



CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801,
(213) 978-1300; planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: **NOV 14 2016**

CASE: CPC-2016-1904-ZC-GPA-HD
CEQA: ENV-2016-1905-ND

Location: 1661 West 37th Place
Council District: 8 – Harris-Dawson
Plan Area: South Los Angeles
Requests: Zone Change, General Plan Amendment, Height District

Applicant: City of Los Angeles

At its meeting of September 8, 2016, the City Planning Commission took the following action:

1. **Adopted** the Negative Declaration, ENV-2016-1905-ND as the environmental clearance.
2. **Approved** a General Plan Amendment from General Commercial to Low Medium I Residential.
3. **Approved** a Zone Change and Height District Change from P-1VL-O to R2-1-O for the subject site.
4. **Approved** the "O" Oil Drilling suffix for the subject site.
5. **Adopted** the attached Findings.

RECOMMENDATION TO CITY COUNCIL:

1. **Recommend** that the City Council adopt the Negative Declaration, ENV-2016-1905-ND as the environmental clearance.
2. **Recommend** that the City Council adopt a General Plan Amendment from General Commercial to Low Medium I Residential.
3. **Recommend** that the City Council adopt a Zone Change and Height District Change from P-1VL-O to R2-1-O for the subject site.
4. **Recommend** that the City Council retain the "O" Oil Drilling suffix for the subject site.
5. **Recommend** that the City Council adopt the attached Findings.

This action was taken by the following vote:

Moved: Choe

Seconded: Katz

Ayes: Ahn, Ambroz, Mack, Millman, Padilla-Campos, Dake-Wilson

Absent: Perlman

Vote: 8 – 0



James K. Williams, Commission Executive Assistant II
City Planning Commission

Effective Date/Appeal Status: The determination of the City Planning Commission is final upon the date of mailing and it is not appealable.

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.

Attachments: Ordinance, Maps, Findings, Resolution
City Planning Associate: Melissa Alofaituli

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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

Section ____ Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

WESTERN AVE

83

31.42

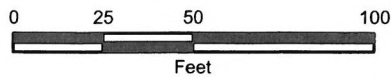
117

ALLEY

R2-1-0

50

37TH PL



C.M. 117 B 193 CPC-2016-1904-ZC-GPA-HD

AA/AE

060616

City of Los Angeles



South Los Angeles

FINDINGS

GENERAL PLAN / CHARTER FINDINGS AND DISCUSSION

1. General Plan Findings / Charter 555 Discussion

a. Framework Element

The General Plan guides the growth and development of the City and provides a comprehensive view of the City of Los Angeles as a whole. Per City Charter Section 555, the General Plan's Land Use Element, consisting of its adopted community plans, may be amended provided that the part or area involved has significant social, economic or physical identity. Per General Plan Framework Element Policy 3.1.5, amendments to community plans are allowed to further refine land use boundaries and categories to reflect local conditions, existing land uses, parcel characteristics, and public input. The proposed action changes the zone and height district of the subject parcel from P-1VL-O to R2-1-O and changes the General Plan Land Use designation from General Commercial to Low Medium I Residential. The proposed changes are a reflection of the existing residential land use on the subject property and the zoning and land use designation of the surrounding residential area.

The General Commercial land use designation is not in accordance with the existing and historic single family residential use of the parcel. The subject property was developed with a single family residential home in 1921, which still stands today. Immediately to the north and east of the property are low density residential uses consistent with their Low Medium I Residential land use designation. Thus, the subject property has been a part of the adjacent residential neighborhood's social, economic and physical identity for decades. The proposed change from General Commercial to Low Medium I Residential and corresponding zone change from P-1VL-O to R2-1-O will bring the land use designation and zoning of the subject property into consistency with the surrounding residential context and allow for the existing use. Should the property be redeveloped, the proposed R2-1-O will ensure compatibility with the existing scale and character of the surrounding residential neighborhood, allowing up to two units to be built onsite.

Residential Neighborhoods. The proposed zone, height district and land use designation are consistent with the General Plan Framework Element's policies that seek to maintain stable residential neighborhoods and retain low density multifamily residential uses with an emphasis on respecting surrounding context, as follows:

Policy 3.2.4 Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.

Policy 3.7.1 Accommodate the development of multi-family residential units in areas designated in the community plans in accordance with Table 3-1 and Zoning Ordinance densities indicated in Table 3-3, with the density permitted for each parcel to be identified in the community plans.

The proposed land use designation and zone (Low Medium I Residential and R2-1-O) would be consistent with the single family use that currently exists on the site, and would

limit future development on the subject property to low density, one- or two-unit residential uses, assuring compatibility with the surrounding residential neighborhood. The proposed R2-1-O zone would allow for one additional unit onsite. The neighboring properties with residential zoning consist mostly of low density multifamily and single family uses. The proposed zone and land use designation would be consistent with the land use designation of surrounding residential properties as identified in the South Los Angeles Community Plan.

In addition, the proposed land use designation, zone, and height district changes would ensure that the existing residential use on the subject property, and the character of the surrounding residential neighborhood, would be preserved in accordance with Policy 3.4.1, as follows:

Policy 3.4.1 Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram (Figure 3-1 and 3-2). (P1, P2, P18).

The subject property has been developed with a single family residential use since 1921. The proposed zone and land use designation would preserve the historical use of the property and would maintain the character of the surrounding stable residential neighborhood. In addition, the subject site is not located in an area identified by the Framework Long-Range Land Use Diagram as a district, center, or mixed-use boulevard.

The proposed General Plan Amendment and corresponding zone and height district change comply with Charter Sections 556 and 558 in that the recommended General Plan Amendment and zone change do reflect the land use patterns, trends, and uses in the immediate area and do further the intent, purposes, and objectives of the City's General Plan, specifically the Framework Element and the South Los Angeles Community Plan.

b. South Los Angeles Community Plan

The Land Use Element of the General Plan of the City of Los Angeles is comprised of 35 Community Plans. These plans regulate how land is utilized and developed. Community Plans are intended to promote an arrangement of land uses, streets, and services that encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the people who live and work in the community. The subject property is located in the northwestern portion of the South Los Angeles Community Plan area, in the Exposition Park neighborhood. To the north and east, the surrounding area is predominantly residential and many buildings were developed in the early 20th centuries. To the west, small scale commercial uses line Western Avenue.

Residential Development. Changing the zoning, height district, and land use designation to match the current legally permitted residential use is consistent with the following policies and objectives described in the South Los Angeles Community Plan:

Policy 1-1.1: Designate specific lands to provide for adequate multi-family residential development.

Policy 1-1.2: Protect existing stable single-family and other lower density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

The subject property consists of one parcel that is privately owned and developed with one single family house that was built in 1921. The subject site had been planned and zoned for multifamily residential uses up until 1965. The proposed land use designation, zone, and height district changes are consistent with preserving existing low density residential neighborhoods. The subject property is currently designated General Commercial and zoned P-1VL-O, yet the parcel is developed with a single family house. Therefore, the land use designation and zoning of the property are not suitable for the existing residential use onsite, nor are they consistent with the land use designations and zoning of surrounding residential uses.

The proposed land use designation and zone will ensure that any future development is compatible with the surrounding residential neighborhood and will bring the land use designation and zoning of the property into consistency with the land use designation and zoning of the surrounding residential area, and allow the existing legally permitted use.

Preserve existing residential neighborhoods. Furthermore the land use designation, zone, and height district changes would allow the owner of the subject property to maintain and make improvements to the existing house, whereas the current P-1VL-O parking zone presents obstacles to the owner obtaining proper permits. As such the proposed zone, height district, and land use designation changes are consistent with the following community plan objective:

Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity of existing single- and multi-family neighborhoods.

The proposed changes would allow the owner to maintain and enhance the existing early 20th century house on the property, thereby helping to preserve and enhance the residential character of the existing neighborhood, which is characterized by a mix of single family homes and low density multi-family buildings.

Parking. As mentioned above, the subject property is privately owned and has been developed with a residential use since 1921. Although in 1965 the City Council, at the recommendation of the City Planning Commission, changed the zoning of the site from R2-1-O to P-1-O in order to ensure the parcel's development for parking, the site was not used as a parking lot at the time, nor has it been used for parking in the five subsequent decades. As such the proposed zone change, height district change and General Plan Amendment do not conflict with the following community plan statement regarding parking:

The Plan supports the City's continuing efforts to develop off-street parking facilities within the Community Plan area so that an adequate supply of parking is available to meet the demand. City owned parking lots should be located in or near commercial areas. (p. III-37)

The subject site is not currently used for parking purposes, nor has it ever been used for such purposes. Therefore the proposed actions will not affect the provision of off-street parking facilities.

2. Charter Findings

City Charter Sections 556 and 558. Per Charter Section 556, this action conforms with the purposes, intent and provisions of the General Plan, as discussed above.

Los Angeles City Charter Section 558 and Section 12.32(c)(7) of the LAMC also require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare and good zoning practice.

a. Public Necessity.

Granting the requested legislative action, as recommended, will be deemed consistent with public necessity. The current zone and height district of the subject parcel is P-1VL-O. The P zone is applied to properties that are planned for parking use, either for surface parking lots or subterranean parking, not for above-ground parking structures. The existing single family residential use on the subject property is not allowed in a P parking zone, the property is not planned for public or commercial acquisition or use, and the P parking zone was applied without being requested by the private owner (see previous discussion). The proposed legislative action ensures compatibility with the existing legally permitted use on the site and with adjacent residential parcels that are currently zoned R2-1-O and designated Low Medium I Residential. It also ensures that the proper regulatory zoning and land use designation is in place to allow maintenance and improvements on the existing structure and for compatible development in the future.

b. Convenience.

Granting the requested legislative action, as recommended, will be deemed consistent with public convenience. The proposed General Plan Amendment and zone change contribute to the preservation of neighborhood character and the stability of an existing low density residential neighborhood. The legislative action is consistent with the zoning and land use designation of adjacent residential properties and would allow the current legally permitted residential use of the subject properties.

c. General Welfare.

Granting the requested legislative action, as recommended, will be deemed consistent with the general welfare, in that the proposed General Plan Amendment and zone change would preserve low density multifamily residential uses that are compatible and consistent with the land use designation and zoning of adjacent parcels with residential uses.

d. Good Zoning Practice.

Granting the requested legislative action, as recommended, will be deemed consistent with good zoning practice. Currently, the General Commercial land use designation and P-1VL-O parking zone are not consistent with the land use designation and zoning of surrounding residential properties. The proposed zone change, height district change, and General Plan Amendment would allow the existing legally permitted residential use. The proposed legislative action would preserve the zoning intention to implement the community plan's goals to protect and conserve existing low density residential areas.

Based on these findings, the recommended action is deemed consistent with the public necessity, convenience, general welfare and good zoning practice.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

Pursuant to Section 21082.1(c)(3) of the California Public Resource Code, the Department of City Planning has prepared a Negative Declaration (ENV-2016-1905-ND), which concludes that the proposed zone change, height district change and land use designation change will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from July 21, 2016 to August 9, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a. The proposed changes and revisions to the zoning, height district and land use designation would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Potential redevelopment of the site would be required to file for an environmental clearance and analyses, per CEQA and City CEQA Guidelines. Implementation of future mitigation measures identified in future environmental assessments and compliance with existing regulations would reduce impacts to less-than-significant levels.
- b. The impacts of the proposed change to zoning and land use designation, in addition to any future projects, are considered less than significant. Considerable impacts were analyzed by way of discussing hypothetical new construction projects that could in the future file for entitlement review and/or construction and permitting processes. Although projects may be constructed in the project vicinity at a future time, the cumulative impacts to which the proposed project would contribute would be less than significant, after compliance with the proposed zoning, which would limit new development on the site to a single-family home or two-family development. The proposed R2 zone would allow construction of one additional dwelling unit onsite, but nonetheless this would not have an impact. The current LAMC and all applicable ordinances and building and safety requirements and procedures remain in effect. The proposed change in zoning, height district and land use designation will ensure consistency with the legally permitted, privately owned residential use that currently exists on the subject site, as well as consistency with the surrounding residential uses.
- c. The proposed change to the zoning, height district and land use designation have less than significant impacts to human beings since such changes will ensure consistency with

the existing, legally permitted residential use that currently exists on the subject site, and since the surrounding area is already fully developed with a mix of primarily residential, commercial, and public facilities uses, and the proposed revisions are consistent with the land uses found in the area.

For the above reasons the lead agency finds that pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; and the Negative Declaration reflects the independent judgment and analysis of the City.

The environmental case file can be found with the case file in the Community Planning Division of the Planning Department in Room 667, 200 North Spring Street, Los Angeles CA 90012.

RESOLUTION

WHEREAS the subject property is an approximately .149 acre parcel located between Western Avenue and Halldale Avenue within the area covered by the South Los Angeles Community Plan, adopted by the City Council in March 2000;

WHEREAS a single family residential structure that was built on the subject property for residential use in 1921 still stands today, and the property has had continuous residential use from that time;

WHEREAS the subject property is privately owned;

WHEREAS the zone of the adjacent parcel to the west was changed from R2-1-O to C2-1-O in 1965 at the request of an applicant;

WHEREAS in 1965 the applicant also requested that the zone of the subject parcel be changed from R2-1-O to R3-1-O;

WHEREAS the City Planning Commission in 1965 recommended that the request to change the zone of the subject property from R2-1-O to R3-1-O be denied;

WHEREAS a City Planning Commission report dated April 22, 1965 recommended that the zone change request for the subject parcel be disapproved as filed (no change to R3-1-O) and that instead a zone change from R2-1-O Multiple Dwelling to P-1-O Automobile Parking be adopted, citing an excess of residential capacity in the area and a desire to ensure the parcel's use for parking purposes for the adjacent commercial properties along Western Avenue;

WHEREAS the subject property has never been developed as a parking lot for the adjacent commercial properties along Western Avenue, and there is no intention for the subject properties to be used for parking purposes;

WHEREAS the zone of the subject property was changed from R2-1-O to P-1-O when the City Council adopted the recommendations of the City Planning Commission in 1965;

WHEREAS the height district of the subject property was changed from -1 to -1VL in 1991 when the City Council adopted Ordinance No. 167,121, which consisted of zone and height district changes consistent with the AB283 General Plan/ Zoning program;

WHEREAS the current residential parcels to the east of the subject property are designated Low Medium II Residential with an associated zone of R2-1-O;

WHEREAS the residential use on the property is an allowed use within the R2-1-O zone and the existing building complies with the use and development regulations set forth in the R2 zone itself, the -1 height district, and the "O" supplemental use district;

WHEREAS a re-zoning and re-designation of this property from General Commercial and P-1VL-O to Low Medium II Residential and R2-1-O would designate and zone the subject property to be consistent with the existing single family use on the property and with surrounding residential properties;

WHEREAS pursuant to the provisions of City Charter the Mayor and the City Planning Commission have transmitted their recommendations; and

WHEREAS the requested General Plan Amendment is consistent with the intent and purposes of the South Los Angeles Community Plan to protect existing stable lower density residential neighborhoods from encroachment by incompatible uses and to designate specific lands to provide for adequate multi-family residential development.

NOW THEREFORE BE IT RESOLVED that the South Los Angeles Community Plan be amended as shown on the attached General Plan Amendment Map.

WESTERN AVE

83

31.42

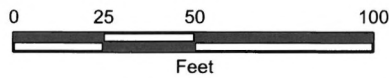
117

ALLEY

LOW
MEDIUM I

50

37TH PL



C.M. 117 B 193 CPC-2016-1904-ZC-GPA-HD

AA/AE

SOUTH LOS ANGELES

060616

City of Los Angeles

