

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2019-4791-GPA-ZC	ENV-2019-4792-ND	3 – Blumenfeld
PROJECT ADDRESS:		
5808 North Etiwanda Avenue		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
IML Properties LLC Ilan Levy 16542 Ventura Boulevard Envinco, CA 91436 <input type="checkbox"/> New/Changed	818-385-0436	ilan@imlinvestments.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jerome Buckmelter Jerome Buckmester Associates, Inc. 23534 Aetna Street Woodland Hills, CA 91367	818-340-8386	jba@buckmelter.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Alex Truong	213-978-3308	alexander.truong@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
General Plan Amendment (GPA); Zone Change (ZC)		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

ATTACHMENTS:

REVISED:

ENVIRONMENTAL CLEARANCE:

REVISED:

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other

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NOTES / INSTRUCTION(S):

N/A

FISCAL IMPACT STATEMENT:

- Yes No

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

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission
- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
October 15, 2020	6 – 0
LAST DAY TO APPEAL:	APPEALED:
December 21, 2020	TBD
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	December 1, 2020



LOS ANGELES CITY 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: DEC 01 2020

Case No. **CPC-2019-4791-GPA-ZC**
CEQA: ENV-2019-4792-ND
Plan Area: Encino – Tarzana
Related Case: VTT-82210-SL

Council District: 3 – Blumenfield

Project Site: 5808 North Etiwanda Avenue

Applicant: IML Properties LLC by Ilan Levy
Representative: Jerome Buckmelter, Jerome Buckmelter Associates, Inc.

At its meeting of **October 15, 2020**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Subdivision of nine small lots and associated nine single-family dwellings. Each unit will be three stories in height at 35 feet, with a two-car garage, totaling approximately 2,600 square feet. Two guest parking spaces will be provided at grade. The Project includes minimal grading and excavation necessary for the foundation of each dwelling.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Negative Declaration, No. ENV-2019-4792-ND, adopted on September 24, 2020; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project;
2. **Approved and Recommended**, that the Mayor and City Council **adopt**, pursuant to Sections 555, 556 and 558 of the City Charter and Section 11.5.6 of the Los Angeles Municipal Code (LAMC), a General Plan Amendment to amend the Encino-Tarzana Community Plan to re-designate the subject parcel from Low Medium I Residential and Open Space to Low Medium II Residential land use;
3. **Approved and Recommended**, that the City Council **adopt**, pursuant to LAMC Section 12.32 F, a Zone Change from RA-1 and OS-1XL to (T)(Q)RD1.5-1; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Ambroz
Second: Khorsand
Ayes: Leung, Millman, Mitchell, Perlman
Absent: Choe, Mack

Vote: 6 – 0

Cecilia Lamas (Electronic Signature due to COVID-19)

Cecilia Lamas, Commission Executive Assistant
Los Angeles City 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 Los Angeles City Planning Commission as it relates to the General Plan Amendment is final. The Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The Applicant may file an appeal 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; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: DEC 21 2020

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, Maps, Q and T Conditions, Findings, Resolution, Interim Appeal Filing Procedures, Appeal Facts Sheet

c: Heather Bleemers, Senior City Planner
Oliver Netburn, City Planner
Alexander Truong, City Planning Associate

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:

HATTERAS ST

ETIWANDA AVE

CREEK

CABALLERO

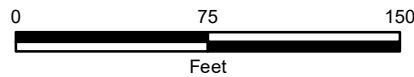
N'LY LINE OF TR 4296.

(T)(Q)RD1.5-1

S'LY LINE OF TR 4296.

E'LY LINE OF TR 4296.

L.A. Co. F.C.D.

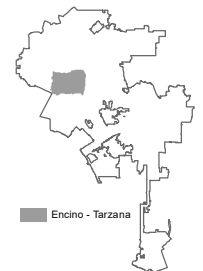


CPC-2019-4791-GPA-ZC

AAI/cf

102320

City of Los Angeles



Encino - Tarzana

(Q) QUALIFIED CLASSIFICATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification:

1. **Use.** The use and area regulations of the small lot development shall be developed for uses as permitted in the RD1.5-1 Zone as defined in LAMC Section 12.09.1, except as modified by the conditions herein or subsequent action.
2. **Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A" except as may be revised as a result of this action.
3. **Density.** A maximum of nine (9) dwelling units shall be permitted.
4. **Site Planning.** The easterly area of the lot shall be unpaved to the maximum extent possible with the exception of the area used to access the guest parking spaces. This area east of the guest parking spaces and the units closest to the Los Angeles Flood Control Channel (LAFCC) shall be landscaped and unpaved.
5. **Landscaping and Irrigation.**
 - a. The proposed areas of landscaping shall be in substantial conformance with the landscape plan marked Exhibit "A" which uses River Improvement Overlay and Los Angeles County Master Plan Plants. The back of the property shall include a variety of groundcover, shrubs and minimum of four (4) California Sycamores (*Platanus racemosa*).
 - b. The plants will have a drip irrigation system with a weather-based controller to meet and exceed the City and State Water Ordinances.
6. **Façade Articulation.** All visible facades shall be treated with an equal level of detail and articulation. Along the northerly and the southerly elevations of the project site, building levels 2 and 3 shall incorporate building articulation to avoid long spans of flat surfaces. This can include:
 - a. Change in exterior building materials to include at least two high quality building façade materials that accentuate or correspond to variations in building massing. Building materials may include, but are not limited to: wood, glass, brick, metal spandrel, cement board siding, or tile.
 - b. Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 6 inches in depth that provide variations in the building plane.
 - c. Window treatments that are extruded or recessed from the building façade a minimum of 3 inches. Windows or doors that are flush with the plane of the building (rather than extruded or recessed at least 3 inches) will not qualify as facade articulation.
 - d. A break in the façade plane of a minimum of 6 inches in depth that is applied to at least 10 vertical feet of the facade.
7. **Solar Panels.** Solar panels shall be installed on the project's rooftop space to be connected to the building's electrical system. A minimum 15% of the roof area shall be reserved for the

installation of a solar photovoltaic system, to be installed prior to the issuance of a certificate of occupancy, in substantial conformance with the plans stamped "Exhibit A".

8. **Electrical Vehicle Parking.** The project shall include a minimum of one (1) parking space per dwelling unit capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
9. **Vesting Tentative Tract Map.** Prior to the issuance of a Certificate of Occupancy, the applicant shall record the Final Map for VTT-82210-SL.
10. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
11. **Covenant.** Prior to the effectuation of this grant, 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 master 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 Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
12. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
13. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
14. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
15. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
16. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules

Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

17. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
18. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
19. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. 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.
- b. 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.
- c. 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 (b).
- d. 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 (b).
- e. If the City determines it necessary to protect the City's interests, 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, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions 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.

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 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.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary):

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Prior to issuance of sign offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. Dedication Required –
 - i. That a 3-foot wide strip of land be dedicated along Etiwanda Avenue adjoining the tract to complete a 33-foot wide half public right-of-way in accordance with Collector Street standards of the LA Mobility Plan.
 - b. Improvements Required –
 - i. Improve Etiwanda Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 8.5-foot wide concrete sidewalk and landscaping of the parkway; or a new full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.
 - ii. Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.
3. **Street Lighting.** No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street light; one (1) on Etiwanda Avenue.
4. **Urban Forestry Division.**
 - a. The applicant shall submit a tree report and a landscape plan prepared by a Tree Expert, as required by LAMC Ordinance No. 177,404, for approval by the City Planning

Department and the Urban Forestry Division, Bureau of Street Services. The Tree Report shall contain the Tree Expert's recommendations for the preservation of as many desirable (eight inches diameter or greater) trees as possible and shall provide species, health, and condition of all trees with tree locations plotted on a site survey. An on-site 1:1 tree replacement shall be required for the unavoidable loss of any desirable on-site trees.

Note: Removal of Protected trees requires the approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information. CEQA document must address protected tree removals.

- b. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

5. Department of Transportation.

- 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 DOT.
- b. A two-way driveway width of $W=30$ feet is required for all driveways, or to the satisfaction of DOT.
- 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. That 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.

FINDINGS

General Plan/Charter Findings

1. General Plan.

- a. **General Plan Land Use Designation.** The subject property is located within the Encino - Tarzana Community Plan which was updated by the City Council on December 16, 1998. The Plan Map designates the front 17,991 square-foot portion of the property for Low Medium I Residential land uses, with corresponding zones of R2, RD3, RD4, RZ3, RZ4, RU, and RW1, and the rear 2,313 square-foot portion of the property for Open Space land uses, with corresponding zones of OS and A1. The property is zoned RA-1 and OS-1XL.

The subject property is located at the along Etiwanda Avenue and is currently vacant. The properties to the north bounded by Etiwanda Avenue to the west, the Los Angeles Flood Control Channel (LAFCC) to the east and Oxnard Street to the north are generally designated for Low Medium I and Low Medium II Residential land uses and are generally zoned (Q)RD1.5-1, (Q)RD2-1, and (Q)RD3-1.

The properties to the east, across the LAFCC are designated for Low Medium I Residential land uses and are zoned R1-1.

The properties to the south, along and bounded by Etiwanda Avenue to the west, the LAFCC to the east and ending at an intersection with Collins Street are designated for Low Medium II Residential and Medium Residential land uses and are zoned (Q)RD1.5-1 and R3-1.

The properties to the west, across Etiwanda Avenue are designated for Low Medium II Residential land uses and are zoned (Q)RD1.5-1.

Surrounding properties with similar designations are observed along Etiwanda Avenue with the LAFCC acting as a physical boundary separating the development pattern of the neighborhood. Therefore, the subject property and the surrounding properties contain a significant physical identity as an area designated for Low Medium II Residential land uses.

As such, the Zone Change to the (T)(Q)RD1.5-1 Zone for the subject property is consistent with the concurrent General Plan Amendment to Low Medium II Residential land uses and its corresponding zones.

Therefore, given that the existing land use designation and zoning are inconsistent with the development pattern of the area surrounding the project site, the proposed General Plan Amendment to re-designate the subject property from Low Medium I Residential and Open Space to Low Medium II Residential and the Zone Change from RA-1 and OS-1XL to the (T)(Q)RD1.5-1 Zone will result in a site that is consistent with surrounding parcels and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Framework Element and Community Plan.

- b. **Land Use Element.**

Encino - Tarzana Community Plan. The Community Plan text includes the following relevant land use Goal, Objectives and Policies:

Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

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 to the year 2010.

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

Policy 1-1.3: Protect existing stable single-family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1: Locate higher residential densities near commercial centers or transit stations and major bus routes where public services facilities, utilities and topography will accommodate this development.

Objective 1-4: To promote and ensure the provision of adequate housing for all persons regardless of income, age or ethnic background.

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.3: Ensure that new housing opportunities minimize displacement of the residents.

Policy 1-4.4: Provide for development of townhouses and other similar condominium type of housing units to increase home ownership options.

Chapter V - Urban Design: Design Policies

Multiple Residential – Site Planning: All multiple residential project, of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents. Toward that goal the following policies are proposed:

1. Providing a pedestrian entrance at the front of each project.
2. Requiring useable open space for outdoor activities, especially for children.

Design: The design of buildings shall be of a quality and character that improves community appearance by avoiding excessive variety and monotonous repetition. This policy can be accomplished through:

1. Requiring the use of articulations recesses surface perforations and porticoes to break up long, flat building facades.

2. Utilizing of complementary building facades.
3. Incorporating varying designs to provide definitions for each floor.
4. Integrating building fixtures, awnings, security gates, etc. into design of the building.
5. Screening all rooftop equipment and building appurtenances from adjacent properties.
6. Require decorative, masonry walls to enclose trash.

The proposed General Plan Amendment to re-designate the subject property from Low Medium I Residential and Open Space to Low Medium II Residential land uses and the Zone Change from the from RA-1 and OS-1XL to (T)(Q)RD1.5-1 Zone would allow for an increase in the existing permitted density from one (1) dwelling unit (the RA Zone allows for one (1) dwelling unit per 17,500 of lot area) to nine (9) dwelling units. The proposed Low Medium II Residential land use designation and (T)(Q)RD1.5-1 Zone will result in a site that is consistent with surrounding parcels to the north, south and west which are zoned (Q)RD1.5-1, (Q)RD2-1, and (Q)RD3-1. Allowing the increased density for the subject property would enable the city to meet its housing needs while protecting existing single-family and low density residential neighborhoods from encroachment of higher density uses.

The subject property is located within 0.6 miles of the Orange Line Reseda Station which provides transit service from the West San Fernando Valley to North Hollywood (and the Metro Red Line Subway Station) along a dedicated bus route. The property is also located approximately 0.8 miles from the Tarzana commercial district which includes grocery stores, commercial retail shopping, dining and the Providence Cedars-Sinai Tarzana Medical Center.

The project is designed with common open space landscaped areas and pedestrian entrances along Etiwanda Avenue. The building facades along Etiwanda have been designed such that these elevations are the front elevations for the project and thus the primary focal point. Furthermore, although the building design of each unit is similar to one another, the use of articulations breaks up the long flat surfaces where units are lined up side-by-side along the northerly and southerly elevations. The use of building fixtures such as awnings, landings and light fixtures distinguish the first floor of each building.

The project will result in increased home ownership through sale of fee-simple properties of Small Lot homes and will provide greater individual choice in housing type, quality, price and location. As the existing property is currently vacant there will be no displacement of existing residents.

Therefore, the project is consistent with the Encino - Tarzana Community Plan in that the project will implement the abovementioned goals, objectives and policies of the Plan.

- c. The **Framework Element** of the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also 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 Framework Element includes the following Goals, Objectives and Policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram and Table 3-1.

Policy 3.1.5: Identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Objective 6.2: Maximize the use of the City's existing open space network and recreation facilities by enhancing those facilities and providing connections, particularly from targeted growth areas, to the existing regional and community open space system.

Policy 6.2.1: Establish, where feasible, the linear open space system represented in the Citywide Greenways Network map, to provide additional open space for active and passive recreational uses and to connect adjoining neighborhoods to one another and to regional open space resources (see Figure 6-1). This Citywide Greenways Network is

hierarchical and is composed of three levels: regional, community, and local/ neighborhood. While these levels are of equal importance, they vary in scale and the degree to which they impact the City at large. Additionally, while these levels overlap one another, they can still be differentiated and broken down as follows:

- a. The regional component of the network is composed of the beaches, the mountains, and the Los Angeles River system - the three most continuous natural features of the urban region and thus the primary elements of the network; river tributaries, arroyos and washes that take storm water to the ocean; rail lines and utility corridors, where feasible without compromising public safety or facility security, that may serve multiple purposes to become connectors to the beaches and the river and link adjacent districts to each other through the network; and all regional parks made accessible from the network. While considering open space improvements of the River and drainages, their primary purpose for flood control shall be considered.
- b. The community component is composed of parks and civic open spaces connected to the network, including elements such as community and neighborhood parks, connected by linear, non-motorized transportation linkages such as walking and hiking trails and local bike paths.
- c. The local/neighborhood components include pedestrian-supporting streets, open space associated with public facilities such as schools, small parks, and community gardens.

The eastern portion of the subject property is currently designated for Open Space land uses and is correspondingly zoned OS-1XL, and totals approximately of 2,313 square feet. Within the OS-zoned portion of the property is a Los Angeles County Flood Control Channel (LAFCC) which is historically known as the Cabrillo Creek, a tributary of the LA River that originates from and connects the Santa Monica Mountains to the river. The project has been designed and conditioned to maintain this area with natural landscaping, thereby supporting the City's long-term goal of restoring the LA River, its tributaries and their surrounding environments to a more natural, sustainable state to interconnect habitats, further species propagation and link recreational uses.

The proposed General Plan Amendment to re-designate the subject property from Low Medium I Residential and Open Space to Low Medium II Residential land uses and the Zone Change from the RA-1 and OS-1XL to the (T)(Q)RD1.5-1 Zone will allow for the development of an vacant site containing one (1) of the only remaining vacant properties located along Etiwanda Avenue with new home ownership opportunities in the form of nine (9) Small Lot homes (19 units per acre), thereby accommodating development that supports the needs of the City's existing and future residents in accordance with the density outlined in Table 3-1 of the General Plan Framework

Element, which ranges from 18 to 29 units per net acre for Low Medium II Residential land uses.

The subject property is located within 0.6 miles of the Orange Line Reseda Station which provides transit service from the West San Fernando Valley to North Hollywood (and the Metro Red Line Subway Station) along a dedicated bus route. The property is also located approximately 0.8 miles from the Tarzana commercial district which includes grocery stores, commercial retail shopping, dining and the Providence Cedars-Sinai Tarzana Medical Center.

Therefore, the General Plan Amendment and Zone Change are consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

Goal 3C: Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7: Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

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 General Plan Amendment to re-designate the subject property from Low Medium I Residential and Open Space to Low Medium II Residential and the Zone Change from the RA-1 and OS-1XL to the (T)(Q)RD1.5-1 Zone will enhance the surrounding neighborhood and allow for growth where there is sufficient public infrastructure and services that will benefit the quality of life for residents. The subject property is proximate to transit services, commercial uses for shopping and dining, as well as medical services.

The General Plan Amendment is concurrent with a proposed Zone Change to the (T)(Q)RD1.5-1 Zone which is consistent with the Low Medium II Residential land use designation.

Therefore, the General Plan Amendment and Zone Change are consistent with the Multi-Family Residential goals, objectives and policies of the General Plan Framework Element.

- d. The **Housing Element** of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following Goal, Objectives and Policies relevant to the instant request:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

Given that the existing land use designation and zoning are inconsistent with the development pattern of the area surrounding the project site, the proposed General Plan Amendment to re-designate the subject property from Low Medium I Residential and Open Space to Low Medium II Residential and the Zone Change from RA-1 and OS-1XL to the (T)(Q)RD1.5-1 Zone will result in a site that is consistent with surrounding parcels and will facilitate an increase in the supply of home ownership opportunities in order to meet current and projected needs, including single-family dwellings of a modest size, allowing for greater access to home ownership.

Furthermore, the General Plan Amendment and Zone Change, along with Case No. VTT-82210-SL, streamlines the land use entitlement, environmental review, and building permit process by enabling the construction of nine (9) Small Lot homes under one approval, as opposed to the project going through multiple individual entitlements that would otherwise be required with the site's existing RA-1 zoning.

Therefore, the General Plan Amendment and Zone Change are consistent with the Housing Element goals, objectives and policies of the General Plan.

- e. The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

Goal 5: Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1: It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, each of the small lot homes shall reserve a minimum 15% of the roof area for the installation of a solar photovoltaic system, to be installed prior to the issuance of a certificate of occupancy.

- f. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Etiwanda Avenue, abutting the property to the west, is a designated Collector Street, dedicated to a variable width of between 60 and 62 feet and improved with asphalt, curb, gutter and sidewalk. As part of the (T) Tentative Classification conditions herein and the conditions required under Case No. VTT-82210-SL, a three-foot (3') dedication along both Etiwanda Avenue is required.

The project meets the following policy of Mobility Plan 2035:

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of one (1) automobile parking space per dwelling unit will be provided as electronic vehicle-ready.

Therefore, the General Plan Amendment and Zone Change are consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

- g. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

2. Charter Findings - City Charter Sections 555 and 558 (General Plan Amendment).

The subject property is located within the Encino - Tarzana Community Plan which designates subject property for Low Medium I Residential and Open Space land uses with corresponding zones of R2, RD3, RD4, RZ3, RZ4, RU, RW1, OS, and A1. The property is currently zoned RA-1 and OS-1XL and is vacant.

The proposed Plan Amendment complies with Charter Section 555 because the property involved and the surrounding properties contain a significant physical identity. The subject property is located along Etiwanda Avenue where the predominance of surrounding properties are designated for Medium Residential land uses.

The properties to the north bounded by Etiwanda Avenue to the west, the Los Angeles Flood Control Channel (LAFCC) to the east and Oxnard Street to the north are generally designated for Low Medium I and Low Medium II Residential land uses and are generally zoned (Q)RD1.5-1, (Q)RD2-1, and (Q)RD3-1.

The properties to the east, across the LAFCC are designated for Low Medium I Residential land uses and are zoned R1-1.

The properties to the south, along and bounded by Etiwanda Avenue to the west, the LAFCC to the east and ending at an intersection with Collins Street are designated for Low Medium II Residential and Medium Residential land uses and are zoned (Q)RD1.5-1 and R3-1.

The properties to the west, across Etiwanda Avenue are designated for Low Medium II Residential land uses and are zoned (Q)RD1.5-1.

Surrounding properties with similar designations are observed along Etiwanda Avenue with the LAFCC acting as a physical boundary separating the development pattern of the neighborhood. Therefore, the subject property and the surrounding properties contain a significant physical identity as an area designated for Medium Residential land uses.

The proposed Plan Amendment will be in conformance with Charter Section 558 because it will satisfy public necessity, convenience, general welfare and good zoning practice. As discussed in Findings Section 1, above, the Plan Amendment is good zoning practice because it will ensure a consistent zoning designation with immediately surrounding land designated for Medium Residential land uses to the north, south and west. The General Plan Amendment will also allow for the development of new dwelling units which will satisfy the need for additional housing, consistent with the density and development pattern within the surrounding community, on a vacant lot which is proximate to commercial and medical services, as well as public facilities.

Therefore, the General Plan Amendment from Low Medium I Residential and Open Space to Low Medium II Residential is consistent with City Charter Sections.

3. **Zone Change Findings and “T” and “Q” Classification Findings**

Pursuant to Section 12.32 of the Municipal Code, and based on these findings, the recommended the zone change action and classifications are deemed consistent with public necessity, convenience, general welfare, and good zoning practice.

- a. **Public Necessity**: On April 8, 2015, Mayor Eric Garcetti released the City’s first-ever Sustainable City pLAN. The pLAN is both a roadmap to achieve back to basics short-term results while setting the path to strengthen and transform our City in the decades to come. In it, the Mayor set forth a goal of creating 100,000 new housing units by 2021. Granting the Zone Change to the (T)(Q)RD1.5-1 Zone will increase the number of residential units that can be developed on the site with housing that is compatible with the existing surrounding residential development, thereby supporting the Mayor’s goal of 100,000 new housing units by 2021.
- b. **Convenience**: The project site is located in an area of the Tarzana community that is an established multi-family neighborhood. The proposed project would locate nine (9) new dwelling units within 1 mile of an LAUSD elementary school (Emelita Academy Charter), 1.4 miles of an LAUSD middle school (Gaspar de Portola Middle School) and 1.3 mile of an LAUSD high school (Reseda Senior High). The property is also located approximately 0.6 miles from the Orange Line Reseda Station and 0.8 miles the Tarzana commercial district which includes grocery stores, commercial retail shopping, dining and the Providence Saint Joseph Medical Center. Granting the Zone Change to the (T)(Q)RD1.5-1 Zone would allow future residents access to shopping, dining and medical services within the immediate neighborhood, as well as the opportunity to send their children to nearby schools.
- c. **General Welfare**: Granting the Zone Change to the (T)(Q)RD1.5-1 Zone would allow the development of an vacant lot within an established and stable multi-family community with

similar and comparable uses. As discussed above, the area is served by neighborhood-serving uses such as schools, a retail store, restaurants and medical services. The Zone Change to the (T)(Q)RD1.5-1 Zone will increase the city's housing stock, while minimizing any burden placed upon the existing infrastructure, including roads and utilities.

- d. Good Zoning Practices: Given that the existing zoning of RA-1 is inconsistent with other properties within the immediate area surrounding the project site, the (T)(Q)RD1.5-1 Zone would allow for the development of fee-simple homes at a density consistent with the existing development pattern within the surrounding community. As such, the (T)(Q)RD1.5-1 Zone would ensure that the density of the development would be compatible with the existing and future development surrounding the project site.
- e. "T" and "Q" Classification Findings: Per Section 12.32-G,1 and 2 of the Municipal Code, the current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval. Such limitations 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 required actions. The conditions that limit the scale, design and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties, the LAFCC, and the overall pattern of the existing multi-family residential development in the community, to secure an appropriate development in harmony with the General Plan as discussed in Findings Section 1, and to prevent or mitigate the potential adverse environmental effect of adding additional dwelling units to the established neighborhood.

Environmental Findings

4. **Environmental Findings.** A Negative Declaration (ND) was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). The ND was adopted by the City's Advisory Agency on September 24, 2020 in connection with the City's action in Case No. VTT-82210-SL. The decision was not appealed. On the basis of the whole of the record before the lead agency including any comments received, and the action of the City Planning Commission, the lead agency finds in its independent judgment and analysis that this project was environmentally assessed in Case No. ENV-2019-4792-ND and that no subsequent EIR, negative declaration, or addendum is required for approval of the project.
5. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone C, areas outside the flood zone.

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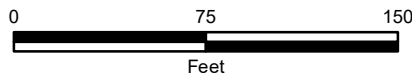
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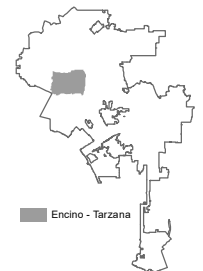
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ENCINO - TARZANA

102320

City of Los Angeles



RESOLUTION

WHEREAS, the subject project is located within the area covered by the Encino-Tarzana Community Plan which was updated by the City Council December 16, 1998; and

WHEREAS, the City Planning Commission recommended approval of a General Plan Amendment from Low Medium I Residential and Open Space to Low Medium II Residential for the property located at 5808 North Etiwanda Avenue; and recommended approval of a Zone Change from RA-1 and OS-1XL to (T)(Q)RD1.5-1 for the subject property; and

WHEREAS, the approved project is for construction, use and maintenance of nine (9) Small Lot homes; and

WHEREAS, the City Planning Commission at its meeting on October 15, 2020 approved the General Plan Amendment and recommended approval by the City Council and the Mayor of a General Plan Amendment for the property located at 5808 North Etiwanda Avenue; and

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

WHEREAS, the requested General Plan Amendment is consistent with the intent and purpose of the adopted Encino-Tarzana Community Plan to designate land use in an orderly and unified manner; and

WHEREAS, the Low Medium II Residential land use designation and the (T)(Q)RD1.5-1 Zone will allow the project as described above which is consistent with the Plan and Zone; and

WHEREAS, the subject proposal has prepared a Negative Declaration No. ENV-2019-4792-ND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA);

NOW, THEREFORE, BE IT RESOLVED that the Encino-Tarzana Community Plan be amended as shown on the attached General Plan Amendment map.

COVID-19 UPDATE

Interim Appeal Filing Procedures

March 27, 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described below.

OPTION 1: EMAIL PLUS US MAIL

This is a two-step process including pre-clearance by email of the appeal application followed by application and payment submittal via US Mail.

STEP 1:

Email planning.figcounter@lacity.org with the subject line: "**Request to File Appeal.**" In the email body provide:

- The case number
- Appellant contact information (name, email, telephone number)

Include as individual attachments to the email:

- Copy of Signed Appeal Application
- Justification
- Letter of Determination

City Planning staff will contact the appellant to confirm whether the appeal is complete and meets the applicable provisions of the Los Angeles Municipal Code (LAMC). The appellant will then be instructed to move forward with Step 2.

STEP 2:

Send appeal application via US Mail, postmarked no later than the last day of the appeal period. The package shall include:

- Original Appeal Application (wet signatures),
- Copy of email correspondence with City Planning staff (from Step 1)
- Appeal fee, check payable to the City of Los Angeles (\$109.47 for an aggrieved party, not the Project Applicant.)

Mail the appeal application to:

Department City Planning - Metro DSC
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

City Planning staff will email and mail the appellant with a receipt for payment. Note: only the original application, email, and check need to be sent via US Mail. This ensures a standard envelope with standard postage is sufficient, and no trip to the Post Office is necessary. Steps 1 and 2 must both be completed. An email alone is not sufficient to satisfy appeal requirements.

OPTION 2: DROP OFF AT DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop off appeal applications and payment. **Drop off areas are monitored in secure locations outside the three DSCs (Metro/Downtown, Van Nuys, and West Los Angeles) and are available during regular business hours.**

City Planning staff will follow up with the appellant via email and phone to:

- Confirm that the appeal package is complete and meets the applicable provisions of the LAMC
- Provide a receipt for payment

FACT SHEET

Planning Entitlement Appeals

Summary

Discretionary planning decisions in Los Angeles can be appealed, at times, to one of the eight City Commissions that oversee planning-related issues and, in some instances, directly to the City Council. These appeals provide members of the public with an opportunity to challenge certain planning decisions, exercising their rights in accordance with the Los Angeles Municipal Code (LAMC). City Planning has developed an informational fact sheet, complete with frequently asked questions, to inform the public of their rights and opportunities for filing project appeals.

Background

The LAMC outlines a process to allow members of the public to appeal land use decisions that are issued by the City. Appeals are intended to challenge the merits of the decision, specifically to contend that a decision maker erred or abused their discretion. To allow community members the ability to appeal qualifying planning decisions at a minimal personal cost, City Planning has consistently (and significantly) subsidized non-applicant appeal fees. This has allowed individuals to be part of a fair and equitable process, one which has provided the public with the opportunity to question certain decisions.

The Department has developed a fact sheet to further clarify the process for filing project-related appeals. This document will be updated periodically, as needed. For additional information, please contact the planning staff located at the Figueroa Plaza (Downtown), Marvin Braude (Van Nuys), or West Los Angeles Development Services Centers preferably via email at planning.figcounter@lacity.org.

Frequently Asked Questions

Where are project appeals filed?

Appeals can be filed at the three Department (and District) Service Centers—[Downtown, Van Nuys, and West Los Angeles](#)—where planning staff is located. A physical drop off area has been set up at each location to allow applicants to submit their applications, without having to file an initial appointment or enter the premises. As an additional option, the Department has also created an online portal for electronic appeal applications. Click this [link](#) to access the online forms and submit the relevant information electronically.

How long do applicants have to submit a project-related appeal?

An appeal must be filed within 10 to 15 days of the issuance of the Letter of Determination (LOD), depending on the planning entitlements being appealed. As a point of reference, deadlines for filing appeals are noted in the [Los Angeles Municipal Code](#) (LAMC) and typically also identified within the LOD.

Where can applicants access the appeal form and corresponding instructions?

The appeal form and instructions can be found [here](#). Both an applicant and “aggrieved party” (a community member opposing it) may choose to file an appeal. Appeals will be processed at the same time. Each appeal form represents one appeal, regardless of the number of individuals who have signed the appeal form. For certain planning entitlements, such as determinations for projects that file under the Density Bonus and [Transit Oriented Communities Incentive](#) Programs, appeals are limited to adjacent and abutting owners of property or occupants, as specified in the implementing State and/or local statute. Neighborhood Councils and/or City-appointed decision-making bodies may not file an appeal.

Who decides the outcome of project appeals?

Letters of Determination are issued by the Director of Planning (DIR), Associate Zoning Administrator (AZA), Deputy Advisory Agency (DAA), Area Planning Commission

(APC), or City Planning Commission (CPC). Depending on the initial decision-maker, there are three appellate bodies for planning cases in Los Angeles: the Area Planning Commissions, the City Planning Commission, and the City Council. The LAMC establishes appeal procedures including which types of decisions are eligible for a first- and second-level appeal (meaning that in some cases, the project can be appealed again to a higher decision maker).

How long does the City have to consider the appeal of a land use decision?

According to the LAMC, the City must process appeals under strict time limits. Depending on the planning entitlements, the date that an appeal hearing must be scheduled varies between 30 days from appeal submittal up to 75 days from the last day of the appeal period. These time periods may be extended if there is mutual agreement between the applicant and the City. The LAMC does not, however, allow a non-applicant to request an extension beyond this allotted time period for project appeals.

How (and when) are notifications sent notifying the appellant of their hearing date?

The LAMC specifies the timelines by which appeal hearings must be held. In general, appellants receive notice of their upcoming hearing at least 10 days prior to the hearing date. Notices for some appeal hearings may be published in a local newspaper. If unavailable to attend the date of the hearing, the appellant can submit written comments to the decision-maker or appoint a representative to provide public testimony on their behalf at the public hearing.

Who from City Planning can provide assistance, should there be any questions?

Planning staff at the DSCs serve as a main point of contact for [general inquiries](#). Once a project appeal has been submitted, questions can be directed to the assigned planner, who will process the appeal and take it to the hearing. The contact information for the assigned planner may be [Planning Case Tracking System](#) Department [\(PCTS\)](#).

When can documents be sent to the appellate decision maker who will hear the appeal?

In addition to the appeal application, the appellant may submit documents for the official public record at the time the appeal is filed. If there is a need to provide additional documents after the appeal has been filed, the appellant can send them to the planner assigned to the appeal. Information submitted after a staff recommendation report has been drafted will be included in the public record, but it will not have been considered at the time of the writing of the staff report.

City Planning's Commission Office requires that more than 48 hours in advance of the hearing, and meet the criteria as outlined below.

REQUIREMENTS FOR COMMISSION SUBMISSION OF MATERIALS

Regular Submissions: Initial Submissions, not limited as to volume must be received no later than by 4:00 pm on the Monday of the week prior to the week of the Commission meeting. Materials must be emailed to the assigned staff and Commission identified on the project's public hearing notice.

Rebuttal Submissions: Secondary Submissions in response to a Staff Recommendation Report and/or additional comments must be received electronically no later than 48 hours prior to the Commission meeting. For the Central, South Los Angeles and Harbor Area Planning Commissions, materials must be received no later than by 3:00 pm, Thursday of the week prior to the Commission meeting. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on this announcement.

Day of Hearing Submissions: Submissions less than 48 hours prior to, and including the day of the hearing, must not exceed two (2) written pages, including exhibits, and must be submitted electronically to the staff and Commission identified on the project's public hearing notice. Photographs do not count toward the page limitation.

Non-Complying Submissions: Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission and will not be included in the official administrative record for the item at issue.

Commission email addresses:

City Planning Commission: cpc@lacity.org

Central Los Angeles Area Planning Commission: apccentral@lacity.org

East Los Angeles Area Planning Commission: apceastla@lacity.org

Harbor Area Planning Commission: apcharbor@lacity.org

North Valley Area Planning Commission: apcnorthvalley@lacity.org

South Valley Area Planning Commission: apcsouthvalley@lacity.org

South Los Angeles Area Planning Commission: apcsouthla@lacity.org

West Los Angeles Area Planning Commission: apcwestla@lacity.org

Are appellants required to sit through the entire meeting when there are multiple items on the agenda?

The answer is no; however, the agenda items can be taken out of order. Therefore, it is in the interest of each appellant to attend the full meeting at the scheduled start time, until their item is taken up for consideration. Depending on how many items are on the agenda, and the agenda order, your item could be heard very quickly or you may have to wait through several items which could take a few hours. As a point of reference, commission meetings for Area Planning Commissions and City Planning Commission generally start at 4:30 PM and 8:30 AM, respectively. For additional information, please consult the [Events Calendar](#) on City Planning's website. For City Council and Council Committee meetings, please consult the Meeting Calendar page for [City Council](#) and [Committees](#).

Will the appellant have an opportunity to speak during the hearing?

Following the presentation by the planner assigned to the appeal case, the appellant can present their case. After the appellant's presentation, the appellant is given an equal amount of time to provide a rebuttal. There is often time for an additional rebuttal by the applicant or appellant. While there are exceptions to the rule, the appellate body may invite the appellant to respond to

questions. It is important to note that the appellate body will not engage in a back and forth conversation with either the applicant or appellant. This is done to be both fair and consistent in the amount of time allocated to each party.

What is the format and structure of a typical hearing for a project appeal?

Each appellate body follows a slightly different set of procedures when hearing project appeals. That said, there are a number of common features that apply regardless of whether the appellate body is the Area Planning Commission, Cultural Heritage Commission, City Planning Commission, or City Council. A formal public meeting structure is always maintained in order to ensure where all sides are heard, and the meeting is conducted in an orderly manner. In the case when a planning commission is the appellate body, there are additional steps, such as: a presentation from the Department, an opportunity for the appellant to testify, a forum for the applicant to offer their rebuttal, and time reserved for public testimony. This would take place leading up to any formal action on the part of the commissioners, as it relates to a project appeal.


To slow the spread of COVID-19, City Planning has implemented new procedures for public hearings and outreach meetings in order to practice proper physical distancing protocols. Until notified otherwise, commission meetings will be conducted virtually to allow applicants and the public to participate using a webcam or by telephone. For more information, consult [with the detailed instructions on the City Planning's website](#)

How much time does the appellant have to present their argument?

The time allocated to the appellant for the purposes of their presentation varies. It is ultimately determined by the appellate body and communicated at the start of the meeting. More often than not, appellants are allocated five to 10 minutes to make their presentation. Project appeals that are heard by City Council follow slightly different procedures, which the assigned planner can explain.

Is there a need for the appellant to submit a PowerPoint presentation?

Appellants can prepare a PowerPoint presentation, in addition to making verbal remarks when it is their turn to speak. If a PowerPoint is being prepared, the appellant should



submit the document to City Planning no less than 72 hours in advance of the meeting. The assigned planner will coordinate the submission for the appellant.

What role does the planner assigned to this project play during the appeal process?

The role of the assigned planner is to ensure that an appellant is notified of the appeal hearing as an interested party, to provide them with a courtesy copy of the staff report if prepared, and to make sure that all parties are informed of the outcome or final decision of the appeal. The assigned planner will analyze the appeal points and prepare a staff recommendation report responding to each of the points raised by the appellant. At the hearing, the assigned planner will make a presentation to the decision maker. All information about the case is available for public view in the case file, and the Planner can assist in making an appointment to review it. The planner can also ensure that translation and special accommodations for individuals with disabilities can be provided at the public hearing, if requested.

What happens after the Appellate Body issues a formal decision, one way or another?

After the Commission takes a vote, a formal Letter of Determination is issued. If the decision is not further appealable, this concludes the appeal process. Under the LAMC and City Charter, only certain Commission-level appellate decisions are further appealable to City Council.

When can a CEQA appeal be filed?

Generally, a stand alone CEQA appeal to the City Council land use determination is not further appealable to the City Council (with some exceptions). If a determination made by an Area Planning Commission or City Planning Commission is further appealable to the City Council, the City Council will consider CEQA related appeal points made by an appellant when considering the entire appeal of the project.

When should appellants fill out the CEQA Appeal Form?

The CEQA Appeal form shall only be used if the Area Planning Commission or City Planning Commission issues a determination for a project that is not further appealable.

In these situations, an individual may file a appeal with the City Council. Forms and procedures for the appeal of CEQA documents can be found here listed under “CEQA Appeal Application”.