

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
APCSV-2023-4402-ZC-HCA	ENV-2023-4403-CE	4 - Raman
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
AA-2023-4401-PMLA-HCA <input type="checkbox"/> N/A	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
17820 West Erwin Street		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
David Danil (OHEL, LLC)	(818) 692-5022	Daviddanil26@gmail.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Ben Ansari (Complete Package Drafting)	(818) 493-1121	info@cpdrafting.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Courtney Yellen	(818) 374-5059	courtney.yellen@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Zone Change (ZC) from RA-1-RIO to (T)R1-1-RIO across the entire site.		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		
ITEMS APPEALED:		
<input checked="" type="checkbox"/> N/A		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List (both Word and PDF)	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

Please create Council File.

☐ N/A

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input checked="" type="checkbox"/> 500' radius <input checked="" type="checkbox"/> Neighborhood Council <input checked="" type="checkbox"/> Interested Parties	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]

FISCAL IMPACT STATEMENT:

☒ Yes

☐ No

*If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

<input type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input checked="" type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
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PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
August 22, 2024	4 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
September 30, 2024	N/A
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input type="checkbox"/> 75 days <input checked="" type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Tionna Simpson	October 10, 2024



SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **SEP 10 2024**

Case No.: **APCSV-2023-4402-ZC-HCA**
CEQA: ENV-2023-4403-CE
Plan Area: Reseda – West Van Nuys

Council District: 4 – Raman

Project Site: 17820 West Erwin Street

Applicant: David Danil
Representative: Ben Ansari

At its meeting of **August 22, 2024**, the South Valley Area Planning Commission took the actions below in conjunction with the following Project:

The addition of 2,173 square feet to an existing approximately 1,366 square foot single-family dwelling for a total of 3,539 square feet and the construction, use and maintenance of a new 3,539 square foot single-family dwelling on a 20,994 (gross) square foot lot in the RA-1-RIO Zone (with a requested Zone Change to R1-1-RIO). Each dwelling will be 24 feet 9 inches in height and will be constructed with an attached two-car garage. There are 12 existing trees on the subject site, including two protected California Black Walnut trees. The project proposes to remove the two protected California Black Walnut trees and one significant, non-native tree for a total of three tree removals. No grading is proposed as part of the project.

1. **Determined**, that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15301, Class 1, Section 15303, Class 3, and Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved and Recommended**, that the City Council adopt, pursuant to Section 12.32 F, Chapter 1, of the Los Angeles Municipal Code, a Zone Change from RA-1-RIO to (T)R1-1-RIO over the entire site;
3. **Adopted** the attached Conditions of Approval, and;
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Crockett
Second: Mather
Ayes: Barraza, Karadjian

Vote: 4 – 0


April M. Hood, Commission Executive Assistant I
South Valley Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the South Valley Area Planning Commission as it relates to the Zone Change is appealable by the applicant only, if disapproved, to the City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles, CA 90012; or 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

FINAL APPEAL DATE: Sept 30th 2024

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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: Zone Change Ordinance, Map, Conditions of Approval, Findings, and Appeal Filing Procedures

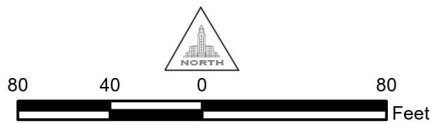
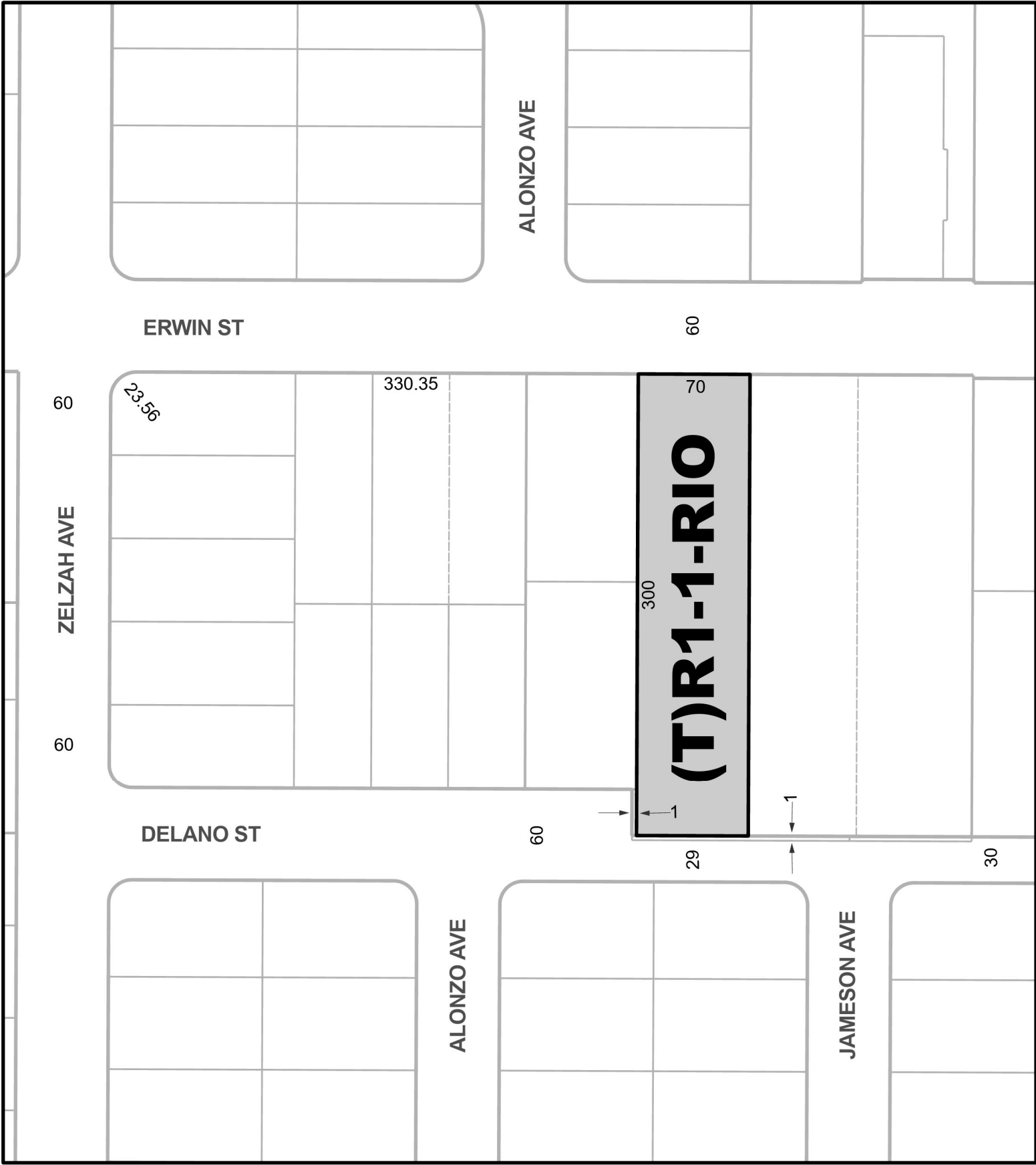
cc: Blake Lamb, Principal City Planner
Claudia Rodriguez, Senior City Planner
Laura Frazin-Steele, City Planner
Courtney Yellen, Planning Assistant

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 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

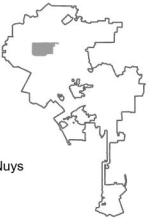


APCSV-2023-4402-ZC-HCA

RG/CF

062724

City of Los Angeles



Reseda - West Van Nuys

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by positing for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 558 of the City Charter, the South Valley Area Planning Commission on **August 22, 2024** recommends this ordinance **BE ADOPTED** by the City Council.

By



April M. Hood

Commission Executive Assistant I

File No. _____

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. **Dedication and Improvements.** The applicant shall make dedications and improvements as follows:

Dedications:

- a. **Erwin Street.** A 3-foot wide strip of land be dedicated to complete a 33-foot wide half right-of-way dedication in accordance with Collector Street standards of the LA Mobility Plan.
- b. **Delano Street.** A 30-foot wide strip of land be dedicated to complete a 30-foot wide half right-of-way dedication in accordance with Local Street standards of the LA Mobility Plan.

Improvements:

- c. **Erwin Street.** Remove the existing sidewalk and construct a new 5-foot wide concrete sidewalk and provide landscaping along the parkway, including any necessary removal and reconstruction of the existing improvement satisfactory to the City Engineer.
 - d. **Delano Street.** Improve Delano Street being dedicated and adjoining the subdivision by the construction of the following:
 - i. An integral concrete curb and gutter, and a 5-foot wide concrete sidewalk and landscaping of the parkway.
 - ii. Suitable surfacing to join the existing pavements and to complete an 18-foot wide half roadway.
 - iii. Any necessary removal and reconstruction of the existing improvements.
 - iv. The necessary transitions to join the existing improvements.
 - v. Trees exist within the dedication area. Denial of their removal may impact the ability to widen the roadway as required. Should Bureau of Street Services, Urban Forestry Division (UFD) object to the removal of the trees within the dedication area, then the required roadway widening as stated above may be revised to allow for the preservation of the existing trees, satisfactory to UFD and the City Engineer.
2. **Sewers/Storm Drains.** The applicant shall make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area. The

applicant may be required to obtain necessary clearances or permits from the Bureau of Sanitation.

3. **Traffic and Access.**

- a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of Department of Transportation.
- b. A width of 18 feet at the driveway apron curb cut is required for all two-way driveways, or to the satisfaction of the Department of Transportation.
- c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
- d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

4. **Street Lighting.** Construct one new street light on Erwin Street and one on Delano Street to the satisfaction of the Bureau of Street Lighting.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) by LADOT or 2) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

5. **Fire.** Submit plot plans for Fire Department approval and review prior to issuance of a building permit and Certificate of Occupancy.

6. **Cable Infrastructure.** Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Information Technology Agency.

7. **Street Trees.**

- a. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design shall be considered and implemented to retain healthy mature street trees. A permit required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.
- b. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City

has previously paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

CONDITIONS OF APPROVAL

Development Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "**Exhibit A**" (dated March 15, 2024) and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions.
2. **Use.** The project is approved for a maximum of two residential dwelling units. One unit shall be located on proposed Parcel A, and the second unit shall be located on proposed Parcel B. The maximum residential density allowed on each site is subject to the review and approval of LADBS pursuant to Chapter 1, LAMC Section 12.08. The floor area of each residential dwelling unit may not exceed 3,539 square feet as shown on "**Exhibit A.**"
3. **Height.** The project is approved for a maximum height of 24 feet 9 inches.
4. **Landscape Plan.** Prior to obtaining any grading or building permits, landscape plans shall be submitted to show the size and location of all plants. The landscape plan shall indicate landscape points for the Project as required by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan and shall incorporate any modifications required as a result of this grant.

New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.

5. **Tree Replacement and Protection.** A total of nine replacement trees should be provided as follows:
 - a. Eight 48-inch box protected native trees shall be planted to replace the two protected California Black Walnut trees to be removed for a 4:1 ratio.
 - b. One significant 24-inch box replacement tree shall be planted to replace the one significant tree to be removed for a 1:1 ratio.

The applicant shall be allowed to plant the nine replacement trees on either proposed Parcel A or proposed Parcel B. Conversely, the applicant may spread out the replacement trees between Parcels A and B.

6. **Parking.** Provide a minimum of 2 covered off-street parking spaces per dwelling unit pursuant to LAMC Section 12.21 A.4. No deviations from parking are requested or approved herein.

7. **Solar-ready Buildings.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
8. **Stormwater and Irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.
9. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible. Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall be used during construction.

Administrative Conditions

10. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
11. **LAMC Requirements.** All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
12. **Code Compliance.** The area, height and use regulations of the zone classification of the subject property shall be complied with, except where conditions herein are more restrictive.
13. **Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.
14. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
15. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

16. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and Department of Building and Safety.
17. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority, including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
18. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

The applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in

the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

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 seven State-mandated elements, including, Land Use, Transportation, Circulation (Mobility Plan 2035), 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 site is located within the Reseda – West Van Nuys Community Plan as updated and adopted by City Council on November 17, 1999. The Community Plan designates the subject site for Low Residential with corresponding zones of RE9, RS, R1, RU, RD6, and RD5. The subject site is currently zoned RA-1-RIO, which is more restrictive than the range of zones associated with the Low Residential land use designation. The applicant's request to change the zone to R1-1-RIO is consistent with the Low Residential General Plan designation. Additionally, the subject site is not located within a geographic specific plan of overlay.

The project site has approximately 20,994 (gross) square feet of lot area, which would permit a maximum of one dwelling unit (one unit/per 17,500 square feet) pursuant to Chapter 1, LAMC Section 12.07 C.4. The applicant is requesting a Zone Change from RA-1-RIO to (T)R1-1-RIO, which would permit the requested density (i.e., one single-family dwelling unit on each parcel with a minimum area of 5,000 square feet per dwelling unit pursuant to Chapter 1, LAMC Section 12.08 C.4) if sufficient lot area is available after Code required dedications and improvements are made as conditioned herein and under incidental Case No. AA-2023-4401-PMLA-HCA.

The proposed project would be comprised of two 3,539 square foot single family residences, 24 feet 9 inches in height, on each proposed Parcel (Parcel A and Parcel B). Pursuant to Chapter 1 of LAMC Section 12.08 C, the R1 Zone would allow one unit per 5,000 square feet of lot area, or in this instance, two single family dwelling units if approved. As shown on "**Exhibit A**", the project involves an addition of 2,173 square feet to an existing approximately 1,366 square foot single-family residence on Parcel B and the construction, use, and maintenance of a new 3,539 square foot single family dwelling on Parcel A for a total of two approximately 3,539 square foot single family residences.

Pursuant to Chapter 1 of LAMC Section 12.21.1 A, a maximum height of 33 feet is allowed in the requested R1 Zone. As proposed, both single family dwellings propose a maximum height of 24 feet and 9 inches, as shown on "**Exhibit A**". As conditioned herein, the project will not exceed the proposed 24 feet 9 inches in height shown on "**Exhibit A**".

The applicant has met or exceeded setback and yard requirements. Pursuant to Chapter 1 of LAMC Section 12.08 C and shown on "**Exhibit A**", the proposed single family dwellings will provide the required setbacks as summarized below:

Setback	Minimum Required Setback	Parcel A	Parcel B
Front Yard (prevailing)	19.83 feet (Parcel A) 18.63 feet (Parcel B)	20 feet	20 feet
Rear Yard	15 feet	52 feet and 6 inches	85 feet and 6 inches
Side Yard (East)	6 feet	15 feet	15 feet
Side Yard (West)	6 feet	6 feet	6 feet

Pursuant to Chapter 1 of LAMC Section 12.21 A.4, one standard parking stall and one compact parking stall is required per dwelling unit. As shown on “**Exhibit A**”, the project proposes to provide the one standard and one compact parking stall per each dwelling lot for a total of four parking stalls. Vehicular access to the proposed project will be provided via two driveways, one driveway along Erwin Street to access Parcel B and one driveway along Delano Street to access Parcel A.

There are 12 trees on the subject site, including two protected California Black Walnut trees. A Protected Tree Report dated July 27, 2023 was prepared by Arsen Margossian, Bardez Landscape Services, Inc., and is attached to the subject case file. The Protected Tree Report identifies the removal of two California Black Walnut trees in fair health at the southernly portion of the subject site. In conformance with the Los Angeles Mobility Plan 2035, the applicant is required to provide a 30-foot wide strip of land to be dedicated along Delano Street adjoining the subdivision to complete a 30-foot wide half right-of-way dedication in accordance with Local Street standards. Due to the location of the two protected California Black Walnuts on the southerly portion of the project site and within the 30-foot wide dedication, the two native, protected trees are proposed for removal. The report recommends the planting of eight 48-inch box protected tree species to replace the California Black Walnut trees at a 4:1 basis. The Protected Tree Report additionally identifies the removal of one non-protected tree due to the construction of the new driveway to achieve the proposed project. As conditioned herein, the proposed project will require approval of a Protected Tree Report by the Department of Urban Forestry for the removal of any street tree or protected tree, as well as minimum tree replacement such as a 24-inch box at a 1:1 ratio for significant, non-protected trees, and 48-inch box protected tree species at a 4:1 basis for protected trees.

At the time this case was filed, the procedures of Chapter 1 of the Municipal Code were in effect until January 22, 2023. Therefore, this application is being processed under Chapter 1. For applications filed after January 23, 2023, the processes for reviewing planning applications and requests are outlined under Article 13 (Administration) of Chapter 1A.

2. **Charter Section 556 Findings: That the Zone Change is in substantial conformance with the purposes, intent, and provisions of the General Plan.**

Framework Element

The Framework Element sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The recommended Zone Change from RA-1-RIO to (T)R1-1-RIO conforms to the following objectives and policies of the Framework Element as follows:

Objective 3.5: Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

Policy 3.5.2: Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.

The project is designated Low Residential by the Reseda – West Van Nuys Community Plan and is zoned RA-1-RIO. The applicant's zone change request is consistent with the current General Plan land use designation. The existing RA Zone does not correspond to the Low Residential land use designation, but the requested R1-1 Zone does correspond to the land use designation. The proposed project would be comprised of two 3,539 square foot single family residences, 24 feet 9 inches in height. Pursuant to Chapter 1 of LAMC Section 12.08 C, the R1 Zone allows one unit per 5,000 square feet of lot area, or in this instance, a maximum density of two units if approved.

Furthermore, the Citywide General Plan Framework Element states:

Policy 4.3: Conserve scale and character of residential neighborhoods.

The surrounding area is a developed urban area of single-family residential uses. The properties to the north are zoned R1-1-RIO and (T)R1-1-RIO with an underlying zone of RA-1 and designated as Low Residential. The properties located to the east and south are zoned R1-1 and designated Low Residential. The properties located to the west of the subject site are zoned R1-1-RIO and (T)R1-1-RIO with an underlying zone of RA-1 and designated as Low Residential. One property located two properties west of the subject site is zoned RA-1 and designated as Low Residential. The area is developed solely of one and two-story single-family residential dwellings. All of the surrounding sites along Delano Street have been improved with a curb, gutter, and concrete sidewalk with the exception of the sites located directly east of the site. As proposed, the two 3,539 square foot single family residences, 24 feet 9 inches in height allows the site to provide additional dwelling units in a manner which ensures that the character and scale of the existing single-family residential neighborhood is maintained while allowing for infill development that is compatible with the surrounding area.

Housing Element

The 2013-2021 Housing Element of the General Plan is the City's blueprint for meeting housing and growth challenges. According to the Housing Element, there is a "crisis" of housing in the City. In Los Angeles, there is a need for more housing units, and a need for a broader array of housing types to meet evolving household types and sizes at different price points. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1: A City where housing results in an ample supply of housing...

Objective 1.1: Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

Goal 2: A City that preserves and enhances the quality of housing and provides greater housing stability...

The proposed project involves the addition to an existing single family dwelling unit and the construction, use, and maintenance of an additional single family dwelling unit in an existing single family residential neighborhood. The project provides benefits to the City's housing needs while carefully preserving the character and integrity of the existing neighborhood.

According to Chapter 1, Housing Element 2021-2029, nearly half of citywide population growth since 2010 has been in the Valley. By preserving housing and creating additional units, the project directly contributes to the City's housing inventory, addressing the growing demand for housing in a rapidly increasing populated area. The introduction of these units offers more choices for residents, accommodating different household sizes and living arrangements and helps meet the varied housing preferences and needs within the surrounding community.

Mobility Element 2035

Chapter 2 of the Mobility Plan 2035 incorporates the Complete Streets Design Guide with a specific street classification according to the Bureau of Engineering Standard Plan for Street Dimensions.

In conformance with the Los Angeles Mobility Plan 2035, the applicant is required to provide a 30-foot wide strip of land to be dedicated along Delano Street adjoining the subdivision to complete a 30-foot wide half right-of-way dedication in accordance with Local Street standards. The applicant is also required to provide a 3-foot wide strip of land be dedicated to complete a 33-foot wide half right-of-way dedication in accordance with Collector Street standards of the LA Mobility Plan. In addition to dedications, the applicant is required to provide improvements to both Erwin and Delano Street with new five foot wide concrete sidewalks and landscaping of the parkway. The dedications and improvements described above are incorporated and conditioned herein. By requiring such dedications and improvements, the request will allow for the development of more complete streets in the area promoting safer circulation within the subject area and allow for pedestrian-friendly sidewalks.

The surrounding area is largely improved with sidewalks, landscaped parkways and complete widened streets. The dedications and improvements conditioned herein will further connect to the existing improvements, specifically with the adjacent lots to the west along Delano Street further promoting connectivity and safe, walkable neighborhoods.

General Plan/Community Plan

The Reseda – West Van Nuys Community Plan Map includes the following footnote No. 5:

Each Plan category permits all indicated corresponding zones as well as those zones referenced in the Los Angeles Municipal Code (LAMC) as permitted by such zones unless further restricted by adopted Specific Plans, specific conditions and/or limitations of project approval, Plan footnotes or other Plan map or text notations. Zone established in the LAMC subsequent to the adoption of the Plan shall not be deemed as corresponding to any particular Plan category unless the Plan is amended to so indicate. It is the intent of the Plan that the entitlements granted shall be one of the zone designations within the corresponding zones shown on the Plan, unless accompanied by a concurrent Plan Amendment.

The project is designated Low Residential by the Reseda – West Van Nuys Community Plan and is zoned RA-1-RIO. The applicant's zone change request is consistent with the current General Plan land use designation. The existing RA Zone is more restrictive than the range of zones corresponding to the Low Residential land use designation, but the requested R1-1 Zone corresponds to the land use designation. The proposed project would be comprised of two 3,539 square foot single family residences, 24 feet 9 inches in height. Pursuant to Chapter 1 of LAMC Section 12.08 C, the R1 Zone allows one unit per 5,000 square feet of lot area, or in this instance, a maximum density of two units if approved.

The Community Plan text includes the following relevant land use goals, objectives, policies and programs:

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

Policy 1-1.2: Protect existing single family residential neighborhood from new, out of scale development.

Objective 1-2: To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

Policy 1-2.2: Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

As previously mentioned, the surrounding area is a developed urban area of one to two-story single-family residential uses. All of the surrounding sites along Delano Street have been improved with a curb, gutter, and concrete sidewalk with the exception of the sites located directly east of the site. As proposed, the two 3,539 square foot single family residences, 24 feet 9 inches in height, allows the site to provide additional dwelling units in a manner which ensures that the character and scale of the existing single-family residential neighborhood is maintained while allowing for infill development that is compatible with the surrounding area. With dedications and improvements conditioned herein, the proposed development will not only be enhancing the single family nature of the surrounding area but also ensuring Delano and Erwin Street are dedicated and improved in accordance with the standards of the Los Angeles Mobility Plan 2035 promoting safer circulation and connectivity of pedestrian-friendly sidewalks that will with the surrounding improvements.

3. **Charter Section 558 Findings: That the action is in substantial conformance with the purposes, intent and provisions of the General Plan.**

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

Entitlement Findings

The proposed Zone Change and T Conditions are consistent with Section 558 of the City Charter and Chapter 1 of LAMC Section 12.32 and will be in conformance with public necessity, convenience, general welfare, and good zoning practice as described below.

4. **Zone Change, Chapter 1 of LAMC Section 12.32. F - That the zone change is in harmony with the objectives of the General Plan and is in conformity with the public necessity, convenience, general welfare, and good zoning practice.**

Public Necessity

The Zone Change from RA-1-RIO to (T)R1-1-RIO is conditioned to be in substantial conformance with the plans and materials submitted by the applicant (see “**Exhibit A**”) and reviewed and stamped by LADBS Plan Check on March 15, 2024. As proposed, the two 3,539 square foot single family residences, 24 feet 9 inches in height, allows the site to provide additional dwelling units in a manner which ensures that the character and scale of the existing single-family residential neighborhood is maintained while allowing for infill development that is compatible with the surrounding area. As previously mentioned, the Housing Element documents a housing “crisis” within the City. The requested Zone Change to (T)R1-1-RIO is consistent with the Community Plan land use designation of Low Residential. The subject site is currently zoned RA-1-RIO, which is more restrictive than the range of zones associated with the Low Residential land use designation. The project site has approximately 20,994 (gross) square feet of lot area, which would permit a maximum of one dwelling unit (one unit/per 17,500 square feet). The project allows the site to secure an appropriate development in harmony with the objectives of the General Plan, by allowing for a zone which is consistent with the General Plan.

Convenience

The surrounding area is solely comprised of one to two-story single family residences. The closest public transit is found approximately 0.5 miles southeast of the subject site at the Metro 237 bus along White Oak Avenue and Delano Street. Further, the subject site is in close proximity to the Sepulveda Basin Recreation Area (less than 1 mile to the east) .

General Welfare

(T) Conditions are imposed herein to require dedications and improvements along the subject site’s public right-of-way. Dedications include a 30-foot wide strip of land to be dedicated along Delano Street adjoining the subdivision to complete a 30-foot wide half right-of-way dedication in accordance with Local Street standards. The applicant is also required to provide a 3-foot wide strip of land be dedicated to complete a 33-foot wide half right-of-way dedication in accordance with Collector Street standards of the LA Mobility Plan. In addition to dedications, the applicant is required to provide improvements to both Erwin and Delano Street with new five foot wide concrete sidewalks and landscaping of the parkway. By requiring such dedications and improvements, the request will allow for the development of more complete streets in the area promoting safer circulation within the subject area and allow for pedestrian-friendly sidewalks.

Additional conditions have been imposed herein to maintain compatibility with the surrounding residential neighborhood and to promote climate resilience and sustainability such as landscaping, tree replacement, and solar-ready buildings.

Good Zoning Practices

The requested Zone Change to (T)R1-1-RIO is consistent with the land use designation and is therefore an appropriate zone for the site. In light of facing an unprecedented housing crisis, the requested zone change from RA-1-RIO to (T)R1-1-RIO will permit an additional single-family dwelling otherwise prohibited by the density limitations of the RA-1 Zone; thus, adding an additional dwelling unit to the market supply in order to meet market demands. Lastly the zone will be consistent with adjacent parcels which are zoned R1-1-RIO and (T)R1-1-RIO with an underlying zone of RA-1 to the north, south east and west.

The Zone Change is in harmony with Framework and Housing Element by providing additional dwelling units in a manner which ensures that the character and scale of the existing single-family residential neighborhood is maintained while allowing for infill development that is compatible with the surrounding area. The proposed project is in harmony with the LA Mobility Plan 2035 by requiring dedications and improvements, the request will allow for the development of more complete streets in the area promoting safer circulation within the subject area and allow for pedestrian-friendly sidewalks. Finally, the proposed project meets the objectives of the Reseda – West Van Nuys Community Plan by preserving an existing single family neighborhood with in-scale development. Therefore, the proposed zone change is conditioned as deemed necessary and will secure an existing and appropriate development in harmony with the objectives of the General Plan and is in conformance with public necessity, general welfare, convenience, and good zoning practice.

5. **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 that any 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 future street dedication, street improvements, street lighting and fire safety and access. The installation of street trees in the public right-of-way will be reviewed and approved by the Bureau of Engineering and Bureau of Street Trees, Urban Forestry Division.

Additionally, the project will be further reviewed as appropriate by the Department of Building and Safety, Bureau of Engineering, and Bureau of Sanitation for any other necessary conditions relating to construction and/or infrastructure improvements. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site and provide for the public necessity, convenience, and general welfare.

CEQA Findings

6. **CEQA.** Pursuant to State CEQA Guidelines and City Guidelines and based on the whole of the administrative record, the Project has been granted a Categorical Exemption under ENV-2023-4403-CE and has found to be exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, Section 15303, Class 3. Incidental Case No. AA-2023-4402-PMLA-HCA was found to be exempt from CEQA under Section 15332, Class 32. There is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

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 91401.



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online
Appeal Filing



QR Code to Forms
for In-Person Filing