

FINDINGS

General Plan/Charter Findings

1. General Plan Findings

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, and 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 zone change modifies the zoning on the subject parcels from R1-1-RIO to R3-1-RIO. The proposed changes are a reflection of the intent of the Community Plan land use designation, the development of the existing property, and the use and zone of the surrounding residential area.

The subject properties are developed with a multi-family apartment complex originally approved in 1969. The R1-1-RIO zone is not consistent with the land use designation and zoning of the surrounding residential areas and is not appropriate for the current and historic uses of the properties. Immediately to the northeast of the properties is the Los Angeles River concrete-lined flood control channel, to the west, south, and east are multi-family residential uses. The proposed R3-1-RIO zone will bring the zoning of the subject properties into consistency with the land use designation and the surrounding residential context, and allow for the existing permitted uses. Should the properties be redeveloped, the proposed R3-1-RIO will ensure compatibility with the existing scale and character of the surrounding residential neighborhood.

The proposed zone change is consistent with the General Plan Framework Element's policies that seek to retain 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 zone, R3-1-RIO would be consistent with the multi-family use that exists on the site, and would limit future development of the subject properties to medium density residential uses assuring compatibility with the surrounding residential neighborhood. The neighboring properties are similarly improved with multi-family residential uses. The proposed zone change would ensure consistency with the land use designation of the subject property and surrounding residential properties as identified in the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan.

The proposed zone change would ensure that the existing multi-family residential uses on the subject properties, 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 properties have been improved with residential uses since 1969. The proposed zone would preserve the historic uses of the properties and would maintain the character of the surrounding stable residential neighborhood.

Los Angeles City Charter Section 556 requires that findings be made. The proposed zone change complies with Charter Sections 556 in that the recommended 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 Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan.

b. Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass 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 properties are located in the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, in the Sherman Oaks neighborhood. To the north, the site is bound with the Los Angeles River. To the west, south and east, the surrounding areas are developed with multi-family residential structures approved in the early 20th and 21st centuries.

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

The subject properties are privately owned and have been legally operating with residential uses. Changing the zoning to match the current legally permitted residential use is consistent with the following policies and objectives described in the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan:

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 multi-family complex on the property, thereby helping to preserve the residential character of the existing neighborhood. The proposed zone change will ensure that any future development is compatible with the surrounding residential neighborhood and will bring the zoning and land use designation of the properties into consistency with the land use designation as well as the zoning of the surrounding residential area.

Legislative Action Findings

2. **City Charter Sections 558 and LAMC Section 12.32(c)(7).** Los Angeles City Charter Section 558 and Section 12.32(c)(7) of the LAMC 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 zoning is R1-1-RIO (One-Family Residential). The R1-1-RIO zone category is applied to properties that are planned for single-family. The existing residential uses on the subject properties are not allowed in R1-1-RIO, the properties are not planned for single-family use, and the R1-1-RIO zoning was applied in error (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 R3-1-RIO and designated Medium Residential. It also ensures that the proper regulatory zoning 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 zone change contributes to the preservation of neighborhood character and the stability of an existing medium density residential neighborhood. The legislative action is consistent with the zoning 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 zone change would preserve medium 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 R1-1-RIO zone is not consistent with the land use designation and zoning of the subject property and surrounding residential properties. The proposed zone change would allow the existing legally permitted residential uses on the subject properties to continue. It would preserve the zoning intention to implement the community plan's goals to protect and conserve existing medium density residential areas.

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

CEQA Findings

Pursuant to CEQA Guidelines, Section 15300.2, an Exemption from CEQA (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The Class 32 Categorical Exemption was published on Los Angeles Daily Journal on November 1, 2017. The project is characterized as an infill development meeting the following five conditions:

- The Project Site is 5 acres or less;
- The Project is consistent with the General Plan (i.e. Community Plan) and zoning requirements, and no Zone Changes, Zone Variances or Specific Plan Exceptions are required;
- The Project Site is not located on any hazardous waste site list;
- The Project is not demolishing a historical resource; and
- It is not readily apparent the Project will create a significant impact to the environment.

As stated in the mandatory findings of significance in the Class 32 Categorical Exemption, the Department of City Planning concludes the following:

- a. There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes a correction initiated by the City that will make the zoning consistent with the land use designation and current residential use of the subject area in an area zoned and designated for such development. All adjacent lots are developed with multi-family residential and concrete-lined flood control channel, and the subject site is of a similar size and slope to nearby properties.
- b. The project proposes no change to the 3:1 Floor Area Ratio (FAR). It is not unusual for the vicinity of the subject site, and is similar in scope to other existing Medium Residential in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.
- c. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. Subject site is located about 10 miles east of the Topanga Canyon State Scenic Highway, State Route 27. Therefore the subject site will not create any impacts within a designated as a state scenic highway.
- d. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site.
- e. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

The environmental case file can be found with the case file in the Policy Division of the Planning Department in Room 351, 6262 Van Nuys Boulevard, Van Nuys CA 91401.