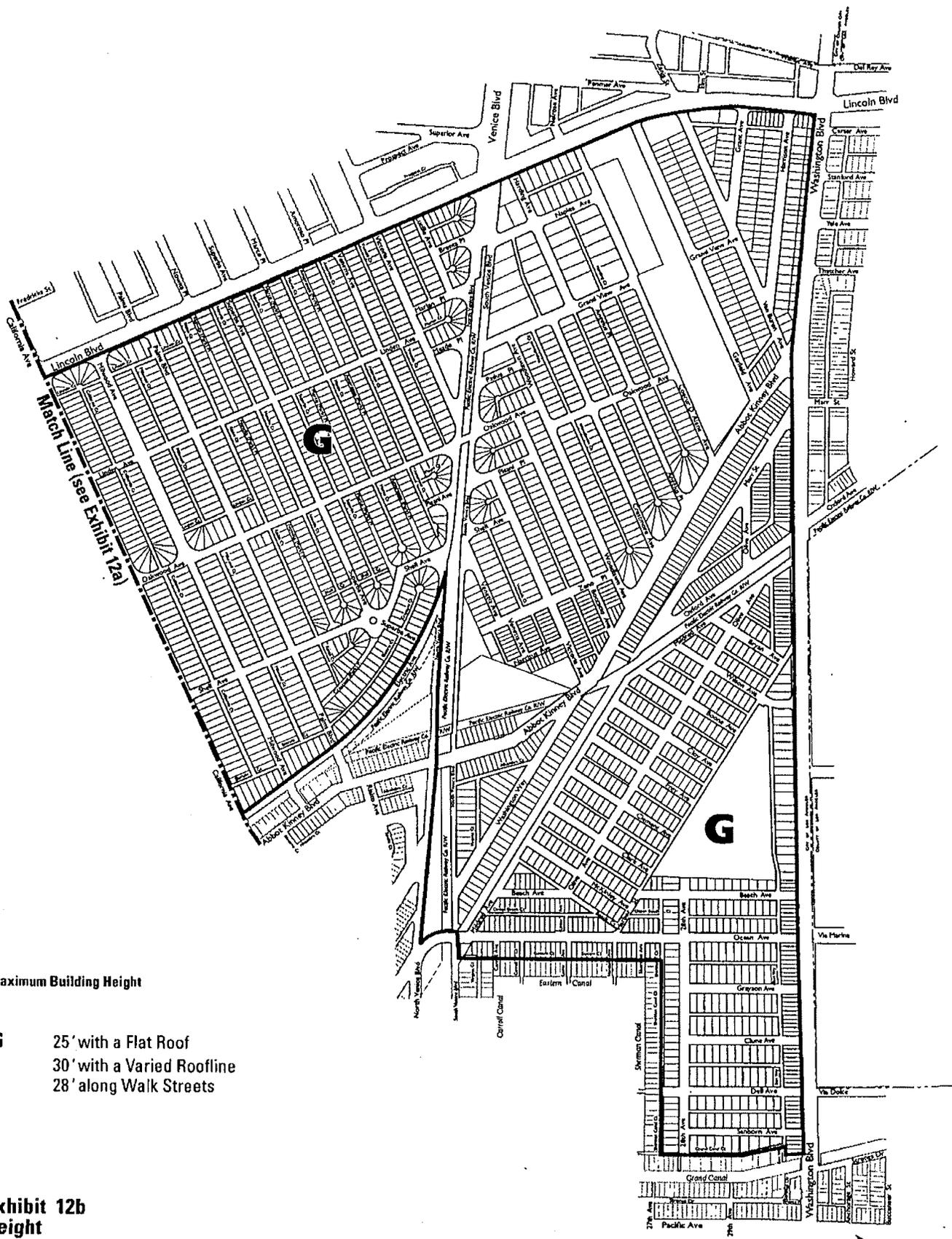


Exhibit 12a
Height
Subarea: Oakwood • Milwood • Southeast Venice





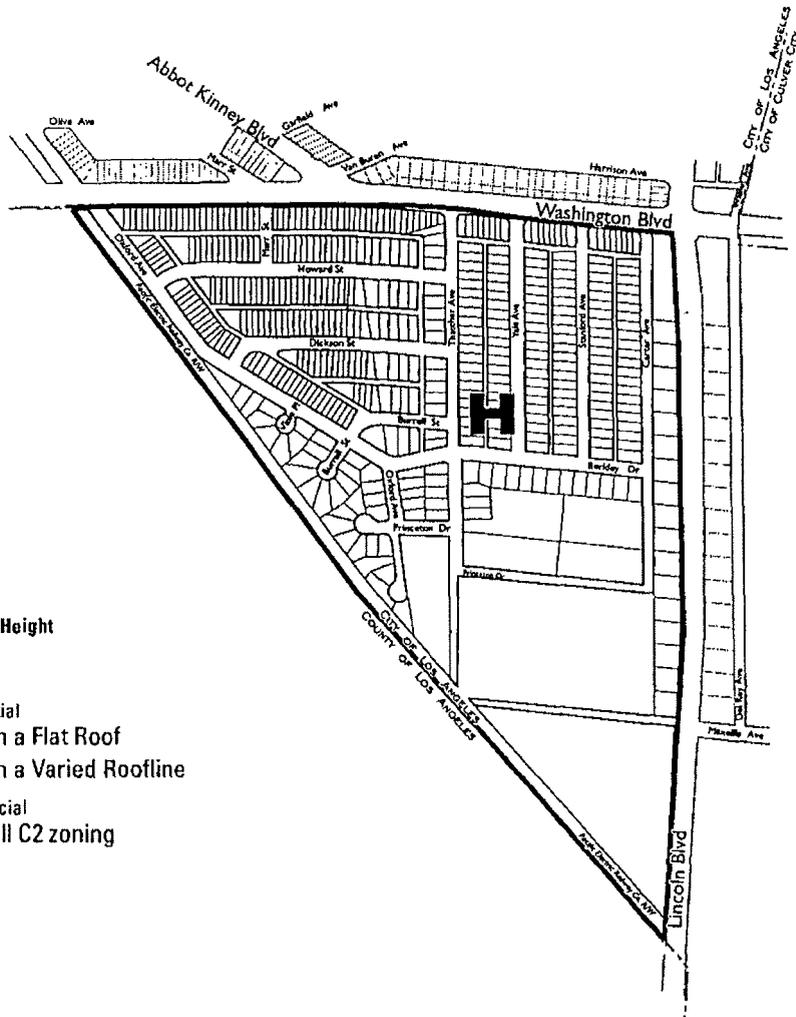
Maximum Building Height

- G** 25' with a Flat Roof
- 30' with a Varied Roofline
- 28' along Walk Streets

**Exhibit 12b
Height**

Subarea: Oakwood • Milwood • Southeast Venice



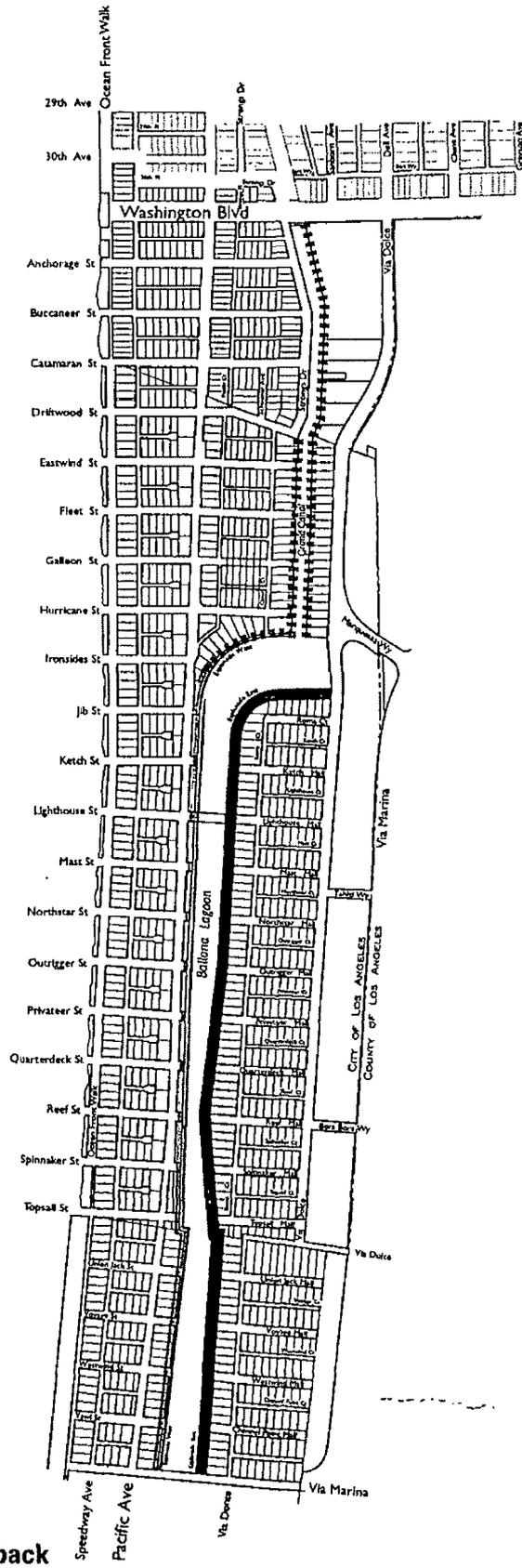


Maximum Building Height

- H** Residential
 - 25' with a Flat Roof
 - 30' with a Varied Roofline
- Commercial
 - 30' in all C2 zoning

**Exhibit 13
Height
Subarea: Oxford Triangle**





- Buffer/Setback**
- A minimum of 20' setback
 - A minimum of 25' setback
 - 40' strip buffer with 10–15' setback

Exhibit 14
Buffer/Setback
Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon East



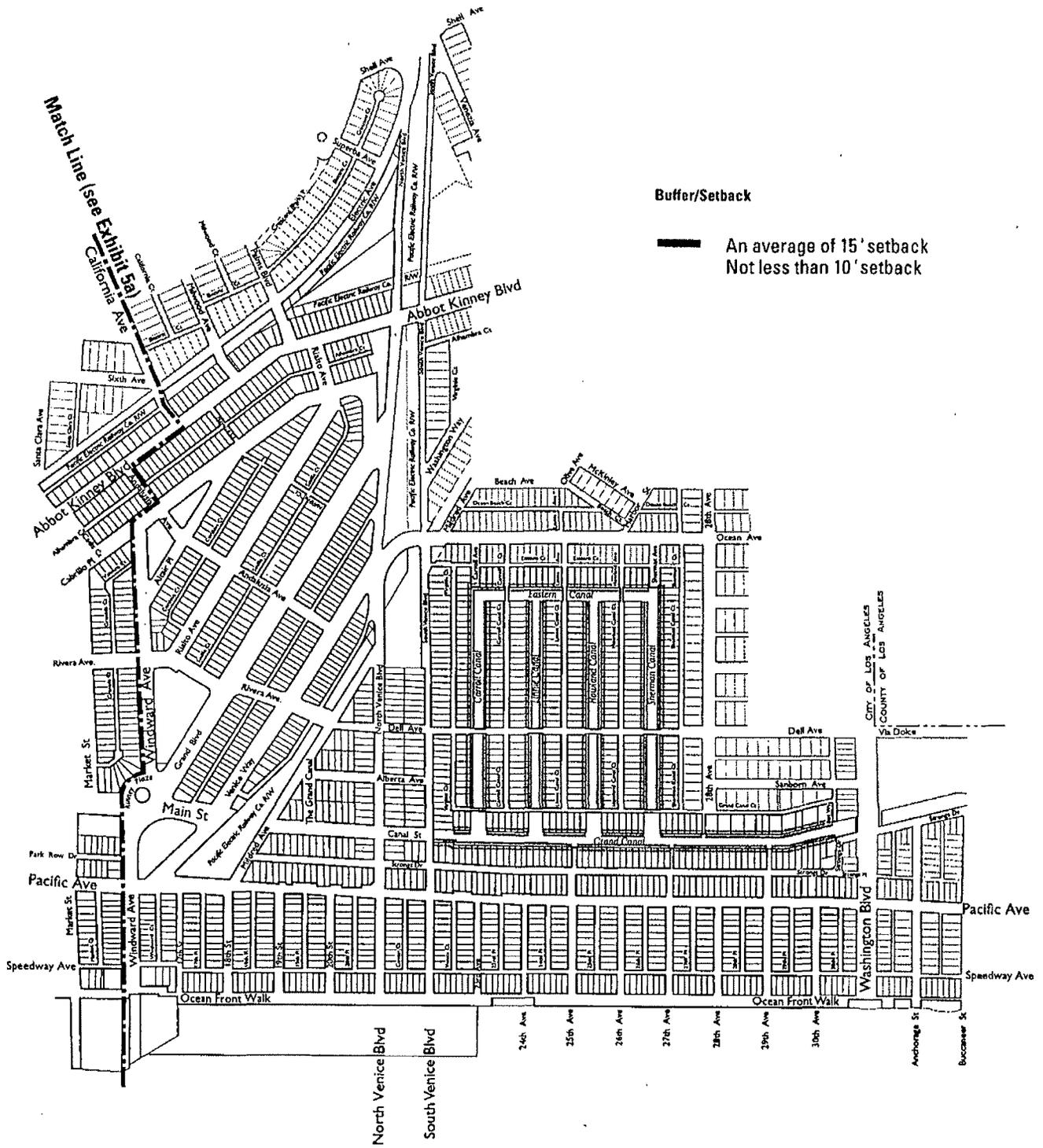


Exhibit 15
Buffer/Setback
Subarea: North Venice • Venice Canals



Sec. 9. COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS.

A. Exemption. Any commercial and/or industrial Project which consists solely of (i) additions or alterations to an existing building or structure which results in a ten percent or less increase in total occupant load, or (ii) a Change in Use which results in a ten percent or less increase in Trips is exempt from this Section.

B. Commercial Development. The following standards shall apply to all commercial Projects on commercially zoned lots.

1. Ground Floor Commercial Development. The following regulations shall apply to all commercial Projects which are new buildings or additions, except that commercial lots along Lincoln Boulevard, Washington Boulevard east of Oxford Avenue and in the Oxford Triangle Subarea are exempt from the following requirements:

a. The Project shall include a Street Wall, which shall extend for at least 65 percent of the length of the Building Frontage, and shall be located at the lot line or within five feet of the lot line. Adjacent to a sidewalk cafe, public plaza, retail courtyard, arcade, or landscaped area, the required Street Wall may be set back a maximum of 15 feet along the portion of the Project which consists of the cafe, plaza, courtyard, landscaping or arcade. The required Street Wall at the Ground Floor shall have a minimum Height of 13 feet.

b. At least 50 percent of the area of the Ground Floor Street Wall of a commercial Project shall be devoted to pedestrian entrances, display windows or windows offering views into retail, office gallery or lobby space.

c. Blank Walls shall be limited to segments of 15 feet in length, except that Blank Walls which contain a vehicle entry door shall be limited to the width of the door plus five feet.

d. All Projects shall provide at least one pedestrian entrance into each business or use for each Store Frontage.

e. Ground Floor exterior building walls that face rear parking areas shall provide a pedestrian entrance into the building.

2. Abbot Kinney Boulevard Ground Floor Commercial Development.

In addition to Section 9 B 1 of this Specific Plan, the following requirements shall apply to all commercial Projects which are new buildings or additions located along Abbot Kinney Boulevard between Brooks Avenue and Palm Boulevard.

a. At the Ground Floor, continuous and unarticulated glass curtain walls shall not be permitted. Facades of buildings shall be divided into individual store fronts.

b. Large expanses of glass shall be subdivided into units not larger than 6 feet wide separated by the mullions.

c. No store front windows shall be lower than 12 inches above sidewalk grade. They shall have a solid base surfaced with high quality materials, such as a ceramic tile, marble, granite, limestone, slate, brick, wood or similar materials approved by the Planning Director. The top of the window shall not extend to the ceiling height, and shall be capped with an Architectural Feature.

3. Floor Area Ratio. In all commercial zones, floor area ratio (FAR) shall be limited to:

.5 to 1 for retail only

1.0 to 1 for retail/office

1.5 to 1 for retail and/or office and residential

4. Building Separation. A minimum of five feet shall be provided between commercial, mixed use and residential buildings.

5. Landscaping

a. Any open portion of the lot on which the Project is located that is not used for buildings, parkways, driveways, or other access features shall be landscaped. A list of applicable plant materials appears in the attached Appendix B.

b. A landscape development plan prepared by a State licensed landscape architect, State licensed architect or landscaped contractor shall be submitted to the Director of Planning for review and approval. This Plan shall include the location of a permanent underground sprinkler system designed to insure complete coverage of all plant materials.

6. Light. Lighting from commercial Projects shall be directed away from residential Projects.

7. Trash. Projects shall have trash enclosures for regular and recyclable trash.

8. Signage. No rooftop signs or billboards shall be permitted.

C. Industrial Development. The following standards shall apply to all industrial Projects.

1. Ground Floor Industrial Development. At least 65 percent of the total width for the first 12 feet of elevation of any new building or addition that is parallel to and facing the street, shall be devoted to entrances, eye-level displays, a contrast in wall treatment, an offset wall line or other decorative features. Outdoor seating and/or landscaping shall be used to enhance visual interest and pedestrian vitality.

2. Signage. No rooftop signs or billboards shall be permitted.

D. Parking.

The following shall apply to any new parking structure or surface parking lot or any addition to a parking structure or surface parking lot:

1. Landscaping

a. All parking areas shall be improved and landscaped in accordance with LAMC Section 12.21 A 6.

b. For any new or addition to a surface parking lot which abuts a public street or is located across an alleyway from an R1 or more restrictive zone, except at pedestrian or vehicle entrances, a three-foot wide area shall be provided along the perimeter of the portion of the lot abutting the public street and shall be fully landscaped with lawn, trees, shrubs or suitable ground cover. In addition, a three-foot high decorative masonry wall, as measured from the highest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjacent to the wall, shall be located between the parking lot and the landscaped area. However, where a three-foot high landscaped berm is provided within the landscaped area, the wall shall not be required. Vines and shrubs shall be planted along the sides of the wall facing the street to screen the wall

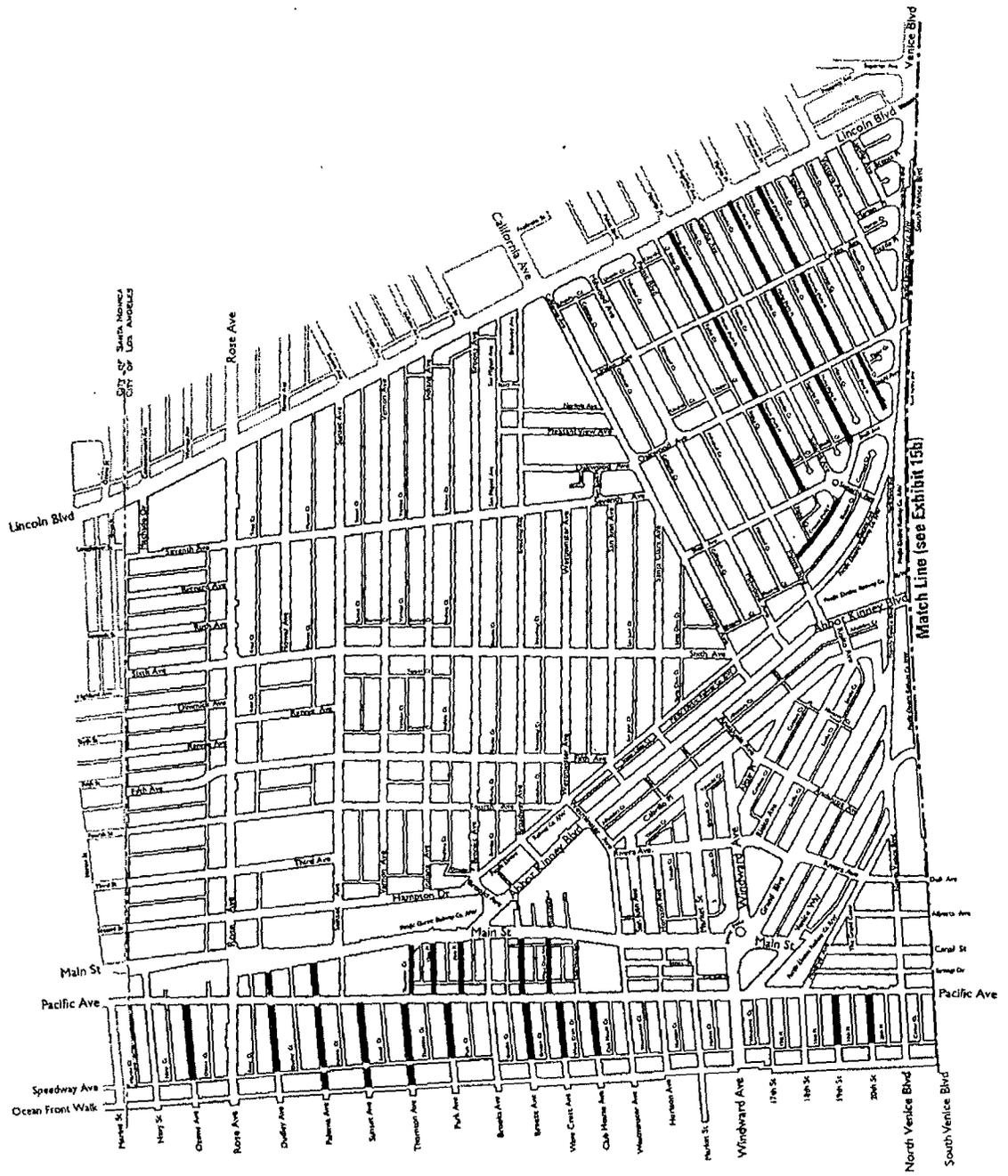
without blocking visibility into the parking area as required by LAMC Section 12.21 A 6 (f).

c. All surface parking abutting an R1 zone or more restrictive zone shall be screened by a decorative masonry wall, a minimum of five feet and nine inches and a maximum of eight feet in Height, as measured from the highest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjacent to the wall. The wall shall have a top cap, and the split-faced side shall face the adjacent residential zone. The wall shall be placed on the lot line which is adjacent to the R1 or more restrictive zone.

2. Parking Structures. In multi-level parking structures, where there is parking on the Ground Floor, 70 percent of the frontage of the Ground Floor along the property line which adjoins a public street shall contain financial services, neighborhood retail, neighborhood services or other related uses permitted by the zone and determined by the Director of Planning.

Sec. 10. WALK STREETS

The following regulations shall apply to Walk Streets, as listed in Appendix A of this Specific Plan and shown on Exhibit 16a and 16b.



— Walk Streets

Exhibit 16a
Walk Streets



A. Residential Development Standards.

1. General Regulations. Building materials, colors, massing and scale of new Projects shall complement those of existing structures in the neighborhoods. Building facades shall be varied and articulated to provide visual interest to pedestrians. Ground floor residential building entrances and frequent windows shall face the Walk Streets. Front porches, bays, and balconies shall be encouraged. For two family dwellings and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, and shall face Walk Streets and be well-defined and separate.

2. Public Right-of-Way.

a. The existing gardens/patios located within the public right-of-way, between the fences and the property line, shall be maintained to provide a transitional zone between the public pathways and private dwellings.

b. No shrub or hedge in the public right-of-way shall be higher than 42 inches. The bottom of tree canopies shall be maintained at least eight feet above the existing grade.

c. Any fence erected in the public right-of-way shall not exceed 42 inches in Height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is recommended. New fences shall be located in a straight line with existing fences on the same side of the street.

B. Permanent Encroachments.

1. Permanent Encroachments within the existing public right-of-way of a designated Walk Street shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences and shall be permitted only by obtaining a revocable encroachment permit from the City Department of Public Works.

2. No Encroachments, including fences, hedges or other accessory structures, shall be permitted within five feet of the centerline of the existing public right-of-way except in the Milwood area where fences shall be permitted in stringline with the existing fences. Encroachments shall not exceed 42 inches above natural grade.

Sec. 11. PARKING

A. Parking Requirements. Except as otherwise provided here, the parking standards set forth in the Parking Requirement Table shall apply to all Projects.

B. Exception. Any additions or alterations to an existing single-family or multiple dwelling shall not be required to comply with the parking standards set forth in this Section. However, if the addition or alteration results in an additional dwelling unit, the Parking Requirement Table and Subsection D shall apply.

C. PARKING REQUIREMENT TABLE

STRUCTURES	OFF-STREET PARKING REQUIRED
RESIDENTIAL USES	
Single family dwelling on lots less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.	2 spaces; except projects in the Silver Strand and Venice Canals Subareas, where 3 spaces are required. The third space may be uncovered and in tandem with the other two required covered parking spaces. In the Venice Canals Subarea, the third space may also be located in the garage driveway within the required rear yard.
Single family dwelling on lots of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	3 spaces; the third space may be uncovered and in tandem with the other two required covered parking spaces.
Multiple dwelling	2 spaces for each dwelling unit
Artist-in-residence	2 spaces for each artist-in-residence unit
Multiple dwelling and duplex on lots of 40 feet or more in width, or for 35 feet or more in width if adjacent to an alley	2 spaces for each dwelling unit; plus a minimum of 1 guest parking space for each 4 units (or fraction thereof); except that for Projects where all required parking spaces are fully enclosed, any required guest spaces may be paid for at the same in lieu fee rate defined for BIZ parking under Section 11 D (1) (2) of this Specific Plan.
Mobile Home Park	2 spaces for each mobile home space
Hotel, Motel or Motor Hotel	2 spaces; plus 2 spaces for each dwelling unit; plus 1 space for each guest room or each suite of rooms for the first 30; plus

	<p>1 space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; plus</p> <p>1 space for each three guest rooms or suites or rooms in excess of 60; plus</p> <p>1 space for each 100 square feet of floor area used for consumption of food or beverages, or public recreation areas; plus</p> <p>1 space for each five fixed seats and for every 35 square feet of seating area where there are no fixed seats in meeting rooms or other places of assembly.</p>
Boarding and Lodging House	2 spaces for each three guest rooms
HEALTH USES	
Veterinary Hospital	1 space for each 150 square feet of floor area
Medical or Dental or clinic	See office uses
Health Studio or Club	1 space for each 150 square feet of floor area. (For purposes of this provisions, swimming pool area shall be counted as floor area.
EDUCATIONAL & CULTURAL USES	
Child Care Center, Day Nursery, Preschool or Nursery School	1 space for each 500 square feet of floor area
Business, Professional or Trade School	1 space for each 25 square feet of floor area
RECREATIONAL USES	
Theater, Auditorium	1 space for each two fixed seats and for every 21 square feet of seating area where there are no fixed seats.
Dance Hall, Pool or Billiard Parlor, Roller or Ice Skating Rink, Exhibition Hall and Assembly Hall without fixed seats, including Community Center, Private Club, Lodge Hall and Union Headquarters	1 space for each 75 square feet of floor area
OFFICE USES	

Commercial Bank, Savings and Loan Office, other Financial Institutions, Public or Private Utility Office, Ticket Agency, other similar Window Service Offices	1 space for each 225 square feet of floor area of the main floor
Professional Offices of Doctors, Dentists or similar professions	1 space for each 150 square feet of floor area
General Office and other Business, Technical Service, Administrative or Professional Offices	1 space for each 250 square feet of floor area
BUSINESS AND COMMERCIAL USES	
Personal Service Establishment, Including Cleaning or Laundry Agency or similar use	1 space for each 250 square feet of floor area
General Retail Store, except as otherwise provided	1 space for each 225 square feet of floor area
Shopping Center (A well balanced mixture of uses within the center. Where there is an imbalance of high intensity uses, restaurants, theaters, bowling alleys, billiard parlors, beauty schools and other similar uses and/or long-term parking uses, parking calculation shall be based totally or in part on an individual basis.)	1 space for each 200 square feet of floor area within the center, or as otherwise required for each individual use within the center, whichever is greater
Food Store, Grocery Store, Supermarket, or similar use	1 space for each 225 square feet of floor area
Open Air Vending, Swap Meet	1.25 spaces per vending stall or sales space
Restaurant, Night Club, Bar and similar establishments and for the sale or consumption of food and beverages on the Premises	1 space for each 50 square feet of service floor
STRUCTURES BUSINESS & COMMERCIAL USES	
Drive-Through and Window Service Restaurant providing Outdoor Eating Area or Walk-up or Drive-up Window Service	1 space for each 50 square feet of floor area, but no fewer than 10 spaces. The above may be modified for walk-up facilities with no seating area and beach front walk-up with seating depending on the particulars of the individual case as determined by the Director, Zoning Administrator or Planning Commission, whichever has jurisdiction

Laundromat and Coin-Operated Cleaners	1 space for each 150 square feet of floor area
MANUFACTURING AND RELATED USES	
Manufacturing and Industrial Establishment, including Offices and other than incidental operations	3 spaces; plus 1 space for each 350 square feet of floor area
Laboratory and Research Establishment	3 spaces; plus 1 space for each 300 square feet of floor area
Warehouse Storage Building (including mini storage)	3 spaces; plus 1 space for each 1,000 square feet of floor area
Public Utility Facility not having a Business Office on the Premises	2 spaces; plus 1 space for each 1,000 square feet of floor area

D. Beach Impact Zone Parking Requirements. In addition to the above requirements, all Projects located within the Beach Impact Zone shall provide parking spaces in accordance with this Subsection.

1. One parking space for each 640 square feet of floor area of the Ground Floor for commercial and industrial Projects. In lieu of physically providing the spaces, a fee of \$18,000.00 per space may be paid for up to 50 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of any parking space required by Section 12.21 A 4 of the Los Angeles Municipal Code. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund.

2. One parking space for each 1,000 square feet of the floor area of the ground floor for multiple dwelling Projects of three units or more. In lieu of physically providing the space, a fee of \$18,000.00 per space may be paid for up to 100 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of any parking space required by the Los Angeles Municipal Code. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund.

3. In no event shall the number of Beach Impact Zone parking spaces required for Projects of three or more dwelling units, or commercial or industrial Projects, be less than one parking space for residential Projects and two parking spaces for commercial and industrial Projects.

Sec. 12. Venice Coastal Parking Impact Trust Fund.

1. There is already established within the Treasury of the City of Los Angeles a trust fund, Fund No. 864, entitled "The Venice Coastal Parking Impact Trust Fund" (the Fund). The monies collected pursuant to Section 11D of this Specific Plan shall be deposited into the Fund.

2. The Fund shall be used for the purpose of accepting and retaining funds collected by the Department of Transportation pursuant to this Specific Plan for expenditure only for parking mitigation measures in, adjacent to or serving the Beach Impact Zone. Those improvements shall include but not be limited to:

a. Venice Boulevard median public parking facility improvement, including land acquisition and construction.

b. Development of public parking facilities on the former railroad right-of-way at Electric Avenue.

c. Development of public parking facilities on City-owned lots in the Venice Coastal Zone.

d. Development of public parking facilities on the site of the Los Angeles County Metropolitan Authority (MTA) located between Main Street and Pacific Avenue south of Sunset Avenue.

e. Operation of shuttle buses to remote/intercept parking lots.

3. The Department of Transportation shall collect payments derived from Projects in the Venice Coastal Zone and remit all these funds to the Treasury for deposit into the Fund. All interest on other earnings from money received into the Fund shall be credited to the Fund and devoted to the purposes set forth in this Section.

4. The Controller, at the request of the General Manager of the Department of Transportation, may designate accounts to be established within the Fund for the classification of various types of receipt or disbursement.

5. The Fund shall be administered by, and shall be under the jurisdiction and control of, the Department of Transportation. Expenditures shall be authorized by the General Manager of the Department or the designee of the General Manager in accordance with established City practice and Government Code Section 66000, *et seq.* No expenditures shall be made from the Fund for

purposes which are contrary to the budgetary policy for the Department as established by the Mayor and the City Council.

6. All monies in the Fund shall be held separate and apart from other City funds and shall be expended upon the authority of the General Manager of the Department of Transportation or his or her designee, in accordance with this Specific Plan and pursuant to the following restrictions:

a. No more than five percent of the funds placed in the Fund each year shall be transferred to the administrative account of the Fund each year and used for administrative expenditures, including but not limited to, staff for the Department of Transportation.

b. No more than five percent of the funds placed in the Fund each year may be used for the purchase and installation of bicycle racks and storage.

Sec. 13. SEVERABILITY

If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect other Specific Plan provisions, clauses or application which can be implemented without the invalid provisions, clause or application, and, to this end, the provisions and clauses of this Specific Plan are declared to be severable.

APPENDIX A

Walk Streets

The following streets are designated as walk streets.

West of Pacific Avenue and east of Ocean Front Walk:

- | | | | |
|----|-----------------------|----|-------------------|
| a. | Twenty-fourth Avenue | j. | Galleon Street |
| b. | Twenty-sixth Avenue | k. | Mast Street |
| c. | Twenty-seventh Avenue | l. | Outrigger Street |
| d. | Twenty-eighth Avenue | m. | Privateer Street |
| e. | Thirtieth Avenue | n. | Reef Street |
| f. | Anchorage Avenue | o. | Spinnaker Street |
| g. | Buccaneer Street | p. | Union Jack Street |
| h. | Catamaran Street | q. | Westwind Street |
| i. | Sunset Avenue | r. | Yawl Street |
| | | s. | Via Marina |

Between Lincoln Boulevard and Shell Avenue:

- | | | | |
|----|--------------|----|---------------|
| a. | Nowita Place | c. | Amoroso Place |
| b. | Marco Place | | |

West of Main Street and east of Speedway:

- | | | | |
|----|---------------|----|-------------------|
| a. | Dudley Avenue | c. | Wave Crest Avenue |
| b. | Breeze Avenue | | |

West of Main Street and east of Ocean front Walk:

- | | | | |
|----|---------------|----|-----------------|
| a. | Paloma Avenue | b. | Thornton Avenue |
|----|---------------|----|-----------------|

West of Main Street and east of Pacific Avenue:

- | | | | |
|----|------------|----|-------------|
| a. | Park Place | b. | Vista Place |
|----|------------|----|-------------|

West of Pacific Avenue and east of Speedway:

- | | | | |
|----|---------------------|----|------------------|
| a. | Nineteenth Avenue | i. | Catamaran Street |
| b. | Twentieth Avenue | j. | Voyager Street |
| c. | Twenty-third Avenue | k. | Fleet Street |

- | | | | |
|----|---------------------|----|--------------------|
| d. | Eastwind Street | l. | Ironsides Street |
| e. | Twenty-fifth Avenue | m. | Quarterdeck Street |
| f. | Jib Street | n. | Ketch Street |
| g. | Twenty-ninth Avenue | o. | Park Avenue |
| h. | Northstar Street | p. | Club House Avenue |
| | | q. | Ozone Avenue |

West of Via dolce and east of Esplanade East:

- | | | | |
|----|------------------|----|------------------|
| a. | Ketch Mall | f. | Northstar Mall |
| b. | Light House Mall | g. | Privateer Mall |
| c. | Mast Mall | h. | Quarterdeck Mall |
| d. | Spinnaker Mall | i. | Reef Mall |
| e. | Outrigger Mall | j. | Topsail Mall |

West of Via Dolce and east of Via Donte:

- | | | | |
|----|-----------------|----|--------------------|
| a. | Union Jack Mall | c. | Westwind Mall |
| b. | Voyager Mall | d. | Channel Point Mall |

And:

- | | |
|----|---|
| a. | Crescent Place between Palms Boulevard and Shell Avenue |
|----|---|

APPENDIX B

Landscape Materials

All required plant materials shall be selected from this list:

TREES

Fern Leaf Acacia
Deodar Cedar
Western Rosebud
Arizona Cypress
Eucalyptus (many varieties)
European Olive
Toyon
Palms (many varieties)
Italian Stone Pine
Alleppo Pine
Canary Island Pine
California Pepper
California Live Oak
Valley Oak
Cork Oak
Salt Cedar
Silk Oak
Carob
Cataline Ironwood
African Sumac
Giant Sequoia
Flaxleaf Paperbark
Loquat
California Black Walnut
Rhus Lancia
Geijera Parvifolia
Lucust

SHRUBS

Strawberry Tree
Ceanothus

California Lilac
Hopseed Bush
Junipers (many varieties)
Oregon Grape
Shiny Xylosma
Sugar Bush
Yucca
Yarrow
Agave
Wormwood
Saltbush
Contauroa
Gymnocarpa
Elaegnus
Pittosporum
Elephant's Food
Dusty Miller

VINES

Bougainvillea
Wisteria
Cup-of-Gold Vine
Patato Vine
Cape Honeysuckle
Vitis Vinifera (Wine Grape Vine)
Trumpet Creeper

GROUND COVERS

Dwarf Coyote Brush
Junipers (many varieties)
Rosemary
Ice Plant (many varieties)
Gazania
African Daisy
Creeping St.
Johnswort

FLOWERING

Red Valerian
Bush Morning Glory
Pampas Grass
Coreopsis
Verticillata
Smoke Tree
Broom
Escallonia
Buckwheat
Garry Elyptica
Red-Hot Poker
Lavender
Sea Lavender
Mickey Mouse Plant
Fountain Grass
Cape Plumbago
Bird of Paradise
Marilija Poppy
Winter Savory
Bush Germander
Oleander
Lemon Bottlebrush
Rockrose
Price of Madeira
Aloe
Feathery Cassia
Lantana
Fremontia

APPENDIX C

LAND USE

VEHICLE TRIPS PER PEAK HOUR

Shopping Center (A group of architecturally combined commercial establishments built on a site which is planned, developed, and managed as a unit.)

More than 300,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
200,000 to 300,000 sq. ft. of Gross Floor Area	4.8 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	5.5 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	6.9 per 1,000 sq. ft. of Gross Floor Area
Less than 50,000 sq. ft. of Gross Floor Area	7.9 per 1,000 sq. ft. of Gross Floor Area

Commercial establishments not in a Shopping Center:

Automobiles Uses

Car Wash	81.0 per car wash
Gas Station:	
without convenience store or car wash	14.6 per fueling position
with convenience store	13.4 per fueling position
with convenience store and car wash	13.2 per fueling position
Repair/Service sq. ft. of Gross Floor Area	3.4 per 1,000 sq. ft.

Banking Uses

Walk-in Bank	17.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	43.6 per 1,000 sq. ft. of Gross Floor Area
Savings & Loan	5.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	6.8 per 1,000 sq. ft. of Gross Floor Area

Supermarket

(larger than 5,000 sq. ft. of Gross Floor Area)	11.5 per 1,000 sq. ft. of Gross Floor Area
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Convenience Market (5,000 sq. ft. of Gross Floor Area or smaller) Open 24 hours/day	53.7 per 1,000 sq. ft. of Gross Floor Area
Open 15-16 hours/day	34.6 per 1,000 sq. ft. of Gross Floor Area
Wholesale Market	0.5 per 1,000 sq. ft. of Gross Floor Area
Movie Theater	0.15 per seat
Hospital General	1.2 per bed
Convalescent	0.2 per bed
Church	0.7 per 1,000 sq. ft. of Gross Floor Area
Synagogue	3.1 per 1,000 sq. ft. of Gross Floor Area
Storage (Household Goods)	0.3 per 1,000 sq. ft. of Gross storage area
Lodging Hotel	0.61 per guest room
Motel or Apartment Hotel	0.73 per guest room or dwelling unit
Offices Commercial Office under 25,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
25,000 to 50,000 sq. ft. of Gross Floor Area	3.2 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	2.2 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	1.6 per 1,000 sq. ft. of Gross Floor Area
over 200,000 sq. ft. of Gross Floor Area	1.5 per 1,000 sq. ft. of Gross Floor Area

Government Office	3.6 per 1,000 sq. ft. of Gross Floor Area
Medical Office	3.7 per 1,000 sq. ft. of Gross Floor Area
Artist in Residence plus 5 trips per 1,000 sq. ft. of other than habitable floor area.	0.7 trips per dwelling unit,
Restaurants	
Low turnover (sit-down restaurant with no counter service)	7.5 per 1,000 sq. ft. of Gross Floor Area
High turnover (sit-down restaurant with counter service)	10.9 per 1,000 sq. ft. of Gross Floor Area
Fast food (high turnover restaurant with automobile service)	33.5 per 1,000 sq. ft. of Gross Floor Area
Fast food (without drive-through)	26.1 per 1,000 sq. ft. of Gross Floor Area
Other Commercial Specialty retail establishments	5.0 per 1,000 sq. ft. of Gross Floor Area
Warehouse	0.51 per 1,000 sq. ft. of Gross Floor Area
Manufacturing (transforming raw materials into finished products)	0.74 per 1,000 sq. ft. of Gross Floor Area
General industrial	0.98 per 1,000 sq. ft. of Gross Floor Area

(44283)

Sec. 14. The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in the City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, by a majority vote of all its members, at its meeting of OCT 29 1999.

J. MICHAEL CAREY, City Clerk

By *Konrad Carter*
Deputy

Approved NOV 09 1999

By *[Signature]*
Mayor *EFB*

Approved as to Form and Legality

Pursuant to Sec. 97.8 of the City Charter, approval of this ordinance recommended for the City Planning Commission.....

October 26, 1999
JAMES K. HAHN, City Attorney

See attached report
Carline
Director of Planning

By *Jean L. Buzyl*
Deputy City Attorney

File No. C.F. 98-0518

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, 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. 172897 - Venice Specific Plan, a copy of which is hereto attached, was finally adopted by the Council of the City of Los Angeles on Oct. 29, 1999, & under direction of said Council & said City Clerk, pursuant to Section 31 of the Charter of the City of Los Angeles, on Nov. 12, 1999, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: one copy on the bulletin board at the Main Street entrance to City Hall of said City, one copy on the bulletin board on the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in said City, & one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles in said City.

The copies of said ordinance posted as aforesaid were kept posted continuously & conspicuously for ten days, or more, beginning November 12, 1999 to and including December 22, 1999.

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

Signed this 12th day of Nov. 1999 at Los Angeles, California.

Maria C. Rico

Maria C. Rico, Deputy City Clerk

Effective Date: December 22, 1999

C.F. 98-0518

ORDINANCE NO. 175693

An ordinance amending the Venice Coastal Specific Plan.

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

Section 1. Ordinance No. 172,897 is repealed.

Sec. 2. **ESTABLISHMENT OF THE VENICE COASTAL SPECIFIC PLAN.** The City Council establishes this Venice Coastal Specific Plan applicable to that area of the City of Los Angeles shown on the Specific Plan Area map, Exhibit 1a and 1b. The Specific Plan area is divided into eight subareas, as shown by Exhibits 2 through 5.

Ballona Lagoon West Bank Subarea, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 2.

Ballona Lagoon (Grand Canal) East Bank Subarea, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 2.

Silver Strand Subarea, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County boundary on the east, and Ballona Lagoon on the west, as shown on Exhibit 2.

Marina Peninsula Subarea, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the east, and the Pacific Ocean on the west, as shown on Exhibit 2.

Venice Canals Subarea, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eastern Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 3b.

North Venice Subarea, generally bounded by the Los Angeles City boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 3a and 3b.

Oakwood-Milwood-Southeast Venice Subarea, generally bounded by the Los Angeles City boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court and Strongs Drive on the west, as shown on Exhibits 4a and 4b.

Oxford Triangle Subarea, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 5.

Sec. 3. **PURPOSES.** The purposes of this Specific Plan are as follows:

- A. To implement the goals and policies of the Coastal Act.
- B. To implement the Local Coastal Program (LCP) for that portion of the Venice community within the Coastal Zone as designated by the State Legislature.
- C. To protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
- D. To assure that public access to the coast and public recreation areas is provided as required by the Coastal Act and the LCP.
- E. To prepare specific provisions tailored to the particular conditions and circumstances of Venice Coastal Zone, consistent with the general policies of the adopted Los Angeles General Plan.
- F. To regulate all development, including use, height, density, setback, buffer zone and other factors in order that it be compatible in character with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas.

Sec. 4. **RELATIONSHIP TO OTHER PROVISIONS OF THE MUNICIPAL CODE.**

- A. The regulations of the Specific Plan are in addition to those set forth in the Planning and Zoning provisions of Chapter 1 of the Los Angeles Municipal Code (LAMC), as amended, and any other relevant ordinances, and do not convey any rights not otherwise granted under those provisions except as specifically provided in this Specific Plan.
- B. Wherever provisions of this Specific Plan differ from provisions contained in Chapter 1 of the LAMC, (with regard to use, density, lot area, floor area ratio, height of buildings or structures, setbacks, yards, buffers, parking, drainage, fences, landscaping, design

standards, light, trash and signage) this Specific Plan shall supersede those other regulations. Whenever this Specific Plan is silent, the regulations of the LAMC shall apply.

Sec. 5. **DEFINITIONS.** The following words, whenever used in this Specific Plan, shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in LAMC Section 12.03 or 12.20.2.1, if defined there:

A. Architectural Features. Features including, but not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.

B. Blank Wall. A Street Wall or vehicle entry facing the street and having no architectural detailing, windows, doors or similar features.

C. Building Frontage. The maximum length of a line or lines formed by connecting the points representing projections of the exterior building walls onto a public street or onto a courtyard that is directly accessible by pedestrians from a public street, whichever distance is greater.

D. Beach Impact Zone. All lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice subareas described in Section 1, Exhibits 2, 3a and b, of this Specific Plan.

E. Change in Intensity of Use. A change in intensity of use includes but is not limited to any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of Service Floor to a commercial or industrial use; or (c) a change in the number of trips as calculated in the Trip Table, Appendix C; or (d) a change in the number of provided or required parking spaces as calculated in Section 12 D and E of this Specific Plan.

F. Change of Use. A change from (1) an existing residential use to a commercial or industrial use; or (2) an existing commercial use to a residential or industrial use; or (3) an existing industrial use to a residential or commercial use.

G. Encroachment. Any structure or building or portion of a structure or building that projects into a right-of-way or required setback.

H. Environmentally Sensitive Habitat Area. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

I. Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

J. Fill. Earth or any other substance or material, including pilings placed for the purposes of erecting a structure on it.

K. Flat Roof. Any roof form which has a slope of 2 vertical inches or fewer to 12 horizontal inches.

L. Grand Canal Lot. Any lot shown on Exhibit 2 of this Specific Plan that is immediately adjacent to Grand Canal.

M. Ground Floor. The lowest story within a building, which is accessible to the street, the floor level of which is within three feet above or below curb level, which has frontage on or is primarily facing any pedestrian-oriented street, and which is at least 20 feet in depth or the total depth of the building, whichever is less.

N. Lagoon Buffer Strip. The strip of land immediately adjacent to the Ballona Lagoon that separates the developable portion of a lot from the waters of Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77 and Appeal No. A-266-77.

O. Lagoon Lot. Any lot that is immediately adjacent to the Ballona Lagoon as shown on Exhibit 2 of this Specific Plan.

P. Local Coastal Program. A program that includes land use plans, zoning ordinances, zoning district maps, and within sensitive coastal resource areas, other implementing actions, which when taken together meet the requirements and provisions of the California Coastal Act.

Q. Lot Consolidation. Lot consolidation occurs when: (1) one or more structures are built over a lot line that divided two existing lots; or (2) a lot line is abandoned, a lot line is adjusted, lots are merged, or other action is taken by the City, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.

R. Permeable. A material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface material poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area of loosely laid material such as crushed stone or gravel.

S. Premise. A building or portion of a building used as a location for a single business or non-commercial use.

T. Replacement Affordable Unit. Any affordable housing unit to be provided as replacement for an existing unit on a Venice Coastal Development Project site. Affordable housing units are dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth on a rent schedule prepared by the City's Housing Department or any successor agency. In order for a Venice Coastal Development Project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy.

U. Roof Access Structure. An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.

V. Service Floor. All areas where the customer can be served, except the restroom, including the indoor and outdoor dining area, bar, waiting room and tavern.

W. Store Frontage. The horizontal length of a Premise abutting the exterior public access level walkway that serves the Premise.

X. Street Wall. An exterior wall of a building that faces a street.

Y. Trip. A single or one direction vehicle movement with either origin or destination (exiting or entering) inside the Venice Coastal Development Project site.

Z. Varied Roofline. Any roof that has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped or curved roofline.

aa. Venice Coastal Development Project. Any of the following actions taken on any lot located in whole or in part within the area identified in Exhibit 1a and b of this Specific Plan. On land, in or under water, the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; the grading, removing, dredging, mining or extraction of any materials; any change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use; any change in the intensity of use of water or of access to the water; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than

for agricultural purposes, kelp harvesting, and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code). On-site and off-site parking areas that serve a Venice Coastal Development Project shall be considered a part of the project.

bb. Venice Coastal Zone. The area within the Venice Community Plan area west of Lincoln Boulevard, including those lots fronting on the west side of Lincoln Boulevard and shown on the Specific Plan Area map, Exhibit 1a and b.

cc. Walk Street. A public street in the Venice Coastal Zone that has been improved for public pedestrian use over part of its width and is landscaped (publicly or privately) over the remainder, but which has not been improved for public vehicular access, as identified in Appendix A of this Specific Plan and as shown on Exhibits 16 a and b.

Sec. 6. **JURISDICTION.** No demolition, grading, building permit or certificate of occupancy shall be issued for any Venice Coastal Development Project unless the Venice Coastal Development Project has received a Venice Coastal Specific Plan Exemption, a Planning Director signature on the Building Permit Application Clearance Summary Worksheet, or has been reviewed and approved in accordance with the Specific Plan Procedures of LAMC Section 11.5.7, Section 7 of this Specific Plan and the Coastal Development Provisions of LAMC Section 12.20.2.1.

Sec. 7. **APPLICABILITY.** The provisions of this Specific Plan shall not apply to any Venice Coastal Development Project for which a valid Project Permit Compliance or Exemption was granted pursuant to the Venice Coastal Specific Plan, Ordinance No. 172,897, provided architectural and structural plans incorporating all conditions of the permit or exemption were accepted for plan check by the Department of Building and Safety and a fee paid not more than 365 days after the effective date of this Specific Plan and no subsequent changes occur on the plans, which would cause the Venice Coastal Development Project to exceed any provision of the permit or previously granted exemption.

Sec. 8. **REVIEW PROCEDURES.** Applications for Venice Coastal Development Projects shall be filed and processed as follows:

A. DIRECTOR OF PLANNING SIGN-OFF. The following Venice Coastal Development Projects are exempt from the Project Permit Compliance procedures contained in LAMC Section 11.5.7 C. For these projects, no demolition, grading, building permit or certificate of occupancy shall be issued unless the Director of Planning has reviewed the application and determined, by signature, that the Venice Coastal Development Project complies with all applicable provisions of this Specific Plan.

1. In the Appealable Area, any improvement to an existing single or multiple-family dwelling unit that is not located on a Walk Street;
2. In the Non-Appealable Area:
 - a. Any improvement to an existing single or multiple-family dwelling unit that is not located on a Walk Street;
 - b. New construction of one single family dwelling unit, and not more than two condominium units, not located on a Walk Street;
 - c. New construction of four or fewer dwelling units, not located on a Walk Street;
 - d. Demolition of four or fewer dwelling units.
3. Any improvement to an existing commercial or industrial structure of any Venice Coastal Development Project that increases the total occupant load, required parking or customer area by less than ten percent.
4. Any Venice Coastal Development Project that has been Categorically Excluded pursuant to a Categorical Exclusion order issued by the Coastal Commission.

B. PROJECT PERMIT COMPLIANCE REVIEW. All other applications for Venice Coastal Development Projects that are not described in Section 8 A above shall be processed in accordance with LAMC Section 11.5.7.

For Venice Coastal Development Projects listed below, the Approving Authority may waive the public hearing for a Coastal Development Permit if it can make the Findings in accordance with Section 12.20.2.1 E4.

1. Any Venice Coastal Development Project located on a Walk Street.
2. Any improvement to an existing commercial or industrial structure that increases the total occupant load, required parking or customer area by ten percent or more.
3. In the Appealable area, any Venice Coastal Development Project that consists of:
 - a. Any new single family unit and not more than two condominium units;

- b. Demolition of four or fewer dwelling units;
- c. New construction of four or fewer dwelling units.

C. FINDINGS. In granting a Project Permit Compliance Review in the Venice Coastal Zone, the Approving Authority shall make each of the findings in Section 11.5.7 and the following findings:

1. That 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;
2. That the Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program;
3. That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Venice Coastal Development Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing;
4. That 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).

Sec. 9. **GENERAL LAND USE AND DEVELOPMENT REGULATIONS.** In addition to the regulations contained in Chapter 1 of the LAMC and as shown on Exhibits 6-15, the following regulations shall apply:

A. LOT CONSOLIDATION. Lot Consolidation of contiguous lots may be permitted, provided the consolidation complies with conditions specified in Subsection 1 and 2 below. Subterranean development that is entirely below street elevation is exempt from this subsection.

1. Number of Lots.

- a. Venice Canals and Silver Strand residentially-zoned lots:

Lot Consolidation shall not be permitted.

- b. Walk Streets:

If residentially-zoned lots front on a Walk Street, a maximum of two residentially-zoned lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

c. Ballona Lagoon West, Ballona Lagoon (Grand Canal) East, Southeast Venice, Milwood, North Venice and Oxford Triangle residentially-zoned lots:

A maximum of two residentially-zoned lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

d. Oakwood and Marina Peninsula neighborhoods:

A maximum of three residentially-zoned lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

e. Commercially- and Industrially-Zoned Lots:

(1) Any number of Lots abutting Lincoln Boulevard or Washington Boulevard and located east of Oxford Avenue may be consolidated with no limit on the number of lots, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below.

(2) Other Commercial Venice Coastal Development Projects:

Two lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below; or three lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below and parking is subterranean with the roof at natural grade.

(3) Industrial Venice Coastal Development Projects:

Any number of lots may be consolidated for industrial Venice Coastal Development Projects, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below and parking is subterranean with the roof at natural grade.

(4) Mixed-Use and Multi-Family Residential Venice Coastal Development Projects:

Lot consolidation of more than two lots shall be permitted for mixed-use and multi-family residential Venice Coastal Development Projects, provided the project conforms to the existing scale and characteristic of the surrounding community, the required parking is on-site and the project conforms with development standards in Section 9 A 2 below.

2. Development Standards.

a. Access to subterranean parking shall be from an alley, where an alley exists, and all subterranean parking shall be fully below natural grade and shall not be visible from the street.

b. Buildings shall be designed with visual breaks or Architectural Features, including balconies or terraces, with a change of material or a break in the plane for every 20 feet in horizontal length and every 15 vertical feet. Residential buildings shall provide habitable space on the Ground Floor, a ground level entrance, and landscaping and windows fronting the street.

c. In the RD and R3 multiple-family zones, construction on the single building site may combine the density of the previously-established lots.

d. For residential Venice Coastal Development Projects, front porches, bays and balconies shall be provided to maximize architectural variety.

e. In the Oakwood and Marina Peninsula neighborhoods, if the building footprint of a structure extends across all three consolidated lots, the structure shall be designed to appear to be two or more distinct buildings. The structure may be joined in the rear. All development standards in Subsections 2 a through 2 d shall also apply.

B. HEIGHT. Height shall be measured as the vertical distance from ground level, as specified below for each subarea, to the highest point of the roof or parapet wall, excluding roof deck railings that do not exceed 36 inches and are of an open design, unless specified otherwise in this Section.

1. For the Lagoon Lots in the Silver Strand and Ballona Lagoon West Bank Subareas, height shall be measured from the average existing natural grade.

2. For lots in the Venice Canals Subarea, height shall be measured from the elevation of the centerline of the adjacent alleyway measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed on that lot, height for each building shall be measured from the projection of the midpoint of each building.

3. For all other lots, height shall be measured from the centerline of the street or alley or walk adjacent to the front lot line measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed on that lot, height for each building shall be measured from the projection of the midpoint of each building. For through lots, height shall be measured from the centerline of whichever adjacent street is the lowest in elevation. In any case involving a Grand Canal Lot, height shall be measured from the elevation of the Grand Canal Esplanade sidewalk.

C. ROOF STRUCTURES.

1. In addition to the limitations contained in LAMC Section 12.21.1 B 3, Roof Access Structures shall conform to the following limitations:

a. For subareas where there is a specified Flat Roof height limit, Roof Access Structures shall not exceed the Flat Roof height limit by more than ten feet regardless of roof type;

b. For subareas where there is no specified Flat Roof height limit, Roof Access Structures shall comply with LAMC Section 12.21.1 B 3;

c. Roof Access Structures shall be designed and oriented so as to reduce their visibility from adjacent public walkways and recreation areas;

d. The area within the outside walls of the Roof Access Structure shall be minimized and shall not exceed 100 square feet as measured from the outside walls;

e. Roof Access Structures shall not exceed the 30 foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal and the inland side of the Esplanade (City right-of-way);

f. In the Venice Canals Subarea, Roof Access Structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

2. Notwithstanding other provisions of this Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limits specified in Section 10 by not more than five feet.

D. **SIGNS.** Billboards and roof top signs shall be prohibited within the Specific Plan area.

Sec. 10. **LAND USE AND DEVELOPMENT REGULATIONS FOR SUBAREAS.** In addition to the regulations in Section 9, the following regulations shall apply within each of the specified subareas in Sub-sections A-H below.

A. BALLONA LAGOON WEST BANK.

1. **Height.** Within 60 feet of the mean high tide of the Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water as determined by a licensed surveyor, Venice Coastal Development Projects shall not exceed a maximum height of 30 feet. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including Roof Access Structures, roof deck railings and Architectural Features) shall exceed the 30 foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon or the inland side of the Esplanade, whichever is furthest from the water.

2. **Lagoon Buffer/Setback/Yards.**

a. Lots located between Topsail Street and Via Marina:

(1) All Venice Coastal Development Projects, including balconies or other Architectural Feature, shall be set back a minimum of 25 feet from the inland edge of Esplanade West, or, where no Esplanade West exists, from the lot line that separates the lot from the west bank of the Ballona Lagoon. Ground level Permeable decks not exceeding 18 inches in height, landscaping, railings and fences may encroach ten feet into the setback.

(2) No development other than public access improvements and habitat restoration shall be permitted within the easterly fifteen-foot portion of the 25-foot required setback area. The City may require dedication of easements as a condition of development if the City finds that there is a nexus between the impacts of the Venice Coastal Development Project and the need to protect the Lagoon Buffer Strip for public access improvements and habitat restoration.

b. Lots located north of Ironsides Street:

(1) All Venice Coastal Development Projects shall be set back an average of 15 feet but not less than ten feet from the lot line nearest to the water.

(2) 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 that faces the water and the front of any structure. No building extensions, including stairs and balconies, shall be allowed in the required Permeable yard area, except for ground level Permeable decks that do not exceed 18 inches in height.

(3) The combined height of any decks, railings, garden walls and fences situated within the required Permeable yard shall not exceed six feet above the elevation of the adjacent public walkway.

(4) The sideyard shall be consistent with LAMC requirements, but shall not be less than 3 1/2 feet.

3. Fill. No Fill shall be permitted in the lagoon and buffer area, except for the minimum amount necessary for habitat restoration and public access.

4. Drainage. Prior to issuance of a building permit for a new Venice Coastal Development Project or an expansion of the existing building footprint by more than ten percent, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

B. BALLONA LAGOON (GRAND CANAL) EAST BANK.

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

2. Height. Within 60 horizontal feet of the inland side of the Esplanade (City right-of-way), Venice Coastal Development Projects shall not exceed a maximum height of 30 feet. Beyond 60 horizontal feet, one additional foot in height is permitted for each two additional horizontal feet to a maximum height of 38 feet. No portion of any structure (including Roof Access Structures, roof deck railings and Architectural Features) shall exceed the 30-foot height limit within 60 horizontal feet of the inland side of the Esplanade (City right-of-way).

3. Setback/Yards.

a. All Venice Coastal Development Projects shall be set back an average of 15 feet, but not less than 10 feet from the lot line which separates the lot from the east bank of the Grand Canal.

b. 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. No building extensions, including stairs and balconies, shall be allowed in the required Permeable yard area, except for ground level Permeable decks.

c. The combined height of any decks, railings, garden walls and fences situated within the required Permeable yard shall not exceed six feet above the elevation of the adjacent public walkway.

d. The sideyard shall be consistent with LAMC requirements, but shall not be less than 3 1/2 feet.

4. Fill. No Fill shall be permitted in Grand Canal.

5. Drainage. Prior to issuance of a building permit for a new Venice Coastal Development Project or an expansion of the existing building footprint by more than 10 percent, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

C. SILVER STRAND.

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.

2. Height. Within 60 horizontal feet of the inland edge of Esplanade East or the mean high tide line of Ballona Lagoon or inland side of the Esplanade, whichever is furthest from the water, Venice Coastal Development Projects shall not exceed a maximum height of 30 feet. Beyond 60 horizontal feet, one additional foot in height is permitted for each additional two horizontal feet to a maximum height of 45 feet. No portion of any structure (including Roof Access Structures, roof deck railings and Architectural Features) shall exceed the 30-foot height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, or inland side of the Esplanade, whichever is furthest from the water.

3. Lagoon Buffer Strip and Setback.

a. Lots fronting on the lagoon and lots adjacent to Esplanade East:

(1) **Lagoon Buffer Strip.** No Venice Coastal Development Project other than public access improvements and habitat restoration shall be permitted within a 40-foot strip immediately adjacent to the Ballona Lagoon, as established by the amended Coastal Permit A-266-77. The City right-of-way (Esplanade) comprises part of the 40-foot wide buffer, with the remainder comprised of 24 to 30-foot wide portions of the lagoon fronting lots over which easements have been, or shall be, dedicated to the City for open space and public access per the requirements of amended Coastal Permit A-266-77. The City may require dedication of easements as a condition of development if the City finds that there is a nexus between the impacts of the Venice Coastal Development Project and the need to protect the Lagoon Buffer Strip for public access improvements and habitat restoration.

(2) **Setback.** All portions of a dwelling, except for decks, shall be set back from the easterly edge of the Lagoon Buffer Strip a minimum of ten feet or 15 percent of the depth of the lot, excluding the Lagoon Buffer Strip, whichever is greater, but this setback need not exceed 15 feet.

(3) The total combined height of any decks, railings, garden walls and/or fences situated within the ten to 15-foot setback from the Lagoon Buffer Strip shall not exceed six feet above the elevation of the Lagoon Buffer Strip located immediately adjacent to the setback area.

4. Fill. No Fill shall be permitted in the lagoon or Lagoon Buffer Strip except for the minimum amount necessary for habitat restoration and public access.

5. Drainage. Prior to issuance of a building permit for a new Venice Coastal Development Project or an expansion of the existing building footprint by more than ten percent for lots fronting the Lagoon, the applicant shall submit drainage plans to the Department of Building and Safety for its approval. All drainage for new construction shall be directed away from Ballona Lagoon. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

6. Public Access. All landscaped pedestrian malls in public rights-of-way, public streets and alleys and all public parking spaces shall remain open and

available for use by the general public to the extent the Board of Public Works determines that it is reasonable and feasible.

D. MARINA PENINSULA.

1. Density.

a. 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.

b. 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.

2. Height.

a. All Venice Coastal Development Projects shall be limited to a maximum height of 35 feet.

b. Notwithstanding Paragraph a above, structures fronting on Walk Streets are limited to a maximum height of 28 feet.

3. Access.

a. 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.

b. 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.

c. Vehicular access to Venice Coastal Development Projects on lots located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

E. VENICE CANALS.

1. Land Use Limitation. Pursuant to LAMC Section 63.50, recreational boating use of Venice Canals shall be limited to non-commercial shallow-bottom non-motorized boats, such as canoes and rafts.

2. Height. A maximum height of 22 feet shall be permitted for any portion of a Venice Coastal Development Project which is within ten feet from the property line that faces the canal. Thereafter, an ascending height equal to one half the horizontal depth shall be permitted to a maximum height of 30 feet.

3. Setback/Yard.

a. Setback. An average setback of 15 feet, but not less than ten feet shall be maintained in the front yard adjacent to the property line which faces the canal.

b. Yard. An open, Permeable yard with an area of at least 15 times the lot width and a minimum area of 450 square feet shall be maintained between the property line that faces the canal and the front of any structure. No Fill nor building extensions, including stairs and balconies, shall be placed in or over the required Permeable front yard area except fences up to 42 inches in height or Permeable decks at grade level not more than 18 inches high.

4. Drainage. Prior to issuance of a building permit for a new dwelling unit or an expansion of the existing footprint by more than ten percent, the applicant shall submit drainage plans, subject to the review and approval of the Department of Building and Safety, for a 100 cubic foot french drain or other water filtering device which provides equivalent on-site percolation. The french drain or other water filtering device shall be constructed and maintained as shown on the final plans. The applicant and all successors in interest shall maintain the approved Venice Coastal Development Project consistent with the drainage plans approved by the Department of Building and Safety.

F. NORTH VENICE.

1. Land Use. For lots designated Neighborhood Commercial in the Coastal Land Use Plan, located between Pacific Avenue and Main Street, and between Westminster Avenue and Market Street, drive-through uses shall be prohibited.

2. Density.

a. 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; 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.

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

3. Height.

a. Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 30 feet; or 35 feet for Venice Coastal Development Projects with Varied Rooflines, provided that any portion of the roof that exceeds 30 feet is set back from the required front yard at least one foot in depth for every foot in height above 30 feet.

b. Walk Streets. Notwithstanding Paragraph a above, Venice Coastal Development Projects fronting on Walk Streets shall not exceed a maximum height of 28 feet.

4. Setback.

a. 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.

b. Commercial Venice Coastal Development Projects along Ocean Front Walk may set their front yard at the building line.

5. Access.

a. 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.

b. 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.

c. Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

G. OAKWOOD, MILWOOD, SOUTHEAST VENICE.

1. Land Use Limitation. For lots designated Community Commercial in the Coastal Land Use Plan and located along Rose Avenue, between Seventh and Fourth Avenues, no second floor retail use is permitted.

2. Density.

a. Residential Zones.

(1) 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.

(2) 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.

(3) R3 Zone.

(i) Lots located north of North Venice Boulevard and south of Victoria Avenue; lots located south of South Venice Boulevard and north of Harding and Woodlawn Avenues, east of Zeno Place only; and lots located north of Washington Boulevard, and south of Van Buren and Harrison Avenues shall be developed as permitted by the R3 Zone.

(ii) 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.

b. Commercial Zones. No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed a density of that allowed in the R3 Zone.

3. Height.

a. Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 25 feet. Venice Coastal Development Projects with a Varied Roofline shall not exceed a maximum height of 30 feet, provided that any portion of the roof that exceeds 25 feet is set back from the required front yard at least one foot in depth for every foot in height above 25 feet.

b. Walk Streets. Notwithstanding Paragraph a above, Venice Coastal Development Projects fronting on Walk Streets shall not exceed a maximum height of 28 feet.

4. Access.

a. 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.

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

H. OXFORD TRIANGLE. Venice Coastal Development Projects located in the Oxford Triangle Specific Plan area shall comply with all applicable provisions contained in the Oxford Triangle Specific Plan in addition to the provisions contained in this Specific Plan

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.

2. Height.

a. R-1 Residential Zone. Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 25 feet Venice Coastal Development Projects with a Varied Roofline shall not exceed a maximum height of 30 feet.

b. C2 Commercial Zone. Venice Coastal Development Projects shall not exceed a maximum height of 30 feet on all C2 zoned lots.

Sec. 11. COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS.

A. EXEMPTION. Any commercial and/or industrial Venice Coastal Development Project that consists solely of (i) additions or alterations to an existing building or structure, which results in a ten percent or less increase in total occupant load, or (ii) a Change in Use, which results in a ten percent or less increase in Trips, is exempt from this section.

B. COMMERCIAL DEVELOPMENT. In addition to the applicable regulations in Sections 9, 10, 12, 13 and 14 of this Specific Plan, the following standards shall apply to all commercial Venice Coastal Development Projects.

1. Ground Floor Commercial Development. The following regulations shall apply to all commercial Venice Coastal Development Projects, which are new buildings or additions, except that commercial lots along Lincoln Boulevard, Washington Boulevard east of Oxford Avenue and in the Oxford Triangle Subarea are exempt from the following requirements:

a. The Venice Coastal Development Project shall include a Street Wall, which shall extend for at least 65 percent of the length of the Building Frontage, and shall be located at the lot line or within five feet of the lot line, except that commercial buildings located on Ocean Front Walk shall have the Street Wall set zero feet from the building line. If the Street Wall is adjacent to a sidewalk cafe, public plaza, retail courtyard, arcade, or landscaped area, the Street Wall may be set back a maximum of 15 feet along the portion of the Venice Coastal Development Project that consists of the cafe, plaza, courtyard, landscaping or arcade. These areas shall not be considered in calculating the buildable area of a Venice Coastal Development Project, but with the exception of areas used only for landscaping, shall be considered in calculations for required parking. The required Street Wall at the Ground Floor shall have a minimum height of 13 feet.

b. At least 50 percent of the area of the Ground Floor Street Wall of a commercial Venice Coastal Development Project shall be devoted to pedestrian entrances, display windows or windows offering views into retail, office gallery or lobby space.

c. Blank Walls shall be limited to segments of 15 feet in length, except that Blank Walls that contain a vehicle entry door shall be limited to the width of the door plus five feet.

d. All Venice Coastal Development Projects shall provide at least one pedestrian entrance into each business or use for each Store Frontage.

e. Ground Floor exterior building walls that face rear parking areas shall provide a pedestrian entrance into the building.

2. Abbot Kinney Boulevard Ground Floor Commercial Development. In addition to Section 11 B 1 of this Specific Plan, the following requirements shall apply to all commercial Venice Coastal Development Projects that are new buildings or additions located along Abbot Kinney Boulevard between Brooks Avenue and Palms Boulevard.

a. At the Ground Floor, continuous and unarticulated glass curtain walls shall not be permitted. Facades of buildings shall be divided into individual store fronts.

b. Large expanses of glass shall be subdivided into units not larger than six feet wide separated by the mullions.

c. No store front windows shall be lower than 12 inches above sidewalk grade. The windows shall have a solid base surfaced with high quality materials, such as a ceramic tile, marble, granite, limestone, slate, brick, wood or similar materials approved by the Planning Director. The top of the window shall not extend to the ceiling height, and shall be capped with an Architectural Feature.

3. Floor Area Ratio. In all commercial zones, floor area ratio (FAR) shall be limited to:

- 0.5 to 1 for retail only, including restaurants
- 1.0 to 1 for retail/office
- 1.5 to 1 for retail and/or office and residential

4. Building Separation. A minimum of five feet shall be provided between commercial and residential buildings, except for mixed-use Venice Coastal Development Projects.

5. Access.

a. 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. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.

b. Driveways and vehicular access to Venice Coastal Development Projects adjacent to Ocean Front Walk shall be provided from Speedway, unless the Department of Transportation determines that it is not Feasible. In no case shall vehicular access be permitted from Ocean Front Walk.

c. Driveways and vehicular access to Venice Coastal Development Projects adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue, unless the Department of Transportation determines that it is not Feasible.

6. Landscaping.

a. Any open portion of the lot on which the Venice Coastal Development Project is located, which is not used for buildings, parkways, driveways, or other access features, shall be landscaped. A list of applicable plant materials appears in the attached Appendix B.

b. A landscape development plan prepared by a State licensed landscape architect, State licensed architect or landscaped contractor shall be submitted to the Director of Planning for review and approval. This plan shall include the location of a permanent underground sprinkler system designed to insure complete coverage of all plant materials.

7. Light. Lighting from commercial Venice Coastal Development Projects shall be directed away from residential Venice Coastal Development Projects and Environmentally Sensitive Habitat Areas.

8. Trash. Venice Coastal Development Projects shall have trash enclosures for regular and recyclable trash.

C. GROUND FLOOR INDUSTRIAL DEVELOPMENT. In addition to the applicable regulations in Sections 9, 10, 12, 13 and 14 of this Specific Plan, at least 65 percent of the total width for the first 12 feet of elevation of any new building or addition that is parallel to and facing the street, shall be devoted to entrances, eye-level displays, a contrast in wall treatment, an offset wall line or other decorative features. Outdoor seating and/or landscaping shall be used to enhance visual interest and pedestrian vitality.

D. PARKING STRUCTURES AND LOTS. The following shall apply to any new parking structure or surface parking lot or any addition to a parking structure or surface parking lot:

1. Landscaping.

a. All parking areas shall be improved and landscaped in accordance with LAMC Section 12.21 A 6.

b. For any new or addition to a surface parking lot that abuts a public street or is located across an alleyway from an R1 or more restrictive zone, except at pedestrian or vehicle entrances, a three-foot wide area shall be provided along the perimeter of the portion of the lot abutting the public street and shall be fully landscaped with lawn, trees, shrubs or suitable ground cover. In addition, a three-foot high decorative masonry wall, as measured from the highest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjacent to the wall, shall be located between the parking lot and the landscaped area. However, where a three-foot high landscaped berm is provided within the landscaped area, the wall shall not be required. Vines and shrubs shall be planted along the sides of the wall facing the street to screen the wall without blocking visibility into the parking area as required by LAMC Section 12.21 A6(f).

c. All surface parking abutting an R1 Zone or more restrictive zone shall be screened by a decorative masonry wall, a minimum of five feet and nine inches and a maximum of eight feet in height, as measured from the highest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjacent to the wall. The wall shall have a top cap, and the split-faced side shall face the adjacent residential zone. The wall shall be placed on the lot line that is adjacent to the R1 or more restrictive zone.

2. Parking Structures. In multi-level parking structures, where there is parking on the Ground Floor, 70 percent of the frontage of the Ground Floor along the property line that adjoins a public street shall contain financial services, neighborhood retail, neighborhood services or other related uses permitted by the zone and determined by the Director of Planning.

Sec. 12. **WALK STREETS.** The following regulations shall apply to Walk Streets, as listed in Appendix A of this Specific Plan and shown on Exhibit 16a and 16b.

A. RESIDENTIAL DEVELOPMENT STANDARDS.

1. General Regulations. Building materials, colors, massing and scale of new Venice Coastal Development Projects shall complement those of existing structures on lots fronting on or adjacent to a Walk Street. Building facades shall be varied and articulated to provide visual interest to pedestrians. Ground floor residential building entrances and frequent windows shall face the Walk Streets. Front porches, bays, and balconies shall be encouraged. For two family dwellings and low density multiple-family buildings, entries shall be located in the

exterior building facade for each residential unit, and shall face Walk Streets and be well-defined and separate.

2. Public Right-of-Way.

a. The existing gardens/patios located within the public right-of-way, between the fences and the property line, shall be maintained to provide a transitional zone between the public pathways and private dwellings.

b. No shrub or hedge in the public right-of-way shall be higher than 42 inches. The bottom of tree canopies shall be maintained at least eight feet above the existing grade.

c. Any fence erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is recommended. New fences shall be located in a straight line with existing fences on the same side of the street.

d. Vehicular access on Walk Streets shall be restricted to emergency vehicles.

B. PERMANENT ENCROACHMENTS.

1. Permanent Encroachments within the existing public right-of-way of a designated Walk Street shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences and shall be permitted only by obtaining a revocable encroachment permit from the City Department of Public Works.

2. No Encroachments, including fences, hedges or other accessory structures, shall be permitted within five feet of the centerline of the existing public right-of-way except in the Milwood area where fences shall be permitted in stringline with the existing fences. Encroachments shall not exceed 42 inches above natural grade.

Sec. 13. PARKING.

A. PARKING REQUIREMENTS. Except as otherwise provided below, the parking standards are those set forth in Subsection D. The Parking Requirement Table shall apply to all Venice Coastal Development Projects.

B. EXCEPTION. Any additions or alterations to an existing single-family or multiple dwelling shall not be required to comply with the parking standards set forth in this Section. However, if the addition or alteration results in an additional dwelling unit, the Parking Requirement Table in Subsection D and the requirements in Subsection E shall apply for the addition of a dwelling unit or units.

Venice Coastal Development Projects where more than 50 percent of the existing exterior walls are removed or replaced are considered demolitions and new constructions and are not subject to this exception.

C. EXISTING DEVELOPMENTS. A Change of Use that results in a Change in Intensity of Use shall be required to comply with the parking standards set forth in Subsections D and E as if it were a new project or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for any deficiency created due to the change of use.

The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of Subsections D and E below.

D. PARKING REQUIREMENT TABLE

USES	OFF-STREET PARKING REQUIRED
RESIDENTIAL USES	
Single-family dwelling on a lot less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.	Two spaces; except Venice Coastal Development Projects in the Silver Strand and Venice Canals Subareas, where three spaces are required. The third space may be uncovered and in tandem with the other two required covered parking spaces. In the Venice Canals Subarea, the third space may also be located in the garage driveway within the required rear yard.
Single-family dwelling on a lot of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley	Three spaces; the third space may be uncovered and in tandem with the other two required covered parking spaces.
Artist-in-residence	Two spaces for each artist-in-residence unit
Multiple dwelling and duplex on a lot less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.	Two spaces for each dwelling unit

Multiple dwelling and duplex on a lot of 40 feet or more in width, or for 35 feet or more in width if adjacent to an alley	Two spaces for each dwelling unit; plus a minimum of one guest parking space for each four or fewer units (e.g., 0.25 guest parking space per unit, any fraction shall be rounded up to require one additional guest parking space). Exception: for Venice Coastal Development Projects where all required parking spaces are fully enclosed, any required guest spaces may be paid for at the same in lieu fee rate defined for BIZ parking under Section 12 D(1)(2) of this Specific Plan
Mobile Home Park	Two spaces for each mobile home space
Hotel	Two spaces; plus Two spaces for each dwelling unit; plus One space for each guest room or each suite of rooms for the first 30; plus One space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; plus One space for each three guest rooms or suites or rooms in excess of 60; plus One space for each 100 square feet of floor area used for consumption of food or beverages, or public recreation areas; plus One space for each five fixed seats and for every 35 square feet of seating area where there are no fixed seats in meeting rooms or other places of assembly.
Motel or Motor Hotel	One space for each guest room; plus two spaces for each dwelling unit
Boarding and Lodging House	Two spaces for each three guest rooms
HEALTH USES	
Veterinary Hospital	One space for each 150 square feet of floor area
Medical or Dental or clinic	See office uses
Health Studio or Club	One space for each 150 square feet of floor area. (For purposes of this provisions, swimming pool area shall be counted as floor area.)
EDUCATIONAL & CULTURAL USES	
Child Care Center, Day Nursery, Preschool or Nursery School	One space for each 500 square feet of floor area
Business, Professional or Trade School	One space for each 25 square feet of floor area
RECREATIONAL USES	
Theater, Auditorium	One space for each two fixed seats and for every 21 square feet of seating area where there are no fixed seats

Dance Hall, Pool or Billiard Parlor, Roller or Ice Skating Rink, Exhibition Hall and Assembly Hall without fixed seats, including Community Center, Private Club, Lodge Hall and Union Headquarters	One space for each 75 square feet of floor area
OFFICE USES	
Commercial Bank, Savings and Loan Office, other Financial Institutions, Public or Private Utility Office, Ticket Agency, other similar Window Service Offices	One space for each 225 square feet of floor area of the main floor
Professional Offices of Doctors, Dentists or similar professions	One space for each 150 square feet of floor area
General Office and other Business, Technical Service, Administrative or Professional Offices	One space for each 250 square feet of floor area
BUSINESS AND COMMERCIAL USES	
Personal Service Establishment, Including Cleaning or Laundry Agency or similar use	One space for each 250 square feet of floor area
General Retail Store, except as otherwise provided	One space for each 225 square feet of floor area
Shopping Center (A well balanced mixture of uses within the center. Where there is an imbalance of high intensity uses, such as restaurants, theaters, bowling alleys, billiard parlors, beauty schools and other similar uses and/or long-term parking uses, parking calculation shall be based totally or in part on an individual basis.)	One space for each 200 square feet of floor area within the center, or as otherwise required for each individual use within the center, whichever is greater
Food Store, Grocery Store, Supermarket, or similar use	One space for each 225 square feet of floor area
Open Air Vending, Swap Meet	1.25 spaces per vending stall or sales space
Restaurant, Night Club, Bar and similar establishments and for the sale or consumption of food and beverages on the Premises	One space for each 50 square feet of Service Floor (including outdoor service areas).

Drive-Through and Window Service Restaurant providing Outdoor Eating Area or Walk-up or Drive-up Window Service	One space for each 50 square feet of floor area, but no fewer than ten spaces. The above may be modified for walk-up facilities with no seating area and beach front walk-up with seating depending on the particulars of the individual case as determined by the Director, Zoning Administrator or Planning Commission, whichever has jurisdiction
Laundromat and Coin-Operated Cleaners	One space for each 150 square feet of floor area
MANUFACTURING AND RELATED USES	
Manufacturing and Industrial Establishment, including Offices and other than incidental operations	Three spaces; plus One space for each 350 square feet of floor area
Software, Music, Film and Video Manufacturing	Three spaces; plus One space for each 350 square feet of floor area
Laboratory and Research Establishment	Three spaces; plus One space for each 300 square feet of floor area
Warehouse Storage Building (including mini storage)	Three spaces; plus One space for each 1,000 square feet of floor area
Public Utility Facility not having a Business Office on the Premises	Two spaces; plus One space for each 1,000 square feet of floor area
OTHER USES NOT LISTED	Parking shall be provided as determined by the City's Department of Transportation.

E. BEACH IMPACT ZONE PARKING REQUIREMENTS. In addition to the above requirements, all Venice Coastal Development Projects located within the Beach Impact Zone shall provide parking spaces in accordance with this Subsection.

1. One parking space for each 640 square feet of floor area of the Ground Floor for commercial and industrial Venice Coastal Development Projects. In lieu of physically providing the spaces, a fee of \$18,000.00 per space may be paid for up to 50 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of any parking space required by LAMC Section 12.21 A4. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund.

2. One parking space for each 1,000 square feet of the floor area of the Ground Floor for multiple dwelling Venice Coastal Development Projects of three units or more. In lieu of physically providing the space, a fee of \$18,000.00 per space may be paid for up to 100 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of

any parking space required by the LAMC. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund.

3. In no event shall the number of Beach Impact Zone parking spaces required for Venice Coastal Development Projects of three or more dwelling units, or commercial or industrial Venice Coastal Development Projects, be less than one parking space for residential Venice Coastal Development Projects and two parking spaces for commercial and industrial Venice Coastal Development Projects.

F. SHARED PARKING. Shared parking may be permitted as authorized by LAMC Section 12.24 X20, provided that public beach parking lots shall not be used and that the decision-maker makes an additional finding that the shared parking will not negatively affect coastal access or access to public recreational facilities.

Sec. 14. VENICE COASTAL PARKING IMPACT TRUST FUND.

A. There is already established within the Treasury of the City of Los Angeles a trust fund, Fund No. 864, entitled "The Venice Coastal Parking Impact Trust Fund" (Fund). The monies collected pursuant to Section 12D of this Specific Plan shall be deposited into the Fund.

B. The Fund shall be used for the purpose of accepting and retaining funds collected by the Department of Transportation pursuant to this Specific Plan for expenditure only for parking mitigation measures in, adjacent to or serving the Beach Impact Zone. Those improvements shall include but not be limited to:

1. Venice Boulevard median public parking facility improvement, including land acquisition and construction.
2. Development of public parking facilities on the former railroad right-of-way at Electric Avenue.
3. Development of public parking facilities on City-owned lots in the Venice Coastal Zone.
4. Development of public parking facilities on the site of the Los Angeles County Metropolitan Transportation Authority (MTA) located between Main Street and Pacific Avenue south of Sunset Avenue.
5. Operation of shuttle buses to remote/intercept parking lots.

C. The Department of Transportation shall collect payments derived from Venice Coastal Development Projects in the Venice Coastal Zone and remit all these funds to the Treasurer for deposit into the Fund. All interest on other earnings from money received into the Fund shall be credited to the Fund and devoted to the purposes set forth in this Section.

D. The Controller, at the request of the General Manager of the Department of Transportation, may designate accounts to be established within the Fund for the classification of various types of receipt or disbursement.

E. The Fund shall be administered by, and shall be under the jurisdiction and control of the Department of Transportation. Expenditures shall be authorized by the General Manager of the Department or the designee of the General Manager in accordance with established City practice and Government Code Section 66000, *et seq.* No expenditures shall be made from the Fund for purposes that are contrary to the budgetary policy for the Department as established by the Mayor and the City Council.

F. All monies in the Fund shall be held separate and apart from other City funds and shall be expended upon the authority of the General Manager of the Department of Transportation or his or her designee, in accordance with this Specific Plan and pursuant to the following restrictions:

1. No more than five percent of the funds placed in the Fund each year shall be transferred to the administrative account of the Fund each year and used for administrative expenditures, including but not limited to staff for the Department of Transportation.

2. No more than five percent of the funds placed in the Fund each year may be used for the purchase and installation of bicycle racks and storage.

Sec. 15. **SEVERABILITY.** If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect other Specific Plan provisions, clauses or application which can be implemented without the invalid provisions, clause or application, and, to this end, the provisions and clauses of this Specific Plan are declared to be severable.

(89557)

LIST OF EXHIBITS

- Exhibit 1a, b: Venice Coastal Zone
- Exhibit 2: Subarea: Marina Peninsula, Silver Strand, Ballona Lagoon West, and Ballona Lagoon East
- Exhibit 3 a, b: Subarea: North Venice and Venice Canals
- Exhibit 4a, b: Subarea: Oakwood, Milwood, and Southeast Venice
- Exhibit 5: Subarea: Oxford Triangle
- Exhibit 6: Existing Zoning (Zoning designation for individual parcel is subject to verification by the Los Angeles Department of Building and Safety.)
Subarea: Marina Peninsula, Silver Strand, Ballona Lagoon West, and Ballona Lagoon East
- Exhibit 7a, b: Existing Zoning (Zoning designation for individual parcel is subject to verification by the Los Angeles Department of Building and Safety.)
Subarea: North Venice and Venice Canals
- Exhibit 8a, b: Existing Zoning (Zoning designation for individual parcel is subject to verification by the Los Angeles Department of Building and Safety.)
Subarea: Oakwood, Milwood, and Southeast Venice
- Exhibit 9: Existing Zoning (Zoning designation for individual parcel is subject to verification by the Los Angeles Department of Building and Safety.)
Subarea: Oxford Triangle
- Exhibit 10: Height
Subarea: Marina Peninsula, Silver Strand, Ballona Lagoon West, and Ballona Lagoon East
- Exhibit 11a,b: Height
Subarea: North Venice and Venice Canals
- Exhibit 12a,b: Height
Subarea: Oakwood, Milwood, and Southeast Venice
- Exhibit 13: Height
Subarea: Oxford Triangle
- Exhibit 14: Buffer/Setback
Subarea: Marina Peninsula, Silver Strand, Ballona Lagoon West, and Ballona Lagoon East
- Exhibit 15: Buffer/Setback
Subarea: North Venice and Venice Canals
- Exhibit 16a,b: Walk Streets

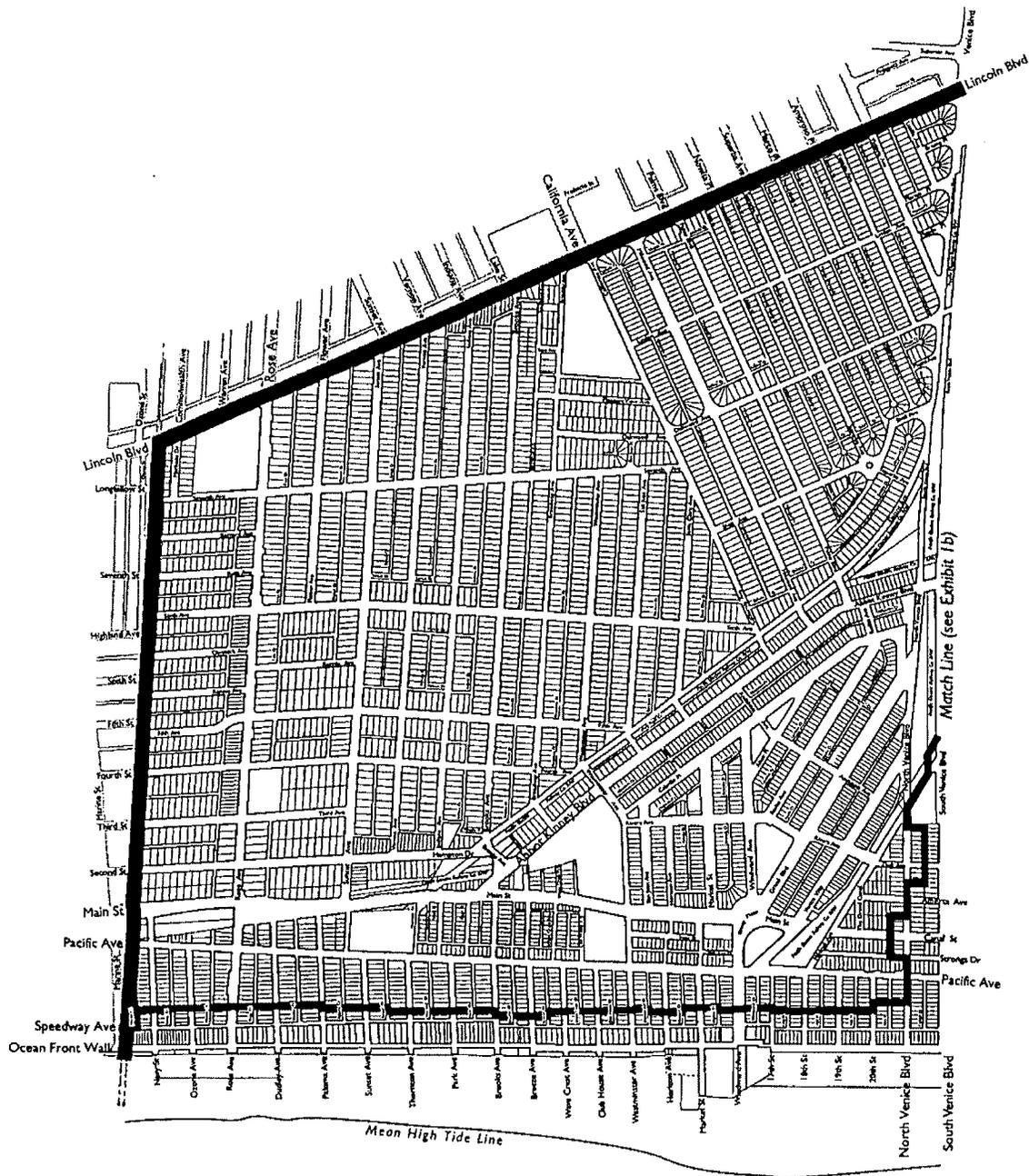


Exhibit 1a
Venice Coastal Zone

- Venice Coastal Zone Specific Plan Area
- Dual Jurisdiction Zone

Dual Jurisdiction This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 100' of the top of the seaward face of coastal bluff.

If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information.

This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

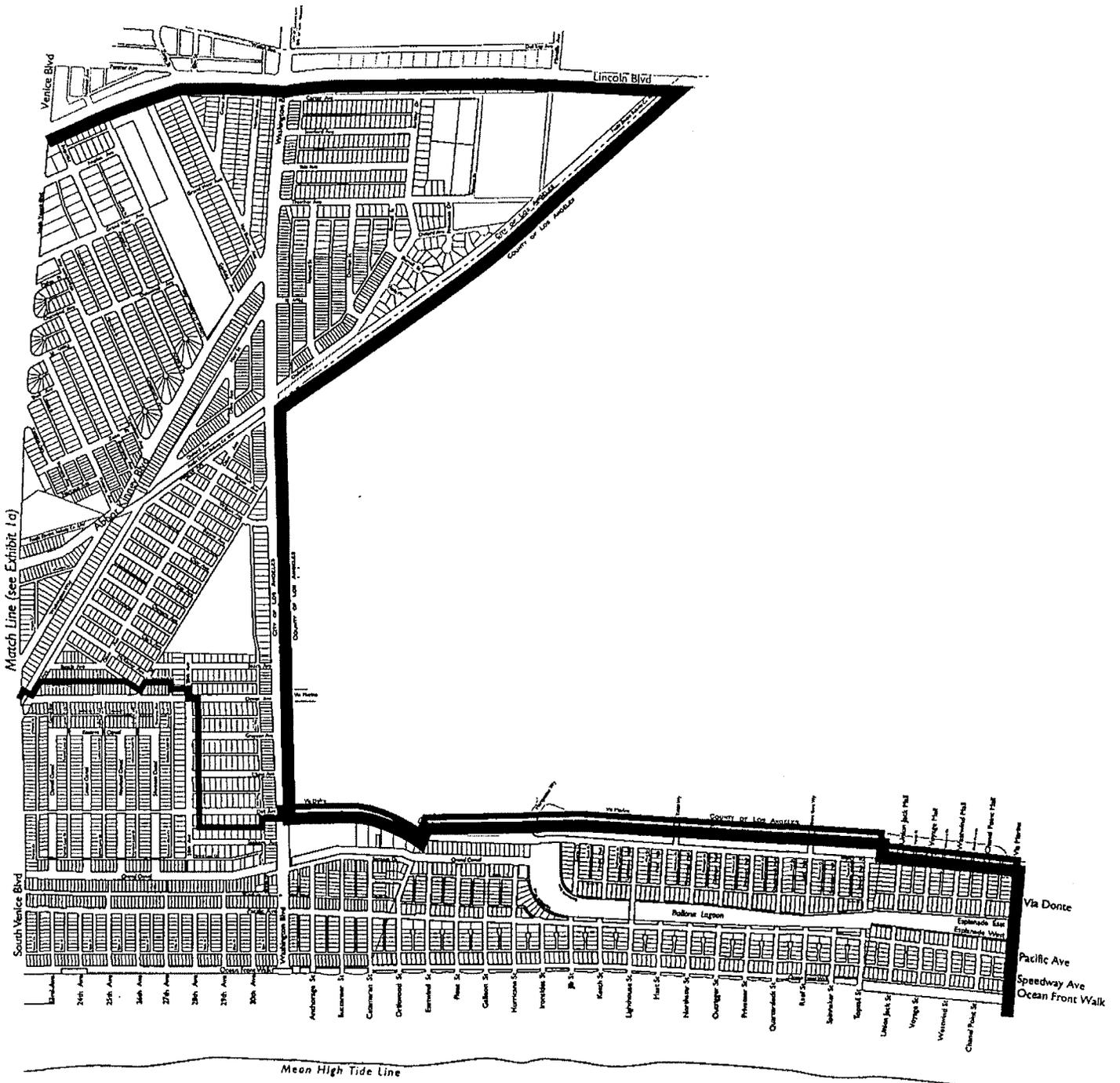


Exhibit 1b
Venice Coastal Zone

- Venice Coastal Zone Specific Plan Area
- Dual Jurisdiction Zone

Dual Jurisdiction This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 100' of the top of the seaward face of coastal bluff.

If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information.

This plat may be updated as appropriate and may not include all lands where post-LCP certification permit and appeal jurisdiction is retained by the Commission.

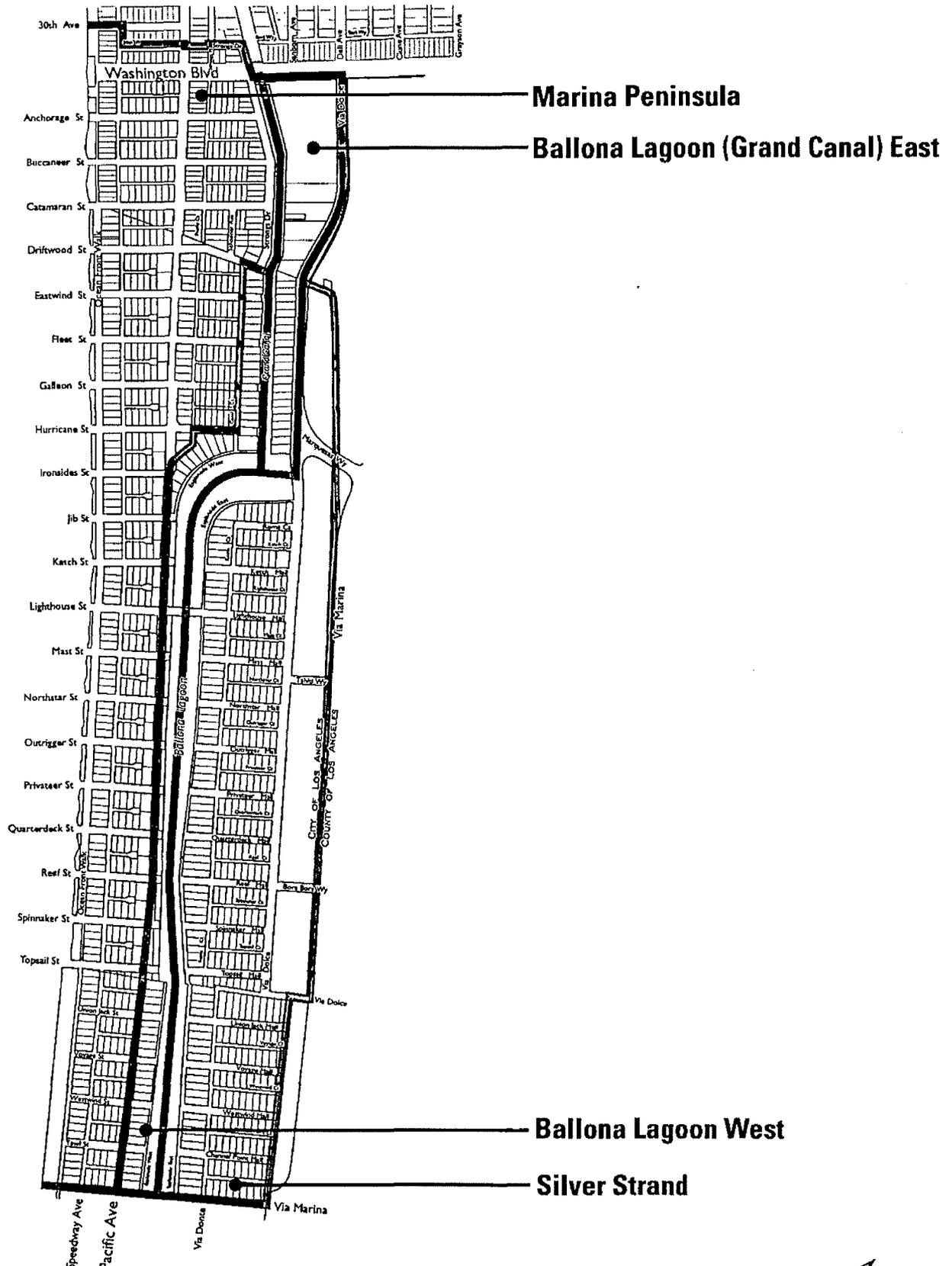


Exhibit 2
Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon (Grand Canal) East



Exhibit 3b
Subarea: North Venice • Venice Canals

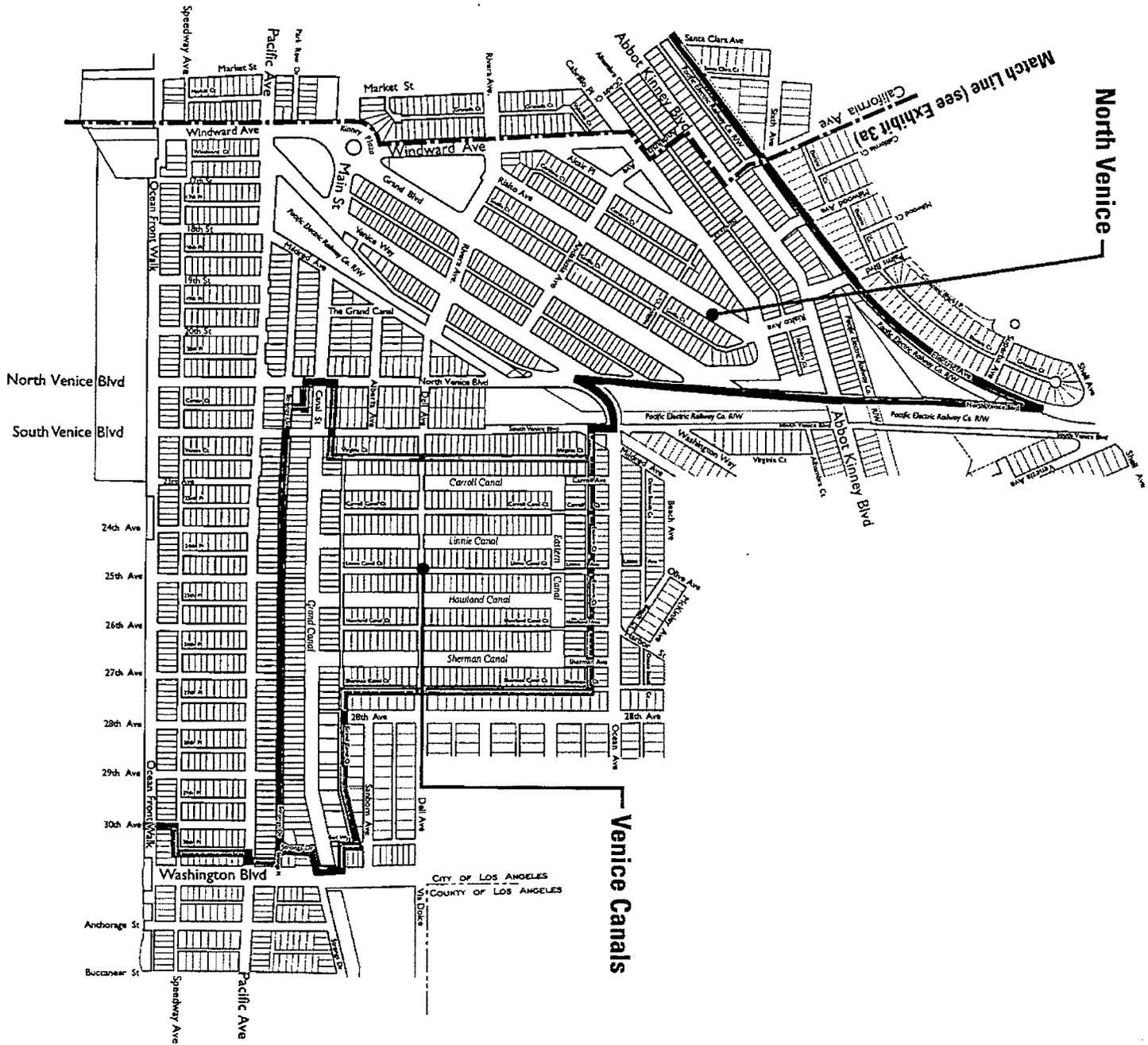
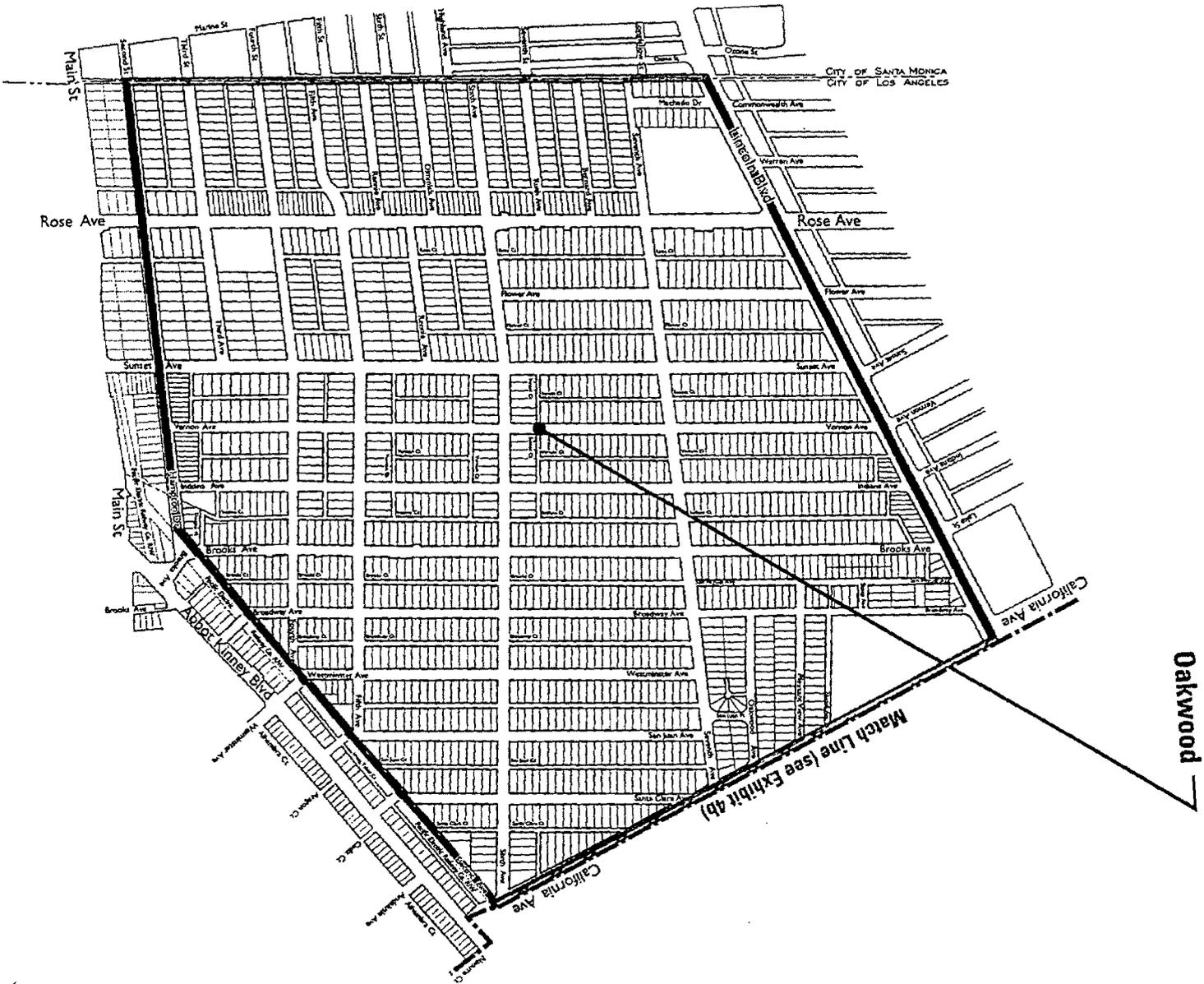


Exhibit 4a
Subarea: Oakwood • Milwood • Southeast Venice



Not to Scale

Oakwood

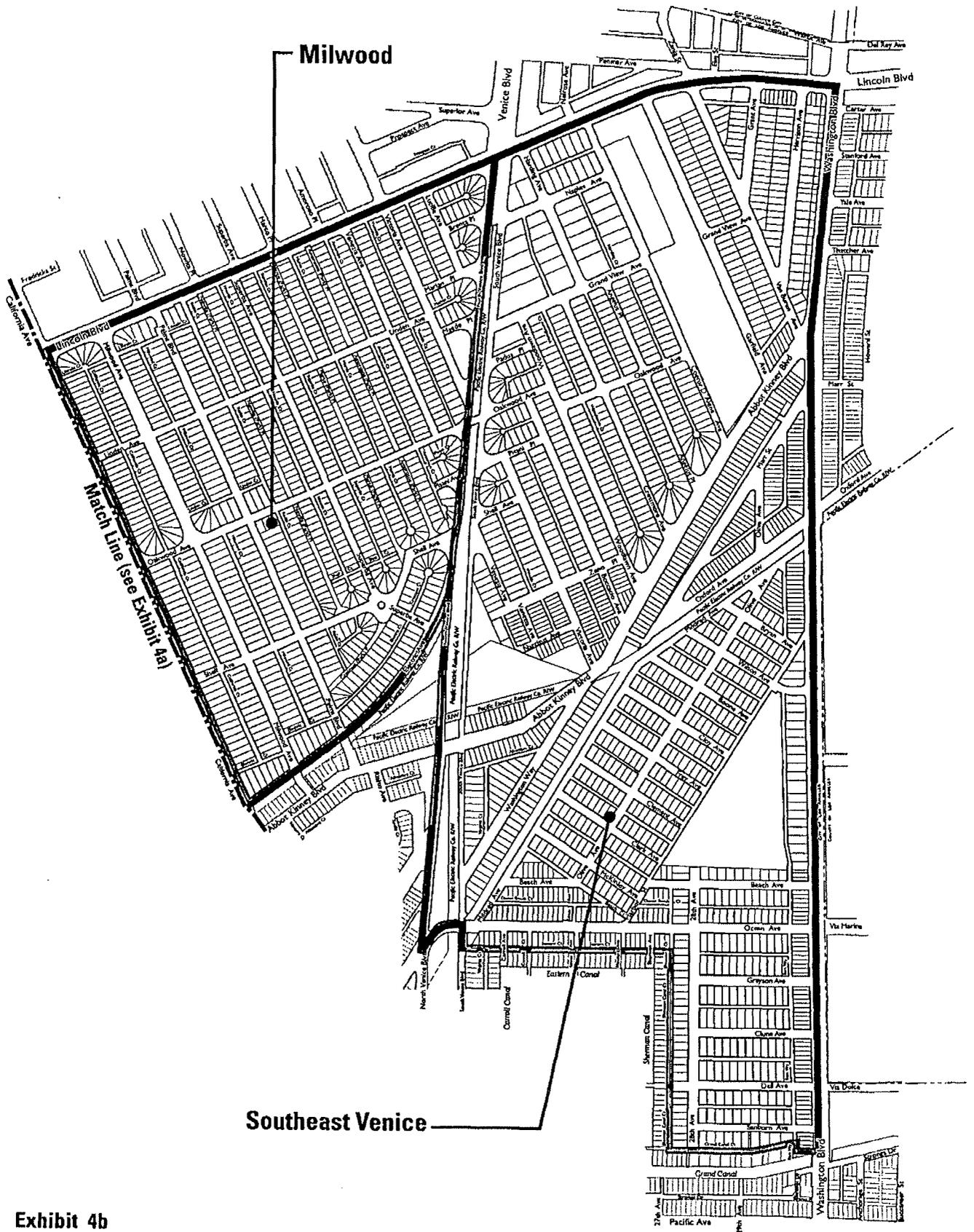


Exhibit 4b
Subarea: Oakwood • Milwood • Southeast Venice



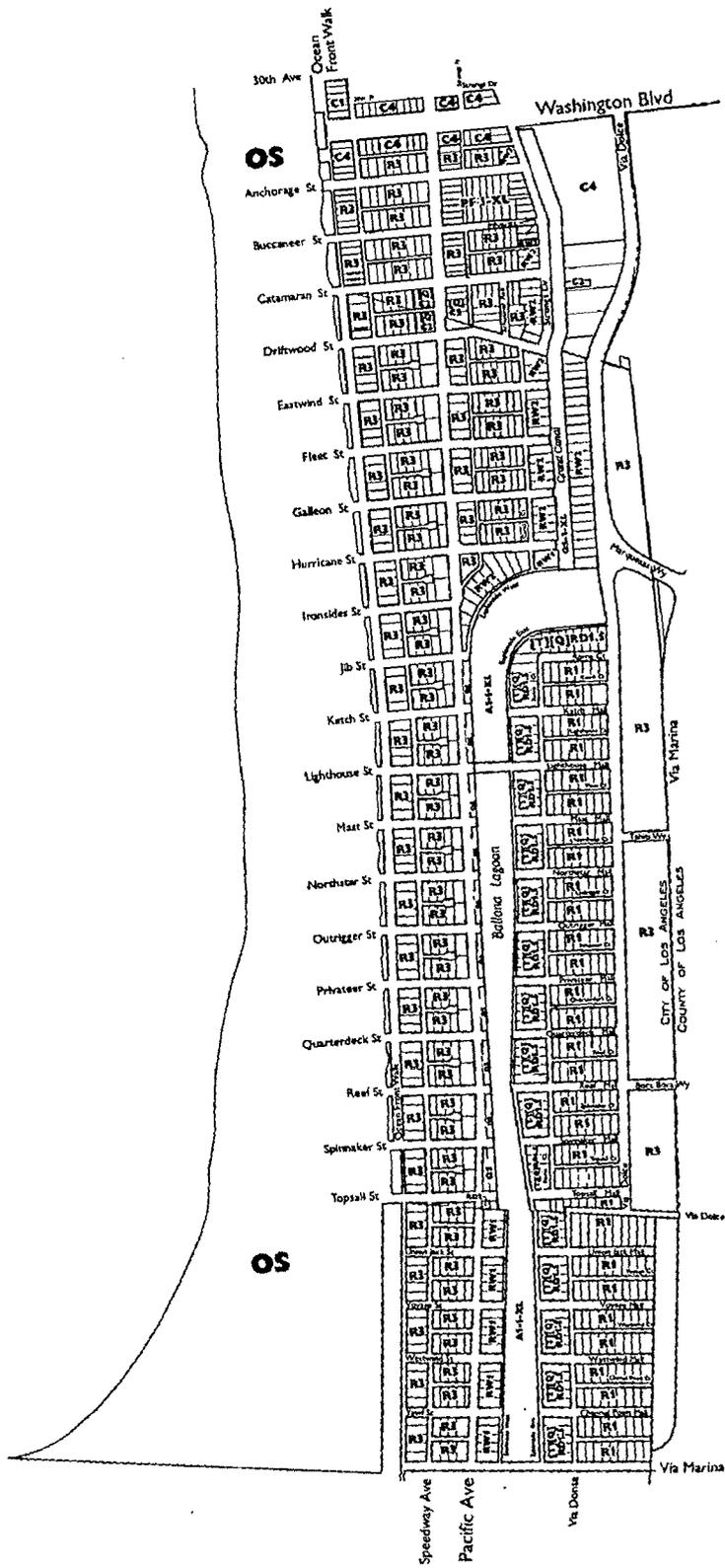


Exhibit 6
 Existing Zoning
 Subarea: Marina Peninsula • Silver Strand •
 Ballona Lagoon West • Ballona Lagoon (Grand Canal) East



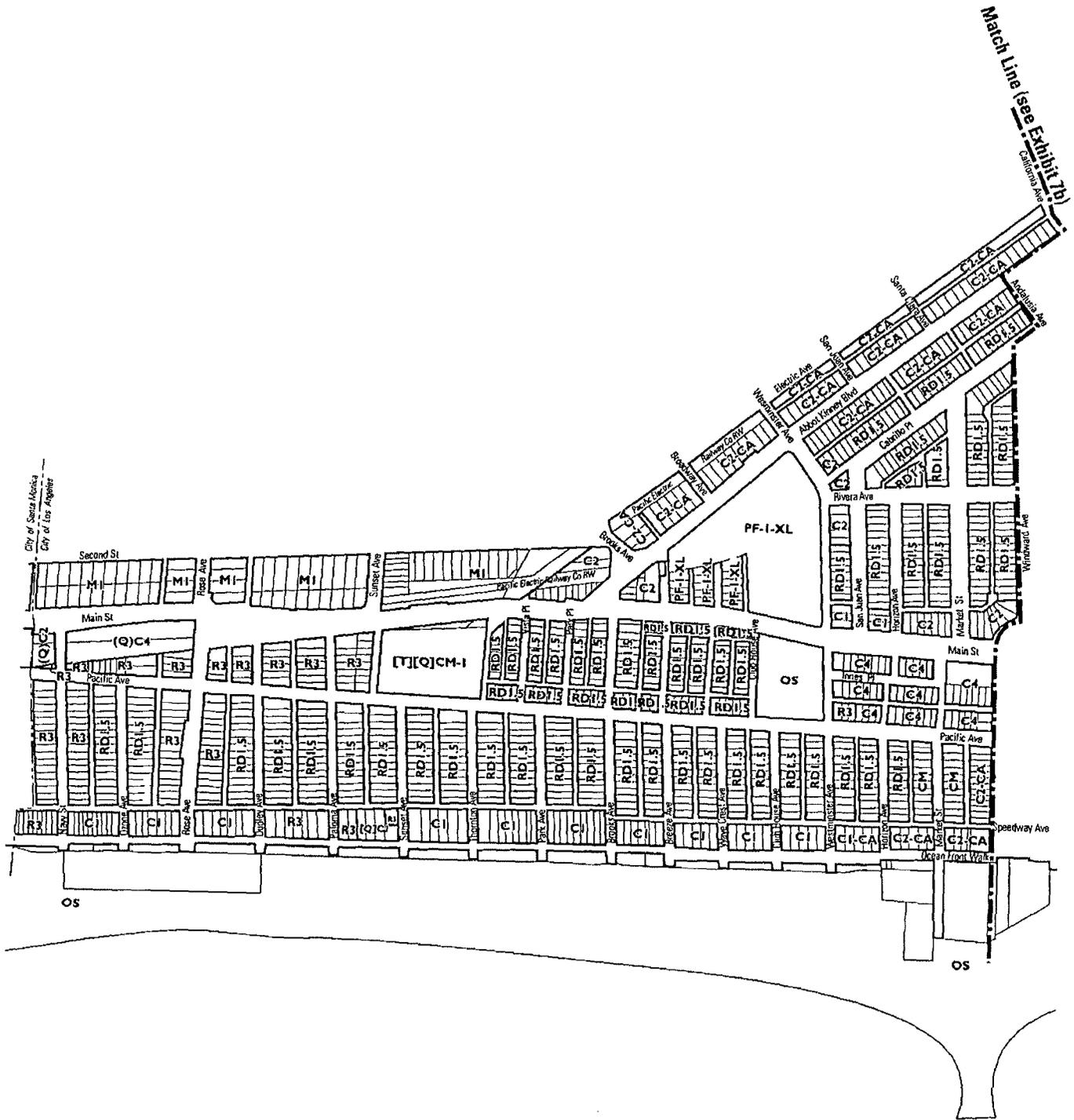


Exhibit 7a
Existing Zoning
Subarea: North Venice • Venice Canals



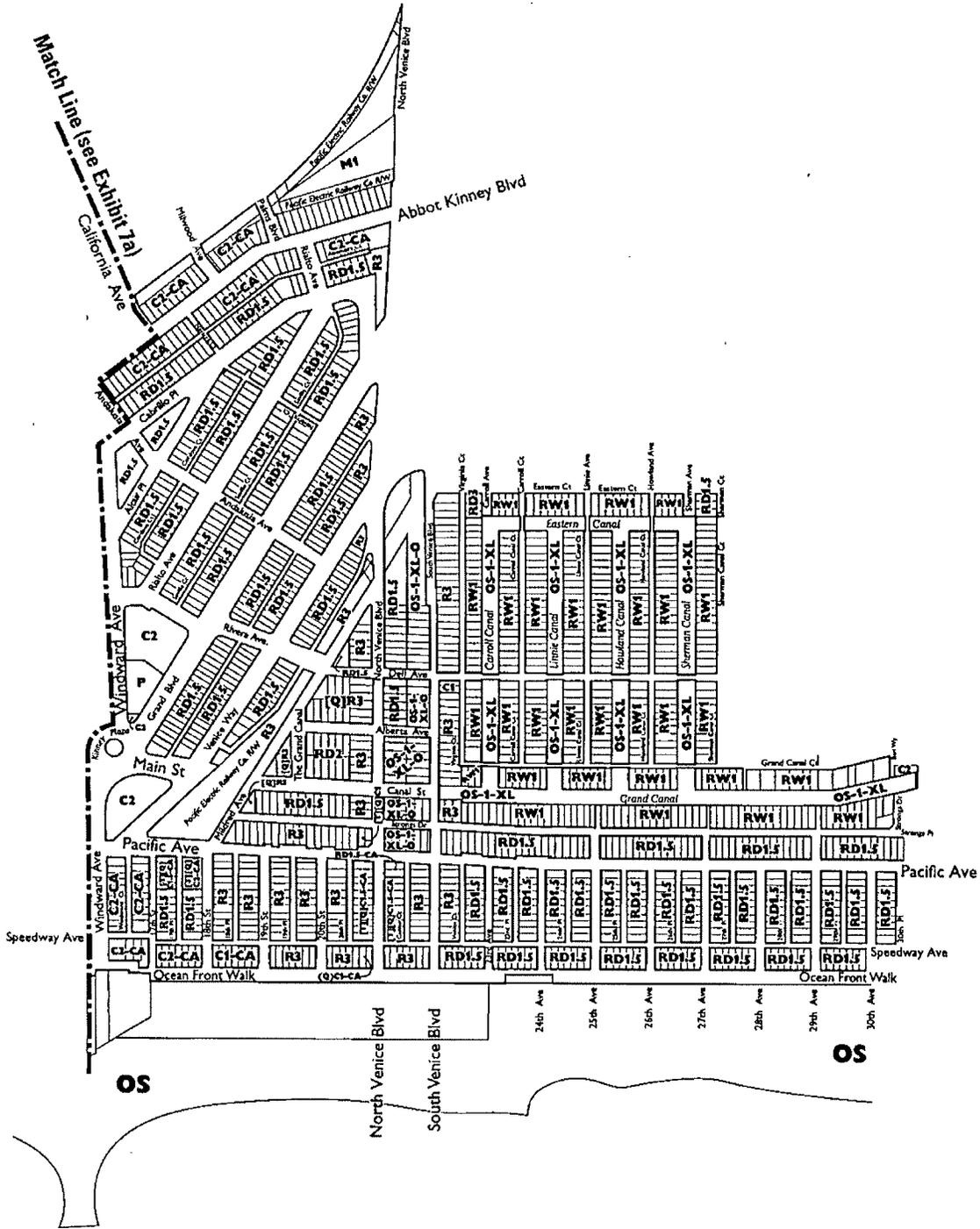


Exhibit 7b
Existing Zoning
Subarea: North Venice • Venice Canals



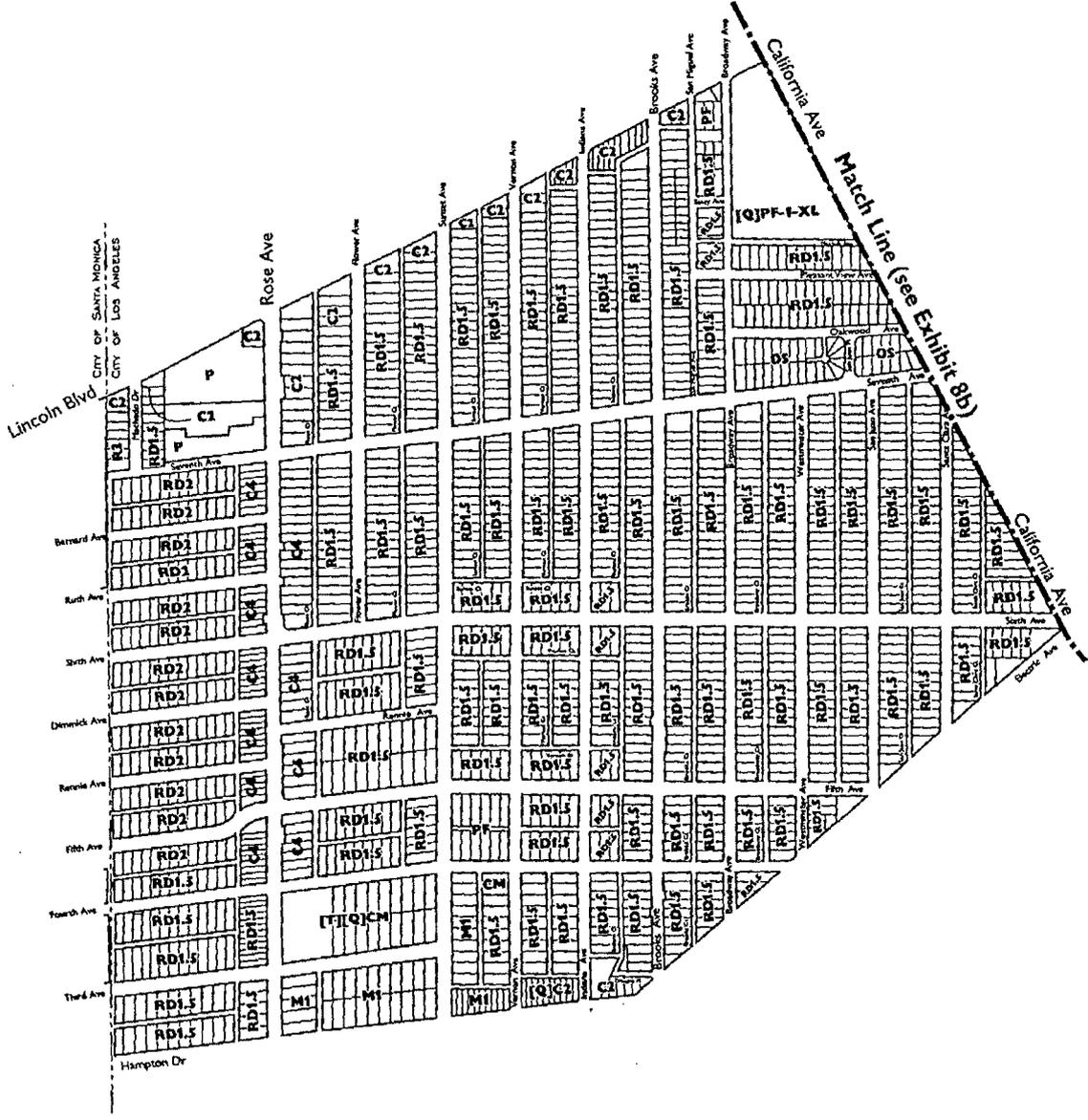


Exhibit 8a
Existing Zoning
Subarea: Oakwood • Milwood • Southeast Venice



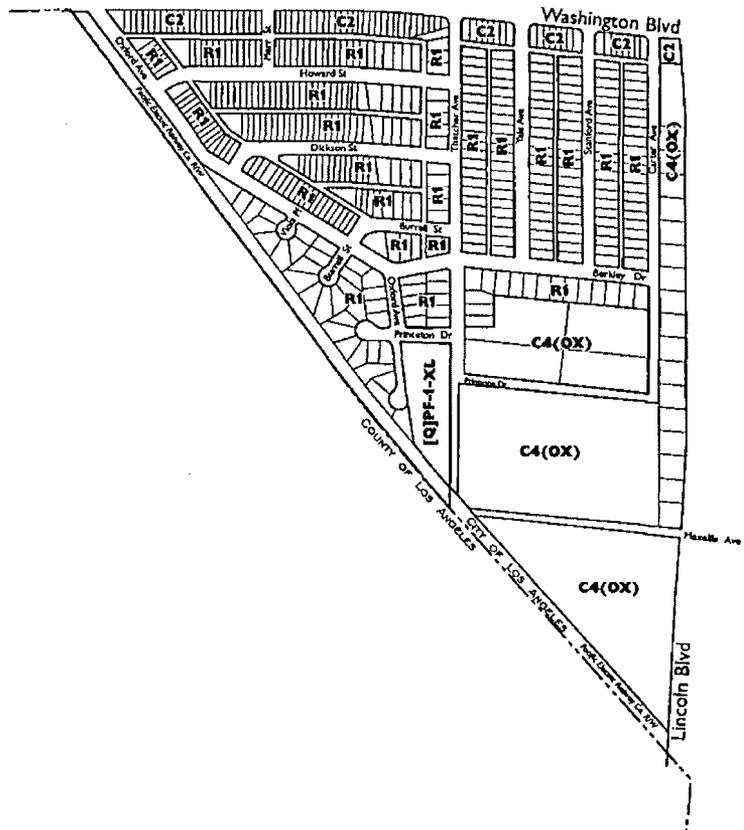
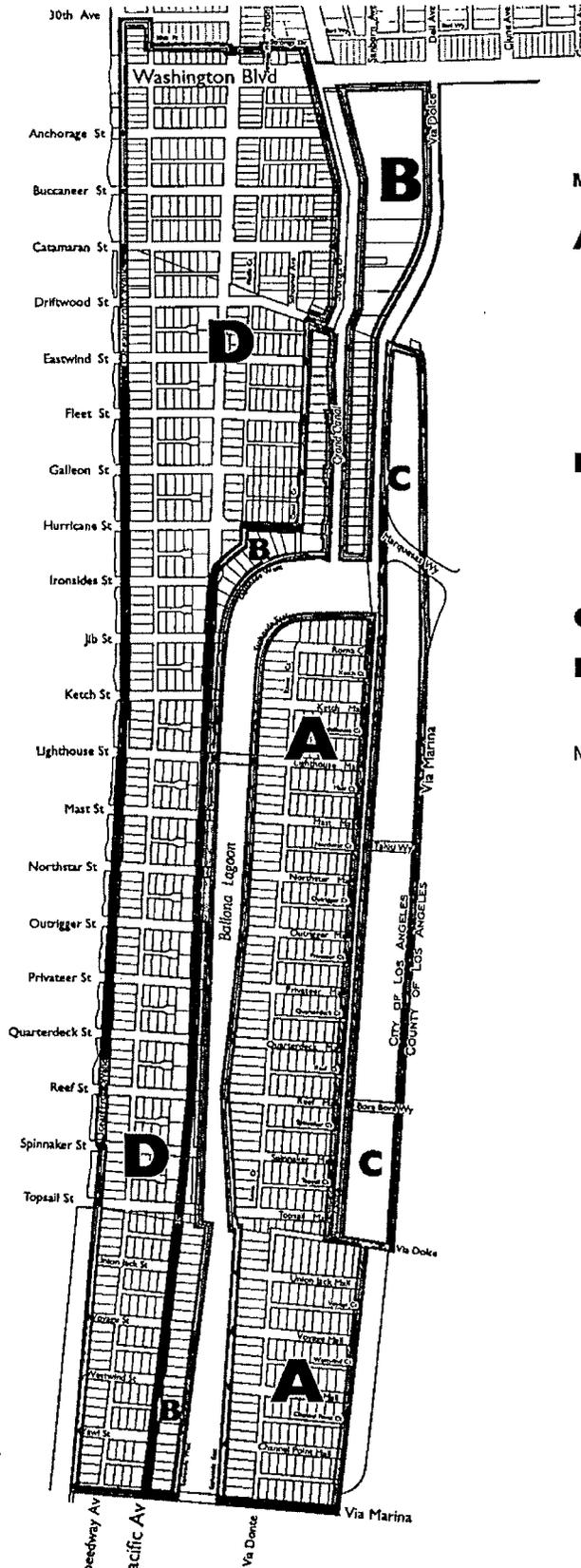


Exhibit 9
Existing Zoning
Subarea: Oxford Triangle





Maximum Building Height

- A** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45'. 45-foot limit for structures or portions of structures located further than 60 horizontal feet of the mean high tide line of Ballona Lagoon and the inland side of the Esplanade.
- B** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet.
- C** 45'
- D** 35', 28' along Walk Streets.

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except on lagoon lots where all building heights shall be measured from the average existing natural grade.

*No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30' height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way).

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 10
Height**

Subarea: Marina Peninsula • Silver Strand •

Ballona Lagoon West • Ballona Lagoon (Grand Canal) East



Maximum Building Height

- E** 22'-30'
- F** 30' with a flat roof
35' with varied or stepped back roofline
28' along walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except in the Venice Canal Subarea (E) where all building heights shall be measured from the elevation of the adjacent alley.

*Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

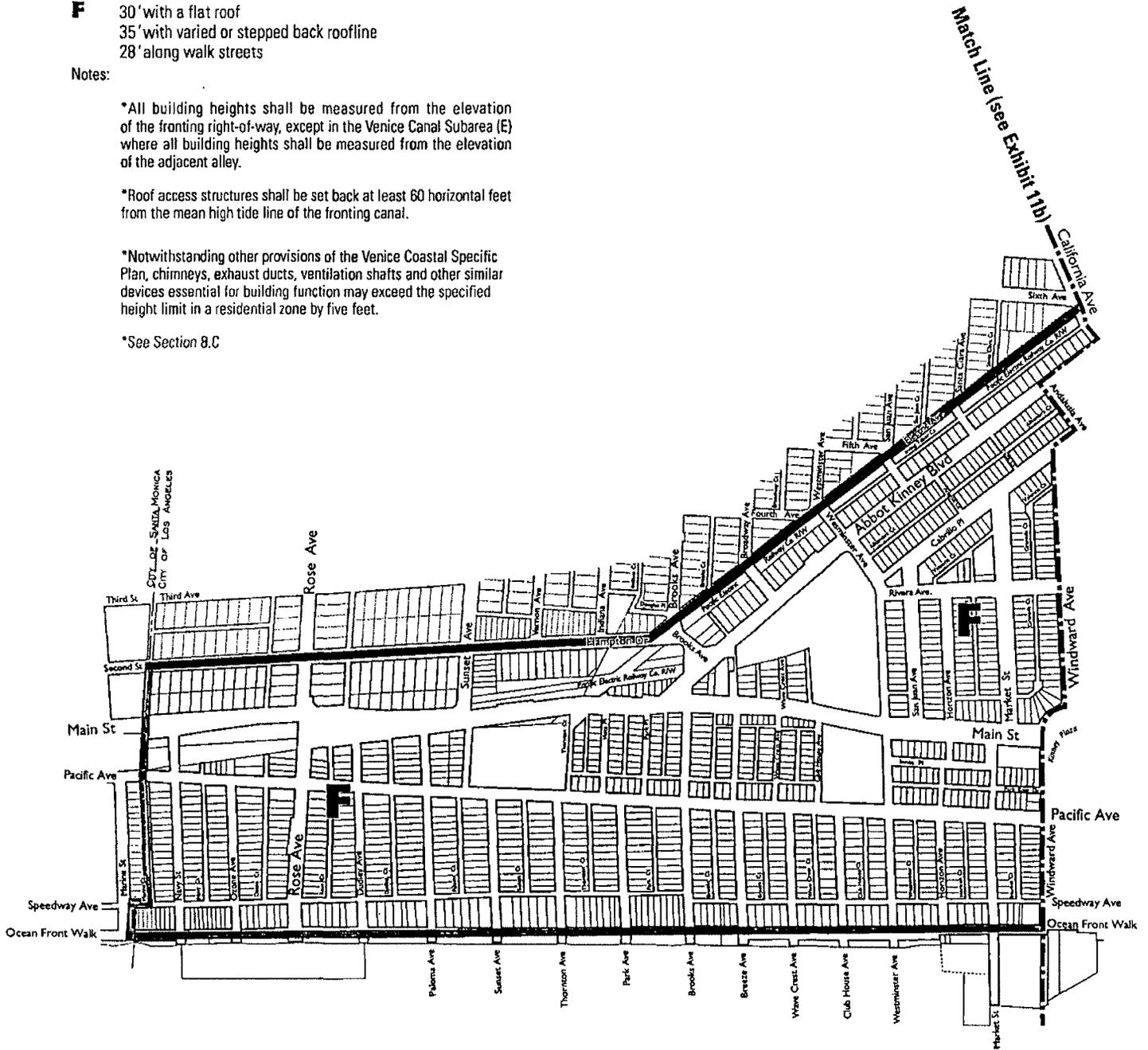
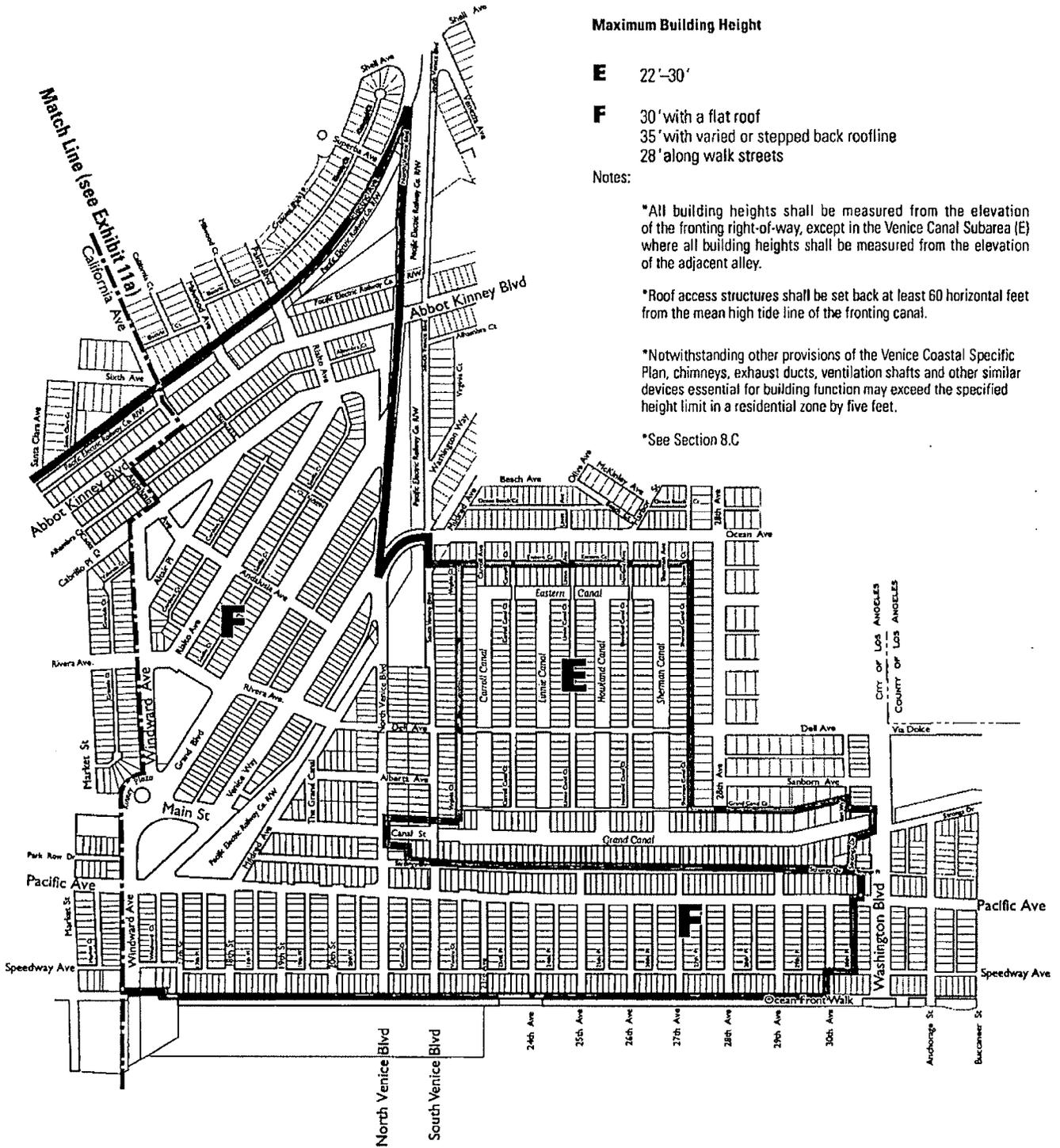


Exhibit 11a
Height
Subarea: North Venice • Venice Canals





Maximum Building Height

E 22'-30'

F 30' with a flat roof
 35' with varied or stepped back roofline
 28' along walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except in the Venice Canal Subarea (E) where all building heights shall be measured from the elevation of the adjacent alley.

*Roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of the fronting canal.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 11b
 Height
 Subarea: North Venice • Venice Canals**



Maximum Building Height

- G** 25' with a flat roof
30' with varied or stepped back roofline
28' along Walk streets

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

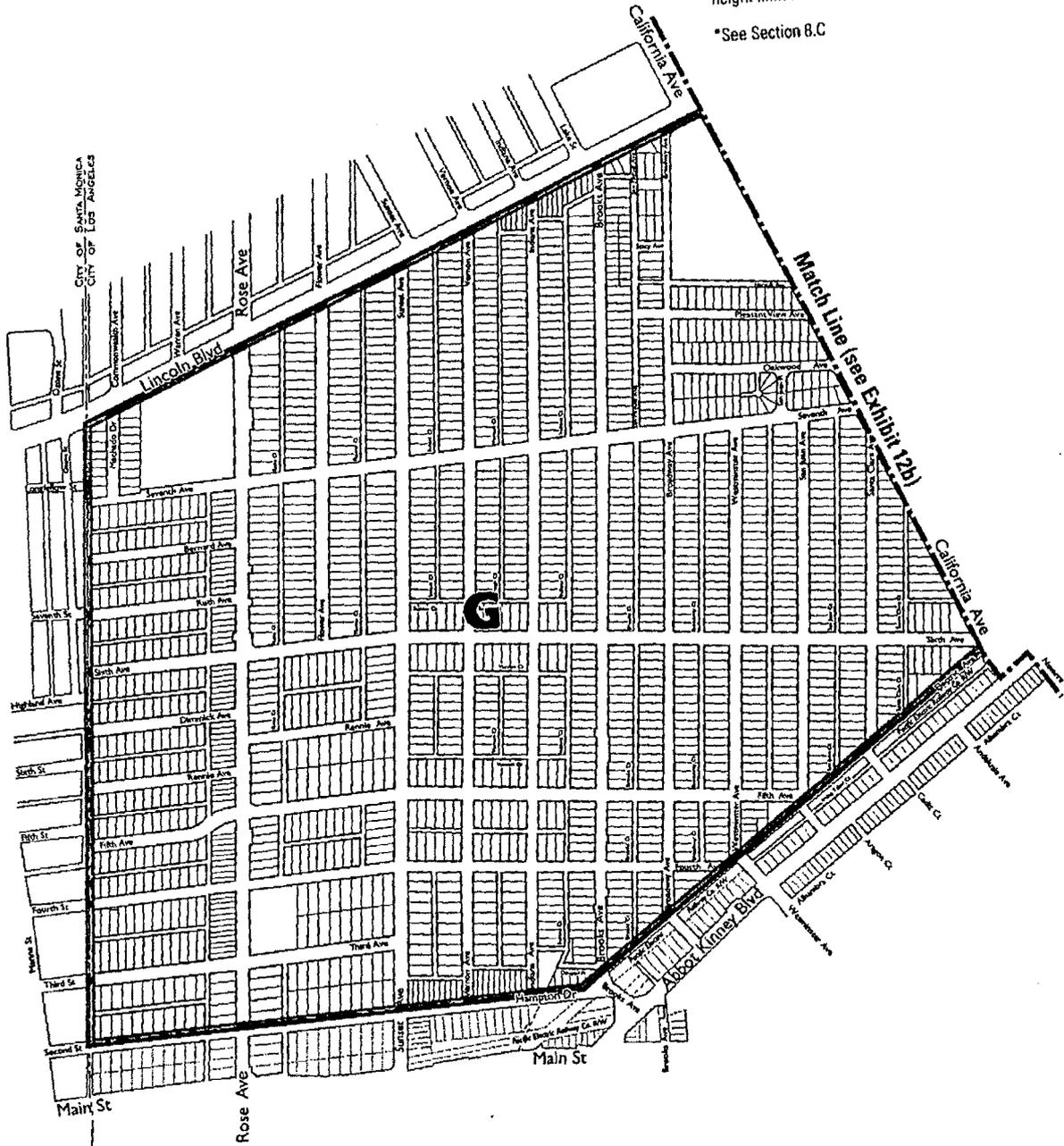
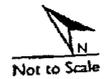
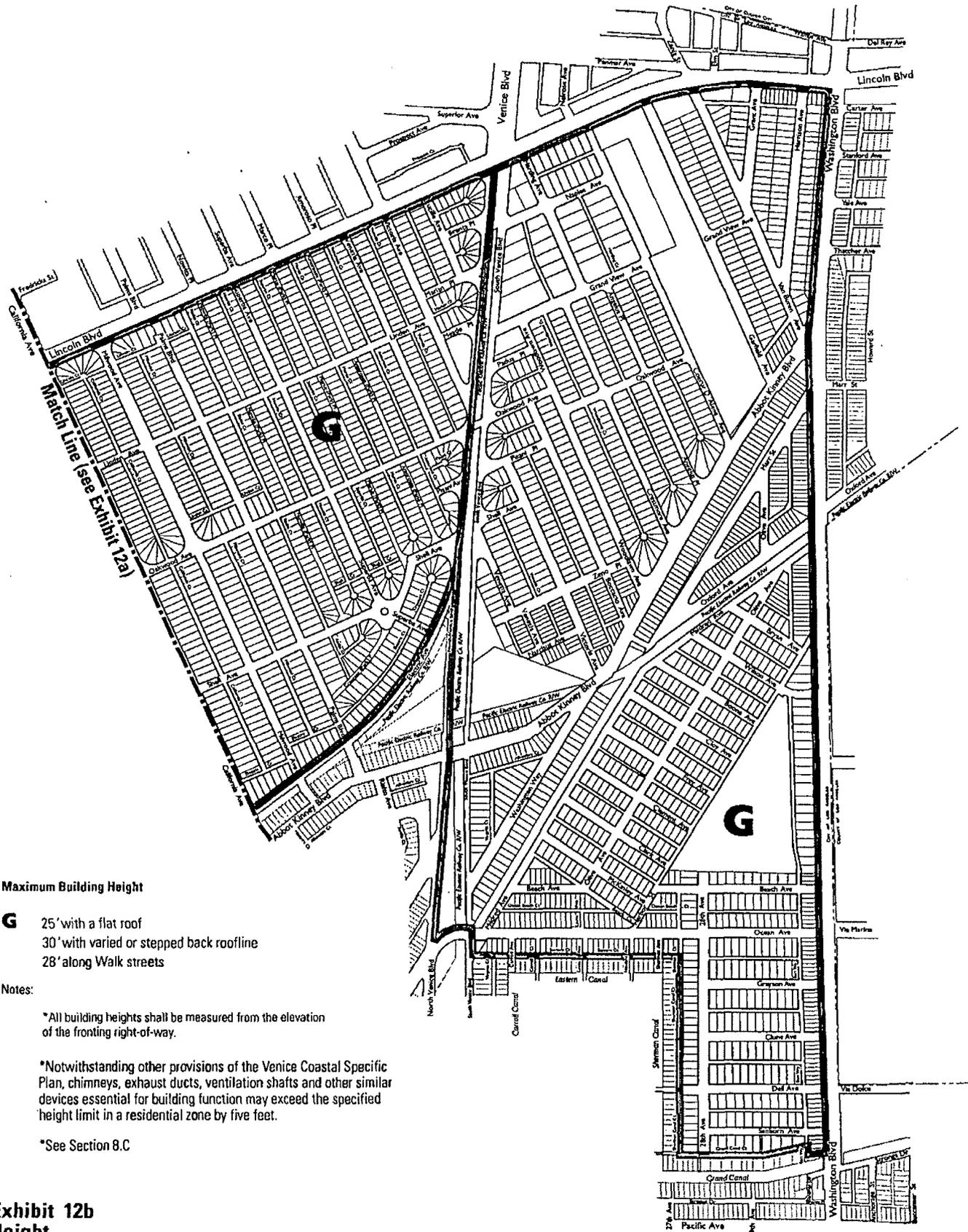


Exhibit 12a
Height
Subarea: Oakwood • Milwood • Southeast Venice





Maximum Building Height

- G** 25' with a flat roof
- 30' with varied or stepped back roofline
- 28' along Walk streets

Notes:

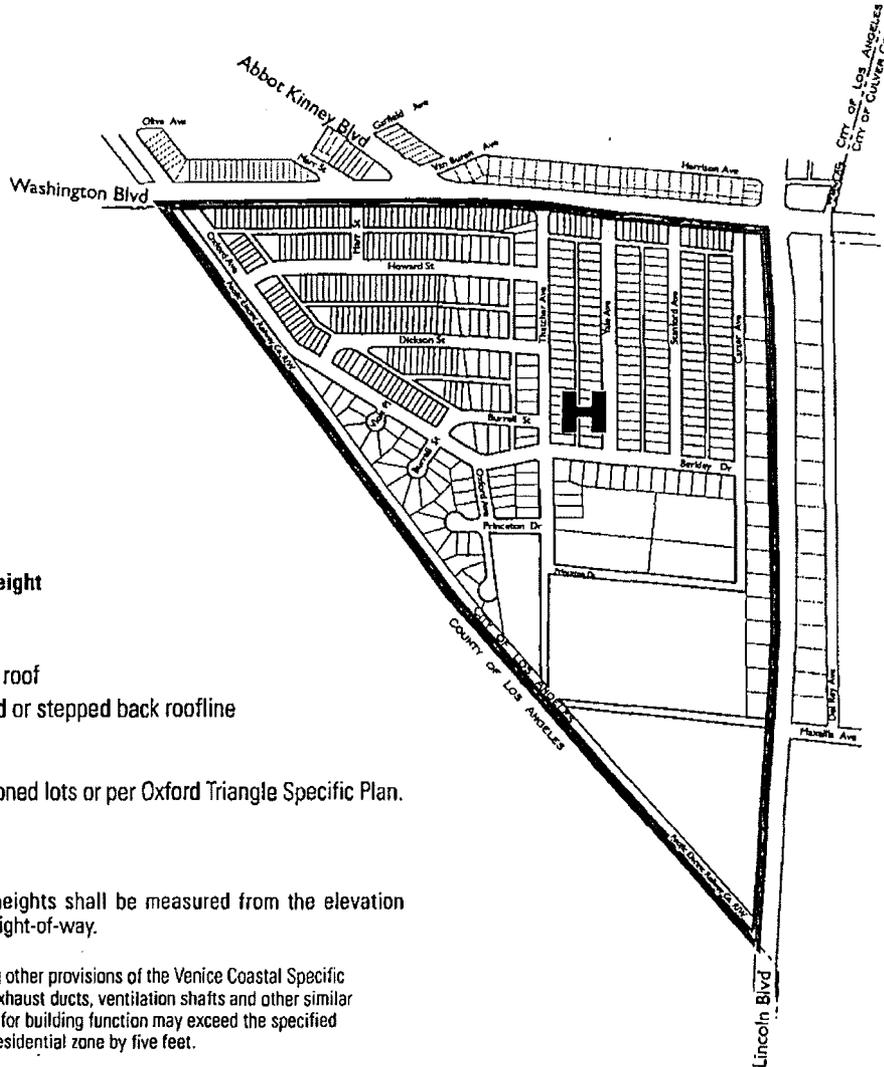
*All building heights shall be measured from the elevation of the fronting right-of-way.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 12b
Height
Subarea: Oakwood • Milwood • Southeast Venice**





Maximum Building Height

- H** Residential
 - 25' with a flat roof
 - 30' with varied or stepped back roofline
- Commercial
 - 30' on all C2-zoned lots or per Oxford Triangle Specific Plan.

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way.

*Notwithstanding other provisions of the Venice Coastal Specific Plan, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Section 8.C

**Exhibit 13
Height
Subarea: Oxford Triangle**



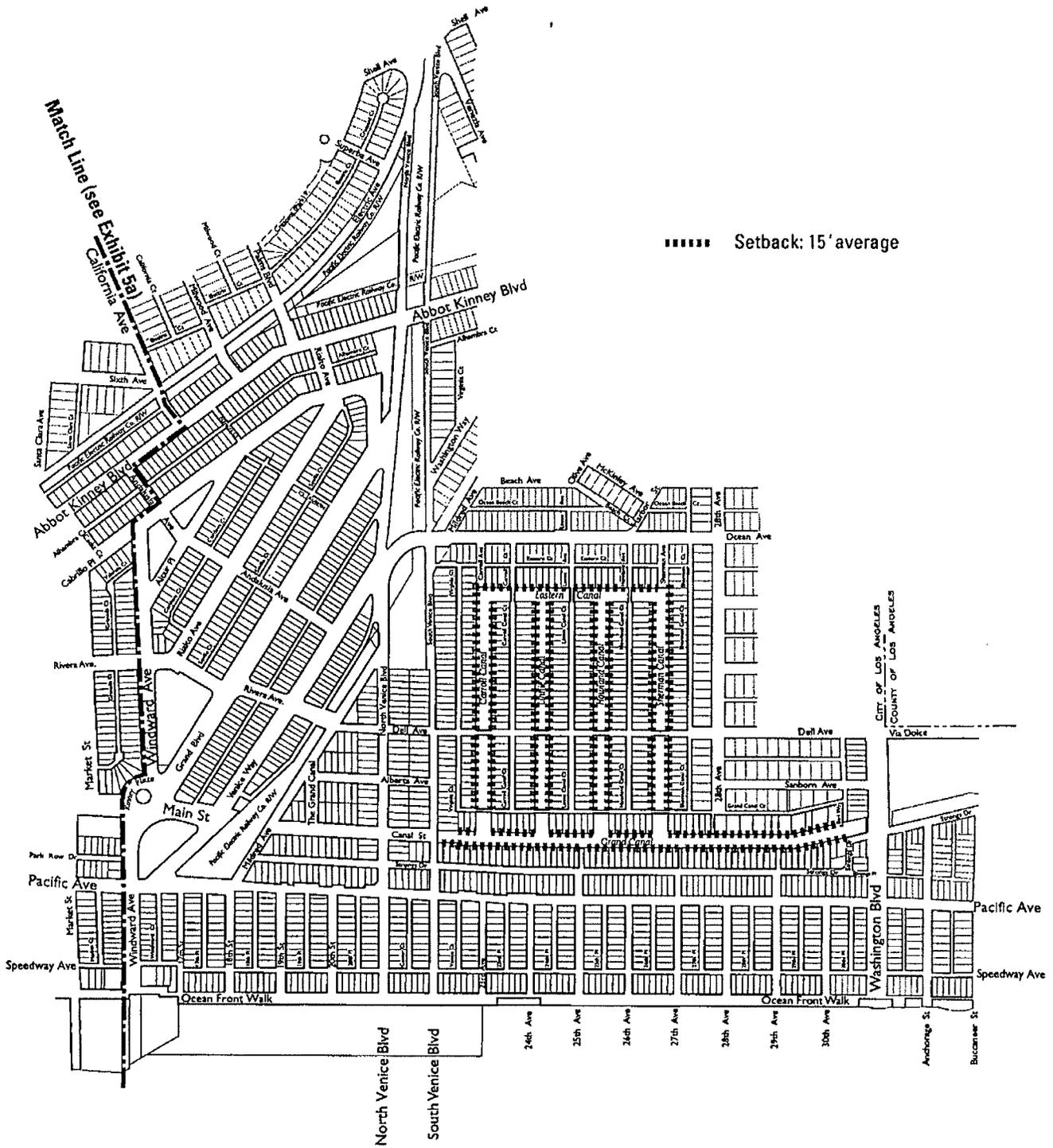
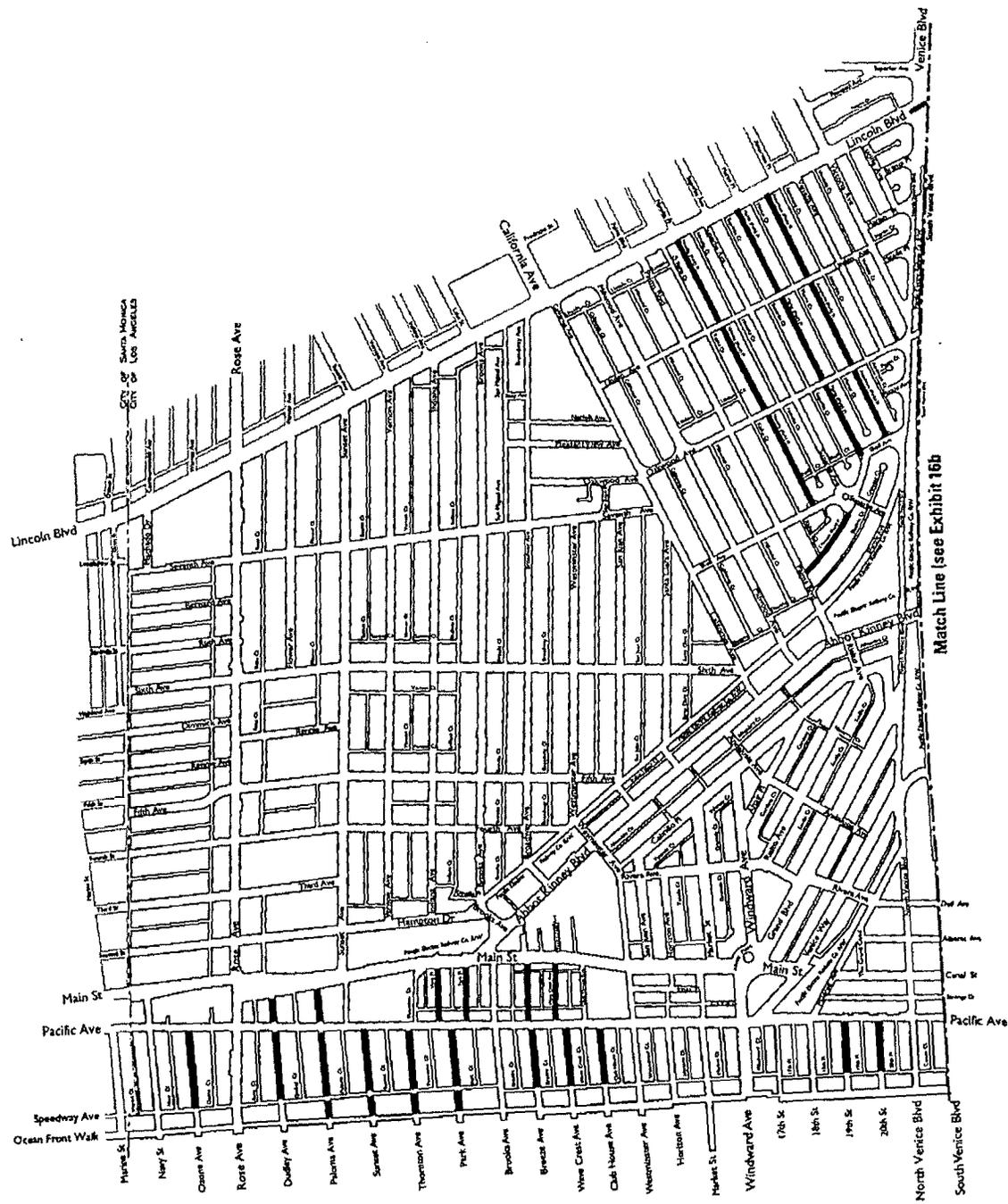


Exhibit 15
Buffer/Setback
Subarea: North Venice • Venice Canals





— Walkstreets

Exhibit 16a
Walk Streets



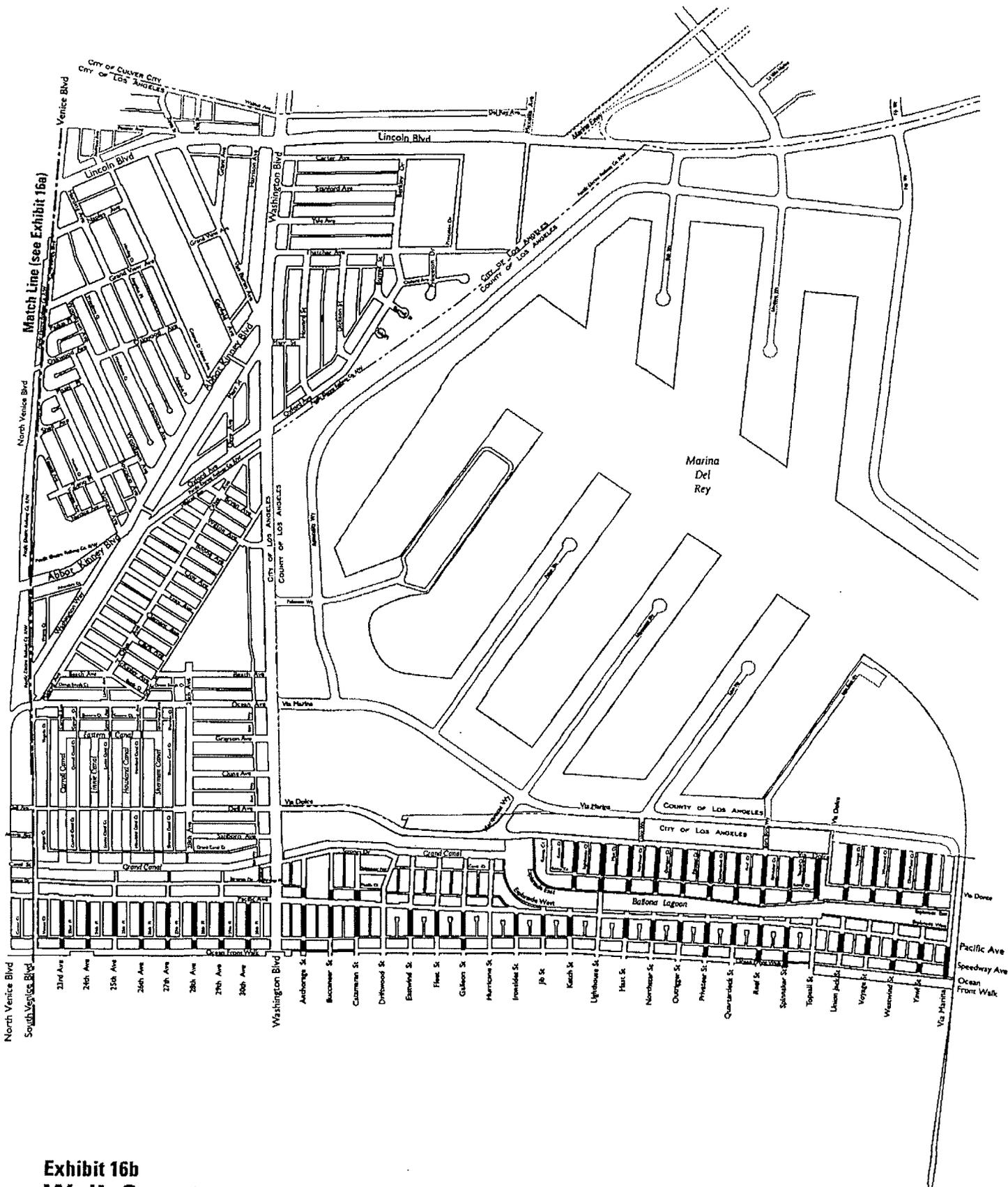


Exhibit 16b
Walk Streets



APPENDIX A

Walk Streets. The following streets are designated as walk streets.

West of Pacific Avenue and east of Ocean Front Walk:

- a. Sunset Avenue
- b. Thornton Avenue
- c. Park Avenue
- d. Twenty-third Avenue
- e. Twenty-fourth Avenue
- f. Twenty-sixth Avenue
- g. Twenty-seventh Avenue
- h. Twenty-eighth Avenue
- i. Twenty-ninth Avenue
- j. Thirtieth Avenue
- k. Galleon Street
- l. Privateer Street
- m. Reef Street
- n. Spinnaker Street
- o. Westwind Street
- p. Yawl Street
- q. Via Marina

Between Lincoln Boulevard and Shell Avenue:

- a. Nowita Place
- b. Marco Place
- c. Amoroso Place

West of Main Street and east of Speedway:

- a. Dudley Avenue
- b. Breeze Avenue
- c. Wave Crest Avenue

West of Main Street and east of Ocean Front Walk:

- a. Paloma Avenue

West of Main Street and east of Pacific Avenue:

- a. Park Place

- b. Vista Place

West of Pacific Avenue and east of Speedway:

- a. Ozone Avenue
- b. Club House Avenue
- c. Nineteenth Avenue
- d. Twentieth Avenue
- e. Twenty-fifth Avenue
- f. Eastwind Street
- g. Fleet Street
- h. Ironsides Street
- i. Jib Street
- j. Ketch Street
- k. Mast Street
- l. Northstar Street
- m. Outrigger Street
- n. Quarterdeck Street
- o. Union Jack Street
- p. Voyage Street

West of Via Dolce and east of Esplanade East:

- a. Ketch Mall
- b. Mast Mall
- c. Northstar Mall
- d. Outrigger Mall
- e. Privateer Mall
- f. Quarterdeck Mall
- g. Reef Mall
- h. Spinnaker Mall
- i. Topsail Mall

East of Speedway and West of Pacific Court:

- a. Buccaneer Street
- b. Catamaran Street

West of Los Angeles County boundary and east of Esplanade East:

- a. Union Jack Mall
- b. Voyage Mall
- c. Westwind Mall

d. Channel Point Mall

And:

- a. Crescent Place between Palms Boulevard and Shell Avenue.**
- b. Lighthouse Street between Esplanade East and Pacific Avenue**
- c. Anchorage Street between Ocean Front Walk and Pacific Court.**

APPENDIX B

Landscape Materials. All required plant materials shall be selected from this list:

TREES

Fern Leaf Acacia
Deodar Cedar
Western Rosebud
Arizona Cypress
Eucalyptus (many varieties)
European Olive
Toyon
Palms (many varieties)
Italian Stone Pine
Alleppo Pine
Canary Island Pine
California Pepper
California Live Oak
Valley Oak
Cork Oak
Salt Cedar
Silk Oak
Carob
Catalina Ironwood
African Sumac
Giant Sequoia
Flaxleaf Paperbark
Loquat
California Black Walnut
Rhus Lancia
Geijera Parvifolia
Locust

SHRUBS

Agave
Yarrow
California Lilac
Hopseed Bush
Junipers (many varieties)
Oregon Grape
Shiny Xylosma

Sugar Bush
Yucca
Strawberry Tree
Wormwood
Saltbush
Contauroa
Pittosporum
Elephant's Food
Dusty Miller

VINES

Bougainvillea
Wisteria
Cup-of-Gold Vine
Potato Vine
Cape Honeysuckle
Vitis Vinifera (Wine Grape Vine)
Trumpet Creeper

GROUND COVERS

Dwarf Coyote Brush
Junipers (many varieties)
Rosemary
Ice Plant (many varieties)
Gazania
African Daisy
Creeping St. Johnswort

FLOWERING

Red Valerian
Bush Morning Glory
Pampas Grass
Coreopsis
Smoke Tree
Broom
Escallonia
Buckwheat
Red-Hot Poker
Lavender
Sea Lavender

Mickey Mouse Plant
Fountain Grass
Cape Plumbago
Bird of Paradise
Marilyn Poppy
Winter Savory
Bush Germander
Oleander
Lemon Bottlebrush
Rockrose
Aloe
Feathery Cassia
Lantana
Fremontia

APPENDIX C

LAND USE VEHICLE TRIPS PER PEAK HOUR

Shopping Center (A group of architecturally combined commercial establishments built on a site that is planned, developed, and managed as a unit.)

More than 300,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
200,000 to 300,000 sq. ft. of Gross Floor Area	4.8 per 1,000 sq. ft. of Gross Floor Area
100,000 to 200,000 sq. ft. of Gross Floor Area	5.5 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	6.9 per 1,000 sq. ft. of Gross Floor Area
Less than 50,000 sq. ft. of Gross Floor Area	7.9 per 1,000 sq. ft. of Gross Floor Area

Commercial establishments not in a Shopping Center:

Automobiles Uses

Car Wash	81.0 per car wash
Gas Station:	
without convenience store or car wash	14.6 per fueling position
with convenience store	13.4 per fueling position
with convenience store and car wash	13.2 per fueling position
Repair/Service	3.4 per 1,000 sq. ft. sq. ft. of Gross Floor Area

Banking Uses

Walk-in Bank	17.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	43.6 per 1,000 sq. ft. of Gross Floor Area
Savings & Loan	5.3 per 1,000 sq. ft. of Gross Floor Area
With Drive-through	6.8 per 1,000 sq. ft. of Gross Floor Area

Supermarket (larger than 5,000 sq. ft. of Gross Floor Area)	11.5 per 1,000 sq. ft. of Gross Floor Area
Convenience Market (5,000 sq. ft. of Gross Floor Area or smaller)	
Open 24 hours/day	54.7 per 1,000 sq. ft. of Gross Floor Area
Open 15-16 hours/day	34.6 per 1,000 sq. ft. of Gross Floor Area
Wholesale Market	0.5 per 1,000 sq. ft. of Gross Floor Area
Movie Theater	0.15 per seat
Hospital	
General	1.2 per bed
Convalescent	0.2 per bed
Church	0.7 per 1,000 sq. ft. of Gross Floor Area
Synagogue	3.1 per 1,000 sq. ft. of Gross Floor Area
Storage (Household Goods)	0.3 per 1,000 sq. ft. of Gross Floor Area
Lodging	
Hotel	0.61 per guest room
Motel or Apartment Hotel	0.73 per guest room or dwelling unit
Offices	
Commercial Office	
under 25,000 sq. ft. of Gross Floor Area	4.3 per 1,000 sq. ft. of Gross Floor Area
25,000 to 50,000 sq. ft. of Gross Floor Area	3.2 per 1,000 sq. ft. of Gross Floor Area
50,000 to 100,000 sq. ft. of Gross Floor Area	2.2 per 1,000 sq. ft. of Gross Floor Area

100,000 to 200,000 sq. ft. of Gross Floor Area	1.6 per 1,000 sq. ft. of Gross Floor Area
over 200,000 sq. ft. of Gross Floor Area	1.5 per 1,000 sq. ft. of Gross Floor Area
Government Office	3.6 per 1,000 sq. ft. of Gross Floor Area
Medical Office	3.7 per 1,000 sq. ft. of Gross Floor Area

Artist in Residence 0.7 trips per dwelling unit, plus 5 trips per 1,000 sq. ft. of other than habitable floor area.

Restaurants

Low turnover (sit-down restaurant with no counter service)	7.5 per 1,000 sq. ft. of Gross Floor Area
High turnover (sit-down restaurant with counter service)	10.9 per 1,000 sq. ft. of Gross Floor Area
Fast food (high turnover restaurant with automobile service)	33.5 per 1,000 sq. ft. of Gross Floor Area
Fast food (without drive-through) of Gross Floor Area	26.1 per 1,000 sq. ft.

Other Commercial

Specialty retail establishments 5.0 per 1,000 sq. ft.
of Gross Floor Area

Warehouse 0.51 per 1,000 sq. ft.
of Gross Floor Area

Manufacturing

(transforming raw materials into finished products) 0.74 per 1,000 sq. ft.
of Gross Floor Area

General Industrial 0.98 per 1,000 sq. ft.
of Gross Floor Area

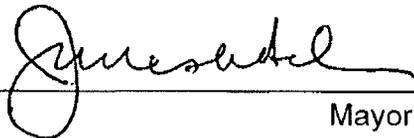
Sec. 16. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board 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 02 2003.

J. MICHAEL CAREY, City Clerk

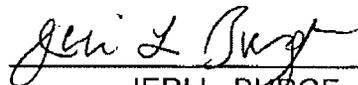
By 
Deputy

Approved DEC 09 2003


Mayor

Approved as to Form and Legality

Rockard J. Delgadillo, City Attorney

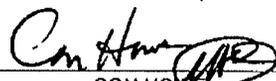
By 
JERI L. BURGE
Assistant City Attorney

Date November 10, 2003

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

August 1, 2003

see attached report.


CON HOWIE
Director of Planning

File No(s). CF 98-0518; CF 02-2089;
CPC 98-0119 LCP

DECLARATION OF POSTING ORDINANCE

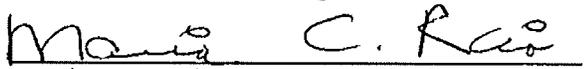
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 175693 - Amending the Venice Coastal Specific Plan - CPC 98-0119 LCP - Repealed Ordinance 172897 - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on Dec. 2, 2003, 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. 10, 2003, 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. 10, 2003 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 10th day of December 2003 at Los Angeles, California.


Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: Jan. 19, 2004 Council File No. 02-2089

(Rev. 3/21/03)

EXHIBIT Z

ZIMAS PUBLIC

Generalized Zoning

03/31/2014

City of Los Angeles
Department of City Planning



Address: 522 E VENICE BLVD
APN: 4228003001
PIN #: 106-5A147 47

Tract: TR 6329
Block: None
Lot: FR 42
Arb: None

Zoning: RD1.5-1-O
General Plan: Low Medium II Residential



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LEGEND

GENERALIZED ZONING

-  OS, GW
-  A, RA
-  RE, RS, R1, RU, RZ, RW1
-  R2, RD, RMP, RW2, R3, RAS, R4, R5
-  CR, C1, C1.5, C2, C4, C5, CW, ADP, LASED, CEC, USC
-  CM, MR, WC, CCS, UV, UI, UC, M1, M2, LAX, M3, SL
-  P, PB
-  PF
-  HILLSIDE

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

-  Minimum Residential
-  Very Low / Very Low I Residential
-  Very Low II Residential
-  Low / Low I Residential
-  Low II Residential
-  Low Medium / Low Medium I Residential
-  Low Medium II Residential
-  Medium Residential
-  High Medium Residential
-  High Density Residential
-  Very High Medium Residential

COMMERCIAL

-  Limited Commercial
-  Limited Commercial - Mixed Medium Residential
-  Highway Oriented Commercial
-  Highway Oriented and Limited Commercial
-  Highway Oriented Commercial - Mixed Medium Residential
-  Neighborhood Office Commercial
-  Community Commercial
-  Community Commercial - Mixed High Residential
-  Regional Center Commercial

FRAMEWORK

COMMERCIAL

-  Neighborhood Commercial
-  General Commercial
-  Community Commercial
-  Regional Mixed Commercial

INDUSTRIAL

-  Commercial Manufacturing
-  Limited Manufacturing
-  Light Manufacturing
-  Heavy Manufacturing
-  Hybrid Industrial

PARKING

-  Parking Buffer

PORT OF LOS ANGELES

-  General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
-  General / Bulk Cargo - Hazard
-  Commercial Fishing
-  Recreation and Commercial
-  Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

-  Airport Landside
-  Airport Airside
-  Airport Northside

OPEN SPACE / PUBLIC FACILITIES

-  Open Space
-  Public / Open Space
-  Public / Quasi-Public Open Space
-  Other Public Open Space
-  Public Facilities

INDUSTRIAL

-  Limited Industrial
-  Light Industrial

CIRCULATION

STREET

-  Arterial Mountain Road
-  Collector Scenic Street
-  Collector Street
-  Collector Street (Hillside)
-  Collector Street (Modified)
-  Collector Street (Proposed)
-  Country Road
-  Divided Major Highway II
-  Divided Secondary Scenic Highway
-  Local Scenic Road
-  Local Street
-  Major Highway (Modified)
-  Major Highway I
-  Major Highway II
-  Major Highway II (Modified)

-  Major Scenic Highway
-  Major Scenic Highway (Modified)
-  Major Scenic Highway II
-  Mountain Collector Street
-  Park Road
-  Parkway
-  Principal Major Highway
-  Private Street
-  Scenic Divided Major Highway II
-  Scenic Park
-  Scenic Parkway
-  Secondary Highway
-  Secondary Highway (Modified)
-  Secondary Scenic Highway
-  Special Collector Street
-  Super Major Highway

FREEWAYS

-  Freeway
-  Interchange
-  On-Ramp / Off-Ramp
-  Railroad
-  Scenic Freeway Highway

MISC. LINES

-  Airport Boundary
-  Bus Line
-  Coastal Zone Boundary
-  Coastline Boundary
-  Collector Scenic Street (Proposed)
-  Commercial Areas
-  Commercial Center
-  Community Redevelopment Project Area
-  Country Road
-  DWP Power Lines
-  Desirable Open Space
-  Detached Single Family House
-  Endangered Ridgeline
-  Equestrian and/or Hiking Trail
-  Hiking Trail
-  Historical Preservation
-  Horsekeeping Area
-  Local Street
-  MSA Desirable Open Space
-  Major Scenic Controls
-  Multi-Purpose Trail
-  Natural Resource Reserve
-  Park Road
-  Park Road (Proposed)
-  Quasi-Public
-  Rapid Transit Line
-  Residential Planned Development
-  Scenic Highway (Obsolete)
-  Secondary Scenic Controls
-  Secondary Scenic Highway (Proposed)
-  Site Boundary
-  Southern California Edison Power
-  Special Study Area
-  Specific Plan Area
-  Stagecoach Line
-  Wildlife Corridor

POINTS OF INTEREST

 Alternative Youth Hostel (Proposed)	 Horticultural Center	 Public Elementary School
 Animal Shelter	 Hospital	 Public Elementary School (Proposed)
 Area Library	 Hospital (Proposed)	 Public Golf Course
 Area Library (Proposed)	HW House of Worship	 Public Golf Course (Proposed)
 Bridge	 Important Ecological Area	 Public Housing
 Campground	 Important Ecological Area (Proposed)	 Public Housing (Proposed Expansion)
 Campground (Proposed)	 Interpretive Center (Proposed)	 Public Junior High School
 Cemetery	 Junior College	 Public Junior High School (Proposed)
HW Church	 MTA / Metrolink Station	 Public Middle School
 City Hall	 MTA Station	 Public Senior High School
 Community Center	 MTA Stop	 Public Senior High School (Proposed)
 Community Library	MWD MWD Headquarters	 Pumping Station
 Community Library (Proposed Expansion)	 Maintenance Yard	 Pumping Station (Proposed)
 Community Library (Proposed)	 Municipal Office Building	 Refuse Collection Center
 Community Park	 Municipal Parking lot	 Regional Library
 Community Park (Proposed Expansion)	 Neighborhood Park	 Regional Library (Proposed Expansion)
 Community Park (Proposed)	 Neighborhood Park (Proposed Expansion)	 Regional Library (Proposed)
 Community Transit Center	 Neighborhood Park (Proposed)	 Regional Park
 Convalescent Hospital	 Oil Collection Center	 Regional Park (Proposed)
 Correctional Facility	 Parking Enforcement	RPD Residential Plan Development
 Cultural / Historic Site (Proposed)	 Police Headquarters	 Scenic View Site
 Cultural / Historical Site	 Police Station	 Scenic View Site (Proposed)
 Cultural Arts Center	 Police Station (Proposed Expansion)	 School District Headquarters
DMV DMV Office	 Police Station (Proposed)	 School Unspecified Loc/Type (Proposed)
DWP DWP	 Police Training site	 Skill Center
 DWP Pumping Station	PO Post Office	 Social Services
 Equestrian Center	 Power Distribution Station	 Special Feature
 Fire Department Headquarters	 Power Distribution Station (Proposed)	 Special Recreation (a)
 Fire Station	 Power Receiving Station	 Special School Facility
 Fire Station (Proposed Expansion)	 Power Receiving Station (Proposed)	 Special School Facility (Proposed)
 Fire Station (Proposed)	C Private College	 Steam Plant
 Fire Supply & Maintenance	E Private Elementary School	 Surface Mining
 Fire Training Site	 Private Golf Course	 Trail & Assembly Area
 Fireboat Station	 Private Golf Course (Proposed)	 Trail & Assembly Area (Proposed)
 Health Center / Medical Facility	JH Private Junior High School	UTL Utility Yard
 Helistop	PS Private Pre-School	 Water Tank Reservoir
 Historic Monument	 Private Recreation & Cultural Facility	 Wildlife Migration Corridor
 Historical / Cultural Monument	SH Private Senior High School	 Wildlife Preserve Gate
 Horsekeeping Area	SF Private Special School	
 Horsekeeping Area (Proposed)	 Public Elementary (Proposed Expansion)	

SCHOOLS/PARKS WITH 500 FT. BUFFER

-  Existing School/Park Site
-  Planned School/Park Site
-  Inside 500 Ft. Buffer

- | | |
|--|--|
|  Aquatic Facilities |  Opportunity School |
|  Beaches |  Other Facilities |
|  Charter School |  Park / Recreation Centers |
|  Child Care Centers |  Parks |
|  Elementary School |  Performing / Visual Arts Centers |
|  Golf Course |  Recreation Centers |
|  High School |  Span School |
|  Historic Sites |  Special Education School |
|  Horticulture/Gardens |  Senior Citizen Centers |
|  Middle School |  Skate Parks |

OTHER SYMBOLS

- | | | |
|--|---|--|
|  Lot Line |  Airport Hazard Zone |  Flood Zone |
|  Tract Line |  Census Tract |  Hazardous Waste |
|  Lot Cut |  Coastal Zone |  High Wind Zone |
|  Easement |  Council District |  Hillside Grading |
|  Zone Boundary |  LADBS District Office |  Historic Preservation Overlay Zone |
|  Building Line |  Downtown Parking |  Specific Plan Area |
|  Lot Split |  Fault Zone |  Very High Fire Hazard Severity Zone |
|  Community Driveway |  Fire District No. 1 |  Oil Wells |
|  Tract Map | | |
|  Parcel Map | | |
|  Lot Ties | | |
|  Building Outlines | | |