

Land Use Consultants

Memorandum

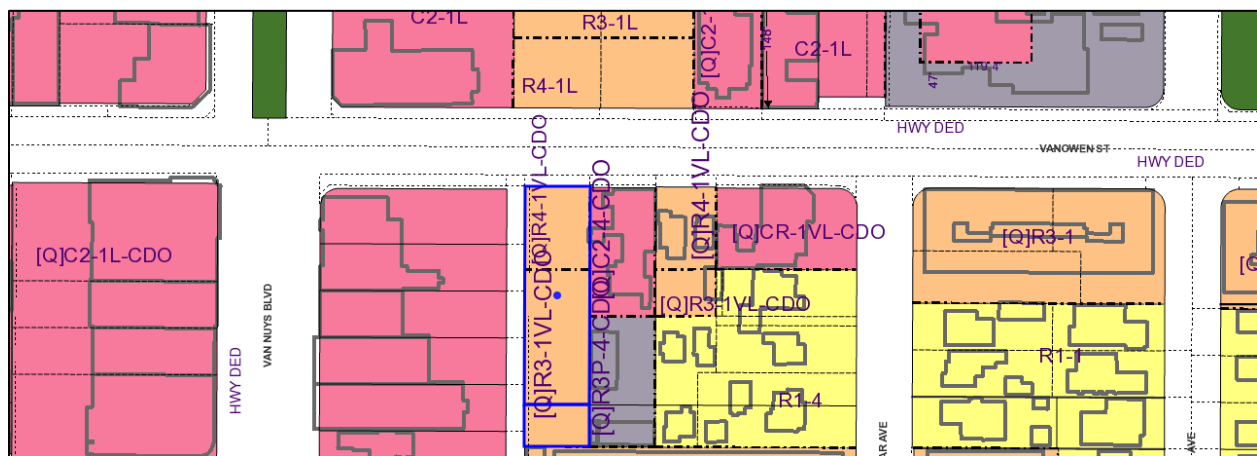
Via E-Mail

To: Andy Grigoryan, Grigoryan LLC
From: Shane Swerdlow and Christopher Heredia, Craig Lawson & Co., LLC
Date: October 1, 2024
Re: 14430 W. Vanowen Street, Preliminary Zoning Analysis

INTRODUCTION

Grigoryan LLC (“Client”) engaged Craig Lawson & Co. (“CLC”), a land use consulting firm, to prepare this preliminary zoning analysis for the property at 14430 W. Vanowen Street (“Project Site”) in the Van Nuys – North Sherman Oaks Community Plan Area of the City of Los Angeles (“City”). The Project Site is located at the southeast corner of W. Vanowen Street and a north-south alley that runs parallel to Van Nuys Boulevard, which is one parcel to the west. The rectangular, relatively flat Project Site, which currently contains a surface parking lot, includes approximately 19,490 square feet (“SF”)¹ of lot area and consists of a single parcel (APN 2237-002-021). The northern portion of the Project Site is zoned [Q]R4-1VL-CDO, and the southern portion is zoned [Q]R3-1VL-CDO (see Figure 1). The entire Project Site has a Community Commercial land use designation under the City’s General Plan. The Project Site is also located in City Council District 6 (“CD 6”) represented by Councilmember Imelda Padilla, Van Nuys Central Business District Community Design Overlay (“CDO”), Van Nuys Central Business District Streetscape Plan Area, and a City-identified Transit Priority Area.

Figure 1: City ZIMAS Zoning Map with Project Site Outlined Blue



¹ Lot Area provided is based on ZIMAS and should be confirmed by a licensed surveyor or architect.

The City is currently updating and expanding its affordable housing incentive programs with the proposed Citywide Housing Incentive Program (“CHIP”) Ordinance,² and the Van Nuys – North Sherman Oaks Community Plan is in the process being updated as part of the Southeast Valley Community Plans Update.³ While draft materials for these initiatives have been released, these proposed policies are likely to continue to change until they are approved by City Council, and there is no guarantee regarding their effective date. Similarly, Mayor Karen Bass’ Executive Directive 1 (“ED 1”) program, which provides development incentives for 100% affordable housing projects, is frequently evolving. As a result, this analysis primarily focuses on existing and in-effect policy, with a brief summary of proposed policy changes. Upon request, CLC can provide additional information about pending policy changes.

While this analysis does not include a detailed analysis of Accessory Dwelling Units (“ADU”) in multifamily residential building, it should be noted that State ADU law currently allows for multifamily residential projects to convert many types of non-living spaces into additional housing, up to 25% of the existing dwelling units, and up to 2 detached ADUs. However, the feasibility of converting non-living space to ADUs is dependent on many factors including Building Code regulations. Depending on the type of entitlement used to secure approval of the original project, ADUs might be subject to affordability requirements.

This research and analysis is based on review of the Los Angeles Municipal Code (“LAMC”) and available public records at the City records center and archives. This analysis focuses on Zoning Code provisions and is not intended to be a Code Analysis for Building Code compliance purposes. Additionally, except as specified, this analysis does not include review issues relating to cultural heritage or historic resources, methane gas, hazardous or toxic materials on Site (e.g. Phase 1 Report), or relating to the soil conditions, structural stability, and/or seismic safety of the proposed building.

The information contained in this analysis has not been discussed, as it relates to any project specifics, with or confirmed by City staff. Once a conceptual site plan has been prepared by Client’s architect, CLC recommends coordinating a Case Management meeting with members of the Department of City Planning (“LACP”), Department of Building and Safety (“LADBS”), Bureau of Engineering (“BOE”), Fire Department (“LAFD”), Department of Transportation (“LADOT”), and Department of Water and Power (“LADWP”) to review development-related issues in more detail.

EXECUTIVE SUMMARY

The Project Site spans 2 multi-family residential zones. Key zoning constraints include a 45-foot height limit, 3:1 Floor Area Ratio (“FAR”) that would allow up to approximately 44,712 SF of floor area, and allowable density of 35 dwelling units. A recorded parking covenant requires that 24 off-site vehicular parking spaces on the Project Site be provided for use by the bank located at 6756 Van Nuys Boulevard. It may be possible to use recent State legislation, such as Assembly Bill (“AB”) 2097, to terminate this parking covenant.

The Project Site is located within a CDO that establishes detailed design requirements and requires a Director’s Determination entitlement process that involves LACP staff review of a project’s substantial conformance with CDO design guidelines and standards. A Director’s

² For more information on the proposed CHIP Ordinance, which is part of the City’s Housing Element Rezoning Program, visit <https://planning.lacity.gov/plans-policies/housing-element-rezoning-program#draft-ordinances>

³ For more information on the Southeast Valley Community Plans Update, visit <https://planning.lacity.gov/community-plan-update/southeast-valley>

Determination can typically be processed without a public hearing, but such a request can be appealed and typically requires an environmental clearance under the California Environmental Quality Act (“CEQA”).

There are a variety of existing and proposed new State and City incentive programs that provide the opportunity to increase residential density if affordable housing units are included at specified rent/income levels. Among these programs, State Density Bonus Law (“SDBL”) currently provides the opportunity to build up to 112 dwelling units in a mixed-income project, or an unlimited number of dwelling units in a 100% affordable housing project. The City’s Transit Oriented Communities (“TOC”) Incentive Program provides the opportunity to build up to 67 units in a mixed-income or 100% affordable project. And ED 1 provides the opportunity to further streamline approvals for a 100% affordable project. However, it should be noted that each of these incentive programs has its own detailed requirements and eligibility standards, which should be carefully reviewed. Selected potential development scenarios are summarized in Appendix A.

ZONING

The entire Project Site has a Community Commercial land use designation under the City’s General Plan. The northern portion of the Project Site is zoned [Q]R4-1VL-CDO, and the southern portion is zoned [Q]R3-1VL-CDO. Based on CLC’s approximation of information available online, the [Q]R4-1VL-CDO portion encompasses approximately 6,230 SF of lot area, and the [Q]R3-1VL-CDO portion encompasses approximately 13,260 SF of lot area, although these exact figures should be confirmed by a licensed surveyor.

Within these zone designations, the R3 and R4 denote multi-family residential zones, 1VL denotes the entire property being within Height District No. 1VL, and the CDO denotes the Project Site’s location within the Van Nuys Central Business District CDO, which establishes unique design requirements for new development. The Q denotes that all portions of the Project Site are subject to “Q” Qualified Conditions, which establish unique zoning regulations. For the Project Site, these Q Conditions were established through Ordinance No. 174,421 (effective March 17, 2002) and Ordinance No. 176,313 (effective January 9, 2005), both of which made the requirements of the CDO part of the Project Site’s zoning.

It should be noted that within the Van Nuys – North Sherman Oaks Community Plan, the R3 and R4 zones are not listed as corresponding zones with the Community Commercial land use designation. Therefore, there is currently a zoning inconsistency between the Project Site’s zone and land use designations. These types of zoning inconsistencies are not uncommon. In some cases, in conjunction with an application for a development project, the City may require that zoning inconsistencies be corrected through a legislative process such as a Zone Change and/or General Plan Amendment (which requires multiple public hearings before the City Planning Commission and City Council). However, for certain types of projects, including projects that use SDBL, which is summarized later in this analysis, State law protects such projects from having to go through these types of legislative processes to correct a zoning inconsistency.

CURRENT DEVELOPMENT REGULATIONS

The following is a summary of key development regulations for the Project Site based on current zoning and before pursuing any affordable housing incentive programs. Please note this is a very high-level summary, and that there are additional detailed development standards that affect Project Site development.

Use

Pursuant to LAMC Sections 12.10.A and 12.11.A, the R3 and R4 zones are multi-family residential zones that primarily allow residential uses, and a limited number of institutional uses. Commercial uses are generally not allowed.

Height

Pursuant to LAMC Section 12.21.1.A.1, Height District No. 1VL limits the height of a residential building to **45 feet**.

Floor Area

Pursuant to LAMC Section 12.21.1.A.1, Height District No. 1VL limits floor area ratio ("FAR") to 3 times the buildable area of a lot, or **3:1 FAR**.

It should be noted that in the R3 and R4 zones, buildable area is not the same as lot area. In these zones, buildable area equals lot area, minus any area that would be required to accommodate yards for a one-story building. Based on information available on ZIMAS, CLC estimates that buildable area in the R3 portion of the Project Site is 10,464 SF, and buildable area in the R4 portion is 4,440 SF; however these figures should be confirmed by a licensed surveyor. Based on these figures, 31,392 SF of floor area can be constructed on the R3 portion, and 13,320 SF of floor area can be constructed on the R4 portion, for a total of **44,712 SF** of floor area.

Residential Density

LAMC Section 12.10.C.4 allows lot area per dwelling unit of 800 SF in the R3 zone, and LAMC Section 12.11.C.4 allows lot area per dwelling unit of 400 SF in the R4 zone. An exception under LAMC Section 12.22.A.16 states one-half of an abutting alley can be treated as lot area for purposes of calculating residential density.

For purposes of this density calculation, CLC assumes 15,154 SF of lot area in the R3 portion (13,260 SF plus 1,894 SF of abutting ½ alley) and 7,120 SF of lot area in the R4 portion (6,230 SF plus 890 SF of ½ alley), although these figures should be confirmed by a licensed surveyor. These assumptions would allow up to 18 dwelling units in the R3 portion, and 17 units in the R4 portion, for a total of **35 dwelling units**.

Please note that the density generated in a specific zone must be used within the boundary of that zone, unless an entitlement to average development rights across multiple zones is requested.

Yard Setbacks

Front Yard: Pursuant to LAMC Section 12.11.C.1, a front yard within the R4 zone must be at least 15 feet.

Side Yards: Pursuant to LAMC Sections 12.10.C.2 and 12.11.C.2, in the R3 and R4 zones, side yards must be at least 5 feet, plus one additional foot added to this requirement for each story above the second story, up to a maximum required width of 16 feet.

Rear Yard: Pursuant to LAMC Section 12.10.C.3, a rear yard within the R3 zone must be at least 15 feet.

Open Space

Pursuant to LAMC Section 12.21.G, open space requirements for buildings with 6 or more residential units are as follows:

- 100 SF for each unit having less than 3 habitable rooms
- 125 SF for each unit having 3 habitable rooms
- 175 SF for each unit having more than 3 habitable rooms

For open space calculations, a kitchen is not considered a habitable room.

A minimum of 50% of the open space provided must be common open space. Please note there are many additional detailed requirements regarding design and dimensions of outdoor open spaces, private balconies (if provided), and indoor amenities (if provided).

Open space provisions also require 1 tree to be planted on site for every 4 dwelling units. Any trees existing on the Project Site, as well as street trees, may be counted toward these requirements.

Vehicular Parking

LAMC Section 12.21.A.4 establishes vehicular parking requirements for residential uses, including the following requirements for multi-family residential developments:

- 1 parking space for each unit having less than 3 habitable rooms
- 1.5 parking spaces for each unit having 3 habitable rooms
- 2 parking spaces for each unit having more than 3 habitable rooms

For vehicular parking calculations, a kitchen is considered a habitable room.

There are also detailed requirements related to design and dimensions of parking spaces and drive aisles and provision of electric vehicle (“EV”) and Americans with Disabilities Act (“ADA”) parking spaces. It should be noted that City Mobility Plan policies generally require that vehicular access be provided from an alley instead of a street.

AB 2097

Per ZIMAS, the Project Site qualifies for use of AB 2097, which became effective on January 1, 2023 and prohibits cities from enforcing minimum vehicular parking requirements on most types of development projects, with some exceptions. To be eligible for this program, a project must be within ½ mile of a Major Transit Stop (where 2 or more intersecting bus routes have peak commute period service intervals of 15 minutes or less). It appears that the Vanowen Street and Van Nuys Boulevard intersection (which is well within ½ mile of the Project Site) meets the definition of a Major Transit Stop because its intersecting bus lines (Metro Lines 165 and 233) meet this definition. However, it should be noted that if bus service ever becomes less frequent at this location, a future project might be ineligible to use AB 2097.

Based on the above, given its current eligibility for AB 2097, a minimum parking requirement of 0 spaces can be assumed for a proposed multifamily residential project. Vehicular parking spaces can voluntarily be provided. If such spaces are provided, they will be subject to LAMC regulations for parking lot design, as well as requirements for EV and ADA parking. It should be noted there are certain instances when a city has the right to still impose minimum parking requirements, including if the City can provide substantial evidence that such parking is necessary to avoid a substantially negative impact on parking within ½ mile of the development project.

Parking Covenant

It is important to note that the Project Site does have a Parking Covenant (Affidavit 2259 dated July 12, 1960), which requires that 24 off-site vehicular parking spaces on the Project Site be provided for use by the bank located at 6756 Van Nuys Boulevard. The obligation to provide these 24 bank parking spaces will continue to exist, unless this Parking Covenant is terminated.

The City currently allows for AB 2097 to be used to terminate Parking Covenants, but this requires coordination with the entity that uses the parking spaces (in this case, the bank) and a permit review process with LADBS. CLC can provide additional information regarding this process at the Client's request.

Bike Parking

The following bike stalls are required by LAMC Section 12.21.A.16, based on the number of dwelling units provided:

Table 1: Bike Parking Requirements for a Multifamily Residential Building

Dwelling Units	Short-term Bike Stalls	Long-term Bike Stalls
1-25	1 stall per 10 units	1 stall per unit
26-100	1 stall per 15 units	1 stall per 1.5 units
101-200	1 stall per 20 units	1 stall per 2 units
201+	1 stall per 40 units	1 stall per 4 units

There are additional detailed requirements regarding the design and location of short-term and long-term bike stalls.

Q Conditions and CDO Requirements

The Project Site is subject to unique zoning regulations due to its location within the CDO. Key regulations are listed below. Please note there are additional detailed regulations in the CDO policy documents.⁴

- Orient a building's pedestrian entrance toward the main frontage (in this case, Vanowen Street).
- Locate any surface parking at the rear of a property.
- Minimize the visibility of a parking structure, if provided (note the City has increasingly strict policies that discourage any above-grade parking structures, and require

⁴ For a complete overview of CDO requirements, see <https://planning.lacity.gov/odocument/4d18289b-8bea-4f83-9b86-7d8caabb9545/vnycbdcdotxt.pdf>

architectural screening to minimize the visibility of above-grade parking structures, if provided.

- If a surface parking lot abuts a public right-of-way (“ROW”), it must be buffered by a 7-foot wide landscaped buffer with 1 shade tree planted for every 20 linear feet of parking lot frontage. If a parking structure abuts a public ROW, it must be buffered by a 10-foot wide planted landscape buffer.
- At the first floor of a building, 60% of the building façade⁵ shall be dedicated to doors and windows. Another 20% shall be articulated with wall treatments including 2 or more of the following: recessed entryways, planters, murals, mosaic tile, or public art and/or other means of creating visual interest.
- First and second floor windows shall be recessed a minimum of 3 inches. Windows and other openings shall contribute to 40% of each successive floor.
- Roofs shall be flat and shall have decorative cornice elements and/or parapets that extend above the roof line to screen rooftop mechanical equipment from public view.
- Buildings with frontages greater than 24 feet shall provide articulated roof lines every 15 feet with vertical and/or horizontal relief.
- Freestanding walls shall incorporate surfaces and textures to discourage graffiti where possible. Masonry walls shall be constructed from decorative brick, stone, split face concrete block, or other decorative material. Masonry block walls shall be finished with a masonry cap. The use of chain link fencing shall be prohibited.
- Trash storage bins and recycling areas shall be located away from the street, behind or to the side of buildings, and shall be fully enclosed with a decorative masonry wall or fence, and shall be landscaped.
- Ground mounted equipment shall be fully screened from public view by substantial landscaping and/or decorative wall.⁶
- Barbed wire, razor wire, and concertina wire is prohibited.
- Front façade design and materials shall continue around corners to the other walls of the building.
- A maximum of 4 exterior colors shall be used on the building.
- Bright colors including fluorescent and day-glow are not permitted, except when used as accent.

Street Widenings, Dedications, and Improvements

Based on review of the BOE’s NavigateLA website, the following information regarding anticipated street dedications for new development is provided for each ROW abutting the Project Site, including information regarding street standards from the Mobility Plan, an element of the General Plan:⁷

Vanowen Street: This street is designated as an Avenue II, which requires an 86-foot ROW width (43-foot half-ROW), including a 56-foot roadway and 15-foot sidewalks. The width of this ROW adjacent to the Project Site appears to be approximately 84 feet with a 42-foot half-ROW.

⁵ The CDO is clear that façade requirements would apply to a primary frontage, such as the frontage along Vanowen Street. Consultation with City staff is necessary to confirm if such requirements would also apply along the alley frontage.

⁶ Note that LADWP requirements for unobstructed visibility of a transformer may supersede this City Planning requirement.

⁷ It is possible the Southeast Valley Community Plans Update may modify street designations and standards.

Therefore, the City may require a 1-foot or 2-foot dedication and widening as part of approval of a development project. In addition, because the Project Site is located within the boundary of the Van Nuys Central Business District Streetscape Plan Area, the City may impose various requirements related to sidewalk improvements adjacent to the Project Site, including and not limited to type of paving, landscaping, trees, and light fixtures.⁸

Alley: The alley adjacent to the Project Site requires a 20-foot width. It appears the alley currently observes a 20-foot width, so no dedication and widening are anticipated along the alley.

Intersection: BOE may require a 10-foot by 10-foot cut corner or 20-foot curved corner radius at the northwest corner of the Project Site where the alley meets Vanowen Street.

Actual street dedications, widenings, and improvements will be determined by BOE during the project review process and will largely depend on the precise location of the centerline of each ROW, which is not visible on NavigateLA. Therefore, the above-noted information is subject to change.

Utilities

CLC recommends early consultation with LADWP and other relevant utility providers, which often impose additional regulations that are not affected by a property's zoning. Key utilities issues that may affect the project design include, and are not limited to, the following:

Transformer Pad Location

Any multi-family residential or mixed-use project would likely be required to provide a transformer. If a transformer is required, it must be provided on the subject property (i.e., not in the public ROW and not on adjacent private property), and typically on the street-side of a property (and not the alley side). LADWP outlines specific requirements regarding truck access/open-to-sky staging area (which can be quite large) to install and service electrical equipment, which should be reviewed with a dry utilities consultant and/or LADWP prior to finalizing a project's site plan.⁹

Power Poles

The Project Site is surrounded by above-ground utilities including power poles and power lines, and some appear to cross the Project Site. An ALTA Survey should be reviewed to confirm if these are affiliated with LADWP or any other utility provider, and additional consultation with the relevant utility provider(s) is necessary to confirm the required setback (if any) new construction must observe from existing utility lines (or any procedures required to relocate utilities that cross

⁸ For a more detailed overview of Van Nuys Central Business District Streetscape Plan requirements, see: <https://planning.lacity.gov/odocument/c657ea39-4b3a-4bcf-a55c-379a66e042a3/vnycbdstsplan.pdf>

⁹ LADWP's Transformer Pad General Requirements can be found here: <https://apps.engineering.lacity.gov/sites/g/files/wph726/f/2018%20LADWP%20SCS%20C721-01%20Transformer%20Pad%20Requirements.pdf>

the Project Site). Any construction within 15 feet of LADWP equipment must apply for an encroachment application with LADWP.¹⁰

City Planning Review Process (Director's Determination for CDO Compliance)

If a multi-family residential project is designed to conform with all relevant development regulations, including the standards summarized above (such as 35-unit density, 45-foot height, 3:1 FAR), and no relief from zoning regulations is required (such as increases in height/FAR, reductions in setbacks and open space, and relief from CDO design requirements), it may be possible to process the approval with one land use entitlement: a Director's Determination for CDO Compliance, pursuant to LAMC Section 13.08.E.

This type of entitlement is required because of the Project Site's location in a CDO. The focus of this review is on ensuring that the project design substantially complies with the CDO's design guidelines and standards. Pursuant to LAMC Section 13B.2.5, a Director's Determination is an LACP staff-level decision that is not subject to a public hearing. However, this type of approval can be appealed, and such an appeal would be reviewed at a public hearing before the South Valley Area Planning Commission.

A Director's Determination is a discretionary request that is subject to an environmental clearance under CEQA. It might be feasible to qualify for a CEQA Categorical Exemption (which is generally the most streamlined type of environmental clearance) to satisfy this requirement for an environmental clearance (this decision will be made by City staff), but any type of environmental clearance may require preparation of technical reports that evaluate potential issues related to traffic, noise, air quality, water quality, historical resources, and other environmental topics.

A Director's Determination for CDO Compliance would not trigger requirements for affordable dwelling units. However, allocating affordable dwelling units can provide opportunities for development incentives, summarized later in this memorandum.

SOUTHEAST VALLEY COMMUNITY PLANS UPDATE

LACP is in the process of updating all Community Plans in the Southeast San Fernando Valley, which will result in new zoning and land use designations, policies, and development standards for properties in this area. This process has been slowly advancing since 2018, as the City has gathered feedback from community stakeholders. The City's accomplishments thus far have included publishing a StoryMap with draft new General Plan Land Use Designations and beginning preparation of new land use policy documents.¹¹

As shown in the StoryMap, a Community Center land use designation is currently proposed for the Project Site. The StoryMap describes this proposed designation as follows:

Community Center areas are vibrant places of activity typically located along commercial corridors, in concentrated nodes, or adjacent to transit hubs. The use range is broad and may include commercial, residential, institutional facilities, cultural and entertainment facilities, and neighborhood-serving uses.

¹⁰ Additional information regarding LADWP's Encroachment Application can be found here:
<https://www.ladwp.com/sites/default/files/2024-01/instructions%2C%20Application%20and%20%20Story%20Guide.pdf>

¹¹ The StoryMap can be viewed here:
<https://storymaps.arcgis.com/stories/d87f2c729d7f415c85211ca229cc1f31>

Detailed zoning and development standards for this proposed designation have not yet been developed; however, conceptual standards have been published and are summarized in Table 2 (please note these are *highly conceptual and subject to change*):

Table 2: Draft Proposed Community Plans Update Development Standards

Standard	Description
Use	Per the description above, the Community Center land use designation may allow an array of commercial, residential, institutional, cultural and entertainment uses, which is broader than the primarily residential uses allowed under current zoning.
Density	Density District 4, which would allow 1 dwelling unit per each 400 SF of lot area, and 1 efficiency dwelling unit ¹² per each 200 SF of lot area. Assuming 22,274 SF of lot area (inclusive of ½ abutting alley), up to 55 dwelling units or up to 111 efficiency dwelling units would be allowed.
Height	3 stories. The Community Plans Update would include its own affordable housing incentive program option (the details of which have not yet been developed) that would provide an opportunity to reach height up to 7 stories.
FAR	1.5:1 FAR. The Community Plans Update would include its own affordable housing incentive program option (the details of which have not yet been developed) that would provide an opportunity to reach FAR up to 4.5:1.

It should be emphasized that this Community Plans Update is at a very early stage of development. The City has not formally commenced CEQA review, and there will be many more public meetings, along with at least 4 public hearings before the City Planning Commission and City Council to formally adopt the new Community Plans. All of this will likely take multiple years, and the above-referenced proposed land use designation and draft proposed development standards can change significantly as public input is received throughout the process.

As the Southwest Valley Community Plans Update process advances, there will be opportunities to provide public comment in writing, as well as orally at community meetings and public hearings, to express support for current proposals or advocate for changes. Advocacy opportunities may also include meeting with the LACP team working on this effort, as well as CD 6 staff.

Advocacy during a Community Plan Update process can be a productive way to help shape policies that support future development efforts on the Project Site. However, it can be risky to rely only on a Community Plan Update to achieve future development goals because these initiatives take time to adopt (ranging from years to decades), and draft designations and policies are subject to evolve in a way that is not always favorable for new development, based on feedback received from diverse stakeholders. If Client is interested in engaging in Community Plan Update advocacy, CLC can provide additional information regarding optimal strategies.

CURRENT INCENTIVE PROGRAMS

There are many State and City programs that incentivize and streamline the approval of projects with affordable dwelling units (including mixed-income projects and 100% affordable projects). Each program has its own detailed eligibility criteria, dependent on factors including zoning, location, environmental issues, affordable rent schedules, tenant income limits, and in some

¹² An efficiency dwelling unit must be limited to 455 SF of floor area and only one habitable room. It may include a kitchenette, but cannot include a full kitchen.

cases project labor requirements. The following section summarizes 3 key programs: State Density Bonus Law (“SDBL”), the City’s Transit Oriented Communities (“TOC”) Incentive Program, and Mayor Karen Bass’ Executive Directive 1 (“ED 1”). These programs reference a variety of affordability levels, such as Moderate Income, Low Income, Very Low Income, and Extremely Low Income, all of which are linked to specific Federal and State rent and income schedules.¹³ CLC can provide more information on additional incentive programs at the Client’s request (it should be noted that most of the other programs not discussed in this analysis have strict project labor requirements, such as prevailing wage or use of union labor).

State Density Bonus Law

SDBL (established under California Government Code Section 65915, implemented locally under LAMC 12.22.A.25, and most recently amended by AB 1287, effective January 1, 2024) provides opportunities to increase the density of multi-family residential projects and request incentives and waivers to provide relief from development standards in order to facilitate development of affordable housing.

SDBL amendments under AB 1287 allow for the greatest number of units allowed under a zoning ordinance or general plan to be used when calculating base density.¹⁴ As described earlier, the Project Site’s zoning allows lot area per dwelling unit of 800 SF in the R3 zone and lot area per dwelling unit of 400 SF in the R4 zone. To determine allowable density under the General Plan, the City’s current approach is to look at zones that are listed as corresponding zones to a General Plan land use designation and then determine which of these zones generates the highest density.¹⁵ The zones that correspond with the Project Site’s Community Commercial land use designation include CR, C2, C4, RAS3, and RAS4. Of these corresponding zones, the highest density is generated by the C2, C4, and RAS4 zones: lot area per dwelling unit of 400 SF. Under the City’s current methodology for implementing SDBL, because this lot area per dwelling unit of 400 SF ratio is tied to the General Plan land use designation (through corresponding zones), it can be applied to the entire Project Site. Assuming 22,274 SF of lot area (inclusive of ½ abutting alley), this ratio would allow a base density of 56 units (rounded up under SDBL), *prior* to calculating an allowable density bonus.

SDBL provides a variety of opportunities for mixed-income and 100% affordable housing projects. Current opportunities for mixed-income projects include (1) density bonus between 20%-35% and (2) density bonus between 50% and 100%, as further described below. Please note the City is in the process of developing a process to request a density bonus between 35-50% as part of the proposed CHIP Ordinance, which is briefly discussed later in this memorandum.¹⁶

- 1. 20%-35% Density Bonus:** The City’s current SDBL Ordinance (LAMC Section 12.22.A.25) establishes procedures for requesting a density bonus between 20% and 35%.

¹³ Rent and income schedules can be viewed here: <https://housing2.lacity.org/partners/land-use-rent-income-schedules>. Please note that the types of rent and income schedules applicable to a project vary depending on the incentive program and other factors. In many cases, different units within the same project will be subject to different rent and income schedules.

¹⁴ California Government Code Section 65915.o.6

¹⁵ Please note the City frequently updates its interpretations and procedures for implementing SDBL, and other cities do not follow the methodology currently used by the City of Los Angeles, so this methodology for calculating density has potential to change in the future.

¹⁶ This analysis assumes this will be a rental housing project. If a for-sale housing project is proposed with condominiums, there are additional opportunities that can be analyzed.

- To qualify for a 20% density bonus (which would result in 68 total units), a project would need to provide either 10% of its base density (6 units) at the Low Income level or 5% of its base density (3 units) at the Very Low Income level.
- To qualify for a 35% density bonus (which would result in 76 total units), a project would need to provide either 20% of its base density (12 units) at the Low Income level or 11% of its base density (7 units) at the Very Low Income level.
- LAMC Section 12.22.A.25.c.1 lists affordability requirements for a project that proposes a density bonus anywhere in between 20% and 35%.

2. 50%-100% Density Bonus: AB 1287 established a new process to qualify for a larger density bonus through a 2-step process.

- First, a project must calculate an initial 50% density bonus (which would result in 84 units) by allocating either 15% of its base density (9 units) at the Very Low Income level or 24% of its base density (14 units) at the Low Income level.
- Second, the project can calculate a “stackable” density bonus on top of the initial 50% density bonus through either of the following options:
 - The project can qualify for an additional 20%-38.75% density bonus by providing additional Very Low Income units, *in addition to the affordable units being allocated for the initial 50% density bonus*.
 - To qualify for an additional 20% density bonus (which would result in 96 total units), a project would need to provide 5% of its base density (3 units) at the Very Low Income level.
 - To qualify for an additional 38.75% density bonus (which would result in 106 total units), a project would need to provide 10% of its base density (6 units) at the Very Low Income level.
 - There are also opportunities to qualify for an additional density bonus between 20% and 38.75% by providing Very Low Income units.
 - The project can alternatively qualify for an additional 20%-50% density bonus by providing additional Moderate Income units, *in addition to the affordable units being allocated for the initial 50% density bonus*.
 - To qualify for an additional 20% density bonus (which would result in 96 total units), a project would need to provide 5% of its base density (3 units) at the Moderate Income level.
 - To qualify for an additional 50% density bonus (which would result in 112 total units), a project would need to provide 15% of its base density (9 units) at the Moderate Income level.
 - There are also opportunities to qualify for an additional density bonus between 20% and 50% by providing Moderate Income units.

In addition to qualifying for a density bonus, as described above, SDBL projects can also request incentives and waivers that provide relief from development standards. Such requests are also accompanied by affordability requirements, for example:

- To request 1 incentive, a project must allocate at least 10% of the base density (6 units) as Low Income units or at least 5% of the base density (3 units) at the Very Low Income level.
- To request 2 incentives, a project must allocate at least 17% of the base density (10 units) as Low Income units or at least 10% of the base density (6 units) at the Very Low Income level.

- To request 3 incentives, a project must allocate at least 24% of the base density (14 units) as Low Income units or at least 15% of the base density (9 units) at the Very Low Income level.

LAMC Section 12.22.A.25.f establishes a menu of incentives (“on-menu incentives”), that can be requested, including and not limited to the following:

- Reduction in the width of an individual yard setback up to 20%
- Increase in FAR that is equal to the percentage density increase a project qualifies for, up to 35%
- Increase in height that is equal to the percentage density increase a project qualifies for, up to 11 additional feet
- Open space reduction up to 20%
- Averaging of FAR, density, parking, or open space across two zones, which may be necessary across the R3 and R4 portions of the Project Site; note this incentive requires that at least 11% of units are Very Low Income units or at least 20% of units are Low Income units

As described in an LACP memorandum dated January 25, 2021, there are instances when SDBL projects that only include on-menu incentive requests can be approved ministerially, meaning that they do not require public hearings and CEQA review.¹⁷ However, because the Project Site is in a CDO, and this CDO triggers the requirement for a Director’s Determination for CDO Compliance, it is likely that a SDBL project with only on-menu incentive requests would also be reviewed as a Director’s Determination approval, which could still avoid a public hearing requirement, but would need a CEQA clearance (potentially a CEQA Categorical Exemption), which would involve preparation of environmental technical reports.

SDBL projects can request customized incentives that are not on the menu of incentives (“off-menu incentives”) and additional waiver(s), such as an FAR increase greater than 35% or relief from a development standard not discussed in the menu of incentives. However, it should be noted that requesting an off-menu incentive or waiver triggers a discretionary review process involving hearings before the City Planning Commission (“CPC”).

In addition to opportunities described above for mixed-income projects, SDBL provides additional opportunities for 100% affordable projects. Pursuant to California Government Code Section 65915.b.1.G, in a 100% affordable project, all units (exclusive of manager’s units) must be for Low Income households, except that up to 20% of the units can be Moderate Income units. Given its location within ½ mile of a Major Transit Stop, a 100% affordable housing project using SDBL would qualify for the following

- Unlimited density (no limitation on the number of dwelling units)¹⁸
- Height increase of 33 feet (which would allow a total of 78 feet, without having to request an incentive or waiver related to height)¹⁹

¹⁷ For more information, see https://planning.lacity.gov/odocument/46b07f69-b35d-494d-9879-4959d6a5dbf4/Density_Bonus-Ministerial_Review_Memo.pdf

¹⁸ California Government Code Section 65915.f.3.D.iii

¹⁹ California Government Code Section 65915.d.2.D

- Up to 5 incentives (with the opportunity to request additional waivers on top of these 5 incentives)²⁰
- Vehicular parking requirements are waived (although this is also addressed through AB 2097)

Transit Oriented Communities Incentive Program

The TOC Program is a City affordable housing incentive program that was established in 2017, and the most recent guidelines for this program were published on February 26, 2018.²¹ The TOC Program is a separate program from SDBL, and the two programs cannot be used together—an applicant must choose one program or the other.

Note: The ability to use the TOC Program on the Project Site needs to be confirmed with the City. The TOC Program faced a legal challenge that compromised the ability to use this program in Specific Plan overlays. The question as to whether the surrounding CDO qualifies as such an overlay needs to be confirmed with the City.

The TOC Program assigns properties to tiers, based on their proximity to transit, and these tiers have potential to change in the event there are any changes to transit schedules. Currently, the Project Site falls within the highest tier: Tier 4, based on its proximity to a Major Transit Stop.

For the TOC Program, base density is determined by the existing R3 and R4 zones (without referencing the General Plan land use designation as done with SDBL). As discussed earlier, the R3 zone allows lot area per dwelling unit of 800 SF, and the R4 zone allows lot area per dwelling unit of 400 SF. Assuming 15,154 SF of lot area in the R3 zone (including ½ alley) and 7,120 SF of lot area in the R4 zone (including ½ alley), base density of 19 dwelling units would be allowed in the R3 zone, and 18 units in the R4 zone, for total base density of 37 units (note that density calculations are rounded up for the TOC Program).

To qualify for the TOC Program, a Tier 4 project must allocate the total units (not base density) in a project as affordable at one of the following percentage levels: 11% Extremely Low Income, 15% Very Low Income, or 25% Low Income. By setting aside this allocation of affordable units, a Tier 4 project automatically qualifies for the following base incentives:

- 80% density increase (which would allow up to 67 units)
- 55% FAR increase, which would allow up to 4.65:1 FAR
- Vehicular parking requirements are waived (although this is also addressed through AB 2097)

Up to 3 additional incentives (on top of these base incentives) can be requested from a menu of incentives if affordable units are provided at the following allocations:

²⁰ California Government Code Section 65915.d.2.D. It should be noted that SDBL allows the opportunity to request one waiver for a 100% affordable housing project, but it empowers local jurisdictions to grant additional waivers. There are many examples of projects in the City of Los Angeles where multiple waivers have been granted through State Density Bonus Law, but the City must agree to grant multiple waivers.

²¹ TOC Guidelines can be viewed here: <https://planning.lacity.gov/odocument/39fae0ef-f41d-49cc-9bd2-4e7a2eb528dd/TOCGuidelines.pdf>

- 1 additional incentive may be granted for a project with at least 4% of base density at the Extremely Low Income level, 5% of base density at the Very Low Income level, or 10% of base density at the Low Income level
- 2 additional incentives may be granted for a project with at least 7% of base density at the Extremely Low Income level, 10% of base density at the Very Low Income level, or 20% of base density at the Low Income level
- 3 additional incentives may be granted for a project with at least 11% of base density at the Extremely Low Income level, 15% of base density at the Very Low Income level, or 30% of base density at the Low Income level
-

Key items on the menu of incentives for Tier 4 projects include:

- Front yard reduction to match the average of the front yards of adjoining buildings on the same street frontage, paired with up to a 35% decrease in the required depth of one other yard setback
- Up to 25% decrease in required open space
- Averaging of FAR, density, parking, or open space across 2 zones, which may be necessary across the R3 and R4 portions of the Project Site
- Height increase up to 33 additional feet; however, any floor resulting from this height increase must be stepped back at least 15 feet from the exterior face of the ground floor

Unlike SDBL, the TOC Program does not provide the flexibility to request customized off-menu incentives and waivers. Only those incentives on the menu of incentives can be requested.

In addition, properties that qualify for Tier 4 opportunities can also request TOC incentives for Tiers 1, 2, and 3. These lower tiers require a lower allocation of affordable units, but also qualify for less generous incentives (less of an increase in FAR, height, etc.). CLC can provide additional information about opportunities in Tiers 1, 2, and 3 at the Client's request.

Because the Project Site is located in a CDO, which requires a Director's Determination for CDO Conformance, TOC Program requests would likely also be reviewed as a Director's Determination entitlement, which can potentially be processed without a public hearing, but would still require a CEQA clearance (potentially a CEQA Categorical Exemption).

Mayor Karen Bass' Executive Directive No. 1

Mayor Bass issued ED 1 on December 16, 2022 to ministerially streamline approval of 100% affordable housing projects in the City. As a ministerial streamlining program, ED 1 establishes accelerated timelines for City review, and eliminates requirements for public hearings, appeal periods, and CEQA clearances (all of which tend to add time and risk to the entitlement process).

ED 1 has been revised several times, most recently on July 1, 2024. Each revision has established new guardrails and limitations for the program. The City is in the process of drafting an Affordable Housing Streamlining Ordinance that is intended to eventually replace ED 1 with a permanent new program in the LAMC (City Council File 23-0623). As this draft ordinance advances through the adoption process, policies and procedures will likely continue to evolve.

ED 1 can be layered with SDBL or the TOC Program. Therefore, while a project cannot simultaneously use SDBL and the TOC Program, it can use SDBL with ED 1 or the TOC Program with ED 1.

Key provisions of ED 1 currently include the following:

- ED 1 cannot be used on a project that has been documented by the State as a hazardous waste site or that has previously been used as a gas or oil well. More research is necessary to confirm if any of these factors apply to the Project Site.
- All at grade or above grade parking shall be screened with active uses or visually opaque materials and treatments along all facades visible from public ROWs, excluding driveway/garage entrances.
- At least one pedestrian entrance shall face a public street.
- At least 30% of the ground floor façade shall have glazing (windows), and at least 20% of upper floors shall have glazing.
- If a project is using SDBL, it cannot request more than 5 incentives and 1 waiver (note: without ED 1, an SDBL project could potentially request more than 1 waiver).
- If a project is using SDBL and requesting off-menu incentives or a waiver:
 - The project cannot request an FAR increase greater than 100% or total FAR up to 3.5:1, whichever is greater.
 - A height increase cannot exceed 33 additional feet.
 - For yard reductions, side yards must be at least 5 feet, rear yards must be at least 8 feet, and a front yard must be no less than the average of the front yards of adjoining buildings along the same street frontage. All requests for yards can be considered one incentive or waiver (instead of a separate incentive or waiver for each individual yard request).
 - Open space reductions cannot exceed 50%.
 - Bike parking reductions cannot exceed 50%.
 - Tree planting reduction cannot exceed 25%.
 - Any ADUs (including ADUs added at a later date) shall be covenanted affordable units.
 - A covenant for affordable units in the approved project must generally be observed for a 99-year (in contrast to the 55-year period that is typically required without ED 1).

It should be noted that ED 1 currently does not include project labor requirements, but Mayor Bass and several City Councilmembers have publicly indicated support for adding labor requirements as part of any future changes to this program.

PROPOSED FUTURE CITY INCENTIVE PROGRAMS

To implement its 2021-2029 Housing Element, the City is in the process of adopting several new affordable housing incentive programs through what is being called the Citywide Housing Incentive Program (“CHIP”) Ordinance. The CHIP Ordinance was most recently reviewed by the City Planning Commission on September 26, 2024, and still requires hearings before City Council’s Planning and Land Use Management (“PLUM”) Committee and full City Council to be adopted. It is possible the CHIP Ordinance might undergo further changes as the process continues. The City’s goal is to adopt the CHIP Ordinance this Fall.

The CHIP Ordinance includes 3 new proposed programs, including (1) an update to how the City implements SDBL, (2) Mixed Income Incentive Program, and (3) Affordable Housing Incentive Program. The following is a very high-level overview of each of these proposed programs. CLC has not conducted a detailed review of these programs because they are still in a draft form and

subject to continue evolving. CLC recommends carefully reviewing these programs once they are adopted, as they may offer compelling paths to achieve development goals on the Project Site.

State Density Bonus Law Update

The objective of this proposed program is to bring the City's SDBL program into compliance with the many updates that have been made to State laws in recent years. Key updates include the following:

- Adding opportunities to request density bonuses between 35% and 50% (which do not exist in the City's current SDBL program).
- Revising the SDBL menu of incentives in a way that is generally more generous than the current menu of incentives. Key changes to on-menu incentives include and are not limited to:
 - Allowing front yard reductions to align with the average of front yards of adjoining buildings on the same street frontage
 - Allowing side and rear yard reductions up to 30%
 - New options for reducing required open space
 - The ability to request up to 20% relief from a development standard selected by the developer, with exceptions (which is a new opportunity for customization within an on-menu incentive)
- The SDBL update would add opportunities for projects to qualify for additional incentives (such as extra FAR and height if projects include a higher percentage of units with 3 or more bedrooms to meet demand for family housing).

Mixed Income Incentive Program

This proposed new program (which is intended to eventually replace the existing TOC Program) would establish new incentive opportunities for mixed-income projects that fall within new classifications called Transit Oriented Incentive Areas ("TOIA"), Opportunity Corridor Incentive Areas, and Opportunity Corridor Transition Incentive Areas. Of these classifications, LACP materials currently show the Project Site within Tier 3 ("T-3") TOIA, which is the highest classification for properties near Major Transit Stops, although these TOIA tier categories are subject to change.²²

To qualify for this program, as currently proposed, a T-3 project would need to allocate 11% of its total units as Extremely Low Income, 15% of its total units as Very Low Income, or 25% of its total units as Low Income.

T-3 projects could automatically qualify for base incentives, including the following:

- 120% density bonus (which would likely be based on a base density of 37 units, resulting in a total density of 82 units)
- No vehicular parking required
- 50% FAR increase or 4.5:1 FAR, whichever is greater
- 33 additional feet of height

²² The Project Site was previously proposed to be in a higher-ranking T-4 TOIA, but this T-4 category has been eliminated as the CHIP Ordinance has advanced through the review process.

This program would include an expanded menu of incentives (when compared with the existing TOC Program) and additional opportunities for administrative project review. However, because the Project Site is in a CDO, it would likely still require an entitlement process that includes a Director's Determination, which can be processed without a public hearing, but would require a CEQA clearance (potentially a CEQA Categorical Exemption).

Affordable Housing Incentive Program

This program would codify various provisions of SDBL for 100% affordable housing projects, where all units (exclusive of manager's units) must be for Low Income households, except that up to 20% of the units can be for Moderate Income units. The program would also include new procedures to administratively approve such projects. However, because the Project Site is in a CDO, it would likely still require an entitlement process that includes a Director's Determination, which can be processed without a public hearing, but would require a CEQA clearance (potentially a CEQA Categorical Exemption).

CONCLUSION AND NEXT STEPS

The Project Site's current zoning allows a multi-family residential building up to 45 feet in height, approximately 44,712 SF in floor area, and density of 35 dwelling units. Current and proposed new State and City incentive programs provide the opportunity to increase the size of the project if affordable units are included. However, it should be noted that each of these incentive programs has its own detailed requirements and eligibility standards, which should be carefully reviewed. Selected potential development scenarios are summarized in Appendix A.

Because the Project Site is located in a CDO, most proposed development concepts will require approval of a Director's Determination, which can typically be processed without a public hearing, but such a request can be appealed and require an environmental clearance under CEQA (potentially a CEQA Categorical Exemption).

Housing and zoning policies are rapidly changing, especially as the City moves forward with the Southeast Valley Community Plans Update and adoption of the CHIP Ordinance (which will establish additional affordable housing incentive programs), and the State legislature continues to adopt and revise affordable housing legislation (while the City continues to prepare policy documents that discuss local implementation of this new legislation).

CLC recommends the following next steps (not listed in order of priority):

- Work with a civil engineer or surveyor to prepare an ALTA Survey for the Project Site. Key items to confirm include verifying existing lot area on the entire Project Site (including lot area within each of the Project Site's zones), verifying precise buildable area, and mapping locations of relevant easements.
- Work with a real estate attorney to review a Title Report and recorded documents to verify if they establish additional constraints for new development that are not reflected in City zoning.
- Consult with BOE to verify anticipated ROW widenings and improvements that may be required for new development on the Project Site.

- Work with an architect and landscape architect to carefully review relevant development standards, and identify where relief may be needed, as this will inform the entitlement path.
- Engage a dry utilities consultant to advise regarding the development threshold that would trigger a new transformer, where a transformer could be located, and strategies to design around the existing above-ground utilities.
- Review the Los Angeles Housing Department list of rent/income schedules when analyzing the financial feasibility of development options. TOC and SDBL projects all utilize different rent schedules. Generally, Schedule VI is the most restrictive rent schedule and applies to both SDBL and housing replacement requirements, if applicable. Schedule I allows higher rents and typically applies to TOC projects. Rent schedules for ED 1 projects require additional confirmation as this program continues to evolve. See here: <https://housing2.lacity.org/partners/land-use-rent-income-schedules>
- Review the City's list of [ED 1 projects](#) (see ED 1 Case Summary) to see if this type of project is both desirable and financially feasible.
- Confirm if LACP will currently process a TOC project in a CDO. If interested in this program, obtain a City TOC Tier Verification to formally confirm the Project Site's proximity to a Major Transit Stop.
- Confirm whether or not a subdivision request (such as a parcel map, tract map, or lot line adjustment) is necessary, as this may impact the feasibility of using certain incentive programs.
- Determine the best course of action for addressing the existing parking covenant, in collaboration with the bank that uses this parking. Confirm current City procedures for terminating this covenant while using AB 2097 State legislation for parking reduction.
- Conduct additional analysis to confirm whether or not Project Site has any environmental conditions (such as record of hazardous waste or proximity to a gas or oil well) that might make it ineligible for certain incentive programs like ED 1. Note: A Phase I Environmental Site Assessment ("ESA") would include pertinent information.
- Once a conceptual site plan has been prepared, consult with LACP staff to confirm the entitlement path and anticipated CEQA clearance for the proposed project.
- Once a conceptual site plan has been prepared, schedule a Case Management meeting to review development-related issues in detail with City departments.
- Monitor pending City initiatives including the Southeast Valley Community Plans Update and proposed CHIP Ordinance to confirm how these policies affect development potential on the Project Site. Assess whether or not to provide public testimony or engage in advocacy efforts related to these initiatives.
- Monitor pending State legislation related to affordable housing production.

- Monitor LACP publication of policy documents that discuss how new State housing legislation will be implemented locally.
- Monitor pending development projects in the Project Site vicinity, including any concerns raised by Councilmember Padilla, the Van Nuys Neighborhood Council, and other community stakeholders.
- Develop a community outreach strategy. The extent of outreach implemented will depend on the types of entitlements requested and incentive programs used.

APPENDICES

- A: Selected Potential Development Scenarios (Not a Comprehensive List)
- B: Site Records

DISCLAIMER

The findings and recommendations in this report are based upon public information available as of October 1, 2024.

We believe that this report gives a factual review of the present zoning, current land use designation and applicable key development regulations for the Project Site based on currently available public information pertaining to the subject site. However, due to the methods used by the City for denoting zones and previous zoning actions on ZIMAS, it is possible that this information may not be current or correct.

Regulations and procedures for the planning and development process in City and State are frequently changed and/or updated. In addition, many of these regulations require interpretation, and the interpretations are subject to change.

For these reasons, CLC cannot guarantee the accuracy of this report, and cannot guarantee that there are not omissions in this report. The best way to receive accurate and current information is to submit a project site plan into the entitlement application review process, and have City staff verify the information at that time.

It should be noted that the City is in the process of rewriting the Zoning Code and updating the various Community Plans. As the Community Plans are updated, the new Zoning Code provisions will be applied to the land parcels within that Community Plan area. The reader is advised to monitor the Zoning Code reform process by subscribing to this website: <https://planning.lacity.gov/zoning/new-code>

Review and analysis of any applicable Covenants, Conditions and Restrictions or Reciprocal Easement Agreements, if any, is not a part of this land use analysis. Additionally, this analysis does not include a review of issues relating to methane gas, hazardous or toxic materials on site (e.g. Phase 1 Report), or relating to the soil conditions, structural stability and/or seismic safety of the existing or proposed buildings.

***Prepared by Craig Lawson & Co., LLC
Land Use Consultants***

APPENDIX A: SELECTED POTENTIAL DEVELOPMENT SCENARIOS

Please note this is a very simplified list of selected options. There are many other options and constraints not listed here.

	By-Right	SDBL On-Menu (35% bonus)	SDBL On-Menu (100% bonus)	TOC Tier 4 (80% Bonus)	SDBL Off-Menu (100% bonus)	ED 1 with SDBL
Base Density	35 units	56 units	56 units	37 units	56 units	56 units
Total Density (with Density Bonus)	35 units	76 units	112 units	67 units	112 units	Unlimited
Affordability Requirement ²³	None	9 VLI units (15% of base density, if requesting 3 incentives)	9 VLI units and 9 Moderate units (each 15% of base density)	8 units (11% of total provided for ELI)	9 VLI units and 9 Moderate units (each 15% of base density)	80% Low and 20% Moderate
Maximum FAR	3:1	4.05:1	4.05:1	4.65:1	As needed to construct housing	6:1
Approximate Maximum Floor Area ²⁴	44,712 SF	60,361.2 SF	60,361.2 SF	69,303.6 SF	As needed to construct housing	89,424 SF
Maximum Height	45 feet	56 feet	56 feet	78 feet	As needed to construct housing	78 feet
CEQA Clearance Required? ²⁵	Yes	Yes	Yes	Yes	Yes	No
Public Hearings ²⁶	No	No	No	No	Yes	No
Appealable ²⁷	Yes	Yes	Yes	Yes	Yes	No

²³ See Los Angeles Housing Department rent and income schedules here: <https://housing2.lacity.org/partners/land-use-rent-income-schedules>

²⁴ Assumes buildable area is 14,904 SF.

²⁵ An environmental clearance under CEQA will be required for the Director's Determination for CDO Compliance. Consultation with the City is necessary to confirm if an ED 1 project can be exempt from this requirement.

²⁶ If entitlements are limited to a Director's Determination for CDO Compliance and either SDBL with on-menu incentives or TOC review, a public hearing will not be required (however, if an appeal is filed, the appeal would be reviewed at a public hearing). SDBL with off-menu incentives does require a public hearing.

²⁷ Most of these paths can be appealed; however if a project with a Director's Determination for CDO Compliance qualifies for ED 1 (which must be confirmed with LACP staff), the approval may be unappealable.

APPENDIX B: SITE RECORDS

SELECTED BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

Certificate of Occupancy

14430 W Vanowen Street

- APN #2237002021
- Issued 11/21/1961
- Document Number 1960LA65410 (COO Use of Land: 70' x 220' Automobile Parking lot)
- Applies to permit numbers: LA65410

AFFIDAVITS

AFF-2259

Recorded July 12th, 1960

Off street parking area containing not less than 24 usable and accessible eight feet by eighteen feet automobile parking spaces will be provided and maintained on the property to serve the users of building 6756 Van Nuys Blvd.

ORDINANCES

ORD-167939-AREA6-SA165A

Effective June 28th, 1992

An ordinance amending section 12.04 of the Los Angeles Municipal Code by amending the zoning map. Existing sub area zone and height districts amended to include Q conditions.

ORD-170031-AREA6-SA165A

Effective September 22nd, 1994

Ordinance amending 12.04 of LAMC by amending the zoning map. Changing the zones and zone boundaries so that portions of the map shall set forth the zones and height districts as they are set forth on the map entitled Van Nuys North Sherman Oaks, Pat III, Areas 1-12 and the Tale for section 1. The limitations are imposed upon the use of that property described in Section 1 subject to the Q Qualified Conditions.

Ordinance No. 174043

Effective June 28th, 2001

An ordinance imposing the interim regulations on the issuance of a building permit and/or certificate of occupancy for multi-tenant retail uses on commercial properties along Van Nuys Boulevard between the Southern Pacific Railroad right of way and Vanowen Street. Prohibits the issuance of building permit or COO for ground floor use by Multi-Tenant Retail or independent Retail Vendors unless City Council approves a hardship exemption.

Ordinance No. 174421

Effective March 17th, 2002

Amendment to Section 12.04 of LAMC by changing the existing zones shown upon the zone map entitled "Zone Change Ordinance map. Van Nuys Central Business District Community Design Overlay District" to include the Q conditions as part of the new zone.

Ordinance No. 174420

Effective March 17th, 2002

Ordinance establishing the Van Nuys Central Business District Community Design Overlay District. All lots located within the Van Nuys Central Business District Community Design Overlay District shall carry the suffix CDO as part of their one classification.

Ordinance No. 176313

Effective January 1st, 2005

An ordinance amending Section 12.04 of the LAMC by amending the zoning map. Provisions added to the Van Nuys Central Business District Community Design Overlay District to minimize security device appearance.

ZONING CASES

CPC-2001-2362-CDO-ZC-MS

Effective November 28th, 2001

Adoption of the ordinance establishing the Van Nuys CBD CDO Boundary and adopting the ordinance establishing the permanent [Q] Qualified Conditions. Qualified conditions address building orientation, use limitations, façade articulation, and signs.

CPC-2003-8402-CDO-ZC

Effective August 16th, 2004

Amendment to the Van Nuys Central Business District Community Design Overlay District Design Guidelines and Standards. Modification to the existing [Q]'s Qualified conditions on the properties within the Van Nuys Central Business District Design Overlay District. Recommends the Q condition to re-enforce the prohibition of security devices which would negatively impact the visual character of the area.

CPC-2018-3723-GPA-ZC-CDO-BL

Effective June 25th, 2018

Transit neighborhood plans for the Orange Line North Hollywood, Van Nuys, and Sepulveda stations.