

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL CASE:</b>	<b>COUNCIL DISTRICT:</b>
DIR-2024-7352-BSA-1A	N/A	15 – McOsker
<b>RELATED CASE NOS.:</b>	<b>COUNCIL FILE NO:</b>	<b>PROCEDURAL REGULATIONS:</b>
DIR-2024-7352-BSA	CF 24-0711-S1	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
<b>PROJECT ADDRESS / LOCATION:</b>		
23416 and 23514 South President Avenue		
<b>APPLICANT:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
(Property Owner) Stuart Silver, Ocean's 11 RV Park, LLC	310-999-9267	<a href="mailto:Stuartsilver11@yahoo.com">Stuartsilver11@yahoo.com</a>
<b>APPLICANT'S REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Ben Reznik and Daniel Freedman, Jeffer Mangels Butler & Mitchell LLP	310-203-8080	<a href="mailto:BMR@jmbm.com">BMR@jmbm.com</a> , <a href="mailto:DFreedman@jmbm.com">DFreedman@jmbm.com</a>
<b>APPELLANT:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Concerned Residents of Green Meadows West-Harbor City		
<b>APPELLANT'S REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Kristina Kropp, Luna & Glushon	818-907-8755	<a href="mailto:kkropp@lunaglushon.com">kkropp@lunaglushon.com</a>
<b>PLANNER CONTACT:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Undine Petrulis	213-978-1170	<a href="mailto:undine.petrulis@lacity.org">undine.petrulis@lacity.org</a>
<b>ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):</b>		
<input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>  City Planning Commission action of June 26, 2025		
<b>FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)</b>		
<input checked="" type="checkbox"/> N/A		
<b>ITEMS APPEALED:</b>		
<input checked="" type="checkbox"/> N/A		

ATTACHMENTS:		REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination (CPC) <input type="checkbox"/> Findings of Fact <input type="checkbox"/> Staff Recommendation Report <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A – Plans <input type="checkbox"/> Mailing List (both Word and PDF) <input type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input checked="" type="checkbox"/> Other: Director of Planning letter of determination date April 9, 2025	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<b>NOTES / INSTRUCTIONS:</b>				
<input checked="" type="checkbox"/> N/A				
<b>CITY COUNCIL NOTICE TIMING:</b>	<b>NOTICE LIST (SELECT ALL):</b>		<b>NOTICE PUBLICATION:</b>	
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input type="checkbox"/> Neighborhood Council <input checked="" type="checkbox"/> Interested Parties		<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	
<b>FISCAL IMPACT STATEMENT:</b>				
<input type="checkbox"/> Yes <input type="checkbox"/> No <small>*If determination states administrative costs are recovered through fees, indicate "Yes."</small>				
<b>PLANNING COMMISSION:</b>				
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission		<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission		

<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
June 26, 2025	
<b>LAST DAY TO APPEAL:</b>	<b>DATE APPEALED:</b>
N/A	N/A
<b>COUNCIL TIME TO ACT:</b>	<b>TIME TO ACT START:</b>
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Cecilia Lamas Commission executive Assistant II	July 14, 2025



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**MAILING DATE: JULY 14, 2025**

**Case No.: DIR-2024-7352-BSA-1A**

Council District: 15 – McOsker

CEQA: N/A

Plan Area: Wilmington – Harbor City

**Project Site:** 23416 and 23514 South President Avenue

**Property Owner:** Stuart Silver, Ocean's 11 RV Park, LLC

**Appellant:** Concerned Residents of Green Meadows West-Harbor City  
Representative: Kristina Kropp, Luna & Glushon

At its meeting of **June 26, 2025**, the Los Angeles City Planning Commission took the actions below in conjunction with an appeal, pursuant to Los Angeles Municipal Code (LAMC), Chapter 1A, Section 13B.10.2, on the following Project:

A use of land building permit for a new recreational vehicle park as a Public Benefit Project.

1. **Denied** the appeal and **sustained** the Director of Planning's determination, dated April 9, 2025, which denied an appeal alleging that the Los Angeles Department of Building and Safety (LADBS) erred and abused its discretion by preparing to issue Supplemental Building Permit No. 24026-10000-00086 for the use of land in conjunction with a new recreational vehicle park as a Public Benefit Project, pursuant to LAMC, Chapter 1, Section 14.00 A.7, compliant with the required performance standards and without requiring a conditional use permit;
2. **Found**, that the Los Angeles Department of Building and Safety (LADBS) did not err or abuse its discretion in preparing to issue Supplemental Building Permit No. 24026-10000-00086 for the use of land in conjunction with a new recreational vehicle park, as a Public Benefit Project compliant with the required performance standards and without requiring a conditional use permit; and
3. **Adopted** the attached Findings of the Director of Planning.

The vote proceeded as follows:

Moved: Zamora  
Second: Lawshe  
Ayes: Cabildo, Klein, Mack  
Absent: Choe, Diaz, Saitman

**Vote: 5 – 0**

Cecilia Lamas, Commission Executive Assistant II  
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission is final effective upon the mailing of this determination letter and not further appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Director of Planning's Determination dated April 9, 2025

cc: Phyllis Nathanson, Associate Zoning Administrator  
Undine Petrulis, City Planner

OFFICE OF ZONING ADMINISTRATION  
200 N. SPRING STREET, ROOM 763  
LOS ANGELES, CA 90012-4801  
(213) 978-1318

ESTINEH MAILIAN  
CHIEF ZONING ADMINISTRATOR

**ASSOCIATE ZONING ADMINISTRATORS**

JACK CHIANG  
HENRY CHU  
TIM FARGO  
JONATHAN A. HERSHEY, AICP  
PHYLLIS NATHANSON  
CHRISTINE SAPONARA  
COURTNEY SHUM  
CHRISTINA TOY LEE  
JORDANN TURNER

**CITY OF LOS ANGELES  
CALIFORNIA**



KAREN BASS  
MAYOR

**LOS ANGELES DEPARTMENT  
OF CITY PLANNING  
EXECUTIVE OFFICES**

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER  
SHANA M.M. BONSTIN  
DEPUTY DIRECTOR  
HAYDEE URITA-LOPEZ  
DEPUTY DIRECTOR  
ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR  
LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

[planning.lacity.org](http://planning.lacity.org)

**Decision Date: April 9, 2025**

**Last Day to File an Appeal: April 24, 2025**

Concerned Residents of Green  
Meadows West - Harbor City (Appellant)  
16255 Ventura Boulevard, Suite 950  
Encino, CA 91436

Kristina Kropp (Representative for  
Appellant)  
Luna & Glushon  
16255 Ventura Boulevard, Suite 950  
Encino, CA 91436

Ocean's 11 RV Park, LLC,  
Stuart Silver (Owner & Permit Applicant)  
13157 Mindanao Way, Suite 962  
Marina Del Rey, CA 90292

Benjamin M. Reznik and Daniel F  
Freedman (Representatives for Owner  
and Permit Applicant)  
Jeffer Mangels Butler & Mitchell, LLP  
1900 Avenue of the Stars, 7<sup>th</sup> Floor  
Los Angeles, CA 90067-4308

CASE NO. DIR-2024-7352-BSA  
BUILDING AND SAFETY APPEAL  
23416 (and 23514) South President  
Avenue  
Wilmington - Harbor City Community  
Plan  
Zone: R1-1XL-O  
D. M.: 042B193  
C. D.: 15  
Legal Description: Lots 183 & 184, Tract  
24608

Pursuant to Los Angeles Municipal Code (LAMC), Chapter 1A, Section 13B.10.2., I  
hereby DENY:

an appeal to the Director of Planning alleging that the Los Angeles Department of  
Building and Safety (LADBS) erred and abused its discretion by preparing to issue

an appeal to the Director of Planning alleging that the Los Angeles Department of Building and Safety (LADBS) erred and abused its discretion by preparing to issue Supplemental Building Permit No. 24026-10000-00086 for the use of land in conjunction with a new recreational vehicle park as a Public Benefit Project, pursuant to LAMC, Chapter 1, Section 14.00 A.7, compliant with the required performance standards and without requiring a conditional use permit.

I find that the Los Angeles Department of Building and Safety (LADBS) **DID NOT ERR** or abuse its discretion in preparing to issue Supplemental Building Permit No. 24026-10000-00086 for the use of land in conjunction with a new recreational vehicle park, as a Public Benefit Project compliant with the required performance standards and without requiring a conditional use permit.

### NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the staff assigned to this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the appeal, the information provided by the Department of Building and Safety, the applicable Zoning Code provisions, the information submitted to the public record, and the statements made at the public hearing on January 16, 2025, all of which are by reference made a part hereof, I find as follows:

### BACKGROUND AND HISTORY

The subject site is a level, rectangular, interior, approximately 1.24-acre property, comprised of two lots, with a depth of approximately 135 feet and approximately 400 feet of frontage on the northeasterly side of South President Avenue. The property is within the jurisdiction of the Wilmington - Harbor City Community Plan, which designates the property for Low Residential land use, with corresponding zones of RE9, RS, R1, RU, RD6, and RD5. The site is zoned R1-1XL-O, which is consistent with Plan designation. The property is located within 100 feet of a Metro Right-of-Way (ZI-1117), an area subject to the Trucking-Related Use ordinance (ZI No. 2514), an area subject to permit clearance by the Fire Department (ZI-1195), the Urban Agriculture Incentive Area, a Methane Zone, and approximately 2.79 kilometers of the Palos Verdes Fault Zone. Pursuant to a letter from the California Department of Conservation Geologic Energy Management Division (CalGEM), dated March 5, 2024, there are nine known oil or gas wells located within the project boundary, all of which have been plugged and abandoned to CalGEM's abandonment requirements.

The Zoning Information and Map Access System (ZIMAS) shows the property as vacant. Plans submitted with Supplemental Building Permit No. 24016-10000-00086, dated July 25, 2024, and approved by City Planning on August 1, 2024, show there are existing 8-foot-high concrete block walls on the northwesterly and southeasterly property lines. The applicant has proceeded with site preparation to obtain a use of land permit for a recreational vehicle park. Progress on the site has not been verified by the Zoning Administrator.

In 1986, pursuant to Ordinance No. 161,716, the City Council created a conditional use process for approving recreational vehicle and mobilehome parks in the A, R, or C Zones. In 2000, pursuant to Ordinance No. 173,268, the City Council adopted a Charter Reform implementation ordinance that, among other changes, eliminated the conditional use process for recreational vehicle and mobilehome parks and created regulations and procedures for reviewing recreational vehicle parks and mobilehome parks as Public Benefit Projects, under Los Angeles Municipal Code (LAMC) Section 14.00 A.7.

On March 22, 2024, Building Permit No. 23020-10000-02232 was issued for the use of land for a new recreational vehicle park as a Public Benefit Project, pursuant to Los Angeles Municipal Code (LAMC) Section 14.00 A.7. The permit was closed on June 28, 2024.

On June 26, 2024, the City Council adopted a motion (Council File No. 24-0711) instructing the Department of City Planning and the Department of Building and Safety to report back on the property located at 23416 President Avenue. The report was to include any required environmental analysis or standard required evaluations for any construction or projects to occur at the location; whether the Home-Sharing program would be applicable to the proposed use; the public benefits associated with the proposed use; and a description of the City's ability to impose additional conditions for the use of land associated with the proposed recreational vehicle park. On August 23, 2024, a joint report was submitted to the Planning and Land Use Management Committee of the Los Angeles City Council from the Director of Planning, Department of City Planning, and the General Manager, Department of Building and Safety in response to the June 26, 2024, City Council motion.

On July 9, 2024, an application was submitted for plan check under Building Permit No. 24026-10000-00086, supplemental to Building Permit No. 23020-10000-02232, for the use of land for a new 46-space recreational vehicle as a Public Benefit Project pursuant to Los Angeles Municipal Code (LAMC) Section 14.00 A.7. Department of Building and Safety records indicate that quality review was completed July 23, 2024.

On July 18, 2024, Kristina Kropp, as an attorney representative, filed a Request for Modification of Building Ordinances requesting that the Department of Building and Safety revoke Building Permit Nos. 23020-10000-02232 and 24026-10000-00086 for "failure to obtain a Conditional Use Permit required by the Los Angeles Municipal Code, because the use does not meet the definition or standards of the Code and because the use of land does not qualify as a 'public benefit' under the law." In the Supplemental Application for Appeal, the appellant identified the following issues and violations:

1. *Issue: LAMC Section 12.03 defines a recreational vehicle park as “any portion of a lot permitted by conditional use” to provide rental or lease sites for individuals recreational vehicles. Violation: The applicant has failed to obtain a conditional use permit for the proposed recreational vehicle park use.*
2. *Issue: LAMC Section 14.00 A provides that uses which do not meet the performance standards set forth therein require a conditional use permit. Violation: The performance standards set forth in LAMC Section 14.00 A.7(a)(3) and Section 14.00 A.7(a)(5) have not been met. The applicant has failed to obtain a conditional use permit for the proposed recreational vehicle park.*
3. *Issue: LAMC Section 14.00 authorizes certain “public benefit” uses. Violation: The proposed use is admittedly a “for profit” use and not a public benefit.*

On August 1, 2024, the Department of City Planning signed off on the subject recreational vehicle park, as a Public Benefit Project, pursuant to Los Angeles Municipal Code, Chapter 1, Section 14.00 A.7, by approving and stamping Plan Sheets P-1, P-2, and P-3 for the project, which include notes and a copy of a recorded covenant, and by electronically clearing the project on the supplemental use of land permit Clearance Summary Worksheet as compliant with the required performance standards. The covenant, Instrument No. 20230807676, recorded November 21, 2023, with the Los Angeles County Recorder, obligates the use of the property to comply with the Public Benefit Projects' required performance standards enumerated in LAMC Section 14.00 A.7. Projects are determined to be in compliance by virtue of performance standards shown on plans and by a recorded covenant and agreement that pledges compliance with the standards. The project is required to be in accordance with approved plans that form the basis of the permit issued. Any deviations that are determined to be violations are handled as an enforcement issue.

On August 2, 2024, the Los Angeles Department of Building and Safety denied the appeal submitted by Kristina Kropp, and issued its written determination on October 30, 2024, under Case No. DBS-240084-DCP. The determination was appealable to the Director of Planning no later than November 14, 2024.

On November 12, 2024, Concerned Residents of Green Meadows West - Harbor City, represented by Kristina Kropp, appealed the Department of Building and Safety report, Case No. DBS-240084-DCP, to the Director of Planning (the details of the appeal are described under **APPEAL TO THE DIRECTOR OF PLANNING**.)

### **Surrounding Properties**

Property to the northwest, west, southwest, south and southeast is zoned R1-1XL-O and developed with one and two-story single-family residences. Property adjoining and abutting to the northeast is also zoned R1-1XL-O, designated as a Los Angeles County Metropolitan Transportation Authority (MTA) Right-of-Way Project Area, and currently used for rail as a miscellaneous utility.

**Streets**

President Avenue is designated as a Standard Local Street, with a designated right-of-way width of 60 feet and a designated roadway width of 36 feet, and improved with paved roadway, concrete curb, gutter, sidewalk, and landscaped parkway.

**Previous Relevant Permits, Cases, Affidavits, Orders and Other Zoning-related Actions on the Site:**

Request for Modification of Building Ordinances – On August 2, 2024, the Los Angeles Department of Building and Safety denied a request submitted on July 18, 2024, by Kristina Kropp to revoke Building Permit Nos. 23020-10000-02232 and 24026-10000-00086 for failure to obtain a Conditional Use Permit required by the Los Angeles Municipal Code because the use does not meet the definition or standards of the Code and because the use of land does not qualify as a “public benefit” under the law.

Supplemental Building Permit No. 24026-10000-00086 – On July 9, 2024, an application for a building permit, supplemental permit to Building Permit No. 23020-10000-02232, for the use of land for a new recreational vehicle as a Public Benefit Project pursuant to Los Angeles Municipal Code (LAMC) Section 14.00 A.7, was submitted for plan check. Quality review was completed July 23, 2024. City Planning approved Plan Sheet Nos. P-1, P-2, and P-3 on August 1, 2024. The application for the supplemental permit was submitted to update the site plan to demonstrate compliance with required Public Benefit performance standards pertaining to landscaping, fencing and parking, that had been overlooked in issuing the original permit.

Building Permit No. 23020-10000-02232 – On March 22, 2024, a building permit was issued for the use of land for a new recreational vehicle park as a Public Benefit Project pursuant to Los Angeles Municipal Code (LAMC) Section 14.00 A.7. The permit was closed on June 28, 2024.

Construction Site Well Review (CSWR) ID No. 1012970 (Revised) – On March 5, 2024, the California Department of Conservation, Geologic Energy Management Division (CalGEM) issued a letter to the Department of Building and Safety regarding a proposed project for the construction of a 46-space recreational vehicle park within the Torrance oil field in Harbor City. The letter indicated that the wells within the project boundary have been plugged and abandoned to CalGEM's current abandonment requirements as prescribed by law and that the wells will not be impeded by the proposed project. The letter contained recommendations that include verification of well location, among other recommendations, to ensure that any construction does not impede access and that no structures be built over or in proximity to any well that would impede future access, if needed, and that wells be tested for leaks; leaks are required to be reported and are subject to further action.

Ordinance No. 187,712 – On January 22, 2024, an ordinance amending Chapter 1 of the Los Angeles Municipal Code and establishing Chapter 1A of the Los Angeles Municipal

Code to comprehensively reorganize the administrative processes and procedures related to zoning and land use entitlements became operative (Processes and Procedures ordinance). Among other changes, the ordinance updated the procedures for Public Benefit Projects providing a conditional use process, instead of the prior alternative compliance process, for projects that do not comply with the required performance standards.

Instrument No. 20230807676 – On November 21, 2023, a covenant and agreement was recorded with the Los Angeles County Recorder, obligating the use of the property at 23414 and 23416 South President Avenue to comply with the Public Benefit Project required performance standards enumerated in LAMC Section 14.00 A.7.

Ordinance No. 173,268 – On July 1, 2000, a 284-page Charter Reform implementation ordinance became effective, amending the Zoning Code, including amending Section 14.00 to read Public Benefit Projects and Performance Standards, which included recreational vehicle parks and mobile home parks in the A, R or C Zones as public benefit uses, among other changes to the Zoning Code. The ordinance included removing the conditional use process for recreational vehicle and mobilehome parks and provided an alternative compliance process for Public Benefit Projects that do not comply with the required performance standards.

Ordinance No. 161,716 – On October 31, 1986, the City Council approved an ordinance that added definitions for "recreational vehicle", "mobilehome", "recreational vehicle park", and "mobilehome park" and created a conditional use process for recreational vehicle and mobilehome parks in the A, R, or C Zones, among other actions.

### **STATUTORY PROVISIONS OF AUTHORITY**

The provisions of the Los Angeles Municipal Code (LAMC) establishing authority in regard to this appeal include:

LAMC, Chapter 1A, Section 13A.1.8.B. addresses the functions of the Los Angeles Department of Building and Safety and provides in Section 13A.1.8.B.1: "The Department of Building and Safety is granted the power to enforce the zoning ordinances of the City."

LAMC, Chapter 1A, Section 13B.10.2.A.1 provides that "The Director of Planning may investigate and make a decision upon appeals from determinations of the Los Angeles Department of Building and Safety (LADBS) where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination or action made by LADBS in the enforcement or administration of this Chapter or Chapter I (General Provisions and Zoning) of this Code and other land use ordinances in site specific cases."

### **RELEVANT LOS ANGELES ZONING CODE PROVISIONS**

The applicable Los Angeles Municipal Code (LAMC) sections pertinent to this matter are

as follows:

**Chapter 1, Section 12.03 DEFINITIONS**

**RECREATIONAL VEHICLE.** A portable vehicle mounted on wheels, with or without motive power, and primarily designed and constructed to provide human habitation for recreational, camping, travel or emergency purposes. (Added by Ord. No. 161,716, Eff. 12/6/86.)

**RECREATIONAL VEHICLE PARK.** Any lot or portion of a lot permitted by conditional use to provide rental or lease sites for individual recreational vehicles which are occupied for temporary purposes. (Added by Ord. No. 161,716, Eff. 12/6/86.)

**Chapter 1, Section 12.08.C.1 (pertaining to R1 Zone, in relevant part)**

**Front Yard.** There shall be a front yard of not less than 20% of the depth of the lot, but such front yard need not exceed 20 feet; provided, however that where all of the developed lots which have front yards that vary in depth by not more than ten feet comprise 40% or more of the frontage, the minimum front yard shall be the average depth of the front yard of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage, each of which as [sic] front yards that vary in depth by not more than ten feet, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. In determining the required front yard, buildings located on key lots, entirely on the rear half of lots, or on lots in the "C" or "M" Zones, shall not be counted; provided, however, that nothing contained in this paragraph shall be deemed to require front yards which exceed 40 feet in depth. (Amended by Ord. No. 139,155, Eff. 10/16/69.)

**Chapter 1, Section 12.21 A.4 (first paragraph)**

**Off-Street Automobile Parking Requirements.** (Amended by Ord. No. 185,480, Eff. 5/9/18.) A garage or an off-street automobile parking area shall be provided in connection with and at the time of the erection of each of the buildings or structures hereinafter specified, or at the time such buildings or structures are altered, enlarged, converted or increased in capacity by the addition of dwelling units, guest rooms, beds for institutions, floor area or seating capacity. The parking space capacity required in said garage or parking area shall be determined by the amount of dwelling units, guest rooms, beds for institutions, floor area or seats so provided, and said garage or parking area shall be maintained thereafter in connection with such buildings or structures.

**Chapter 1, Section 12.21 A.4(a)**

**For Dwelling Units.** (Amended by Ord. No. 176,354, Eff. 1/31/05.) In all zones, there shall be at least two automobile parking spaces on the same lot with each one-family dwelling thereon, and in any RW Zone there shall be at least two automobile parking spaces per dwelling unit which shall be upon the same lot with the dwelling unit. However,

for small lot subdivisions approved pursuant to Article 7 of this Chapter in conformity with the provisions of Section 12.22 C.27. of this Code, the required parking spaces shall not be required to be located on the same lot with each dwelling unit, but shall be provided within the boundaries of the parcel or tract map. The ratio of parking spaces required for all other dwelling units shall be at least one parking space for each dwelling unit of less than three habitable rooms, one and one-half parking spaces for each dwelling unit of three habitable rooms, and two parking spaces for each dwelling unit of more than three habitable rooms. Where the lot is located in an RA, RE, RS, R1, RU, RZ, RMP, or RW Zone, the required parking spaces shall be provided within a private garage. Where the lot is located in an R2 Zone, at least one of the required parking spaces per dwelling unit shall be provided within a private garage. Any door or doors installed at the automobile entry to a garage serving a one or two-family dwelling where one or more required parking spaces is located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles into each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position.

The above area requirements shall not apply to mobilehomes parks or mobilehomes located within mobilehome parks. Mobilehome parks are subject to the requirements of Title 25 of the California Administrative Code.

#### **Chapter 1, Section 12.21 A 5 (f) Driveway Width and (i) Internal Circulation**

**(f) Driveway Width.** (Amended by Ord. No. 184,802, Eff. 3/17/17.) Every access driveway shall be at least 9 feet in width in the A, RE, RS, R1, RU, RZ, R2, RMP and RW Zones, and 10 feet in width in the RD, R3, RAS3, R4, RAS4, R5, P, PB, C and M Zones; provided, however, every access driveway serving a parking area or garage having a capacity of more than 25 automobiles or trucks shall be at least 19 feet in width, or in lieu thereof, there shall be two access driveways, each of which is at least 10 feet in width; provided, further, however, that an access driveway serving an apartment house erected in the R2 Zone shall be at least 10 feet in width.

Except that in the R1 Zone, when not designated as a Hillside Area on the Department of City Planning Hillside Area Map, driveway width at the front property line shall not exceed 25 percent of the lot width or the width of any currently existing driveway, whichever is greater; provided, however, that nothing in this paragraph shall be deemed to require a driveway less than 9 feet in width at the front property line.

**(i) Internal Circulation.** All portions of a public parking area or, public garage shall be accessible to all other portions thereof without requiring the use of any public street, unless the Department of Transportation determines that such use is not detrimental to the flow of traffic. (Amended by Ord. No. 152,425, Eff. 6/29/79.)

The driveway width within a public garage shall maintain a constant width for its entire length. (Added by Ord. No. 179,191, Eff. 11/5/07.)

**Chapter 1, Section 12.21 A.6 (h) Improvement and (i) Landscaping**

(h) **Improvement.** Where a lot located in either an A, R, or A or R in combination with a P zone, or is serving as a parking area for the primary use of as specific building or buildings, and said lot is used for a public or private parking area for more than 20 vehicles, at least four percent of the parking area shall be devoted to improvements as follows:

(1) One-fourth of the required four percent improvement shall be credited for street trees planted in accordance with plans approved by the Street Tree Division. Approval shall be granted for any plan which complies with the Master Plan for Street Trees. Existing street trees shall be considered in satisfying this provision;

(2) One-fourth of the required four percent improvement shall be credited for walls, provided that walls are constructed along all lot lines abutting a street. Existing walls shall be credited;

(3) Up to and including three-fourths of the four percent improvement shall be credited for landscaped setback areas, provided that the total of said setback area is equal to the percent of the total parking area credited;

(4) Up to and including three-fourths of the four percent improvement shall be credited for interior landscaping, provided that the total of such landscaped area is equal to that percent of the total parking area being credited;

(5) On those lots having no street frontage, four percent improvement shall be credited for interior landscaping provided the total of such landscaped area is equal to that percent of the total parking area being credited.

(i) **Landscaping.** (Amended by Ord. No. 152,467, Eff. 7/14/79.) Those portions of a lot developed as a public parking area on which automobile parking is prohibited by paragraph (a) above, or otherwise not improved, shall be fully landscaped with lawn, trees, shrubs or suitable groundcover, and no portion except the access driveways shall be paved.

Where a wall is not required along any lot line of an automobile sales area abutting a street, said sales area shall incorporate a landscaped area or areas in the amount of at least three percent of said sales areas.

All landscaping required by the provisions of this subsection or provided in compliance with Paragraphs (g) or (h) hereof shall be installed in accordance with a plan approved by the City Planning Department. Approval shall be granted for any wherein the design and materials proposed therein are reasonably appropriate for the use and appearance of the parking area. Such landscaped areas shall be equipped with a water sprinkler system and shall be maintained free of weeds and debris.

**Chapter 1, Section 14.00 A**

**Public Benefit Projects and Performance Standards.** Where not permitted by right or by Conditional Use Permit pursuant to Subsections U., or W. of Section 12.24. of this Chapter, the following public benefit uses are permitted in any zone, unless restricted to certain zones or locations. The uses shall meet the following performance standards or conditional use permit approved pursuant to Subsection B. of this Section. (Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)

**Chapter 1, Section 1400 A. 7**

**Recreational vehicle parks and mobile home** parks in the A, R or C Zones where any trailer, mobile home or recreational vehicle is permitted to remain longer than one day and which were lawfully created after the effective date of the ordinance adding this use to the Code.

**(a) Performance Standards:**

- (1) No buildings are higher than any main building on adjoining property or across a street or alley from the use;
- (2) The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of this Code;
- (3) There is a solid decorative masonry or wrought iron wall/fence at least eight feet in height, or the maximum height permitted by the zone, whichever is less. The wall/fence encircles the periphery of the property and does not extend into the required front yard setback;
- (4) The front yard setback is at least as deep as the setback required by the zone;
- (5) The property is improved with a ten foot landscaped buffer along the periphery of the property, which is maintained and is equipped with an automatic irrigation system;
- (6) Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6.;
- (7) Only one identification sign is displayed on the site and it is on the building face. The sign does not exceed 20 square feet, and does not extend more than 2 feet beyond the wall of the building, and does not project above the roof ridge or parapet wall (whichever is higher) of the building;
- (8) All graffiti on the site is removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence;

(9) **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** The use meets the parking requirements of Section 12.21 A.;

(10) **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** All streets, alleys or sidewalks adjoining the property meet standard street dimensions;

(11) **(Added by Ord. No. 173,492, Eff. 10/10/00.)** There are no outdoor public telephones on the site; and

(12) **(Added by Ord. No. 173,492, Eff. 10/10/00.)** Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.

(b) **Purposes:** The purposes of these Performance Standards are to provide for landscaping, open space, scale, bulk, height, yards and setbacks, particularly with regard to the main buildings, which are similar to those in the adjacent properties in the neighborhood. Signage, where permitted by City regulations, should not exceed in size or number those located on the same block or across the street from the site. The noise levels created on the site should not increase the ambient noise level so as to be disturbing to persons on adjoining or abutting properties after completion of the project. Public telephones on the site should be located to discourage loitering. Sufficient off-street parking should be provided to preclude the need for utilization of on-street parking by the use allowed on the site. The proposed use should be designed in a manner that will minimize the generation of loitering of individuals on or adjacent to the site. City streets should meet City standards in order to ensure safe vehicular ingress and egress to the site and to ensure that traffic does not exceed the existing level of service. Ingress and egress to the main buildings or uses on the site are sufficient to accommodate expected usage by the public and/or occupants of the facility. Access to and from the site should be sufficient to meet police and fire safety needs beyond the explicit requirements of City codes as determined by the Police, Fire and Building and Safety Departments. Lighting on the site should not reflect on adjoining residential uses. Walls, fences, or other visible security devices should be similar to those on the adjoining properties. Graffiti should be prevented and eliminated when it is found on the site.

#### **Chapter 1, Section 14.00 B**

**Conditional Use Permit for Public Benefit Projects** (in pertinent part). (Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)

**1. Applicability.** If a proposed public benefit project does not comply with the performance standards delineated in Subsection A., the applicant may apply for approval of a conditional use permit pursuant to Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code.

**2. Supplemental Findings.** In approving any public benefit project, the Zoning Administrator shall also find that the proposed project substantially meets the purposes of the performance standards set forth in Subsection A.

**Chapter 1A, Section 13A.1.B.1 Department of Building and Safety.**

**Enforcement.** The Department of Building and Safety is granted the power to enforce the zoning ordinances of the City.

**RELEVANT CALIFORNIA CODE OF REGULATIONS PROVISIONS (formerly California Administrative Code)**

**Title 25. Housing and Community Development. Division 1. Housing and Community Development. Chapter 2.2. Special Occupancy Parks. Article 2. General Park Requirements.**

**Section 2106. Roadways (b)**

(b) In parks constructed on or after September 15, 1961,

(1) each lot shall have access to a two-way roadway of not less than eighteen (18) feet, or a one-lane, one-way roadway not less than twelve (12) feet, in unobstructed width.

(2) No vehicle parking shall be allowed on one-way, one-lane roadways less than nineteen (19) feet in width. If vehicle parking is permitted on one side of a one-lane roadway, the roadway shall be a minimum of nineteen (19) feet in width. If vehicle parking is permitted on both sides of a one-lane roadway, the roadway shall be at least twenty-six (26) feet in width.

(3) No vehicle parking shall be allowed on two-lane, two-way roadways less than twenty-five (25) feet in width. If vehicle parking is permitted on one side of a two-way roadway, the roadway shall be a minimum of twenty-five (25) feet in width. If vehicle parking is permitted on both sides of a two-way roadway, the roadway shall be at least thirty-two (32) feet in width.

**Section 2118. Lot Occupancy**

(f) The following shall apply to lots in parks designed to accommodate recreational vehicles.

(1) Except as provided in paragraph (2) of this section, lot shall accommodate no more than:

(A) one (1) recreational vehicle and one (1) tent, or

(B) one (1) camping cabin, or

(C) two (2) tents, or

(D) one (1) manufactured home or mobilehome used in accordance with subsection (b).

(2) When used as a frequent means of transportation, a self-propelled recreational vehicle or truck mounted camper may be parked beside an occupied unit. That vehicle shall not be occupied or connected to the lot's utility facilities or interconnected with the occupied unit.

### **RELEVANT CALIFORNIA HEALTH AND SAFETY CODE PROVISIONS**

#### **DIVISION 13. HOUSING. PART 2. MANUFACTURED HOUSING. CHAPTER 1.**

**Definitions [18000 - 18014.5]** *(Chapter 1 added by Stats. 1981, Ch. 975, Sec. 3.)*

**18010.** "Recreational vehicle" means both of the following:

(a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, that meets all of the following criteria:

(1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.

(2) It contains 400 square feet or less of gross area measured at maximum horizontal projections.

(3) It is built on a single chassis.

(4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.

(b) A park trailer, as defined in Section 18009.3.

*(Amended by Stats. 2000, Ch. 566, Sec. 2. Effective January 1, 2001.)*

#### **DIVISION 13. HOUSING. PART 2.3. SPECIAL OCCUPANCY PARKS ACT. CHAPTER**

**1. General [18860 - 18861]** *(Chapter 1 added by Stats. 2001, Ch. 434, Sec. 39.)*

**18860.** This part shall be known and may be cited as the Special Occupancy Parks Act. *(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**18861.** (a) The provisions of this part insofar as they are substantially the same as existing statutory provisions relating to the same subject matter shall be construed as restatements and continuations, and not as new enactments.

(b) The provisions of Part 2.1 (commencing with Section 18200) shall govern the construction, installation, maintenance, use, and occupancy of a mobilehome, manufactured home, mobilehome accessory building or structure, commercial coach, factory-built home, or permanent building in a special occupancy park.

*(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**DIVISION 13. HOUSING. PART 2.3 SPECIAL OCCUPANCY PARKS ACT. CHAPTER 2. Definitions [18862 - 18862.49]** *(Chapter 2 added by Stats. 2001, Ch. 434, Sec. 39.)*

**18862.13.** "Conditional permit" means a construction, reconstruction, or operation permit issued by the **enforcement agency** which may prescribe conditions on the use or occupancy of a special occupancy park, subject to the provisions of this part. *(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**18862.17. "Enforcement agency"** is the Department of Housing and Community Development, or any city, county, or city and county that has assumed responsibility for the enforcement of this part pursuant to Section 18865 and Part 2.1 (commencing with Section 18200) pursuant to Section 18300. *(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**18862.37.** "Recreational vehicle" as used in this part has the same meaning as defined in Section 18010. *(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**18862.39.** (a) "Recreational vehicle park" is any area or tract of land, or a separate designated section within a mobilehome park where two or more lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate owners or users of recreational vehicles, camping cabins, or tents.  
(b) Notwithstanding subdivision (a), employee housing that has obtained a permit to operate pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000)) and that both meets the criteria of Section 17021.6 and is comprised of two or more lots or units held out for lease or rent or provided as a term or condition of employment shall not be deemed a recreational vehicle park for the purposes of the requirement to obtain an initial or annual permit to operate or pay any fees related thereto required by this part. *(Amended by Stats. 2006, Ch. 520, Sec. 3. Effective January 1, 2007.)*

**18862.43.** "Special occupancy park" means a recreational vehicle park, temporary recreational vehicle park, incidental camping area, or tent camp. *(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**DIVISION 13. HOUSING. PART 2.3 SPECIAL OCCUPANCY PARKS ACT. CHAPTER 4. Application and Scope [18865 - 18865.8]** *(Chapter 4 added by Stats. 2001, Ch. 434, Sec. 39.)*

**18865.** (a) This part applies to all parts of the state and supersedes any ordinance enacted by any city, county, or city and county, whether general law or chartered,

applicable to this part. Except as provided in Section 18930, the department may adopt regulations to interpret and make specific this part and, when adopted, the regulations shall apply to all parts of the state.

(b) Upon 30 days' written notice from the governing body to the department, any city, county, or city and county may assume the responsibility for the enforcement of both this part and Part 2.1 (commencing with Section 18200) and the regulations adopted pursuant to this part following approval by the department for the assumption.

(c) The department shall adopt regulations that set forth the conditions for assumption and may include required qualifications of local enforcement agencies. The conditions set forth and the qualifications required in the regulations shall relate solely to the ability of local agencies to enforce properly this part and the regulations adopted pursuant to this part. The regulations shall not set forth requirements for local agencies different than those that the state maintains for its own enforcement program. When assumption is approved, the department shall transfer the responsibility for enforcement to the city, county, or city and county, together with all records of special occupancy parks within the jurisdiction of the city, county, or city and county.

(d) (1) In the event of nonenforcement of this part or the regulations adopted pursuant to this part by a city, county, or city and county, the department shall enforce both this part and Part 2.1 (commencing with Section 18200) and the regulations adopted pursuant to this part and Part 2.1 in the city, county, or city and county, after the department has given written notice to the governing body of the city, county, or city and county, setting forth in what respects the city, county, or city and county has failed to discharge its responsibility, and the city, county, or city and county has failed to initiate corrective measures to carry out its responsibility within 30 days of the notice.

(2) Where the department determines that the local enforcement agency is not properly enforcing this part, the local enforcement agency may appeal the decision to the director of the department.

(e) (1) Any city, city and county, or county may cancel its assumption of responsibility for the enforcement of both this part and Part 2.1 (commencing with Section 18200) by providing written notice of cancellation to the department. The department shall assume responsibility within 90 days after receipt of the notice.

(2) A local enforcement agency that has been approved by the department to enforce the provisions of this chapter and cancels its assumption of responsibility and returns enforcement to the department under paragraph (1) shall remit to the department the fees collected under Section 18870.2 that have not been expended pursuant to this chapter and the regulations adopted thereunder, except that, for fees for a permit to operate, the local enforcement agency shall pay to the department a sum that is equal to the percentage of the year remaining before outstanding permits to operate expire. In addition, the local enforcement agency that relinquishes enforcement authority to the department shall remit to the department any fees collected pursuant to this part for permits to construct or for plan review, or both, for which a final approval of the construction has not yet been issued.

(f) Every city, county, or city and county shall, within its jurisdiction, enforce this part and the regulations adopted pursuant to this part, as they relate to recreational vehicles and to accessory buildings or structures located in both of the following areas: (1) inside of parks where the city, county, or city and county has assumed responsibility for enforcement of both this part and Part 2.1 (commencing with Section 18200), and (2) outside of parks.

(g) This part shall not prevent local authorities of any city, county, or city and county, within the reasonable exercise of their police powers, from doing any of the following:

(1) Establishing, subject to the requirements of Sections 65852.3 and 65852.7 of the Government Code, certain zones for special occupancy parks within the city, county, or city and county, as defined in the zoning ordinance, or from adopting rules and regulations by ordinance or resolution prescribing park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking or from prescribing the prohibition of certain uses for special occupancy parks.

(2) Regulating the construction and use of equipment and facilities located outside of a recreational vehicle used to supply gas, water, or electricity thereto, except facilities owned, operated, and maintained by a public utility, or to dispose of sewage or other waste therefrom when the facilities are located outside a park for which a permit is required by this part or the regulations adopted pursuant thereto.

(3) Requiring a permit to use a recreational vehicle outside a park for which a permit is required by this part or by regulations adopted pursuant thereto, and require a fee therefor by local ordinance commensurate with the cost of enforcing this part and local ordinance with reference to the use of recreational vehicles, which permit may be refused or revoked if the use violates this part or Part 2 (commencing with Section 18000), any regulations adopted pursuant thereto, or any local ordinance applicable to that use or Part 2.1 (commencing with Section 18200).

(h) A city, including a charter city, county, or city and county, shall not require a new park to include a clubhouse. Recreational facilities, recreational areas, accessory structures, or improvements may be required only to the extent that the facilities or improvements are required in other types of similar recreational facilities, if any, in the city, county, or city and county.

*(Amended by Stats. 2008, Ch. 138, Sec. 4. Effective January 1, 2009.)*

**18865.1.** Any person may file an application with the governing body of any city, city and county, or county for a conditional use permit for a special occupancy park. The governing body, or the planning commission if designated by the governing body, shall hold a public hearing on any such application. Notice of the time and place of the hearing, including a general explanation of the matter to be considered and including a general description of the area affected, shall be given at least two weeks before the hearing and shall be published at least once in a newspaper of general circulation, published and circulated in the city, city and county, or county, as the case may be. When any hearing is held on an application for a conditional use permit for a special occupancy park, a staff report with

recommendations and the basis for such recommendations shall be included in the record of the hearing. The decision of the governing body shall be final and the reasons for the decision shall be included in the record. *(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**DIVISION 13. HOUSING. PART 2.3 SPECIAL OCCUPANCY PARKS ACT. CHAPTER 7 Permits and Fees [18870 - 18870.19] *(Chapter 7 added by Stats. 2001, Ch. 434, Sec. 39.)***

**18870.** It is unlawful for any person to do any of the following unless he or she has a valid permit issued by the enforcement agency:

- (a) Construct a park.
- (b) Construct additional buildings or lots, or alter buildings, lots, or other installations, in an existing park.
- (c) Operate, occupy, rent, lease, sublease, let out, or hire out for occupancy any lot in a park that has been constructed, reconstructed, or altered without having obtained a permit as required herein.
- (d) Operate a park or any portion thereof.

This section shall not apply to any employee housing having a valid annual permit to operate.

*(Added by Stats. 2001, Ch. 434, Sec. 39. Effective January 1, 2002. Operative January 1, 2004, by Sec. 44 of Ch. 434, as amended by Stats. 2002, Ch. 1038.)*

**APPEAL TO THE LOS ANGELES LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY**

On October 30, 2024, the Los Angeles Department of Building and Safety (LADBS) issued Report No. DBS-240084-DCP in response to an appeal filed July 18, 2024, by Kristina Kropp, representing Concerned Residents of Green Meadows West - Harbor City. The appeal alleges that LADBS erred and abused its discretion by issuing a use of land permit for the property located at 23416 South President Avenue for a new recreational vehicle park, pursuant to Los Angeles Municipal Code Section 14.00 A.7. LADBS denied the appeal on August 2, 2024, on the issues raised by the appellant for both Building Permit No. 23020-10000-02232 and Building Permit No. 24026-10000-00086. The final date to appeal the LADBS decision was November 14, 2024.

The relevant text of the appeal report is quoted below (shown italics). A complete copy of the LADBS appeal report is located in the subject Department of City Planning case file. References in this section to exhibits are to those attached to the LADBS appeal report.

**EXHIBITS:**

*EXHIBIT A ZIMAS Parcel Profile Report with vicinity map*

*EXHIBIT B Building Permit No. 23020-10000-02232, issued on March 22, 2024*

*EXHIBIT C Supplemental Building Permit No. 24026-10000-00086, status date July 23, 2024.*

*EXHIBIT D Clearance Summary Worksheet for Supplemental Building Permit No. 24026-10000-00086*

*APPENDIX: Appeal package submitted by appellant.*

**BACKGROUND**

*The subject of this appeal centers on Building and Safety determination that the applicant did not need to obtain a Conditional Use Permit to obtain a building permit for a Recreational Vehicle Park, and that the applicant complied with the required performance standards enumerated in L.A.M.C 14.00 A.7.*

*On March 22nd, 2024, Building Permit No. 23020-10000-02232 (Exhibit B) was issued for a use of land for a new RV park for Public Benefit section per L.A.M.C 14.00 A.7*

*On July 9th, 2024, Supplemental Building Permit No. 24026-10000-00086 (Exhibit C) was submitted for plan check. This permit was submitted to capture the requirements per L.A.M.C 14.00 A.7 that were overlooked on the original issued permit.*

*Although Building Permit No. 23020-10000-02232 has been closed and Supplemental Building Permit No. 24026-10000-00086 has not been issued, Building and Safety has not erred in its decision that a Conditional Use Permit is not required for this RV Park application.*

**DISCUSSION:**

*The appellant alleges that LADBS erred or abused its discretion by issuing the use of land permit for the property located at 23416 S. President Ave. for a Recreation Vehicle Park per L.A.M.C. 14.00 A.7*

*The August 20, 2024 appeal was denied on the issues raised by the Appellant for both Building Permit No. 23020-10000-02232 issued on March 22, 2024, and Building Permit No. 24026-10000-00086 submitted on July 09, 2024.*

*The following are the specific issues identified in the appellant's appeal (Appendix) and the Los Angeles Department of Building and Safety corresponding responses.*

***Issue No. 1:***

*The appellant alleges applicant failed to obtain a Conditional Use Permit for the*

*proposed RV Park and that the building department did not enforce section L.A.M.C. 12.03 which defines a RV Park as any lot or portion of a lot permitted by conditional use to provide rental or lease sites for individual recreational vehicles which are occupied for temporary purposes.*

**LADBS Response to Issue No. 1:**

*The applicant filed for a use of land permit (Exhibit B) on November 9th, 2023 for an RV Park under section L.A.M.C 14.00 A.7, a Public Benefit Project for Recreational Vehicle Parks and Mobile Home Parks, which allows RV parks in the A, R or C zones.*

*The public benefit provisions in LAMC Section 14.00.A.7 explicitly lists RV Parks as one of the uses that may be permitted ministerially if all performance standards are met. In contrast, the provisions of the L.A.M.C. regarding conditional use permits at LAMC Sections 12.24 U and W, do not reference an RV Park as a use that would be permitted with a Conditional Use Permit (CUP).*

*Plans were reviewed and found to be in conformance with the performance standards of this provision and obtained all relevant clearances pertaining to the Recreational Vehicle Park.*

*The plans for the RV park proposed at 23416 S. President Ave. are assigned and reviewed by an LADBS plan checker and supervisor. Plans were reviewed for compliance with all zoning and building code requirements, including the performance standards per L.A.M.C 14.00 A.7. The plan checker provided written corrections on items that were not in compliance with any of the aforementioned codes and included a clearance summary worksheet of relevant clearances applicable to the project from other city departments. A clearance from the Department of City Planning (DCP) for compliance with L.A.M.C 14.00 A.7 was one of the approvals required for permit issuance. On March 22nd, 2024, Building Permit No. 23020-10000-02232 was issued.*

*The Applicant applied for supplemental Building Permit No. 24026-10000-00086 and was submitted on July 9th, 2024 to capture the remaining performance standards per L.A.M.C 14.00 A.7 as well as separate clearances not captured in the original issued permit.*

*On June 28th, 2024, Building Permit No. 23020-10000-02232 was closed. As of October 17, 2024, the supplemental permit has not been issued.*

*The plans for the RV park were in conformance with performance standards per L.A.M.C 14.00 A.7. This provision allows an RV park to be approved by a ministerial review if it meets all of the performance standards set forth by section L.A.M.C 14.00 A.7. Additionally, L.A.M.C 12.24, the provision regarding conditional use permits, does not list RV parks as a use that requires a CUP. Therefore, the RV park per Building Permit No. 23020-10000-02232 and supplemental Building Permit No 24026-10000-00086 does not require a Conditional Use Permit.*

**Issue No. 2:**

*L.A.M.C. 14.00 A.7 specifies that uses which do not meet the performance standards set forth herein require a conditional use permit.*

**LADBS Response to Issue No. 2:**

*As explained in response to Issue No. 1, the submitted plans by the applicant met the performance standards required by section L.A.M.C. 14.00 A.7, thus there is no requirement for the applicant to obtain a Conditional Use Permit. Furthermore, the project obtained approval from the Department of City Planning (Exhibit D) that specifically verified that the application met the performance standards set forth for a RV Park as a public benefit project per section 14.00 A.7.*

*L.A.M.C. 14.00 A.7 states the following about RV Parks:*

*Recreational vehicle parks and mobile home parks in the A, R or C Zones where any trailer, mobile home or recreational vehicle is permitted to remain longer than one day and which were lawfully created after the effective date of the ordinance adding this use to the Code.*

*If a proposed RV Park is located in the A, R or C Zone, and it complies with the 12 performance standards, it is permitted by-right. Enumerated below are the 12 performance standards per LAMC Section 14.00 A.7 and an explanation for how the subject project complies with each standard.*

**1. No buildings are higher than any main building on adjoining property or across a street or alley from the use.**

*The scope of work does not propose any buildings.*

**2. The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of this Code.**

*This standard was verified by DCP. LADBS verified DCP approval for compliance.*

**3. There is a solid decorative masonry or wrought iron wall/fence at least 8 feet in height, or the maximum height permitted by the zone, whichever is less. The wall/fence encircles the periphery of the property and does not extend into the required front yard setback.**

*The project proposes a new 8-foot high wrought iron fence in the northerly and southerly property lines. An existing 8-foot high concrete wall will continue to be maintained along the westerly and easterly property lines. The wrought iron fence does not extend into the required 20-foot front yard setback as it is located 20 feet from the property line facing President Avenue.*

**4. The front yard setback is at least as deep as the setback required by the zone.**

*The project is located in the R1 zone. Per LAMC Section 12.08 C.1, in the R1 Zone, where all of the developed lots which have front yards that vary in depth by not more than ten feet comprise 40% or more of the frontage, the minimum front yard shall be the average depth of the front yard of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage, each of which as [sic] front yards that vary in depth by not more than ten feet, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. Therefore, the 20 feet setback complies with the R1 Zone front yard setback requirement.*

**5. The property is improved with a 10-foot landscaped buffer along the periphery of the property, which is maintained and is equipped with an automatic irrigation system.**

*The project proposes a 10-foot landscaped buffer along the periphery of the property and an automatic irrigation system will be installed.*

**6. Parking areas are landscaped pursuant to the requirements of Section 12.21 A 6.**

*This standard was verified by DCP. LADBS verified DCP approval for compliance.*

**7. Only one identification sign is displayed on the site and it is on the building face. The sign does not exceed 20 square feet and does not extend more than 2 feet beyond the wall of the building, and does not project above the roof ridge or parapet wall (whichever is higher) of the building.**

*This standard was verified by DCP. LADBS verified DCP approval for compliance.*

**8. All graffiti on the site is removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.**

*This standard was verified by DCP. LADBS verified DCP approval for compliance.*

**9. The use meets the parking requirements of Section 12.21 A.**

*LAMC Section 12.21 A does not provide any specific guidance on the parking requirements for recreational vehicle parks or mobile home parks. Furthermore, LADBS Information Bulletin for Parking Regulations page 2 notes that per Title 25 of the California Administrative Code parking regulations for mobile home parks are not applicable here.*

**10. All streets, alleys and sidewalks adjoining the property meet standard street dimensions.**

*President Avenue is designated as a Local Street - Standard, which requires a 60-foot right-of-way width and a 36-foot roadway width. Both ZIMAS and Navigate LA show that the street dimensions are in compliance.*

**11. There are no outdoor public telephones on the site.**

*No public telephones proposed on the site.*

**12. Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.**

*This standard was verified by DCP. LADBS verified DCP approval for compliance.*

*The review by LADBS with concurrence from DCP verified the compliance with the public benefits performance standards per L.A.M.C 14.00 A.7 as mentioned above. Since the performance standards were met, the RV park per Building Permit No. 23020-10000-02232 and supplemental Building Permit No 24026-10000-00086 do not require a Conditional Use Permit.*

**Issue No. 3:**

*The appellant alleges that the proposed use is admittedly a "for profit" use and not a public benefit use.*

**LADBS Response to Issue No. 3:**

*The performance standards listed on L.A.M.C. 14.00 A.7 does not set limitations on the profitability of the project, hence it's not something that would be under the purview of a use of land permit for this type of project.*

**CONCLUSION:**

*The appeal is denied. LADBS properly complied with all department regulations, policies, and requirements of the L.A.M.C., and as a result, did not error or abuse its discretion in issuing Building Permit No. 23020-10000-02232.*

*The appeal is also denied as to Building Permit No. 24026-10000-00086.*

*Any action taken by LADBS concerning the City of Los Angeles Zoning Code or other land use ordinance is appealable to the Department of City Planning (DCP) through LAMC 13B.10.2 of Chapter 1A. However, if the decision is made by DCP, it must be appealed directly through their own appeal procedures.*

**APPEAL TO THE DIRECTOR OF PLANNING**

**Appellant:** Concerned Residents of Green Meadows West – Harbor City, residents who reside in the immediate vicinity and neighborhood of the subject recreational vehicle park at 23416 South President Avenue and therefore most impacted by it. On November 12, 2024, Concerned Residents of Green Meadows West - Harbor City, represented by Kristina Kropp, appealed Department of Building and Safety Report No. DBS-240084-DCP to the Director of Planning.

The appeal states the Los Angeles Department of Building and Safety erred and abused its discretion with respect to Building Permit No. 23020-10000-02232 and Supplemental Building Permit No. 24026-10000-00086 for the use of land in conjunction with a new recreational vehicle park as a Public Benefit Project based on the following:

1. The use of land requires a discretionary Conditional Use Permit under State Law and the Los Angeles Municipal Code:

- a. Special Occupancy Parks Act

The Special Occupancy Parks Act enacted in California Health and Safety Code Sections 18860-18875 applies to recreational vehicle parks, and Section 18862.43 states that a special occupancy park means a recreational vehicle park, temporary recreational vehicle park, incidental camping area or tent camp. The Special Occupancy Parks Act was enacted "for consistent and uniform statewide regulations for special occupancy parks to assure their health, safety, and general welfare, and a decent living environment" and applies to all parts of the state and supersedes any ordinance enacted by any city or county.

Health and Safety Code Section 18865.1 specifically requires a conditional use permit for a special occupancy park, including a public hearing by the governing body:

"Any person may file an application with the governing body of any city, city and county, or county for a conditional use permit for a special occupancy park. The governing body, or the planning commission if designated by the governing body, shall hold a public hearing on any such application. Notice of the time and place of the hearing, including a general explanation of the matter to be considered and including a general description of the area affected, shall be given at least two weeks before the hearing and shall be published at least once in a newspaper of general circulation, published and circulated in the city, city and county, or county, as the case may be. When any hearing is held on an application for a conditional use permit for a special occupancy park, a staff report with recommendations and the basis for such recommendations shall be included in the record of the hearing. The decision of the governing body shall be final and the reasons for the decision shall be included in the record."

The appellant states that LADBS's issuance of a building permit without a conditional use permit and public hearing by the governing body, as required by the Special Occupancy Parks Act, supersedes any ordinance enacted by the city, constitutes error and abuse.

- b. Los Angeles Municipal Code Section 12.03

Los Angeles Municipal Code Section 12.03 defines a recreational vehicle park as "[a]ny lot or portion of a lot permitted by conditional use to provide rental or lease sites for individual recreational vehicles which are occupied for temporary purposes".

- c. Los Angeles Municipal Code Section 14.00 A.7

Los Angeles Municipal Code Section 14.00 A provides that uses which do not meet the performance standards set forth therein require a conditional use permit. The

appellant states that in this case the performance standards have not been met, and the applicant did not obtain a conditional use permit. The Department of Building and Safety's issuance of a building permit without a conditional use permit, as required by the Los Angeles Municipal Code, constitutes error and abuse.

2. The use of land is not a public benefit.

The Los Angeles Municipal Code Section 14.00 authorizes certain public benefit uses. However, the subject recreational vehicle park is a "for profit" use and not a public benefit use. Therefore, it is not authorized under Los Angeles Municipal Code Section 14.00. The Department of Building and Safety's issuance of a building permit for a use for profit under Los Angeles Municipal Code Section 14.00 constitutes error and abuse.

**PUBLIC HEARING**

A Notice of Public Hearing was sent to property owners abutting the subject site, for which an appeal had been filed with the Department of City Planning. All interested persons were invited to attend the public hearing, during which they could listen, ask questions, or present testimony regarding the appeal. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the appeal. Interested parties were also invited to submit written comments regarding the appeal prior to the hearing. The public hearing was conducted on January 16, 2025, by the Zoning Administrator. Since Zoning Administration hearings are not subject to the Brown Act, the hearing was conducted entirely telephonically and by video conference. Testimony has been summarized.

The appellant, represented by Kristina Kropp, presented an overview of the appeal, highlighting the following points:

- The Zoning Code defines a recreational vehicle park as a lot for RV vehicles permitted by conditional use.
- The state Health and Safety Code requires a conditional use permit for a special occupancy park, which includes a recreational vehicle park. The Zoning Code must be in harmony with the state regulations.
- The LAMC Section 14.00 A states that uses which do not meet the required performance standards require a conditional use permit. In this case, the performance standards have not been met.
- LAMC Section 14.00 authorizes certain public benefit uses, but the proposed use is for profit and not a public benefit use.
- A conditional use is necessary to regulate uses that may be appropriate but may need additional consideration to ensure proper integration. The recreational vehicle park must be evaluated for its compatibility with the neighborhood.
- The site is within a single-family residential neighborhood.
- The applicant does not have a good record with other projects.
- There are already reports of incidents at the subject site.

After the presentation, the Zoning Administrator asked the appellant's representative the following:

Zoning Administrator: What specific features of the project are out of compliance with the required performance standards?

Appellant's Representative: Performance Standard Nos. 9 (parking), 3, and 7. Additional information will be forwarded. Some standards were cleared by the Department of City Planning, not the Department of Building and Safety.

Zoning Administrator: The initial building permit was closed, and the supplemental permit has not been issued, so what is being appealed?

Appellant's Representative: They checked with the Department of Building and Safety and were advised an appeal could be submitted.

The Zoning Administrator then allowed the applicant for the permit to make a statement or respond to the appeal. Donyea Adams made the following points on behalf of the applicant for the permit:

- LAMC Section 14.00 A 7 allows recreational vehicle parks as a by-right use in the A, R, and C Zones. These are allowed citywide administratively.
- The project complies with all the required performance standards in the supplemental permit.
- The administrative procedures were adopted by the City Council in 2000 as part of Charter reform.
- The appeal is based on the need for a conditional use permit, but one is not required. The provisions do not allow these projects to be considered based on the site or the developer's history.
- The community is upset, but now after the fires, this project is needed to assist with displaced families.
- The first building permit was closed. The second building permit was reviewed and cleared by all the agencies. It is ready to be issued.
- The applicant is not the owner of the other recreational vehicle parks referenced by the appellant.

The Zoning Administrator asked the applicant's representative the following questions:

Zoning Administrator: What is the name of the project?

Applicant's Representative: Silver RV Park.

Zoning Administrator: Please describe the project in terms of size and will it be for temporary or long-term stays.

Applicant's Representative: The project is for 39 spaces. It was previously 46 spaces, but it had to be reduced in order to accommodate the required wall that could not be within the required front yard setback. The project will allow short- and long-term stays. Residents at the park can connect to utilities and stay and disconnect and drive off the site.

Zoning Administrator: Will the project require a conditional permit from the California Department of Housing and Community Development (HCD)?

Applicant's Representative: Yes, they are the agency that regulates recreational vehicle parks in California. They will provide the conditional permit. They had already issued it, but once the City closed the initial building permit, HCD closed their conditional permit. Once the supplemental permit is issued, they will reapply to HCD for the conditional permit.

There was no one in attendance representing the Department of Building and Safety. The Zoning Administrator then opened the hearing for public testimony. However, the first three speakers represented the applicant for the building permit:

Doug Ross, representing the applicant made the following points:

- The applicant has stamped plans showing compliance with all standards and a recorded covenant ensuring compliance.
- The CUP is part of the Public Benefit process but only required if the standards are not met. The definition of recreational vehicle park was in effect long before the Public Benefit Projects section was added to the Code and does not reflect the intent of Section 14.00.
- The building permit was not closed appropriately. There were no inspections and no authority to close the permit.
- HCD preempts all things related to recreational vehicle parks and leaves the City little room for regulation. The City only regulates setbacks and parking. The standards state that parking for mobile home parks is preemptively controlled by HCD.
- The motions in City Council contain statements that are incorrect. The City should not judge this park by failings of other parks.
- The Zoning Code is clear that the process for recreational vehicle parks is ministerial as long as the performance standards are met.
- There have been zero violations; they have not failed any inspections.
- The LAMC has allowed recreational vehicle parks for over 40 years, since 1986. The new regulations are more responsive to the needs of all neighborhoods.
- The fence in the front had to be moved back. The park is still 46 spaces; the

number of spaces has not been reduced.

- The appeal is delaying opening. The challenges are baseless.

Daniel Freedman, representing the applicant, made the following points:

- They submitted a letter.
- Why are we having this hearing? The permit that was issued has been closed. There is no permit in existence. How can an appeal continue?

Ben Reznik, representing the applicant, made the following points:

- If the permit is closed, there can be no appeal. The matter can be dismissed. If a permit is issued, then it can be appealed.
- There have been concerns about transient housing. They do not apply to this park, which will have residents. Tenants must sign a lease, which can be month to month or longer, functioning as a permanent residence.
- Recreational vehicles are hooked up to utilities, and each spot has a space for a vehicle.
- Once the permit was issued, the applicant spent over \$1.5 million.
- The intervention by the City Council is a separate matter, but not before the Zoning Administrator.
- The appellant is stating that the performance standards are not met, relying on declarations. However, the document that is determinant is the joint report from the Departments of Building and Safety and City Planning to the City Council, which explains how the project meets all the standards.
- They would like an opportunity to respond if any more specificity is provided by the appellants.

Following the project team, 30 members of the public testified, including the President and Vice President of the Harbor City Neighborhood Council. Their testimony is summarized as follows:

- The joint report to the City Council does not reflect the revised plans for 39 RVs, which eliminated 47 onsite parking spaces.
- It's like David and Goliath.
- CD 15 has been very helpful.
- The City has bent over backwards for the applicant.
- A prospective tenant stated the project is providing a massive benefit for people looking into moving into the area. Remove the stigma – she is a prospective

Olympic athlete and owns a business in the area. Sorry that people in the area are so upset.

- **Compliance with standards**

- Permits were granted despite clear non-compliance.
- Improperly approved.
- There are no City standards for operating recreational vehicle parks.

- **Parking/traffic congestion**

- First set of plans shows parking in front of the RVs. When the plans were revised, the parking was moved off the property, claiming the project was exempt, but it cannot be exempt from a standard. Now the vehicles must park on the street.
- At 45 spaces, the number of parking spaces is inadequate. This will increase the demand for street parking.
- The area suffers from congested traffic. The project will make it worse.

- **Safety/Security**

- The site is a death trap. There are two exits for 40 RVs.
- There are limited exits from the neighborhood. Only three ways out of the neighborhood, which is further constrained when a train is crossing. Egress, especially when school lets out is very difficult, and trains hold up traffic. Concerned about being trapped in an emergency, especially during rush hour.
- There are no traffic lights.
- Extremely dense recreational vehicle park. It is too dense. Difficult to escape in an emergency.
- Abuts a railroad, which increases the risk to neighborhood.
- 39 or 46 RVs, each with their own propane tanks increases safety risks.
- What is their business liability? Who is checking that there is an insurance policy in place? What if there is a dog mauling?
- Want to feel safe. Their experience so far with the applicant has not been pleasant. There has been a lack of professionalism.
- There are recreational vehicles already in the neighborhood, related to increased crime. People already loitering in the area and late at night.
- There are recreational vehicles already on the property. There have been

police and fire reports.

- Unhoused people and 40 or more propane tanks over a methane gas field is an accident waiting to happen. There have been fires on other properties.
- Fire hazard. Placing a hazard in the community.
- The site was an oil field capped about a year ago.
- There are no regulations to ensure the safety of the residents or the community.
- Concerned about the safety of children in home day care. Cannot keep the children safe.
- Site is already being occupied, breaking laws.
- Concerned about the environmental impact.
- Once approved, the Department of Building and Safety said they will remove themselves from the project and all complaints will be handled by the Fire Department and the Police Department. But those departments are already overwhelmed.
- There is a restriction on weight and height of trucks or RVs on some streets.
- How would RVs be monitored to check compliance with Department of Motor Vehicles rules to ensure they are in working order?

- **Incompatible with Neighborhood**

- Harbor City is a true neighborhood. Residents are trying to save their community.
- Tightknit community. Mostly R1 single-family residences. Lots of elderly, families with small children. This a family-oriented neighborhood; this project does not fit.
- Yes, there is a need for homes, but not recreational vehicles, which are designed as a temporary place for people on vacation. Sensitive to the unhoused, but a recreational vehicle park at this location is not appropriate.
- Too dense for the space, which is the size of three regular single-family lots. 39 recreational vehicles with their vehicles, propane tanks, and their pets is too much. Parking is already a problem for parents dropping off and picking up children from the home day care.
- No one would want this type of project in their neighborhood.
- Strain on already overburdened infrastructure.

- Concerned about the clientele who will occupy the park. Lease terms could be month to month. That would be so much turnover. What type of people would they be?
- Concerned about upkeep. Other parks are not kept up. Trash seen in other recreational vehicle parks. Already seeing trash and clutter. Everyone knows how these recreational vehicle parks work. They are a cesspool.
- Recreational vehicles already in the neighborhood are an eyesore. Already run down appearance and additional traffic. Transients are already seen in the neighborhood. People are sleeping in their cars. Will lead to a decline in property values. There are already changes in the neighborhood related to the proposed project. Large number of low-income tenants.
- The project will affect the quality of life. Need to preserve the integrity of the neighborhood.
- Detrimental impact on the community. Does not fit in the neighborhood.
- The Department of Building and Safety failed to investigate anything that neighbors complained about and neglected to protect the neighborhood. There have been over 15 complaints on this property with no response from the Department of Building and Safety.
- Will attract more people living in recreational vehicles. The project is not even open but there are already recreational vehicles pulling up to the site. By allowing a recreational vehicle park in the neighborhood, invites others and will change the character of the community.
- Recreational vehicles on public streets get removed, but they return.
- The project tore down the wall, which increases noise from the train.
- There is no mention of recreational vehicle parks in the community plan. The neighborhood is full. What is the point of a plan if a recreational vehicle park that is incompatible can come in.
- The applicant is not a good operator. He sold other property and changed the LLC once he was being sued by the County.
- The applicant's past projects lead neighbors to be concerned.
- This is supposed to be a Public Benefits Project, but there is nothing beneficial about this project.
- It is not a recreational vehicle park; it is a mobile home park. The recreational vehicle industry builds recreational vehicles for temporary occupancy, not as domiciles. If the applicant wants to provide permanent housing, they should build apartments or condominiums.

- **Public Input/Participation**

- Neighbors were not informed when the process started. The project could have been stopped earlier, or conditions imposed.
- How is the project allowed to proceed without notice? The developer is bypassing the process, gaming the system to avoid pushback from the community.
- The applicant was told to communicate with the community, but they did not do this. Neighbors asked for information about permitting but never heard anything.
- The practice is that applicants contact the City Council office and local neighborhood council regarding new projects. This applicant did not do that.
- The applicant spoke to neighbors regarding how the project would benefit the community. There were a lot of questions but no response as to why the project would work in this neighborhood.
- Multiple clearances and approvals from the City without any call or interaction with the neighborhood.
- Misleading from the beginning. Stated it was in Torrance and near a lake, but it is in Harbor City. Stated that no matter what the community says, the project is going through.
- No sufficient transparency for the project.
- The Harbor City Neighborhood Council requested a presentation of the project.
- Object to a commercial for-profit recreational vehicle park over oil wells.
- The City has to listen to residents, not a developer coming in for profit. Residents are upset regarding what is going on and how they have been treated.
- Neighbors want a voice as to what happens in their community.

The Zoning Administrator then allowed the applicant's team and the appellant's team to respond to any issues raised.

The applicant team's response:

- The applicant wants to sit down with the residents and explain the project. Issues about parking, crime, etc. that are of concern to the community, concern the applicant, too. The applicant understands the community does not want a recreational vehicle park, but families need help. Perhaps the applicant should have engaged the community sooner, but they will do that now.

- The applicant followed the required permit process. If there was a requirement to post a notice or meet with the public, they would have done that. They attended one meeting where there was a lot of screaming.
- They will submit supplemental responses to what they have heard today.
- The applicant is a good guy. These are families moving in.
- The Department of Building and Safety has signed off on everything. All the standards are up to par.
- They will contribute to a nice neighborhood and a safe environment.
- The recreational vehicles in the park must function and work. There is a tenant application process and background check. They pay rent and electricity. It is a locked community.
- The project was initially reviewed, approved, and issued a permit. Then it was called back because City Planning said there was an error with the fence that required a change. Then the City Council motion was made, so the Department of Building and Safety took it upon themselves to close the permit, which violates procedures for closing. The supplemental permit has not been issued, which is a violation of the permit streamlining act.
- The project is not subject to the California Environmental Quality Act (CEQA) because it is ministerial and ministerial actions are exempt.
- The oil wells were capped in 2023. They submitted the CalGEM report, and a large stack of environmental reports as required. Their project is less of a risk than a single-family dwelling. They have been cleared for building.
- The plans are on file and attached to the reports. They were forced to go through three reviews, mainly due to the fence, which was originally OK, then had to be reduced to 3.5 feet in height, then increased in height and relocated further back.

The appellant team's response:

- The appeal does not contend that the recreational vehicle park cannot provide housing, but it requires a conditional use permit.
- The Department of Building and Safety cannot rely on LAMC Section 14.00 and ignore Section 12.03.
- Additional documents will be submitted.
- This is the appropriate process at this time.
- No one has seen the plans, so they cannot determine if there is parking.
- The California Department of Housing and Community Development permit is not

discretionary and does not involve the community.

- The appeal is for the conditional use permit for this project.

The Zoning Administrator took the case under advisement for further review and consideration and left the record open until January 23, 2025, for the appellant's representative to provide additional specificity to the appeal, and until January 30, 2025, for the permit applicant's representative to respond, as requested by the permit applicant's representative and agreed to by the appellant's representative.

**CORRESPONDENCE (summarized)**

Benjamin M. Reznik and Daniel F. Freedman, Jeffer Mangels Butler & Mitchell LLP, representing the property owner and permit applicant, in a letter dated January 30, 2025, made the following points:

- At the public hearing concerns were raised over the lack of specificity in the appellant's arguments, particularly regarding the requirement for a conditional use permit (CUP) because the project does not comply with the required performance standards.
- The City Planning Department has already determined that the project meets the performance standards so does not need a CUP, and the appellant has not presented any new information as to why that determination was incorrect.
- The appellant's arguments regarding the project's compliance are vague and generalized. The appellant's supplemental letter does not clarify their arguments.
- The appellant asserts that the California Health and Safety Code requires a CUP for the project. However, the Los Angeles Municipal Code (LAMC) does not require a CUP as long as the performance standards are met.
- The appellant's supplemental letter states that the project does not comply with Performance Standards (PS) 3 (building height limitation), 5 (prohibited use of barbed, razor, or concertina wire), and 9 (parking requirements). The appellant provided no evidence that the project does not comply with PS 3 or 5. Both the Departments of Building and Safety and City Planning have confirmed compliance with these.
- PS 9 requires compliance with the parking requirements of LAMC Section 12.21 A. The appellant argues that PS 9 is violated because the site does not provide enough space for both an RV and a vehicle parked side by side, it does not provide ADA spaces, and the drive aisle and parking space dimensions are inadequate. However, the LAMC does not regulate the size of RV spaces, ADA accessibility, or drive aisle dimensions. The Department of City Planning has already addressed these points, explicitly stating that LAMC Section 12.21 A does not provide any specific guidance on the parking requirements for recreational vehicle or mobile home parks.

- The permit applicant has procedural objections. The appeal makes allegations pertaining to building plans, which is not a zoning determination or interpretation. The issues of whether a plan checker accurately reviewed and/or corrected project plans, or whether what was constructed matches those plans are not issues appealable to the Zoning Administrator, as exemplified by Associate Zoning Administrator Jack Chiang in Case No. DIR-2017-422-BSA, where he found the appeal "does not involve a re-review of the regulations" and that it therefore "belong[s] [in] the jurisdiction of the LADBS and its Board of Building and Safety Commissioners." The appeal at issue does not concern "the enforcement or administration of this Chapter or Chapter 1", it concerns the appellants allegations about what is or is not on the approved plans. This is an issue subject to the jurisdiction of the Department of Building and Safety not the Department of City Planning, and the appeal should be dismissed.

Attached to the letter were the following exhibits:

- Exhibit A: Joint report to the Planning and Land Use Management Committee of the Los Angeles City Council from the Director of Planning, Department of City Planning, and the General Manager, Department of Building and Safety, dated August 23, 2024, concluding that pursuant to LAMC Section 14.00 A.7, recreational vehicle parks are a by-right use in the A, R, or C Zones, if the project complies with the 12 objective performance standards, and are allowed on a ministerial basis. Public Benefits Projects are uses which have been determined to have a citywide benefit and public purpose, rather than a site-specific benefit. The Public Benefits Projects Administrative Procedures were adopted by the Los Angeles City Council, July 1, 2000, as part of Charter Reform (Ordinance No. 173,268). Due to the ministerial nature, the City is obligated to approve these by-right uses and cannot deny or condition Public Benefit Projects. The review by City Planning staff found that the recreational vehicle park located at 23416 President Avenue is in compliance with the Public Benefit performance standards. The 12 performance standards are reflected on the original stamped plan set and supplemental plans submitted in November 2023. A covenant was recorded by the applicant with Los Angeles County on November 21, 2023. The project's compliance with each performance standard was either identified on the plans or the covenant.
- Exhibit B: Written determination for Case No. DBS-240084-DCP by the Department of Building and Safety, dated October 30, 2024, denying the appeal by Kristina Kropp on Building Permit No. 23020-10000-02232 and Supplemental Building Permit No. 24026-10000-00086.
- Exhibit C: Partial dismissal of an unrelated appeal Case No. DIR-2017-422-BSA by Associate Administrator Jack Chiang, dated August 4, 2017, stating that two of the three appeal issues belong to the jurisdiction of the Department of Building and Safety (LADBS) and its Board of Building and Safety Commissioners because they do not challenge whether LADBS erred or abused its discretion in determining the quantities of grading, earth cut and export permitted by LAMC Section 12.21 C.10. Rather, the appeal contends the project developer performed excessive grading

and export in amounts exceeding the quantities approved by the permits issued by LADBS or did not provide notice as allegedly required under the City's building codes pursuant to LAMC Chapter IX. The matter progressed far beyond plan check and permit issuance, and it does not involve a re-review of the regulations stipulated in Section 12.21 C.10. Therefore, it is a code enforcement, field inspection and calculation matter unrelated to Section 12.21 C.10 or Chapter 1 of the LAMC.

Nicole M. Paulsen (Kahane), a resident of Green Meadows West, and a Certified Law Student of the State Bar of California, Levin & Margolin, on behalf of Concerned Neighbors of Green Meadows West, in an email dated January 23, 2025, provided a Dropbox link to various documents, photographs, and videos to be considered in determining the appeal. [Note: videos submitted were viewed by the Zoning Administrator but not downloaded and stored. The submitter was invited to provide the videos on a flash drive to be stored with the case file.] Included in the link were the following (labels generally were taken from the submitter's titles of the folders/documents or are actual titles of articles):

- **Photo (1).** "2024-6-26. RVs on Lot Day of Motion".
- **Photos (2).** "2024-6-28. Two Days After Motion Work Being Done".
- **Screenshot.** "Report of Criminal Threat regarding Security Guard".
- **Photo (1).** "2024-7-15. Fire Department Out for Loud Explosion".
- **Photos (4).** "2024-7-16. LAPD at Lot Prior Security Guard RV Towed Out".
- **Photo (1).** "2024-7-3. LADWP Doing Work".
- **Photos (6); Videos (5).** "2024-8-22. Drains and Water Hookups Outside of Park".
- **Photos (3).** "2024-8-23. RVs on Lot with No Certificate of Occupancy".
- **Photo (1).** "2024-9-3. RV on Lot".
- **Photos (4); Videos (5).** "2024-9-3. Videos of RVs".
- **Photos (9); Videos (9).** "2024-9-8. LADWP Doing Work after Motion to Stop".
- **Photos (6).** "Aerial Shots of Oceans 12".
- **Photos (16).** "Silver RV Young St Wilmington Pictures".
- **Photos (2).** "Yelp Review Oceans 12".
- **Photos (4).** "Yelp Reviews for Cali Lakes".
- **"Dec of Manalansan. 2024-7-10".**
- **"Dec of Vasquez. 2024-7-10".**

- **"Dec of Vidal. 2024-7-10".**
- **Photo (1).** "Asphalt on Street from Park for Weeks".
- **Article, The Signal.** April 2, 2024. "County Gives Cali Lake Tenants One Year to Relocate".
- **Article, Spectrum News.** November 28, 2022. "Dozens of Residents at Cali Lake RV Resort Face Eviction".
- **Exhibit 5.** "Exhibits to Silver Lawsuit Filing See Partner Report without All Attachments".
- **Harbor City Community Impact Statement.** Acknowledgement dated September 13, 2024, that the Harbor City Community Impact Statement submitted to CF 24-0711 was received.
- **Excerpts.** "Methane LAMC & Building Codes".
- **Slide Presentation.** "Save Green Meadows West (002)".
- **Slide Presentation.** "The Impact of Silver RV Park on Green Meadows West".
- **Article, LAist.** "This RV Park is the Last Resort for Families on the Edge, but Eviction Looms".

Kristina Kropp, Luna & Glushon, representing Concerned Neighbors of Green Meadows West - Harbor City, in a letter dated January 23, 2025, made the following points:

- The Department of Building and Safety (DBS) erred and abused its discretion by not requiring a conditional use for the project. They cannot rely on Los Angeles Municipal Code (LAMC) Section 14.00 that no Conditional Use is required while ignoring LAMC Section 12.03, which defines a recreational vehicle park as a lot permitted by conditional use to provide rental or lease sites for recreational vehicles occupied for temporary purposes.
- The California Health and Safety Code also requires a conditional use permit for a recreational vehicle park. The LAMC was not intended to evade or contradict the requirements of state law.
- DBS erred in the issuance of permits because the project does not comply with performance standards, as identified by City Planning [Exhibit 1 – Performance Standards Nos. 3 and 5, and as further set forth in Exhibit 2].
  - Regarding Performance Standard No. 3, the project proposes a new 8-foot-high wrought iron fence in the front and rear yards, but the wrought iron fence has only been built at the front of the property and not at the rear.
  - Regarding Performance Standard No. 5, the property is required to have a 10-foot landscaped buffer along its periphery, as shown on the approved

plans, but the buffer is not provided around the perimeter. The site is to be maintained and equipped with an automatic irrigation system, but the site is lacking the automatic irrigation system.

- Regarding Performance Standard No. 9, the DBS report states the project is exempt from providing parking. The applicant is providing parking that is not compliant with LAMC Section 12.21 with respect to not providing sufficient space for a recreational vehicle and an accompanying vehicle, not providing the previously shown two ADA-compliant spaces that have been removed to accommodate electric vehicle panels, and not providing sufficient drive aisle width.
- DBS erred in issuance of the permits for failing to evaluate the public benefits of the project.
- An email from DBS, dated July 12, 2024, and enclosed as Exhibit 3, confirms that an appeal of the permits at issue is appropriate.
- The letter submitted by the applicant's counsel erroneously mischaracterized the LAMC and the Neighbor's appeal. LAMC Section 13B.10.2.A.1 provides for the Director to investigate and make a decision on appeals from DBS determinations in the enforcement or administration of LAMC Chapter 1A or Chapter 1 and other land use ordinances in site specific cases. The California Health and Safety Code requirement of a conditional use permit for recreational vehicle parks is a land use ordinance. Therefore, the applicant's position that the Zoning Administrator cannot consider the California Health and Safety Code is incorrect.
- The argument that the project's compliance with the performance standards of LAMC Section 14.00 is not an issue for the Zoning Administrator makes distinction without a difference. Neighbors appealed the building permits for the project; the City has disagreed with the appellant. DBS's report sets forth that its determination is appealable to the Director of Planning. If the applicant disagrees, they should take it up with the City in its own appeal or other judicial process.
- Accompanying Exhibits:
  - Exhibit 1: Declaration of Anna M. Vidal dated July 12, 2024, Case No. 24STCV16728.
  - Exhibit A: Emails between Ruben Vasquez/Anna Vidal and Donyea Adams/Doug Ross, under subject heading "Corrected Version – Updated Site Plan", between July 1 and July 2, 2024, pertaining to side yards and landscaped buffer.
  - Exhibit B: Site Plan dated July 1, 2024.
  - Exhibit C: Emails between Anna Vidal and Donyea Adams, under the subject heading "Updated Site Plan", dated July 3, 2024, pertaining to the receipt of an updated site plan.

- Exhibit D: Site Plan dated July 2, 2024; Proof of Service of Declaration of Anna M. Vidal in Support of City's Opposition to TRO; Exhibits A-D on July 10, 2024, by Leilany Roman; Declaration of Ruben C. Vasquez, dated July 12, 2024, Case No. 24STCV16728.
- Exhibit C: Emails between Anna Vidal and Donyea Adams, under the subject heading "Updated Site Plan", dated July 3, 2024, pertaining to the receipt of an updated site plan.
- Exhibit D: Site Plan dated July 2, 2024; Proof of Service of Declaration of Reuben C Vasquez in Support of City's Opposition to TRO: Exhibits C-D, dated July 10, 2024, by Leilany Roman.
- Exhibit 2: Report on RV Park Plans and Regulatory Compliance for 23416 President Avenue; CF 24-0711. [Report contains links to supporting documents]
- Exhibit 3: Emails between Kristina Kropp and Allen Manalansan, under the subject heading "23416 S. President – Appeal of Permit 23020-10000-02232", pertaining to how to file an appeal.

Christal Cooper, in an email dated January 23, 2025, submitted "Report on RV Park Plans and Regulatory Compliance for 23416 President Avenue; CF 24-0711" compiled by the Green Meadows residents, which outlines the performance standards that have been violated: Performance Standard Nos. 3, 4, 5, 6, 8, and 9. The report contains links to other documents and makes the following points:

- Architectural designs approved by the City lack proper and Code-compliant measurements.
  - Plans approved by the Department of City Planning on August 1, 2024, lack critical dimensions for proper review.
  - Approved Plans: Approved plans dated July 25, 2024, lack RV measurements.
  - Dimensional Error: The depth of the plan measures 153 feet but the actual site is 135 feet.
  - Built Site: The actual site configuration includes three-wheel stops/curb blocks for three RV positions across the depth of the property rather than the four depicted in the approved plans.
  - Setback Calculator: The prevailing setback calculator used to determine the front setback incorrectly used three random parcels, resulting in incorrect calculation of the required setback (17.67 feet). According to the Performance Standard No. 4, the setback is required to be 20 feet.

- Revised Plans: The revised plans dated July 2, 2024, show the number of recreational vehicles was reduced to 39 to align with the available square footage and ensure compliance, avoiding the overage reflected in the July 23, 2024, design plans.
  - Initial Set of Plans. The initial set of plans submitted, dated January 24, 2024, include both 46 spaces (4 deep and 18 across) and 39 spaces (3 deep and 18 across with a 20-foot setback) on the same design. The City approved 46 RVs, but the 46 RVs do not fit with a 20-foot setback.
- Performance Standard No. 3 not in compliance. The project proposes a new 8-foot-high wrought iron fence in the front yard and rear yard, but the wrought iron fence has only been built at the front of the property and not at the rear.
- Performance Standard No. 4 not in compliance. The required front yard setback is 20 feet. However, the built site only provides a 17.69-foot setback from the sidewalk to the fence.
- Performance Standard No. 5. Landscaping and irrigation violations. The project is required to have a 10-foot landscaped buffer along its periphery, but it does not. The property is to be maintained and equipped with an automatic irrigation system, but an automatic irrigation system is not there.
- Performance Standard No. 6. Parking areas landscaping. The project proposes a 4,000 square-foot landscaped area in the front yard, which exceeds the 4 percent of landscaped area required. In the approved plans, the project was designed to retain 10 existing Grape Myrtle street trees, contributing one-fourth of the required 4 percent landscaping credit. However, the developer has removed some of the vegetation/ trees at the front of the property, resulting in a failure to adhere to the approved landscaping requirements.
- Performance Standard No. 8. Graffiti on the site is removed. The back property chain link fence with a privacy screen/tarp contains graffiti that has not been removed.
- Performance Standard No. 9. Parking non-compliance. There is no dedicated parking for vehicles on the site. The ADA-compliant spaces have been eliminated. Parking dimensions are insufficient for RVs with accompanying vehicles. Drive aisle width of 15 feet is less than the 24-foot width required for two-way traffic.
- Zoning Misrepresentation. Property zoned R1 prohibits reliance on Title 25 exemptions for RV or mobile home parks. The developer must adhere to LAMC Section 12.21 A and other local standards.
- Procedural Failures by DBS.

- Violation of City Council Directives. Despite a motion passed by the City Council on June 26, 2024, which halted approvals for this property with oil wells, DBS improperly approved revised plans and new permits in July and August.
- Approval of Misleading Plans and Permits. Permits were granted based on incomplete and inaccurate architectural plans. The approved plans significantly exceeded the physical dimensions of the site, reflecting a site depth of 153 feet instead of the actual measurement of 135 feet, which underscores a severe lack of due diligence and thoroughness in the review process.
- Failure to Investigate Complaints. Residents filed various complaints via the DBS online platform but were subsequently closed without proper investigation, eroding public trust.
- Failure to Inspect. DBS inspectors failed to identify critical discrepancies between the approved plans and the actual construction of the property, including the absence of the required 10-foot landscaped buffer around the property and the removal of the ADA-compliant parking spaces. The declaration of Ruben Vasquez outlines how the developer repeatedly revised plans submitted to DBS to demonstrate compliance with the 12 performance standards. However, upon completion of the site, the developer chose to disregard those commitments, resulting in violations of the performance standards.
- DBS Errors and Abuse of Discretion. DBS erred or abused its discretion when it issued Permit No. 23020-10000-02232 and Supplemental Permit No. 24026-10000-00086 for use of land for a new recreational vehicle park as a Public Benefit Project pursuant to LAMC Section 14.00 A.7. The architectural drawings were revoked for further review until August 1, 2024. The approved plans lack measurements for issuing permits. According to the prevailing setback calculator, only an authorized City of Los Angeles plan check engineer can make a final determination on whether the front yard meets Zoning Code requirements. However, incorrect data was used to establish the fence setback at 17.69 feet instead of the required 20 feet. The property depth of 135 feet dictates a setback of 26 feet, but DBS erroneously allowed the setback at 17.69 feet.

Tim McCosker, Councilmember, 15<sup>th</sup> District, in a letter dated January 15, 2025, indicated support for the appellant's opposition to the subject recreational vehicle park. The community raises important concerns about the rationale behind the current Zoning Code and development standards for recreational vehicle parks, particularly the performance standards being applied in this case, which may not adequately account for the unique characteristics of residential neighborhoods like Green Meadows, potentially resulting in incompatible land uses and insufficient community safeguards. The community challenges the application of performance standards in lieu of a discretionary process or

Conditional Use Permit requirement. The current process limits transparency and public input. Key concerns include:

- **Parking and Traffic Congestion.** The reduction of on-site parking spaces raises fears of increased congestion on local streets, affecting access for residents and emergency vehicles.
- **Public Safety.** Reports of inadequate fire safety measures, including vehicle positioning that could obstruct emergency evacuation routes, underscore the need for careful review to mitigate risks.
- **Zoning Consistency and Incompatible Use.** There are questions about whether the project meets the criteria for the Public Benefit designation, and as the surrounding neighborhood is zoned for residential use, may not be suited for this type of development. The community believes the recreational vehicle park is incompatible with the character and intended use of this residential zone.
- **Environmental Impacts.** While the developer alleges to have received the necessary environmental clearances to move forward, the community raises concerns about potential environmental hazards associated with the project. Residents cite fears of exposure to contaminants and inadequate mitigation measures, arguing their safety remains at risk.

Benjamin M. Reznik and Daniel F. Freedman, Jeffer Mangels Butler & Mitchell, LLP, representing Oceans 11 RV Park, LLC, property owner and permit applicant, in a letter dated January 15, 2025, challenged the Zoning Administrator's jurisdiction to hear the issues raised by the appeal. The appeal raises four primary arguments:

- **Conditional Use Permit Requirement.** The appellant claims that the Health and Safety Code requires the project to obtain a conditional use permit.
- **Los Angeles Municipal Code (LAMC) Section 12.03 Definitions.** The appellant argues that the definition under Section 12.03 requires a conditional use permit for a recreational vehicle park.
- **Performance Standards Compliance.** The appellant asserts that the project does not meet the performance standards specified by LAMC Section 14.00 A.
- **Public Benefit Limitation.** The appellant contends that a "for-profit" corporation cannot provide the public benefit uses set forth in LAMC Section 14.00.

None of these issues fall within the purview of the Zoning Administrator and should be rejected on jurisdictional grounds. To the extent the appellant contends the approved plans do not satisfy the requisite performance standards, such matters should be brought before the Board of Building and Safety Commissioners. To the extent the ZA disagrees and considers the appeal further, the ZA should uphold the Department of Building and Safety's October 30, 2024, determination and deny the appeal.

Doug Ross, Project Manager, Oceans 11 RV Park, LLC, in an email dated December 6,

2024, indicated the actions surrounding the project, including the repeated appeals by the Concerned Residents of Green Meadows West, the subject appeal being the third attempt, and procedural failures by the Los Angeles Department of Building and Safety have placed undue burdens and hardships on the developer, prospective tenants, and employees, making the following points and requests that the original land use permit be reopened or the supplemental land use permit be issued:

- No new information or evidence. There is no new information or evidence provided. The current appeal recycles the same claims and arguments that were raised in the previous two appeals.
- Lack of Legal Standing. The appellant has no legal standing to challenge the project.
- Appeals Targeting an Unlawfully Closed Permit. The appeal targets a land use permit that is closed and challenges a supplemental land use permit that has not been issued. The Department of Building and Safety unlawfully closed the original land use permit and failed to provide a reason for not issuing the supplemental land use permit.
- Planning and Zoning's Repeated Approvals. The subject project has been reviewed and approved multiple times by the Planning Department and the Building and Safety Department. The project meets all zoning and performance standards.
- Ongoing Harm from Unlawful Delays. The refusal by the Department of Building and Safety to issue the supplemental land use permit or reopen the original land use permit has caused financial hardship to the developer and harm to prospective tenants, and employees have been laid off.
- Compliance with Permit Streamlining Act. The Department of Building and Safety's failure to act within the statutory timeframes constitutes a violation of the Permit Streamlining Act.
- Ministerial and Administrative Nature of the Permit. The land use permit for this project is purely administrative because the project meets all the zoning and performance standards.
- Strict Rules and Tenant Support. The project includes strict rules and regulations to address any concerns voiced by surrounding residents, ensuring a safe and well-managed environment.
- Proposal for a Dog Park. A proposal that the site be purchased by the City and turned into a dog park disregards the urgent need for housing in Los Angeles.

## **ZONING ADMINISTRATOR'S DISCUSSION**

Pursuant to Los Angeles Municipal Code (LAMC), Chapter 1A, Section 13B.10.2, the Director of Planning may investigate and make a decision upon appeals from determinations of the Los Angeles Department of Building and Safety (LADBS) where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination, or action made by LADBS in the enforcement of administration of this Chapter or Chapter 1 (General Provisions and Zoning) of this Code and other land use ordinances in site specific cases. The Zoning Administrator, acting on behalf of the Director, is charged with reviewing the evidence contained in the administrative record, in addition to the justifications and findings provided by LADBS in their appeal report. In order to conclude whether LADBS erred or abused their discretion, and thereby grant or deny the appeal, there must be evidence that LADBS' enforcement or administration of the Zoning Code was or was not performed in the proper manner.

Though Building Permit No. 23020-10000-02232 was issued March 22, 2024, it was closed on June 28, 2024. An application for Supplemental Building Permit No. 24026-10000-00086 was submitted for plan check on July 9, 2024, and quality review was completed July 23, 2024; it has not yet been issued. Therefore, at this time there is no building permit in effect for the use of land as a recreational vehicle park at 23416 South President Avenue. However, the Department of Building and Safety is preparing to issue the supplemental use of land permit for the subject project, and the appellant has appealed specific actions leading to the issuance of the permit, such as compliance with the required performance standards and whether the approval of a conditional use is required. Therefore, the Zoning Administrator has addressed the points raised in the appeal submitted.

### **Appeal Point 1**

The first appeal point centers on LADBS' determination that a conditional use permit was not required for a recreational vehicle park. The appellant states that the use of land requires a discretionary conditional use permit under California state law and the Los Angeles Municipal Code, citing the requirements of the Special Occupancy Act in the California Health and Safety Code, the definition of recreational vehicle park in the Los Angeles Municipal Code (LAMC), and the Public Benefits Projects provisions pertaining to the required performance standards for recreational vehicle parks and the appropriate procedure for projects that do not meet the required standards.

### **Director of Planning Response**

#### **California Health and Safety Code and the Special Occupancy Parks Act**

California Health and Safety Code (HSC) Sections 18010 and 18862.37 define "recreational vehicle". Section 18862.39 defines "recreational vehicle park". Section 18862.43 states that "special occupancy park" includes a recreational vehicle park. Section 18862.13 defines "conditional permit", issued by the **enforcement agency**, as a construction or operating permit for a special occupancy park, which may prescribe conditions on the use or occupancy of a special occupancy park. Section 18862.17 states that the **"enforcement agency" is the California Department of Housing and**

**Community Development (HCD), or any city, county, or city and county that has assumed responsibility for the provisions' enforcement.** Section 18865.1 describes the process for obtaining a conditional use permit for a special occupancy park. Section 18870 states that it is unlawful to construct or operate a special occupancy park without a valid permit from the enforcement agency.

All of the above pertain to what and how the State of California governs the establishment and operation of recreational vehicle parks, the provisions of which are separate and in addition to the regulations in the Los Angeles Municipal Code (LAMC). As noted above, the conditional permit required by the State for a recreational vehicle park is issued by HCD, as the enforcement agency, and not the City in this instance. A local jurisdiction can elect to assume responsibility in lieu of HCD, but the City of Los Angeles has not done so. Therefore, recreational vehicle parks are required to comply with State regulations, which includes obtaining a conditional permit from HCD, in addition to complying with the requirements of the LAMC. As acknowledged by the applicant during the hearing, the applicant has applied with HCD, as the enforcement agency, for a conditional permit and will be subject to conditions that may be imposed by HCD. Contrary to what the appellant argues, the Special Occupancy Parks Act does not compel the City to issue a conditional permit.

#### LAMC Section 12.03 – Definition of Recreational Vehicle Park

The appellant points to LAMC Section 12.03, which defines a recreational vehicle park as “Any lot or portion of a lot permitted by conditional use to provide rental or lease sites for individual recreational vehicles which are occupied for temporary purposes.” The appellant argues that since the definition of recreational vehicle park references a conditional use permit, a conditional use permit is required for the use of a recreational vehicle park. However, definitions in the LAMC are not regulations; they do not identify the applicable approval process.

The history of how recreational vehicle parks are regulated in Los Angeles sheds some light as to why the definition of recreational vehicle park references conditional use permit, while the LAMC does not require all new recreational vehicle parks to obtain conditional use permits. Currently, a recreational vehicle park is identified as a Public Benefit Project, pursuant to LAMC Section 14.00 A.7. The provisions provide that recreational vehicle parks are allowed ministerially if they comply with all 12 required performance standards. However, this was not always the case.

In 1986, pursuant to Ordinance No. 161,716, the City Council added the current definition for recreational vehicle parks and created a discretionary conditional use process, under LAMC Section 12.24, for approving them. In 2000, as part of an implementation ordinance amending the Zoning Code in conjunction with Charter Reform, the City Council adopted Ordinance No. 173,268, which replaced LAMC Section 12.24 with new provisions that did not provide a conditional use for recreational vehicle parks and created a new Public Benefit Projects section, under LAMC Section 14.00, which enumerated specific uses allowed ministerially if they comply with required performance standards and included recreational vehicle parks as one of the enumerated uses. From 2000 (Charter Reform

implementation ordinance) until January 21, 2024, Public Benefit Projects were required to comply with the performance standards or approved alternative compliance measures. Starting January 22, 2024 (Processes and Procedures ordinance), Public Benefit Projects were required to comply with the performance standards or obtain a conditional use permit. Though there were various changes in the procedures for permitting recreational vehicle parks over the years, the definition for recreational vehicle parks, which references a conditional use permit, was not updated.

The Zoning Code is very specific regarding when a conditional use permit is available. Only those uses specifically identified as a conditional use may be considered for conditional use approval. Currently, the list of uses in LAMC Section 12.24 does not include recreational vehicle parks. A conditional use is only available for a recreational vehicle park, under Section 14.00 A.7, for projects that do not or cannot comply with the 12 required performance standards. Only then is there any discretion in approving a recreational vehicle park. If a project complies with all 12 of the required performance standards, then no conditional use is required, and the project must be approved ministerially. That the definition references "permitted by conditional use" has no bearing on the required process.

#### LAMC Sections 14.00 A and 14.00 A.7

The appellant states that, pursuant to LAMC Sections 14.00 A and 14.00 A.7, uses which do not meet the performance standards are required to obtain a conditional use permit. The appellant also states that in this case, the project does not meet the performance standards, and that the Department of Building and Safety issued a building permit without a conditional use permit constitutes error and abuse. However, the Department of Building and Safety closed Building Permit No. 23020-10000-02232 on June 28, 2024, and Supplemental Building Permit No. 24016-10000-00086 has not been issued. Therefore, technically there has been no building permit issued in error. As examined above, under LAMC Section 12.03 – Definition of Recreational Vehicle Park, there is no across-the-board requirement for recreational vehicle parks to obtain approval of a conditional use permit; a conditional use permit is only required if all the required performance standards are not or cannot be met. Therefore, the Department of Building and Safety could be in error only if a building permit were issued for the recreational vehicle park when one or more of the required performance standards had not been met.

In this case, as of the date this appeal determination was prepared, the supplemental building permit has not been issued. Therefore, for the purposes of this appeal the discussion in this section will proceed based on plans submitted to the Department of Building and Safety in conjunction with Supplemental Building Permit No. 24016-10000-00086 and the supposition that the Department of Building and Safety is preparing to issue the permit.

The applicant submitted plans to the Department of Building and Safety for Supplemental Building Permit No. 24016-10000-00086, dated July 25, 2024. Plan Sheets P-1, P-2, and P-3, which include notes and a copy of a recorded covenant, were approved by City Planning on August 1, 2024. These plan sheets are attached to this determination for reference. The covenant, Instrument No. 20230807676, recorded with the Los Angeles

County Recorder November 21, 2023, obligates the use of the property to comply with the Public Benefit Project required performance standards enumerated in LAMC Section 14.00 A.7.

The notes on Sheet P-2 contain an introductory statement followed by text responding to each of the required performance standards. The introduction states the following (in relevant part):

*This project is being built under LAMC 14.00 A Section 7 as a Public Benefit project. Below are the Performance Standards that must be met. The project plans are supporting proof and to substantiate compliance with applicable Performance Standards.*

*It should be noted that while some requirements outlined in LAMC 14.00 A.7 hold weight, they are overridden by the 2023 California Code, specifically the Health and Safety Code (H&SC) Section 18865 under the Special Occupancy Parks Act. Pursuant to the preemptive restrictions in H&SC Section 18865, local governments are not granted express or implied exceptions to impose regulations regarding park construction or maintenance, except within narrowly defined parameters. Any requirements imposed by the city beyond those explicitly stated in Section 18865 are deemed null and unenforceable. This is partially corroborated in the LAMC Section 12.21A(4)(a).*

*HCD Information Bulletin 2008-10 (MP) (attached) directly addresses this issue. While the memo pertains to mobilehome parks, it underscores that identical codes are present in the California Code of Regulations (CCR) H&SC 18865 for Special Occupancy Parks, thereby superseding parts of ordinance 14.00 A.7. This clarification doesn't imply non-compliance with performance standards. Rather, it highlights that the specific unenforceable items mentioned herein cannot be mandated requirements. Despite this, we strive to uphold the remaining performance standards and have made earnest efforts to adhere to the invalidated items to the best of our ability and with the utmost sincerity. Each performance standard is addressed below each response is preceded with "(R)".*

The appeal to the Director of Planning submitted on November 12, 2024, does not identify which performance standards are not met. However, the appeal to the Department of Building and Safety, testimony at the public hearing, and supplemental materials submitted by the appellant and others pertaining to the appeal to the Director of Planning claim the proposed recreational vehicle park does not comply with the following required performance standards:

**Performance Standard No. 3, which reads: There is a solid decorative masonry or wrought iron wall/fence at least eight feet in height, or the maximum height permitted by the zone, whichever is less. The wall/fence encircles the periphery of the property and does not extend into the required front yard setback.**

The plans submitted with Supplemental Building Permit No. 24016-10000-00086, dated July 25, 2024, and approved by City Planning on August 1, 2024, show a new 8-foot-high

wrought iron fence along the rear property line, existing 8-foot-high concrete block walls along the side property lines, and a new 8-foot-high wrought iron fence set back 20 feet from the front property line.

The note on Plan Sheet No. P-2, in response to the performance standard requirement, states the following:

*(R) The property will be encircled with a wrought iron fence front and back and sides are concrete block. For zone R1, allowed maximum height for fencing is being followed, all are 8' in height. The front fence is set back 20' from property line.*

*Fencing and periphery walls are specifically addressed in H&SC Section 18865 g (l). The only part of walls or fences the city can regulate are street facing. All other periphery fencing is defined and regulated by HCD. We are still meeting this performance standard as a whole.*

A note on Plan Sheet P-1, states that the "fence on rear of property is 2' tall block fence with 6' wrought iron on top, is adjacent to railroad tracks", which differs from the callout on the plan that specifies an 8-foot-high wrought iron fence in the rear. However, either would comply with the requirement. Plan Sheet P-1 shows an illustration detail of the new front and rear 8-foot-high wrought iron.

Therefore, the plans show compliance with the required performance standard.

There is a claim that the fence has been installed in the front but not the rear. 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.

**Performance Standard No. 4, which reads: The front yard setback is at least as deep as the setback required by the zone.**

The subject property is in the R1-1XL-O Zone. In this zone, the minimum required front yard setback is 20 percent of the lot depth but need not exceed 20 feet. In this case, the depth of the subject property ranges from 134.53 to 135 feet, 20 percent of which ranges from 26.9 to 27 feet. Therefore, by this standard, the minimum required front yard setback would be 20 feet. However, if 40 percent or more of the lots along the frontage observe a front yard setback that varies not more than 10 feet, then the minimum front yard setback would be the average setback of those lots but need not exceed 40 feet in depth. This is commonly referred to as the prevailing setback.

The Zoning Administrator used the Prevailing Setback Calculator provided on the Department of Building and Safety website and inputted the dimensions and approximate setbacks observed on 37 lots along the subject easterly frontage of President Avenue. The Prevailing Setback Calculator indicated that 32 lots were used in the calculation of the prevailing setback, and that the applicable prevailing front yard setback for the subject property is 18.20 feet. This is an approximation because the Zoning Administrator used the measuring tool provided on ZIMAS, which is not exact, to determine the setbacks

observed by each property used in the calculation. In addition, the Prevailing Setback Calculator includes the following disclaimer: "The accuracy of the results is dependent on the accuracy of the data entered. Only an authorized City of Los Angeles plan check engineer can make a final determination on whether the front yard meets the Zoning Code requirements."

The plans submitted with Supplemental Building Permit No. 24016-10000-00086, dated July 25, 2024, and approved by City Planning on August 1, 2024, show a front yard setback of 20 feet and a prevailing setback calculation of 17.67 feet, based on three lots. The prevailing front yard setback calculated by the Zoning Administrator and the applicant are similar, though not identical, but both would indicate that a front yard setback of 20 feet, as shown on the plans, exceeds the calculated prevailing setback, which constitutes the required minimum front yard setback.

The note on Plan Sheet No. P-2, in response to the performance standard requirement, states the following:

*(R) The required building setback for zone R1 is 20'; no building, accessory building or structure of any kind is encroaching on this setback.*

Therefore, the plans show compliance with this performance standard.

There is a claim that the built site only provides a 17.69-foot front yard setback. Though Sheet No. P-1 of the plans show a prevailing front yard setback calculation of 17.67 feet, the plans show a project that observes a front yard setback of 20 feet. There is also a claim that 46 recreational vehicle spaces cannot fit within the property with the 20-foot front yard setback and that the plans exceed the physical dimensions of the site. The plans reviewed by the Zoning Administrator show dimensions of the site as being approximately 135 feet deep and approximately 200 feet wide; not 153 feet deep as claimed. The plans also show both 46 recreational vehicle spaces and a 20-foot front yard setback. However, there is no requirement for the project to accommodate 46 recreational vehicle spaces with or without additional vehicle parking. If 46 recreational vehicles do not fit, or do not fit with the additional parking space, then the applicant would have to reduce the size of the project; the applicant would still be responsible for providing the required front yard setback.

The Department of Building and Safety will make a final determination as to the prevailing front yard setback. It is the responsibility of the Department of Building and Safety to verify that the front yard setback is provided as required and depicted on approved plans.

Performance Standard No. 5, which reads: **The property is improved with a ten-foot landscaped buffer along the periphery of the property, which is maintained and is equipped with an automatic irrigation system.**

The plans submitted with Supplemental Building Permit No. 24016-10000-00086, dated July 25, 2024, and approved by City Planning on August 1, 2024, show a 10-foot landscaped buffer along the periphery of the property.

The note on Plan Sheet No. P-2, in response to the performance standard requirement,

states the following:

*(R) A 10' landscape buffer is shown on plans. Plants are only selected from a recommended list provided by the city.*

*As with item number 3, the city cannot mandate improvements inside of the property. They have limited control over the street facing side(s) and can require a buffer in setback zones on street facing sides of property only. This is specifically outlined in H&SC 18865. This allows for a 10-foot buffer along the street facing sides property lines only though we are including a buffer for the remaining sides. The front has an existing irrigation system installed, and the necessary devices will be installed to complete the needed system.*

The note on Plan Sheet No. P-1 states "Property will have 10' landscape buffer around periphery of property with irrigation system."

Therefore, the plan shows compliance with the required performance standard.

There is a claim that the landscape buffer is not provided on the property, and the property lacks the required irrigation system. However, these are represented on the plans reviewed by the Zoning Administrator. 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.

**Performance Standard No. 6, which reads: Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6.**

LAMC Section 12.21 A.6 reads: Those portions of a lot developed as a public parking area on which automobile parking is prohibited by paragraph (a) above, or otherwise not improved, shall be fully landscaped with lawn, trees, shrubs or suitable groundcover, and no portion except the access driveways shall be paved. Where a wall is not required along any lot line of an automobile sales area abutting a street, said sales area shall incorporate a landscaped area or areas in the amount of at least three percent of said sales areas. All landscaping required by the provisions of this subsection or provided in compliance with Paragraphs (g) or (h) hereof shall be installed in accordance with a plan approved by the City Planning Department. Approval shall be granted for any wherein the design and materials proposed therein are reasonably appropriate for the use and appearance of the parking area. Such landscaped areas shall be equipped with a water sprinkler system and shall be maintained free of weeds and debris.

LAMC Section 12.21 A.6(h) reads: Where a lot located in either an A, R, or A or R in combination with a P zone, or is serving as a parking area for the primary use of as specific building or buildings, and said lot is used for a public or private parking area for more than 20 vehicles, at least four percent of the parking area shall be devoted to improvements as follows:

- (1) One-fourth of the required four percent improvement shall be credited for street trees planted in accordance with plans approved by the Street Tree Division. Approval shall be granted for any plan which complies with the Master Plan for Street Trees. Existing street trees shall be considered in satisfying this provision.
- (2) One-fourth of the required four percent improvement shall be credited for walls, provided that walls are constructed along all lot lines abutting a street. Existing walls shall be credited.
- (3) Up to and including three-fourths of the four percent improvement shall be credited for landscaped setback areas, provided that the total of said setback area is equal to the percent of the total parking area credited.
- (4) Up to and including three-fourths of the four percent improvement shall be credited for interior landscaping, provided that the total of such landscaped area is equal to that percent of the total parking area being credited.
- (5) On those lots having no street frontage, four percent improvement shall be credited for interior landscaping provided the total of such landscaped area is equal to that percent of the total parking area being credited.

A note on Plan Sheet No. P-1 shows the calculation of the landscaping requirements. The total parking area is 46,135 square feet. Four percent of that is 1,845.5 square feet. One-fourth of the required 4 percent, 461.4 square feet, is credited for street trees; according to the plans approved by City Planning, the project will be maintaining the 10 existing crepe myrtle street trees in satisfaction of this requirement. The project includes 4,000 square feet of landscaped area in the front, which exceeds the required 4 percent of landscaped area required. Other trees are also included and listed as a note on Plan Sheet No. P-1 and in a plant schedule on Plan Sheet No. P-3.

Therefore, the plan shows compliance with the required performance standard.

The note on Plan Sheet No. P-2, in response to the performance standard requirement, states the following:

*(R) LAMC 12.21A(4)(a) states (referring to parking) The above (parking) area requirements shall not apply to mobile homes parks or mobile homes located within mobilehome parks. Mobilehome parks are subject to the requirements of Title 25 of the California Administrative Code. If parking is under the enforcement of HCD, by default so is parking lot landscaping.*

*Also, by city definitions in LAMC 12.03 PARKING AREA, PRIVATE. An open area located on the same lot with a dwelling, apartment house, hotel. With no structures*

*of this nature on the property, we are in compliance with 12.21 A 6 as it states Those portions of a lot developed as a public parking area on which automobile parking is prohibited by paragraph (a) above, or otherwise not improved, shall be fully landscaped with lawn, trees, shrubs or suitable groundcover, and no portion except the access driveways shall be paved. As established above and in performance standard 9 no structures exist and there is no private parking to follow 12.21A6. The property is considered a recreational vehicle park providing rental sites for recreational vehicles, and not public or private parking by definition in LAMC and is regulated by wholly by HCD But with allowances for existing street trees and landscape buffer, we will meet standard 6.*

There is a claim that the applicant has removed some of the vegetation and trees at the front of the property, resulting in a failure to adhere to the approved landscaping. 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.

Performance Standard No. 7, which reads: **Only one identification sign is displayed on the site, and it is on the building face. The sign does not exceed 20 square feet and does not extend more than 2 feet beyond the wall of the building and does not project above the roof ridge or parapet wall (whichever is higher) of the building.**

Plan Sheet No. P-1 includes an illustration and note regarding a sign to be mounted to the right of the left entry gate, which is the northerly gate, since there is no building face on which to mount it. The dimensions of the sign are 4 feet by 5 feet, which is a total of 20 square feet and does not exceed the maximum size allowed.

The note on Plan Sheet No. P-2, in response to the performance standard requirement, states the following:

*(R) Signage will be included on plan for approval and does not exceed 20 sq. ft. Note: there is no building was to meet this part of standard, the sign will be located on fence to right of entry gate.*

Therefore, the plan shows compliance with the required performance standard.

There is a claim the sign that is currently on the gate misidentifies the project as being in Torrance, instead of Harbor City. The illustration of the proposed sign shown on the approved plans on Plan Sheet No. P-1 contains only the name of the recreational vehicle park, a contact phone number, and a street address with no reference to the name of the community. However, the required performance standards do not limit how a recreational vehicle park is identified.

Performance Standard No. 8, which reads: **All graffiti on the site is removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.**

The note on Plan Sheet No. P-2, in response to the performance standard requirement, states the following:

*(R) Equipment, cleaning supplies and paint will be kept on hand to deal with any graffiti.*

The project is in compliance with this standard by virtue of the applicant having recorded Instrument No. 20230807676 with the Los Angeles County Recorder, a copy of which is on Plan Sheet No. P-2. The recorded covenant indicates the applicant has agreed to comply with the Public Benefit Projects required performance standards enumerated in LAMC Section 14.00 A.7, which includes this requirement.

Therefore, the plan shows compliance with the required performance standard.

There is a claim that the rear chain link fence with a privacy tarp contains graffiti that has not been removed as required. Plan Sheet No. P-1 shows and illustrates the details of a new 8-foot-high wrought iron fence along the rear property line, and plan notes on Plan Sheet No. P-1 describe a 2-foot-high block fence topped with a 6-foot-high wrought iron fence along the rear property line. It appears from the claim that the wall/fence described or depicted on the plans has not yet been installed. It is likely the privacy tarp, along with its graffiti, will be removed when the wall/fence is installed along the rear property line.

The Department of Building and Safety can require removal of any existing graffiti prior to the issuance of the supplemental use of land permit. After the permit has been issued, any graffiti present that has not been removed within 24 hours should be reported to the Department of Building and Safety for its enforcement as a violation.

**Performance Standard No. 9, which reads: The use meets the parking requirements of Section 12.21 A.**

The City's off-street parking requirements are provided under LAMC Section 12.21 A.4. Requirements for dwelling units are provided under LAMC Section 12.21 A.4(a). However, the paragraph is followed by the following statement: "The above area requirements shall not apply to mobilehomes parks or mobilehomes located within mobilehome parks. Mobilehome parks are subject to the requirements of Title 25 of the California Administrative Code."

While mobilehomes are expressly exempted from the parking requirement for dwelling units in LAMC Section 12.21 A.4, recreational vehicles are not considered dwelling units and, therefore, are not expressly exempted in this paragraph. A recreational vehicle park must comply with the required performance standards pursuant to LAMC Section 14.00 A.7. Under LAMC Section 14.00 A.7, Performance Standard No. 9 requires that the use meet the parking requirements of Section 12.21 A. However, there are no provisions in the Los Angeles Municipal Code, including Section 12.21 A, that require a minimum number of parking spaces for recreational vehicle parks or recreational vehicles located within recreational vehicle parks. Therefore, the project is not subject to any City minimum parking requirements.

Special occupancy parks, which include recreational vehicle parks, are also subject to the provisions and processes, pursuant to Title 25 of the California Code of Regulations (formerly the California Administrative Code) and the California Health and Safety Code.

There do not appear to be any provisions in the California Code of Regulations or the Health and Safety Code that require a minimum number of parking spaces to serve occupants of a Special Occupancy Park. The provisions of the California Code of Regulations and the Health and Safety Code are enforced by the California Department of Housing and Community Development, not the City of Los Angeles.

Despite no City requirement to provide parking, a note on Plan Sheet No. 1 states: "Each rental site has room for parking 1 RV and 1 vehicle." This would indicate that the project includes 46 off-street parking spaces for its 46 recreational vehicle spots. Two ADA (Americans with Disabilities Act) parking stalls are shown at the center rear of the property on Plan Sheet Nos. P-1 and P-3.

The note on Plan Sheet No. P-2, in response to the performance standard requirement, states the following:

*(R) Directly from LAMC12.21A(4)(a) The above area requirements shall not apply to mobile homes parks or mobile homes located within mobile home parks. Mobilehome parks are subject to the requirements of Title 25 of the California Administrative Code. We establish mobilehome and rv parks are the same by the Los Angeles zoning guide from 12/20/2022 (attached).*

Though there are claims that the project does not provide or does not have the space to provide off-street parking, there is no minimum number of off-street parking spaces required for this project.

There is a claim that the drive aisle is only 15 feet wide when it is claimed it should be 24 feet wide to accommodate two-way traffic. The plans show internal drive aisles of 15, 20, and 22 feet wide. The Zoning Code requires that access driveways be at least 9 feet wide in the R1 Zone, but where the access driveway serves a parking area with a capacity of more than 25 vehicles, the access driveway is required to be at least 19 feet wide or provide two access driveways, each of which is at least 10 wide. The plans reviewed by the Zoning Administrator show two 20-foot-wide access driveways, one at the northerly and one at the southerly end of the property, in compliance with the access driveway width regulations of the Zoning Code regulation. The Zoning Code also requires that all portions of a public parking area be accessible to all other portions without requiring the use of any public street. The plans reviewed show compliance with this regulation.

California Code of Regulations, Title 25, Housing and Community Development, Division 1, Housing and Community Development, Chapter 2.2. Special Occupancy Parks, Article 2. General Park Requirements, Section 2106 Roadways provides minimum requirements for roadway access in Special Occupancy Parks, with which the applicant's project will have to comply. The provisions of the California Code of Regulations are enforced by the California Department of Housing and Community Development, not the City of Los Angeles.

Therefore, the plan shows compliance with the required performance standard.

There is a claim that the plans eliminated ADA spaces previously shown. Though ADA parking requirements are outside the jurisdiction of the Zoning Code, the plans reviewed by the Zoning Administrator show two ADA parking stalls.

### **Appeal Point 2**

The second appeal point states that LAMC Section 14.00 authorizes certain public benefit uses. However, the subject recreational vehicle park is "for profit" and not a public benefit use. Therefore, the use cannot be authorized under LAMC Section 14.00, and in doing so constitutes error and abuse.

### **Director of Planning Response**

In creating a new Public Benefit Projects section in 2000, under LAMC Section 14.00, the City Council enumerated specific uses to be allowed ministerially if they comply with required performance standards. The section currently enumerates 13 specific uses within the Public Benefit Projects section. Recreational vehicle parks and mobile home parks are enumerated as use No. 7. The City Council, in its adoption of Ordinance No. 173,268 in 2000, determined what uses to be allowed ministerially as Public Benefit Projects, provided they comply with the required performance standards. There is no requirement in the Public Benefit Projects section, or elsewhere in the Zoning Code, for these uses to be operated on a not-for-profit basis or to demonstrate they benefit the public.

### **Other Points Raised in Support of or Against the Appeal**

Opposition to the Project. In correspondence and public testimony, neighbors have spoken against the proposed recreational vehicle park on issues beyond the project's compliance with the performance standards required of the subject use as a Public Benefit Project and whether a conditional use permit is required. These additional issues generally have to do with parking/traffic congestion, safety/security, neighborhood compatibility, and the lack of public input regarding the project.

Director of Planning Response. Parking/traffic congestion, safety/security, neighborhood compatibility, and the lack of public input are not issues appealable to the Zoning Administrator on behalf of the Director of Planning on this type of project. In reviewing a ministerial project, it is the responsibility of the City to determine if the required standards are met. If they are, there is no discretion in approving the project. If there is no discretion, there is no public or environmental review process and there can be no conditions imposed on the project. Only if one or more of the performance standards are not met can the City consider public input and environmental impact, exercise discretion to approve or deny an application, and impose conditions of approval, all as part of the conditional use permit process.

The community may not like the project or its design, maintain that the project does not belong on this property or in their neighborhood, and argue that the process is detrimental to the community. However, the Director of Planning does not have the

authority to disregard the Zoning Code in response to the subject appeal; a Code amendment would be required to change the process and/or the standards by which this type of project is approved.

Complaints about the current use of the property. Members of the community have raised complaints that the property is already being used, illegally, by recreational vehicles, and have submitted photographs and videos as evidence.

Director of Planning Response. 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 for recreational vehicle parks or whether a conditional use is required for same.

Procedural Objections. The applicant's representative has raised procedural objections, stating that whether a plan checker accurately reviewed plans or whether what was constructed matches those plans are not issues appealable to the Zoning Administrator. They have also questioned an appeal when there is no valid building permit in effect.

Director of Planning Response. In this instance, the appeal pertains to whether approval of a conditional use permit is required as a rule for all recreational vehicle parks or for this project because the Departments of Building and Safety and City Planning incorrectly determined compliance with the performance standards required of a recreational vehicle park as a Public Benefit Project. It is entirely appropriate for the Zoning Administrator to review whether the required performance standards, which are part of the Zoning Code, were properly met. Though the supplemental building permit has not been issued, the Zoning Administrator can review if the plans submitted for plan check comply with the required Zoning Code performance standards to either lay the way for the supplemental building permit to be issued or determine that a conditional use permit is required.

## **CONCLUSION**

After reviewing the evidence in the record, including the determination by the Department of Building and Safety on the initial appeal, the subject appeal to the Director of Planning, correspondence submitted, testimony given at the public hearing conducted by the Zoning Administrator, relevant Zoning Code and California state regulations, and Plan Sheet Nos. P-1, P-2, and P-3 of the plans submitted for Supplemental Building Permit No. 24016-10000-00086, dated July 25, 2024, and approved by City Planning on August 8, 2024, for a recreational vehicle park as a Public Benefit Project, pursuant to Los Angeles Municipal Code (LAMC) Section 14.00 A.7, it is determined that the Department of Building and Safety did not err or abuse its discretion in preparing to issue Supplemental Building Permit No. 24016-10000-00086 without prior approval of a conditional use permit.

Uses listed as Public Benefit Projects are permitted ministerially, unless they do not or

cannot comply with the required performance standards. Only then is a conditional use permit required. There is no conditional use permit available or required for a recreational vehicle park other than when it is not compliant with the enumerated performance standards.

As demonstrated on the referenced plan sheets, the proposed recreational vehicle park complies with all 12 of the required performance standards of LAMC Section 14.00 A.7. Therefore, no conditional use permit is required as a consequence of not meeting the required performance standards.

Finally, recreational vehicle parks are listed among the uses allowed as Public Benefit Projects. There is no further requirement for a listed project to demonstrate if or how it benefits the public. In addition, the project cannot be disqualified as a Public Benefit Project because it operates on a for-profit basis.

### **CITYWIDE IMPACT**

Pursuant to the requirements of Section 13B.10.2.E of the Los Angeles Municipal Code, the Director of Planning finds that there is a citywide impact, as an aspect of the matter concerns a use that would apply to other sites in the City. Certain circumstances connected with the zoning matter are not unique to the affected site and would apply to other sites in the City.

### **APPEAL PERIOD - EFFECTIVE DATE**

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

**Online Application System (OAS):** The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

**Drop off at DSC.** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal

applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC	Van Nuys DSC	South LA DSC
201 N. Figueroa Street Los Angeles, CA 90012 <a href="mailto:planning.figcounter@lacity.org">planning.figcounter@lacity.org</a> (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 <a href="mailto:planning.mbc2@lacity.org">planning.mbc2@lacity.org</a> (818) 374-5050	(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 <a href="mailto:planning.southla@lacity.org">planning.southla@lacity.org</a>

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](https://buildla.lacity.org) portal ([appointments.lacity.org](https://appointments.lacity.org)). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to  
Online Appeal  
Filing



QR Code to Forms for In-  
Person Appeal Filing



QR Code to BuildLA  
Appointment Portal for  
Condition Clearance

Inquiries regarding the matter shall be directed to Undine Petrulis, Planning Staff for the Department of City Planning at [undine.petrulis@lacity.org](mailto:undine.petrulis@lacity.org) or (213)978-1170.

VINCENT P. BERTONI, AICP  
Director of Planning



PHYLLIS NATHANSON  
Associate Zoning Administrator

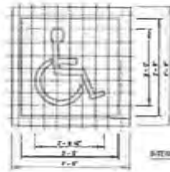
PN:UP:mc

cc: Councilmember Tim McOsker  
Fifteenth District  
Abutting Property Owners  
Allen Manalansan, LADBS  
Binh Phan, LADBS  
Michael Perez, LADBS  
Interested Parties

ATTACHMENTS: Plan Sheets P-1, P-2, and P-3, approved by the Department of City Planning August 1, 2024 [extracted from a joint report, dated August 23, 2024, submitted to the Planning and Land Use Management Committee of the Los Angeles City Council from the Director of Planning, Department of City Planning, and the General Manager, Department of Building and Safety in response to a motion by the City Council (CF- 24-0711)].





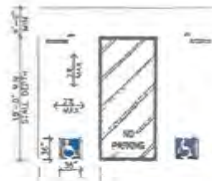


INTERNATIONAL SYMBOL OF ACCESSIBILITY  
 MINIMUM SYMBOL SHALL BE 6'-0" WIDE  
 MINIMUM SYMBOL SHALL BE 6'-6" HIGH  
 MINIMUM CLEAR WIDTH SHALL BE 2'-0"  
 MINIMUM CLEAR HEIGHT SHALL BE 2'-6"

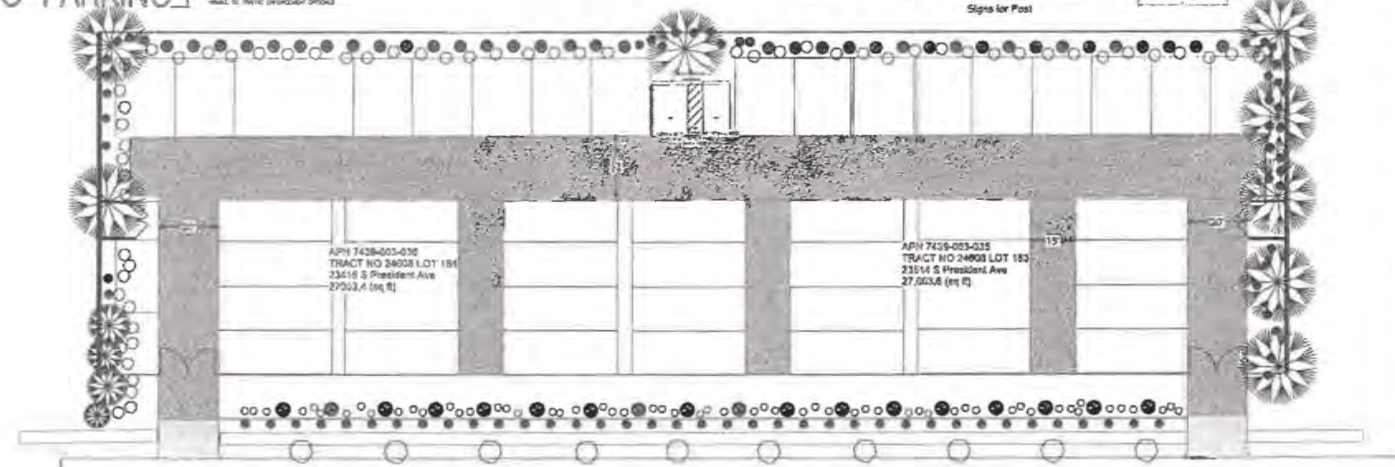
INTERNATIONAL SYMBOL OF ACCESSIBILITY (ISA)

**NO PARKING**

THE NO PARKING SIGN SHALL BE PLACED IN  
 WHITE LETTERS ON A BLACK BACKGROUND  
 AT THE SIDE OF THE STREET AND NOT OVER 4' IN  
 HEIGHT TO THE TOP OF THE SIGN



Signs for Post



NO	SYMBOL	DESCRIPTION
1	○	1" WHITE SPOT, WHITE SPOT
2	●	2" BLUE SPOT, BLUE SPOT
3	●	3" BLUE SPOT, BLUE SPOT
4	●	4" BLUE SPOT, BLUE SPOT
5	●	5" BLUE SPOT, BLUE SPOT
6	●	6" BLUE SPOT, BLUE SPOT
7	●	7" BLUE SPOT, BLUE SPOT
8	●	8" BLUE SPOT, BLUE SPOT
9	●	9" BLUE SPOT, BLUE SPOT
10	●	10" BLUE SPOT, BLUE SPOT
11	●	11" BLUE SPOT, BLUE SPOT
12	●	12" BLUE SPOT, BLUE SPOT

**PLANS APPROVED**  
 DATE: 7/25/2024  
 BY: [Signature]  
 TITLE: [Title]  
 FIRM: [Firm Name]

**ADAFIRE/ LANDSCAPE**

DATE: 7/25/2024

SHEET: P-3