

Communication from Public

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Council File No: 24-0711-S1

Comments for Public Posting: This submission details systemic failures by LADBS, Planning, the Zoning Administrator, and the City Planning Commission in approving and overseeing the RV park at 23416 S President Avenue, Harbor City. It includes documented violations of LAMC §14.00 A.7, evidence of utilities illegally constructed in required buffer zones, ADA non-compliance, plan inconsistencies, and ministerial misclassification. It also compares this site to the developer's similar violations at a Wilmington RV park. We respectfully request PLUM oversight, a full audit, and revocation of entitlements. Attachments include: aerial images, approved plans, photographs, plan comparisons, and reference to HCD Complaint #MP-C-25-03342.

This letter seeks urgent PLUM Committee oversight of a fully built RV park at 23416 S President Ave, approved under LAMC §14.00 A.7 “Public Benefit” provisions, despite clear and documented violations of zoning, ADA, Title 25, and plan consistency. LADBS, Planning, and CPC approved or failed to act on contradictory plans, ignored required buffers, and closed formal complaints without inspection. We request PLUM’s oversight into the project’s entitlement process, complaint handling, and whether a Conditional Use Permit (CUP) and CEQA review should have been required.

While the public focus has often been on the developer’s actions, the deeper and more pressing concern lies in the systemic failure of the Planning Department, LADBS, the Zoning Administrator, and the City Planning Commission (CPC) to uphold our community’s overall plan, basic zoning, health, and safety standards even in the face of documented violations, formal complaints, and detailed appeals.

We urge your office and the PLUM Committee to oversight for the following failures:

1. Submitted Plans Did Not Match the Approved Scope of Work

The January 7, 2024 site plan explicitly states that the project includes 46 RV stalls, but the scaled site drawing on the same plan set shows only 39 stalls. No corrections or clarifications were requested by LADBS during plan check. It wasn’t until after your Motion to halt the project that any updates were submitted to attempt alignment with the performance standards. In later versions, all stall dimensions were removed, making it impossible to verify stall widths, spacing, fire lane access, or required setbacks and even those versions still failed to comply with LAMC §14.00 A.7. (See [Jan 7 Plans](#): including electrical / water, [July 2 Plans](#), [July 25 Plans](#))

This is not a minor clerical issue; it reflects a systemic failure in the plan approval process. The presence of an internal contradiction within the same plan set should have immediately disqualified the project from ministerial approval and triggered a discretionary CUP process. Under the Public Benefit framework, all performance standards must be met objectively; once ambiguity or conflict arises, the entitlement is no longer valid for ministerial treatment.

Despite this, no City department has acknowledged that the project was approved in error. Yet we have documented multiple inconsistencies, contradictions, and zoning violations across all three submitted plan sets all of which were overlooked or signed off without correction. These are not oversights by the developer alone; they reflect a pattern of negligence or misjudgment by LADBS and Planning staff at multiple points in the review and approval chain.

The City’s refusal to admit any error, despite clear documentary evidence, only deepens the community’s concern. It raises serious questions about the reliability of the ministerial approval system and whether public trust in the planning and permitting process has been compromised.

2. Utilities Built in Required Buffer Zones

Sheet P4 ([electrical](#)) and Sheet P7 ([water](#)) from the first plan set clearly show utility infrastructure including pedestal structures, water lines, methane piping, and an [800A](#) electrical distribution structure constructed directly within the 15-foot rear yard setback and the 10-foot landscaped buffer required under LAMC §14.00 A.7, Performance Standard #2. These buffer zones are explicitly required to remain free of all structures, paving, and utility equipment to protect adjacent residential uses. (Actual footage of the [800A](#) / [Plans ADA](#): both located on the same spot)

These buffer zones are explicitly required to remain unobstructed and free of structures, paving, or utility infrastructure to serve as a protective separation between intensive RV park use and adjacent residential or sensitive uses. The purpose of these buffers is to reduce noise, visual, and utility impacts; to allow for screening and plantings; and to ensure livability and safety for neighboring properties. Utility islands, electrical panels, and sewer or methane components are categorically not permitted within these setback areas. Even more concerning, the ADA parking space shown on Sheet P-1 was eliminated in Sheet P-4 to make room for the concrete pad and high-capacity electrical distribution structure in the same location. This internal conflict between drawings within the same approved plan set should have triggered immediate correction or rejection during LADBS plan review. Instead, LADBS approved both sheets without comment, resulting in:

- A violation of ADA access requirements;
- A clear conflict between entitlement conditions and built infrastructure;
- And a failure to enforce mandatory zoning and buffer standards.
- Utility islands meet the legal definition of structures because they are permanently affixed, contain sewer and electrical systems, and are installed on concrete pads. As such, they are categorically prohibited within the 15-foot rear yard setback and 10-foot landscaped buffer required by LAMC §14.00 A.7 Performance Standard #2.

This is not a minor oversight, it is a breakdown of the most basic permit-review process and a clear disqualifier for ministerial approval. The fact that these contradictions were present in the same plan set and still approved underscores the urgent need for a full audit and revocation of entitlements. ([P4 Electrical](#), [Close-up of P4 800A](#) - Electrical Distribution System / Actual footage of the [800A](#))

When a developer knowingly submits conflicting or incomplete plans that misrepresent project scope to obtain ministerial approval and departments sign off without question it defrauds the public of its right to due process. CEQA review, discretionary oversight, and public input are not optional; they are triggered precisely when performance standards are violated. This case exposes how ministerial pathways are being exploited, and PLUM must now restore the necessary safeguard

Wilmington Site: Utility Islands in the 10-Foot Buffer Zone – Evidence of Repeat Violations - 1551 Young St. Wilmington 90744

The issues at 23416 S President Avenue are not isolated. The developer's other RV park, located in Wilmington, exhibits similar violations, specifically the placement of utility islands directly within the required 10-foot landscaped buffer zone. The aerial images included here clearly show utility infrastructure and RV hookups positioned immediately adjacent to the perimeter fence, without any meaningful setback.

This pattern suggests a deliberate and repeated disregard for zoning standards and setback regulations, undermining the integrity of Public Benefit approvals under LAMC §14.00 A.7. The similarity between the Wilmington and Harbor City site layouts further reinforces the need for a comprehensive investigation into whether these developments were permitted, reviewed, and inspected properly or if critical performance standards were once again ignored.

This evidence underscores the importance of enforcement and the urgent need for corrective action to prevent further erosion of zoning protections citywide.

Wilmington site images: [Setback 1](#), [ADA Setback](#), [Shore power / Utility Island](#)

3. CPC Appeal Was Dismissed Without Due Process

When our community filed an appeal, the City Planning Commission (CPC) held a public hearing and heard our public comments. We had submitted a detailed appeal package in advance, including documentation of discrepancies across three plan sets, violations of Public Benefit Performance Standards, and photographic comparisons of the built site versus what was approved. ([Appeal Package](#))

Despite the significant evidence and testimony submitted at the June 26, 2025 City Planning Commission (CPC) hearing, the Commission denied the appeal. The final written report, DIR-2024-7352 DL, has since been issued and is nearly identical to the April 9, 2025 Zoning Administrator's Letter of Determination, with minimal to no acknowledgment of the new evidence, visual materials, or public testimony presented at the CPC level. This raises serious concerns that the Commissioners may not have reviewed the full scope of submitted materials. In fact, during the hearing, several Commissioners appeared unclear on fundamental aspects of the project such as the number of RV stalls authorized casting further doubt on whether the appeal was given a fair and thorough review.

Although we submitted a thorough planning analysis, legal justification memo, and photographic documentation prior to the CPC hearing, the developer's legal team attempted to downplay our findings by asserting that our concerns were premature and irrelevant until final inspection. However, our appeal was not speculative; it was grounded in hard evidence: measurable discrepancies between the plans and the built site, violations of mandatory buffer zones, and the removal of ADA parking to accommodate utilities.

The developer further stated that LADBS and Planning had already found the project compliant, ignoring that those determinations were based on flawed and contradictory plans. The argument that violations cannot be addressed until the final inspection contradicts planning best practices and allowed LADBS to defer accountability entirely. This strategic deflection paired with the City's failure to scrutinize conflicting plans allowed violations to be institutionalized rather than corrected.

4. Bureaucratic Deflection and Denial

Following the Zoning Administrator appeal, we were disheartened to learn that even with photos and documented violations in hand, our concerns were dismissed. The Director of Planning's official denial stated: ([Determination Report](#))

As stated on page 5 of the April 9, 2025 Director's Determination Letter (Case No. DIR-2024-7352-BSA): *"These complaints should be reported as a violation to the Department of Building and Safety for enforcement and are beyond the scope of the subject building permit and appeal; they cannot be considered in evaluating whether the proposed project is in compliance with the Public Benefit Project standards..."*

When we pushed for accountability, Planning deferred responsibility back to LADBS, stating:

"It is the responsibility of the Department of Building and Safety to verify that a project complies with its permit and associated plans and to take corrective action if warranted." (page 6)

In short, no department was willing to engage with the actual conditions on the ground even after receiving photographic proof that the project had been built out of compliance.

5. LADBS Failed to Investigate or Enforce

Multiple formal complaints accompanied by drone footage, aerial photos, and plan comparisons were submitted. LADBS closed them as "duplicates" without providing evidence of site inspection or enforcement.

There is still no public record confirming that LADBS ever verified whether the site matches any of the approved plan sets.

During the June 26, 2025 CPC hearing (Council File: 24-0711-S1, Motion 57), the appeal was denied despite significant visual and legal evidence being presented. Much of our documentation appears to have been omitted from the final record or not referenced in the CPC's written determination. This raises concerns about transparency and whether public evidence was given full consideration.

Legal Context: Why This Project Requires a CUP

Under LAMC §14.00 A.7, projects that meet all objective performance standards may proceed ministerially, without a Conditional Use Permit (CUP). However:

- Once a project violates even one standard, it no longer qualifies as a “Public Benefit” and must be subject to full discretionary review, including a CUP.
- According to California Government Code §65852.2 et seq., ministerial approval applies only if all qualifying standards are met.
- Case law and zoning practice affirm that a development which fails to conform to the objective criteria under a by-right exemption loses its ministerial protection and must be treated as a discretionary project, triggering CEQA, public hearings, and more stringent review.

Given the numerous, documented violations including encroachment into buffer zones, contradictory plan sets, and removal of key dimensional data this project should never have proceeded without a CUP.

This Project Also Constitutes Unlawful Spot Zoning

In addition to violating LAMC §14.00 A.7 performance standards, the RV park approval constitutes unlawful spot zoning. The site, surrounded by residential parcels, was granted an entitlement that is fundamentally incompatible with both the underlying zoning and the updated Wilmington–Harbor City Community Plan, which aims to correct historic land-use conflicts and prohibit vehicle-storage or transient lodging in residential zones. The RV park constitutes a form of transient lodging, which the Wilmington–Harbor City Community Plan specifically identifies as incompatible with established residential neighborhoods.

Under California law, spot zoning occurs when a parcel is selectively rezoned or entitled for a use that serves a private interest without a clear and legitimate public purpose, and that use is inconsistent with surrounding zoning or the adopted General Plan (*Foothill Communities Coalition v. County of Orange*, 2014). Here, no such public purpose has been demonstrated. Instead, the parcel was carved out from its context and allowed a high-impact commercial use vehicle lodging with concrete utility islands and methane electric infrastructure, in violation of the City’s own land-use goals.

The Wilmington–Harbor City Community Plan specifically identifies the need to protect neighborhoods from incompatible uses such as truck storage and transient lodging, and to direct future growth into designated Opportunity Areas, not quiet residential enclaves like President Avenue. As stated in the Planning Department’s 2024 staff report for the trucking-related ordinance:

“Eliminate incompatible and non-conforming uses from existing residential neighborhoods, to preserve the residential character of these neighborhoods and protect

residents from adverse environmental impacts caused by such uses.”
(CPC-2024-2303-CA, Staff Report, Page A-1, Los Angeles City Planning)

Approving this RV park as a “Public Benefit” in an R1 context, outside of any designated growth zone, directly contradicts those stated goals.

By allowing this project to proceed without a CUP, public hearing, or CEQA review and in a manner that deviates from the updated Community Plan the City has effectively created an illegal spot zone. This further underscores the need for a full revocation of entitlements and an audit of LADBS’s use of ministerial approvals in residential areas.

Why This Matters

Allowing a developer to bypass CEQA, public input, and zoning protections under the guise of a “Public Benefit” while failing to enforce the very standards that define that benefit is not only irresponsible, it erodes public trust in government and the integrity of the City’s planning process.

When residents file appeals, submit formal complaints, and present documented evidence and those concerns are dismissed while the project is allowed to proceed in violation of code it sends a clear message: that entitlements can be granted and maintained without accountability, and that community participation carries no weight in decision-making.

This case creates a blueprint for abuse, where other developers may exploit “Public Benefit” provisions in R1 zones to build high-density, high-impact vehicle lodging facilities without public hearings or discretionary review.

Left uncorrected, it sets a precedent that undermines:

- The purpose and enforceability of zoning regulations;
- Public faith in Planning and LADBS oversight.
- The City’s stated commitment to transparency, environmental review, and equitable development.

This is not just about one project. It’s about whether the City’s land-use process serves the public or selectively benefits private interests at the expense of neighborhood stability and community trust.

Response to Doug Ross's Public Comment (July 14, 2025)

On July 14, 2025, the developer's representative Doug Ross submitted a public comment attempting to undermine Councilmember McOsker's Charter Section 245 motion and to portray our community's appeal as meritless. His statement dismisses the Councilmember's action as "unlawful discretionary interference" and claims that our appeal was "unjustified" and "rightly denied." These assertions not only mischaracterize the facts but also distort the purpose of the Charter and the oversight responsibilities of elected officials.

Our appeal was supported by detailed plan analysis, photographic evidence, and documented violations of ADA, Title 25, and LAMC §14.00 A.7. It is precisely because these violations were ignored or inadequately addressed by LADBS and Planning that Councilmember McOsker acted to preserve the integrity of the zoning process. Charter §245 exists to ensure transparency, legality, and public accountability when ministerial approvals are granted in error.

To suggest that exercising oversight is an "abuse of power" ignores the extensive documentation we submitted and the broader administrative failures outlined in this report. Mr. Ross's characterization further illustrates the developer's unwillingness to engage with the facts and underscores the need for full PLUM Committee review of the City's handling of this case.

What We Are Requesting

Given the pattern of administrative failure, improper approvals, and likely misclassification of this development combined with the City's failure to acknowledge or correct known errors we believe it is necessary to explore whether any actions rise to the level of fraud or legal misconduct

- Call upon the PLUM Committee to exercise its oversight authority over LADBS, City Planning, the Zoning Administrator, and the City Planning Commission for their collective handling of this case. Despite extensive documentation of zoning, permitting, ADA, and safety violations, multiple complaints submitted through the LADBS portal were closed without investigation, many marked as "duplicates" and none appear to have triggered a site inspection or enforcement action. We urge the PLUM Committee to formally review the City's complaint handling process in this matter, including all submissions filed through the LADBS system, and to assess whether procedural failures or departmental negligence contributed to the approval and construction of this noncompliant RV park.
- Request a physical site inspection and a side-by-side comparison of all three submitted plan sets (Jan 7, July 2, July 25);
- Demand public disclosure from LADBS and Planning explaining how this project was approved despite clear violations of zoning code and entitlement conditions;
- Support a motion to audit LADBS's use of "Public Benefit" authority in R1 zones citywide, including whether appropriate safeguards and review thresholds are being applied consistently;
- In light of the documented discrepancies between the approved plans, built conditions, and entitlement claims combined with the City's failure to acknowledge or correct known

errors we believe it is necessary to explore whether any actions rise to the level of fraud or legal misconduct.

- We respectfully urge the City Attorney to investigate:
 - Whether the project was improperly approved as a ministerial “Public Benefit” under LAMC §14.00 A.7 when a Conditional Use Permit (CUP) and discretionary review should have been required;
 - Whether any material misrepresentations, omissions, or false statements were made during the entitlement or permitting process that may constitute fraud or legal misconduct.
- Revoke the project's entitlements and permits due to its repeated and material failure to comply with the conditions set forth under LAMC §14.00 A.7. This development was only allowed to proceed ministerially because it claimed Public Benefit status, bypassing environmental review, public hearings, and zoning restrictions. Now that it is clear the required performance standards were not met, the project no longer qualifies for ministerial treatment and must be subjected to full discretionary review. Continuing to allow construction and occupancy under invalid or misclassified permits undermines the legal foundation of the City's zoning system and sets a dangerous precedent.

Attachments and or links for Reference:

- All three sets of submitted plans (Jan 7, 2024, 39-RV plan, and third set without stall dimensions)
 - ([Jan 7 Plans](#): including electrical / water, [July 2 Plans](#), [July 25 Plans](#))
 - [Comparison as built vs plans](#)
- Photos, aerial imagery, and drone footage
 - [Images](#) / [Video](#)
 - Wilmington site: Same developer: [Image](#)
- Complaint filed with the California Department of Housing and Community Development (HCD)
 - HCD Case #MP-C-25-03342 / [Complaint](#)
- Documentation of community-submitted LADBS complaints:
 - View on LADBS portal

We remain committed to constructive engagement and are available to provide documentation or participate in any review processes the Council initiates. Our goal is not only to correct this individual case, but to ensure that no future community is subjected to the same breakdown in transparency and planning oversight. Thank you for your time and consideration. We look forward to your leadership in restoring accountability to a broken process and protecting communities like ours from further harm