



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☐ Area Planning Commission ☐ City Planning Commission ☒ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: _____

Project Address: 5353 Del Moreno Dr, Woodland Hills, CA 91364

Final Date to Appeal: _____

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☒ Representative
☒ Applicant

- ☒ Property Owner
☐ Operator of the Use/Site

☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative
☐ Applicant

- ☐ Owner
☐ Operator

☐ Aggrieved Party

3. APPELLANT INFORMATION

Appellant's Name: Janet Jha

Company/Organization: _____

Mailing Address: 92 Sea Breeze Ave

City: Rancho Palos Verdes State: CA Zip: 90275

Telephone: 310-995-4859 E-mail: akhilesh.jha@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self ☐ Other: _____

b. Is the appeal being filed to support the original applicant's position? ☒ Yes ☐ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Akhilesh Jha

Company: _____

Mailing Address: 92 Sea Breeze Ave

City: Rancho Palos Verdes State: CA Zip: 90275

Telephone: 310-995-4859 E-mail: akhilesh.jha@gmail.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☒ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☒ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☒ The reason for the appeal ☒ How you are aggrieved by the decision
☒ Specifically the points at issue ☒ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Janet Jha Date: 07/08/21

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☒ Appeal Application (form CP-7769)
☒ Justification/Reason for Appeal
☐ Copies of Original Determination Letter

b. Electronic Copy

☒ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☒ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement None (see Exhibit 1)

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.**

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.**

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Justification and Reason for Appeal

The reason for the appeal

The applicant applied for a seven-story mixed-used project comprising of one commercial unit and 67 residential units under the California State Density Bonus laws, Senate Bill 330, Assembly Bill 2345, and Assembly Bill 2442. The applicant followed the state and city requirements of document submissions and timelines. However, the project was not approved by the City of Los Angeles. The applicant finds this inaction by the City of Los Angeles in direction violation of numerous city and state-wide laws such as Density Bonus laws, Housing Accountability Act, Housing Crisis Act, and others.

Specifically the points at issue

Per CA Govt Code § 65589.5.(j) (2) (B), this housing project to be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

How you are aggrieved by the decision

We are the owner of the property located at 5353 Del Moreno Dr, Woodland Hills, CA 91364. We are also the applicants of the housing project, which was denied by the City of Los Angeles Planning Department.

Why you believe the decision-maker erred or abused their discretion

1. Proposed Housing Project

The applicant applied to the Los Angeles City Planning Department a seven-story mixed-used project comprising of one commercial unit and 67 residential units under the California State Density Bonus laws, SB-330 laws, AB 2345 incentive, and AB2442 incentive. In this project, seven units to be assigned to very low- income household of disabled veterans. The site 5353 Del Moreno Dr, Woodland Hills, CA (APN 2166-035-032) lot has the zoning of RA-1 and the General Plan Land Use of Limited Commercial.

Per CA Govt Code § 65915 (o)(4), CA Govt Code § 65589.5 (d)(2), CA Govt Code § 65589.5 (d)(5), CA Govt Code § 65589.5 (j)(4), and from the table (Generalized Summary of Zoning Regulations, City of Los Angeles, shown below), the maximum density allowed on the Limited Commercial land use element is R4 uses, which is one unit every 400 sf. This gives the number of base units for this project as 43 units (16,807/400). Using the State Density Bonus incentive of 50% (by providing 15% of the base number of units to very-low income households per AB 2345), and using 20% bonus incentive under AB 2442, this housing project proposes a 67-unit apartment including the 7 units to be given to the low-income disabled veterans.

Table 1: Generalized Summary of Zoning Regulations, City of Los Angeles

Zone	Use	Maximum Height		Required yards			Minimum Area Per Lot/ Unit	Min. Lot Width
		Stories	Feet	Front	Side	Rear		
Commercial (see loading and parking, next page)								
CR	Limited Commercial Banks, Clubs, Hotels, Churches, Schools, Business and Professional Colleges, Child Care, Parking Areas, R4 Uses	6 (8)	75 ft. (8)	10 ft. min.	10% lot width < 50 ft.; 10 ft.; 5 ft. min., for corner lots, lots adj. to A or R zone, or for residential uses	15 ft. min + 1 ft. for each story over 3rd	same as R4 for resid. uses; otherwise none	50 ft. for resid. uses; otherwise none
C1	Limited Commercial Local Retail Stores < 100,000 sq. ft., Offices or Businesses, Hotels, Hospitals and/or Clinics, Parking Areas, CR Uses Except for Churches, Schools, Museums, R3 Uses	Unlimited (8)			same as R3 for corner lots, lots adjacent to A or R zone, or residential uses	15 ft. + 1 ft. for each story over 3rd; 20 ft. max for resid. uses or abutting A or R zone	same as R3 zone for residential uses; otherwise none	
C1.5	Limited Commercial C1 Uses—Retail, Theaters, Hotels, Broadcasting Studios, Parking Buildings, Parks and Playgrounds, R4 Uses						same as R4 zone for residential uses; otherwise none	

2. Why the project should be deemed consistent, compliant, and in conformity

This section summarizes the documents along with relevant dates in order to show the City of Los Angeles violated the state laws time and again. As it will be shown in this section, the language of the law is clear when the laws are violated by a local agency regarding the development of a housing project. It is to be noted that the city might have violated several other associated laws and regulations. Therefore, the applicant reserves the right to show those violations in the due course.

2.1 Per SB-330, Preliminary Application Was Filed by the Applicant

The following table show the timeline of the documents submitted to the City of Los Angeles following the SB-300 timeline. Per Govt Code Section 65941.1. (a) a Preliminary Application was submitted to the City of Los Angeles on city-provided form "CP-4062 Housing Crisis Act of 2019 (SB330) Preliminary Application Referral Form (12/17/2019)", California state form "Housing Crisis Act of 2019 (SB 330) Preliminary Application Form (Revised April 9, 2020)" on 5/20/2020 and by paying the city-generated fees on 5/29/2020.

Table 2: Timeline of the Preliminary Application Submitted to the City of Los Angeles

Date	Submitted documents regarding Preliminary Application
5/12/2020	Submitted Online Application for SB330 Vesting
5/13/2020	City Requesting Email Communication Re SB 330 Prelim App
5/20/2020	First Submission of SB-330 Preliminary Application
5/20/2020	Invoice Generated for SB330 Preliminary Application
5/22/2020	City Fee Demand Re SB-330 Preliminary Application
5/22/2020	City Requesting Proof of Payment for SB330 Prelim App
5/29/2020	Payment Processed for SB-330 Preliminary Application
5/29/2020	City Promising SB330 Prelim App Review After Receiving Docs and Fees
5/29/2020	Fees Paid for SB-330 Preliminary Application
5/29/2020	Receipt of Payment for SB330 Preliminary Application
5/29/2020	Sent Proof of Payment to Planner for SB330 Prelim App

2.2 Per SB-330, the Department of City Planning Main Application Was Filed by the Applicant

Following SB-330 timeline, the Department of City Planning Case was filed on 8/18/2020. Based on the City of Los Angeles memo published on 09/15/2021, the city accepted our DCP case following the maximum density permitted by land use designation. Subsequently, on 09/18/2021, the City of Los Angeles Planning Department issued document checklist.

2.3 The Main Application to be Deemed Complete due to the First Violation of CA Govt Code §65943 by the City of Los Angeles

The project main application was submitted on 8/18/2020. The checklist was provided by the city on 9/18/2020, which was 31 days after the submission of documents. To this end, CA Govt Code §65943 (a) was violated since the city took 31 days (as opposed to 30 days) to provide the checklist of incomplete documents.¹ Therefore, the application should be deemed complete as submitted.²

Table 3: Timeline of the Department of City Planning (DCP) Main Application Submitted to the City

Date	Document Description
7/30/2020	Proof of SB 330 Filing with HCID
8/17/2020	Submission of Affordable Housing Referral
8/18/2020	DCP Application Case Filing
8/21/2020	Geographic Referral From Submitted
9/15/2020	City Issues Memo - SB 35 Maximum Density by Land Use Designation or Zone
9/18/2020	City Granting Document Checklist Per Land Use Designation
9/18/2020	City's Checklist

¹ CA Govt Code §65943

(a) Not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the application is determined to be incomplete, the lead agency shall provide the applicant with an exhaustive list of items that were not complete. That list shall be limited to those items actually required on the lead agency's submittal requirement checklist. In any subsequent review of the application determined to be incomplete, the local agency shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete....

² CA Govt Code §65943

(a)... If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

*2.4 The Main Application to be Deemed Complete due to the **Second** Violation of CA Govt Code §65943 by the City of Los Angeles*

After receiving the document checklist from the city, the applicant started working on gathering the documents identified in the checklist. To this end, on 1/1/2021 the applicant requested the city to extend the deadline for submitting the documents. The city agreed to extend the deadline on 1/4/2021. Subsequently, the documents identified in the checklist were submitted on 1/21/2021. The city responded on 02/26/2021, which was 36 days after the submission of documents stating that the documents submitted is not complete.

CA Govt Code §65943 (b) was violated since the city took 36 days (as opposed to 30 days) to provide the checklist of incomplete documents.³ Therefore, the project Therefore, the application should be deemed complete as submitted as submitted.⁴

Table 4: Timeline of the issuance and compliance with DCP Main Application Checklist

Date	Document Description
9/22/2020	LID Case Referral Form - Signed
9/20/2020	SB330 Determination Letter
1/1/2021	Request to City for Date Extension for Submitting Documents
1/4/2021	City granting Date Extension for Submitting Documents
1/21/2021	City's Checklist Noted with Submission Dates
1/21/2021	Submission of Documents from Checklist for Completing the Main Application
2/26/2021	City Determined the Documents to be Incomplete

³ **CA Govt Code §65943**

(b) Not later than 30 calendar days after receipt of the submitted materials described in subdivision (a), the public agency shall determine in writing whether the application as supplemented or amended by the submitted materials is complete and shall immediately transmit that determination to the applicant. In making this determination, the public agency is limited to determining whether the application as supplemented or amended includes the information required by the list and a thorough description of the specific information needed to complete the application required by subdivision (a)...

⁴ **CA Govt Code §65943**

(b)... If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for purposes of this chapter.

2.5 The Main Application to be Deemed Complete due to the **Third Violation of CA Govt Code §65943**

As shown in the **Exhibit 1**, all documents requested in the checklist was submitted to the city on 01/21/2021. However, the City of Los Angeles declared that the application was incomplete because the Geographic Referral Form and Affordable Housing Referral Form were not signed by the City of Los Angeles. This raised two important points regarding this project:

(a) The City of Los Angeles did not make any determination stating that the submitted documents were incomplete as far as the submission of the forms and documents are concerned.

(b) Please note that the Affordable Housing Referral Form was submitted to the City of Los Angeles on 08/17/2020 (**Exhibit 2**) and Geographic Referral Form was submitted to the City of Los Angeles on 08/21/2020 (**Exhibit 3**). The City of Los Angeles refused to sign these two forms even though the forms were completely and properly filled. At no point of time, the City of Los Angeles made an assessment that these two forms were not properly filled or that any documents required in these two forms were not provided by the applicant.

The bottom-line here is that the City of Los Angeles refused to sign these two forms without any valid reason and then deemed the main application incomplete because these two forms were not signed by the City of Los Angeles. On 02/26/2021, an appeal was requested by the applicant, which was also refused by the city on the same day 02/26/2021. Therefore, CA Govt Code §65943 (c) was violated since the city did not provide an appeal process within 60 days as required by the law. Therefore, per CA Govt Code §65943 (c), the submitted material to be deemed complete.⁵

Table 5: Timeline of the Appeal Process with the DCP Application

Date	Document Description
8/17/2020	Submission of Affordable Housing Referral
8/21/2020	Geographic Referral From Submitted
1/21/2021	Submission of Documents from Checklist for Completing the Main Application
2/26/2021	City Determined the Documents to be Incomplete
2/26/2021	Requested Appeal Process Against the City's Determination of Incompleteness
2/26/2021	City Denied any appeal process to the decision of incompleteness

⁵ CA Govt Code §65943

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

2.6 The Main Application to be Deemed consistent, compliant, and in conformity per CA Govt Code § 65589.5 (j)

Per CA Govt Code § 65589.5 (j)(2)(A), the city shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity. The city is required to do so within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 or fewer housing units.⁶ The proposed housing project contains 67 housing units. Furthermore, as described earlier, the main application is deemed complete because of the following reasons:

- (a) All the forms and documents were submitted per the checklist provided by the city based on the land use element of the general plan of the lot
- (b) At no point of time, the City of Los Angeles determined any deficiencies in the way the forms were filled or documents associated with the main application form
- (c) At no point of time, the City of Los Angeles determined any deficiencies in the way the forms were filled or documents were provided for the main application itself
- (d) The City of Los Angeles refused to provide an appeal process even after repeated request within 60-day timeline as required by the law. This violation automatically makes the submitted documents deemed complete as submitted.
- (e) The City of Los Angeles violated state laws regarding the 30-day timeline for the city to provide any feedback on any deficiencies of the submitted documents. These violations automatically make the submitted documents deemed complete as submitted.

Therefore, per CA Govt Code § 65589.5.(j)(2)(B), the main application to be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision since the City of Los Angeles has failed to provide the required documentations within 30 days.⁷

⁶ CA Govt Code § 65589.5.(j)

(2) (A) If the local agency considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity as follows:

- (i) Within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 or fewer housing units.

⁷ CA Govt Code § 65589.5.(j)

(2) (B) If the local agency fails to provide the required documentation pursuant to subparagraph (A), the housing development project shall be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

2.7 California Government Codes Allowing Development Based on General Plan Land Use

The following California Government Codes are applied in order to ascertain that the proposed project is a proper, valid, and legal use of the site's general plan:

CA Govt Code § 65915 (o) (4)

"Maximum allowable residential density" means the density allowed under the zoning ordinance and land use element of the general plan, or, if a range of density is permitted, means the maximum allowable density for the specific zoning range and land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan, the general plan density shall prevail.⁸

CA Govt Code § 65589.5

(a) (2) (L) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing.

(a) (3) It is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety, as described in paragraph (2) of subdivision (d) and paragraph (1) of subdivision (j), arise infrequently.

(b) It is the policy of the state that a local government not reject or make infeasible housing development projects, including emergency shelters, that contribute to meeting the need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without complying with subdivision (d).

(d) A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record⁹, as to one of the following:

⁸ CA Govt Code § 65915 (o)(4) shows that the state density bonus law allows a housing project can use the maximum density of the general plan.

⁹ CA Govt Code § 65589.5 (d) was violated when the City of Los Angeles did not provide any written findings on why this housing project was rejected.

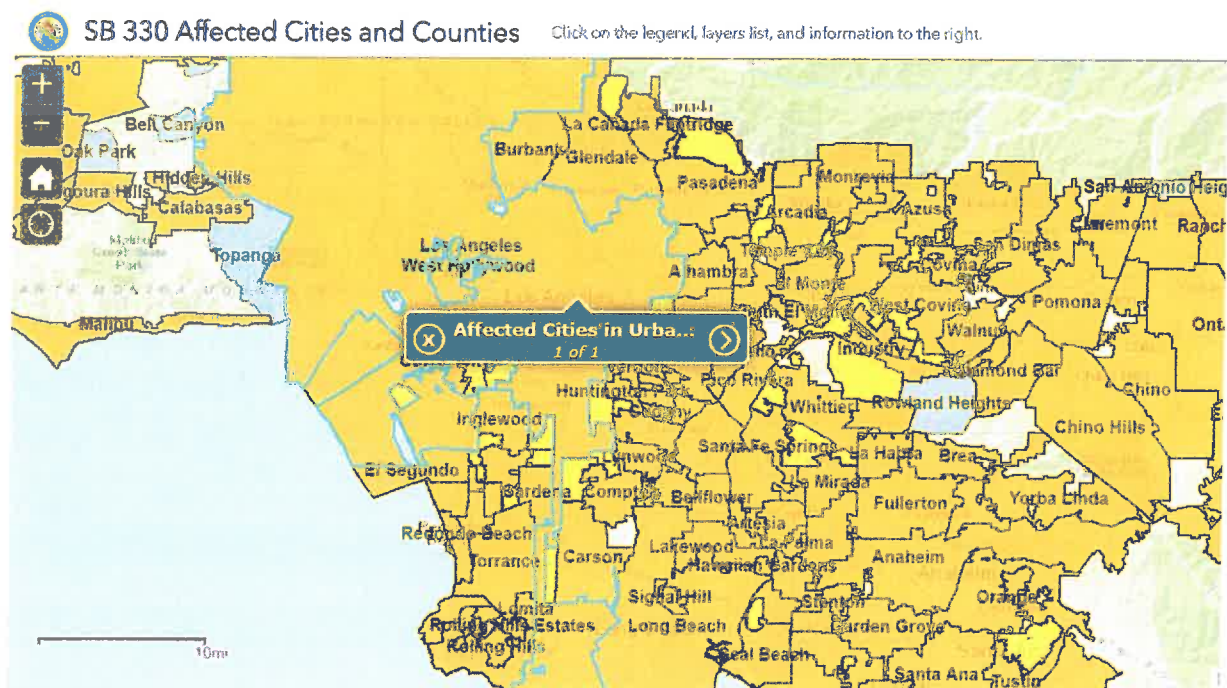
(1) The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584¹⁰ for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have

¹⁰ State law requires the City to update its Housing Element every eight years and demonstrate sufficient zoned capacity for housing to accommodate the number of units identified in the Regional Housing Needs Assessment (RHNA). SB 330 (Statutes of 2019) requires the California Department of Housing and Community Development (HCD) to develop a list of cities ("affected cities") and census designated places (CDPs) within the unincorporated county ("affected counties") that are prohibited from taking certain zoning-related actions, including, among other things:

1. Downzoning certain parcels
2. Imposing a moratorium on development
3. Imposing design review standards that are not objective

<https://cahcd.maps.arcgis.com/apps/webappviewer/index.html?id=5a63b04d7c494a6ebb2aa38a2c3576f5>

On February 1, 2018, HCD released maps showing that City of Los Angeles has met its 2013-2021 RHNA goals for the "above market" income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories.



met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.

(2) The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.¹¹

(3) The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

(4) The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(5) The housing development project or emergency shelter is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete¹², and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

(B) If the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and are sufficient to provide for the jurisdiction’s share of the regional housing need for all income levels pursuant to Section 65584, then this paragraph shall not be utilized to disapprove or conditionally approve a housing development project proposed for a site designated in any element of the general plan for residential uses or designated in any element of the general plan for commercial uses if residential uses are permitted or conditionally permitted within commercial designations. In any action in court, the burden of proof shall be on the local agency to show that its housing element does identify adequate sites with appropriate zoning and development

¹¹ CA Govt Code § 65589.5 (d)(2) prohibits a city from denying a housing project based on the inconsistency between zoning and general plan.

¹² CA Govt Code § 65589.5 (d)(5) requires that inconsistency between zoning and general plan cannot be used in the preponderance of evidence by the city.

standards and with services and facilities to accommodate the local agency's share of the regional housing need for the very low, low-, and moderate-income categories.

CA Govt Code § 65589.5 (f) (4)

For purposes of this section, a housing development project or emergency shelter shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.

CA Govt Code § 65589.5 (j)

(4) For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan.¹³ If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.¹⁴

¹³ CA Govt Code § 65589.5 (j)(4) requires that the rezoning is not required for this lot.

¹⁴ CA Govt Code § 65589.5 (j)(4) was violated when the city did not allow the density per the general plan of the site.

Exhibit 1



Akhilesh Jha <akhilesh.jha@gmail.com>

Case Filing - 5353 Del Moreno Drive

Maxfield Vermy <maxfield.vermy@lacity.org>

Fri, Sep 18, 2020 at 9:28 AM

To: Akhilesh Jha <akhilesh.jha@gmail.com>, Praveen Jha <praveenkjha@gmail.com>

Cc: Ralph Avila <ralph.avila@lacity.org>, Anna Vidal <anna.vidal@lacity.org>

Good morning Akhilesh,

Attached is a memo clarifying density via a land use designation. You will need to go back to the Specific Plan and Housing unit for their referrals now that the clarification letter has been issued.

Your case is still incomplete for filing so I have also attached a checklist indicating which items are incomplete.

**LOS ANGELES
CITY PLANNING****Maxfield Vermy**

Preferred Pronouns: He, His, Him

Planning Assistant

Los Angeles City Planning

201 N. Figueroa St., 4th floor

Los Angeles, CA 90012

Planning4LA.org

T: (213) 482-7340



[Quoted text hidden]

2 attachments**SB 35 Maximum Density Permitted by Land Use Designation or Zone 09.15.20.pdf**

76K

**Checklist - 5353 Del Moreno Dr.pdf**

265K

5353 Del Moreno Drive



INSTRUCTIONS

PRIMARY CHECKLIST and DEEMED COMPLETE FOR CASE FILING

Case No. _____

Staff Maxfield Vermey

Environmental Case No. _____

Date 9/18/2020

DEPARTMENT OF CITY PLANNING APPLICATION FORM

Application Type Density Bonus
(Zone Change, Plan Amendment, Zone Variance, Conditional Use, etc.)

1. Project Location

Comp. Incomp. N/A

☒ ☐ ☐ Street address in ZIMAS or BOE Referral form if address is not in ZIMAS

☒ ☐ ☐ Legal description (including all contiguously owned parcels)

☒ ☐ ☐ Assessor's Parcel Number(s)

Comp. Incomp. N/A

☒ ☐ ☐ Lot area

☐ ☐ ☐ Lot dimensions

☐ ☐ ☐ Total project size

2. Project Description

Comp. Incomp. N/A

☒ ☐ ☐ Present and proposed use, especially if units are to be demolished.

☒ ☐ ☐ Description of project such as existing and proposed number of units, parking spaces, seats, hours of operation, height, use, scope and/or operation of the proposed project etc.

☒ ☐ ☐ Existing Site Conditions

☒ ☐ ☐ Proposed Project information

☒ ☐ ☐ Housing Component Information

☒ ☐ ☐ Public Right-of-Way Information

3. Action Requested

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Authorizing Code Section |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Code Section from which deviation is required, if applicable |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Actions Request, Narrative of what is required verses what is requested |

4. Related Department of City Planning Cases

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|--------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | List of previous, recent or pending case numbers related to the project. |
|-------------------------------------|--------------------------|--------------------------|--|

5. Related Documents/Referrals

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Specialized Requirement forms.
<input checked="" type="checkbox"/> Findings or Justification for <u>each</u> requested action |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Geographic Project Planning Referral |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Redevelopment Plan Administrative Review and Referral Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Citywide Design Guidelines Compliance Review Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Affordable Housing Referral Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Mello Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | HPOZ Authorization Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Management Team Authorization |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Expedite Fee Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department of Transportation (DOT) Referral Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Preliminary Zoning Assessment Referral Form (2+ new units, mixed-use with 2/3 residential, transitional housing, supportive housing) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | SB330 Preliminary Application (when requesting SB330 vesting) |

- | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Order to Comply |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Building Permits and Certificates of Occupancy |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Hillside Referral Form (BOE) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Low Impact Development (LID) Referral Form (Storm water Mitigation) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | SB330 Determination Letter from the Housing and Community Investment Department (2+ new units, mixed-use with 2/3 residential, transitional housing, supportive housing) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Proof of Filing with the Housing and Community Investment Department |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are there any recorded Covenants, affidavits or easements on this property? |

6. Project Team Information.

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|--------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Applicant (Note: The Applicant cannot be the Representative unless the Representative has a vested interest in the project) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Owner |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Representative |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other |

7. Property Owner Affidavits

Comp. Incom N/A
p.

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ownership Disclosure if property is owned by LLC, Corporation, partnership or Trust |
| | | <input type="checkbox"/> | Agent for Service of Process |
| | | <input type="checkbox"/> | Names and addresses of principal owners (25% interest or greater) |
| | | <input type="checkbox"/> | Copy of current corporate articles, partnership agreement, or trust document as applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Letter of Authorization from owner granting Power of Attorney to the Signatory (if MLU not signed by owner) <u>Notarized</u> LOA preferred if no supporting documentation to compare signature. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Grant Deed (always required for CDP's) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Multiple owners |

☐ ☐ ☒ Copy of Lease (if applicant is lessee of entire site)

☒ ☐ ☐ Notarized

Note: If there are multiple parcels and/or owners, all owners need to give consent.

8. Applicant Declaration

Comp. Incomp. N/A

☒ ☐ ☐ Owner

☐ ☐ ☒ Applicant (Note: The Applicant cannot be the Representative unless the Representative has a vested interest in the project)

☐ ☐ ☒ Representative

9. (Optional) Neighborhood Contact Sheet.

Comp. Incomp. N/A

☐ ☐ ☒ Neighborhood Contact Sheet

Supplemental Filing Requirements

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Comp. Incomp. N/A

☐ ☐ ☐ Categorical Exemption recommended _____ - _____ - _____

☐ ☐ ☐ Environmental Assessment Form _____ - _____ - _____

☐ ☐ ☐ Reconsideration of: _____ - _____ - _____

☐ ☐ ☐ Existing ENV: _____ - _____ - _____

☐ ☐ ☐ EIR _____ - _____ - _____

Additional documentation and information to be attached to all Department of City Planning Applications.

1. Photographs

Comp. Incomp. N/A

- ☒ ☐ ☐ Neighboring properties also, on 8 1/2" x 11" paper
- ☒ ☐ ☐ Index map showing from which direction photos were taken

2. Vicinity Map

Comp. Incomp. N/A
p.

- ☒ ☐ ☐ Location map showing surrounding area (*should minimally show nearest Collector Street*)

3. Radius Maps (as applicable)

Comp. Incomp. N/A

- ☐ ☒ ☐ Ownership Map—must include all contiguously owned properties, keyed to match numbers on the ownership list (*abutting notification cases only*)
- ☐ ☒ ☐ Radius Map—must include all contiguously owned properties, keyed to match numbers on the ownership and occupant lists
- ☐ Original plus seven (7) copies
- ☐ 8 1/2" x 11" copy
- ☐ Dated within 180 days of submittal

Existing Plan, Proposed Plan and Existing Zoning Maps (*GPA cases only*)

- ☐ 8 1/2" x 11" size maps (*color preferred, old ZIP-a-tone acceptable, individually prepared—not just ZIMAS printouts*)
- ☐ Five (5) copies each

4. Zimas Profile Report

Comp. Incomp. N/A

- ☒ ☐ ☐ One (1) copy of Parcel Profile Report selecting all contiguously owned properties
- ☒ ☐ ☐ One (1) copy of ZIMAS aerial view

5. Public Noticing

Comp. Incomp. N/A

- | | | | |
|--------------------------|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | BTC receipt number _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Perjury affidavit (<i>never waived</i>) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Labels of abutting property owners (<i>never waived</i>) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Copy of abutting property owners list (<i>never waived</i>) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Copy of owners and occupants list (for projects requiring radius maps only) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Applicant, owner and representative must be on all labels and copies (<i>cannot be handwritten</i>) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Dated within 180 days of submittal |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Posting to be done by: <input type="checkbox"/> BTC <input type="checkbox"/> Applicant or Representative |

6. Plans Required (each folded to 8 ½" x 11")

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|--|
| | | | Size and number of all Plans |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | One (1) full size on 24" x 36" paper |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Four (4) reduced size on 11" x 17" paper, (APC cases 6 copies, CPC cases 11 copies) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | One (1) reduced size on 8 ½" x 11" paper (<i>for Expedite Processing cases only</i>) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Plot Plan |
| | | | <input type="checkbox"/> Includes all contiguously owned parcels (<i>identify which parcels are not a part of project</i>) |
| | | | <input type="checkbox"/> Summary of information table |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Floor Plans |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | For CUB cases, Floor Plans include # of seats, alcohol storage area and outdoor seating areas |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Elevations |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Color renderings of project in conjunction with landscaping (all PPB cases) |

- | | | | |
|--------------------------|-------------------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sections (<i>if project involves multiple levels or subterranean parking or basement floors</i>) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Landscape Plan (<i>for projects with 6+ new units, include Open Space area and summary table</i>) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Trees |

7. Duplicate Case Files

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Certified Neighborhood Council in an unsealed, postage affixed envelope with Public Counter return address (<i>for all cases</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | California Coastal Commission (<i>for CDP's only</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | LAPD (<i>for CUB's only</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Council Office (<i>for CUB's only</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Fire Department (<i>for Amateur Radio Antenna only</i>) |

8. Electronic Copy of Application Materials

Comp. Incomp. N/A

- | | | | |
|--------------------------|-------------------------------------|--------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Copy of significant documents on flash drive or CD (<i>PDF format only</i>) |
|--------------------------|-------------------------------------|--------------------------|---|

Staff: Please check the appropriate box.

- ☐ Your project has been accepted for review to determine completeness for filing. The review will be completed within 30 days of the date of this form. The assigned planner will contact you if additional information or corrections are required.

Staff:

Date:

- ☒ There are portions of your application that have been determined to be "incomplete" for filing purposes, those items have been checked incomplete above. Please provide the completed/corrected items to the Department of City Planning Department as soon as possible in order to continue processing your request.

Staff:

Date:

Maxfield Vermey
9/18/2020

- ☐ Your project has been reviewed for completeness for filing purposes. Your corrections and revised documents have been accepted and your project is deemed complete for filing purposes. The entitlement request will now be process as requested.

Staff:

Date:

Applicant name

Company/Firm: _____

Address: _____ Unit/Space Number: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail: _____

Representative name

Company/Firm: _____

Address: _____ Unit/Space Number: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail: _____

Owner name

Company/Firm: _____

Address: _____ Unit/Space Number: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail: _____

5353 Del Moreno Drive



INSTRUCTIONS:

PRIMARY CHECKLIST and DEEMED COMPLETE FOR CASE FILING

Case No. _____

Staff Maxfield Vermey

Environmental Case No. _____

Date 9/18/2020

DEPARTMENT OF CITY PLANNING APPLICATION FORM

Application Type Density Bonus

(Zone Change, Plan Amendment, Zone Variance, Conditional Use, etc.)

1. Project Location

Comp. Incomp. N/A

☒ ☐ ☐ Street address in ZIMAS or BOE Referral form if address is not in ZIMAS

☒ ☐ ☐ Legal description (including all contiguously owned parcels)

☒ ☐ ☐ Assessor's Parcel Number(s)

Comp. Incomp. N/A

☒ ☐ ☐ Lot area

☐ ☐ ☐ Lot dimensions

☐ ☐ ☐ Total project size

2. Project Description

Comp. Incomp. N/A

☒ ☐ ☐ Present and proposed use, especially if units are to be demolished.

☒ ☐ ☐ Description of project such as existing and proposed number of units, parking spaces, seats, hours of operation, height, use, scope and/or operation of the proposed project etc.

☒ ☐ ☐ Existing Site Conditions

☒ ☐ ☐ Proposed Project information

☒ ☐ ☐ Housing Component Information

☒ ☐ ☐ Public Right-of-Way Information

3. Action Requested

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Authorizing Code Section |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Code Section from which deviation is required, if applicable Submitted 01/21/2021 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Actions Request, Narrative of what is required verses what is requested Submitted 01/21/2021 |

4. Related Department of City Planning Cases

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|--------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | List of previous, recent or pending case numbers related to the project. |
|-------------------------------------|--------------------------|--------------------------|--|

5. Related Documents/Referrals

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Specialized Requirement forms.
<input checked="" type="checkbox"/> Findings or Justification for <u>each</u> requested action |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Geographic Project Planning Referral Submitted 08/21/2020 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Redevelopment Plan Administrative Review and Referral Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Citywide Design Guidelines Compliance Review Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Affordable Housing Referral Form Submitted 08/17/2020 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Mello Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | HPOZ Authorization Form |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Management Team Authorization |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Expedite Fee Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department of Transportation (DOT) Referral Form |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Preliminary Zoning Assessment Referral Form (2+ new units, mixed-use with 2/3 residential, transitional housing, supportive housing) Submitted 12/20/2020 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | SB330 Preliminary Application (when requesting SB330 vesting) |

- | | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|--|----------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Order to Comply | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Building Permits and Certificates of Occupancy | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Hillside Referral Form (BOE) | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Low Impact Development (LID) Referral Form (Storm water Mitigation) | Submitted 09/22/2020 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | SB330 Determination Letter from the Housing and Community Investment Department (2+ new units, mixed-use with 2/3 residential, transitional housing, supportive housing) | Submitted 08/21/2020 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Proof of Filing with the Housing and Community Investment Department | Submitted 07/30/2020 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are there any recorded Covenants, affidavits or easements on this property? | |

6. Project Team Information.

Comp. Incomp. N/A

- | | | | | |
|-------------------------------------|--------------------------|--------------------------|----------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Applicant | (Note: The Applicant cannot be the Representative unless the Representative has a vested interest in the project) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Owner | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Representative | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other | |

7. Property Owner Affidavits

Comp. Incom N/A
p.

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ownership Disclosure if property is owned by LLC, Corporation, partnership or Trust |
| | | <input type="checkbox"/> | Agent for Service of Process |
| | | <input type="checkbox"/> | Names and addresses of principal owners (25% interest or greater) |
| | | <input type="checkbox"/> | Copy of current corporate articles, partnership agreement, or trust document as applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Letter of Authorization from owner granting Power of Attorney to the Signatory (if MLU not signed by owner) <u>Notarized</u> LOA preferred if no supporting documentation to compare signature. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Grant Deed (always required for CDP's) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Multiple owners |

☐ ☐ ☒ Copy of Lease (if applicant is lessee of entire site)

☒ ☐ ☐ Notarized

Note: If there are multiple parcels and/or owners, all owners need to give consent.

8. Applicant Declaration

Comp. Incomp. N/A

☒ ☐ ☐ Owner

☐ ☐ ☒ Applicant (Note: The Applicant cannot be the Representative unless the Representative has a vested interest in the project)

☐ ☐ ☒ Representative

9. (Optional) Neighborhood Contact Sheet.

Comp. Incomp. N/A

☐ ☐ ☒ Neighborhood Contact Sheet

Supplemental Filing Requirements

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Comp. Incomp. N/A

☐ ☐ ☐ Categorical Exemption recommended _____ - _____ - _____

☐ ☐ ☐ Environmental Assessment Form _____ - _____ - _____

☐ ☐ ☐ Reconsideration of: _____ - _____ - _____

☐ ☐ ☐ Existing ENV: _____ - _____ - _____

☐ ☐ ☐ EIR _____ - _____ - _____

Additional documentation and information to be attached to all Department of City Planning Applications.

1. Photographs

Comp. Incomp. N/A

- ☒ ☐ ☐ Neighboring properties also, on 8 ½" x 11" paper
- ☒ ☐ ☐ Index map showing from which direction photos were taken

2. Vicinity Map

Comp. Incomp. N/A
p.

- ☒ ☐ ☐ Location map showing surrounding area (*should minimally show nearest Collector Street*)

3. Radius Maps (as applicable)

Comp. Incomp. N/A

- ☐ ☒ ☐ Ownership Map—must include all contiguously owned properties, keyed to match numbers on the ownership list (*abutting notification cases only*) Submitted 09/10/2020
- ☐ ☒ ☐ Radius Map—must include all contiguously owned properties, keyed to match numbers on the ownership and occupant lists Submitted 09/10/2020
- ☐ Original plus seven (7) copies
- ☐ 8 ½" x 11" copy
- ☐ Dated within 180 days of submittal

Existing Plan, Proposed Plan and Existing Zoning Maps (*GPA cases only*)

- ☐ 8½" x 11" size maps (*color preferred, old ZIP-a-tone acceptable, individually prepared—not just ZIMAS printouts*)
- ☐ Five (5) copies each

4. Zimas Profile Report

Comp. Incomp. N/A

- ☒ ☐ ☐ One (1) copy of Parcel Profile Report selecting all contiguously owned properties
- ☒ ☐ ☐ One (1) copy of ZIMAS aerial view

5. Public Noticing

Comp. Incomp. N/A

- ☐ ☒ ☐ BTC receipt number _____ Submitted 09/10/2020
- ☐ ☒ ☐ Perjury affidavit (*never waived*) Submitted 09/10/2020
- ☐ ☒ ☐ Labels of abutting property owners (*never waived*) Submitted 09/10/2020
- ☐ ☒ ☐ Copy of abutting property owners list (*never waived*) Submitted 09/10/2020
- ☐ ☒ ☐ Copy of owners and occupants list (for projects requiring radius maps only) Submitted 09/10/2020
- ☐ ☒ ☐ Applicant, owner and representative must be on all labels and copies (*cannot be handwritten*) Submitted 09/10/2020
- ☐ ☒ ☐ Dated within 180 days of submittal Submitted 09/10/2020
- ☐ ☒ ☐ Posting to be done by: ☐ BTC ☐ Applicant or Representative Submitted 09/10/2020

6. Plans Required (each folded to 8 ½" x 11")

Comp. Incomp. N/A

- Size and number of all Plans**
- ☒ ☐ ☐ One (1) full size on 24" x 36" paper
- ☒ ☐ ☐ Four (4) reduced size on 11" x 17" paper, (APC cases 6 copies, CPC cases 11 copies)
- ☐ ☐ ☒ One (1) reduced size on 8 ½" x 11" paper (*for Expedite Processing cases only*)
- ☒ ☐ ☐ Plot Plan
- ☐ Includes all contiguously owned parcels (*identify which parcels are not a part of project*)
- ☐ Summary of information table
- ☒ ☐ ☐ Floor Plans
- ☐ ☐ ☒ For CUB cases, Floor Plans include # of seats, alcohol storage area and outdoor seating areas
- ☒ ☐ ☐ Elevations
- ☒ ☐ ☐ Color renderings of project in conjunction with landscaping (all PPB cases)

- | | | | |
|--------------------------|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sections (if project involves multiple levels or subterranean parking or basement floors) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Landscape Plan (for projects with 6+ new units, include Open Space area and summary table) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Trees Submitted 01/21/2021 |

7. Duplicate Case Files

Comp. Incomp. N/A

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Certified Neighborhood Council in an unsealed, postage affixed envelope with Public Counter return address (for all cases) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | California Coastal Commission (for CDP's only) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | LAPD (for CUB's only) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Council Office (for CUB's only) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Fire Department (for Amateur Radio Antenna only) |

8. Electronic Copy of Application Materials

Comp. Incomp. N/A

- | | | | |
|--------------------------|-------------------------------------|--------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Copy of significant documents on flash drive or CD (PDF format only) Submitted 01/21/2021 |
|--------------------------|-------------------------------------|--------------------------|---|

Staff: Please check the appropriate box.

- ☐ Your project has been accepted for review to determine completeness for filing. The review will be completed within 30 days of the date of this form. The assigned planner will contact you if additional information or corrections are required.

Staff:
Date:

- ☒ There are portions of your application that have been determined to be "incomplete" for filing purposes, those items have been checked incomplete above. Please provide the completed/corrected items to the Department of City Planning Department as soon as possible in order to continue processing your request.

Staff:
Date:

Maxfield Vermey
9/13/2020

- ☐ Your project has been reviewed for completeness for filing purposes. Your corrections and revised documents have been accepted and your project is deemed complete for filing purposes. The entitlement request will now be process as requested.

Staff:
Date:

Applicant name

Company/Firm: _____
Address: _____ Unit/Space Number: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ E-mail: _____

Representative name

Company/Firm: _____
Address: _____ Unit/Space Number: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ E-mail: _____

Owner name

Company/Firm: _____
Address: _____ Unit/Space Number: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ E-mail: _____

Exhibit 2



Akhilesh Jha <akhilesh.jha@gmail.com>

Geographic Referral from the Ventura Corridor Specific Plan

Akhilesh Jha <akhilesh.jha@gmail.com>
To: Olga Ayala <olga.ayala@lacity.org>
Cc: Marianne King <marianne.king@lacity.org>

Fri, Aug 21, 2020 at 3:03 PM

Hi Olga,

Thanks for sending the link. Attached please find all three documents. Please let me know if you have any questions.

-AJ
310-995-4589

On Fri, Aug 21, 2020 at 2:09 PM Olga Ayala <olga.ayala@lacity.org> wrote:
<https://planning.lacity.org/development-services/forms>

Here it is. Thank you.



LOS ANGELES
CITY PLANNING

Planning Assistant
Los Angeles City Planning
6262 Van Nuys Boulevard, Room 430
Van Nuys, CA 91401
Planning4LA.org
T: (818) 374-5042



Did you know ... ZIMAS provides you with property information for any parcel within the City of Los Angeles? Look up planning & zoning information, overlay districts, associated cases, and much more! <http://zimas.lacity.org/>
Case information can be found here, by entering the case number <http://planning.lacity.org/pdiscaseinfo/>
City Planning staff assignments are here: <http://planning.lacity.org/phonelist/assignmentlist.pdf>

On Fri, Aug 21, 2020 at 2:04 PM Akhilesh Jha <akhilesh.jha@gmail.com> wrote:
Hello Olga,

Thank you.

Please send me a blank referral form. I will submit to you the filled referral form, proposed plan, and planning application.

-AJ
310-995-4859

On Fri, Aug 21, 2020 at 1:54 PM Olga Ayala <olga.ayala@lacity.org> wrote:
Yes, that is correct. Thank you.

I would like to continue working with the applicant from this point forward, so I need the plans and all of the necessary forms to be reviewed.

Thank you both,

Have a wonderful Friday. ;-)



LOS ANGELES
CITY PLANNING

Olga L. Aguilar

Planning Assistant

Los Angeles City Planning

6262 Van Nuys Boulevard, Room 430

Van Nuys, CA 91401

Planning4LA.org

T: (818) 374-5042



Did you know ZIMAS provides you with property information for any parcel within the City of Los Angeles? Look up planning & zoning information, overlay districts, associated cases, and much more! <http://zimas.lacity.org/>
Case information can be found here. By entering the case number: <http://planning.lacity.org/pdiscaseinfo/>
City Planning staff assignments are here: <http://planning.lacity.org/phonelist/assignmentlist.pdf>

On Fri, Aug 21, 2020 at 1:49 PM Marianne King <marianne.king@lacity.org> wrote:

Hi,

Olga we will need to see the proposed plans and planning application form in addition to the referral form. It will take about two weeks for us to review and respond.

Marianne



LOS ANGELES
CITY PLANNING

Marianne King

City Planning Associate

Los Angeles City Planning

6262 Van Nuys Blvd., Room 430

Van Nuys, CA 91401

Planning4LA.org

T: (818) 374-5059

E-NEWS

On Fri, Aug 21, 2020 at 11:08 AM Akhilesh Jha <akhilesh.jha@gmail.com> wrote:

Dear Mariane,

Good morning!

12/20/2020

Gmail - Geographic Referral from the Ventura Corridor Specific Plan

I am applying to get an approval from the planning department to build a 60-unit apartment building on the lot 5353 Del Moreno Dr, Woodland Hills, CA 91364.

I have been referred to you to get Geographic Referral from the Ventura Corridor Specific Plan. Can you please tell me which forms I need to fill out? Thank you!

-AJ
310-995-4859

3 attachments



Geographic Project Planning Referral.pdf
337K



Del Moreno 06-23-2020.pdf
3717K



1. CP-7771.1 DCP Application Form.pdf
2173K



REFERRAL FORMS:

GEOGRAPHIC PROJECT PLANNING REFERRAL

APPLICABILITY: This form, completed and signed by appropriate Planning Staff, must accompany any application submitted to the Department of City Planning regarding any of the following proposed project types:

- Specific Plan area
- Community Design Overlays (CDO)
- Neighborhood Oriented District (NOD)
- Sign District (SN)
- Zone Change
- Design Review Board (DRB)
- Pedestrian Oriented District (POD)
- Community Plan Implementation Ordinance (CPIO)
- Public Benefit Alternative Compliance
- Zone Variance

NOTE: The Department of City Planning reserves the right to require an updated form for the project if more than 180 days have transpired since the date of the Project Planning Signature, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.

PROJECT SUMMARY

1. **Subject Property Address:** 5353 Del Moreno Dr, Woodland Hills, CA 91364
2. **Community Plan Area Name:** _____
 - a. **Specific Plan Name, DRB, CDO, POD, NOD, CPIO, or SN, including subarea if applicable:** (If this is a Density bonus, Small Lot Subdivision or Zone Variance case, please write in the application type).

Density Bonus Project

3. Project Type (check all that apply)

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> New construction | <input type="checkbox"/> Addition | <input type="checkbox"/> Renovation | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Grading | <input checked="" type="checkbox"/> Density Bonus | <input type="checkbox"/> Small Lot Subdivision |
| <input type="checkbox"/> Other (describe) _____ | | | |

If Change of Use, what is:

Existing Use? _____ Proposed Use? _____

Description of proposed project: The proposed project is a mixed-use commercial/residential building comprising of one commercial and 67 residential units. It will have seven stories with a 58,000 sf of floor area and 76 ft height. The project uses California State Density Bonus, AB 2345, and AB 2442 incentives.

Items 4-7 to be completed by Department of City Planning Staff Only

4. AUTHORIZATION TO FILE (check all that apply)

Specific Plan/SN

- | | |
|--|---|
| <input type="checkbox"/> Project Permit <ul style="list-style-type: none">○ Minor (3 signs or less OR change of use)○ Standard (Remodel or renovation in which additions are no greater than 200 sq. ft. more than 3 signs, wireless equipment)○ Major (All other projects, e.g. new buildings, remodels that include an addition of more than 200 sq. ft.) | <input type="checkbox"/> Adjustment |
| <input type="checkbox"/> Modification | <input type="checkbox"/> Exception |
| | <input type="checkbox"/> Amendment |
| | <input type="checkbox"/> Interpretation |
| | <input type="checkbox"/> Not a Project |
| | <input type="checkbox"/> Other |

Design Review Board

- ☐ Preliminary Review ☒ Final Review

CDO/POD/NOD

- ☐ Discretionary Action ☐ Sign-off only
- ☐ **Minor** (3 signs or less OR change of use)
- ☐ **Standard** (Remodel or renovation in which additions are no greater than 200 sq. ft. more than 3 signs, wireless equipment) ☐ Not a Project
- ☐ **Major** (All other projects, e.g. new buildings, remodels that include an addition of more than 200 sq. ft.)

Community Plan Implementation Overlay (CPIO)

- ☐ Administrative Clearance (Multiple Approvals) ☐ CPIO Adjustment (CPIOA) ☐ CPIO Exception (CPIOE)
- ☐ Potentially Historic Resource

Affordable Housing

- ☐ Density Bonus ☐ Conditional Use >35%
- ☐ Affordable Housing Referral Form ☐ Public Benefit
- ☐ Off-menu incentives requested

Small Lot Subdivision

- ☐ Consultation completed

Streetscape Plan

- ☐ Consultation completed ☐ Not a Project or N/A under Streetscape Plan: _____
- (Insert Streetscape Plan Area)*

5. ENVIRONMENTAL CLEARANCE

- ☐ Not Determined
- ☐ Categorical Exemption ☐ Environmental Assessment Form (EAF)
- ☐ Class 32 Categorical Exemption ☐ Other Entitlements needed
- ☐ Existing ENV Case Number: _____
- ☐ ENV Addendum Case Number: _____

6. PUBLIC NOTICING

- ☐ Standard (BTC to mail hearing notice)
- ☐ Special (At time of filing applicant must pay BTC to mail determination letters only)
- ☐ Abutting owners ☐ Abutting occupants

7. NOTES

--

Project Planning Signature:	Phone Number:
Print Name	Date

INSTRUCTIONS: Project Planning Referrals

1. **Appointments** - A pre-filing appointment with the assigned planner is required to complete this referral form. City Planning's current *Assignment List* can be found on our website at <http://planning.lacity.org> under the "About" tab. [After the form is completed an appointment to file your application at the Development Services Centers is also required and must be made via the City Planning website.]
2. **Review Materials** - Review of the application by assigned staff is intended to identify the level of review required for the project and to provide the Applicant with early notification of any issues with regard to requested actions or the adequacy of application exhibits/materials which could subsequently delay processing.
 - a. Provide the assigned planner with a copy of this form with items in the Project Summary section completed.
 - b. Provide a complete copy of all application materials as specified in the Master Filing Instructions (e.g. completed DCP Application, plot plans, photographs, etc.).
 - c. Provide the Specialized Requirements/Findings or Instructions pertinent to your project (e.g. Specific Plan filing instructions, DRB filing instructions, Tentative Tract filing instructions, etc.).
3. **Other Applicable Approvals** - Applicants are strongly advised to obtain a pre-plan check consultation with the Los Angeles Department of Building and Safety (LADBS) to ascertain if there are any other issues or necessary approvals associated with the project/site which should be resolved prior to filing. The design of the proposed project may require alterations in order to comply with the Los Angeles Municipal Code.

City of Los Angeles Department of City Planning WEBSITE: <http://planning.lacity.org>

<u>DOWNTOWN OFFICES:</u>	Central Project Planning Offices Los Angeles City Hall 200 N. Spring Street, Room 621 Los Angeles, CA	West/South/Harbor Project Planning Offices Los Angeles City Hall 200 N. Spring Street, Room 720 Los Angeles, CA	DSC Metro Counter Figueroa Plaza, 4 th Floor 221 N. Figueroa St. Los Angeles, CA
<u>VALLEY OFFICES:</u>	Valley Project Planning Offices Marvin Braude Building 6262 Van Nuys Blvd., Suite 430 Van Nuys, CA		DSC Valley Counter Marvin Braude Building 6262 Van Nuys Blvd., Suite 251 Van Nuys, CA
<u>WEST LA OFFICE:</u>			DSC West Los Angeles Counter 1828 Sawtelle Blvd., 2nd Floor West Los Angeles, CA 90025

Exhibit 3



Akhilesh Jha <akhilesh.jha@gmail.com>

5353 Del Moreno Dr Density Bonus Application

Akhilesh Jha <akhilesh.jha@gmail.com>

Mon, Aug 17, 2020 at 4:58 PM

To: DCP PHP <dcpphp@lacity.org>

Hello Planning Officer,

Good afternoon!

Attached please find the plan and application form for Affordable Housing Referral Form for the building proposed under the State Density Bonus Program at the location 5353 Del Moreno Dr, Woodland Hills, CA 91364.

Please let me know the next step. Thank you!

-AJ

310-995-4859

3 attachments**Affordable Housing Referral Form - 4043.pdf**

1121K

**Del Moreno 06-23-2020.pdf**

3717K

**Exhibit A - Codes Supporting Housing Project Based on General Plan.pdf**

227K



REFERRAL FORMS:

AFFORDABLE HOUSING REFERRAL FORM LOS ANGELES CITY PLANNING DEPARTMENT

This form is to serve as a referral to the Department of City Planning Development Services Center for affordable housing case filing purposes (in addition to the required Department of City Planning Application and any other necessary documentation) and as a referral to HCIDLA, CRA, LA County, or other City agency for project status and entitlement need purposes. This form shall be completed by the applicant and reviewed and signed by Department of City Planning staff prior to case filing. Any modifications to the content(s) of this form after its authorization by the Department of City Planning staff is prohibited.

CITY STAFF USE ONLY

Referral To:

☐ Planning DSC - Filing ☐ HCIDLA Funding ☐ CRA ☒ LA County ☐ Other: _____

NOTES:

Planning Staff Name and Title

Planning Staff Signature

Date

(The Department of City Planning reserves the right to require an updated AHRF for the project if more than 180 days have transpired since the above date, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.)

I. PROPOSED PROJECT

1. PROJECT LOCATION/ ZONING

Project Address: 5353 Del Moreno Dr, Woodland Hills, CA 91364

Project Name: _____

Applicant Name and Phone/Email: _____

Assessor Parcel Number(s): _____

Community Plan: _____ Number of Lots: The proposed p Lot Size: comprising of one a.c.s.f.

Existing Zone: area and 76 ft height. The project use Land Use Designation: _____

☐ Specific Plan ☐ HPOZ ☐ DRB ☐ Enterprise Zone ☐ CRA

☐ Q-condition/ D-limitation/ T-classification (please specify): _____

☐ Other pertinent zoning information (please specify): _____

☐ Location of Major Transportation Stop or Intersection (please specify): ¹ _____

2. DESCRIPTION OF PROPOSED PROJECT

The proposed project is a mixed-use commercial/residential building comprising of one commercial and 67 residential units. It will have seven stories with a 61,000 sf of floor area and 76 ft height.

Project uses California State Density Bonus, AB 2345, and AB 2442 incentives and provides 7 units to very low-income disabled-veteral households, 80 automobile parking spaces, 58 bicycle parking spaces, balconies, qym facility, and courtyard. The existing single-family home will be demolished.

¹ Per AB 744, A Major Transit Stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. Per Sec 12.22.A.25(b) of LAMC, the definition of Transit Stop/Major Employment Center includes: (1) a station stop for a fixed transit guideway or fixed rail system, (2) a Metro Rapid Bus stop or route, (3) the boundaries of three major economic activity areas, and (4) the boundaries of a college or university campus with an enrollment exceeding 10,000 students.

3. EXISTING USE

A. Describe Existing Development: A single-family house of 4 bedrooms and 3 bathrooms and 3,001 sq. ft.

Characteristic of existing use Dwelling Unit (DU), Commercial/ Industrial, or Other	Existing		To Be Demolished	Proposed ²	
	No. of DU or Guest Rooms	Approximate sq. ft./ea.		No. of DU or Guest Rooms	Approximate sq. ft./ea.
Guest Rooms					
Studio					
One Bedroom				54	663
Two Bedrooms					1010
Three Bedrooms					
_____ Bedroom	1	3001	Yes		
Commercial / Industrial					333
Other:					

B. Previous Cases Filed

	(1)	(2)	(3)
Case Number(s):			
Date Filed:			
Date Approved:			
End of Appeal Period:			
Environmental No.			

4. TYPE OF APPLICATION

- ☐ Density Bonus (per LAMC Sec. 12.22.A.25) with **no** incentives filed in conjunction with a discretionary approval. If no entitlement case is requested, please contact the Los Angeles Department of Building and Safety (LADBS) at ladbs.org or call 3-1-1 within the City of Los Angeles or (213) 473-3231 outside of the City of Los Angeles.
- ☐ Density Bonus per LAMC Sec. 12.22.A.25 **with incentives on the menu** (please specify): _____
- ☒ Density Bonus per LAMC Sec. 12.22.A.25 **with incentives off menu** (please specify): See below in "Other dis..."
- ☐ Density Bonus per LAMC Sec. 12.22.A.25 **with on and off menu incentives** (please specify): _____
- ☐ Greater Downtown Housing Incentive Area per LAMC Sec. 12.22.A.29, Ordinance 179,076 (Sections 7 and 9 through 11 of this form do not apply)
- ☐ Public Benefit Project per LAMC Sec. 14.00.A.2
- ☐ Unapproved Dwelling Unit per LAMC Sec. 14.00.A.10
- ☐ Agreement for Partnered Housing Between Commercial and Housing Developer:
- ☐ 30% or more of total units provided for low income housing
 - ☐ 15% or more of total units provided for very low income housing
- ☐ General Plan Amendment per LAMC Sec. 11.5.6. Request: _____
- ☐ Zone/Height District Change per LAMC Sec. 12.32. Request: _____
- ☐ Conditional Use per LAMC Sec. 12.22.U.26
- ☐ Site Plan Review per LAMC Sec. 16.05
- ☐ Specific Plan Project Permit Compliance per LAMC Sec. 11.5.7.C
- ☐ Community Design Overlay per LAMC Sec. 13.08
- ☐ Coastal Development Permit per LAMC Sec. 12.20.2 or 12.20.2.1
- ☐ Tract or Parcel Map per LAMC Sec. 17.00 or 17.50
- ☒ Other discretionary incentives requested (please specify): 1) FAR 3.4, 2) 0'/0' front setback, 3) 0'/5' rear setback, 4) 0'/5' sideyard setback (1st number for the 1st and 2nd floors and the 2nd number for floors 3-7) 5) 70% decrease in open space, 6) 21' commercial frontage, 7) 18' commercial depth, 8) 76' height & 7 stories, 9) No transitional height, 10) 90% lot coverage, 11) 80 parking spaces including 25 tandem

² Replacement units, per AB 2556, shall be equivalent to the number of units, size, and number of bedrooms of the existing development.

5. ENVIRONMENTAL REVIEW

- ☐ Environmental Review Not Required – Project is Ministerial.³ Please explain: _____
- ☒ Not filed (please contact the Department of City Planning Development Services Center for more information)
- ☐ Filed (indicate case number): _____

6. HOUSING DEVELOPMENT PROJECT TYPE (please check all that apply):

- | | | |
|---|---|---|
| <input type="checkbox"/> For Sale | <input type="checkbox"/> Moderate Income | <input type="checkbox"/> Transitional Foster Youth |
| <input checked="" type="checkbox"/> For Rent | <input checked="" type="checkbox"/> Market Rate | <input checked="" type="checkbox"/> Disabled Veteran |
| <input type="checkbox"/> Extremely Low Income | <input checked="" type="checkbox"/> Mixed Use Project | <input type="checkbox"/> Homeless |
| <input checked="" type="checkbox"/> Very Low Income | <input type="checkbox"/> Senior | <input type="checkbox"/> Special Needs (please describe): _____ |
| <input type="checkbox"/> Low Income | <input type="checkbox"/> Residential Hotel | |

Per AB 2335, 50% density bonus (instead of 35%). Total Units = $43 \times 1.5 = 65$

Per AB 2335, 15% to Very Low Income. Very Low Income Units = $43 \times 0.15 = 7$

Per AB 2445, 20% Bonus for Disabled Veteran Units. AB 2445 Bonus = $7 \times 0.2 = 2$

Total Allowable Units = $65 + 2 = 67$

7. DENSITY CALCULATION

A. Base Density: Maximum density allowable per zoning

Lot size	<u>16,807.4</u>	s.f. (a)
Density allowable by zone	<u>400</u>	units/s.f. of lot area (b)
Units allowed by right (Base Density)	<u>43</u>	units (c) [$c = a/b$, Including fraction and round up to the next whole number]

B. Maximum Allowable Density Bonus: 67 units (d) [$d = c \times 1.35$, include fraction and round up to whole number]

C. Proposed Project: Please indicate total number of Units requested as well as breakdown by levels of affordability set by each category (HCD or HUD). For information on HCD and HUD levels of affordability please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacounty.org.⁴

	Total	HCD (State)	HUD (TCAC)
Market Rate	<u>60</u>	<u>N/A</u>	<u>N/A</u>
Managers Unit(s) - Market Rate	<u> </u>	<u>N/A</u>	<u>N/A</u>
Extremely Low Income	<u> </u>	<u> </u>	<u> </u>
Very Low Income	<u> </u>	<u> </u>	<u> </u>
Low Income	<u> </u>	<u> </u>	<u> </u>
Moderate Income	<u> </u>	<u> </u>	<u>N/A</u>
Seniors- Market Rate	<u> </u>	<u>N/A</u>	<u>N/A</u>
Seniors- Very Low Income	<u> </u>	<u> </u>	<u> </u>
Seniors- Low Income	<u> </u>	<u> </u>	<u> </u>
Seniors - Moderate Income	<u> </u>	<u> </u>	<u> </u>
Transitional Foster Youth-Very Low Income*	<u> </u>	<u> </u>	<u> </u>
Disabled Veterans - Very Low Income*	<u>7</u>	<u>7</u>	<u> </u>
Homeless - Very Low Income*	<u> </u>	<u> </u>	<u> </u>
Total # of Units per Category	<u>67</u>	<u>7</u> (e)	<u> </u> (f)
Percent of Affordable Units by Category	<u>16.27%</u>	<u>16.27%</u> (g)	<u> </u> (h)
		[$g = e/c$ or e/f , whichever is less, c or i] [$h = f/c$ or f/i , whichever is less, c or i]	
TOTAL # of Units Proposed	<u>67</u> (i)		
Number of Density Bonus Units	<u>24</u>	(j) [if $i > c$, then $j = i - c$; if $i < c$, then $j = 0$]	
Percent Density Bonus Requested	<u>55.81%</u>	(k) [$k = j/c$]	
Percent of Affordable Set Aside	<u>16.27%</u>	(c) x % of affordable housing units provided	

* Per AB 2442, a 10% setaside with Very Low Income units at 20% Density Bonus.

³ Ministerial Projects (aka, "By-Right") do not require any discretionary Planning approvals. Developers of such housing file building plans with the Department of Building & Safety. Plans are checked for compliance with the Building Code and, when in compliance, permits are issued to begin construction.

⁴ HCD (State) = Published affordability levels per California Department of Housing and Community Development. HUD (TCAC) = Published affordability levels per the United States Department of Housing and Urban Development.

- 8. SITE PLAN REVIEW CALCULATION** An application for Site Plan Review may be required for projects that meet any of the Site Plan Review thresholds as outlined in LAMC Section 16.05.C. unless otherwise exempted per Section 16.05.D. For Density Bonus projects involving bonus units, please use the formula provided below to determine if the project meets the Site Plan Review threshold for unit count. If project meets the threshold(s) but qualifies under the exemption criteria per Section 16.05.D please confirm exemption with Department of City Planning's DSC Housing Unit.

42 units allowed by right (permitted by LAMC) – 1 existing units = 41 units

- ☐ YES, Site Plan Review is required, if Proposed Base Density units minus existing units is equal to or greater than 50⁵
- ☐ NO, Site Plan Review is not required, if Base Density units minus existing units is less than 50
- ☐ NO, Site Plan Review is not required if Proposed Project is not utilizing a Density Bonus and total Project is less than 50
- ☐ Exempt (please specify): _____

II. DENSITY BONUS (LAMC Sec.12.22.A.25, Ordinance 179,681)

9. DENSITY BONUS OPTIONS (Please check all that apply)

- ☐ Land Donation
- ☐ Child Care
- ☐ Restricted Affordable Units Located Near Transit Stop/ Major Employment Center
- ☐ Common Interest Development with Low or Very Low Income Restricted Affordable Units for Rent
- ☐ Condominium Conversion

☒ Parking (Please choose only one of the following options):

- ☒ **Parking Option 1:** Based on # of bedrooms, inclusive of Handicapped and Guest parking. Fractional numbers are rounded down.

	# of Units	Spaces/Unit	Parking Required	Parking Provided
0-1 Bedroom	54	1	54	53
2-3 Bedrooms	13	2	26	26
4 or more Bedrooms		2.5		
TOTALS			80	79

Out of the 80 available parking spaces, 1 space is being provided to the commercial unit and 79 to residential units.

- ☐ **Parking Option 2:** Reduced only for Restricted Affordable Units: up to 40% of required parking for Restricted Affordable Units may be compact stalls. Fractional numbers are rounded down.

	# of Units	Spaces/Unit	Parking Required	Parking Provided
Market Rate (Including Senior Market Rate)		Per code		
Restricted Affordable		1		
Very Low/ Low Income Senior or Disabled		.5		
Restricted Affordable in Residential Hotel		.25		
TOTALS				

- ☐ **Parking Option 3:** AB 744 - Applies to two types of projects: (A) 100% affordable developments consisting solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families; or (B) mixed-income developments consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively.

⁵ Site Plan Review may also be required if other characteristics of the project exceeds the thresholds listed in Sec. 16.05 of the LAMC.

☐ **A) 100% Affordable Rental Projects**

	# of Units	Spaces/Unit	Parking Required	Parking Provided
Located within ½ mile of major transit stop		0.5		
Senior having either paratransit service or unobstructed access within ½ mile to fixed bus route service that operates at least 8 times/day		0.5		
Special needs having either paratransit service or unobstructed access within ½ mile to fixed bus route service that operates at least 8 times/day		0.3		

☐ **B) Mixed Income Projects consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively**

	# of Bedrooms	Spaces/Bedroom	Parking Required	Parking Provided
Located within ½ mile of major transit stop with unobstructed access to project		0.5		

APPLICABLE TO PARKING OPTION 3 – AB744 ONLY: (1) **Major transit stop** means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. (2) The maximum ½ mile distance to a major transit stop is measured in a straight line ("as the crow flies"). (3) Tandem or uncovered parking is permitted. (4) Fractional numbers are rounded up.

10. INCENTIVES

- ☒ Please check if you are requesting an incentive from AB 2501 "Development Bonuses From a Mixed Use Development".

A. Project Zoning Compliance & Incentives (Please check all that apply)

	<u>Required/ Allowable</u>	<u>Proposed</u>	<u>ON Menu</u>	<u>OFF Menu</u>
<input checked="" type="checkbox"/> (1) Yard/Setback (each yard counts as 1 incentive)				
<input checked="" type="checkbox"/> Front	<u>25 ft</u>	<u>0 ft/0 ft (comm/res)</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Rear	<u>25 ft</u>	<u>0 ft/5 ft (comm/res)</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Side(s)	<u>15 ft</u>	<u>0 ft/5 ft (comm/res)</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> (2) Lot Coverage	<u>25%</u>	<u>90%</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> (3) Lot Width			<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> (4) Floor Area Ratio ⁶	<u>3.0</u>	<u>3.4</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> (5) Height/ # of Stories ⁷	<u>36 ft/3 stories</u>	<u>76 ft/7 stories</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> (6) Open Space	<u>7025</u>	<u>2100</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> (7) Density Calculation			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (8) Averaging (all count as 1 incentive)			<input type="checkbox"/>	<input type="checkbox"/>
FAR				
Density				
Parking				
OS				
Vehicular Access				
<input checked="" type="checkbox"/> Other (please specify):	<u>Commer frontage 39.4'</u>	<u>Commer frontage 21'</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<u>Commercial Depth 25'</u>	<u>Commercial Depth 18'</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<u>Height transition 25'</u>	<u>Height transition 0'</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<u>Required Parking 81</u>	<u>Provided Parking 80</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		<u>(including tandem)</u>	<input type="checkbox"/>	<input type="checkbox"/>

TOTAL # of Incentives Requested:

11

⁶ If applicable, provide vicinity map showing 50% of commercially zoned parcel is within 1,500 feet from Transit Stop or Major Employment Center.

⁷ See Sec. 12.22.A.25(f) 5 for additional requirements.

B. Qualification for Incentives On the Menu: (Please check only one)

Incentives	% Very Low Income	% Low Income	% Moderate Income
One	<input type="checkbox"/> 5% to <10%	<input type="checkbox"/> 10% to <20%	<input type="checkbox"/> 10% to <20%
Two	<input type="checkbox"/> 10% to <15%	<input type="checkbox"/> 20% to <30%	<input type="checkbox"/> 20% to <30%
Three	<input checked="" type="checkbox"/> 15% or greater	<input type="checkbox"/> 30% or greater	<input type="checkbox"/> 30% or greater
3+	<input type="checkbox"/> (Specify):	<input type="checkbox"/> (Specify):	<input type="checkbox"/> (Specify):

11. COVENANT:

All Density Bonus projects are required to prepare and record an Affordability Covenant to the satisfaction of the Los Angeles Housing Department's Occupancy Monitoring Unit **before** a building permit can be issued. Please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org

12. REPLACEMENT UNITS:

AB 2222 requires that density bonus eligible projects replace any pre-existing affordable housing units on the project site. Replacement units include the following: (Answer the following with yes or no.)

- A. Units subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income? No
- B. Units occupied by lower or very low income households below 80% AMI per California Department of Housing and Community Development levels not already listed above? No
- C. Units subject to the Rent Stabilization Ordinance not already listed above? No
- D. Units that have been vacated or demolished in the last 5 years? No
- E. Per AB 2556, are the number of replacement units, size and number of bedrooms equivalent to that being demolished (as shown on Existing Development Table on page 2 above)? No

III. GREATER DOWNTOWN HOUSING INCENTIVE AREA (GDHIA)

13. GREATER DOWNTOWN HOUSING INCENTIVE AREA (LAMC SEC. 12.22.A.29, Ordinance 179,076)

A. ELIGIBILITY FOR FLOOR AREA BONUS

NOTE: Published affordability levels per the United States Department of Housing and Urban Development (HUD/TCAC). Please consult with Los Angeles Housing Department's Occupancy Monitoring Unit for additional information.

- ☐ (1) 5% of the total number of dwelling units provided for Very Low Income households; and
- ☐ (2) One of the following shall be provided:
 - ☐ 10% of the total number of dwelling units for Low Income households; or
 - ☐ 15% of the total number of dwelling units for Moderate Income households; or
 - ☐ 20% of the total number of dwelling units for Workforce Income households, and
- ☐ (3) Any dwelling unit or guest room occupied by a household earning less than 50% of the Area Median Income that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan Area in which it is located.

B. INCENTIVES (Please check all that apply)

NOTE: Must meet all 3 eligibility requirements from above and provide a Covenant & Agreement (#11).

- ☐ (1) A 35% increase in total floor area.
- ☐ (2) Open Space requirement pursuant to Section 12.21.G reduced by one-half, provided fee is paid.
- ☐ (3) No parking required for units for households earning less than 50% AMI.
- ☐ (4) No more than one parking space required for each dwelling unit.

C. ADDITIONAL INCENTIVES TO PRODUCE HOUSING IN THE GREATER DOWNTOWN HOUSING INCENTIVE AREA

- ☐ (a) No yard requirements except as required by the Urban Design Standards and Guidelines
- ☐ (b) Buildable area shall be the same as the lot area (for the purpose of calculating buildable area for residential and mixed-use)
- ☐ (c) Maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions as long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units.
- ☐ (d) No prescribed percentage of the required open space that must be provided as either common open space or private open space.

Applicant Copy
Office: Downtown
Application Invoice No: 73579

City of Los Angeles
Department of City Planning



6800173579



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

For appeal case, your appeal is not valid unless the payment is received prior to 4:30PM on the last day of the appeal period.

Applicant: JHA, JANET (310-9954859)
Representative:
Project Address: 5353 DEL MORENO DRIVE

NOTES: City Council Appeal

Item	Fee	%	Charged Fee
Reports	\$109.47	100%	\$109.47
Case Total			\$109.47

Item	Charged Fee
*Fees Subject to Surcharges	\$0.00
Fees Not Subject to Surcharges	\$109.47
Plan & Land Use Fees Total	\$109.47
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$0.00
City Planning Systems Development Surcharge (6%)	\$0.00
Operating Surcharge (7%)	\$0.00
General Plan Maintenance Surcharge (7%)	\$0.00
Grand Total	\$109.47
Total Invoice	\$109.47
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$109.47

Los Angeles Department of Building
and Safety
Metro 4th Floor 07/09/2021 7:55:06
AM
User ID: athomas
Receipt Ref No: 2021190001-7
Transaction ID: 2021190001-7-1
Reports \$109.47
Amount Paid: \$109.47

Council District:
Plan Area:
Processed by VERMY, MAXFIELD on 07/08/2021

Signature: _____

Los Angeles Dept of Building and Safety
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

Reference Number: 2021190001-7
Date/Time: 07/09/2021 7:55:06 AM PST

User ID: athomas

DEPT OF CITY PLANNING - PCTS
2021190001-7-1

DEPT OF CITY PLANNING - PCTS DOC INFO

Document Number: 6800173579

Reports \$109.47
Amount: \$109.47

Total: \$109.47

1 ITEM TOTAL: \$109.47

TOTAL: \$109.47

ICL Check \$109.47

Method:

Check Number: 2400

Total Received: \$109.47



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