

## OFFICE OF ZONING ADMINISTRATION

City Hall • 200 N. Spring Street, Room 763 Los Angeles, CA 90012



### OFFICE OF ZONING ADMINISTRATION

#### MEMORANDUM

ZA MEMORANDUM NO. 131

December 18, 2013

TO: Office of Zoning Administration  
Public Counters  
Interested Parties

FROM: Linn K. Wyatt  
Chief Zoning Administrator

SUBJECT: **EXPIRATION AND TIME EXTENSIONS FOR SUBDIVISIONS AND RELATED ENTITLEMENTS – MULTIPLE APPROVALS ORDINANCE (ORD. NO. 182,106) AND AB 116**

This Zoning Administrator Memorandum explains procedures to document time extensions addressed in the Multiple Approvals Ordinance (MAO) and the AB 116 provisions signed into law, effective July 11, 2013. This memorandum supersedes the procedures identified in Zoning Administrator Memorandum No. 127 and the memorandum titled "Re: Extensions of Time for Tentative Tract and Preliminary Parcel Maps" dated May 24, 2012.

#### Background

In recent years, the State Legislature has adopted a series of bills that add time extensions to the life of subdivision map approvals. The City codified all of these bills, except AB 116, into the Multiple Approvals Ordinance (Ord. No. 182,106), effective May 20, 2012. With the adoption of the Multiple Approvals Ordinance (MAO), the life spans of multiple discretionary entitlements associated with a particular project have been synchronized to coincide with the life of the longest running entitlement, thus allowing for projects with multiple approvals to benefit from the longest life span. The MAO categorically establishes a three year "life" for stand-alone quasi-judicial grants for cases issued determinations on or after May 20, 2012, and more importantly, expands the scope of applicability to all discretionary approvals even if they are not related to a subdivision map approval.

#### AB 116

On July 11, 2013, AB 116 became effective. This act provides an automatic 24-month extension for certain unexpired subdivision maps approved after January 1, 2000, and establishes an extension process for earlier-approved maps. While the Legislature has extended unexpired subdivision maps several times before, the process established under AB 116 is more comprehensive than previous extensions.

Under the new law, subdivision maps approved after January 1, 2000, and unexpired as of July 11, 2013, are automatically extended by 24 months. For earlier-approved maps, cities have the option to approve, conditionally approve or deny a 24-month extension, depending on whether the map is consistent with the applicable zoning and General Plan.

**Extensions of Subdivision Map Approvals**

The following table shows the maximum life for subdivision map approvals inclusive of all available extensions of time under the MAO provisions as well as AB 116. The sequencing of any previous time extensions issued for entitlements will determine whether the project qualifies for certain State extensions.

Authority	Length of time and extension for Tentative Tract and Preliminary Parcel Maps
LAMC Sections 17.07-A,1 and 17.56-A,1	3 years (for initial approval)
LAMC Sections 17.07-A,2 and 17.56-A,2	6 years (by application)
SB 1185 State Extension	1 year (if map is valid on 07/15/08 and expires before 01/01/11)
AB 333 State Extension	2 years (if map is valid on 07/15/09 and expires before 01/01/12)
AB 208 State Extension	2 years (if map is valid on 07/15/11 and expires before 01/01/14)
AB 116 State Extension	2 years (if map is approved after 01/01/00 and has not expired on or before 07/11/13)*

\* If the map was approved on or before 12/31/1999, an application (Time Extension per Chapter 1 of LAMC, form CP-7746) may be filed with the City to determine if the map is consistent with the applicable zoning and general plan requirements in effect at the time of filing pursuant to California Government Code Section 66452.24 (b)

**Extensions of Discretionary Approvals (Other Than Subdivision Map Approvals)**

The following table shows the maximum life for discretionary approvals inclusive of all available extensions of time under the MAO. Pursuant to AB 116 and consistent with the MAO provisions, any discretionary entitlement *that is related to a subdivision that qualifies for the AB 116 State Extension*, can also receive an additional 24-month extension.

Discretionary Entitlement	New life of entitlements for approvals with an EFFECTIVE DATE between				
	07/15/05 – 12/31/07	01/01/08 – 12/31/08	01/01/09 – 12/31/10	01/01/11 – 05/19-2012	05/20/2012 and on...
Zone Variance, Conditional Use Permit, Zoning Administrator's Adjustment, Coastal Development Permit, Specific Plan Project Permit and other entitlements approved by the Director, Zoning Administrator, or Area/City Planning Commission	7 <sup>†§</sup>	6 <sup>†§</sup>	4 <sup>†§</sup>	2 <sup>†§</sup>	3 <sup>§</sup>
Zone/Height District changes, and other Legislative approvals	11 <sup>§</sup>	10 <sup>§</sup>	8 <sup>§</sup>	6 <sup>§</sup>	6 <sup>§</sup>
Site Plan Review	8 <sup>§</sup>	7 <sup>§</sup>	5 <sup>§</sup>	3 <sup>§</sup>	3 <sup>§</sup>

<sup>†</sup> Eligible for an additional discretionary 1-year time extension per LAMC

<sup>§</sup> Eligible for an additional 2-year time extension if the approved discretionary entitlement is related to a subdivision benefiting from the time extension given by AB 116.

### **Procedures to Effectuate By-Right Extensions**

While the additional time extensions for eligible entitlements are automatically granted, applicants eligible for such entitlements must complete the form titled "Time Extensions per Ordinance No. 182,106" (CP-7746.1), and submit it to the Planning Department Development Services Center along with a copy of the CEQA determination for the project. Authorized Planning Department staff will review the documentation and significant aspects of the CEQA determination for adequacy. If it is adequate, then staff will sign and stamp the form; if not, the applicant will be advised on how to proceed. This form must be completed for expiration date tracking and verification purposes. Staff will place a copy of the form in all relevant case files; scan it into the Planning Document Information System (PDIS), and return a copy to the applicant.

### **Fees**

The Time Extension fee is \$199 (not including general surcharges) as of the date of this memorandum.

The Time Extension per Chapter 1 of LAMC is \$708 (not including general surcharges) for any time extension other than maps, and \$793 (not including general surcharges) for maps, as of the date of this memorandum.

Questions should be directed to Tom Rothmann at 213-978-1891 or [tom.rothmann@lacity.org](mailto:tom.rothmann@lacity.org) or Daniel Ahadian at 213-482-0376 or [daniel.ahadian@lacity.org](mailto:daniel.ahadian@lacity.org)

LKW:TR:DA:Imc

PRELIMINARY PARCEL MAP NO: 2006-

AA 2006-7965 - PMLA  
AA 2007 5018  
ALLEY

OWNER:

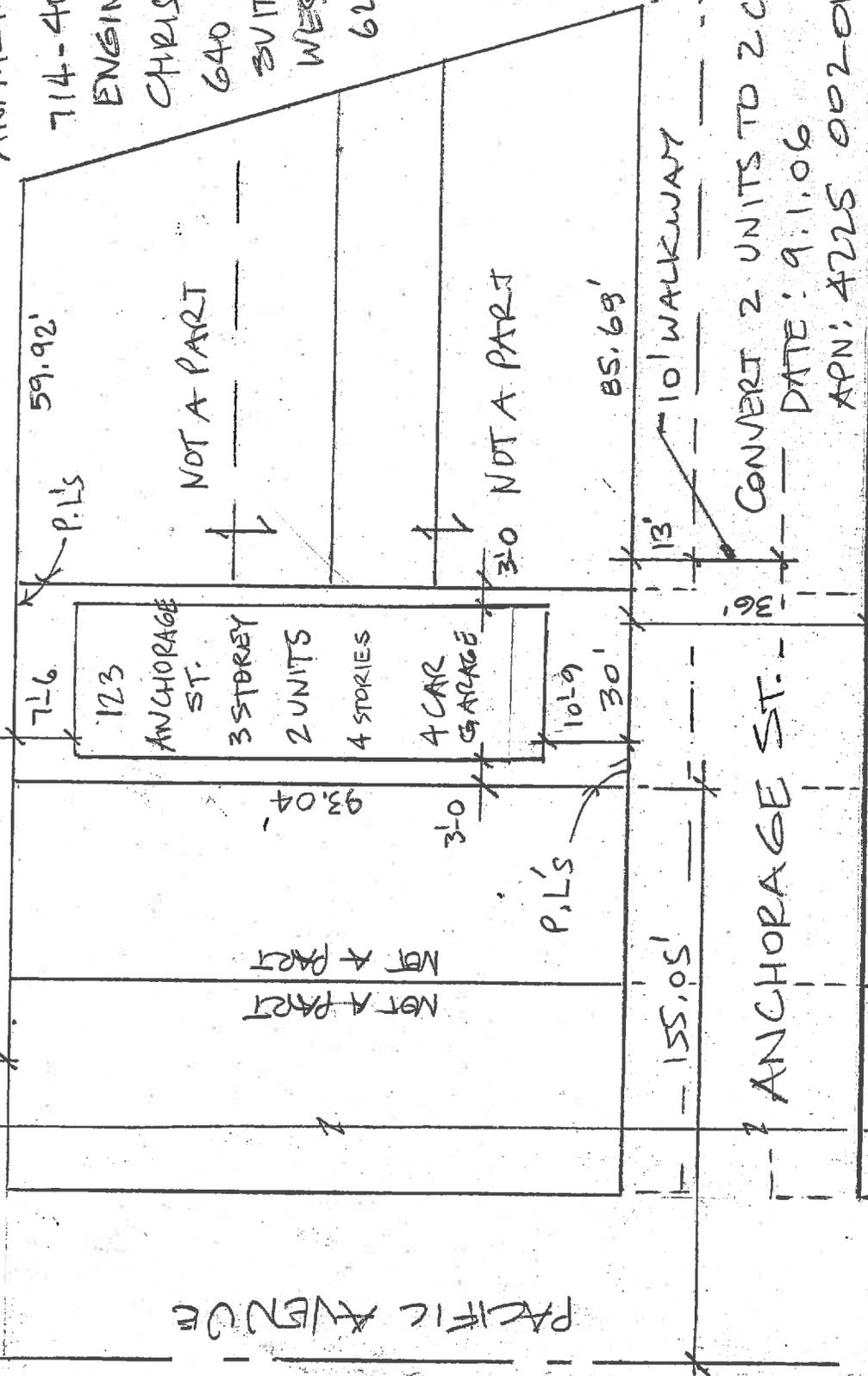
CARMEN ESPOSITO  
4887 LA PALMA AVE.  
SUITE  
ANNHEIM, CA. 92807

714-403 3722

ENGINEER:

CHRIS ALTURAS  
640 S. SUNSET AVE  
SUITE 206  
WEST COVINA, CA. 91790  
626-814 2620

0 7 2 2 5  
2 2 2 5



CONVERT 2 UNITS TO 2 CONDOMINIUMS  
DATE: 9.1.06  
APN: 4225 002011

SCALE 1"=25'

NO TREES

ZONE R 3-1

LOT 12, BLOCK 3

TRACT: CANAL SUBDIVISION #1



PACIFIC AVENUE

PRELIMINARY PARCEL MAP NO: 2006-

AA-2006-7965-PMLA

OWNER:

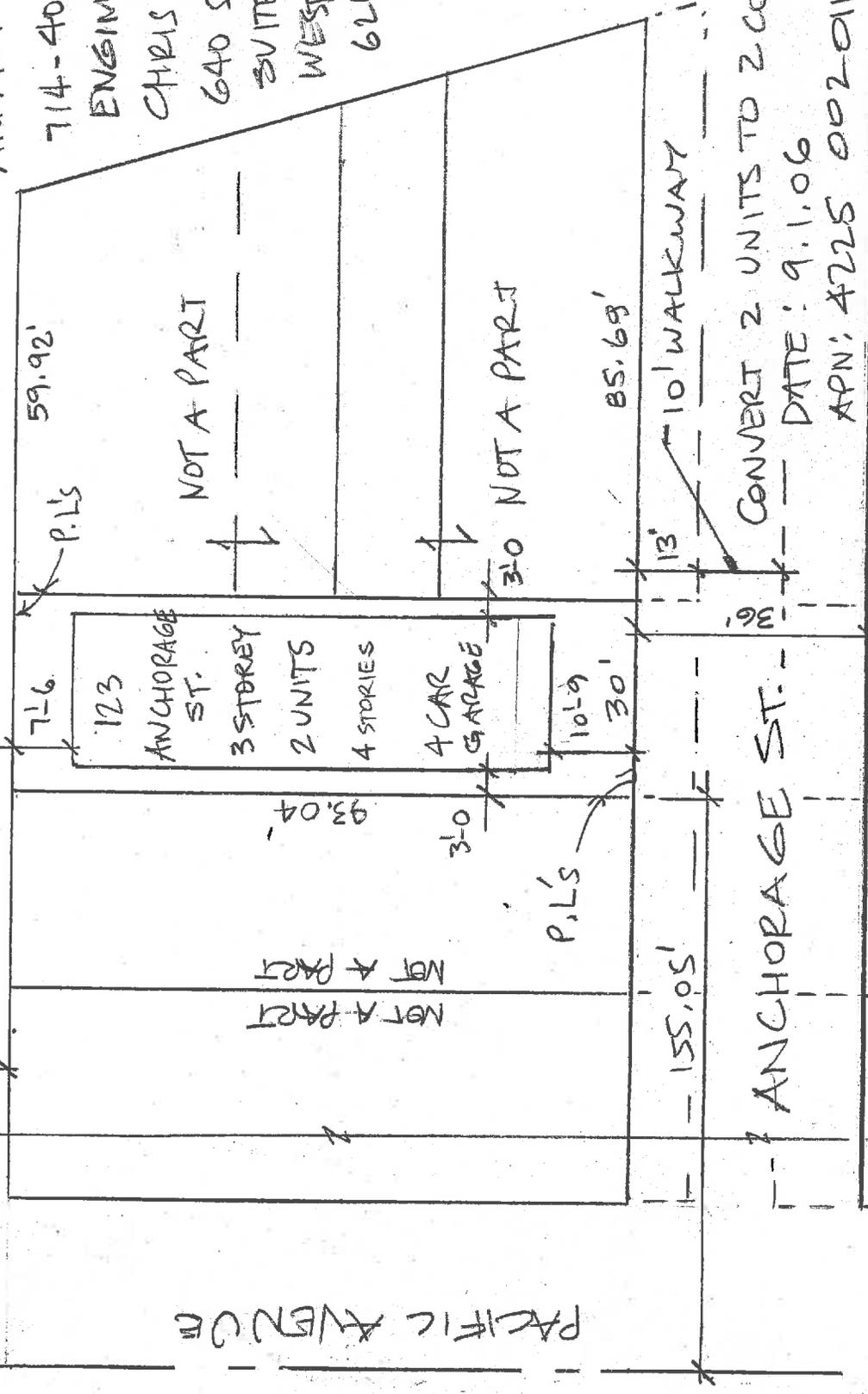
CARMEN ESPOSITO  
4887 LA-PALMA AVE.  
SUITE  
ANAHEIM, CA 92807

714-403 3722  
ENGINEER.

CHRIS ALTURAS  
640 S. SUNSET AVE  
SUITE 206  
WEST COVINA, CA. 91790  
626-814 2620

07/25/05

ALLEY



SCALE 1"=25'

NO TREES

ZONE R 3-1  
LOT 12, BLOCK 3

TRACT: CANAL SUBDIVISION #1

NOT A PART

ANCHORAGE ST.

PACIFIC AVENUE

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401  
CITY PLANNING COMMISSION  
JANE ELLISON USHER  
PRESIDENT  
WILLIAM ROSCHEN  
VICE-PRESIDENT  
DIEGO CARDOSO  
REGINA M. FREER  
ROBIN R. HUGHES  
SABRINA KAY  
FR. SPENCER T. KEZIOS  
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[www.planning.lacity.org](http://www.planning.lacity.org)

Decision Date: **February 6, 2008**

Appeal Period Ends: **February 21, 2008**

Carmine Esposito (A)(O)  
c/o Bonespo Partners  
4887 La Palma Avenue, #708  
Anaheim, CA 91807

Constantine Tziantzis (R)  
333 Washington Blvd., #146  
Marina Del Rey, CA 91292

Case No.: AA-2007-5018-PMLA-CC  
Related Case:  
ZA 2006-7974(CDP)(SPP)(MEL)  
123 West Anchorage Street  
Venice Planning Area  
Venice Neighborhood Council  
Zone : R3-1  
D. M. : 105 A 147  
C. D. : 11  
CEQA: ENV-2006-7966-MND  
Legal Description: Lot 12, Block 3 of  
Shortline Beach Venice Canal  
Subdivision #1

In accordance with provisions of Section 17.53 and 12.95.2 of the Los Angeles Municipal Code, the Advisory Agency approved Parcel Map AA-2007-5018-PMLA composed of one lot, for a maximum two-unit condominium conversion, as shown on map stamp-dated October 22, 2007 and subject to the following conditions. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

**NOTE** on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review. A copy of the first page of this grant and all conditions and/or subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of Building and Safety for purposes of having a building issued.

**Bureau of Engineering**

*Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 200. Any questions regarding these conditions should be directed to Mr. Ray Saidi by calling (213) 977-7097.*

1. That a 2.5-foot wide strip of land be provided as an alley easement adjoining subdivision.
2. That the entire subdivision be labeled as Parcel "A" on the final map.
3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Anchorage Street adjoining the subdivision by removing the existing encroachments in the right-of way area and repairing or replace any broken and off-grade concrete pavement, together with planting trees satisfactory to the City Engineer.
  - b. Improve the alley adjoining the subdivision by the construction of a 2-foot longitudinal concrete gutter and suitable surfacing to complete a 17.5-foot alley, together with any necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
  - c. Construct the necessary sewer house connection to serve the parcel map or evaluate the efficiency of the existing house connection satisfactory to the City Engineer.
4. That the following street lighting facilities to serve the parcel map as required by the Bureau of Street lighting be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Construct one (1) new light on Anchorage Street.

NOTES: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition(s) above, requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that condition.

**Department of Building and Safety- Zoning Division**

*Building and Safety approvals are conducted by appointment only - contact Del Reyes, at (213) 482-6882 to schedule an appointment. Any proposed structures or uses on the site have not been checked for Building or Zoning Code requirements. Plan check may be required before any construction, occupancy or change of use. Unless filed concurrently and included as part of the hearing notice with this subdivision, any additional deviations from the Los Angeles Municipal Code required by the Department of Building and Safety Office of the Zoning Engineer preliminary to the Zoning Engineer*

*clearing the items on the report to the Advisory Agency, shall be separately filed through the City Planning Department Office of the Zoning Administrator.*

5. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Provide copy of building permit records, plot plan and certificate of occupancy to verify the last legal use and the number of parking spaces provided on site.
  - b. Provide a copy of ZA case ZA-2006-7974-CDP-SPP-MEL and ZA-1991-1036-YV. Show compliance with all the conditions/requirements of the ZA cases as applicable.
  - c. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net after street/alley dedication.
  - d. Parking is required for the existing structures to remain. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any new garages or carports.

**Department of Transportation**

*Transportation approvals are conducted at 201 N. Figueroa Street, 4<sup>th</sup> Floor, Station 3. Please contact DOT at (213) 482-7024 for any questions regarding the following.*

6. This project is subject to the Los Angeles Coastal Transportation Corridor Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West Los Angeles Coastal Development Review Section located at 7166 W. Manchester Avenue, Los Angeles, 90045. In addition, the following item shall be satisfied:

Vehicular access to projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.

**Fire Department**

*Fire Department approvals and review are conducted in Room 1500, 221 North Figueroa Street.*

7. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following item shall be satisfied.

No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

**Bureau of Street Lighting**

*Street Lighting approvals are conducted by the Bureau of Engineering if street improvements are required, or at 600 South Spring Street if no street improvements are required.*

8. Satisfactory arrangements shall be made with the Bureau of Street Lighting to assure the property be formed or annexed into a Street Lighting Maintenance Assessment District prior to the issuance of the certificate of occupancy or change of use permit. In addition the following shall be provided:

Construct one (1) new street light on Anchorage Street.

**Los Angeles Unified School District (LAUSD)**

*Construction mitigations regarding impacts on schools are monitored by the LAUSD. Begin this process by calling Natalie Blasco at (323) 342-1421. If no construction mitigations are required by the LAUSD or the environmental document, this condition may be cleared by a written communication from the LAUSD Transportation Branch- phone no. (323) 342-1400-attesting to the required coordination.*

9. The project site is located on the pedestrian and bus routes for students attending Westside Leadership Magnet School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/motorists with the LAUSD Transportation Branch, and the principal or designee of Westside Leadership Magnet School.

**Department of City Planning – Site Specific Conditions**

*Approvals conducted at 200 North Spring Street, Room 750, unless otherwise indicated.*

10. Prior to final map recordation, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- a. Limit the proposed development to a maximum of two (2) units on one (1) parcel.
  - b. Provide a minimum of two (2) off-street parking spaces per dwelling unit, for a total of four (4) spaces.
  - c. **Landscape Plans.** That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a

minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. **Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- d. **Plans.** Prior to the issuance of building permits, detailed development plans, including a project design plan will be prepared consistent with the Venice Community Plan.
  - e. **Energy Conservation.** That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - f. **Air Filtration.** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
11. That prior to the issuance of a building permit or the recordation of the final map, a copy ZA 2006-7974(CDP)(SPP)(MEL) shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA 2006-7974(CDP)(SPP)(MEL) is not approved, the subdivider shall submit a parcel map modification.
  12. That the subdivider shall record and execute a Covenant and Agreement to comply with the **Venice Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
  13. That prior final map recordation, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770.M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Conditions Nos. 14 of the Parcel Map approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post construction/ maintenance) to ensure continued implementation of the above mentioned mitigation items.
  14. That prior to final map recordation, a Covenant and Agreement shall be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all the environmental mitigation measures stated in the related ENV-2007-7966-MND:

**Air Pollution (Stationary)**

- MM-1 The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.
- MM-2 RESIDENTIAL-The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.

**Relocation**

- MM-3 Environmental impacts may result from project implementation due to relocation of families. However, these potential impacts will be mitigated to a level of insignificance by submitting a relocation plan to the City Planning Department for approval.

**Public Services (Schools)**

- MM-4 Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

**Recreation (Increase Demand for Parks or Recreational Facilities)**

- MM-5 Per Section 17.12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

**Utilities (Solid Waste)**

- MM-6 The applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills.
- MM-7 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

**15. CONDOMINIUM CONVERSION CONDITIONS:**

That prior to issuance of a condo conversion permit the applicant shall establish the existing legal number of units of the apartment to be the same as the number of units approved under Case No. AA-2007-5018-PMLA to the satisfaction of the Department of Building and Safety Plan Check Section.

- CC-1. That no later than 10 days after the expiration of the appeal period, the owner shall record a Covenant and Agreement (CP-6770) stating as indicated below (A-D). Also no later than 5 days after recordation, the

owner shall submit evidence (Certified Mail or signed Affidavit) that each tenant received a recorded copy of the Covenant and Agreement. (Room 750, 200 North Spring Street)

- A. One-hundred eighty (180) days before terminating any existing tenancy because of the conversion, each tenant shall receive written **Notice of the Intent to Convert**. And, after issuance of the **NOTICE**, all subsequent tenants shall be entitled to receive a copy as information on the conversion, but shall not be entitled to 180 days notice. (Per section 14, Subdivision 2 of Subsection D of Section 47.06 of the Los Angeles Municipal Code, the landlord shall provide tenants with relocation assistance within 15 days of service of the 180-day Notice of Termination.)
- B. Each tenant of the proposed condominium conversion project shall be given written notice of an exclusive right to contract for the purchase of the dwelling unit, occupied by the tenant, upon the same or more favorable terms and conditions than those initially offered to the general public. If a tenant's existing unit is to be combined with an adjacent unit, another unit of comparable size and amenities shall be offered to that tenant. The right shall run for a period of not less than 90-days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the California Business and Profession Code, unless the applicant receives prior written notice of the tenant's intention not to exercise the right.

If two or more units are combined, then all affected tenants shall receive notice and priority shall be determined in an equitable manner; otherwise, any such tenant prevented from purchasing the unit shall have the right of first refusal on a comparable unit to the extent possible.

- C. That relocation assistance shall be provided consistent with 12.95.2, 47.06, 47.07 and Ordinance No. 178632.
- D. That proof shall be submitted (Certificate mail or Affidavit) to the Advisory Agency, indicating that each tenant of the proposed condominium conversion project was provided written notification of the condominium conversion within 10 days of final map approval.
- CC-2. That prior to final map recordation, the subdivider shall pay a fee of \$1,492 for each unit. This fee shall be paid to the Rental Housing Production Account of the Housing Department in accordance with Section 12.95.2 K of the Municipal Code.

- CC-3. The subdivider acknowledges that the City Engineer shall certify the map as being correct only with respect to the areas shown on the tentative map. The City Engineer shall not certify as to the accuracy or compliance with local ordinances of any division of air space, which may be shown on additional sheets of the final map.
- CC-4. That prior to final map recordation, the subdivider shall provide a receipt, satisfactory to the Advisory Agency, that a Park and Recreation fee, (or a \$200 per unit Dwelling Unit Construction tax, if a Certificate of Occupancy was issued more than 5 years from the date the preliminary map was filed) and a Residential Development Tax of \$300 per dwelling unit has been paid.
- CC-5. That prior to final map recordation, owner shall obtain from tenants a defect and repair list, then enlist a California registered civil or structural engineer to prepare and certify a building inspection report addressing the tenant concerns and indicating any other defects and repairs needed to the structure, plumbing, and mechanical devices. The report shall also indicate whether the building complies with provisions of Los Angeles Municipal Code, Chapter IX, and contain evidence that all defects and repairs have been corrected.
- CC-6 That the applicant execute and record a covenant and agreement, on a form satisfactory to the Advisory Agency, binding the applicant and any successor in interest to provide relocation assistance in a manner consistent with Subsection G of Ordinance No. 178632 (LAMC 12.95.2 & 47.06). The covenant and agreement shall be executed and recorded within ten days after expiration of the appeal period and a copy provided to each tenant within five days of recordation of the covenant and agreement. **Failure to meet the requirement of this condition – including time limits – may be grounds to disapprove the final map.**

## FINDINGS OF FACT

### MELLO FINDINGS:

The project is consistent with the special requirements for low and moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 (Mello Act). The proposed project qualifies for the Small New Housing exemption from the Mello Act. Furthermore, on November 7, 2007 the Los Angeles Housing Department declared the project does not involve the demolition or conversion of affordable housing. Therefore, the applicant is not required to provide any inclusionary affordable dwelling units on-site or within the Coastal Zone.

**CONDOMINIUM CONVERSION FINDINGS**

THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS MORE THAN FIVE (5) PERCENT AND THE PROPOSED CONVERSION PROJECT WILL NOT HAVE A SIGNIFICANT CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE PLANNING AREA IN WHICH THE PROPOSED PROJECT IS LOCATED.

Section 12.95.2F.6 of the LAMC reads in pertinent part: After considering the following criteria the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider certain criteria, including "(d) the adequacy of the relocation assistance plan proposed by the subdivider."

Consistent with the requirements of LAMC Section 12.95.2 F.6, the Advisory Agency considered the criteria enumerated in this subsection. The Department of Water and Power reports that the vacancy rate for the Venice Community Plan is 9.7%, more than 5%. Moreover, the Advisory Agency hereby determines that adequate tenant protections have been and will be provided consistent with established law as required by Conditions Nos. 12, CC-1 - CC-6. Those protections include: advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and the Los Angeles Municipal Code Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

The Advisory Agency has determined that it cannot make the findings set forth in Section 12.95.2. F 6, and therefore, the condominium conversion may be approved.

THE OFF-STREET RESIDENT PARKING SPACES AND GUEST PARKING SPACES REQUIRED FOR THE PROPOSED CONDOMINIUM CONVERSION ARE REASONABLE AND FEASIBLE AND SUBSTANTIALLY CONSISTENT WITH THE PURPOSES OF THE MUNICIPAL CODE.

The parking provided of four (4) resident parking spaces conforms to the Advisory Agency's Parking Requirements of two (2) resident parking spaces per dwelling unit for projects more than five (5) years from the issuance of a Certificate of Occupancy.

**FINDINGS OF FACT (CEQA):**

The Environmental Review Section of the Planning Department issued on April 23, 2007, the proposed project Mitigated Negative Declaration No. ENV-2006-7966-MND. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2006-7966-

MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- Air Quality (construction, operational);
- Population and Housing (relocation);
- Public Services (schools);
- Recreation (parks);
- Utilities (solid waste);

The Advisory Agency, to mitigate the above impacts, required **Condition Nos. 13 and 14**, as conditions of approval for the Parcel Map and determined the project would not have a significant impact upon the environment. Other identified potential impacts not mitigated by these conditions are subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such impacts on all projects.

**FINDINGS OF FACT (SUBDIVISION MAP ACT):**

In connection with the approval of Parcel Map No. AA-2007-5018-PMLA, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66411.1 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

THE REQUIRED IMPROVEMENTS ARE NECESSARY FOR REASONS OF PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE SURROUNDING AREA AND NEIGHBORHOOD.

The proposed division of land complies with such requirements as may have been established by the Subdivision Map Act (Government Code Sections 664109 et seq.) or Article 7, Section 17.50 of the Municipal Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of the Subdivision Map Act or said Article.

PROPOSED MAP IS CONSISTENT WITH THE APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Venice Community Plan designates the subject property for Medium Residential density with the corresponding zone of R3. The 0.092 acre property is zoned R3-1. The adopted Plan zone allows for the proposed subdivision. Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General and Specific Plans.

THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH THE APPLICABLE GENERAL AND SPECIFIC PLANS.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The project is conversion to condominiums of an existing building constructed in 1988. Condominiums consist of the subdivision of airspace in an existing building and no new structures will be added.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05N of the Los Angeles Municipal Code.

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau, located at 200 N. Main Street Room 1255, regarding the cable television franchise holder for this area, or by calling (213) 922-8363.

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the West Los Angeles Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No. CP-7769 must be submitted, accepted as complete, and appeal fees paid by 5:00 PM on February 21, 2008\* at one of the City Planning Department Public Counters, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

\*Please note the cashiers at the public counters close at 3:30 PM.

**Appeal forms are available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

Pursuant to Ordinance 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final, including all appeals, if any.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 5:00 p.m. February 6, 2011.

No requests for time extensions or appeals received by mail shall be accepted.

If you have any questions, please call Parcel Maps staff at (213) 978-1329.

S. Gail Goldberg, AICP  
Advisory Agency



LYNN HARPER  
Deputy Advisory Agency

SGG:MSYY:LH:JM

cc: Bureau of Engineering - 4  
Community Planning Bureau  
Planning Office & 1 Map  
D.M. 105 A 147  
Bureau of Street Lighting  
Street Tree Division & 1 Map

Dept. of Building & Safety, Zoning & 2 Maps  
Department of Building & Safety, Grading  
Department of Fire  
Department of Recreation & Parks & 1 Map  
Department of Transportation, CPC Section  
Room 600, 221 N. Figueroa Street

CP-1809 (03-01-01)