

Communication from Public

Name: Christal Cooper

Date Submitted: 08/12/2025 04:07 AM

Council File No: 24-0711-S1

Comments for Public Posting: Developer's PLUM Response (Exhibit B, p. 5): "The presence of rough-ins for shore power units... does not negate compliance with landscaping... landscaping can be and often is installed around such infrastructure." This is an admission that permanent utility infrastructure exists within the setback and landscaped buffer. Contrary to the developer's claim, this placement violates Performance Standard #2 (15-foot setback) and Performance Standard #5 (10-foot landscaped buffer). Under LAMC §14.00 A.7, failure to meet even one performance standard revokes eligibility for ministerial by-right approval and instead requires a Conditional Use Permit and full CEQA review. The construction of 20 utility island pedestals permanently anchored to concrete pads, together with an 800A electric distribution system measuring 36' x 24', inside the 15-foot setback and 10-foot landscaped buffer negates compliance with two performance standards. These areas are required to remain completely unobstructed to fulfill their intended purpose of protecting adjacent residential uses. This is no longer a By-Right Project

Public Comment – Utility Islands in Required Setbacks – Location Not Disputed by Developer

In their PLUM Committee response (**Exhibit B, p. 5**), (Note: On the comment portal (8/11) I mislabeled it as exhibit A, when it's actually exhibit B) the developer's attorney openly acknowledges the "presence of rough-ins for shore power units" (utility pedestals) within the landscaped buffer. They do not dispute that these pedestals, permanently anchored to concrete pads, are located inside both the 15-foot rear setback and the 10-foot landscaped buffer required under LAMC §14.00 A.7, Performance Standards #2 and #5, which must remain free of structures, paving, and utility infrastructure.

Under the Los Angeles Municipal Code, installations permanently affixed to concrete pads and containing electrical, sewer, or methane connections are classified as **structures**. Their placement in required setback and buffer areas is categorically prohibited, regardless of whether landscaping is present. These zones are intended to remain unobstructed to protect adjacent residential uses.

This is an implicit admission of placement. Nowhere does the developer deny that the pedestals occupy prohibited zones; instead, they shift to the argument that landscaping can be installed around them. In an R1 zone, failure to meet even a single performance standard, such as this prohibition, removes eligibility for ministerial approval and triggers the requirement for a Conditional Use Permit and CEQA review.

Plan Conflict

The as-built configuration matches Sheet P-4 from January 2024, which placed the utility island pedestals in prohibited zones. Planning flagged this layout in April 2024 for showing a 0-foot setback and buffer instead of the required 15-foot and 10-foot clearances. By June 27, 2024, ABC News drone footage confirms the pedestals, anchored to concrete pads, were already installed in those prohibited areas. While the exact installation date is unknown, the July 2024 plan revisions were submitted after the pedestals were in place, showing the developer knowingly sought approval for corrected buffers while leaving the noncompliant infrastructure intact. This sequence demonstrates clear awareness of the violation and intent to proceed despite it.

The violation is unmistakably documented at the 27-second, 39-second, and 53-second marks of the ABC News broadcast

Closing

The developer's own language, coupled with as-built evidence, confirms the violation: these are permanent, affixed structures in zones where the Municipal Code expressly forbids them. Placement alone, once verified by LADBS, is sufficient to revoke ministerial approval. Endorsing this project as a by-right use would ignore the law, ratify a confirmed violation built after warning, and set a precedent that prohibited installations can be retroactively excused if unchallenged.

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Name: Christal Cooper
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Comments for Public Posting: The developer's attorney misinterprets HCD's 2008 Information Bulletin to claim exemption from LAMC §14.00 A.7, Performance Standard #9. In fact, the bulletin affirms that local governments retain authority to regulate vehicle parking in RV parks, directly supporting the City's ability to enforce this standard.

Rebuttal to Developer's Claim in Exhibit B, Page 39, Section B ("Oceans 11's Project Complies With Performance Standard No. 9")

The 2008 HCD Information Bulletin cited by the developer does not exempt RV parks from compliance with Los Angeles Municipal Code §14.00 A.7, Performance Standard #9. On the contrary, the bulletin confirms that local governments have authority to "adopt ordinances, rules, regulations or resolutions" governing park perimeter walls, signs, access, and vehicle parking for RV parks.

HCD's own language states: "*The same issues and rules apply to recreational vehicle parks unless otherwise noted*" and that local authority includes vehicle parking. This directly affirms the City's authority to enforce Performance Standard #9's parking requirements for RV parks.

In their PLUM submission, Exhibit B (p. 39, §B), the developer claims compliance based on an interpretation of Title 25 that allegedly supersedes parts of LAMC §14.00 A.7. However, the HCD bulletin they rely on directly contradicts this position, it affirms that local parking requirements apply to RV parks unless explicitly preempted, which is not the case here. Failure to meet Performance Standard #9, like any other Public Benefit Performance Standard, disqualifies the project from ministerial approval and requires a Conditional Use Permit and CEQA review. The developer's assertion of preemption is both factually and legally unfounded.