Communication from Public

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Date Submitted: 11/26/2025 12:21 PM
Council File No: 24-0711-S2
Comments for Public Posting: This submission provides evidence that the Harbor City RV park cannot be approved ministerially because it violates multiple mandatory Performance Standards, relies on contradictory plan sheets, and contains built conditions that cannot be corrected through revised paperwork. The original approved plans contain three different RV counts (39, 46, and 55), making it impossible for LADBS to have evaluated a single, accurate configuration. The City Planning Commission already found that PS #3 (perimeter fencing), PS #4 (20.5-ft prevailing setback), and PS #5 (10-ft landscaped buffer) were prematurely cleared. LADBS has since admitted that its prevailing-setback calculation was based on incorrect applicant data and that the built fence line does not comply. Despite repeated complaints, LADBS has not conducted on-site inspections and has closed complaints as duplicates while the developer continued building utility islands, methane-zone electrical systems, and unpermitted buildings inside protected buffer areas. ADA parking was removed, the 20.5-ft setback cannot be met due to installed utilities, and the perimeter wall fails on all sides. Ministerial approval requires full compliance with all twelve Performance Standards before construction—not after. Because the project is fully constructed in violation of PS #3, #4, #5, and #9, ministerial processing is legally impossible. The City must enforce the CPC determination, halt ministerial approval, and shift this project to full discretionary review with CEQA analysis and required on-site inspections.

The Project violates several mandatory Performance Standards:

• Performance Standard #3 requires an 8-foot block wall or wrought-iron fence around the entire perimeter. The Project fails this requirement on three sides:
– Along the shared property line with 23412 S. President Avenue, the constructed fence measures as low as 5 feet; and
– Along the rear property line, the barrier consists of a chain-link fence, which is expressly prohibited under PS3 and cannot satisfy the requirement for a solid enclosure.
– Along the front of the property line, the constructed wrought iron fence measures under 8ft which is expressly prohibited under PS3 and cannot satisfy the requirement
– Along the front property line, the two front gates consist of chain-link fence, which is expressly prohibited under PS3

• Performance Standard #4 requires compliance with the prevailing front-yard setback. At the November 2025 PLUM Committee hearing, LADBS publicly admitted that the developer's prevailing-setback calculations were incorrect, that LADBS relied on erroneous data supplied by the applicant, and that the Project as approved is out of compliance with PS4.

• Performance Standard #5 requires a continuous 10-foot landscaped buffer free of structures or improvements. In its October 9, 2024 Determination, the City Planning Commission found that PS5 had been prematurely cleared because the approved site plan (Sheet P-1) showed inconsistencies within the buffer zone, including a trash enclosure drawn directly inside the required 10-foot landscaped buffer, and potential RV landscape encroachments that "would need to be revisited." The CPC explicitly stated that, based on the plans they were provided, the trash enclosure appeared noncompliant and the buffer could not be verified without additional review. However, the CPC did not identify the extensive utility encroachments now known to exist, because the electrical sheet (Sheet P-4) which contains all utility pedestals, conduit routes, and the 800-amp methane-rated electrical distribution system was never transmitted to Planning before PS5 was cleared. Consequently, while the CPC correctly flagged PS5 as improperly cleared, its findings were necessarily limited to the incomplete plan set it was shown, and did not address the substantial as-built utility infrastructure that was later revealed to occupy the entire buffer and setback areas.

Between June 2024 and November 2025, residents filed numerous LADBS complaints providing photos, plan sheets, measurements, and aerial imagery documenting these violations. LADBS did not conduct inspections and routinely closed complaints as "duplicates." LADBS continued to assert that compliance would be verified only at "final inspection," even though final inspection cannot legally occur where construction has already taken place in violation of mandatory Performance Standards.

At the November 2025 PLUM hearing, LADBS conceded noncompliance with PS4, while the CPC has already determined that PS3, PS4, and PS5 were prematurely cleared and remain violated. Despite these formal findings and admissions, LADBS continues to treat the Project as eligible for ministerial approval.

LADBS's October 31, 2025 report further demonstrates the agency's refusal to enforce mandatory standards. In that written report, LADBS asserted that utility pedestals and electrical infrastructure may be placed inside the 10-foot buffer because, in its view, such utility structures "serve the public" and need not comply with setback or buffer restrictions. This interpretation directly contradicts the CPC Determination, which explicitly states that no structures or improvements, including utilities may occupy the 10-foot landscaped buffer (CPC Determination 10/ 30/24 p. 14). An administrative agency cannot lawfully disregard the interpretation of the decision-making body responsible for the entitlement.

In addition to LADBS's refusal to enforce Performance Standards, the project could never lawfully qualify for ministerial approval because the original plan set itself was internally inconsistent and contradictory. Under LAMC §14.00(A)(7), ministerial review requires one single, accurate, and internally consistent plan set; however, the January 7, 2024 plans approved by LADBS contained three different RV counts and conflicting site layouts:

- Sheet P-1 depicts 39 RV spaces in the diagram, but its written legend claims 46;
- Sheet P-3 shows 46 RV spaces and a front-yard setback line cutting directly into the RV rows; and
- Sheet P-4 (electrical) contains utility pedestals for 55 RV spaces, far exceeding both P-1 and P-3.
  Dec 2 RV PARK (4)

These contradictions mean LADBS never evaluated a single coherent project. A ministerial permit cannot legally be issued where the City cannot determine:

- how many RV spaces exist,
- where the required setbacks begin or end,
- whether the 10-foot buffer is free of obstructions, or
- whether ADA access can physically exist.

Because ministerial approval requires objective, measurable standards applied to a consistent plan set, a contradictory plan set makes ministerial review legally impossible. The inconsistencies across P-1, P-3, and P-4 render the original approval **invalid from the outset**, independent of all later-discovered construction violations.

Under LAMC §14.00(A)(7), compliance with all twelve Performance Standards is a mandatory prerequisite to ministerial approval. A project that fails even one standard cannot be approved ministerially and must be processed through a Conditional Use Permit ("CUP") with CEQA review, discretionary analysis, and public participation. LADBS has no discretion to waive, reinterpret, or ignore these requirements. Its continued refusal to enforce them constitutes an abuse of discretion and a failure to proceed in the manner required by law.

Green Meadows Residence therefore seek to compel LADBS and the City to:
(1) acknowledge the Project's violations of Performance Standards #3, #4, and #5, as already found by the CPC and admitted in part by LADBS;
(2) enforce the CPC Determination;
(3) revoke or suspend approvals issued contrary to law; and
(4) require the Project to proceed through the mandatory discretionary review process including a Conditional Use Permit and CEQA analysis required when Performance Standards cannot be met.

FACTUAL BACKGROUND

(1)
This matter concerns the construction and attempted operation of a 46-space recreational vehicle ("RV") park located at 23416 S. President Avenue in Harbor City, Los Angeles. The project spans two parcels (APN 7438-003-035 and 7438-003-036), totaling approximately 53,990 square feet and zoned R1. Under Los Angeles Municipal Code ("LAMC") §14.00(A)(7), an RV park may be processed as a ministerial "Public Benefit Project" only if it complies with all twelve Performance Standards, without exception.

(2)
City Planning first reviewed the project in early 2024. On April 24, 2024, City Planning determined that the project did not comply with Performance Standard #4 because the submitted plans showed an existing non-compliant masonry wall located within the required 20-foot front yard setback. City Planning instructed the developer to revise and resubmit compliant plans.

(3)
At the time in question, an existing masonry wall was located only a few feet from the public sidewalk. The City Planning Department directed the developer to remove this wall and to establish the required twenty-foot front yard setback. Prior to receiving this directive, however, the developer had installed underground electrical, water, and sewage RV-hookup infrastructure

directly behind the original wall, within the area designated for the setback. As a result, compliance with the twenty-foot setback requirement became physically impracticable without removing multiple rows of RV spaces and the associated utility systems. The utility infrastructure remains located within the required twenty-foot front yard setback, where such installations are expressly prohibited.

(4)
Between May and June 2024, construction advanced rapidly. Aerial photographs, site photos, and ABC7 News coverage on June 27, 2024 showed the park more than 90% complete, and the developer publicly stated the project was "97% complete." The ABC7 segment also confirmed that the developer had scheduled a Certificate of Occupancy inspection for June 28, 2024, despite City Planning's April determination that the project remained out of compliance.

(5)
The January 2024 plan set approved by LADBS contained contradictions indicating the project could not have been lawfully cleared ministerially. Sheet P-1 (site plan) shows four RV rows (A–D) and a full, unobstructed 20-foot setback. In contrast, Sheet P-3 (landscape plan) shows five rows (A–E) and depicts the 20-foot setback line running into the RV field, reducing or eliminating the front-yard buffer. These two layouts cannot both represent the same site. LADBS approved both sheets, creating facial inconsistencies in the approved plans. This inconsistency predates all later plan revisions.

(6)
On June 28, 2024, City Planning again notified the developer that the project remained noncompliant with Performance Standards #3 and #4 and reiterated that a supplemental permit was required. Planning stated the developer could not move toward inspection or occupancy until setback violations were corrected. Despite this, the developer scheduled for final inspection with LADBS.

(7)
Also in April 2024, City Planning and LADBS informed the developer that supplemental plans were required because the early plan set continued to show a wall and improvements within the required front setback.

(8)
Separately, on June 14, 2024, Councilmember Tim McOsker introduced a City Council motion directing LADBS and all relevant departments to halt any pending approvals including the Certificate of Occupancy until CalGEM and the City's Office of Petroleum and Natural Gas Administration completed well-hazard and environmental analysis. The motion expressly instructed LADBS to stop issuing approvals pending completion of this review.

(9)

Despite the City Council's June 14, 2024 motion prohibiting LADBS from approving any revised plans until environmental and well-hazard analysis was completed, the developer continued submitting new plan sets. First, the developer was instructed to resubmit because the earlier plans failed to label the required 10-foot landscaped buffer at all. On July 2, 2024, the developer submitted revised plans that corrected the buffer labeling and, at the same time, removed an entire front row of RV spaces to address the fact that the site could not meet the mandatory front setback while retaining all 46 spaces. However, just three weeks later, on July 25, 2024, the developer submitted another revised plan set restoring the deleted RV row and returning the project to 46 spaces. LADBS approved this July 25 plan set on August 1, 2024, in direct violation of the City Council's June 14 motion prohibiting further approvals.

(10)

At the October 9, 2025 City Planning Commission hearing, staff repeatedly stated that the project remained in "Stage 2" of the ministerial Public Benefit clearance process, referencing the staff-presentation infographic. "Stage 2" is intended for pre-construction plan corrections. However, by this point the project was already more than 90% built, with RV rows, utility pedestals, utility infrastructure, and fencing fully installed, as documented in the June 27, 2024 ABC7 broadcast. Despite these conditions and existing violations of Performance Standards #3, #4, and #5, CPC staff continued to treat the project as eligible for pre-construction plan revisions.

(11)

The approved plan set included Sheets P-1 (site plan), P-3 (landscape plan), and P-4 (electrical plan). City Planning reviewed only P-1 and P-3 before clearing Performance Standard #5. P-1 depicted a clear 10-foot buffer with no utilities and an ADA parking space. However, at the October 9, 2024 CPC hearing, staff acknowledged that the trash enclosure shown on P-1 was inside the 10-foot buffer and required reevaluation.

(12)

City Planning did not receive or review Sheet P-4 prior to clearing Performance Standard #5. P-4 included all utility pedestals, conduit, and the methane-rated 800-amp electrical distribution cabinet—many located within the buffer and required setbacks. Because Planning reviewed only partial plans, PS5 was cleared based on incomplete information.

(13)

At the same CPC hearing, staff again stated that the project remained in "Stage 2." By this time, the project was fully constructed, with utility trenches, buildings, electrical systems, RV pads, and fencing installed. A built project cannot be treated as remaining in Stage 2, which is limited

to unbuilt projects requiring plan correction prior to construction. Treating a fully built, noncompliant site as eligible for plan correction was inconsistent with City procedures.

(14)
On October 9, 2025, the City Planning Commission issued a Determination Letter denying the developer's appeal in part and finding that Performance Standards #3, #4, and #5 had been prematurely cleared.

(15)
On November 17, 2025, at the PLUM Committee hearing, LADBS publicly admitted that its earlier prevailing-setback calculation was based on incorrect data provided by the applicant. LADBS testified that the correct prevailing setback is 20.5 feet and that the built fence line (17.3–19.3 feet) does not comply with Performance Standard #4.

(16)
At that hearing, both CPC and LADBS stated that violations could be resolved through "resubmitting corrected plans," even though the project was already physically constructed and could not meet the required Performance Standards without substantial removal of RV spaces and installed utility infrastructure.

Performance Standard #3 — 8-Foot Perimeter Wall

(17)
Performance Standard #3 requires an 8-foot block wall or wrought-iron fence around the entire perimeter of the RV park. The built conditions do not meet this requirement. Specifically:

- The wrought-iron fence installed along the President Avenue frontage was constructed at a height below the required eight feet.
- The two gates providing ingress and egress are constructed of chain-link material and do not meet the required eight-foot height, nor do they satisfy the applicable wrought-iron construction requirement.
- The block walls located along the shared property lines measure approximately five feet in several locations, falling below the required eight-foot height requirement.
- The rear fence adjacent to the railroad right-of-way is chain-link, not the required eight-foot block wall or wrought-iron fence
- No location on the property satisfies the 8-foot block wall or wrought-iron perimeter wall requirements set forth in Performance Standard No. 3.

During testimony before the PLUM Committee, the developer acknowledged that the rear fencing consists of chain-link material. To date, no corrective action has been ordered to remedy the perimeter-wall deficiencies.

Performance Standard #4 — 20.5-Foot Front Yard Setback

(18)
LADBS confirmed at the November 17, 2025 PLUM hearing that the required prevailing setback along President Avenue is 20.5 feet. After City Planning required the removal of the noncompliant existing masonry wall in April 2024, the developer shifted the fence line backward but submitted inaccurate parcel data to claim a fabricated 17.69-foot setback. Field measurements show the built fence ranges from 17.3 to 19.3 feet short of both the 20-foot R1 setback and the 20.5-foot prevailing setback.

When the developer was instructed to correct the unlabeled 10-foot landscape buffer in a revised plan set, he submitted the July 2, 2024 "39-space" plan, which deleted Row E, because once the buffer was properly shown he realized the fence could not be pushed back to the required setback while Row E remained in place. However, on July 25, 2024, the developer resubmitted plans restoring Row E, even though its location still physically prevents the fence from reaching the required setback requirements. Despite this, LADBS approved the July 25 plan set on August 1, 2024, in violation of the City Council's June 14 motion prohibiting further approvals.

As built, Row E continues to occupy the front-yard setback, and the utility infrastructure serving Row E's spaces also sits inside the setback. The project cannot comply with Performance Standard #4 unless Row E and its associated utilities are removed.

Performance Standard #5 — 10-Foot Landscaped Buffer (Clear Zone)

(19)
Performance Standard #5 requires a continuous 10-foot landscaped buffer along the perimeter, free of **all** structures, utilities, or obstructions. The built project does not contain this buffer. Instead, the buffer area includes:

- utility pedestals and RV hookups,
- electrical conduit and trenched infrastructure,
- a methane-rated 800-amp electrical distribution cabinet,
- three prefabricated buildings used as restroom, laundry, and office facilities, and
- additional pedestals associated with **Row A (Spaces 1-19)**.

These installations occupy the area designated on approved plans as landscaped buffer. No landscaping was installed.

Rows of RV Pedestals and Setback Impact

(20)
The RV park was constructed with six rows of spaces (A–F). Their locations relative to the required setback and buffer areas are as follows:

- **Row F (Spaces 49–55):** Originally constructed directly behind the removed existing wall; eliminated when the new fence line was shifted to comply with the required setback.
- **Row E (Spaces 41-47):** Built within both the 20-foot R1 setback and the 20.5-foot prevailing setback; remains physically noncompliant.
- **Rows B–D** Interior rows not implicated in front-setback encroachment but affected by spacing changes resulting from removal of Row E.
- **Row A (Spaces 1-20):** Constructed inside the required 10-foot landscaped buffer and inside the 15-foot rear setback. This also compounds the PS3 violation because the rear property line is secured only with chain-link fencing rather than an 8-foot wall.

If the mandatory 20.5-foot front setback and the mandatory 10-foot landscaped buffer were applied, **Rows A, E, and F** would all require removal. The removal of Rows A and F alone eliminates more than half of the site's RV capacity.

Plan Sheet Conflicts and Enforcement Failures

(21)
Sheet P-1, reviewed by City Planning, shows a clear 10-foot buffer with no utilities. Sheet P-4—never reviewed by Planning shows extensive electrical infrastructure inside the buffer and required setbacks. LADBS approved both sheets, resulting in permit conditions that are inherently incompatible with one another.

(22)
Throughout 2024–2025, multiple LADBS complaints reported unpermitted construction, loss of ADA parking, illegal setback encroachments, utility installations in restricted areas, and methane-zone issues. LADBS closed many complaints as "duplicate," and at the PLUM Committee hearing stated that Performance Standard compliance is not inspected until the Certificate of Occupancy stage. As a result, conditions were never evaluated during construction.

(23)
As of late 2025, the site remains fully constructed, inconsistent with approved plan sheets, and noncompliant with Performance Standards #3, #4, and #5. LADBS has not conducted on-site inspections verifying these built conditions. The violations are physical, permanent, and cannot be corrected through plan revisions.

(24)

Performance Standard #9 — Required Parking Cannot Be Met or Calculated
LADBS' October 31, 2025 Report, issued pursuant to City Council CF 24-0711-S1, confirms that the Project cannot demonstrate compliance with Performance Standard #9 ("the use shall meet the parking requirements of LAMC §12.21A"). LADBS admitted that LAMC §12.21A.4 provides no parking ratios for recreational vehicle parks, making compliance with PS9 impossible to verify. LADBS further acknowledged that drive aisles as built are only 15 feet wide (below the 19–24 ft minimum widths), that RV stalls are constructed side-by-side with no vehicle parking, and that the ADA stalls were eliminated to make room for the 800-amp electrical distribution system. Because neither the approved plans nor the built conditions contain any off-street parking that satisfies §12.21A, the Project cannot meet PS9 and therefore cannot qualify for ministerial approval under LAMC §14.00(A)(7).

(25)

LADBS's arbitrary non-enforcement of mandatory Performance Standards is not isolated to this Project. It is systemic and documented, as demonstrated by the developer's prior Public Benefit RV park at 1551 E. Young Street, Wilmington ("Oceans 11"). That project approved under the same LAMC §14.00(A)(7) ministerial framework, by the same applicant, using substantially identical plan sheets exhibits the exact same violations at issue here:

- utility pedestals and multiple 9×11-ft shed structures built 6–8 feet inside the mandatory 10-ft buffer (PS #5);
- a front setback under 20 feet (PS #4);
- a chain-link fence along the rear and sides rather than the required 8-ft block or wrought iron wall (PS #3);
- expansion of RV rows beyond approved plans.

Despite documented complaints dating back to 2024, and despite a June City Council motion directing LADBS to inspect the Wilmington site, LADBS took no enforcement action. Instead, LADBS repeatedly deferred to "final inspection verification," the same approach it advocates here even though the Wilmington violations remain permanent and uncorrected today. Public records show a Better Business Bureau "F" rating, and Yelp reviews report ongoing illegal encroachments, circulation hazards, and dumpster overflow onto the public right-of-way.

This history shows a clear and predictable pattern: LADBS routinely grants premature clearances, ignores zoning violations, does not enforce CPC determinations, and effectively treats all Performance Standards as optional. The result in Wilmington was a fully built, permanently non-compliant RV park. Applying that same non-enforcement approach here

would prejudicially abuse discretion and defeat the ministerial framework of LAMC §14.00(A)(7).

Accordingly, this pattern requires revocation of ministerial processing and mandates full discretionary review, including CEQA analysis.
(Ex. Y: Aerial photographs; BBB/Yelp records; June Council Motion; Complaint History)

(26)
The "tough sheds" constructed at the developer's Oceans 11 RV Park in Wilmington (1551 E. Young St.) are not storage structures, as the developer asserted at the PLUM hearing. Under the California Code of Regulations governing RV parks (Title 25, §§ 1625, 1630), restroom, shower, and laundry facilities are *required* operational buildings for any RV park. Promotional materials for the Wilmington site identify these exact structures as "community restrooms" and "laundry services," confirming they are permanent HCD-required facilities with plumbing and electrical connections. These buildings are placed 6–8 feet inside the mandatory 10-foot landscaped buffer under Performance Standard #5. LADBS nevertheless approved the Wilmington project ministerially and declined to enforce the buffer requirement, despite repeated complaints. This pattern of non-enforcement directly mirrors the Harbor City site, where identical restroom/laundry buildings have also been constructed inside the PS #5 buffer. HCD operational requirements do not override zoning laws, nor can HCD-required buildings be used as an excuse for encroachment into restricted zones. Their placement inside the buffer renders both projects ineligible for ministerial approval and requires discretionary review, including compliance with CEQA.

PROCEDURAL HISTORY

(1)
On April 24, 2024, the Department of City Planning ("DCP") completed its first review of the proposed RV park and determined that the project did not comply with the Performance Standards required under Los Angeles Municipal Code ("LAMC") §14.00(A)(7). DCP identified a violation of Performance Standard #4 because the project plans showed an existing masonry wall extending into the required 20.5-foot front yard setback. DCP instructed the developer to revise and resubmit compliant plans.

(2)
At that time, the site contained an existing masonry wall located only a few feet behind the public sidewalk. DCP informed the developer that this wall violated the required setback and must be removed. Although the developer removed the wall and placed a new fence farther

back, the developer had already constructed utility pedestals and electrical infrastructure directly behind the original wall line, preventing the new fence from being relocated far enough to meet the required 20.5-foot setback.

(3)
Between May and June 2024, construction activity on the RV park persisted despite outstanding compliance issues. During a June 27, 2024 ABC7 News segment, the developer publicly claimed the project was “97% complete.” However, the September 11, 2025 Minute Order establishes that the developer simultaneously scheduled a Certificate of Occupancy (“CofO”) inspection for June 28, 2024 even though City Planning had already determined the project was out of compliance. By contrast, aerial imagery taken one year later, in June 2025, shows the site remained unfinished demonstrating that the developer’s June 2024 public claims of near-completion were false. Scheduling a CofO inspection under these conditions violated City procedures and reflected an attempt to obtain final approval before correcting known deficiencies.

(4)
Documentation from the Superior Court’s September 11, 2025 Minute Order in *Oceans 11 RV Park, LLC v. City of Los Angeles* confirms that LADBS had already scheduled Certificate of Occupancy inspections for June 28 and July 2, 2024. This occurred despite City Planning’s prior determination made on April 24, 2024 and repeated again on June 28, 2024 that the project remained out of compliance with mandatory Performance Standards. The scheduling of a final inspection for a noncompliant, partially constructed project demonstrates that LADBS advanced the project toward occupancy without verifying compliance.

(5)
On June 28, 2024, City Planning again informed the developer that the project still did not comply with Performance Standard #3 (8-foot perimeter wall) and Performance Standard #4 (prevailing setback). Nevertheless, the developer attempted to proceed to final inspection without correcting the violations.

(6)
Following intervention by Councilmember Tim McOsker, the City Council introduced a motion on June 14, 2024 directing LADBS and all relevant departments to halt any pending approvals including the Certificate of Occupancy until CalGEM and the Office of Petroleum and Natural Gas Administration completed their environmental and well-hazard analysis for the site. Despite this, LADBS continued advancing the project by scheduling Certificate of Occupancy inspections for June 28 and July 2, 2024, as confirmed in the Superior Court’s September 11, 2025 Minute Order. The motion was later followed by a June 26, 2025 action in which the City Council

asserted jurisdiction under Charter §245 due to widespread unresolved concerns surrounding the project. (24-0711-S1Motion 57)

(7)
Separately from the Council's motion, LADBS and City Planning informed the developer in April and again on June 28, 2024 that the project required a supplemental permit because the plans did not comply with Performance Standards #3 and #4. In response, on July 2, 2024, the developer submitted revised plans reducing the layout to 39 RV spaces, reflecting the loss of Row A caused by the required removal of the oilfield masonry wall. On July 25, 2024, the developer submitted new revised plans restoring the site to 46 spaces despite the same physical constraints attempting to maintain an internal layout that could not feasibly comply with the required setbacks. LADBS approved this revised 46-space plan set on August 1, 2024 even though City Planning had not reviewed the electrical plan sheet (P-4), and even though the site remained physically noncompliant.

(8)
On August 8, 2025, the developer submitted a written response to complaints, acknowledging the presence of utility islands and a chain-link rear fence but asserting that all zoning violations could be resolved through "plan corrections," even though construction was already complete.

(9)
On October 9, 2025, the City Planning Commission ("CPC") denied the developer's appeal in part, finding that Performance Standards #3, #4, and #5 had been prematurely cleared. CPC noted:
• PS3 (8-ft perimeter wall) → not demonstrated;
• PS4 (front setback) → dependent on accurate prevailing-setback calculation;
• PS5 (10-ft buffer) → trash enclosure and other elements required reevaluation.
CPC staff also stated publicly: "The trash enclosure appears to be located within the 10-foot buffer… that will need to be revisited."

(10)
On November 12, 2025, the City Council asserted jurisdiction under Charter §245 and referred the matter to the PLUM Committee, citing community complaints and unresolved inconsistencies in the plans.

(11)
On November 17, 2025, at the PLUM Committee hearing, LADBS publicly admitted that:
• the prevailing-setback calculation used by the developer was incorrect;
• LADBS performed an independent calculation finding the correct prevailing setback to be 20.5 feet, not 20 feet;

• the built fence line (17.3–19.3 feet) does not comply with Performance Standard #4;
• the setback error originated from the developer's incorrect data and remained undetected for nearly two years.
CPC staff also reiterated that Performance Standards #3, #4, and #5 had not been properly cleared.

(12)
Despite these admissions, both LADBS and DCP told PLUM that the developer could "simply resubmit corrected plans." Neither agency addressed that the project was already fully constructed in violation of these standards, making plan correction impossible without demolition or removal of installed infrastructure.

(13)
Multiple LADBS complaints were filed throughout 2024 and 2025 regarding unpermitted construction, illegal placement of RV utility hookups within 10-foot buffers, removal of ADA parking, construction within the 20.5-foot front setback, incorrect pedestal counts, and methane-zone violations. Many of these complaints were closed as 'duplicate,' and LADBS confirmed that it does not inspect compliance with Performance Standards until the Certificate of Occupancy stage.

(14)
As of late 2025, the project remains fully built in a configuration that does not match any plan sheet reviewed by City Planning, does not meet the Performance Standards required for ministerial approval, and has never received an LADBS inspection verifying code compliance.

ARGUMENT

I. THE CITY HAD A MINISTERIAL DUTY TO DENY THE PROJECT ONCE PERFORMANCE STANDARDS WERE NOT MET

Under LAMC §14.00(A)(7), an RV park may be approved ministerially only if the applicant satisfies all twelve required Performance Standards. This is a mandatory condition of eligibility. A project that does not meet all standards may not be processed as ministerial and must instead proceed through discretionary review, including environmental analysis.

Courts consistently hold that when an ordinance imposes clear "shall" duties, the agency has no discretion to ignore noncompliance. (*Young v. Gannon* (2002) 97 Cal.App.4th 209; *Santa Clara County Counsel Attys. Assn. v. Woodside* (1994) 7 Cal.4th 525.)

Here, the City had a mandatory duty to deny ministerial approval once it knew:

- Performance Standard #3 (8-foot wall) was not met,
- Performance Standard #4 (20.5-ft prevailing setback) was not met,

- Performance Standard #5 (10-foot landscaped buffer) was not met.

Yet the City repeatedly allowed the project to continue as ministerial, contrary to law.

This constitutes a textbook violation of ministerial-duty principles under *Young* and a failure to proceed "in the manner required by law" under *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506.

II. THE CITY PROCEEDED WITHOUT SUBSTANTIAL EVIDENCE THAT THE PROJECT MET PERFORMANCE STANDARDS

Under *Topanga*, administrative decisions must be supported by substantial evidence and accompanied by findings that "bridge the analytical gap between the raw evidence and the ultimate decision."

Here, neither LADBS nor City Planning ever inspected the site or obtained evidence showing compliance with any of the disputed performance standards.

Instead:

- The fence height was never measured,
- The front setback was never confirmed,
- The rear setback was never confirmed,
- The 10-foot buffer was never verified,
- The utility locations on P-4 were never reviewed,
- The ADA stall removal was never evaluated,
- The three buildings inside the buffer were never permitted or revied,
- The methane-zone hazards were never analyzed.

Worse, LADBS admitted at the November 17, 2025 PLUM hearing that it used the developer provided incorrect data to calculate the prevailing setback, and that the correct distance is 20.5 feet a finding that directly contradicts the City's approval.

Under *Topanga* and *Protecting Our Water & Environmental Resources v. Stanislaus County* (2020) 10 Cal.5th 479, a decision unsupported by substantial evidence must be set aside.

III. THE CITY VIOLATED CEQA BY MISCLASSIFYING THE PROJECT AS MINISTERIAL DESPITE HAZARDOUS CONDITIONS AND REQUIRED AGENCY JUDGMENT

CEQA applies whenever an agency must exercise judgment, resolve inconsistencies, or evaluate hazardous or environmental conditions. A project cannot be treated as ministerial when any discretionary determination is required.
(Bozung v. LAFCO (1975) 13 Cal.3d 263; Friends of Westwood v. City of Los Angeles (1987) 191 Cal.App.3d 259; Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988.)

Here, the City misclassified a 97% built, noncompliant RV park as ministerial and repeatedly claimed it could remain in "Stage 2," even though unresolved hazards, plan contradictions, and zoning violations required discretionary judgment under CEQA as a matter of law.

A. The Project Site Contains Significant Environmental and Public-Safety Hazards That Trigger CEQA

The site contains multiple environmental hazards requiring expert evaluation, including:

- abandoned oil wells,
- methane buffer zone and subsurface gas-migration hazards,
- required review by LAFD's Methane Hazard Unit,
- CalGEM-regulated petroleum-remediation obligations (TPH, benzene, toluene, xylenes),
- methane-rated electrical infrastructure requiring engineered mitigation.

Under CEQA Guidelines Appendix G, an Initial Study is mandatory whenever a project may expose people to hazardous materials or is located in an oilfield/methane hazard area.

These conditions require engineering judgment not ministerial plan checking. CEQA applied as a matter of law.

B. CEQA Prohibits Ministerial Approval Where the Agency Must Interpret Rules, Resolve Conflicts, or Determine Whether Hazards Are Mitigated

Under Bozung, a project becomes discretionary whenever the agency must "exercise judgment or deliberation."

Here, both LADBS and DCP were required to:

- interpret zoning provisions under §14.00(A)(7),
- determine whether the correct 20.5-ft prevailing setback applied,
- assess whether Row E could remain,
- evaluate methane-zone electrical systems,
- decide whether the 10-ft buffer could be corrected,
- reconcile contradictory plan sheets (P-1, P-3, P-4),
- evaluate whether utilities in methane-zone areas required relocation.

These are discretionary decisions. Under Friends of Westwood, CEQA review was required.

C. The City's Reliance on "Stage 2 Plan Corrections" Converted the Project Into a Discretionary Action Under CEQA

CPC and LADBS repeatedly asserted that the developer could "simply resubmit corrected plans" and remain in "Stage 2."

But CEQA prohibits using a ministerial label to avoid environmental review when discretionary corrections are required.
(Friends of “B” Street.)

By the time CPC invoked “Stage 2,” the Project was already:

- 97% built,
- methane-zone electrical equipment installed,
- utility pedestals and buildings inside buffer areas,
- ADA parking removed,
- setback lines fixed in unlawful locations,
- plan sheets are internally contradictory.

These circumstances required judgment not ministerial processing and triggered CEQA.

D. Methane-Zone Utilities and Electrical Installations Require CEQA Review

In Protecting Our Water & Environmental Resources v. County of Stanislaus (2020) 10 Cal.5th 479, the Court held CEQA is triggered when an agency evaluates environmental hazards or technical components.

Here, the developer installed:

- a methane-rated 800-amp electrical distribution system,
- methane-zone conduits and sealed penetrations,
- utilities inside the 10-ft landscaped buffer and 15-ft rear setback,
- three structures within restricted buffer areas.

These elements require engineering judgment and hazard review, making CEQA mandatory.

Wilmington Pattern Evidence
LADBS exhibited the same discretionary, hazard-related judgments at the developer’s prior Oceans 11 RV Park at 1551 E. Young Street, Wilmington, where methane-zone utilities and permanent service buildings were constructed inside the PS #5 buffer. LADBS declined to enforce those violations and instead made discretionary decisions about whether the hazards were acceptable without CEQA review.
This pattern proves CEQA-triggering discretion was exercised not only at Harbor City, but systemically across the developer’s projects.

E. Because the City Exercised Discretion to Approve and Attempt to “Correct” the Project, CEQA Applied and the Ministerial Classification Was Invalid

Under CEQA Guidelines §15268, a project may be treated as ministerial only if the agency has no discretion at all.

Here, LADBS and DCP exercised discretion by:

- evaluating options to “fix” violations,

- judging whether utilities and structures could remain in buffers,
- determining feasibility of a 46-space layout,
- interpreting the correct prevailing setback,
- evaluating methane hazards,
- attempting to reconcile contradictory plan sheets.

Because the City exercised discretion, CEQA applied.
The City's failure to conduct environmental review renders the approval invalid.

IV. THE CITY FAILED TO PROCEED IN THE MANNER REQUIRED BY LAW BY ALLOWING PLAN "FIXES" AFTER PHYSICAL CONSTRUCTION

At the November 17, 2025 PLUM Committee hearing, both LADBS and CPC repeatedly stated that the developer could "simply resubmit corrected plans" to cure noncompliance. This position is legally erroneous. Ministerial approval under LAMC §14.00(A)(7) must be based solely on the contents of the plans at the time of ministerial review, not on promises that plans will be corrected later, nor on speculative future compliance. Once the Project was physically constructed in violation of mandatory Performance Standards, "fixing the plans later" was no longer legally permissible.

This approach violated:

- LAMC §14.00(A)(7) (all twelve Performance Standards must be fully satisfied *before* ministerial approval);
- Topanga Ass'n for a Scenic Community v. County of Los Angeles, 11 Cal.3d 506 (1974) (agency findings must reflect evidence-based reasoning, not hypothetical or speculative compliance);
- Fundamental principles distinguishing ministerial from discretionary approvals (ministerial approvals cannot rely on judgment, interpretation, or retroactive corrections).

Allowing the developer to legalize built violations by submitting amended plan sheets constitutes:

- an unlawful variance,
- a prejudicial abuse of discretion, and
- a violation of LAMC §§12.27–12.28, which reserve all variance authority to the Zoning Administrator or CPC—not to LADBS, and not to an applicant through revised plans.

A. CPC's Reliance on the "Stage 2" Infographic Confirms the Procedural Error

At the October 9, 2025 CPC hearing, staff repeatedly stated that the Project remained in "Stage 2" of the Public Benefit clearance process. The City's own infographic defines Stage 2 as a **pre-construction** phase in which plan revisions may still occur before any building begins.

By October 2025, however:

- the developer had publicly stated that the Project was "97% complete" on ABC7 News on June 27, 2024;

- the September 11, 2025 Minute Order in Oceans 11 RV Park, LLC v. City of Los Angeles confirms that final Certificate of Occupancy inspections were scheduled for June 28 and July 2, 2024, demonstrating that LADBS had already advanced the Project to Stage 4 (final inspection/CofO stage) while the site was still out of compliance with mandatory Performance Standards;
- all utility pedestals, conduit trenches, service buildings, electrical infrastructure, and the fence line were fully installed;
- City Planning had already identified violations of PS3, PS4, and PS5; and
- The Project had long since advanced beyond construction and into Stage 4, the final approval phase.

A project that is already built cannot lawfully be treated as if it were still in the pre-construction correction phase. Under LAMC §14.00(A)(7), any deviation from a Performance Standard whether on the plans or in the physical construction automatically terminates ministerial eligibility and requires the City to shift the Project into discretionary review, including CEQA analysis and public hearings.

CPC's insistence that the Project somehow remained in Stage 2 even after construction was 90–97% complete reflects a fundamental misapplication of the City's ministerial process. It improperly allowed a fully constructed, noncompliant project to be "corrected" on paper, contrary to law and contrary to the purpose of ministerial review.

B. The City Failed to Proceed in the Manner Required by Law

By allowing post-construction "plan corrections" to substitute for actual compliance, the City:

- committed a prejudicial abuse of discretion,
- ignored mandatory procedures requiring denial or discretionary processing, and
- undermined the entire purpose of LAMC §14.00(A)(7), which requires full compliance with all twelve Performance Standards *before* any Public Benefit approval may be granted.

Returning a built project to Stage 2 is not a recognized process under the Municipal Code. It also circumvents CEQA: once the City is required to exercise judgement to determine whether "corrected plans" resolve-built conditions or hazards, the project becomes discretionary as a matter of law. (Bozung v. LAFCO; Friends of Westwood v. City of Los Angeles.)

Because the site was fully constructed and because the built configuration physically violates Performance Standards #3, #4, and #5 the City could not lawfully rely on retroactive plan-sheet revisions. The only lawful path was:

- deny ministerial processing,
- require discretionary review,
- require CEQA environmental evaluation,
- and require appropriate findings and public hearings.

By permitting the developer to cure violations by resubmitting amended paper plans, the City failed to proceed in the manner required by law.

C. PLUM Hearing Admissions Confirm the Legal Error:

At the November 17, 2025 PLUM Committee hearing, City Planning and LADBS officials confirmed on the record that they were treating the Project as one that could simply "correct" its plans after construction rather than comply with Performance Standards before approval. The Associate Zoning Administrator summarized the City Planning Commission's October 9, 2025 action by stating that Performance Standards #3, #4, and #5 were "prematurely cleared," that the plans showed trash enclosures and RV encroachments within the required ten-foot buffer, and that "the applicant can correct the plans to bring them into compliance." Later in the hearing, the LADBS representative admitted that the prevailing setback had been miscalculated based on incorrect data provided by the applicant, that LADBS's own independent calculation found the correct prevailing setback to be 20.5 feet, and that as a result the Project is "not compliant with performance standard number three and four." When questioned by the Committee about the consequences of this error, LADBS testified that such discrepancies are handled by asking the applicant to revise the plans, processing the supplemental permit, and then verifying on final inspection that the construction matches the revised plans without halting the project or denying approvals in the interim. These admissions confirm that the City did not enforce LAMC §14.00(A)(7)'s requirement that all Performance Standards be satisfied **before** ministerial approval, but instead relied on a legally impermissible "fix-it-later" approach that violates Topanga and basic ministerial-approval principles.

V. THE PROJECT CANNOT BE PROCESSED MINISTERIALLY BECAUSE PERFORMANCE STANDARD #9 CANNOT BE MET

(1)
Performance Standard #9 requires that all Public Benefit Projects "meet the parking requirements of LAMC §12.21 A." This includes (a) the number of required parking spaces, (b) the design and dimensional standards governing stall size, aisle width, turning radius, loading access, and circulation, and (c) the provision of ADA-compliant parking required under both state and federal law. A project may be processed ministerially only if it satisfies every applicable objective standard. (Young v. Gannon (2002) 97 Cal.App.4th 209.)

(2)
LADBS has already confirmed that LAMC §12.21 A.4 provides no parking ratio and no objective methodology for calculating required parking for RV parks. LADBS further stated that §12.21 A.5 the only Municipal Code section establishing design, circulation, and accessibility standards "does not apply" to RV parks except for ADA stalls. This leaves this RV Project with no enforceable standard for determining required parking, no codified design requirements for RV circulation, and no measurable criteria for compliance. Under Topanga Ass'n for a Scenic Community v. County of Los Angeles (1974) 11 Cal.3d 506, a ministerial approval cannot legally be issued where compliance with a required standard cannot be measured objectively.

(3)
The problem becomes fatal when combined with the undisputed evidence that the approved ADA parking stall cannot physically exist. LADBS did not explicitly concede that the ADA parking stalls were "eliminated," but in its written response to Allegation No. 3 , LADBS acknowledged:

• P-1 and P-3 show a designated ADA stall at the rear of the site;
• P-4 (electrical) places the methane-rated 800-amp electrical distribution system in that same location;
• P-3 "does not indicate any obstruction" only because P-3 does not depict electrical components; and
• any inconsistency would require a "field correction."

(4)
These statements amount to an administrative admission that the ADA parking stalls shown on the approved plans cannot exist because its physical location is already occupied by a methane-rated electrical cabinet and associated conduit. Under the ADA, CBC Chapter 11B, and LAMC §12.21 A.5(b), required accessible parking cannot be deferred to "field correction," eliminated, relocated without review, or overwritten by conflicting plan sheets. A project missing required ADA access cannot satisfy Performance Standard #9 and cannot qualify for ministerial approval. (Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988.)

(5)
Further, LADBS and CPC repeatedly stated at the PLUM Committee hearing that the 46 RV spaces shown on the plans are merely "diagrammatic," and that neither agency enforces the number of RVs allowed on the site. A ministerial approval cannot be based on conceptual diagrams or staff discretion. CEQA Guidelines §15268 and Topanga require fixed, objective standards. If the number of RVs is not enforced, then neither circulation nor parking ratios can be enforced, and PS9 becomes an unenforceable standard rendering ministerial approval legally impossible.

(6)
The City's admission that RV parks have no enforceable design standards, no circulation requirements, no turning-radius mandates, no stall geometry mandates, and no enforceable RV count creates an "unregulated RV park," which is incompatible with the ministerial framework of §14.00(A)(7). Ministerial approvals require objective, measurable, enforceable standards not case-by-case agency judgment. (Protecting Our Water & Environmental Resources v. County of Stanislaus (2020) 10 Cal.5th 479.)

(7)
Because LADBS must interpret rather than mechanically apply how many RVs may fit, whether aisle widths are sufficient, whether ADA access exists, and whether circulation is safe, the Project necessarily involves discretionary judgment, which triggers CEQA and eliminates ministerial eligibility as a matter of law. (Bozung v. LAFCO (1975) 13 Cal.3d 263.)

(8)
Taken together, the following defects make PS9 impossible to satisfy:
• the ADA stall cannot exist due to the 800-amp cabinet;

• there is no objective method to calculate required parking;
• there are no enforceable design or circulation standards;
• the number of RVs shown is “diagrammatic” and unenforced;
• the plan sheets (P-1, P-3, P-4) contradict each other;
• LADBS relies on post-construction “field corrections” to resolve inconsistencies.

(9)
Because the City approved the Project despite the absence of an enforceable parking standard, the loss of the ADA stall, and unresolved contradictions within the approved plan set, the Project cannot comply with Performance Standard #9. As a result, the Project is legally ineligible for ministerial approval under LAMC §14.00(A)(7), and the approval must be set aside.

VI. THE CITY’S APPROVAL CONSTITUTED AN UNLAWFUL VARIANCE WITHOUT FINDINGS

When the City approved the August 1, 2024 plan set despite:

- a 17.3–19.3-foot front setback,
- An existing noncompliant 5-foot block wall,
- 7ft. chain-link fence gate instead of an 8ft. wrought iron gate,
- utility pedestals and structures in the 10-foot buffer,
- the removal of ADA parking stalls,
- conflicting plan sheets,

it effectively granted a variance without making any of the required findings under LAMC §12.27.

The California Supreme Court in *Topanga* held that variance decisions must be supported by explicit findings and evidence. None were made here.

Therefore, the approval was illegal and must be set aside.

VII. THE CITY’S FINDINGS DO NOT BRIDGE THE GAP BETWEEN EVIDENCE AND DECISION

Under *Topanga*, agencies must provide findings that show how they reached their decisions. The City made no findings regarding:

- fence height,
- prevailing setback,
- buffer width,
- damaged ADA accessibility,
- hazardous oil-well conditions,
- methane mitigation needs,
- utility-placement conflicts,
- or the fact the project was physically built before plan compliance.

The City’s findings are legally insufficient because they do not address the core issues Petitioners raised, nor do they explain how a noncompliant project was deemed compliant.

REMEDIES REQUESTED

City Council Must Take Action on December 2

1. Uphold Councilmember McOsker's §245 assertion of jurisdiction.
2. Declare that the Project cannot be processed ministerially under LAMC §14.00(A)(7).
3. Remand the Project for a full Conditional Use Permit (CUP) with CEQA environmental review, public hearings, and discretionary findings.
4. Direct the City to enforce all applicable zoning laws, including Performance Standards #3, #4, #5, and #9.
5. Order independent, comprehensive on-site inspections at all three Silver RV Park properties Harbor City, Wilmington, and Mission Hills with Green Meadows West residents present for transparency.
6. Require LADBS to provide a detailed explanation of its enforcement failures at all three sites, including its approval of conflicting plan sets and its refusal to issue citations for violations related to buffers, setbacks, fencing, and utility installations.
7. Prohibit issuance of any Certificate of Occupancy until every violation is corrected in the field not merely on revised plans.
8. Require full compliance with CEQA and all City environmental review procedures