



Appeal of City Planning Determination

Case No. CF 21-0808
5353 Del Moreno Drive

LOS ANGELES
CITY PLANNING

PLUM
August 31, 2021

Appeal Pursuant to Government Code Section 65943

California Statute Authorizing Appeal

- Government Code Section 65943(c) allows an applicant to appeal a determination when an application has not been “determined to be complete”;
- A public agency must provide a procedure to file an appeal with the governing body; and
- The governing body must schedule the appeal for hearing and provide a determination within 60 days of receipt of the appeal.

Existing Zoning



- Zoned RA-1 with a Limited Commercial land use designation.
- Located within the Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan area and the Ventura Cahuenga Boulevard Corridor Specific Plan area.
- The RA zone allows the development of one single family dwelling.
- The RA zone does not allow multi-family residential or commercial uses.
- The zone and land use are consistent.



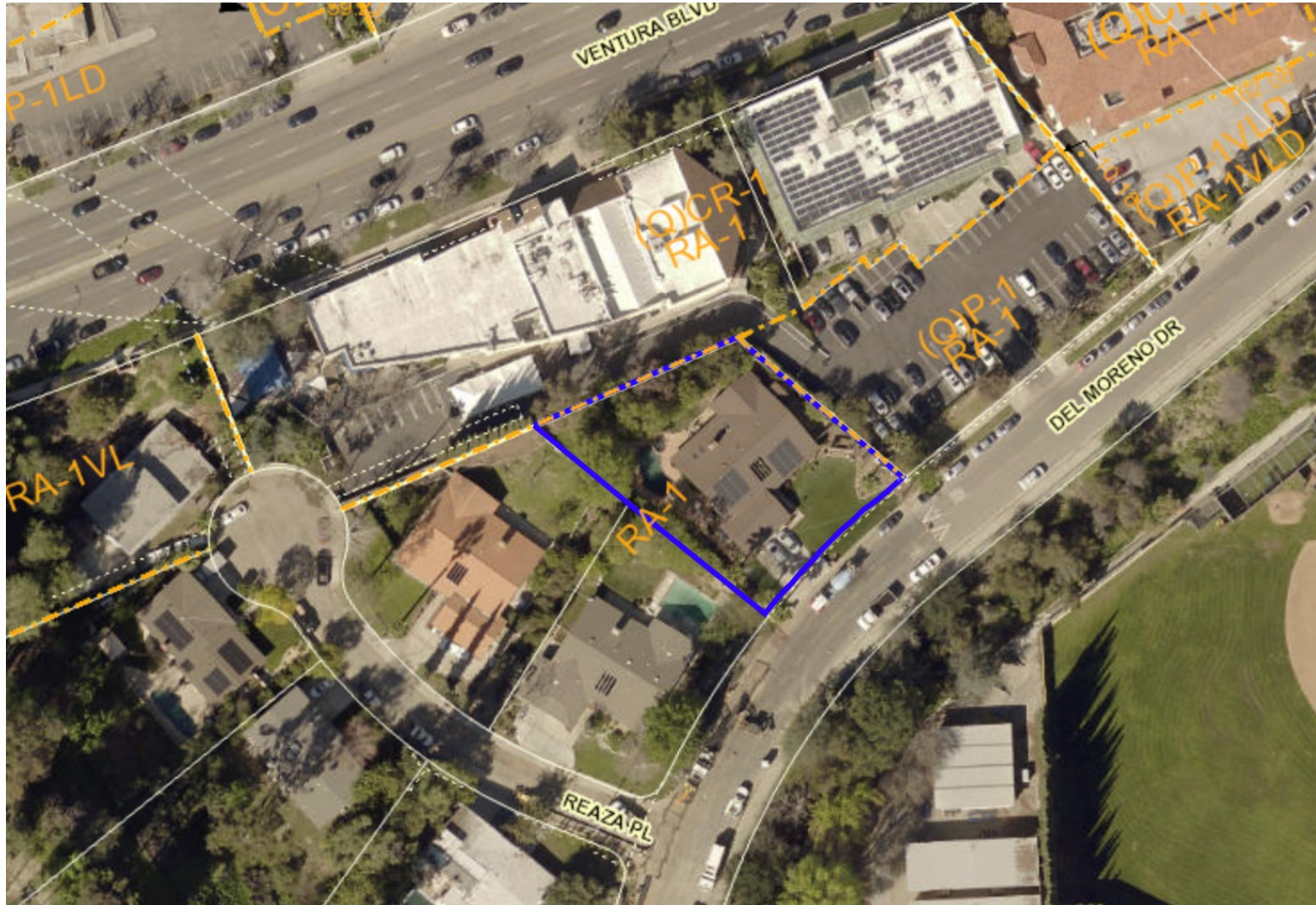
Footnote No. 9

9. Each Plan category permits all indicated corresponding zones as well as those zones referenced in the Los Angeles Municipal Code (LAMC) as permitted by such zones unless further restricted by adopted Specific Plans, specific conditions and/or limitations of project approval, plan footnotes or other Plan map or text notations.

Zones established in the LAMC subsequent to the adoption of the Plan shall not be deemed as corresponding to any particular Plan category unless the Plan is amended to so indicate.

It is the intent of the Plan that the entitlements granted shall be one of the zone designations within the corresponding zones shown on the Plan, unless accompanied by a concurrent Plan Amendment.

Aerial Photo



Summary of Appeal Points

- City Planning did not accept the application for entitlement filing;
- City Planning did not comply with the timelines to deem an application complete pursuant to the Permit Streamlining Act; and
- City Planning did not comply with the timelines to provide a determination of consistency pursuant to the Housing Accountability Act.

Summary of City Planning Responses

- The RA zone and Limited Commercial land use designation are consistent.
- The project site is not eligible for Density Bonus because the RA zone does not allow for multi-family residential or commercial uses.
- The project would require a Zone Change to allow multi-family residential and commercial uses.
- The physical documents submitted to City Planning for entitlement filing do not constitute a “received application” pursuant to the Permit Streamlining Act.
- The Appellant has failed to provide completed and signed Affordable Housing Referral and a Geographic Project Planning Referral Forms.
- The Density Bonus as requested is incorrect.
- The documents provided to City Planning for entitlement filing are not subject to the timelines required to provide a determination of consistency pursuant to the Housing Accountability Act.

Recommended Actions

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1. **Deny** the appeal and **Sustain** the Department of City Planning's determination that the application cannot be accepted for entitlement filing purposes; and
2. **Adopt** the rationale and staff responses in the attached Appeal Report.