



Application:

APPEAL APPLICATION

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

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission
- City Planning Commission
- City Council
- Director of Planning

Regarding Case Number: 72932 ~~VTT-72392-SL-1A~~; ENV-2014-2444-MND (related case DIR-2014-2446-SPP-1A)

Project Address: 11580 - 11594 West Riverside Drive & 4748-4752 North Irvine Avenue

Final Date to Appeal: 11/19/2015

- Type of Appeal:
- Appeal by Applicant
 - Appeal by a person, other than the applicant, claiming to be aggrieved
 - Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Glenn Block; Jeanne Petrone; Babette Wilk; ~~Glenn Block~~; and Francis Pereira

Company: _____

Mailing Address: 11617 Blix Street; 11565 Blix Street; 11569 Blix Street; ~~11580 Blix Street~~; 11581 Blix Street

City: Valley Village State: CA Zip: 91602

Telephone: (818) 426-9562 E-mail: glennlblock@gmail.com; babettelw@aol.com;

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 - Self
 - Other: see list above; as well as other neighbors affected by the project
- Is the appeal being filed to support the original applicant's position?
 - Yes
 - No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): n/a

Company: n/a

Mailing Address: n/a

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part

Are specific conditions of approval being appealed? Yes No

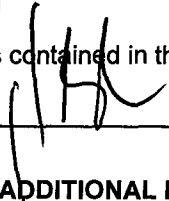
If Yes, list the condition number(s) here: see attached letters

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

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

5. APPLICANT'S AFFIDAVIT

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

Appellant Signature:  Date: 11/17/15

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- Original Applicants must pay mailing fees to BTC and submit a copy of receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered original applicants and must provide noticing per LAMC 12.26 K.7.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. (CA Public Resources Code § 21151 (c)). CEQA Section 21151 (c) appeals must be filed within the next 5 meeting days of the City Council.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Glenn Block & Nickie Bryar
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Valley Village, CA 91602
818-509-2696
glennblock@gmail.com

November 17, 2015

To City Council:

**RE: VTT 72932-SL; ENV 2014-2444-MND (related to DIR-2014-2446-SPP)
11580 – 11594 West Riverside Drive & 4748-4752 North Irvine Avenue**

These matters were raised at the initial hearing, both in person and by letters submitted by neighbors, as well in our prior appeals to the South Valley Area Planning Commission. This particular appeal is submitted individually, and jointly, by **Glenn Block & Nickie Bryar, Babette Wilk, William Sindelar, Francis Periera, Ph.D, and Jeanne Petrone** (individual letters were submitted previously and are all incorporated by this reference as though set forth in full herein).

This letter, together with the accompanying letters of our neighbors, constitutes the basis/justification of our neighborhood's appeal of the South Valley Area Planning Commission's denial of our appeals (determination letters dated November 9, 2015) including, without limitation: approval of the Vesting Tentative Tract, adoption of the modified Conditions of Approval; adoption of the Findings; adoption of the Mitigated Negative Declaration; and, sustaining of the Director's Project Permit Compliance determination set forth in the letter dated July 27, 2015 approving the proposed 16-lot small lot subdivision at the corner of Riverside Drive and Irvine Avenue in Valley Village ("Project").

The approvals for this Project, including without limitation, the South Valley Area Planning Commission's recent determination approving the Project are clearly in error and constitute an abuse of discretion in several respects.

Substantial evidence is presented herein (this letter, and accompanying letters), as well as in the previously filed appeals addressing 2014-2444-MND/VTT72932-SL, and at the hearing before the South Valley Area Planning Commission on October 22, 2015 (including, without limitation letters and other documents submitted and testimony from appellants and other neighbors affected by the project) to establish that the approvals of the Project, including without limitation approval of Conditions of Approval, Findings of Fact, Mitigated Negative Declaration, and approval of Vesting Tentative Tract, and determination of Project Compliance, are all in error and constitute an abuse of discretion.

Among the key issues:

- Significant environmental impacts of the Project have not been analyzed or evaluated and, to the extent the impacts have been analyzed or evaluated, they have not been accurately assessed, nor have sufficient mitigation measures been implemented to reduce significant impacts to a less than significant level.

- Among these impacts are:
 - **Transportation/Traffic** – *The proposed project will increase and exacerbate the level of traffic within our single family residential neighborhood where individuals and families, including young children, older adults and pets, walk and play. The increased level of through traffic on these neighborhood streets will increase the number of cars, through traffic that already speeds through our neighborhood barely slowing down for stop signs. Moreover, together with the significant increase in street parking on the neighborhood streets, will create more conflicts between automobile traffic and pedestrians and children playing on narrower streets (with cars parked along the streets - the pedestrians, bikers, strollers, scooters, etc. are forced into the street where cars are driving).*
 - *While the developer obtained a traffic study, that study failed entirely to investigate, analyze and evaluate the impacts on the neighborhood streets (Irvine, Blix, Kling, etc.) and only focused on the main thoroughfares (Colfax and Riverside). Accordingly, there has never been a study of the impacts on the neighborhood streets.*
 - **Parking** – *The proposed Project fails to provide sufficient parking for the occupants of the 16 3 bedroom, 3 1/2 bath single family homes (only providing one regular sized space for each home, with a compact space); and also fails to provide sufficient parking for guests (only 4 compact spaces for 16 homes). Accordingly, this will necessarily force the Project’s occupants and their guests to park throughout the neighborhood – causing safety, quality of life and other impacts (discussed in more detail in other documents). At a minimum, the Project should provide sufficient parking for its occupants and guests on-site – and not push its impacts into the neighborhood. Moreover, the Valley Village Specific Plan provides requirements to address these potential impacts – requirements that have been wholly ignored.*
 - **Community Impacts** – *The Proposed project is a significant increase in density, mass and population, represents a complete departure from the architectural character of the neighborhood, and will eliminate green space and open space that the neighborhood presently enjoys. These impacts will effect an immediate change in the character and nature of the neighborhood – character that is specifically identified and intended to be protected by the Valley Village Specific Plan adopted in 1993. As these impacts are a complete departure from the character and nature of the neighborhood, they constitute significant environmental impacts that have not been considered by the City – they have not been identified by the City, analyzed or evaluated, nor have any mitigation measures been identified and implemented to minimize the impacts (if not avoided entirely). By adopting the Valley Village Specific Plan, the City clearly established the character and nature of Valley Village is something important to the community and enacted specific provisions to protect that character. Accordingly, at the very least the City must evaluate these significant impacts – and seek to avoid the direct consequences of this Project – as well as endeavor to avoid the cumulative impacts that will result from other similar Projects in the neighborhood (both those projects currently proposed, as well as those future projects that will be invited if this one proceeds as proposed).*

As set forth below, the appeals should have been sustained and the Project approvals rescinded/revoked, or approved with the imposition of additional conditions to mitigate significant impacts and to ensure compliance with the VVSP. Moreover, as addressed in our appeals of MND (2014-2444-MND/VTT72932-SL) – prior letters dated on or about August 3, 2014, and prior letters dated on or about March 18, 2015; prior letters dated on or about August 11, 2015; and letters and testimony submitted at the SVAPC appeal hearing on or about October 22, 2015), *which are all incorporated herein by this reference as though forth in full herein*, there are numerous significant environmental effects that have not been identified or analyzed and/or no proper mitigation measures have been identified and implemented to reduce the significant environmental impacts to a less than significant level. Accordingly, the significant adverse effects of the project on the environment and surrounding areas have not been addressed such that they can potentially be mitigated. As such, the Director’s findings are in error and/or constitute an abuse of discretion.

To summarize, in numerous respects the environmental review and proposed Mitigated Negative Declaration for this Project fail to properly identify, analyze, and evaluate all significant environmental impacts (including without limitation cumulative impacts) and design and implement appropriate mitigation measures to ensure that such impacts are reduced to a less than significant level. These include, but are not limited to: traffic/transportation, parking, land use and planning, aesthetics, air quality, biological resources, noise, population and housing, and, cumulative impacts.

- Cumulative Impacts – the impacts below, taken together, will create overwhelming significant impacts; additionally, this project (as well as other recent similar projects) are likely to snowball and result in more developments exacerbating the overall impacts changing the character of Valley Village – particularly on the corridor streets adjoining low density single family residential neighborhoods.
- Aesthetics - proposed project design (modern?) completely out of scale and character with design of existing single-family homes (and existing multi-family buildings); etc.
- Air Quality - construction/demolition activities will create air quality impacts (dust/debris, etc.) on sensitive receptors in neighborhood - infants, children, pregnant women, senior citizens.
- Biological Resources - removal of 17 significant trees (large, mature trees that enhance the entire neighborhood, providing buffer to neighborhood from traffic on Riverside Drive)
- Land Use & Planning - project consisting of 16 3-story (30’ high) buildings will effectively physically divide the neighborhood, destroying the homogeneous/unified neighborhood joining low-rise multi-family residential properties with adjoining single-family residences; proposed project conflicts in many respects with Valley Village Specific Plan (discussed above) including, without limitation, parking, open-space, set-back, right-of-way dedication, and/or landscaping requirements/guidelines of the plan, not to mention that it is out of character with the neighborhood; creates increase in density and height of the neighborhood, increases traffic volume resulting in circulation problems and exacerbating on-street parking impacts throughout the neighborhood.
- Noise – during construction, and post-construction noise
- Population and Housing – substantial population growth (16 new families – an entire block of population on 20,000sf; tripling of population from about 15 to about 40 people
- Transportation/Traffic – changing character of local streets (Irvine & Blix) to collector streets; significantly increasing flow of traffic from minimal to substantial traffic; creating significant vehicular traffic conflicts/safety impacts with neighborhood pedestrian activities (families, dogs, etc.)

- Parking – changing character of neighborhood on-street parking from minimal (mostly from adjacent apartments) to very significant; project provides insufficient parking (more than ½ parking will be compact spaces) and some provided parking will not be usable (small garage doors) such that project guarantees that a significant number of cars will be parked in the neighborhood – creating significant safety and congestion issues.

These matters are addressed in more detail in the previous filed letters and other appeals of the VTT and MND (incorporated by this reference as though set forth in full herein), identifying numerous instances in which substantial evidence establishes that significant environmental impacts are: not identified, evaluated and analyzed; impacts identified have not been properly evaluated and analyzed; and, adequate mitigation measures have not been identified and implemented to ensure that each and every significant environmental impact (including those that have not been identified, analyzed and evaluated) will be mitigated to a less than significant level.

In addition, the following are basis for which there is substantial evidence that the Director's Determinations (July 2015) and the South Valley Area Planning Commission's determinations (November 9, 2015) are in error and constitute an abuse of discretion:

1. **The Proposed Project will result in the destruction of historically significant housing structures that have not been properly analyzed or evaluated.**

The existing four-plex apartment units, to be demolished for the Project, are historically significant because they exemplify typical architecture and style of low density small apartments that have been prevalent in Valley Village – and clearly represent the character and nature of Valley Village. Currently, the historical significance of these structures is being evaluated for historical designation and this appeal will be supplemented with evidence establishing the historical significance. Moreover, neither the City nor the applicant have performed the requisite historical survey so that the Planning Commission or Director could independently study and analyze the historical significance of the existing structure and thus the environmental impact of demolishing these structures.

The destruction of 12 historically significant housing units to create 16 new units – a net increase of 4 units, is not justified (considering all of the significant environmental impacts on the community as specified throughout these appeals) and would result in a substantial detrimental impact to the character of our neighborhood.

2. **The Proposed Project will result in the destruction of 12 moderate/low income and/or rent control housing units – to be replaced with 16 expensive single family homes.**

Presently, these existing four-plex units (9 one bedroom, one bath units and 3 two bedroom, one bath units) provide low/moderate income and/or rent controlled housing in Valley Village. Upon information and belief, all 12 units were evicted pursuant to the Ellis Act – resulting in a substantial loss of rent control units. The net gain of 4 residential units is far outweighed by the substantial loss of low/moderate and/or rent control units – exacerbating the housing crisis throughout Los Angeles and Valley Village.

3. **Proposed Project Fails to Provide Sufficient Parking and/or Creates Significant Parking Impacts under CEQA.**

Without limitation, the approval of Vesting Tentative Tract Map/Conditions of Approval/Findings of Fact and Mitigated Negative Declaration and in error and constitute abuse of discretion for the following reasons, without limitation:

The clear and explicit language of Section 8(A)(1) of the VVSP requires, “. . . guest parking at a ratio of at least one quarter space per dwelling unit *in excess* of that required by the Code.” (Emphasis added.) As the code requires $\frac{1}{4}$ space per dwelling unit, ***the VVSP requires an additional $\frac{1}{4}$ space per dwelling unit.*** **The Project proposes to construct 16 units – thus, under the VVSP, a minimum of eight (8) guest parking spaces are required.**

There is also substantial evidence establishing that the minimum parking requirements are insufficient to: “assure orderly, attractive and harmonious multiple residential developments . . . that are adjacent to the existing single-family developments” (VVSP, Section 2(A)); “to preserve the quality and existing character of the Valley Village area” (VVSP Section 2(E)); and, “minimize adverse environmental effects” (VVSP, Section 2(E)). This is because the VVSP recognizes, “the multiple-family and commercial development allowed by current zoning will cause adverse impacts for adjacent residential neighborhoods such as excessive traffic, parking on adjoining residential streets . . . and development of a proportion and scale that is incompatible with adjoining residential neighborhoods.” (VVSP pre-amble).

Each of the proposed units is 3 bedrooms, 3 bathrooms, each of about 1,600 square feet of living area. Given that these are the size/nature of typical single-family homes (in our neighborhood and Valley Village generally), it can reasonably be expected that, on average, about 3 people will be living in each unit. Each family can reasonably be expected, on average, to have 2 regular sized cars. The proposed garages each will have a regular and compact space. Accordingly, on average, each of the proposed units in the Project can be expected to have about 1 car unable to park in the provided garage. Moreover, even if one of the family’s cars is a compact car, because of the Project’s proposed less than required/adequate garage door opening – every unit can be expected to have at least 1 car unable to park within the designated garages. Accordingly, approximately 16 cars per day can be expected to park outside of the designated garages – most likely on the streets within our existing single-family residential neighborhood.

The foregoing analysis addresses only the parking requirements for the residents of the homes within the Project, and does not even address the “guest” parking needs for these 16 homes. Typical residents of single-family homes in Valley Village can reasonably be expected to have one or more guests on a regular basis, occasional parties with numerous guests, as well as regular visits from service personnel (utilities, handyman, installations, etc.). Accordingly, there is substantial evidence that guest parking requirements for this Project exceed the minimum standards.

For the reasons set forth above (as well as those set forth in the accompanying letters), substantial evidence establishes that the Director’s determination of compliance with the VVSP parking requirements is clearly in error (the VVSP requires an additional 4 guest parking spaces). To the extent that the Director may have exercised discretion in determining compliance with the VVSP (requiring an adjustment of the requirements), substantial evidence establishes that such approval is clearly an abuse of discretion.

Moreover, there is substantial evidence establishing that the Director should exercise discretion to require that the Project provide parking in excess of the minimum – including, without limitation, 2 full-size car spaces in each garage (along with sufficient garage door openings), as well as additional guest parking spaces. Only in imposing such additional parking requirements can the Director (and City)

ensure full and complete compliance with the letter and spirit of the VVSP, and adequately mitigate the significant environmental effects of the proposed Project.

4. The Project Creates Significant Environmental Impacts (Transportation/Traffic, Health & Safety, Density, Land Use, Population and Housing; Noise, Air Quality; Open Space; Aesthetics, Cumulative Impacts; Air Quality) Because it Does Not Comply with VVSP

Without limitation, the approval of Vesting Tentative Tract Map/Conditions of Approval/Findings of Fact and Mitigated Negative Declaration and in error and constitute abuse of discretion for the following reasons, without limitation:

As described in more detail in the attached letters, there is substantial evidence that the proposed Project is out of character with the nature and character of the existing neighborhood. The Project consists of 16 3-story single family homes, each about 1,600 square feet of living area (total of about 26,000sf of living area) on about 20,000sf of land. Essentially, the Project proposes to squeeze a typical neighborhood block's number of homes (on about 250,000sf of land) onto about 2 typical lots of land. Obviously, this enormously dense development (not to mention tall and massed together) creates significant impacts on the adjacent homes, streets and neighborhood.

The Project clearly constitutes, "development of a proportion and scale that is incompatible with adjoining residential neighborhoods." (VVSP, pre-ample). Such a development violates the VVSP as it is not "harmonious" with the adjacent single-family neighborhood with respect to height (3x the height of nearly all neighboring buildings/homes), design (generic geometric block), massing, open space and landscaping (VVSP, Section 2(B) and 2(C)). It is not consistent with the general character of the existing single-family neighborhood. (VVSP, Section 2(D)). It contrasts and disrupts the quality and existing character of the Valley Village area (VVSP, Section 2(E)). It fails to minimize the adverse environmental effects of development, and detrimentally impacts the general welfare because it is not compatible with the site, its surroundings, and causes severe parking and traffic circulation impacts. (VVSP, Section 2(F)). The Project does not provide an adequate buffer for the adjacent single-family neighborhood. (VVSP, Section 2(G)). The Project will create cumulative impacts that will exacerbate the significant environmental impacts on the neighborhood, undercutting the stability of the single-family neighborhood.

Furthermore, the "early start adjustments" (i.e., Zoning Administrator's Adjustments) sought for the Project are in violation of the letter and spirit of the VVSP, and is no justification for granting such modifications of the applicable minimum requirements. These include, without limitation, the developer's requests to: reduce front yard setback from 15 feet to 8 feet (or less); reduce side yard setback from required 6 feet to 5 feet; reducing rear yard to 5 feet (or 2 ½ feet) from the required 15 feet; allowing no building separation from required 12 feet; reducing passageways to 3 ½ feet from required 12 feet; reducing the garage door width to less than 16 feet (such that 2 cars cannot fit). Clearly, it is error for the Director to find compliance when in each of these respects (among others), the Project fails to comply with the VVSP and/or minimum Code requirements.

To the extent that existing site plan requirements are inadequate to ensure the preservation of the single-family neighborhood, and its general character and quality, substantial evidence presented herein (and in the accompanying letters) establishes that the Director's determination of compliance is in error. Moreover, to the extent that the Director has exercised discretion, such exercise is an abuse of discretion. Furthermore, substantial evidence establishes that the Director should exercise discretion to require that modifications be imposed in excess of the minimum requirements to ensure full and

complete compliance with all provisions of the VVSP, including without limitation those set forth herein and in the accompanying letters, and to mitigate any and all environmental impacts to a less than significant level.

The foregoing also applies similarly to the following Specific Plan Conditions: Height; Lighting; Open Space; Landscape Plan; Trees On-Site; Street Trees; Public Right-of-Way, Dedications and Roadway Improvements; and, Tract Map Approval.

5. Findings of Fact/Conditions of Approval/Mitigated Negative Declaration/Project Permit Compliance is in Error and/or Constitutes an Abuse of Discretion

Without limitation, the approval of Vesting Tentative Tract Map/Conditions of Approval/Findings of Fact and Mitigated Negative Declaration and in error and constitute abuse of discretion for the following reasons, without limitation:

As set forth herein, as well in the accompanying letters and other appeals (incorporated by this reference as though set forth in full herein), we have identified several instances in which substantial evidence establishes that the Project fails to comply with applicable development requirements of the VVSP including, without limitation. As such, the Director's findings of compliance is in error and/or constitutes an abuse of discretion. Moreover, the Director should exercise discretion to ensure full and complete compliance with all applicable provisions of the VVSP and impose such additional conditions (including without limitation those beyond the minimum requirements) so that all impacts are avoided and/or properly mitigated.

6. Findings that "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," is in error and constitutes an abuse of discretion.

Without limitation, the approval of Vesting Tentative Tract Map/Conditions of Approval/Findings of Fact and Mitigated Negative Declaration and in error and constitute abuse of discretion for the following reasons, without limitation:


Our contentions with regard to the specific deficiencies of the environmental review and proposed Mitigated Negative Declaration are set forth in detail hereinabove and in the accompanying letters, as well as in the appeals addressing the inadequacies of the Mitigated Negative Declaration (incorporated by this reference as though set forth in full herein).

As such, there is substantial evidence to establish error and/or constitutes an abuse of discretion. Moreover, the Council should exercise discretion to ensure full and complete identification and evaluation of all potential environmental impacts, and to impose such modifications and additional conditions (including without limitation those beyond the minimum requirements) so that all impacts are avoided and/or properly mitigated.

We respectfully request that approval of Vesting Tentative Tract Map/Conditions of Approval/Findings of Fact and Mitigated Negative Declaration be withdrawn, revoked and/or overturned. Additionally, we request that the Project be required to comply with any and all applicable provisions of the Valley Village Specific Plan, including without limitation that such additional conditions and/or modifications

are required to ensure full and complete compliance with the letter and spirit of the Valley Village Specific Plan.

Thank you,



Glenn Block & Nickie Bryar

Babette Wilk

William Sindelar

Francis Periera, Ph.D

Steve and Ria (Mikki) Brisk

Jeanne Petrone

(On behalf of ourselves, and our neighbors)

cc: Neighborhood Council of Valley Village (Anthony Braswell, Planning & Land Use Committee, etc.)

DEPARTMENT OF
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INFORMATION
www.planning.lacity.org

VENICE COASTAL ZONE SPECIFIC PLAN
DIRECTOR OF PLANNING
SPECIFIC PLAN INTERPRETATION (REVISED)

August 14, 2014

Initiated by:
Director of Planning

CASE NO: DIR-2014-2824-DI
SPECIFIC PLAN INTERPRETATION
CEQA: ENV-2004-2691-CE
Location: Venice Coastal Zone Specific Plan
Council District: 11
Community Plan Area: Venice
Land Use: Various
Zone: Various
Appeal Period Ends: August 29, 2014

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

A Specific Plan Director's Interpretation that clarifies the relationship between Section 12.22.C.27 of the LAMC, established by the Small Lot Subdivision Ordinance (No. 176,354), and the Venice Coastal Zone Specific Plan. The revised Director's Interpretation is intended to: (1) prevent small lot projects from exceeding densities otherwise allowed in the Specific Plan on individual lots; (2) highlight where conflicts between the LAMC and the Venice Coastal Zone Specific Plan exist and uphold the Specific Plan regulations where applicable; and (3) outline a review process for new small lot projects in the Venice Coastal Zone Specific Plan Area which takes into account the density, parking, and setback regulations of the Specific Plan. As set forth herein, this Director's Interpretation shall supersede the previous interpretation issued by the City Planning Commission (on appeal) on February 12, 2010 as Case Number DIR-2008-4703-DI-1A, and shall be applicable only within the Venice Coastal Zone Specific Plan Area.

AUTHORITY

Pursuant to LAMC Section 11.5.7.H, Interpretations of Specific Plans, the Director of Planning has the authority to interpret specific plans where there is a lack of clarity in the meaning of the regulations. Insofar as the Small Lot Subdivision Ordinance was adopted after the Specific Plan, an interpretation is necessary to identify areas of potentially conflicting provisions in the two ordinances and to allow for small lot subdivisions in Venice in a manner that is consistent with the intent and provisions of the Venice Coastal Zone Specific Plan. The Venice Coastal Zone Specific Plan contains provisions which are unique to each of ten subareas and each type of underlying zone within.

BACKGROUND

The Small Lot Subdivision Ordinance (No. 176,354) became effective on January 31, 2005 as Section 12.22.C.27 of the LAMC in order to permit lots in multi-family zones (including RD, R3, R4, R5, RAS, P and C) to be subdivided into smaller parcel sizes than would normally be permitted, as long as they comply with the density provisions established by both the zoning and the Los Angeles General Plan. Small Lot projects are not permitted in single-family zones. The ordinance is a smart-growth strategy to promote infill development of underutilized land in multi-family and commercial zones. By reducing minimum lot size requirements, the ordinance enables fee-simple ownership of single-family homes on smaller lot areas, resulting in buildings with compact building footprints. The ordinance stipulates that subdivisions resulting from the Small Lot Ordinance cannot increase the density of the underlying zone or the allowable height of structures within the zone. On January 29, 2014, an Advisory Agency Policy was issued along with Small Lot Design Guidelines. All projects filed after February 1, 2014 (see Attachment D) are required to comply with or meet the intent of the 2014 Small Lot Design Guidelines. The Policy states that the Guidelines are to be used in conjunction with any adopted Specific Plan, but shall not supersede adopted Specific Plan procedures or standards.

The Venice Coastal Zone Specific Plan was established in 1999 (Ordinance No. 172,897) and substantially revised in 2004 (Ordinance 175,693). The primary objective of the Specific Plan is to protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and man-made resources. The Specific Plan regulates all development, including: uses, height, density, setbacks, buffer zones, parking, and other development standards in order for new construction and modifications to existing buildings to be compatible in character with the community and provide for the consideration of aesthetics, scenic preservation and enhancement, and to protect environmentally sensitive areas.

As with all development regulations of Chapter 1 of the LAMC that are generally applicable to all zones, the application of the Small Lot Ordinance can be made more or less restrictive within Specific Plans and other types of zoning overlay districts, particularly where Specific Plans tailor zoning densities and other development regulations to unique geographic areas and circumstances. Because the Venice Coastal Zone Specific Plan was written prior to the adoption of the Small Lot Subdivision ordinance, and the Citywide ordinance did not specifically exempt the Venice Coastal Zone Specific Plan area, the way the ordinance would relate to the Specific Plan could not be anticipated at the time the Small Lot Subdivision Ordinance was adopted and consequently a Director's Interpretation was necessary to clarify their relationship.

A Director's Interpretation for the Venice Coastal Zone Specific Plan was previously issued on January 26, 2009. That decision was appealed. The appeal cited concerns over parking requirement calculations and affordable housing provisions in the Specific Plan and was heard

by the City Planning Commission on June 11, 2009. On February 12, 2010, the City Planning Commission's determination became final, in which the Commission granted the appeal in part and sustained the January 26, 2009 determination of the Director of Planning with modifications, adding clarifying language regarding Beach Impact Zone parking requirements and requiring Replacement Affordable Units to be located onsite within a development. The City Planning Commission also adopted a Categorical Exemption (ENV-2004-2691-CE) as the environmental clearance for the action.

The 2010 interpretation stemmed from a policy to encourage the development of small lot projects citywide, including the Venice community. The purpose of the interpretation was to provide a framework for small lot subdivisions in the Venice Coastal Zone Specific Plan Area and to allow small lot projects in Venice to utilize similar incentives to those built into the Citywide Small Lot Subdivision Ordinance. At the time the interpretation was written, small lot development was seen as a way of introducing more affordable, fee-simple single-family homes into the Venice community – an area where housing prices have outpaced most of the City and where affordable housing is scarce.

ANALYSIS

The February 12, 2010 Director's Interpretation favored the Citywide Small Lot Ordinance over the local Specific Plan. Small lot subdivision projects in Venice were interpreted to be individual single-family lots resulting from a small lot subdivision. To this end, the interpretation held small lot projects in Venice to the single-family parking standards of the Specific Plan and applied the relevant Specific Plan procedures relative to density, parking, yards, access and setbacks to the lots resulting from the subdivision rather than the original lot in its pre-subdivision state. The rationale for this approach is that after a subdivision, each resulting lot becomes a single-family property, and should be subject to single-family property requirements and restrictions. In actuality, though small lot projects cannot increase the allowable density of a subdivision as a whole, they can result in increases in building massing beyond what was anticipated or contemplated in the Specific Plan for individual lots

Upon further examination of the purposes and intent of the Venice Coastal Zone Specific Plan, namely Section 4 which discussed the relationship of the Venice Coastal Zone Specific Plan to other provisions of the Municipal Code, the plan states that "Wherever provisions in [the Venice Coastal Zone 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 [the Venice Coastal Zone Specific Plan] is silent, the regulations of the LAMC shall apply." The Specific Plan anticipated that there may be provisions of the Code which conflict with its policies, and expressly overrides other zoning provisions where there are conflicts. LAMC Section 12.22.C.27 is one such provision of the LAMC that contains different regulations.

The new interpretation more closely aligns with the spirit and intent of the Venice Coastal Zone Specific Plan development standards by applying the Specific Plan regulations to each individual lot within a small lot project, which will result in small lot developments that adhere to the density, setback and parking regulations of the Venice Coastal Zone Specific Plan where they are applicable. Together with the Small Lot Design Guidelines issued by the Advisory Agency in January 2014 (Attachment D), the revised Director's Interpretation is expected to yield small lot projects of a more compatible and proportional building footprint than is currently allowed under the 2010 Director's Interpretation, consistent with the purposes of the Venice Coastal Zone Specific Plan.

Changes in the Interpretation

The original Director's Interpretation attempted to reconcile Small Lot provisions in the Code with the Venice Coastal Zone Specific Plan by granting some flexibility for the Director to apply both the Citywide Small Lot Ordinance incentives and the Venice subarea zoning provisions. The previous Director's Interpretation applied single-family standards in the Venice Coastal Zone Specific Plan to individual lots resulting from a small lot subdivision, whereas the new interpretation applies multi-family standards in the Specific Plan to the small lot development as a whole (i.e. the pre-subdivision parcel).

The overall allowable density has not changed as a result of the revised interpretation as both the current and former interpretations emphasize that Small Lot projects may not increase the density allowed in the Subarea, or underlying zone, if applicable. However, the new interpretation strictly interprets the lot area, density, parking, and setback provisions of the Specific Plan to apply to newly created lots in Venice and applies these development standards to individual lots as well as the small lot development as a whole.

The new interpretation also provides greater clarity regarding Small Lot application procedures in the Venice Coastal Zone Specific Plan – Small Lot subdivision applications and Director of Planning approvals for Venice Coastal Zone Specific Plan cases must be reviewed simultaneously to ensure that density regulations governed by the Specific Plan are adhered to in small lot approvals.

Below is a summary of the revised interpretation. All other provisions of the 2010 Director's Interpretation shall be unchanged:

- **General Provisions:** The new interpretation underscores the fact that the Venice Coastal Zone Specific Plan's provisions override other LAMC provisions where differences exist, for example, with respect to density, parking, and yard provisions in certain Subareas.
- **Parking:** The 2010 Director's Interpretation allowed small lot projects with resulting lots containing only a single dwelling unit to utilize the single-family dwelling parking provisions in Section 13 of the Specific Plan. The new interpretation requires the small lot project, as a whole, to provide parking pursuant to the multiple dwelling provisions in Section 13 which require either two or two and one-quarter parking spaces per dwelling unit depending on the width of the lot.

As an example, using single-family development standards in the Venice Coastal Zone Specific Plan, projects are required to provide two parking spaces as a baseline, or three spaces in the Silver Strand and Venice Canals Subareas. In contrast, multi-family projects on lots greater than 40 feet wide are required to provide two spaces per dwelling unit plus additional guest parking at a rate of one space for each four or fewer dwelling units. Under the previous Director's Interpretation, small lot projects could utilize single-family parking standards, which would result in reduced parking requirements relative to other multi-family project types, such as condominiums and apartments, within multi-family zones. The new interpretation brings parking standards for Small Lot projects in the Venice Coastal Zone Specific Plan into conformance with parking requirements for other types of multi-family projects such as apartments and condominiums.

- **Setbacks:** The new Director's Interpretation requires that, notwithstanding setback provisions in the Small Lot Subdivision Ordinance and the underlying zone, each individual resulting lot within a new small lot subdivision must be consistent with Specific Plan setback requirements for individual lots, where limitations are set. If a small lot project is proposed in Subareas where provisions are silent with regard to setback limitations, the requirements of the Small Lot Subdivision ordinance and the underlying zone shall apply. For example, the Ballona Lagoon (Grand Canal) East Bank Subarea of the Venice Coastal Zone Specific Plan requires a 15-foot average setback along any lot line which separates the lot from the east bank of the Grand Canal. The Subarea also requires side yard setbacks measuring 3.5 feet in width between all resulting Small Lots. This is in addition to the Small Lot Subdivision Ordinance which requires a 5-foot setback between the Small Lot project boundary and non-Small Lot neighboring lots.
- **Lot Area and Density:** The revised Director's Interpretation states that the number of dwelling units permitted in the Small Lot project may not exceed the density permitted by zoning of the original, pre-subdivided lot. The interpretation further elaborates that in Subareas of the Venice Coastal Zone Specific Plan containing density regulations which are more restrictive than the LAMC, the project as a whole and each newly resulting lot must meet the density standards of the Subareas. It is anticipated that with this change, the number of units allowed per lot in certain subareas may be reduced from that allowed under the Municipal Code due to the restrictive nature of the Venice Coastal Zone Specific Plan.

GENERAL REQUIREMENTS AND PRINCIPLES

The Director's Interpretation is as follows:

1. Where provisions in the Venice Coastal Zone Specific Plan differ from provisions contained in Chapter 1 of the Los Angeles Municipal Code (LAMC), the Venice Coastal Zone Specific Plan shall supersede those other regulations. Where provisions are silent in the Venice Coastal Zone Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. APPLICABILITY OF SMALL LOT ORDINANCE IN THE VENICE COASTAL ZONE SPECIFIC PLAN: Notwithstanding LAMC Section 12.22.C.27 (Small Lot Ordinance), small lot projects within the Venice Coastal Zone Specific Plan shall adhere to multi-family development procedures and standards established within the Specific Plan. Additionally, any standards which further restrict lot area, density, setbacks, stepbacks, lot coverage, open space, driveway access and/or parking shall apply to the entire subdivided area, including individual resulting small lots.

Applications for small lot developments within the Venice Coastal Zone Specific Plan shall be subject to Director of Planning review pursuant to Section 8 of the Specific Plan, either "Director of Planning Sign-Off" or "Project Permit Compliance Review", depending on the location of the project and number of dwelling units proposed. Project Permit Compliance review shall be completed concurrent with any application for a subdivision.
3. PARKING: Required parking for subdivision projects shall be based on the parking requirements for multiple dwelling uses, based on the width of the pre-subdivided lot, pursuant to Section 13.D of the Venice Coastal Zone Specific Plan. Beach Impact Zone Parking, if applicable, shall be provided pursuant to Section 13.E of the Specific Plan, consistent with multi-family parking requirements.
4. DRIVEWAYS: Pursuant to the Venice Coastal Zone Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street. Exceptions may be made for existing structures where alley access is infeasible.
5. SETBACKS: Front, rear, and side yard setbacks and lot coverage and open space requirements within each lot resulting from a small lot subdivision shall be consistent with the Specific Plan, where it sets limitations, if applicable. In the Ballona Lagoon West Bank and Ballona Lagoon (Grand Canal) East Bank Subareas, side yard setbacks on all lots within a small lot project must be 3.5 feet in width, consistent with Sections 10.A.2.b(4) and 10.B.2.b.3(d) of the Specific Plan. This requirement is in addition to the 5-foot setback where the lot abuts another lot not created pursuant to the small lot subdivision ordinance, pursuant to LAMC Section 12.22.C.27(e).
6. MULTIPLE LOTS: Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for "lot area per dwelling unit" established for each residential zone in the LAMC, except where minimum lot sizes per dwelling unit are further restricted in the Specific Plan, such as in the Marina Peninsula (D), North Venice (F), and Oakwood, Millwood, Southeast Venice (G) Subareas. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one

measuring 1800 square feet and one measuring 1700 square feet, given that the average lot size is 1500 square feet. However, if the same 4500 square foot parcel in the RD1.5 zone is located in the North Venice (F) or Oakwood, Millwood, Southeast Venice (G) Subareas, each lot must not be less than 1,500 square feet per dwelling unit.

7. DENSITY: The density of combined newly created lots shall not exceed the density permitted by zoning of the original, pre-subdivided lot, which is the "lot area per dwelling unit" restriction for each subarea and each zone, as determined by the Venice Coastal Zone Specific Plan. Where the Specific Plan is silent with respect to density, the density shall be based on the underlying zone in the Los Angeles Municipal Code.

APPEAL PERIOD

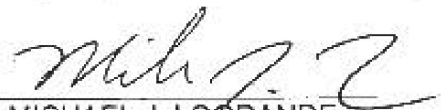
The Determination in this matter will become effective 15 days after the date of mailing, unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this grant and received and receipted at a public office of the Department of City Planning on or before the prescribed date or the appeal will not be accepted. Department of City Planning public offices are located at:

Figueroa Plaza
201 North Figueroa Street, #400
Los Angeles, CA 90012
(213) 482-7077

Van Nuys City Hall
6262 Van Nuys Blvd, 3rd Floor
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 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.

APPROVED BY:



MICHAEL J. LOGRANDE
Director of Planning



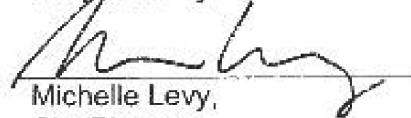
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Prepared By:



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ATTACHMENTS

- A – Small Lot Subdivision Ordinance (Ord. No. 176,354)
- B – Venice Coastal Zone Subareas
- C – Venice Coastal Specific Plan Director's Interpretation
(DIR-2008-4703-DI-1A as adopted by the City Planning Commission on January 12, 2010)
- D – Small Lot Design Guidelines, effective February 1, 2014

cc: Council District 11 – Bonin
The Venice Neighborhood Council
CA Coastal Commission, South Coast Reg. Office