

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE

RENEE DAKE WILSON
KAREN MACK

MARC MITCHELL
VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

**VALLEY VILLAGE SPECIFIC PLAN
IMPLEMENTATION GUIDANCE**

DATE: March 1, 2019

TOPIC: SINGLE-FAMILY PROJECT REVIEW PROCESS

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7.H and the Valley Village Specific Plan (Ordinance No. 168613), the following provides implementation guidance for the Valley Village Specific Plan as it pertains to Project Permit Compliance requirements for single-family projects. To that end, the analysis will 1) highlight the original intent of the Valley Village Specific Plan as it pertains to the entitlement process for single-family projects; and 2) outline how single-family projects within the Valley Village Specific Plan shall be processed to align with the original intent. As set forth herein, this implementation guidance shall be applicable within the Valley Village Specific Plan Area.

BACKGROUND

In response to community concerns regarding negative impacts of out-of-scale development in Valley Village, on March 6, 1986 the City Council instructed the Department of City Planning to prepare a Specific Plan for the Valley Village area. The purpose of the Valley Village Specific Plan is to address possible adverse impacts from incompatible commercial and multiple-family development adjacent to the single-family homes in Valley Village. At its meeting on November 18, 1986, the City Council adopted the Valley Village Moratorium Ordinance No. 161765 for the purposes of “temporarily prohibiting the issuance of certain building permits on lots located within the area known as Valley Village, in the adopted North Hollywood Community Plan area.” The moratorium provided an expedient but temporary approach to reduce further impacts to the single-family neighborhood until the adoption of the Valley Village Specific Plan.

City Council adopted the Valley Village Specific Plan Ordinance No. 168613 on February 23, 1993 (effective April 4, 1993) with regulations and requirements for projects regarding land use, building height, landscaping, signs and parking. The regulations primarily target multi-family residential and commercial uses, though land use and height also apply to single-family projects (referred to as “one-family” in the Specific Plan).

When originally adopted, the Valley Village Specific Plan referenced procedures for Specific Plan Exceptions as required in LAMC 11.5.7. The Specific Plan did not contain any requirements or processes for other project types. At the time, the only entitlement procedure contained in LAMC 11.5.7 was for Specific Plan Exceptions. LAMC 11.5.7 did not contain requirements for a Project Permit Compliance entitlement and consequently did not prescribe any process for them. Thus, single-family projects in Valley Village were not required to obtain a Project Permit Compliance prior to construction.

In 2000, when the City Council adopted an ordinance amending LAMC Section 11.5.7 (Ordinance No. 173455), it introduced a standardized Project Permit Compliance process applicable to Specific Plans. Henceforth, the Department of City Planning modified the language of all existing Specific Plans to align their processes with those implemented in the amended LAMC Section 11.5.7 as follows: “Procedural requirements of this Specific Plan are set forth in Section 11.5.7 of the Code.” Subsequently, projects as defined by each specific plan were considered subject to a Project Permit Compliance process unless specifically exempted.

Since the adoption of Ordinance No. 173455, single-family projects within the Specific Plan area have followed the Project Permit Compliance process due to an application of procedures that was inadvertently applied too broadly. This Implementation Guidance memo will provide the appropriate process for single-family projects in the Valley Village Specific Plan Area.

ANALYSIS

The impetus for drafting the Valley Village Specific Plan was to protect the single-family neighborhood from incompatible development. Therefore, the regulations were primarily applicable to commercial and multi-family development. The Specific Plan’s stated intent is to preserve the single-family residential neighborhood character and maintain “harmonious” development. Notably, Section 2 of the Specific Plan further emphasizes its purpose as primarily to protect single-family uses from potential negative impacts of “multiple residential and commercial developments.” Therefore, it is not the intent to unduly restrict or regulate single-family residential development but rather to maintain single-family residential in a condition aligned with the existing character of the neighborhood and regulate adjacent higher intensity development.

The Specific Plan defines a “Project” broadly enough to encompass single-family homes as follows: “the erection of construction of or addition to any building or structure or alteration which increases the height, floor area, number of dwelling units or number of guest rooms on a residentially or commercially zoned property.” Thus, alterations and additions to existing single-family buildings and all new single-family buildings appear to qualify as projects within the parameters of this definition.

The original Specific Plan as adopted by City Council on February 23, 1993 only prescribed an entitlement process for single-family projects that did *not* comply with the Specific Plan regulations. Those projects that did not comply were required to obtain a Specific Plan Exception, the procedures of which were contained in LAMC 11.5.7. However, the Specific Plan contained no procedures for single-family projects that complied with the Specific Plan. As previously indicated, the original Specific Plan referenced LAMC 11.5.7, which at the time did not contain any requirements for Project Permit Compliance entitlements. Thus, when the plan was originally adopted, single-family projects that complied with the regulations of the Specific Plan were only required to acquire a Building Permit sign-off from the Department of City Planning in order to construct the project. The Department of City Planning still reviewed these projects to ensure adherence to applicable simple, objective regulations, but no Project Permit Compliance entitlement was required.

In 2000, when the City Council adopted an ordinance amending LAMC Section 11.5.7 (No. 173455), it introduced a new Project Permit Compliance process applicable to all Specific Plans. Henceforth, the Department of City Planning amended the language of all existing Specific Plans to align their processes with those implemented in the amended LAMC Section 11.5.7 as follows: “Procedural requirements of this Specific Plan are set forth in Section 11.5.7.H of the Code.” Subsequently, all projects as defined by each specific plan were considered subject to a Project

Permit Compliance process. In Valley Village, the result was that Specific Plan compliant single-family projects were now considered to be subject to a Project Permit Compliance entitlement process whereas previously they were not. What were once ministerial, objective regulations pertaining to single-family homes were incidentally elevated in process to a discretionary entitlement.

Regarding the amendment to LAMC 11.5.7 in 2000, the corresponding staff reports demonstrate there was no intent to increase the level of discretionary review for single-family projects in the Valley Village Specific Plan. Per the Department's Staff Report to the City Planning Commission (January 27, 2000), the Valley Village Specific Plan's existing entitlement process was to remain unchanged following LAMC Section 11.5.7 implementation. The Staff Report's Appendix B2 Specific Plan Entitlement Chart, for example, did not record an entitlement process for the Valley Village Specific plan while other specific plans have clearly delineated entitlement decision processes. Instead, under the column titled "Decision Body" for the Valley Village Specific Plan, the chart includes the following statement: "N/A No Charter mandated changes to discretionary actions." In addition, for entitlement changes based on the new City Charter, the chart does not include a proposed decision process but instead inserted "N/A" in that field. Therefore, Ordinance No. 173455 amending LAMC Section 11.5.7 did not automatically require the application of the same process changes for all specific plans and did not identify Valley Village Specific Plan's processes for single-family projects as subject to change.

CONCLUSION

The Valley Village Specific Plan's purpose is to maintain and protect the single-family neighborhood within its boundaries. The original Specific Plan included single-family uses in its Project definition and prescribed simple, objective regulations for such projects that were ministerial and not discretionary. Subjecting a single-family project to a discretionary process conflicts with the original intent of the plan. Further, the Valley Village Specific Plan's entitlement procedures regarding single-family homes were not the target of the subsequent implementation of changes to LAMC Section 11.5.7. Therefore, single-family projects that comply with Specific Plan regulations are not be subject to the Project Permit Compliance processes in this Specific Plan.

Single-family Projects within the Valley Village Specific Plan, that fully comply with all applicable Specific Plan regulations, are required to receive an Administrative Review and Building Permit Clearance only from the Department of City Planning in order to proceed with a proposed project. Required fees associated with Administrative Review and Building Permit Clearance shall apply.



VINCENT P. BERTONI, AICP
Director of Planning

ATTACHMENTS

- A – Valley Village Specific Plan as adopted February 23, 1993
- B – LAMC 11.5.7 prior to Amendment in 2000
- C – Department of City Planning Staff Report and Appendix B2 (January 27, 2000)

cc: Council District 2
Valley Village Neighborhood Council

EXHIBIT A

ORDINANCE NO. 168613

An ordinance establishing a Specific Plan for an area known as Valley Village in the North Hollywood Community Plan Area.

WHEREAS, on March 6, 1986, the City Council instructed the Planning Department to prepare a Specific Plan for the Valley Village area; and

WHEREAS, Valley Village, a predominantly single-family neighborhood, is experiencing transitional development, specifically multiple-family and commercial development near traditionally single-family zoned neighborhoods; and

WHEREAS, the present commercial zoning permits commercial development with a wide range of uses, a floor area ratio of 1.5 to 1, and unlimited height; and

WHEREAS, the multiple-family and commercial development allowed by current zoning will cause adverse impacts for adjacent residential neighborhoods such as excessive traffic, parking on adjoining residential streets, inappropriate and undesirable uses such as commercial uses that are incompatible with the surrounding area, blocked views and development of a proportion and scale that is

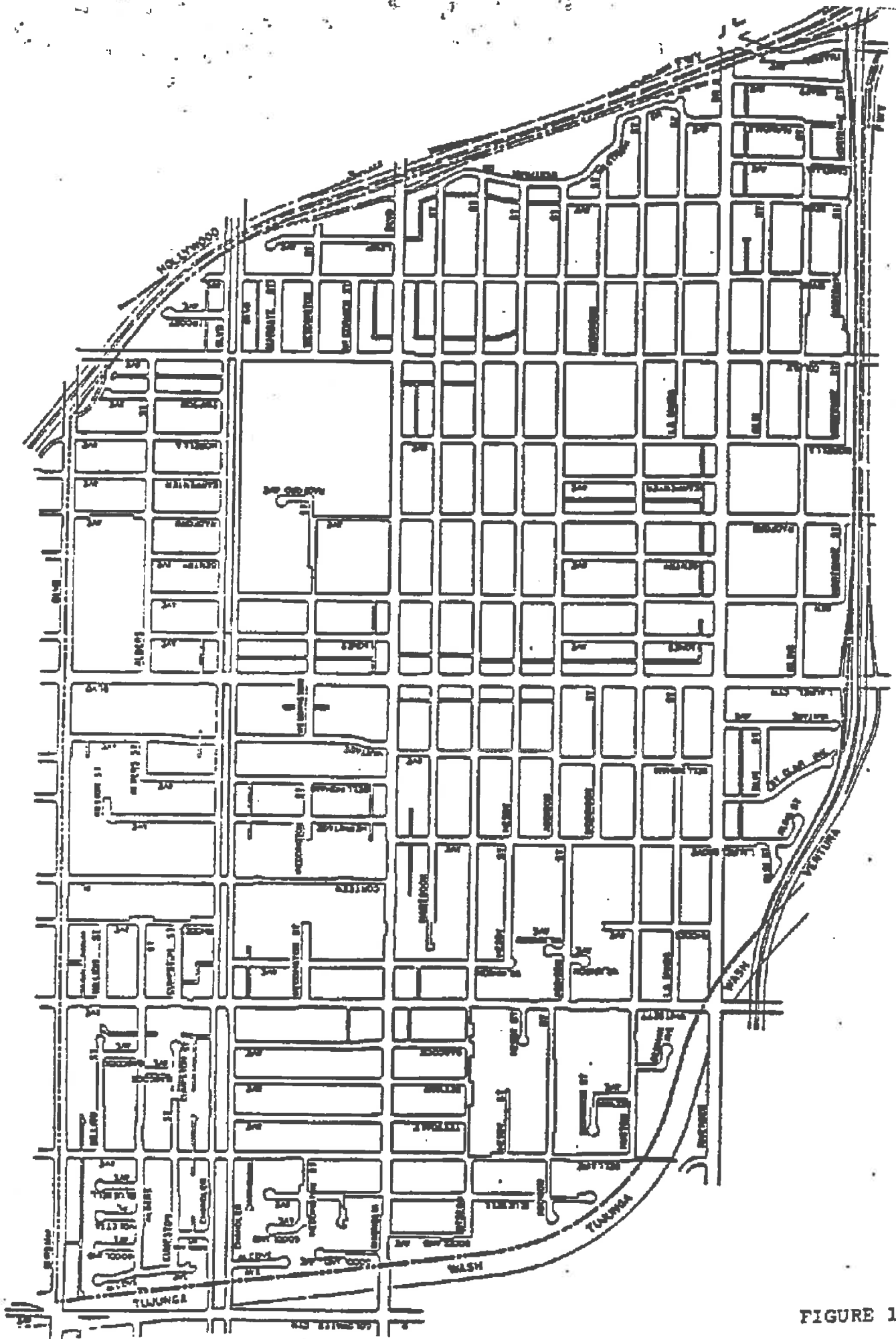


FIGURE 1

G. To adequately buffer single-family residential uses from adjacent multiple residential and commercial development;

H. To preserve stable single-family neighborhoods presently zoned for single-family uses.

**Sec. 3. RELATIONSHIP TO OTHER PROVISIONS OF
CHAPTER 1 OF THE LOS ANGELES MUNICIPAL CODE.**

A. The regulations of this Specific Plan are in addition to those set forth in provisions of the Los Angeles Municipal Code (hereinafter "Code") and do not convey any rights not otherwise granted under such other provisions, except as specially provided herein.

B. Wherever this Specific Plan contains provisions which require different commercial land uses, building heights, setback requirements, landscaping requirements, yard setbacks, parking requirements or other provisions which differ from those provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of that Code.

C. The procedures for the granting of exceptions to the requirements of this Specific Plan are set forth in Section 11.5.7 D of the Code. In approving an exception to this Specific Plan pursuant to Section 11.5.7 D, the City Planning Commission and the City Council on appeal, may simultaneously approve any

outside surface of the exterior walls of a building, except that square footage devoted to vehicle parking and necessary interior driveways and ramps.

C. "Open Space" shall mean an area open from the ground to the sky intended to be used for active and passive recreation purposes, which is free of storage areas, surface parking for automobiles or trucks, or other improvements. Open space may include walkways or recreation areas (i.e. swimming pools, barbecue and picnic areas, areas devoted to sports, games and hobbies, fountains, ponds, benches, sun decks and other similar amenities). Projections into yards as specified in Section 12.22 C.20 of the Code are permitted in open space.

D. "Project" shall mean the erection or construction of or addition or alteration to any building or structure which increases the height, floor area, number of dwelling units or number of guest rooms on a residentially or commercially zoned property.

Sec. 5. ZONING AND LAND USE. All land uses shall be consistent with the North Hollywood Community Plan and with the additional regulations as specified in this Specific Plan.

A. **Residential Land Uses.** One-family residentially zoned lots shall be maintained with one-family dwellings.

Sec. 6. SPECIFIC PLAN DEVELOPMENT REGULATIONS.

Any project on a lot or lots located in whole or in part within the Specific Plan Area as described in Section 1 of this ordinance shall conform to the following development regulations:

A. General Provisions.

1. For multiple-family residential projects constructed on a lot adjacent to a lot zoned for RW1 or more restrictive residential uses:

a. Any portion of a building wall above a height of 26 feet and facing an RW1 or more restrictively zoned lot shall not have any balcony or any openings to a hallway or public stairway. Window openings shall otherwise be allowed 44 inches above the floor in any room.

b. Open balcony guardrails on buildings facing an RW1 or more restrictively zoned lot, shall be prohibited with the exception that the lower six inches of the guardrail may be open.

c. Any area on a rooftop used for recreational purposes shall be fenced off and that enclosure shall be set back 10 feet from the edge of the building. Any rooftop recreation area that is located within 20 feet of a RW1 or more restrictively zoned lot shall have fencing at least six feet in height with

2. A minimum of 50 percent of all open space shall be landscaped.

3. Paved areas, excluding parking areas, shall consist of the following materials: stamped concrete, colored concrete, tile and/or other brick pavers, or similar materials.

4. Fifty percent of the required open space may consist of the front and/or rear yard, provided such yard is landscaped.

D. Multiple-Family Projects Built on One or More Lots With a Total Width of 150 Feet or More and Adjacent to RW1 or More Restrictive Zones.

1. Walkways.

a. A project shall have a walkway which shall consist of a paved area and a landscaped area, the total width of which walkway shall be a minimum of eight feet for a minimum depth of ten feet beyond the required yard. The paved portions of walkways shall not exceed 50 percent of the required walkway area, nor be less than 44 inches in width. The remaining area shall be landscaped.

b. Materials for the paved areas shall consist of the following: stamped concrete, colored concrete, tile and/or brick pavers, or similar materials.

4. Where there is an alley, the setback shall be measured from the centerline of the alley for a project adjacent to an RW1 or more restrictively zoned lot.

Sec. 7. SIGNS.

A. No commercial off-site sign or sign support structure shall be erected within the Specific Plan Area.

B. No roof sign shall be erected within the Specific Plan Area.

Sec. 8. PARKING.

A. Parking Standards For Residential Projects.

1. Any multiple-family project shall provide resident parking as required by 12.21.A.4(a) of the Code, or any amendment thereto, and guest parking at a ratio of at least one quarter space per dwelling unit in excess of that required by the Code.

2. New condominiums shall provide guest parking at a minimum of one-half space per dwelling unit in excess of that required by the Code.

3. Guest parking shall be clearly identified, easily accessible to guests, and shall not be in tandem.

6. All plants and trees shall be drought-resistant.

B. Buffer Standards.

1. There shall be a five foot buffer of plant material wherever a multiple-family or commercial project is adjacent to an RW1 or more restrictively zoned lot or use. The plant material shall be maintained at a height of not lower than six feet at maturity. Fifteen gallon trees shall be planted on private property every twenty feet along the lot line of the property on which the project is located.

2. A solid, decorative, masonry block wall, a minimum of six feet in height, shall be constructed along any side or rear lot line of a multiple-family or commercial project between any adjacent one-family residential use and any parking or driveway use of the project, if no wall already exists along said lot line of the project. There shall be no openings, except for a lockable gate provided for landscape work or as may be required by the Code. Decorative masonry walls shall mean split-face, slump stone, plaster, brick or stone facing with a top cap. Both sides of the wall must be decorative.

. . .
. . .

Maintenance.

E. Landscaping Requirements.

1. In addition to the other landscaping standards provided in Section 9 of this ordinance, any multiple-family project shall provide landscaping in conformance with the following requirements:

a. The area from the lot line to the building shall be landscaped with live plant materials and/or ground cover, except for required exit-ways, walkways and driveways.

b. Front, rear and side yards shall be landscaped using similar materials so that the total development creates a consistent landscape theme.

c. A minimum of 50 percent of the total required front and rear yards shall be planted.

2. In addition to the other landscaping standards provided in Section 9 of this ordinance, any commercial project shall provide landscaping in conformance with the following requirements:

a. At least one 24-inch box shade tree shall be planted for every four surface parking spaces.

b. The trees shall be dispersed within the parking area so as to shade the surface

Sec. 11. SEVERABILITY. If any provision of this Specific Plan is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Specific Plan which can be implemented without the invalid provision, and, to this end, the provisions of this Specific Plan are declared to be severable.

. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .
. . .

action of the Council is contrary to the recommendations of both the City Planning Commission and the Mayor. (*Amended by Ord. No. 150,658, Eff. 4/23/78.*)

SEC. 11.5.7 — SPECIFIC PLANS. A. Purpose — A specific plan shall provide by ordinance regulatory controls or incentives for the systematic execution of the General Plan and shall provide for public needs, convenience and general welfare.

B. Content — The following specific plans are set forth under the specified articles of this Chapter:

1. Zoning provisions as set forth under Articles 2, 3 and 6 of this Chapter.
2. Building Line provisions as set forth under Article 4 of this Chapter.
3. The provisions of Article 2.5 of this Chapter. (*Added by Ord. No. 151,432, Eff. 10/12/78.*)

C. Procedure — Procedures for the establishment, change or repeal of specific plans, or any part thereof, are prescribed under the aforementioned articles of this Chapter.

D. Exceptions from Geographically Specific Plans.

1. **Authority of Planning Commission** — The Planning Commission may permit an exception from the definite statements of policy, standards and regulations which are exclusively applicable to a definable area of the City. The Commission after conducting a mandatory public hearing in the manner provided by Paragraph (b) of Subdivision 3 of Subsection B of Section 12.24 of the Municipal Code and after reviewing a report from the Director of Planning on the matter, may permit an exception from a geographically specific plan if all the following findings are made:

- (a) That the strict application of the policies, standards and regulations of the geographically specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of such specific plan;
- (b) That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area;
- (c) That such exception from the geographically specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically specific plan in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;
- (d) That the granting of such exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property; and
- (e) That the granting of such exception will be consistent with the principles, intent and goals of the geographically specific plan and any applicable element of the general plan.

In granting an exception from a geographically specific plan, the Commission shall impose such conditions as will remedy any resulting disparity of privilege and which are necessary to protect the public health, safety, welfare and assure compliance with the objectives of the general plan and the purpose and intent of the geographically specific plan. An exception from a geographically specific plan shall not be used to grant a special privilege, nor to grant relief from self-imposed hardships.

2. **Applications — Form and Contents** — An application for an exception from a geographically specific plan shall be filed in any public office of the Department of City Planning upon a form and accompanied by such data and information as has been prescribed for that purpose. Each such application shall be verified by the owner or lessee of the property involved.

3. Determination by Planning Commission —

(a) The Commission shall render a determination on an exception from a geographically specific plan within 75 days after filing unless the applicant consents to a longer period.

(b) Determinations by the Planning Commission shall be supported by written findings of fact based upon written or oral statements and documents presented to it, which may include photographs, maps and plans, together with the results of its investigations. Upon making a determination upon an application for an exception from a geographically specific plan, the Commission shall forthwith place a copy of its written findings, where required, and determination on file in the City Planning Department and furnish a copy thereof to the applicant, the Department of Building and Safety, and the Director of Planning.

4. **Determination Effective-Appeal** — The determination of the Commission shall become final after an elapsed period of 15 days from the date of mailing of the Commission's determination to the applicant, unless an appeal therefrom is filed with the City Council within such period. Any appeal not filed within the 15 day period shall not be considered by the City Council.

The filing of an appeal stays proceedings in the matter until determination by the City Council.

5. **Appeal-Contents** — An applicant, any other person aggrieved by a determination of the Commission, or any officer, board, department or bureau of the City may appeal to the City Council. The appeal shall set forth specifically wherein the determination of the Commission fails to conform to the requirements of this section, or wherein the conditions imposed are improper. Such appeal shall be filed in duplicate in any public office of the Department of City Planning. Thereupon, the appeal and the Planning Commission file shall be transmitted to the City Council, together with a report thereon disclosing in what respect the Commission found that the application and facts offered in support thereof met or failed to meet the requirements of this section.

The City Council, by resolution, may reverse or modify, in whole or in part, any determination of the Commission, but such resolution may be adopted only by a two-thirds or more vote of the whole Council. The resolution must contain a finding of fact showing wherein the proposed

exception to a geographically specific plan meets or fails to meet the requirements of this section. Any vote of the Council in which less than two-thirds of the whole Council vote to reverse or modify the determination of the Commission shall be deemed to be an action denying the appeal. The failure of the Council to vote upon an appeal within 90 days after the expiration of the appeal period or within such additional period as may be agreed upon by the applicant and the Council shall likewise be deemed a denial of the appeal.

6. **Failure to Act-Transfer of Jurisdiction** — If the Commission fails to act on an application for exception from a geographically specific plan within the time limits specified in this section, the applicant may file a request for a transfer of jurisdiction to the City Council for a determination of the original application, in which case the Commission shall lose jurisdiction. Such request shall be filed in any public office of the Department of Planning. Thereupon, the request and the Planning Commission file shall be transmitted to the Council.

The Council may approve the application subject to the qualifications contained in Subdivision 1 of Subsection D of this section, and may impose upon such approval such conditions as it deems necessary in accordance with the provisions of Subdivision 1 of Subsection D of this section. Such action of the Council shall be by resolution adopted by a majority vote of the whole Council.

7. **Hearing by Council** — Before acting on any appeal, or on any matter transferred to it because of the failure of the Commission to act, the City Council or its Planning Committee shall set the matter for hearing, giving the same notice as provided in this section for hearings before the Commission. (*Added by Ord. No. 151,682, Eff. 12/22/78.*)

SEC. 11.5.8 — PERIODIC COMPREHENSIVE GENERAL PLAN REVIEW. A. **Purpose** — Periodic comprehensive General Plan review is necessary to insure that the City's General Plan properly and systematically addresses the needs of a constantly changing city. These needs include the provision of adequate housing public services and transportation, the optimum allocation of land for industry and commerce, the preservation of environmental amenities, and the enhancement of the quality of life for all of the residents of the City of Los Angeles. Comprehensive procedures for evaluating, and where necessary amending, the General Plan and other land use regulations are required in order to meet these needs.

B. **Planning Area** — The City is hereby divided into 37 planning areas. Each planning area constitutes an area for which either a community plan, district plan, or other portion of the land use element of the General Plan has been adopted by the City.

The boundaries of each planning area shall be those of the applicable adopted community or district plan, or other portion of the land use element of the General Plan. These boundaries may be modified or changed by amendment to the General Plan pursuant to the procedures set forth in Section 11.5.6 of this Article.

C. **Geographical Area** — Pursuant to the requirements of Section 96.6 of the City Charter and for the purpose of maintaining and updating the various community and district plans, the City's 37 planning areas shall be grouped into four geographical areas. The Director of Planning shall establish the boundaries of the four geographical areas. The Director may modify such bound-

LOS ANGELES CITY PLANNING DEPARTMENT
STAFF REPORT TO THE CITY PLANNING COMMISSION

EXHIBIT C

COMMISSION MEETING:

CASE/FILE NUMBER: CPC 99-0435

DATE: January 27, 2000
TIME: After 8:30 A.M.*
PLACE: Airtel Plaza Hotel
7277 Valjean Avenue
Van Nuys, CA 91406

RELATED FILE: N/A

ENV'L. DOCUMENT: CE 99-0937

— PUBLIC HEARING
required (or)

COUNCIL DISTRICT: All

X Public Hearing completed
or not required
(public comment
may be taken)

PLAN AREA: All

— INFORMATION ONLY

SUBJECT/REQUEST: SECOND SUPPLEMENT TO STAFF REPORT REGARDING CITY
CHARTER IMPLEMENTATION AND CODE REVISION

SUBJECT LOCATION: Citywide

SUMMARY/MISC: Second supplement to the staff report dated November 18, 1999 regarding proposed amendments to Chapter 1 of the Los Angeles Municipal Code and to the Administrative Code necessitated by the provisions contained in the new Charter and related proposals to improve planning processes. The proposed amendments consist of the boundary delineation for area planning commissions (APCs), the delegation of decision making and/or appeal authority to the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council, in conjunction with the standardization and simplification of procedures.

On January 13, 2000, the Commission heard additional comments from the public and directed staff to expand the discussion regarding APCs and neighborhood councils. The Commission directed staff to review the map labeled Attachment 1B from the January 13, 2000 supplemental staff report that depicts seven (7) APCs (with the Metro/Wilshire corridor split) to consider the possibility of including the Mulholland Scenic Parkway Specific Plan within the West Los Angeles Area Planning Commission boundaries. The Commission also directed staff to amend the set of appendices per Commissioner Landau's directions regarding projects with public benefits. The proposal would establish a new permit process for review of these



Los Angeles City Planning Department

221 North Figueroa
16th Floor



CITY PLAN CASE NO. 99-0435

COUNCIL FILE NO. N/A

CPC MEETING DATE: January 27, 2000

TO: HONORABLE CITY PLANNING COMMISSION

FROM: CON HOWE
Director of Planning

SUBJECT: **SECOND SUPPLEMENT TO STAFF REPORT REGARDING
CITY CHARTER IMPLEMENTATION AND CODE REVISION**

Table of Contents

	<u>Page</u>
Summary and Recommendations	5
Actions Recommended by Staff	5
Staff Report	
Discussion of City Planning Commission Issues	11
Environmental Impact	12
	17

Attachments

Attachment 1 - Area Planning Commission Boundaries

- A) November 18, 1999 Appendix A - Area Planning Commission Boundary Map - 6 APCs
- B) January 13, 2000 Proposed Commission Revised Appendix A - Area Planning Commission Boundary Map (Metro Wilshire Corridor Split) - 7 APCs

Attachment 2 - Actions, findings and appendices for decision making authority and planning procedures incorporating Commission's revisions to citywide Conditional Uses and the new public benefit permit process, standardization of decision making authority for the establishment of supplemental use districts and deletion of 10 acre threshold:

- Proposed Commission Revised Appendix B1 - Zoning Code Entitlement Chart with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts. Proposed

SUMMARY AND RECOMMENDATIONS

The City Planning Commission had meetings on November 18, 1999, December 9, 1999 and January 13, 2000 regarding proposed amendments to Chapter 1 of the Los Angeles Municipal Code and to the Administrative Code. These proposed amendments are necessitated by the new Charter and proposals consistent with that document to improve planning processes. The proposed amendments consist of the boundary delineation for area planning commissions (APCs), the delegation of decision making and/or appeal authority to the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council, in conjunction with proposals to standardize and simplify procedures.

On January 13, 2000, the Commission heard additional comments from the public and directed staff to expand the discussion regarding APCs and neighborhood councils. The Commission directed staff to review the map labeled Attachment 1B from the January 13, 2000 supplemental staff report that depicts seven (7) APCs (with the Metro/Wilshire corridor split) to consider the possibility of including the Mulholland Scenic Parkway Specific Plan within the West Los Angeles Area Planning Commission boundary. The Commission also directed staff to amend the set of appendices per Commissioner Landau's directions regarding projects with public benefits. The directions separated citywide public benefits projects into two processes. Projects with citywide benefits and with major citywide impacts will follow the citywide Conditional Uses process. Projects with citywide public benefits with less significant citywide impacts will follow the new public benefits permit process. The public benefit permit process requires the initial decision to be made by the Director of Planning or his/her designee and these decisions are appealable to the City Planning Commission. Planning Commission actions may be further reviewed by the City Council pursuant to Charter Section 245.

The staff has not changed its recommendation but offers an alternative map with 7 APCs, (Attachment 1B), findings and appendices (Attachment 2) in response to the Commission's directions on these matters. Staff has provided an expanded discussion on the roles of neighborhood councils and area planning commissions in the staff report. The Commission may consider, as part of its action, to include the expanded discussion on neighborhood councils and area planning commissions as its report on this subject.

ACTION RECOMMENDED BY THE STAFF

The Planning Department staff recommends that the Commission adopt the Department's staff report dated November 18, 1999 with minor clarifications and the expanded policy statement contained in the supplemental staff reports dated January 13 and January 27, 2000. Staff recommends Attachment 1A - Appendix A Area Planning Commission Boundary Map (6 APCs) and Attachment 2A - Planning Department's original recommendation for Decision Making Authority and Planning Procedures in the supplemental report dated January 13, 2000. Should the Commission prefer to amend the staff's original recommendation, staff has

similar early participation roles in other general plan, specific plan, or neighborhood implementation plan review and adoption procedures as appropriate to the specific steps of the process involved, as contained in the supplemental staff reports dated January 13, 2000 and January 27, 2000.

9) Adopt Categorical Exemption (CE) 99-0937. The attached recommendations and appendices are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines (ordinances which have no impact on the physical environment).

10) Adopt the following findings:

Findings

Find in accordance with Charter Section 96.5(5) that the attached proposals to implement the Charter are:

- In accordance with Charter Section 97.2(1)(a) in that the proposals to implement the Charter (Appendices A, B1, B2, C1, C2, D) are in substantial conformance with the purposes, intent, and provisions of the General Plan in that they implement the following Citywide General Plan Framework Element principles: "Clear and Consistent Rules" and "Effective Implementation". The proposals establish the authority by which individuals and regulating bodies have in making decisions on applications for entitlements and other matters processed through the Planning Department. The proposals also establish and clearly define the approval processes, time limits, and other rules by which such applications are handled. Procedures have been standardized and reduced in number so as to be consistent and understandable. Taken together, the proposals not only implement the new Charter but create "clear and consistent rules" for processing of applications and are an effective means of implementing the City's General Plan and zoning regulations.

The Charter implementation proposals would provide for "clear and consistent rules governing both public and private sector development." Proposed implementation provisions would "provide predictability to anyone who develops property, including small businesses and individual homeowners," as called for in the Framework Principles. The proposals provide "clear and consistent rules" for all levels of decision making and appeal authority for the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council.

The Framework principle calls for "Effective Implementation" which "is comprehensive, continuing and responsive to changing circumstances and needs." The Charter implementation proposals provide a comprehensive series of proposals and processes to address each legislative or quasi-judicial entitlement to be considered by any initial decision maker and subsequent appeal authority. This Framework principle also calls for communities and neighborhoods to be "engaged in a participatory process of

- These proposals are exempt from the requirements of the California Environment Quality Act (CEQA) and City guidelines for the implementation thereof pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines, the adoption of proposals and, thereafter, ordinances which have no impact on the physical environment.

The enactment of the proposed Charter implementation provisions will not result in any additional environmental impacts. All proposed provisions constitute merely changes in decision making and/or appellate authority processes. The proposals would, by themselves, neither add to or lessen environmental review requirements for any project. Any proposed project seeking an entitlement under the proposed provisions would be subject to CEQA requirements, relative to any impacts to be generated.

Should the Commission prefer to amend the staff's original recommendation:

Staff has prepared the following alternative map and set of actions, findings and appendices per the Commission's directions on January 13, 2000 for the Commission's consideration:

- A revised Area Planning Commission Boundary Map showing seven (7) APCs (with the Metro Wilshire corridor split). The revised map is shown as Attachment 1B of this report.
- A revised set of actions, findings and appendices from the supplemental staff report dated January 13, 2000 incorporating 7 APCs, revisions for Decision Making Authority and Planning Procedures incorporating Commission's revisions to the list of citywide Conditional Uses, the new public benefit permit process, standardization of decision making authority for the establishment of supplemental use districts, deletion of the 10 acre threshold and amendment of the staff report to include an expanded discussion concerning the involvement of neighborhood councils in the planning process. The revised set of actions, findings and appendices are contained in Attachment 2 of this report.

This alternative, or any portion or variation (including the possibility of placing the Mulholland Scenic Parkway Specific Plan within one area planning commission) may be adopted to replace or supplement the alternative listed in the above bullet points and found in the revised actions, findings and appendices contained in Attachment 2 in this report dated January 27, 2000.

STAFF REPORT

The City Planning Commission conducted public hearings on November 18, 1999, December 9, 1999, and January 13, 2000 regarding proposed amendments to Chapter 1 of the Los Angeles Municipal Code and to the Administrative Code necessitated by the provisions contained in the new Charter and proposals to improve planning processes. The proposed amendments consist of the boundary delineation for area planning commissions, the delegation of decision making and/or appeal authority to the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council, in conjunction with the standardization and simplification of procedures as well as a number of proposals to improve the planning process. All of the proposed amendments and revisions will be by ordinance. This allows for changes to be made by ordinance over time as experience is gained.

At the November 18, 1999 public hearing there was an introduction by staff on the new Charter provisions, the recommendations, and the creation of area planning commissions. Also incorporated into the changes and recommendations are changes that simplify and improve the planning processes. Time is limited in order for both the City Planning Commission and City Council to consider and adopt new ordinances implementing the Charter. The amendments as well as the area planning commissions are to be in place before July 1, 2000. In order for this date to be met and for there to be a smooth transition from the old system to the new, staff estimates that the Council needs to have acted and the Mayor approved the implementing ordinances by May 2000.

The public hearing, held by the Commission was carried over from November 18, 1999 to December 9, 1999, and then again to January 13, 2000. Discussion at the public hearings covered a wide array of issues involving the boundary delineation for area planning commissions, the delegation of decision making and/or appeal authority necessitated by the provisions contained in the new Charter and proposals to improve planning processes.

On January 13, 2000, the Commission took additional comments from 9 members of the public. Some of the comments are listed below:

- A request for the inclusion of the Mulholland Scenic Parkway Specific Plan into one APC area.
- Move the process of obtaining a specific plan exception from Process 7A to Process 6, so that the APC is the initial decision maker with an appeal to the City Council.
- A request for all entitlements to be appealable to the City Council.
- The Central City Association and the Chamber of Commerce spoke in favor of the Planning Department's original recommendation of 6 APCs.
- Revocations should be heard by a more localized decision maker.
- The League of Women voters offered to work with the Planning Department on public training and outreach.

area into one APC as was recommended by a representative of the organization Mulholland Tomorrow. Staff notes that none of the proposed changes would alter the implementation and enforcement of the Mulholland Scenic Parkway Specific Plan nor would it change the authority of the Mulholland Scenic Parkway Specific Plan Design Review Board. Staff continues to believe that community plan boundaries should be utilized for the configuration of APC jurisdictions. If Commission considers putting the Mulholland Scenic Parkway Specific Plan into one APC, staff would recommend it be placed in the South Valley APC based on geography. An examination of the map illustrating the boundaries of the specific plan showed that more of the Mulholland Scenic Parkway Specific Plan area is located in the proposed South Valley APC than the other APC. The additional number of cases generated by the Mulholland Scenic Parkway Specific Plan area is not significant enough to alter the caseloads of any area planning commission.

2. Further clarify the role of area planning commissions and the neighborhood councils

Through the entire Charter Implementation process staff has found that most confusion stems from the inability to differentiate between the duties of area planning commissions and neighborhood councils.

NEIGHBORHOOD COUNCILS

The Charter mandated the creation of the Department of Neighborhood Empowerment, an independent City Department, not a part of the Department of City Planning. The purpose of the Department of Neighborhood Empowerment is "to promote citizen participation in government and make government more responsive to local needs ... Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood" (Charter Section 900). These are grass roots type organizations that will play an advisory role concerning the delivery of City services and in all City decisions affecting neighborhoods, including planning issues. The City Council adopted the ordinance establishing the new Department of Neighborhood Empowerment on July 20, 1999, and a General Manager was chosen and confirmed by the City Council.

The Charter mandates that these advisory neighborhood councils are to be notified in a timely manner of pending applications (Section 907). An early notification system will be put into place by the Planning Department which will provide a reasonable opportunity for input before any decisions are made. This will give communities an additional avenue for early input in the decision making process.

Implicit in this early notice requirement was the understanding that, should a neighborhood council desire, it would have opportunities for input in the decision making process of the commissions and the City Council in an advisory role. The following additions to the Commission Policy have been made and could be adopted by

in the area served by the Area Planning Commission, shall have and exercise the power to:

- (a) hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator;
- (b) hear and make determinations on any matter normally under the jurisdiction of a Zoning Administrator when that matter has been transferred to the jurisdiction of the Area Planning Commission because the Zoning Administrator has failed to act within the time limits prescribed by ordinance;
- (c) hear and determine applications for, or appeals related to, conditional use permits and other similar quasi-judicial approvals, in accordance with procedures prescribed by ordinance;
- (d) make recommendations with respect to zone changes or similar matters referred to it from the City Planning Commission pursuant to Section 562; and
- (e) hear and determine other matters delegated to it by ordinance."

More specifically, as decision making appointed bodies, area planning commissions will have authority concerning property located in the area served by the area planning commission to:

- Make recommendations with respect to local zone changes or similar legislative matters delegated to it by ordinance pursuant to Section 562
- Act as the appeal body for conditional use permits and other similar quasi-judicial zoning administration approvals, in accordance with procedures prescribed by ordinance
- Act as an appeal body for certain Director of Planning decisions
- Act as an appeal body for tract or parcel maps below those thresholds set by ordinance
- Act as the initial decision making body for projects with multiple entitlements (including ZA entitlements) requiring at least one area planning commission approval
- Act in the role of the former Board of Zoning Appeals, as an appeal body for ZA actions

Los Angeles City Planning Commission Policy Statement Directing the Planning Department to Incorporate Neighborhood Councils and Area Planning Commissions in the Planning Process

The City Planning Commission will continue to make recommendations on all elements of the City's general plan, which include community plans amendments and revisions thereto. However, it is the intent of the City Planning Department to include both neighborhood councils (advisory bodies under the Charter) and the area planning commissions in the community plan adoption process.

Area planning commissions will be integrated into the public participation process which

Commissioner Landau proposed a revision to Attachment 2B, Appendix C1, Process 3B of the supplemental report dated January 13, 2000. This proposal separates projects with citywide public benefits into two processes. Projects with citywide benefits and with major citywide impacts will follow the citywide Conditional Uses review process, Process 3 of Attachment 2, Proposed Commission Revised Appendix C1. Projects with citywide public benefits with less significant citywide impacts will follow the new public benefit permit process. This amendment, Process 3B, of Attachment 2, Proposed Commission Revised Appendix C1 creates the new permit process for review of projects of public benefit. The public benefit permit process requires the initial decision to be made by the Director of Planning or his/her designee with these decisions appealable to the City Planning Commission (see revised Appendix C1, Process 3B for the Commission's revised proposal). Any action of the of the City Planning Commission may be considered by the City Council pursuant to the provisions of Section 245 of the Charter.

ENVIRONMENTAL IMPACT

The attached recommendations/ appendices are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines (ordinances which have no impact on the physical environment).

ATTACHMENTS TO SECOND SUPPLEMENTAL STAFF REPORT

Attachment 1 - Area Planning Commission Boundaries

- A) November 18, 1999 Appendix A - Area Planning Commission Boundary Map - 6 APCs
- B) January 13, 2000 Proposed Commission Revised Appendix A - Area Planning Commission Boundary Map (Metro Wilshire Corridor Split) - 7 APCs

Attachment 2 - Actions, findings and appendices for decision making authority and planning procedures incorporating Commission's revisions to citywide Conditional Uses and the new public benefit permit process, standardization of decision making authority for the establishment of supplemental use districts and deletion of 10 acre threshold:

- Proposed Commission Revised Appendix B1 - Zoning Code Entitlement Chart with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts. Proposed Commission Revised Appendix B2- Specific Plan Entitlement Chart..
- Proposed Commission Revised Appendix C1 - Entitlement Processes with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts and C2 - Standardization of Procedures for Planning Processes
- Proposed Commission Revised Appendix D - Additional Code Changes and the deletion of the 10 acre threshold
- November 18, 1999 Appendix E - Administrative Code Deletions
- Expanded Appendix J - Los Angeles City Planning Commission Policy Statement Directing the Planning Department to Incorporate Neighborhood Councils and Area Planning Commissions in the Planning Process

**PROPOSED COMMISSION
REVISED APPENDIX B2**

**SPECIFIC PLAN ENTITLEMENT
CHART**

PROPOSED COMMISSION REVISED SPECIFIC PLAN ENTITLEMENT CHART

ENTITLEMENT	EXISTING			NEW CHARTER			
	Location	Decision Body	Decision or Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	Proposed Decision Process
1 ALAMEDA DISTRICT Project Plan Compliance- Phase II	Ord. No. 171,139 Sec 5A3	CPC	None	APC	CCL	X	6
2 ALCOHOLIC BEVERAGE SALES IN SOUTH CENTRAL L.A. CENTRAL CITY WEST	To be amended as part of general Zone Code Amendments. See Code Revision to Section 12.24 to be a ZA function. Ord No. 167,944	CPC	CCL	ZA	APC	X	4A
3 Project Plan Review CENTRAL CITY WEST TFAR/Resid. Density CENTRAL CITY WEST Phasing- Annual Report CENTURY CITY NORTH	Ord No. 167,944 Sec 17 Ord No. 167,944 Sec 7 Ord No. 167,944 Sec. 16C Ord. No. 156,122 Sec 3C	Director CPC CPC CPC	CPC/CCL CCL CCL CCL	Director APC CPC	APC CCL CCL	X	7A 6 3
4 Project Permit (Second Phase) CENTURY CITY NORTH Alternate Trip Generation Calcs CENTURY CITY NORTH Public Uses CENTURY CITY NORTH Changes to Pedestrian Corridor	Ord. No. 156,122 Sec 3C Ord. No. 156,122 Sec 6 Ord. No. 156,122 Sec 7E Ord. No. 156,122 10B9	CPC CPC CPC CPC Director/City Engineer	CCL CCL CCL CCL CPC/CCL	APC APC APC APC Director	CCL CCL CCL CCL	X	6 6 6 6 7A

PROPOSED COMMISSION REVISED SPECIFIC PLAN ENTITLEMENT CHART

	ENTITLEMENT	EXISTING	NEW CHARTER					
			Location	Decision Body	Decision or Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245
9	DEVONSHIRE/TOPANGA FOOTHILL BLVD CORRIDOR Project Approval	To be amended as part of general Zone Code Amendments. See Code Revision to Section 16.50.	Review by Design Review Boards/ CPC	CCL	Review by Design Review Boards/ Director	APC	X	7A
10		Ord No. 170,694 Sec 5B, 10	Director N/A No Charter mandated changes to discretionary actions	CPC/ CCL	Director	APC	X	7A
11	GIRARD TRACT		N/A No Charter mandated changes to discretionary actions					N/A
12	GLENCOE/ MAXELLA							N/A
13	GRANADA HILLS HOLLYWOODLAND	To be amended as part of general Zone Code Amendments. See Code Revision to Section 16.50.	Review by Design Review Boards/ CPC	CCL	Review by Design Review Boards/ Director	APC	X	7A
14	Project Design Approval	Ord No. 168,121 Sec 9F	Director	CPC/ CCL	Director	APC	X	7A

1/27/2000

DEPARTMENT OF CITY PLANNING
PROPOSED COMMISSION REVISED APPENDIX B2

PROPOSED COMMISSION REVISED SPECIFIC PLAN ENTITLEMENT CHART

	ENTITLEMENT	EXISTING			NEW CHARTER			
		Location	Decision Body	Decision or Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	Proposed Decision Process
21	PACIFIC PALISADES COM. VILLAGE	To be amended as part of general Zone Code Amendments. See Code Revision to Section 16.50.	Review by Design Review Boards/ CPC	CCL	Review by Design Review Boards/ Director	APC	X	7A
22	PARK MILE	To be amended as part of general Zone Code Amendments. See Code Revision to Section 16.50.	Review by Design Review Boards/ CPC	CCL	Review by Design Review Boards/ Director	APC	X	7A
23	PLAYA VISTA AREA B Time Limits	Ord No. 160,521, 165,638 Sec 12	Director	CPC/ CCL	Director	APC	X	7A
24	PLAYA VISTA AREA B Plot Plan Review	Ord No. 160,521, 165,638 Sec 7, 13	Director	CPC/ CCL	Director	APC	X	7A
	PLAYA VISTA AREA C Time Limits	Ord No. 165,639 Sec 12	Director	CPC/ CCL	Director	APC	X	7A
24	PLAYA VISTA AREA C Plot Plan Review	Ord No. 165,639 Sec 7, 13	Director	CPC/ CCL	Director	APC	X	7A
	PLAYA VISTA AREA D Time Limits	Ord No. 160,523, 170,785 Sec 10	Director	CPC/ CCL	Director	APC	X	7A
25	PLAYA VISTA AREA D Plot Plan Review	Ord No. 160,523, 170,785 Sec 7, 11	Director	CPC/ CCL	Director	APC	X	7A

PROPOSED COMMISSION REVISED SPECIFIC PLAN ENTITLEMENT CHART

ENTITLEMENT	EXISTING	NEW CHARTER				
		Decision or Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	Proposed Decision Process
31 VALLEY CIRCLE PLUMMER CORR.	Location Decision Body N/A No Charter mandated changes to discretionary actions					N/A
32 VALLEY VILLAGE VENTURA/CAHUENGA BLVD	Ord No. 171,240 Sec 8 DOT, Director	CPC	DOT, Director	APC	X	7A
33 VENTURA/CAHUENGA BLVD Phasing - Certification of Compliance	Ord No. 168,873, 168,984, 171,529 Sec 6J CPC	CCL	CPC	CCL		3
34 WARNER CENTER Project Approval	Ord No. 168,873, 168,984, 171,529 Sec 6 Director	CPC/CCL	Director	APC	X	7A
WARNER CENTER Transportation Requirements	Ord No. 168,873, 168,984, 171,529 Sec 11 DOT, Director, B&S	CPC/CCL	DOT, Director, B&S	APC	X	7A
WARNER CENTER Phasing Program	Ord No. 168,873, 168,984, 171,529 Sec 16 CPC	CCL	CPC	CCL		3
WARNER CENTER Traffic Mitigation Plan	Ord No. 168,873, 168,984, 171,529 Sec 11F DOT	CPC/CCL	DOT, Director	APC	X	7A

PROPOSED COMMISSION REVISED SPECIFIC PLAN ENTITLEMENT CHART

ENTITLEMENT	EXISTING			NEW CHARTER			
	Location	Decision Body	Decision or Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	Proposed Decision Process
39 WILSHIRE - WESTWOOD SCENIC CORRIDOR	To be amended as part of general Zone Code Amendments. See Code Revision to Section 16.50.	Review by Design Review Boards/ CPC	CCL	Review by Design Review Boards/ Director	APC	X	7A