

## FINDINGS

### A. GENERAL PLAN/CHARTER FINDINGS

#### 1. General Plan Land Use Designation

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including Land Use, Transportation, Mobility, Noise, Safety, Housing and Conservation. The Framework Element of the General Plan is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The subject property is located within the Arleta-Pacoima Community Plan as updated and adopted by the City Council on November 6, 1996. The proposed project site is designated Low Residential by the Arleta-Pacoima Community Plan and zoned R1-1-CUGU.

The applicant is requesting a General Plan Amendment to the Arleta-Pacoima Community Plan from Low Residential to Limited Industrial. The Limited Industrial land use designation corresponds to the M1, MR1, and P Zones. Concurrently, the applicant is requesting to change the zone from R1-1-CUGU to MR1-1-CUGU corresponding to the requested Limited Industrial designation. The overall project will accommodate the development of a commissary for food preparation in conjunction with the owners' food service business, catering to the film and television industry on location throughout the Los Angeles area, and create jobs in service to this industry, within the Plan area. The maximum permitted floor area ratio in the requested MR1 Zone is one-and-one-half times the building area of the lot, and the applicant is proposing a floor area of 1,940 square feet on a 11,628 square foot lot (pre-dedication), which is well below the maximum permitted 1.5:1 FAR of the requested MR1 zone. The applicant proposes a one story building, constructed to a maximum height of 21 feet 4 inches, and the requested MR1 zone permits unlimited height and number of stories. The applicant is proposing 11 automobile parking spaces for the proposed 1,940 square foot commissary / food catering use, which exceeds Code requirements of 1 parking space/250 square feet yielding 8 spaces plus one handicapped accessible space for a total of 9 required parking spaces.

The project site is not located within a specific plan area, but is located with a special overlay district designated under LAMC Section 13.18 as the Clean Up Green Up Supplemental Use District (CUGU). The purpose of the CUGU Supplemental Use District is to reduce cumulative health impacts resulting from incompatible land uses, including concentrated industrial land use, on-road vehicle travel, and heavily freight-dominated transportation corridors, which are incompatible with the sensitive uses to which they are in close proximity, such as homes and schools. The CUGU ordinance identifies a residential use as a Publicly Habitable Space, and includes development regulations for a Publicly Habitable Space that is adjacent to a Subject Use, which is a use that could have health impacts. The CUGU Ordinance identifies a food commissary as a Subject Use that could possibly be incompatible with a Publicly Habitable Space, which includes dwelling units, school, park, recreation center, day

care center, hospital, medical building, and nursing home. Since the proposed Subject Use (food commissary) is across the street or adjacent to Roger Jessup Park, the proposed use is subject to applicable development regulations under the CUGU Ordinance (LAMC Section 13.18 F). For this particular site, the applicable development regulations address Site Planning requirements for trash receptacles and fencing; Enclosure requirements for specified uses, materials, or equipment emissions; Signage prohibiting commercial vehicles from idling; Surface Parking Lot Design standards; Maintenance of specified on-site noise levels; and, prohibition of specified fencing materials. The project has been conditioned to require compliance with these applicable development regulations.

## **2. Charter Section 555(a) Findings**

**That the part or area involved has significant social, economic or physical identify.**

The size, shape, and location of the site create a significant physical identity for the proposed project. The proposed 1,940 square foot industrial building is proposed to be located on a small, underutilized approximately 11,628 square foot corner lot located at the southwest corner of Osborne Street and Norris Avenue. As currently zoned, the subject R1 Zoned property is surrounded by MR1 zoned land to the south and west within the same block, and to the east across Norris Avenue. The applicant's request to amend the Arleta-Pacoima Community Plan land use designation from the from Low Residential to Limited Industrial, and to change the zone from R1-1-CUGU to MR1-1-CUGU will eliminate the existing spot of residentially planned, zoned, and developed land in an area which is otherwise uniformly developed with light industrial uses and associated surface parking, thereby establishing a consistent land use pattern. As conditioned, the proposed development of 1,940 square foot commissary / food catering establishment for the film and television industry will establish a compatible development with the existing surrounding light industrial uses.

## **3. Charter Section 556 Findings**

**That the General Plan Amendment is in substantial conformance with the purposes, intent and provisions of the General Plan.**

**Framework Element.** The Citywide Framework Element of the General Plan sets forth a citywide comprehensive long-range growth strategy. The recommended General Plan Amendment to the Arleta-Pacoima Community Plan from Low Residential to Limited Industrial, and a Zone Change from R1-1-CUGU to (T)[Q]MR1-1-CUGU on the project site to construct a one-story, approximately 21 feet 4 inches in height, 1,940 square foot commissary / food catering establishment for the film and television industry conforms to the following objectives and policies of the Framework Element (Chapter 3-Land Use) as follows:

*GOAL 3J Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.*

*Objective 3.14 Provide land and supporting services for the retention of existing and attraction of new industries.*

*Policy 3.14.1: Accommodate the development of industrial uses in areas designated as "Industrial-Light," "Industrial-Heavy," and "Industrial-Transit" in accordance with Tables 3-1 and 3-9. The range and intensities of uses permitted in any area shall be determined by the community plans. (P1, P18)*

Table 3-9	
Land Use Designation	Corresponding Zones
Industrial-Light	CM, MR 1, MR 2, M1, M2
Industrial-Heavy	M 3
Industrial-Transit	CM, M1, M2, C2

A plan amendment and change in zone, as requested by the applicant, would further the policies of the General Plan Framework Element by attracting new industry to an area currently developed with light industrial uses, and provide job opportunities which serve City residents within the local community. The requested zone change to the MR1 zone, a "Light" industrial zone, is a corresponding zone to the requested Limited Industrial land use designation. If approved, the requested General Plan Amendment and zone change would further the Framework policy listed above by establishing a light industrial use on property designated for Limited Industrial land use in the Community Plan, and zoned with a corresponding zone.

Furthermore, the Citywide General Plan Framework Element (Chapter 7-Economic Development) states:

*GOAL 7B: A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.*

*Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

The applicant has requested redesignation of the subject property from Low Residential to Limited Industrial in order to permit industrial development, specifically a 1,940 square foot commissary / food catering establishment which supports the film and television industry, offers employment opportunity to local residents, provides for economic growth, and which has been conditioned in compliance with applicable CUGU regulations. Increased economic and employment opportunities are particularly important in the Arleta-Pacoima community, where a substantial proportion of the population lives below poverty (21% below poverty level per Demographic Research Unit statistics, Department of City Planning, 2016).

**Mobility Element.** The Mobility Plan 2035 of the General Plan, adopted August 11, 2015, and last amended September 7, 2016 includes the following policies:

*Policy 1.1 Roadway User Vulnerability: Design, plan, and operate streets to prioritize the safety of the most vulnerable roadway user.*

*Policy 2.3 Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way.*

*Policy 3.1 Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement – as integral components of the City's transportation system.*

*Policy 3.8 Bicycle Parking: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*

As conditioned, the proposed project will provide street dedication along the site's Osborne Street frontage, including a 20-foot strip of land, to complete a 50-foot wide half right-of-way in accordance with the Avenue I Standard Plan S-470-1 standards set forth in the Mobility Plan 2035. Conditions also require the provision of street improvements on Osborne Street (a designated Avenue I) and Norris Avenue (a Local street) including adequate sidewalk widths and improvements provide a safe and comfortable walking environment for pedestrians in the public right-of-way, consistent with the Standard Plan S-470-1 requirements of the Mobility Plan 2035. Bicycle parking is required for the proposed project, and will be provided consistent with Code requirements.

**Health and Wellness, Mobility 2035, and Air Quality Elements.** The condition requiring a minimum of 20% of all Code required parking spaces to be EV-ready parking spaces and 5% of Code required parking to be further provided with EV chargers onsite will support the adoption of low and zero emission transportation fuel sources by the project's employees. The condition requiring solar panels will support the site's EV chargers and other site electrical uses to help reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, these conditions provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan for Healthy LA Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); Air Quality Element Policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure). The solar and EV conditions are also good zoning practice, because they provide a convenient service amenity to the employees who use electric vehicles and utilize electricity on site for other functions. As such, the project provides service amenities to minimize impacts of the proposed use, and to minimize impacts on neighboring properties.

**Clean Up Green Up Supplemental Use District.** The project site is not located within a specific plan area, but is located within a special overlay district designated under LAMC Section 13.18 as the Clean Up Green Up Supplemental Use District (CUGU). The purpose of the CUGU Supplemental Use District is to reduce cumulative health impacts resulting from incompatible land uses, including concentrated industrial land use, on-road vehicle travel, and heavily freight-dominated transportation corridors, which are incompatible with the sensitive uses to which they are in close proximity. The CUGU Ordinance identifies a food commissary as a Subject Use that could possibly be incompatible with a Publicly

Habitable Space, which includes dwelling units, school, park, recreation center, day care center, hospital, medical building, and nursing home. Since the proposed Subject Use (food commissary) is across the street or adjacent to Roger Jessup Park, the proposed use is subject to applicable development regulations under the CUGU Ordinance (LAMC Section 13.18 F). For this particular site, the applicable development regulations are site planning, enclosure, signage, surface parking lot design, noise, and storage of merchandise. The proposed project is designed and conditioned to comply with all CUGU development regulations.

**General Plan/Community Plan.** The Arleta-Pacoima Community Plan is one of the 35 land use elements of the City of Los Angeles General Plan. The Chapter I of the Community Plan includes the following applicable Issues and Opportunities:

*Issues (Industrial): To encourage creation of jobs and the inclusion of environmentally sensitive industrial uses within the industrial areas.*

- *Lack of continuity and cohesiveness along industrial frontages.*

*Opportunities*

- *Excellent access to regional freeways and rail services.*
- *Availability of sites planned for job producing uses that improve the economic and physical condition of the area.*

The proposed project addresses all of the above issues and opportunities delineated in the Community Plan. The proposed 1,940 square foot commissary / food catering establishment for the film and television industry would establish continuity and cohesiveness by eliminating a residential zone and use within an area uniformly designated, zoned, and improved with limited industrial uses to the south, east, and west. While use of rail service is not anticipated for the proposed project, the opportunity afforded by the site's location proximate to the Foothill Freeway (approximately 1.4 miles to the north), the Golden State Freeway (approximately 1.3 miles to the south), and the Ronald Reagan Freeway (approximately 1.6 miles to the northwest), would support the needs of the proposed food commissary / catering businesses client base (i.e., the film and television industry) on location throughout Los Angeles area. The proposed General Plan Amendment and zone change would locate a limited industrial use on the subject property, providing a job producing business on a site which was previously underutilized and inconsistent with the surrounding land use pattern, in support of economic growth.

Chapter II of the Plan includes the following objective:

*5.c Designating land for industrial development that can be used without detriment to adjacent uses of other types and imposing restrictions on the types of and intensities of industrial uses necessary for this purpose.*

As previously stated, the proposed General Plan amendment from Low Residential to Limited Industrial and Zone Change from R1-1-CUGU to MR1-1-CUGU would eliminate a residential zone and use in an area uniformly designated, zoned, and improved with limited industrial uses to the south, east, and west, resolving the land use incompatibility/interface issues that arise when residential uses are sited adjacent to industrial uses.

Chapter III of the Community Plan also includes the following policies in regard to industrial development:

*Industrial lands are located on a citywide basis without regard to the boundaries of individual communities or districts, under the general principle that such employment should be available within a reasonable commuting distance from residential locations.*

*Features:*

*The Plan proposes approximately 644 acres of land for industrial uses. The MR zones should be considered for application to designated industrial lands wherever possible, as a means of preventing the use of these lands for commercial developments, and to protect adjacent residential properties through required landscaping and building setbacks wherever appropriate.*

*Wherever possible, industrial uses should be concentrated in industrial parks.*

*Industrial development should provide employment opportunities for the community residents.*

*In general, parking areas should be located at the peripheries of industrial sites in order to serve as buffers and should be separated from adjacent private and public uses of other types by a wall and a landscaped setback (especially in the case of residences).*

The proposed project would provide jobs to residents living within a reasonable commuting distance from the site, including the residential communities to the south across San Fernando Road, to the northwest across Osborne Street, and more generally within the residential areas in the surrounding Community Plans. Consistent with the above stated Community Plan policy applicable to industrial land use, the applicant's request for a Zone Change to the MR zone would prevent the use of the subject property for commercial development. Further, protections to sensitive surrounding land uses, including the park facility across Osborne Street to the north, are provided for by the requirements of the CUGU supplemental use district applied to the proposed project as Q conditions. The proposed project locates parking on the interior of the site, and landscape buffers are provided along the Osborne Street frontage as well as along the southerly property line adjacent to parking and the trash/recycling enclosure. The requested MR zone on the subject property would establish a uniform land use pattern of restricted industrial zoning within the immediately surrounding area, and eliminate R1 zoned land.

#### **4. Charter Section 558 Findings**

***That the action will be in conformity with the public necessity, convenience, general welfare and good zoning practice.***

The Planning Commission shall hold a public hearing and make a report and recommendation to the Council regarding the relation of the proposed amendment to the General Plan and whether adoption of the proposed amendment will be in conformity with public necessity, convenience, general welfare and good zoning practice.

**Public Necessity.** The Framework Element of the General Plan, Chapter 7 Economic Development, states:

*Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

*7.2.11 Ensure that the City has sufficient quantities of land suitable to accommodate existing, new and relocating industrial firms, whose operations are appropriate to a specific location in Los Angeles. (P18, P26, P38)*

*Objective 7.3: Maintain and enhance the existing businesses in the City.*

*Policy 7.3.7: Prioritize the retention and renewal of existing industrial businesses. (P35, P36, P37).*

The proposed General Plan Amendment and Zone Change allows for the re-designation of Low Residential density land use with a corresponding R1 Zone to Limited Industrial land use with a corresponding MR1 Zone to allow for the development of a 1,940 square foot commissary / food catering establishment for the film and television industry. This gain of an industrial land use on industrially zoned property will further the goal of retaining industrial lands within the city, establishing a uniform land use pattern, providing employment opportunities for residents, and supporting the needs of the local film and television industries. It will also eliminate the incompatibility which can result when residential land uses are adjacent to industrial uses.

Framework Chapter 7: Facilitate business retention and job growth

**Convenience.** The proposed development of a 1,940 square foot commissary / food catering establishment is compatibly located adjacent to other limited industrial uses, City park facilities including Roger Jessup Recreation Center and Pacoima Park which can be accessed by employees and offers them recreational opportunities, and is proximate to a variety of commercial services along San Fernando Road to the west and Glenoaks Boulevard to the north, and various public transportation lines which can serve the needs of employees. Specifically, Metro Local Lines 166/364, 224, and 92 are 0.4 miles or less from the proposed development site, and Metro Rapid Line 794 is also just 0.4 miles away. The Sun Valley Metrolink rail station is located within 3 miles southeast of the project site, and the Hollywood Burbank Airport is approximately 4 miles southeast of the site.

**General Welfare.** The proposed General Plan Amendment/Zone Change allows for the provision of employment opportunities within the City associated with the construction, operation, and maintenance of the proposed commissary / food catering establishment intended to serve the ongoing needs of the film and television industry.

**Good Zoning Practice.** The applicant's request to re-zone the current R1-1-CUGU zoned property to MR1-1-CUGU allows for the development of a commissary / food catering establishment for the film and television industry on a property which is currently a residential spot zoned, designated, and developed site surrounded to the south, east, and west by property designated for and improved with limited industrial/surface parking uses.

## B. ENTITLEMENT FINDINGS

The proposed Zone Change, General Plan Amendment, T Conditions, and Q Conditions are consistent with Section 558 of the City Charter and Section 12.32 of the LAMC in that it will be in conformance with public necessity, convenience, general welfare and good zoning practice as described below. With the approval of the requested General Plan Amendment, the requested zoning will be consistent with the General Plan.

### 5. Zone Change Finding

***The requested zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.***

As previously stated, the proposed project is the demolition of an existing one-story, approximately 940 square foot single-family dwelling and the construction, use, and maintenance of a one-story, approximately 21 feet 4 inches in height, 1,940 square foot commissary / food catering establishment for the film and television industry. The building will include a catering kitchen preparation area, office, walk in refrigeration, storage, and laundry room with 11 secure parking spaces all on a 11,628 square foot lot. The applicant is requesting a General Plan Amendment to the Arleta-Pacoima Community Plan from Low Residential to Limited Industrial and a Zone Change from R1-1-CUGU to MR1-1-CUGU.

**Public Necessity.** The proposed General Plan Amendment and Zone Change would re-designate property from Low Residential density land use and R1 Zoning to Limited Industrial land use with a corresponding MR1 Zone. If approved, development of a 1,940 square foot commissary / food catering establishment would be approved on the subject property, meeting the needs of the film and television industry, furthering the goal of retaining industrial lands within the city, establishing a uniform land use pattern, and providing employment opportunities for residents. It will also eliminate the incompatibility which can result when residential land uses are adjacent to industrial uses.

**Convenience.** The proposed project is infill development in an area planned and developed with limited industrial uses to the south, east, and west, and the proposed development of a 1,940 square foot commissary / food catering establishment would be compatible in its location adjacent to other limited industrial uses, as well as City park facilities (i.e., Roger Jessup Recreation Center and Pacoima Park) available to meet the recreational needs of employees. Importantly, it is also conveniently located to commercial services along San Fernando Road (to the west) and Glenoaks Boulevard (to the north), and public transportation lines including Metro Local Lines 166/364, 224, and 92 (within 0.4 miles), Metro Rapid Line 794 (within 0.4 miles), Sun Valley Metrolink rail station (within 3 miles, and the Hollywood Burbank Airport (within 4 miles).

**General Welfare.** The proposed General Plan Amendment/Zone Change allows for the provision of employment opportunities within the City associated with the construction, operation, and maintenance of the proposed commissary / food catering establishment intended to serve the ongoing needs of the film and television industry.



**Good Zoning Practice.** The applicant's request to re-zone the current R1-1-CUGU zoned property to MR1-1-CUGU allows for the development of a commissary / food catering establishment for the film and television industry on a property which is currently a residential spot zoned, designated, and developed site surrounded to the south, east, and west by property designated for and improved with limited industrial/surface parking uses.

**6. Q Condition Findings**

***a. The Q limitations are necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.***

The proposed Q conditions contain provisions regarding site development; limit the use and building height; provide for adequate automobile and bicycle parking, storage, on-site landscaping, street trees, signage, and greywater use; ensure provision of electric vehicle parking, solar/electric generator use, permeable paving, and reflective asphalt; and compliance with applicable CUGU regulations. As such, the Q limitations serve to protect the best interests of the proposed development and the community as a whole.

***b. The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.***

To ensure that the development is in harmony with the General Plan, the proposed Q conditions contain provisions regarding land use; site planning; land use compatibility (CUGU regulations); natural resources (trees); and conservation (greywater use, solar, permeable paving, and electric vehicle provisions).

***c. The Q limitation is necessary to prevent or mitigate adverse environmental effects of the zone change.***

Under Case No. ENV-2016-2569-MND, mitigation measures are imposed on the subject project to reduce impacts to a less than significant level in the areas of Tribal Cultural Resources (Monitoring during grading). The Q limitations imposed herein address provisions for mitigation including archaeological monitors during ground disturbance activities, notification to specified tribes, and protocols to be followed in the event tribal cultural resources are encountered, in response to the analysis of environmental impacts and the mitigation monitoring program under Case No. ENV-2016-2569-MND. As such, the proposed Q conditions prevent or mitigate adverse environmental impacts from the project.

**7. T Condition Finding**

***Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly***

***developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.***

The current action, as recommended, has been made contingent upon compliance with “T” conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These T Conditions ensure appropriate and necessary roadway and sidewalk improvements, catch basin improvements, street lighting, power pole location, street tree planting/removal, traffic signals and equipment, sewers, access and circulation, fire hydrants, water systems per LADWP, and clearances for applicable federal aviation regulations. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site.

### **C. CEQA FINDINGS**

A Mitigated Negative Declaration, Case No. ENV-2016-2569-MND, was prepared for the proposed project. The Department of City Planning published the Mitigated Negative Declaration beginning November 29, 2018 for 20 days ending December 19, 2018 for the subject case. The Lead Agency found potential negative impacts could occur from the project’s implementation due to:

Cultural Resources  
Tribal Cultural Resources

Other identified potential impacts not specifically mitigated by these conditions are already subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

FOUND, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-2569-MND, as circulated on November 29, 2018, (“Mitigated Negative Declaration”), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; FOUND the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; FOUND the mitigation measures have been made enforceable conditions on the project; and ADOPTED the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 90012.