DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: October 9, 2025
Time: After 8:30 a.m.
Place: John Ferraro Council Chamber, 3rd Floor
Room 340, City Hall
200 North Spring Street
Los Angeles, CA 90012

Public Hearing: October 9, 2025
Appeal Status: Not further appealable under LAMC.

Pursuant to City Charter Section 245 and City Council's instructions August 19, 2025, CPC's decision will be referred to the City Council.

Expiration Date: N/A
Multiple Approval: No

Case No.: DIR-2024-7352-BSA-1A (REMAND) [Council File No. 24-0711-S1]
CEQA No.: N/A
Incidental Cases: N/A
Related Cases: DIR-2024-7352-BSA
Council No.: 15- McOsker
Plan Area: Wilmington-Harbor City

Specific Plan: N/A
Certified NC: Harbor City
GPLU: Low Residential
Zone: R1-1XL-O

Appellant: Concerned Residents of Green Meadows West – Harbor City
Appellant's Representative: Kristina Kropp, Luna & Glushon

PROJECT LOCATION: 23416 and 23514 South President Avenue

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

REQUESTED ACTION: Pursuant to veto and remand by the City Council on August 19, 2025, further review and consideration by the City Planning Commission of its determination, dated June 26, 2025, to deny an appeal and sustain the determination of the Zoning Administrator, on behalf of the Director of Planning, dated April 9, 2025, which:

1. Pursuant to Los Angeles Municipal Code (LAMC), Chapter 1A, Section 13B.10.2., denied 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; and
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.

RECOMMENDED ACTIONS:

1. **DENY** the appeal in part, and GRANT the appeal in part;
2. **SUSTAIN** the Determination by the Zoning Administrator, on behalf of the Director of Planning, that a City-issued Conditional Use Permit is not required for a new recreational vehicle park as a Public Benefit Project, pursuant to LAMC, Chapter 1, Section 14.00 A.7, if it complies with the required performance standards;
3. **FIND** that the Department of Building and Safety erred in preparing to issue Supplemental Building Permit No. 24026-10000-00086 because compliance with Performance Standard Nos. 3, 4 and 5, under LAMC, Chapter 1, Section 14.00 A.7(a)(3), (4) and (5), was prematurely cleared; and
4. **RECOMMEND** the Department of Building and Safety not issue a use of land building permit for a new recreational vehicle park as a Public Benefit Project until all the required performance standards under LAMC, Chapter 1, Section 14.00 A.7(a)(1) through (12) have been satisfied or a Conditional Use Permit has been approved and that any project plans submitted be consistent with those cleared by the Department of City Planning.
5. **REFER** the City Planning Commission's action to the City Council promptly, consistent with the City Council request.

VINCENT P. BERTONI, AICP
Director of Planning

Phyllis Nathanson

PHYLLIS NATHANSON
Associate Zoning Administrator

TABLE OF CONTENTS

Project Analysis

Project Summary
Background
Issues on Remand
Conclusion

Exhibits:

A. Vicinity Map

B. Motions, Reports, and Actions from Council File No. 24-0711-S1

   a. City Council's Charter Section 245 Motion to assert jurisdiction over CPC denial of appeal, dated June 26, 2025

   b. City Council action (July 30, 2025) to assert jurisdiction over CPC denial of appeal, dated June 26, 2025

   c. Planning Land Use Management (PLUM) Report, dated August 12, 2025

   d. City Council's Amending Motion (August 19, 2025) to adopt PLUM Report with revisions

   e. City Council's adoption (August 19, 2025) of PLUM Report of August 12, 2025, and Amending Motion.

C. Plan Sheets P-1, P-2, 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 an instruction by the City Council (CF 24-0711)]

D. CPC Letter of Determination for Case No. DIR-2024-7352-BSA-1A, dated July 14, 2025

E. Staff Report to the City Planning Commission, Case No. CPC-1999-0435-CA, Commission Meeting, dated January 27, 2000

F. City Attorney Report No. R 00-0272, dated May 12, 2000, regarding 2000 Charter Reform

G. City Council Adopted May 16, 2000, Zoning Code Entitlement Chart regarding 2000 Charter Reform

H. City Council Adopted Ordinance May 16, 2000, Entitlement Processes regarding 2000 Charter Reform

PROJECT ANALYSIS

Project Summary

The applicant is pursuing a use of land building permit for a new 46-space recreational vehicle park (RV Park) on property in the R1-1XL-O Zone in Harbor City as a Public Benefit Project. The applicant has presented the project as compliant with the 12 required performance standards, pursuant to the Los Angeles Municipal Code (LAMC), Chapter 1, Section 14.00 A.7(a)(1) through (a)(12), such that a Conditional Use Permit (CUP) is not required. The applicant recorded a covenant and agreement obligating the use of the property to comply with the required performance standards.

As detailed in the "Background" section of this report, an initial use of land permit was issued by the Department of Building and Safety (DBS) (Permit No. 23020-10000-02232) but was subsequently closed on June 28, 2024. The applicant applied for a supplemental use of land building permit (Permit No. 24026-10000-00086) for the RV Park, which has not yet been issued. The appellant appealed the initial and supplemental use of land building permits: The first appeal was filed with the DBS. On October 30, 2024, DBS issued a written determination, denying the appeal. A second-level appeal was subsequently filed to the Director of Planning. On April 9, 2025, the Director of Planning issued a letter of determination, denying the second-level appeal. A final appeal was filed to the City Planning Commission, which was denied in a letter of determination issued on July 14, 2025. The City Council asserted jurisdiction over the matter, pursuant to the City Charter, Section 245. The City Council vetoed the City Planning Commission's action and remanded the case back to the City Planning Commission for further review and consideration of two discrete issues: 1) whether a CUP is required by the City's Zoning Code, and 2) whether the performance standards, enumerated in the City's Public Benefit Projects section of the Zoning Code, have been satisfied for the proposed project. The City Council also requested that the City Planning Commission's next action be promptly referred back to the City Council.

Background

Legislative Background - Recreational Vehicle Parks

On October 31, 1986, the City Council adopted Ordinance No. 161,716, which added definitions for "recreational vehicle", "mobilehome", "recreational vehicle park", and "mobilehome park" and created a Conditional Use Permit process for recreational vehicle and mobilehome parks in the A, R, or C Zones to the Los Angeles Municipal Code (LAMC), Chapter 1 (Zoning Code), among other actions.

On July 1, 2000, a 284-page Charter Reform implementation ordinance, Ordinance No. 173,268, became effective, amending the Zoning Code, including amending LAMC, Section 14.00 to read "Public Benefit Projects and Performance Standards", which included RV 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 Permit process for recreational vehicle and mobilehome parks from LAMC, Section 12.24 and provided an alternative compliance process for Public Benefit Projects that do not comply with the required performance standards.

On January 22, 2024, an ordinance, Ordinance No. 187,712, amending Chapter 1 of the LAMC and establishing Chapter 1A of the LAMC 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 Permit process, instead of the prior alternative compliance process, for projects that do not comply with the required performance standards.

On August 6, 2025, the City Council instructed the Department of City Planning (DCP), in consultation with the City Attorney, to prepare and process an Interim Control Ordinance (ICO) to prohibit the issuance of any demolition, building, grading, and any other applicable permits to prevent the approval of RV parks as Public Benefit Projects under LAMC, Chapter 1, Section 14.00 A.7, as there are inconsistencies in the Municipal Code (Zoning and Fire Codes) and the State of California Building Code, as to the controlling land use regulations for RV parks, to allow time for the adoption of appropriate land use regulatory controls (Council File No. 25-0843). As of the preparation of this Appeal Recommendation Report, the ICO has not yet been adopted by the City Council.

On September 9 2025, the City Council instructed the Department of City Planning, in consultation with the City Attorney, to prepare an amendment to the Zoning Code regarding the controlling land use regulations for RV parks to clarify and maintain consistency between provisions of the Zoning Code, Fire Code, and State of California Building Code, including modifications to other City codes, such as LAMC, Chapter 1, Section 14.00 concerning Public Benefit Projects, and any amendments necessary to clarify the distinction between mobile home parks and RV parks, and the applicable land use limitations, standards, and approval processes relative to each kind of park. (Council File No. 24-1005-S1). As of the preparation of this Appeal Recommendation Report, a Code amendment has not yet been adopted by the City Council.

Project Background

The subject project entails a use of land permit for a new 46-space RV Park at 23416 and 23514 South President Avenue on an approximately 1.24-acre property in the R1-1XL-O Zone in Harbor City.

On March 22, 2024, Building Permit No. 23020-10000-02232 was issued for the use of land for a new RV Park as a Public Benefit Project, pursuant to LAMC, Section 14.00 A.7. Corrections to the plans pertaining to compliance with Performance Standard Nos. 3, 4, 5, 6, 10, and 12 were subsequently identified by Department of City Planning (DCP) staff, and the permit was closed on June 28, 2024. On July 9, 2024, an application was submitted for Department of Building and Safety (DBS) 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 LAMC, Section 14.00 A.7. DBS records state that “quality review” was completed on July 23, 2024. As of the preparation of this Appeal Recommendation Report, the supplemental permit has not yet been issued.

On July 18, 2024, Kristina Kropp, as an attorney representative, filed a Request for Modification of Building Ordinances requesting that the DBS 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.”

On August 1, 2024, the Department of City Planning signed off on the subject RV Park, as a Public Benefit Project, pursuant to LAMC, Chapter 1, Section 14.00 A.7, by approving and stamping Plan Sheets P-1, P-2, and P-3 for the project [Exhibit C], 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, Chapter 1, Section 14.00 A.7.

On August 2, 2024, the DBS denied the appeal submitted by Kristina Kropp, and issued its written determination on October 30, 2024, under Case No. DBS-240084-DCP, concluding that the DBS "...properly complied with all department regulations, policies, and requirements of the LAMC, and as a result did not err 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." 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, pursuant to LAMC, Chapter 1A, Section 13B.10.2, appealed the DBS report, Case No. DBS-240084-DCP, to the Director of Planning. The appeal, under Case No. DIR-2024-7352-BSA, alleged that the DBS 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 RV Park as a Public Benefit Project because the project requires a Conditional Use Permit as a Special Occupancy Park, under the California Health and Safety Code; the City's Zoning Code defines recreational vehicle park, under LAMC, Chapter 1, Section 12.08, as "[a]ny lot or portion of a lot permitted by conditional use …"; LAMC, Chapter 1, Section 14.00 A requires a Conditional Use Permit for projects that do not meet the required performance standards, and the project does not meet the performance standards under Section 14.00 A.7; and the project is not a public benefit.

On April 9, 2025, the appeal to the Director of Planning, under Case No. DIR-2024-7352-BSA, was denied by the Zoning Administrator, on behalf of the Director of Planning, finding that the DBS 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 RV Park, as a Public Benefit Project compliant with the required performance standards and without requiring a Conditional Use Permit. The determination was appealable to the City Planning Commission no later than April 24, 2025. On April 23, 2025, the Director's determination was further appealed by the Concerned Residents of Green Meadows West-Harbor City to the City Planning Commission, under Case No. DIR-2024-7352-BSA-1A.

On June 26, 2025, the City Planning Commission considered the appeal of the use of land permit for a new RV Park as a Public Benefit Project, under Case No. DIR-2024-7352-BSA-1A, and took the following actions [Exhibit D]:

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 RV Park as a Public Benefit Project, pursuant to Los Angeles Municipal Code (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 RV Park, as a Public Benefit Project compliant with the required performance standards and without requiring a Conditional Use Permit; and

3. **Adopted** the Findings made by the Director of Planning.

The City Planning Commission's decision on Case No. DIR-2024-7352-1A was final as of the July 14, 2025, the letter of determination mailing date. The decision was not further appealable.

On July 30, 2025, pursuant to the Los Angeles City Charter, Section 245, the City Council asserted jurisdiction over the City Planning Commission's action taken on June 26, 2025, under Case No. DIR-2024-7352-1A, which denied the appeal by Concerned Residents of Green Meadows West-Harbor City and referred the matter to committee [Exhibits B.a. and B.b.]. The Planning and Land Use (PLUM) Committee of the City Council considered the matter on August 12, 2025, and forwarded its recommendation to the City Council [Exhibit B.c.].

On August 19, 2025, the City Council considered the PLUM recommendation from August 12, 2025, and took the following actions [Exhibits B.d. and B.e.]:

1. **Vetoed** and **remanded** the matter to the Los Angeles City Planning Commission for further review and consideration of its determination to deny the appeal filed by Concerned Residents of Green Meadows West - Harbor City (Representative: Kristina Kropp, Luna & Glushon), from the City Planning Commission's determination to deny the appeal; and find that the Department of Building and Safety (DBS) 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 RV Park as a Public Benefit Project, pursuant to Los Angeles Municipal Code, Chapter 1, Section 14.00 A.7, compliant with the required performance standards; for the property located at 23416 and 23514 South President Avenue, within the Wilmington-Harbor City- Community Plan area.

2. **Requested** the City Attorney to provide a report advising whether the application for the RV Park requires a Conditional Use Permit or, if not, why it should be processed ministerially as a Public Benefit Project.

3. **Instructed** the Department of Building and Safety to provide a written response to the specific allegations raised in the appeal or at the PLUM Committee hearing that the proposed RV Park or permit application fails to meet any applicable performance standards.

4. **Requested** that the City Planning Commission place the above matter at the top of the Commission's agenda and promptly refer the City Planning Commission action to the City Council.

In response to the City Council's veto of the City Planning Commission's appeal determination issued July 14, 2025, and the City Council's remand to the City Planning Commission for further review and consideration, the Zoning Administrator, on behalf of the Director of Planning, has prepared the subject Appeal Recommendation Report. In this report, the Zoning Administrator reassesses the persistent issues raised in the appeal and those raised at the PLUM Committee hearing in testimony and letters submitted to Council File No. 24-0711-S1.

Issues on Remand

The City Council asserted jurisdiction over the matter, vetoed the City Planning Commission's action, and remanded the case back to the City Planning Commission for further review and consideration. In addition, the City Council requested, as clarified in an amending motion, a report from the City Attorney advising whether the RV Park requires a Conditional Use Permit or should be processed ministerially and instructed the DBS to provide a written response to the specific allegations raised in the appeal and at the Planning and Land Use Management (PLUM)

Committee hearing on August 12, 2025, that the proposed RV Park is not compliant with the required performance standards.

When the subject appeal was initially before the City Planning Commission on June 26, 2025, the Zoning Administrator, on behalf of the Director of Planning, presented the proposed RV project and addressed the appeal points in detail to the City Planning Commission. After considering the evidence presented, the City Planning Commission denied the appeal, sustained the Director of Planning's determination, and found that the DBS 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 RV Park, as a Public Benefit Project, compliant with the required performance standards and without requiring a Conditional Use Permit.

At the PLUM hearing on August 12, 2025, and at the City Council meeting on August 19, 2025, issues and allegations were raised, some of which were previously addressed at the June 26, 2025, CPC meeting, and some of which were new, that the City Council determined warrant reexamination by the City Planning Commission. These issues and allegations are summarized and addressed in this report, under "Issue Nos. 1, 2 and 3". The City Council requested that after the City Planning Commission's further review and consideration the matter come before the City Council again for its concluding action.

The City Planning Commission's decision of June 26, 2025, has been remanded back to the City Planning Commission for further review and consideration, after which its determination will be referred back to the City Council. The fundamental question before the City Planning Commission, as it was before, is whether the Department of Building and Safety erred or abused its discretion in preparing to issue the supplemental building permit for the RV Park as a Public Benefit Project, compliant with the required performance standards.

The appeal to the City Planning Commission centered on the following claims:

- **The Proposed RV Project Requires a Conditional Use Permit.**
  - The proposed RV Park requires a Conditional Use Permit under State law, pursuant to the California Health and Safety Code Special Occupancy Parks Act, and
  - The proposed RV Park requires a Conditional Use Permit under the Los Angeles Municipal Code (LAMC),
    - pursuant to the definition of RV parks, under LAMC Section 12.03, and
    - pursuant to LAMC, Chapter 1, Section 14.00 A, which requires a Conditional Use Permit for projects that do not comply with the performance standards, enumerated under Section 14.00 A. (a)(1) through (12), and the proposed RV Park does not comply with the performance standards.

- **The Proposed RV Project Is Not a Public Benefit.** The proposed RV Park is "for profit" and not a public benefit and therefore does not qualify as a Public Benefit Project.

In making its determination, these are the broad issues that have been raised and to be considered by the City Planning Commission:

1. Is a City-issued Conditional Use Permit required for all new RV parks because the definition of RV park, under LAMC, Chapter 1 (the Zoning Code), Section 12.03, contains "permitted by conditional use"? Or is an RV park approved ministerially, as a Public Benefit Project, under LAMC, Chapter 1, Section 14.00 A.7, if it complies with the required performance standards?

2. Does the proposed RV Park comply with all the required performance standards?

3. Does the proposed RV Park qualify as a Public Benefit Project?

The following discussion addresses these issues and provides responses from the Zoning Administrator on behalf of the Director of Planning:

Issue No. 1:

Is a City-issued Conditional Use Permit required for all new RV parks because the definition of RV park, under LAMC, Chapter 1 (the Zoning Code), Section 12.03, contains "permitted by conditional use"? Or is an RV park approved ministerially, as a Public Benefit Project, under Los Angeles Municipal Code (LAMC), Chapter 1 (Zoning Code), Section 14.00 A.7, if it complies with the required performance standards?

Zoning Administrator's Response:

Assertions have been made regarding the wording of certain provisions in Chapter 1 of the LAMC that call into question the intent of the regulations, specifically whether a City-issued Conditional Use Permit is required for all new RV parks or can new RV parks be permitted ministerially if they comply with the required performance standards enumerated in the Public Benefit Projects section. The argument that a City-issued Conditional Use Permit is required for all new RV parks centers around terms in the Zoning Code's Definitions section (LAMC, Chapter 1, Section 12.03) and the first paragraph of RV parks and Mobile Home Parks as Public Benefit Projects section (LAMC, Chapter 1, Section 14.00 A.7).

The specific wording at issue is highlighted by ***bold underlined italics*** below:

> LAMC, Chapter 1, Section 12.03, Definition of 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 Ordinance No. 161,716, effective December 6, 1986)
>
> LAMC, Chapter 1, Section 14.00 A.7, first paragraph of recreational vehicle parks and mobile home parks, as Public Benefit Projects: "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.

As addressed in the Director's Determination, under DIR-2024-7352-BSA, issued April 9, 2025, the definition referencing "permitted by conditional use" has no bearing on the required process. In 1986, pursuant to Ordinance No. 161,716, the City Council added the current definition for RV parks and created a discretionary Conditional Use Permit process, under LAMC Section 12.24, for approving them. In 2000, as part of a Charter Reform implementation ordinance amending the Zoning Code, the City Council adopted Ordinance No. 173,268, which replaced LAMC Section 12.24 with new provisions that did not provide a Conditional Use Permit for RV parks and instead 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 RV parks as one of the enumerated uses.

Delving deeper into the intent of Ordinance No. 173,268 - that the new Public Benefit Projects section was initiated to allow certain uses to be permitted ministerially instead of by Conditional

Use Permit - the Zoning Administrator reviewed the pertinent Council File (CF No. 99-1800-S79) and the related City Planning Case (Case No. CPC-1999-0435-CA) and identified several documents that shed light on this issue. The following documents from the year 2000 reinforce that the purpose of the new Public Benefit Projects section was to allow projects to be permitted ministerially instead of by a Conditional Use Permit process (**bold, underline** added for emphasis):

- Staff Report to the City Planning Commission, Case No. CPC-1999-0435-CA, Commission Meeting January 27, 2000 [Exhibit E]:

  In the second paragraph of the summary, starting on the first page, it states that "The Commission also directed staff to amend the set of appendices per Commissioner Landau's directions regarding projects with public benefits. The proposal would establish **a new permit process for review of these projects requiring initial decisions to be made by the Director of Planning** or his/her designee with appeals heard by the City Planning Commission any of which may be considered by the City Council pursuant to Charter Section 245."

  On Page 5, in the second paragraph of the report, it states that "The Commission also directed staff to amend the set of appendices per Commissioner Landau's directions regarding projects with public benefits. The directions separated citywide public benefit projects into two processes. **Projects with citywide benefits and with major citywide impacts will follow the citywide Conditional Uses process. Projects with citywide public benefits with less significant citywide impacts will follow the new public benefits permit process**. The public benefit permit process requires the initial decision to be made by the Director of Planning or his/her designee and these decisions are appealable to the City Planning Commission. Planning Commission actions may be further reviewed by the City Council pursuant to Charter Section 245."

- City Attorney Report No. R 00-0272, May 12, 2000 [Exhibit F]:

  On Page 2, in the third paragraph of the report, it states that "Based on the Council's instructions, there is also **a new category of uses, called "public benefit projects." This list of nine uses and the performance standards that must be met to proceed by right** are located in Section 14.00 A. Section 14.00 B contains a procedure that allows an applicant to receive permission to substitute an alternative method of compliance for one or more of the performance standards, so long as that alternative method meets the purposes of the performance standards set out in Subsection A."

- City Council Adopted May 16, 2000, Zoning Code Entitlement Chart [Exhibit G]:

  On Page 5, under **"Process 3B - Public Benefits"**, Line No. 58 lists "Recreational vehicle parks and mobile home parks in the A, R, or C Zones", showing that the applicable Zoning Code section at the time was Section 12.24 B.19 and showing that the new Zoning Code section, starting July 1, 2000, will be Section 14.00 A.7. Section 12.24 was then and is today the Conditional Use Permit section, Section 14.00 is the Public Benefit Projects section.

- City Council Adopted May 16, 2000, Entitlement Processes [Exhibit H]:

  On Page 4, under **"Process 3B – Public Benefit Permit Process"**, the diagram shows that Process 3B initiates with an application, is **decided by the Director of Planning**, and can be appealed to the City Planning Commission.

> RV parks and mobile home parks in the A, R, and C Zones, from Section 12.24 B.19 of the Zoning Code applicable at the time, would be enumerated under Public Benefit Uses and follow entitlement process 3B. **Entitlement Process 3B is distinct from the Citywide Conditional Uses outlined under entitlement Process 3 or Local Community Conditional Uses outlined under entitlement Process 4A.**

Taken together, the excerpts from the above historical documents demonstrate that the process for permitting Public Benefit Projects was not intended to follow a Conditional Use Permit process. Public Benefit Projects, under which RV parks are an enumerated use, were intended to be permitted ministerially.

References to Charter Section 245 as a final option in the above historical documents indicate that the City Council may assert jurisdiction over an action of the City Planning Commission by either a veto of the action or may have the same authority to act on the matter as that originally held by the City Planning Commission. In the subject appeal case, the authority of the City Planning Commission is limited to determining whether the Department of Building and Safety (DBS) erred or abused its discretion in preparing to issue Supplemental Building Permit No. 24026-10000-00086 for the use of land in conjunction with a new RV Park, as a Public Benefit Project compliant with the required performance standards and without requiring a Conditional Use Permit.

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 are now required to comply with the performance standards or obtain a Conditional Use Permit. Though there were various changes in the procedures for permitting RV parks over the years, the definition for RV 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 Permit approval. Currently, the list of uses in LAMC Section 12.24 does not include RV parks. A Conditional Use Permit is only available for a RV 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 RV park. If a project complies with all 12 of the required performance standards, then no Conditional Use Permit is required, and the project must be approved ministerially. Therefore, that the definition references "permitted by conditional use" has no bearing on the required process.

Further, the fact that the first paragraph in LAMC, Chapter 1, Section 14.00 A.7 contains the phrase "… which were lawfully created …" does not mean that a Conditional Use Permit is required. LAMC, Chapter 1, Section 14.00 A. states the following (**bold, underline** added for emphasis):

> ***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 Ordinance No. 187,712, effective January 23, 2023, operative January 22, 2024; Ordinance No. 187,930, effective July 7, 2023).*

RV parks are not permitted by right in any zone, and there is no Conditional Use Permit for RV parks in LAMC, Chapter 1, Section 12.24. RV parks are one of the enumerated uses under LAMC, Chapter 1, Section 14.00 A. Therefore, RV parks are permitted in the A, R, or C Zones, as per Section 14.00 A.7, if they meet the required performance standards. A Conditional Use Permit is only required if the performance standards are not met.

On August 19, 2025, in response to conflicting testimony at the hearing held by the Planning and Land Use Management (PLUM) Committee on August 12, 2025, and the ensuing recommendation from that Committee, the City Council requested the City Attorney to provide a report advising whether an application for an RV park requires a Conditional Use Permit, or if not, why it should be processed ministerially as a Public Benefit Project. However, The Zoning Code provides an avenue by which lack of clarity in its provisions can be resolved. The Zoning Code authorizes the Zoning Administrator to interpret in such situations. Specifically, LAMC, Chapter 1A, Section 13A.1.7.C. 2. b. states that:

> *The Zoning Administrator shall also have the authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation.*

In this case, the actions of the DBS were appealed to the Director of Planning, and the Zoning Administrator exercised their authority to interpret the zoning regulations. The determination on the appeal case serves as the interpretation and concludes that a Conditional Use Permit for an RV park is required only if the project does not comply with the 12 performance standards enumerated under LAMC, Chapter 1, Section 14.00 A.7.

It should be noted that the Zoning Code cannot be read and meaningfully understood by focusing on an isolated phrase, prohibition, or requirement. Rather, the Zoning Code must be read holistically and within context to fully understand the meaning and intent of its provisions. Having a definition for RV parks that references conditional use when the Public Benefit Projects section allows RV parks ministerially if they comply with the performance standards has raised questions regarding the correct process for RV parks. However, given the Zoning Administrator's authority to render interpretations when the meaning of a regulation is unclear, the Zoning Administrator, based on knowledge and review of the history of the regulations and the architecture of the Zoning Code, has interpreted the reference to conditional use in the definition of RV parks to be vestigial from 1986, when a Conditional Use Permit was required for all RV parks, and has interpreted that the intent of the regulations currently in place do not require a Conditional Use Permit for all RV parks. This interpretation is further buttressed by the absence of RV parks as an enumerated use in Section 12.24, which lists all the uses for which a Conditional Use Permit could be granted. The Zoning Administrator has interpreted the provisions in LAMC, Chapter 1, Section 14.00 A.7, which permit RV parks in the A, R, and C Zones ministerially if the required performance standards are met, as the governing regulations, and that a Conditional Use Permit for RV parks is only required if the RV park does not meet the required performance standards.

The City's historical processing of similar RV park applications over the years is also consistent with the interpretation that RV parks do not require a Conditional Use Permit if the performance standards are met. The Zoning Administrator was not able to find any record of RV parks permitted by Conditional Use after the year 2000. Further, the Zoning Administrator is aware of two RV parks permitted ministerially as Public Benefit Projects, without a Conditional Use Permit; both are located in Wilmington. One, located at 1025 McFarland Avenue, was permitted in 2020 under Permit No. 18020-10000-00041 and appears to be operating as Pacific RV Park. The other, located at 1550 East L Street/1551 East Young Street, was permitted in 2023 under 21016-30000-00352, operated at one time as Oceans 12 RV Park, but does not appear to be operating

currently.

Finally, assertions have been made that State law requires a City-issued Conditional Use Permit for RV parks. This contention is not supported by the plain language of applicable State law. 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.

The provisions in the paragraph above pertain to what and how the State of California governs the establishment and operation of RV parks, which are separate and in addition to the regulations in the LAMC. As noted above, the "conditional permit" required by the State for an RV 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, RV parks are required to comply with State regulations in addition to complying with the requirements of the LAMC. As acknowledged by the applicant during the initial 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 the appeal claim, the Special Occupancy Parks Act does not compel the City to issue a Conditional Use Permit.

Therefore, a City-issued Conditional Use Permit is not required for all new RV parks. An RV park can be approved ministerially, as a Public Benefit Project, under LAMC, Chapter 1, Section 14.00 A.7, if it complies with the required performance standards.

Issue No. 2:

Does the proposed RV Park comply with all the required performance standards?

Zoning Administrator's Response:

Aside from the argument that a City-issued Conditional Use Permit is required for all new RV parks, allegations have also been made that the proposed RV Park does not comply with the performance standards enumerated in the Public Benefit Projects section. On August 19, 2025, in response to conflicting testimony provided at the hearing held by the Planning and Land Use Management (PLUM) Committee on August 12, 2025, and the ensuing recommendation from that Committee, the City Council instructed the Department of Building and Safety (DBS) to provide a written response to the specific allegations raised in the appeal and at the PLUM Committee hearing that proposed RV Park or permit application fails to meet any applicable performance standards. As of the preparation of this Appeal Recommendation Report, no report from the DBS addressing this issue has been submitted.

The status of the subject project is that an initial use of land building permit was issued in March and closed in June of 2024. An application for a supplement to the initial use of land building permit was submitted in July of 2024, but the permit has not yet been issued. The process for issuing the permit includes review of plans to ascertain whether the 12 required performance standards have been met. If they are met, then a use of land building permit can be issued

ministerially. If they are not met, the DBS identifies corrections needed. The applicant has the opportunity to make the corrections or the option of applying for a Conditional Use Permit. Once a use of land building permit is issued, the applicant is authorized to proceed with developing the property in accordance with the plans associated with the permit. On completion, the DBS inspects the property to verify that the development is in accordance with the permit and its associated plans prior to the issuance of a certificate of occupancy.

The following is an updated review by the Zoning Administrator of the alleged failures to meet the 12 performance standards, pursuant to Section 14.00 A.7, including those raised in the appeal and those raised at the PLUM Committee hearing in testimony and letters submitted to Council File No. 24-0711-S1. The Zoning Administrator's assessment is based on Plan Sheets P-1, P-2, and P-3, submitted by the applicant for Building Permit No. 24026-10000-00086, supplemental to Building Permit No. 23020-10000-02232, which the Department of City Planning (DCP) stamped and cleared on August 1, 2024. Plan Sheet P-2 includes a copy of a covenant and agreement, Instrument No. 20230807676, which was recorded on the property on November 21, 2023, and obligates the project to comply with all 12 of the required performance standards.

Assertions from the public regarding non-compliance with the performance standards include both failures as depicted on the cleared plans and failures as to how the site is being developed.

Development of the Site. If a use of land permit is issued, any improper development of the site would be addressed when the DBS inspects the property for compliance with the building permit that was issued. Since there is no building permit currently in effect, inspecting the development of the site for adherence to a permit has not occurred. Still, community members have expressed concerns regarding development of the site. Their claims and complaints regarding improper development on the site are summarized as follows:

- The required wall or fence is installed in the front but not the rear. In the rear there is a chain link/construction mesh fence with a privacy tarp that is topped with barbed wire.
- There is graffiti on the tarp that has not been removed as required.
- The site is developed observing a front yard setback of only 17.67 feet instead of 20 feet as required.
- There are three unpermitted prefabricated buildings on the site, presumably for bathrooms and laundry, that are located inside the entrance of the gate on the north side and 20 shore power units (utility hook-up pedestals/islands) anchored to concrete pads, an 800A electrical distribution system measuring 36 feet by 24 feet, and methane gas mitigation equipment constructed in the rear 10-foot landscaped buffer and the 15-foot rear yard setback that are not allowed and displacing required landscaping.
- The electrical distribution system is located where the ADA-compliant parking spaces were shown on Plan Sheets, P-1 and P-3, which were stamped and signed off by the DCP on August 1, 2024.
- The number of utility hook-ups total 47, 49, 52, 53, or 54, which indicates a project that exceeds the 46-space RV Park that was approved.
- The required irrigation system is not installed.
- The site is not landscaped as required and as shown on Plan Sheets, P-1 and P-3, which were stamped and signed off by the DCP on August 1, 2024. Only eight King Alexander Palms have been installed.
- Vegetation and trees at the front of the property have been removed.
- The applicant removed all onsite parking after obtaining permits.

Cleared Plans. The subject appeal pertains to whether DBS can correctly issue a use of land permit for the RV Park, based on the clearances and plans submitted. Assessing whether the project plans comply with all 12 of the required performance standards enumerated under LAMC,

Chapter 1, Section 14.00 A.7 is important, because a project that ultimately does not comply with even one of the performance standards would not be eligible for a ministerial process and would be subject to approval of a Conditional Use Permit in order for the applicant to be able to proceed. However, at this stage of review for the subject project, non-compliance with one or more required performance standards does not automatically trigger a requirement for a Conditional Use Permit. Rather, the applicant would be apprised of the corrections needed to comply. The applicant then would have the option of making the corrections and resubmitting the plans for review or requesting relief from the pertinent performance standard(s) through the Conditional Use Permit process.

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

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024, do not show any buildings.

Therefore, the project plans comply with this performance standard.

Performance Standard No. 2: The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of this Code.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Compliance is obligated by a covenant and agreement, Instrument No. 20230807676, which was recorded on the property on November 21, 2023, a copy of which is included Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024.

Therefore, the project plans comply with this performance standard.

Performance Standard No. 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.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024, show a new 8-foot high wrought iron fence along the rear properly 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.

Therefore, the project plans comply with this performance standard if the required front yard setback is determined to be not more than 20 feet by a DBS plan check engineer.

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

Claims:

There are claims that the plans for the subject RV Park do not provide the required front yard setback; that the prevailing front yard setback was calculated incorrectly by measuring setback distances on other properties using ZIMAS (Zone Information and Map Access System) tools instead of accurate measurements and by utilizing too few properties in the calculation; that the prevailing front yard setback calculated by the applicant at 17.67 feet is incorrect; that the correct front yard setback is 20 feet; that the plans submitted, showing a site depth of 153 feet, exceed the physical dimensions of the site; and that with a 20-foot front yard setback, the proposed 46 recreational vehicle spaces cannot fit on the subject site.

Zoning Administrator's Response:

In the subject R1-1XL-O 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, as provided on the DBS website, and entered the dimensions and approximate setbacks observed by 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.

Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024, show a property depth of approximately 135 feet, which is consistent with ZIMAS, and an observed front yard setback of 20 feet. Based on the 18.20-foot prevailing front yard setback calculated by the Zoning Administrator, a project that observes a front yard setback would be in compliance with the front yard setback required by the zone.

The assessment of compliance with this performance standard was based on an 18.20-foot prevailing setback calculated by the Zoning Administrator and plans reviewed showing a 20-foot front yard setback, which exceeds the Zoning Administrator's calculated

prevailing setback. Confirmation of the prevailing setback calculation, however, can be readily verified by a DBS plan check engineer to ensure that the 20-foot setback shown on the plans meets or exceeds the prevailing setback.

In response to claims that with a 20-foot front yard setback, the proposed 46 recreational vehicle spaces cannot fit on the subject site, the DCP did not "approve" a specific number of recreational vehicle spaces. The DCP clearance applies only to compliance with the required performance standards. To qualify for ministerial approval, compliance with all the performance standards is required, whether or not compliance would result in a project with fewer than 46 recreational vehicle spaces.

Therefore, the project plans comply with this performance standard if the required front yard setback is determined to be not more than 20 feet by a DBS plan check engineer.

Performance Standard No. 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.

Claims:

There are claims that the plans for the RV Park show RV spaces encroaching into the rear required 10-foot landscaped buffer and the 15-foot rear yard setback. There are also claims that there are electrical plans, referenced as Plan Sheet P-4, that show utility pedestals and an 800A electrical distribution system within the required 10-foot landscaped buffer, which conflicts with Plan Sheets P-1 and P-3 cleared by the DCP.

Zoning Administrator's Response:

No portion of the RV Park use should encroach into the 10-foot landscaped buffer. Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024, include a note referencing a 10-foot buffer around the periphery of the property with an irrigation system and a copy of a covenant and agreement, Instrument No. 20230807676 that obligates compliance with the 12 performance standards, which was recorded on the property on November 21, 2023.

However, as a result of closer examination in light of community claims, it appears that a portion of the RV spaces, though not labeled, may encroach into the rear required 10-foot landscaped buffer. The RV spaces also appear to be encroaching into the 15-foot rear yard setback, but unlike observance of the front yard setback (Performance Standard No. 4), observance of the rear yard setback is not one of the enumerated performance standards. In addition, it also appears that what may be a trash enclosure, though obscured and not labeled, surrounds a dumpster and encroaches into the northwesterly required 10-foot landscaped buffer.

The Zoning Administrator has never seen the electrical plans or Plan Sheet P-4, referenced by the community, and electrical plans are not reviewed or cleared by the DCP. However, electrical plans that conflict with DCP clearances may present a problem later in the process. Ultimately, development of the site would not be allowed to conflict with DCP clearances.

Therefore, as Plan Sheets P-1 and P-3 appear to show some encroachment of the 10-foot buffer by a portion of the RV spaces and a trash enclosure with a dumpster, the RV Park only complies with this performance standard if updated plans show those elements

of the project are relocated outside of the required 10-foot landscaped buffer. In addition, in an abundance of caution and in an effort to alleviate community concerns, it is recommended that DBS review all project plans against those cleared by DCP to ensure there are no inadvertent conflicts with DCP clearances.

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

Claims:

There are claims that the plans for the subject RV Park is not landscaped as required; that the existing 10 crepe myrtle trees are in the public right-of-way and are erroneously credited towards the applicant's landscaping obligations and inflates the project's appearance of compliance; that the Zoning Code requires that at least 4 percent of a parking area be landscaped with trees, shrubs, and ground cover; and that areas for parking supposed to be landscaped are not.

Zoning Administrator's Response:

Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024, contain an itemized plant schedule that includes:

PLANT SCHEDULE	
Quantity	**Common Names**
10	CREPE MYRTLE
78	ENGLISH COMMON BOXWOOD
8	KING PALM, ALEXANDRA PALM, ALEXANDER PALM
3	LIMBER PIINE
36	MEDITERRANEAN CYPRESS, ITALIAN CYPRESS, FUNERAL CYPRESS
1	MEDITERRANEAN FAN PALM, EUROPEAN FAN PALM
60	CREEPING PHLOX
58	BARBERRY
18	OLIVE TREE

Section 12.21 A.6 requires that portions of a parking area not used for parking or other improvements be landscaped, and no portion except for access driveways can be paved. In the R Zone at least 4 percent of the parking area is to 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 P-1 shows the calculation of the landscaping requirements. The total 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 DCP, the project will be maintaining the 10 existing crepe myrtle street trees in the public right-of-way in satisfaction of this requirement, which is allowed. The project includes 4,000 square feet of landscaped area in the front, which exceeds the required 4 percent of landscaped area required.

The assessment of compliance with this performance standard was based on Plan Sheet P-1 that shows the location of the landscaping and the calculation of the landscape requirements, Plan Sheet P-2 that shows a copy of the recorded covenant and agreement obligating the project to comply with the 12 performance standards, and Plan Sheet P-3 that contains the plant schedule.

Therefore, the project plans comply with this performance standard.

Performance Standard No. 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.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024, states that the 4-foot by 5-foot identification sign will "…be mounted to right of left entry gate."

Therefore, since there are no buildings, the project plans comply with this performance standard.

Performance Standard No. 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.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Compliance is obligated by a covenant and agreement, Instrument No. 20230807676, which was recorded on the property on November 21, 2023, a copy of which is included Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024.

Therefore, the project plans comply with this performance standard.

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

Claims:

There are claims that the project is not exempt from the parking requirements of LAMC, Chapter 1, Section 12.21 A; that the project does not have space for off-street vehicle parking, which will result in occupants of the RV Park parking their accompanying vehicles in the neighborhood instead of on the site; and local jurisdictions have the authority to regulate perimeter walls, signs, access, and vehicle parking. There are also claims that three of the interior drive aisles are only 15 feet wide, when they are required to be 19 feet wide, and should be at least 24 feet wide pursuant to fire safety recommendations for two-way vehicular traffic.

Zoning Administrator's Response:

The project is not exempt from the parking requirements of LAMC, Chapter 1, Section 12.21 A. Off-street parking requirement ratios for various uses are addressed under LAMC, Chapter 1, Section 12.21 A.4. Though there is a note on Plan Sheet P-1 stating, "each rental site has room for parking 1 RV and 1 vehicle", Section 12.21 A.4 does not require a minimum number of parking spaces for RV parks.

LAMC, Chapter 1, Section 12.21 A.5 pertains to parking facility design and includes provisions regulating parking stall, bay, and driveway dimensions, among other requirements. However, since the project is an RV park not a parking facility, the provisions in Section 12.21 A.5 do not apply. Plan Sheets P-1 and P-3 show two access driveways, each 20 feet wide. The fire safety recommended 24-foot width is for a roadway, not access driveways or internal drive aisles of a parking area.

Special occupancy parks, which include RV parks, are subject to Title 25 of the California Code of Regulations and the California Health and Safety Code. However, 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. 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) provides minimum requirements for roadway access in Special Occupancy Parks, with which the applicant's project will have to comply.

Therefore, the project plans comply with this performance standard.

Performance Standard No. 10: All streets, alleys, or sidewalks adjoining the property meet standard street dimensions.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator Response:

President Avenue is a designated Standard Local Street and fully improved.

Therefore, the project plans comply with this performance standard.

Performance Standard No. 11: There are no outdoor public telephones on the site.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Compliance is obligated by a covenant and agreement, Instrument No. 20230807676, which was recorded on the property on November 21, 2023, a copy of which is included Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024.

Therefore, the project plans comply with this performance standard.

Performance Standard No. 12: Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.

Claims:

There have been no claims the plans for the subject RV Park violate this performance standard.

Zoning Administrator's Response:

Compliance is obligated by a covenant and agreement, Instrument No. 20230807676, which was recorded on the property on November 21, 2023, a copy of which is included Plan Sheets P-1, P-2, and P-3, which were stamped and signed off by the DCP on August 1, 2024.

Therefore, the project plans comply with this performance standard.

Additional Information and Clarification Required. In response to the City Council directive for further review and consideration of the proposed project, the Zoning Administrator concludes that additional information and clarification is needed to determine whether the proposed RV Park complies with all the required performance standards and, therefore, compliance with certain performance standards was cleared prematurely.

Prevailing Setback. A DBS plan check engineer must determine the prevailing setback, which should be placed on revised plans. The project is permitted to observe a front yard setback that is equal to or greater than the prevailing setback. If the prevailing setback is determined to be

greater than the 20-foot front yard setback currently shown, the revised prevailing setback should be reflected in updated plan drawings, and adjustments to the project design should be made accordingly. Verification of the prevailing setback informs compliance with Performance Standard Nos. 3 and 4.

Encroachment into the 10-foot Landscaped Buffer. In addition to the issue of prevailing setback, additional information and clarification is needed with respect to possible encroachment of the project into the required 10-foot landscaped buffer. No portion of the project should encroach into the required buffer. Current plans show what may be a portion of the RV spaces encroaching into the rear buffer and what may be a trash enclosure with a dumpster encroaching into the side buffer. Plans should be updated with clear labels for project elements. Further, any portion of the project in the required 10-foot landscaped buffer should be relocated and adjustments to the project design made accordingly. In addition, as a precaution and in an effort to alleviate community concerns, it is recommended that DBS review all project plans against those cleared by the DCP to ensure none inadvertently conflict with DCP clearances. Verification of the 10-foot landscaped buffer being free and clear of project elements informs compliance with Performance Standard No. 5.

Issue No. 3:

Does the proposed RV Park qualify as a Public Benefit Project?

Zoning Administrator's Response:

There are claims that the project does not provide a public benefit. The City Council determined which uses to enumerate under the Public Benefit Projects section of the Zoning Code, LAMC, Chapter 1, Section 14.00, when the Public Benefit Projects section was created in 2000. When the section was established, there were nine uses listed, RV parks and mobile home parks being the seventh. Since its establishment, additional uses have been added by the City Council, with 13 uses now enumerated. Each use was added to the list by an amendment to the Zoning Code adopted by the City Council. The City Council already pre-vetted these types of projects as being presumed public benefit projects when it adopted the Charter Reform implementation ordinance in 2000, and when it subsequently added new uses to the Public Benefit Projects section.

OTHER ISSUES RAISED

Environmental Issues. There are claims that there are environmental concerns and that there has been no environmental review of the proposed recreational vehicle project. Currently, the RV Park project has been presented as a ministerial project, compliant with the 12 required performance standards in LAMC, Chapter 1, Section 14.00 A.7. As long as the project is ministerial, it is not subject to California Environmental Quality Act (CEQA) review.

There were also claims about general environmental safety due to active oil and gas wells and methane gas on the site. On June 26, 2024, the City Council requested responses to questions of environmental concern (Council File No. 24-0711), specifically instructing the City's Office of Petroleum and Natural Gas Administration and Safety to work with the California Geologic Energy Management Division (CalGEM) to complete an environmental analysis, as well as any required standard evaluations, that are needed for any construction or projects to occur at the subject location. In response, a report, dated July 31, 2024, was submitted to the City Council by Erica Blyther, Petroleum Administrator, Board of Public Works. The report stated there are nine plugged wells on the site and that records show the applicant obtained the necessary Construction Site Well Review (CSWR) letter on March 5, 2024. That letter said that the wells on the site were all abandoned to current standards. The report also stated that after reviewing the CSWR letter, on

March 9, 2024, the Los Angeles Fire Department signed off on the Department of Building and Safety (DBS) Clearance Summary Worksheet.

No Public Process or Transparency. There are claims that there has been no transparency regarding the proposed RV Park and that the project has proceeded without public process or input. The City is compelled to issue permits for ministerial projects if they comply with Code regulations. Ministerial projects do not include a public process because there is no discretionary decision-making. However, the Code does provide an appeal process, which the appellant representing community members has fully utilized. The appeal to the Director of Planning and public testimony were heard by the Zoning Administrator on January 16, 2025, with a decision letter issued April 9, 2025; the appeal to the City Planning Commission and public testimony were heard June 26, 2025, with a decision letter issued July 14; the City Council asserted jurisdiction, after which the Planning and Land Use (PLUM) Committee of the City Council heard the appeal and public testimony on August 12, 2025, issuing a recommendation report; and the full City Council considered the PLUM recommendation report and took public testimony on August 19, 2025. In addition to the opportunity for interested parties to testify at the public hearings, written communications were also accepted.

Use of Site without Permits. There are claims that a recreational vehicle, with occupants and a vehicle, is currently parked on the property even though there is no permit for the use yet. Since there are no active permits for the project site, there should be no recreational vehicles or occupants thereof on the site. It would be the responsibility of the DBS to investigate this claim and take enforcement action if warranted.

Conclusion

Due to the evolving nature of the claims regarding the proposed project, specifically assertions regarding compliance with the performance standards, the Zoning Administrator reassessed the proposed project in response to the City Council directive for further review and in light of new allegations and evidence provided from the community. In reviewing pertinent provisions of the California Code of Regulations, pertinent sections of the LAMC, as well as historical documents and processing pertaining to the 2000 Charter Reform and its ordinance codifying the Public Benefits Projects section, the Zoning Administrator concludes that a City-issued Conditional Use Permit is not required for all new RV parks. An RV park can be approved ministerially, as a Public Benefit Project, under LAMC, Chapter 1, Section 14.00 A.7, if it complies with the required performance standards. A Conditional Use Permit is required only if one or more of the performance standards are not met.

The Zoning Administrator also concludes that claims regarding the development of the site being out of compliance with the required performance standards cannot be evaluated at this time, because no use of land building permit has been issued via the pending application for the supplemental permit. If and when a permit is issued, the applicant will be required to develop the site in accordance with the permit and its associated plans. Once developed, the DBS will inspect the improvements and require compliance with the permit prior to the issuance of a certificate of occupancy.

The Zoning Administrator further concludes that additional information and/or corrections are needed for the subject RV Park to be cleared as compliant with all required performance standards under LAMC, Chapter 1, Section 14.00 A.7(a)(1) through (12). The prevailing setback must be determined by a plan check engineer and added to the plans; plans must also be updated to reflect any project design changes that may be needed if the prevailing setback is determined to be greater than 20 feet. In addition, plans should be updated with clear labels for project elements, any portion of the RV Park in the required 10-foot landscaped buffer must be relocated,

and adjustments to the project design and plans made accordingly. This additional information is needed to ensure compliance with the performance standards, specifically with Performance Standard Nos. 3, 4, and 5. The project complies with the other nine performance standards. Based on the plans that are currently in the file, it is unclear whether Performance Standard Nos. 3, 4, and 5 have been met and additional information is needed from the applicant. In addition, as a precaution and in an effort to alleviate community concerns, it is recommended that DBS review all project plans against those cleared by the DCP to ensure none inadvertently conflict with DCP clearances.

Finally, the Zoning Administrator concludes that there is no requirement for a project type enumerated in the Public Benefit Projects section, under LAMC, Chapter 1, Section 14.00 A, to further demonstrate it provides a public benefit. The project types listed were determined to have presumed public benefits when the City Council established Section 14.00 A.

Therefore, the Zoning Administrator recommends that the applicant be required to update plan sheets, as described above to be able to move forward with the issuance of a use of land building permit. If the required performance standards cannot be met, approval of a Conditional Use Permit that provides relief from the unmet performance standards will be needed for a use of land building permit to be issued.

EXHIBIT A

VICINITY MAP

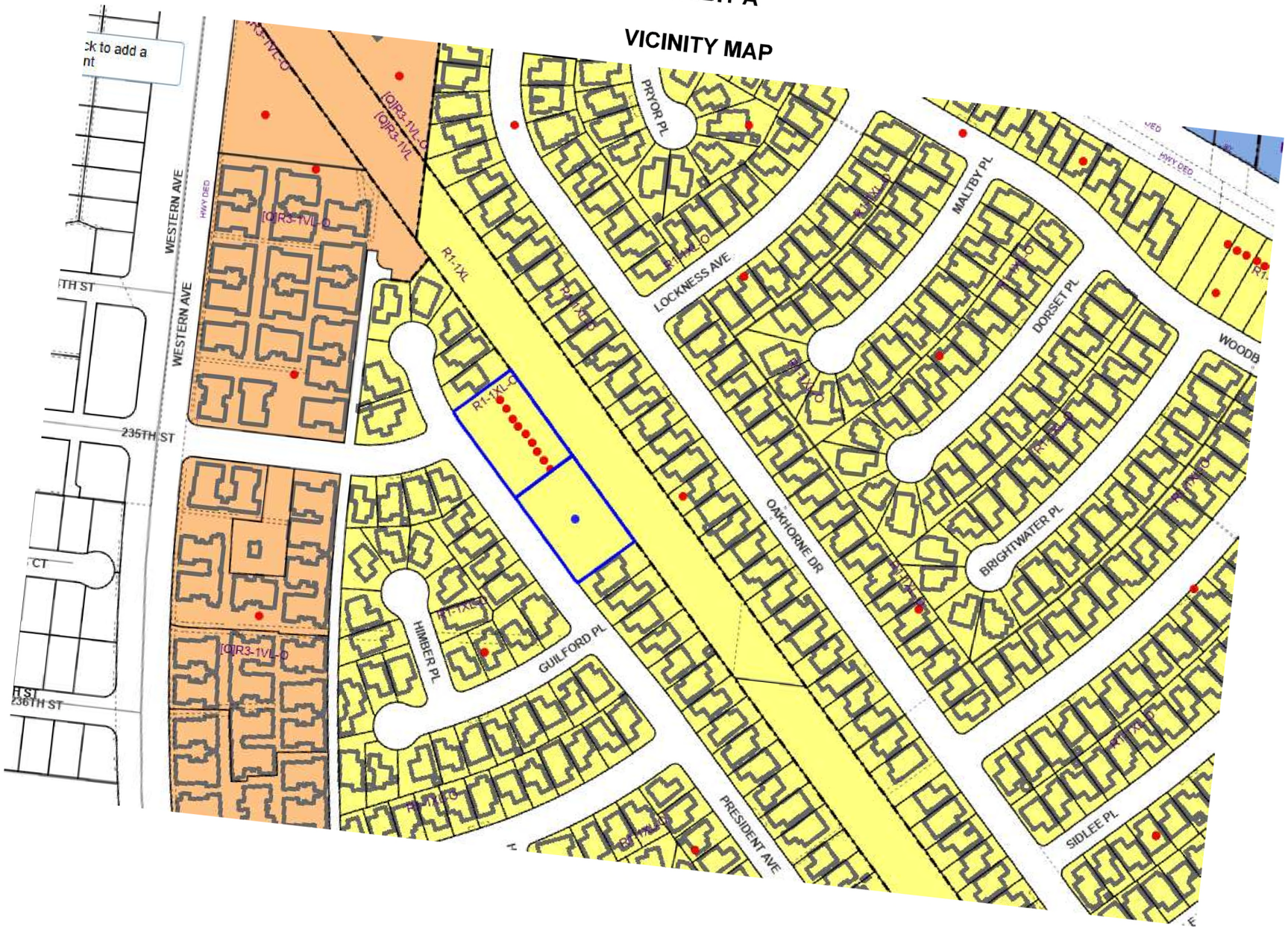

EXHIBIT B.a

TO C... FOR ...
REGULAR COUNCIL AGENDA TO BE POSTED #57

MOTION

At its **meeting on June 26, 2025** the City Planning Commission **denied an appeal** filed by *Concerned Residents of Green Meadows West-Harbor City* (Representative: Kristina Kropp, Luna & Glushon), (Case No. DIR-2024-7352-BSA-1A, **Item 14 on its Agenda**), and sustained the Planning Director's determination which found that the Department of Building and Safety did not err or abuse its discretion in issuing a land building permit for a new recreational vehicle park as a Public Benefit Project compliant with the required performance standards and without requiring a Conditional Use Permit, for the properties located at 23416 and 23514 South President Avenue, within the Wilmington-Harbor City Community Plan Area.

Legitimate questions relative to the approval of the project have been expressed at the public hearing. Notwithstanding the City Planning Commission determination in this matter, community members are entitled to a hearing on this issue and an opportunity for furthering vetting, thereby enabling all concerned stakeholders with the opportunity to express their views and concerns, as it relates to this land use application project in their neighborhood, for a new recreational vehicle park.

The project site location is an approximately 1.24-acre property, comprised of two lots, and is zoned Single Family, Height District 1, Extra Limited, Oil Drilling District, R1-1XL-O, with a Low Residential land use Plan designation, and there are nine known oil or gas wells located within the project boundary, all of which have been plugged and abandoned to California Department of Conservation Geologic Energy Management Division (CalGEM) abandonment requirements.

Action is needed to assert jurisdiction over the above-described City Planning Commission action to conduct further review.

I THEREFORE MOVE that pursuant to **Section 245 of the Los Angeles City Charter**, the Council **assert jurisdiction over the June 26, 2025 City Planning Commission action** to **deny an appeal** filed by *Concerned Residents of Green Meadows West-Harbor City* (Representative: Kristina Kropp, Luna & Glushon), (Case No. DIR-2024-7352-BSA-1A, **Item 14 on its Agenda**), that sustained the Planning Director's determination which found that the Department of Building and Safety did not err or abuse its discretion in issuing a land building permit for a *new* recreational vehicle park as a Public Benefit Project compliant with the required performance standards and without requiring a Conditional Use Permit, for the properties located at 23416 and 23514 South President Avenue, within the Wilmington-Harbor City Community Plan Area.

I FURTHER MOVE that upon assertion of jurisdiction, this matter be referred to Committee for further review.

nm

MR

JUN 27 2025

EXHIBIT B.a

PRESENTED BY:

IM McOSKER
Councilmember, 15th District

SECONDED BY:

ORIGINAL

JUN 27 2025

PETTY F. SANTOS
INTERIM CITY CLERK

VACANT
EXECUTIVE OFFICER

EXHIBIT B.b

City of Los Angeles
CALIFORNIA

KAREN BASS
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division
200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213)978-1040

PATRICE Y. LATTIMORE
DIVISION MANAGER

CLERK.LACITY.ORG

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

Council File No.: 24-0711-S1

Council Meeting Date: July 30, 2025

Agenda Item No.: 41

Agenda Description: MOTION (McOSKER - LEE) relative to asserting jurisdiction over the June 26, 2025 Los Angeles City Planning Commission action regarding the denial of an appeal for the properties located at 23416 and 23514 South President Avenue, within the Wilmington-Harbor City Community Plan Area.

Council Action: MOTION (McOSKER - LEE) - ADOPTED FORTHWITH

Council Vote:

ABSENT	Blumenfield	YES	Harris-Dawson	YES	Hernandez
YES	Hutt	YES	Jurado	YES	Lee
YES	McOsker	YES	Nazarian	YES	Padilla
YES	Park	YES	Price Jr.	YES	Raman
YES	Rodriguez	YES	Soto-Martínez	YES	Yaroslavsky

PETTY F. SANTOS
INTERIM CITY CLERK

Adopted Report(s)Title
Motion (McOsker - Lee) dated 6-27-25

EXHIBIT B.c

File No. 24-0711-S1

PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to an appeal filed for the property located at 23416 and 23514 South President Avenue.

Recommendations for Council action:

1. VETO and REMAND the matter to the Los Angeles City Planning Commission (LACPC) for further review and consideration of its determination to deny the appeal filed by Concerned Residents of Green Meadows West - Harbor City (Representative: Kristina Kropp, Luna & Glushon), from the LACPC's determination to deny the appeal; and FIND that the Department of Building and Safety (DBS) 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, pursuant to Los Angeles Municipal Code, Chapter 1, Section 14.00 A.7, compliant with the required performance standards; for the property located at 23416 and 23514 South President Avenue, within the Wilmington-Harbor City- Community Plan area.

2. REQUEST the City Attorney to prepare a report clarifying as to what controls, whether it is the definition or the Conditional Use Permit section of the Zoning Code.

3. INSTRUCT the DBS to prepare a report to provide information if there are any issues in the performance standards and the permit.

4. REQUEST that the LACPC place the above matter at the top of the LACPC's agenda, and promptly refer the LACPC's action to the City Council.

(On July 30, 2025 the City Council adopted Motion [McOsker – Lee], pursuant to Charter Section 245, asserting jurisdiction over the June 26, 2025 action [Letter of Determination dated July 14, 2025] of the LACPC.]

Applicant: Stuart Silver, Ocean's 11 RV Park, LLC

Representative: Ben Reznik and Daniel Freedman, Jeffer Mangels Butler & Mitchell LLP

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

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted

TIME LIMIT FILE – AUGUST 20, 2025

(LAST DAY FOR COUNCIL ACTION – AUGUST 20, 2025)

Summary:
At a regular meeting held on August 12, 2025, the PLUM Committee considered a report from the LACPC and an appeal filed for the property located at 23416 and 23514 South President Avenue. Department of City Planning staff provided an overview of the matter. Councilmembers McOsker, Blumenfield, Nazarian, Lee and Raman provided comments on the matter. After an opportunity for public comment, and presentations from the Appellant and Applicant Representatives, the Committee recommended to veto

and remand the matter to the LACPC for further review and consideration; request the City Attorney prepare a report clarifying as to what controls, whether it is the definition or the Conditional Use Permit section of the Zoning Code; instruct LADBS to prepare a report to provide information if there are any issues in the performance standards and the permit; and request that the LACPC place the above matter at the top of the LACPC's agenda, and promptly refer the LACPC's action to the City Council. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

MEMBER	**VOTE**
BLUMENFIELD:	YES
HUTT:	ABSENT
NAZARIAN:	YES
LEE:	YES
RAMAN:	NO

CR
24-0711-S1_rpt_PLUM_08-12-25

-NOT OFFICIAL UNTIL COUNCIL ACTS-

EXHIBIT B.d

34 A

MOTION

I MOVE that the matter of Planning and Land Use Management (PLUM) Committee Report relative to an appeal filed for the property located at 23416 and 23514 South President Avenue, **Item 34** (CF 24-0711-S1) on today's Council Agenda, **BE AMENDED** to **ADOPT** the following *revised* recommendations #2 and #3 in lieu of any prior language:

2. REQUEST the City Attorney to provide a report advising whether the application for the Recreational Vehicle (RV) Park requires a Conditional Use Permit or, if not, why it should be processed ministerially as a Public Benefit Project.

3. INSTRUCT the DBS to provide a written response to the specific allegations raised in the appeal or at the PLUM Committee hearing that the proposed RV Park or permit application fails to meet any applicable performance standards.

PRESENTED BY: _____
BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY: _____

ORIGINAL

August 19, 2025
rrm

AUG 19 2025

NR

PETTY F. SANTOS
INTERIM CITY CLERK

VACANT
EXECUTIVE OFFICER

EXHIBIT B.e.

City of Los Angeles
CALIFORNIA



KAREN BASS
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division
200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
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FAX: (213)978-1040

PATRICE Y. LATTIMORE
DIVISION MANAGER

CLERK.LACITY.ORG

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

Council File No.: 24-0711-S1

Council Meeting Date: August 19, 2025

Agenda Item No.: 34

Agenda Description: PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal filed for the property located at 23416 and 23514 South President Avenue.

Council Action: PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT - ADOPTED AS AMENDED BY MOTION 34A (MCOSKER FOR BLUMENFIELD – LEE)

Council Vote:

ABSENT	Blumenfield	YES	Harris-Dawson	YES	Hernandez
YES	Jurado	YES	Hutt	YES	Lee
YES	McOsker	ABSENT	Nazarian	YES	Padilla
YES	Park	YES	Price Jr.	NO	Raman
YES	Rodriguez	YES	Soto-Martínez	YES	Yaroslavsky

PETTY F. SANTOS
INTERIM CITY CLERK

Adopted Report(s)Title
Amending Motion 34A (McOsker for Blumenfield - Lee) dated 08-19-25

Planning and Land Use Management Committee Report dated 08-12-25

EXHIBIT C

NOTES:

THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH RENTAL SITE HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE
FOR ALL PERFORMANCE STANDARDS METRICS SEE PAGE 2
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND ADA PARKING REQUIREMENTS
THERE ARE NO PAY PHONES LOCATED ON THE PROPERTY.
ALL LIGHT IS SHIELDED FROM ADJOINING AND ADJACENT PROPERTIES
PROPERTY HAS EXISTING CEMENT BLOCK FENCE ON 2 SIDES (SIDES 8' IN HEIGHT, FRONT IS 8' WROUGHT IRON AND SET BACK 20' FROM FRONT PROPERTY LINE, FENCE ON REAR OF PROPERTY IS 2' TALL BLOCK FENCE WITH 6' WROUGHT IRON ON TOP, IS ADJACENT TO RAILROAD TRACKS
PROPERTY WILL HAVE 10' LANDSCAPE BUFFER AROUND PERIPHERY OF PROPERTY WITH IRRIGATION SYSTEM

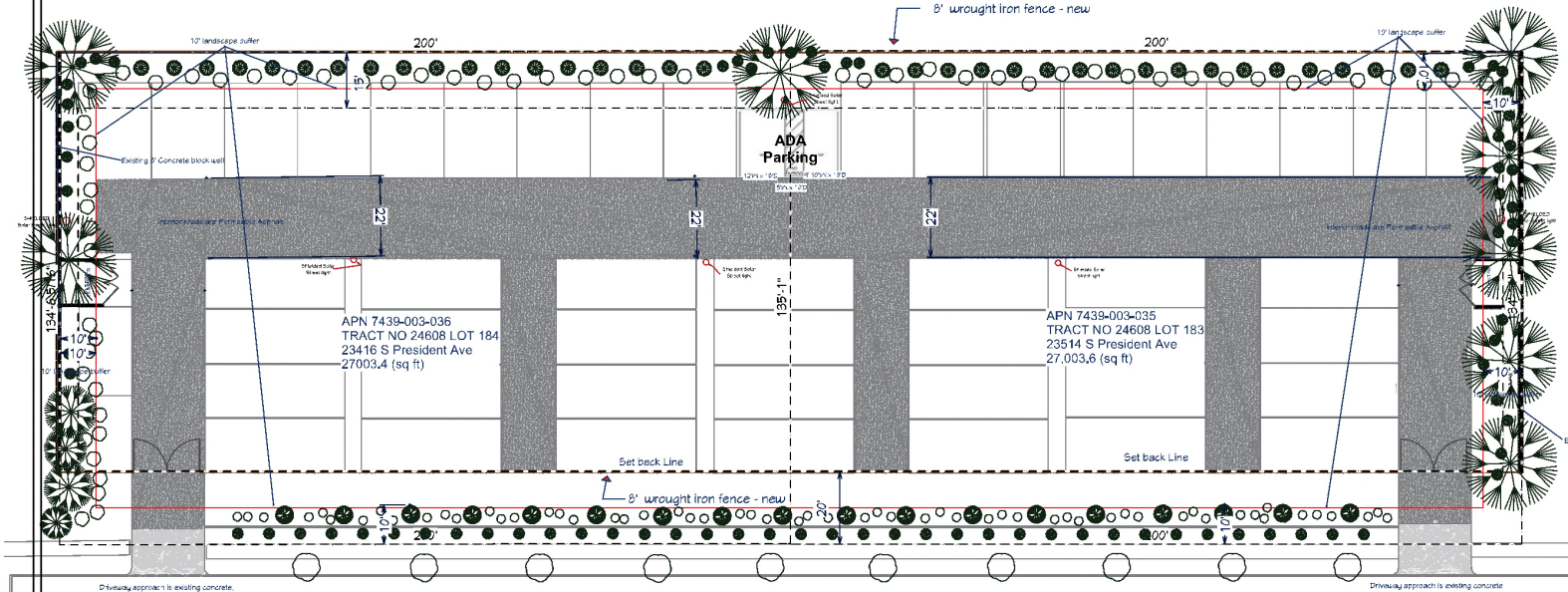
This project is CEQA Exempt
California Code of Regulations title 14 § 15268, ministerial projects are exempt from the requirements of the California Environmental Quality Act (CEQA)



Landscaping requirements
Total sq ft of parking 46136 sq ft.
4% = 1845.5 sq ft
1/4 credit for street trees = 461.4 sq ft
front yard landscape - 4000 sq ft

4% exceeded





SILVER RV PARK
(310) 925-1444 23416 President Ave

4' x 5' Sign to be mounted to right of left entry gate

Project is compliant with all applicable Performance Standards, Codes and Regulations set forth by:
City of Los Angeles Planning Dept. Public Benefits Project
City of Los Angeles Fire Department
State of California Dept of Housing and Community Development/ Special Occupancy/RV Park
State of California Health and Safety Code
State of California Code of Regulations, Title 24 Building Code & Energy Efficiency Standards
State of California Code of Regulations, Title 25 Division I, Chapter 2
All Requirements of Utility Providers to establish service

Landscaping consist of:

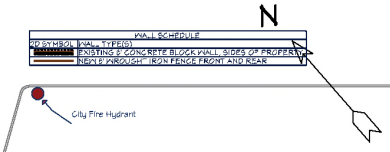
Across front:
Existing boxwoods
Crepe Myrtle Trees
English Ivy

Adding
miniature olive trees
seasonal color /ground cover

Back
36 italian cypress'
36 Boxwoods
seasonal color/ground cover

sides, existing torrey pines
english ivy on fence
adding
8 queen palms
seasonal color/groundcover

PLANS APPROVED
City of Los Angeles Department of City Planning
DATE: 08/01/2024 PAGE NO: 1 of 3
CASE NO: 24026-10000-00086
PLANNER: N/A
NOTES: Ruben Vasquez
Supplemental Permit to 23020-10000-02232



Presidents Way

Layout Page Table		
Number	Title	Comments
1	SITE PLAN	
2	PERFORMANCE STANDARDS	
3	ADA/FIRE/LANDSCAPE	
4	LOCAL APPROVALS	
5	Capped Well Locations	
6	ELECTRICAL	
7	ELECTRICAL 2	
8	ELECTRICAL 3	
9	GRADING	
10	SEWER	
11	WATER	
12	NOTES	

Prevailing Setback calculations

Number of lots: 3
Total frontage entered: 150.00 ft
40% front total frontage entered: 60.00 ft
No of lots used in the calculation: 3
Setback range (Less 14.00 ft - 23.00 ft
Total frontage used in the calculation: 150.00 ft

Lots Used

Lot	Frontage (ft)	Setback (ft)
1414	50.00	14.00
1500	50.00	14.00
23328	50.00	23.00

New front and rear fence detail
8' wrought iron located at front and rear of property



P-1

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

SITE PLAN

SILVER RV PARK
23414 S PRESIDENT AVE
LOS ANGELES, CA 90710

SILVER RV PARK CORPORATION, STUART SILVER-CEO
4712 ADMIRALTY WAY, MARINA DEL REY, CA 90292
818-298-5372

DRAWINGS PROVIDED BY:
DOUG ROSS
1025 SPECIAL AVE
WILMINGTON, CA 90744
424-533-2936

DATE: 7/25/2024

SCALE: 1/16" = 1'

SHEET: P-1

FOR REFERENCE ONLY: 20230807676

Notes:

This project is being built under LAMC 14.00A 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 14.00A 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 supersedeing parts of ordinance 14.00A 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 such response is preceded with "(R)"

LAMC 14.00A Section 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.

(R) Any building constructed will be a single story building that is equal or lower in height to all buildings on surrounding properties. Please note structures inside park are regulated wholly by HCD

(2) The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of LAMC.

(R) Chapter 11 specifies that in zone RA, presumed ambient noise levels (dB(A)) must not surpass 50 decibels between 7:00 a.m. and 10:00 p.m., and nighttime levels should not exceed 40 decibels from 10:00 p.m. to 7:00 a.m. Notably, there are no planned installations on the property that would surpass these levels. Moreover, both park rules and the pet policy dictate that individuals on the premises must refrain from actions that could disrupt the peaceful enjoyment of others residing on or near the property.

(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.

(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 (1). 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.

(4) The front yard setback is at least as deep as the setback required by the zone;

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

(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;

(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 tho 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.

(6) Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6.;

(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 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 are will meet standard 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;

(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, the3 sign will be located on fence to right of entry gate.

(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;

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

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

(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)

(10) All streets, alleys or sidewalks adjoining the property meet standard street dimensions;

President Ave is considered a Local Street by street classification in LADOE's Complete Streets Design Guide. This streets/sidewalks exceeds the design standard set for this type of street

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

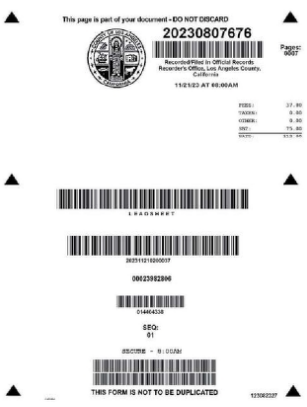
(R) There will be no landline phones, including payphones located on the property. Phone service for park personnel will be provided via cellular phones attached to an internet PBX provider

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

(N) All park security lighting will be installed with shielding and aimed in a direction away from adjoining properties. In addition, they will be self dimming when no motion is detected. Location of lighting is shown on plans. Though all park lighting is regulated solely by HCD, we are meeting the requirement

(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 lampshrines are 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.

(R)As stated above and shown in these plans, where applicable, all performance standards will be met when this project is completed and verification will be provided to planning at that time.In meeting these standards, planning department approval is ministerial and should be granted at this time. Approval of this ministerial project supersedes the need for a conditional use permit. The covenant has been filed in accordance with the municipal code and a stamped copy has been provided to city planning department


This page is part of your document - DO NOT DISCARD

20230807676

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County, California

11/21/23 AT 08:00AM

Pages: 0007

FEES: 37.00
TAXES: 0.00
OTHER: 0.00
PAID: 75.00

LA20SMART

20231121080037

00023982806

014464338

SEQ: 01

SECURE - 8:00AM

THIS FORM IS NOT TO BE DUPLICATED

13982237


RECORDING REQUESTED BY

When Recorded Mail to:

Name: OCEANS 11 RV PARK LLC

Address: 4712 ADMIRALTY WAY #848

MARINA DEL REY, CA 90292

Space Above This Line Reserved For Recorder's Use

COVENANT AND AGREEMENT

The undersigned hereby certifies I am/we are) the owner(s) of the hereinafter legally described property located in the City of Los Angeles, County of Los Angeles, State of California (please give the legal description, if the property has a complete legal description attach the legal description on a separate page(s):

Legal Description: TRACT 24699 LOTS 183 & 184 Legal Description attached as per Exhibit

Site Address: 23414 & 23416 S PRESIDENT AVE, LOS ANGELES, CA 90716

That in consideration of the Approval of Case No. 23626-10000-02232 by the Department of City Planning, I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the Department of City Planning of said City(ies) to the extent of our interest, (jes) undertakings and will comply with Conditions Nos. (attached Exhibit A, B and C

This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their successors, heirs or assigns and shall continue in effect until the Department of City Planning of the City of Los Angeles approves its termination.

OCEANS11 RV PARK LLC — Print Name of Property Owner — Signature of Property Owner

WENDY EVERETT, MEMBER — Print Name of Property Owner — Signature of Property Owner

Print Name of Property Owner — Signature of Property Owner

Dated this 1st day of November, 20 23

FOR CITY PLANNING USE ONLY

Case Number: ZA 2024 - 10000 - ZAA Condition Number(s): 1, 11 and 13

and/or Ordinance Number: N/A

Approved or Recommended by the Undersigned on this date: 11/1/2024

Print Name: Spencer Nguyen Signature:

Los Angeles City Planning | CP-6770 (02.20.2020) Page 3 of 4

THIS PAGE FOR NOTARY'S USE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT — CIVIL CODE SECTION 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California, County of Los Angeles

On November 1, 2023 before me, Ruth S. De Mayo Notary

Personally appeared Wendy Everett (Here Insert Name and Title of the Officer) Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Ruth S. De Mayo (Seal) Signature of Notary Public

RUTH S. DE MAYO, Notary Public - California, Los Angeles County, Commission # 2424176, My Comm. Expires Mar 16, 2026

Place Notary Seal Above

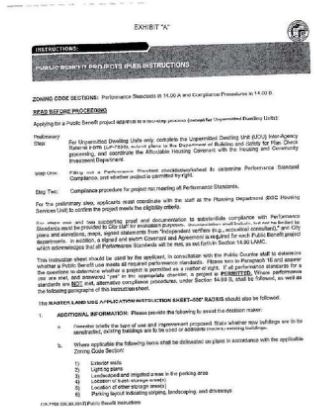


EXHIBIT "A"

INSTRUCTIONS:

PUBLIC BENEFIT PROJECTS (PBP) INSTRUCTIONS

ZONING CODE SECTIONS: Performance Standards in 14.00 A and Compliance Procedure in 14.00 B.

READ BEFORE PROCEEDING

Applying for a Public Benefit project eligible for a ministerial process (except for Unpermitted Dwelling Units):

Preliminary Step: For Unpermitted Dwelling Units only, complete the Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form (LAHD 1500), submit plans to the Department of Building and Safety for Plan Check processing, and coordinate the Affordable Housing Covenant with the Housing and Community Investment Department.

Step One: Filling out a Performance Standard checklist/worksheet to determine Performance Standard Compliance, and whether project is permitted by-right.

Step Two: Compliance procedure for project list meeting all Performance Standards.

For the preliminary step, applicants must coordinate with the staff at the Planning Department (602 Housing Services Unit) to confirm the project meets the eligibility criteria.

For step one and two supporting proof and documentation to substantiate compliance with Performance Standards must be provided to City staff for evaluation purposes. Documentation could include, but not be limited to: plans and elevations, maps, signed statements from "independent certified (e.g., accredited) consultant(s)," any City departments. In addition, a signed and sworn Covenant and Agreement is required for each Public Benefit project which acknowledges that all Performance Standards will be met, as set forth in Section 14.00 LAMC.

This instruction sheet should be used by the applicant, in consultation with the Public Counter staff to determine whether a Public Benefit use meets all required performance standards. Please refer to Paragraph 16 and answer the questions to determine whether a project is permitted as a matter of right. If all performance standards for a use are met, and answered "yes" in the appropriate checklist, a project is PERMITTED. Where performance standards are NOT met, alternative compliance procedures, under Section 14.00 B, shall be followed, as well as the following paragraphs of this instructionsheet.

The MASTER LAND USE APPLICATION INSTRUCTION SHEET-CPC BASES should also be followed.

1. ADDITIONAL INFORMATION: Please provide the following to assist the decision maker:
   a. Describe briefly the type of use and improvement proposed. State whether new buildings are to be constructed, existing buildings are to be used or additions made to existing buildings.
   b. Where applicable the following items shall be delineated on plans in accordance with the applicable Zoning Code Section:
      1) Linear walls
      2) Light fig plans
      3) Landscaped and irrigated areas in the parking area
      4) Location of trash storage area(s)
      5) Location of water storage area(s)
      6) Parking layout indicating striping, landscaping, and driveways

CP-7769 (05.26.2017) Public Benefit Instructions


EXHIBIT "B"

c. Plans provided should illustrate how compliance with all applicable Performance Standards and purposes are met, as set forth in Section 14.00 of the Los Angeles Municipal Code.

d. Other Supportive Evidence including documents and photographs will be required to substantiate compliance with Performance Standards.

e. Additionally, for Unpermitted Dwelling Units (UDUs) only, provide the following:
   1) The completed and signed original copy of the "UDU Interagency Referral Form".
   2) Evidence of the pre-existing unit acceptable to the Department of City Planning's Housing Division staff.

2. PUBLIC BENEFIT PROJECT CHECKLIST: The following public benefit uses are permitted, provided they meet the performance standards set forth below (and answered "yes"). Otherwise, where there is an answer of "no," an approval of alternative compliance measures, pursuant to Section 14.00 B, will be required.

Which Public Benefit use is being applied for? 1900 A-1 RV PARK

Please proceed to the use requested below and answer only performance standard items for that use. Any "No" answer requires an additional approval under Section 14.00 B.

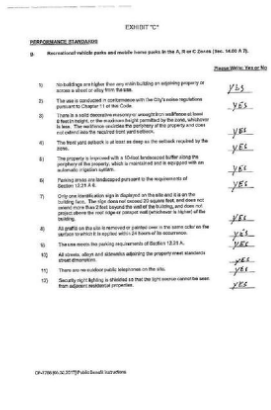


EXHIBIT "C"

PERFORMANCE STANDARDS

9. Recreational vehicle parks and mobile home parks in the A, R or C Zones (Sec. 14.00 A 7).

		Please Write: Yes or No
1)	No buildings are higher than any main building on adjoining property or across a street or alley from the site.	YES
2)	The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of the Code.	YES
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.	YES
4)	The front yard setback is at least as deep as the setback required by the zone.	YES
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.	YES
6)	Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6.	YES
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.	YES
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.	YES
9)	The use meets the parking requirements of Section 12.21 A.	YES
10)	All streets, alleys and sidewalks adjoining the property meet standard street dimensions.	YES
11)	There are no outdoor public telephones on the site.	YES
12)	Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.	YES


EXHIBIT D

LEGAL DESCRIPTION

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

LOTS 183 AND 184 OF TRACT NO. 24699, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 653, PAGES 34 TO 42, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7439-003-035 AND 7439-003-036

PLANS APPROVED
City of Los Angeles
Department of City Planning

DATE: 08/01/2024 PAGE NO.: 2 of 3
PCR NO.: 24026-10000-00986
CASE NO.: N/A
PLANNER: Ruben Vasquez
NOTES: Supplemental Permit to 23626-10000-02232

NUMBER	DATE	REVISED BY	DESCRIPTION

REVISION TABLE

PERFORMANCE STANDARDS

SILVER RV PARK
23414 S PRESIDENT AVE
LOS ANGELES, CA 90710

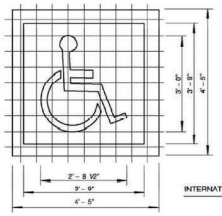
SILVER RV PARK CORPORATION; STUART SILVER-CEO
4712 ADMIRALTY WAY, MARINA DEL REY, CA 90292
818-884-5372

DRAWINGS PROVIDED BY:
DOUG ROSS
1025 HOTCHKISS AVE
WILLOWBROOK, CA 90744
424-533-2936

DATE: 7/25/2024

SCALE: 1/16"=1'

SHEET: P-2

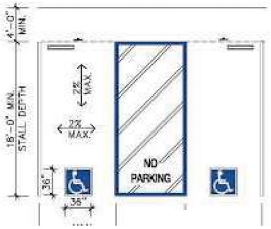


INTERNATIONAL SYMBOL OF ACCESSIBILITY PAVEMENT SYMBOL SHALL BE PAINTED WHITE ON BLUE BACKGROUND.

BLUE COLOR TO MATCH COLOR A 15090 IN THE FEDERAL STANDARD 595A AS SPECIFIED IN SECTION 600(B) 2.

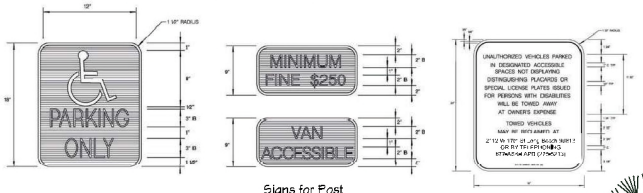
ISA SYMBOL SHALL BE LOCATED SO THAT IT IS VISIBLE TO TRAFFIC ENFORCEMENT OFFICER WHEN THE VEHICLE IS PARKED IN THE SPACE.

INTERNATIONAL SYMBOL OF ACCESSIBILITY (ISA)



PARKING SIGNS

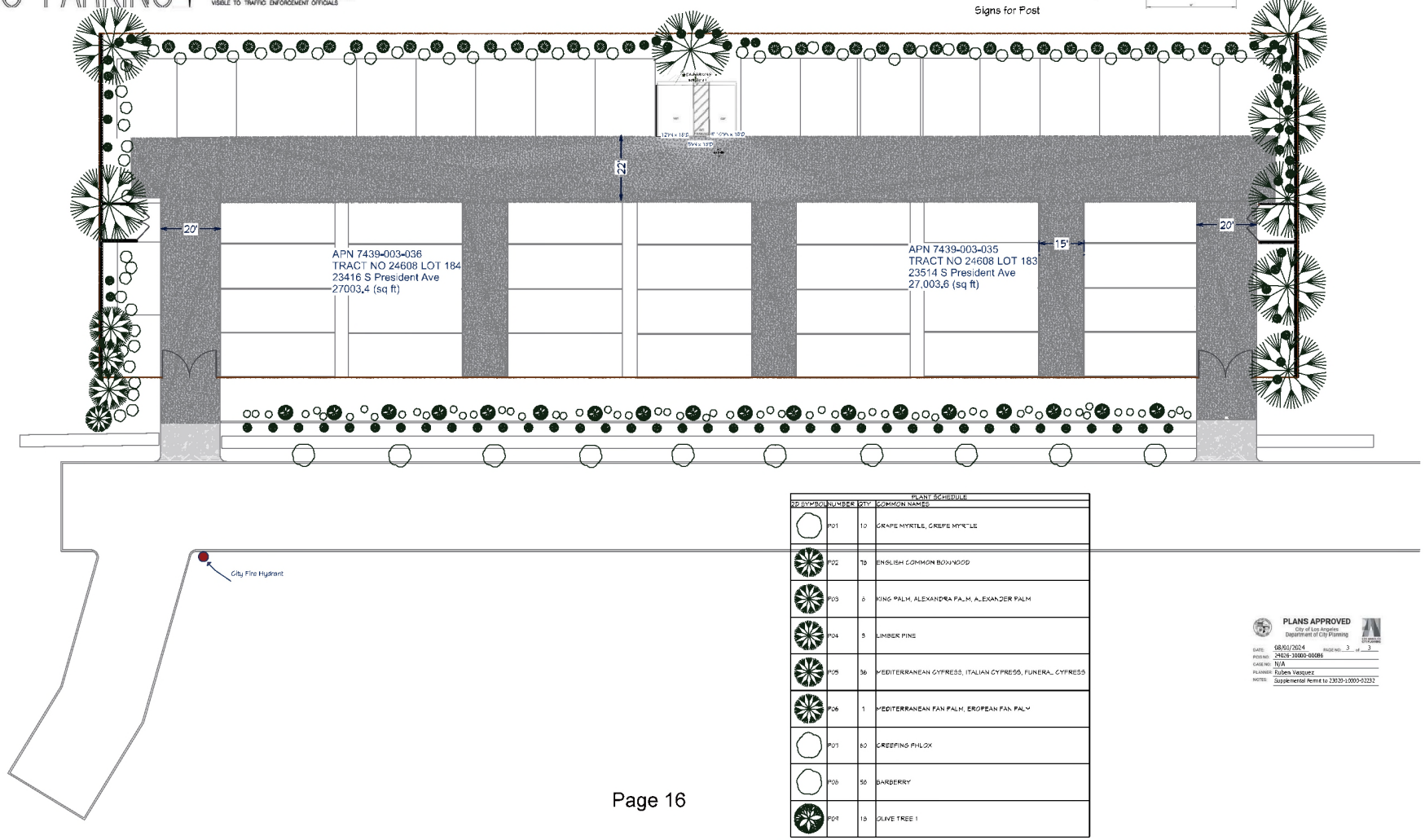
1. POST MOUNTED SIGNS. SEE M-45 FOR BREAK-AWAY SIGN POST.
2. SIGNS SHALL BE CONSTRUCTED OF A MINIMUM .0216" THICK ALUMINUM
3. SIGN 1: COLORS: BORDER, TEXT, AND SYMBOL = WHITE (RETROREFLECTIVE) BACKGROUND = BLUE (RETROREFLECTIVE) FONT: SANS-SERIF, CLEARVIEW.
4. SIGN 2: COLORS = THE SIGN HAS A WHITE REFLECTIVE BACKGROUND WITH NON-REFLECTIVE BLACK BORDER AND TEXT. BLANK SPACES MUST BE FILLED IN WITH APPROPRIATE INFORMATION AS A PERMANENT PART OF THE SIGN AT THE TIME OF FINAL INSPECTION.
5. AN ADDITIONAL TOWING SIGN SHALL BE POSTED IN A CONSPICUOUS PLACE AT EACH ENTRANCE



Signs for Post

NO PARKING

THE WORDS "NO PARKING" SHALL BE PAINTED IN WHITE LETTERS NO LESS THAN 12" HIGH LOCATED AT THE END OF THE ACCESS AISLE SO THAT IT IS VISIBLE TO TRAFFIC ENFORCEMENT OFFICIALS



PLANT SCHEDULE			
2D SYMBOL	NUMBER	QTY	COMMON NAMES
	P01	10	CRAPE MYRTLE, CREPE MYRTLE
	P02	78	ENGLISH COMMON BOXWOOD
	P03	6	KING PALM, ALEXANDRA PALM, ALEXANDER PALM
	P04	9	LIMBER PINE
	P05	36	MEDITERRANEAN CYPRESS, ITALIAN CYPRESS, FUNERAL CYPRESS
	P06	1	MEDITERRANEAN FAN PALM, EUROPEAN FAN PALM
	P07	60	CREEPING PHLOX
	P08	58	BARBERRY
	P09	18	OLIVE TREE 1

PLANS APPROVED
City of Los Angeles
Department of City Planning
DATE: 08/01/2024 PAGE NO.: 3 of 3
PCB NO: 24026-10000-00086
CASE NO: N/A
PLANNER: Ruben Vasquez
NOTES: Supplemental Permit to 23030-10000-02232

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

ADA/FIRE/ LANDSCAPE

SILVER RV PARK
23414 S PRESIDENT AVE
LOS ANGELES, CA 90710

SILVER RV PARK CORPORATION, STUART SILVERMAN
4712 ADMIRALTY WAY, MARINA DEL REY, CA 90292
818-284-5372

DRAWINGS PROVIDED BY:
DOUG ROSS
1925 SPENCER AVE
WILMINGTON, CA 90744
424-533-2936

DATE: 7/25/2024

SCALE: 1/16"=1'

SHEET: P-3

EXHIBIT D

LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
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

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, 7th 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 (j) 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, Section13A.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 Crape 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, 15th 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 (I). 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 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050	(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org

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 portal (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 or (213)978-1170.

VINCENT P. BERTONI, AICP
Director of Planning

Phyllis Nathanson

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)].

NOTES:

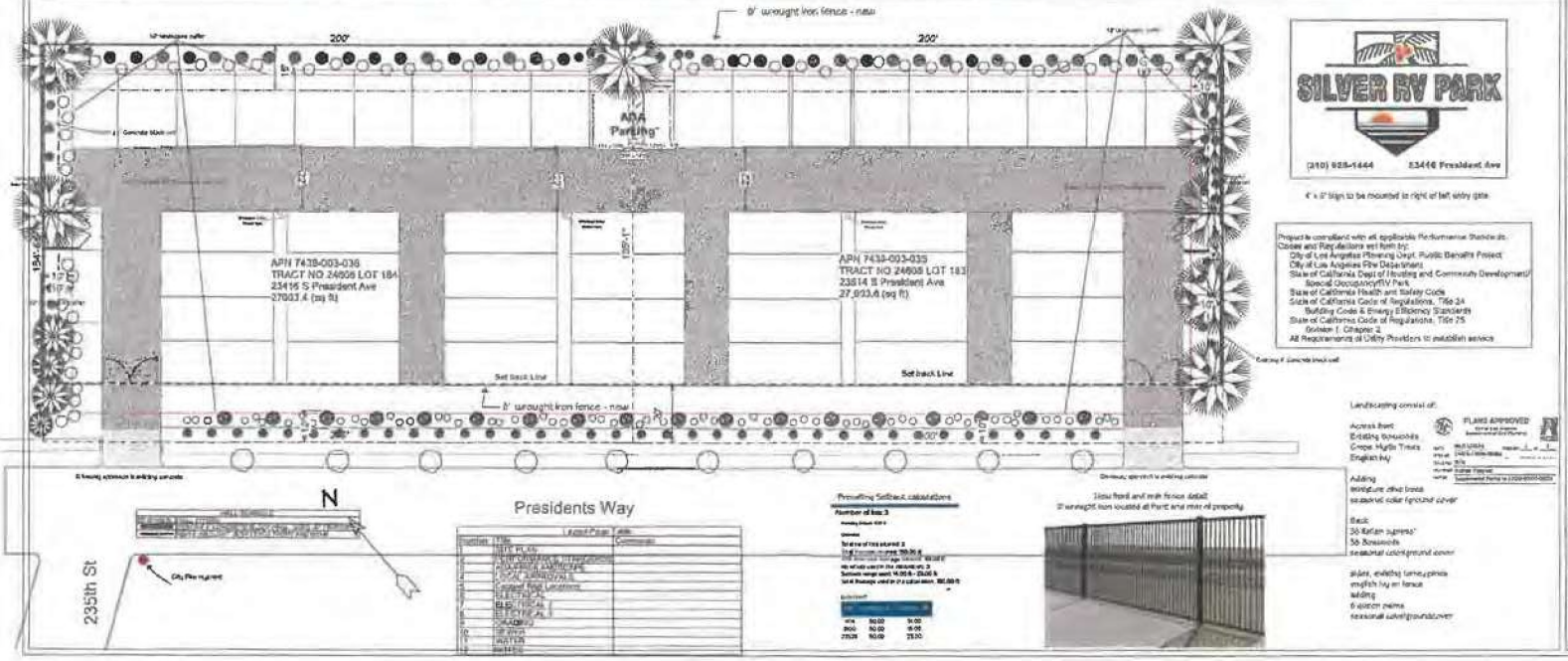
THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH RENTAL SITE HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE
FOR ALL PERFORMANCE STANDARDS METRICS SEE PAGE 2
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND ADA PARKING REQUIREMENTS
THERE ARE NO PAY PHONES LOCATED ON THE PROPERTY.
ALL LIGHT IS SHIELDED FROM ADJOINING AND ADJACENT PROPERTIES
PROPERTY HAS EXISTING CEMENT BLOCK FENCE ON 2 SIDES (SIDES 8' IN HEIGHT, FRONT IS 8' WROUGHT IRON AND SET BACK 20' FROM FRONT PROPERTY LINE, FENCE ON REAR OF PROPERTY IS 2' TALL BLOCK FENCE WITH 6' WROUGHT IRON ON TOP, IS ADJACENT TO RAILROAD TRACKS
PROPERTY WILL HAVE 10' LANDSCAPE BUFFER AROUND PERIPHERY OF PROPERTY WITH IRRIGATION SYSTEM

This project is CEQA Exempt
California Code of Regulations title 14 § 15268, ministerial projects are exempt from the requirements of the California Environmental Quality Act (CEQA)

Exhibit D
Page 14







SILVER RV PARK
(310) 928-1444 23416 President Ave

4' x 8' sign to be mounted to right of left entry gate

Project to comply with all applicable Performance Standards, Codes and Regulations set forth by:
City of Los Angeles Planning Dept. Public Benefit Project
City of Los Angeles Fire Department
State of California Dept of Housing and Community Development/ Special Occupancy/RV Park
State of California Health and Safety Code
State of California Code of Regulations, Title 24
Building Code & Energy Efficiency Standards
State of California Code of Regulations, Title 25
Division 1, Chapter 2
All Requirements of Utility Providers to establish service

Landscaping consist of:
Access Road:
Existing Sycamores
Crape Myrtle Trees
English Ivy

Adding
xeriscape drive areas
seasonal color ground cover

Back
36 Italian cypress'
56 Bougainvilla
seasonal color/ground cover

aloes, existing tamarpinos
english ivy on fence
adding
6 accent palms
seasonal color/groundcover

PLANS APPROVED

P-1

SITE PLAN

SILVER RV PARK
23416 S PRESIDENT AVE
LOS ANGELES, CA 90710

SILVER RV PARK CORPORATION, STUART FRAUENFELD
4170 ASHBY ST #100, SAN DIEGO, CA 92102
619-546-8372

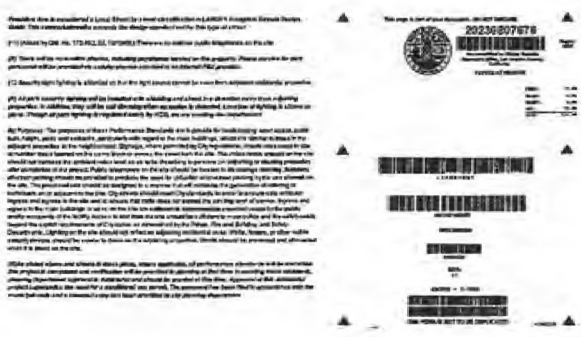
DRAWINGS PROVIDED BY:
LUIS MOTA
LUIS MOTA LAND AVE.
WILMINGTON, CA 90744
424-237-2030

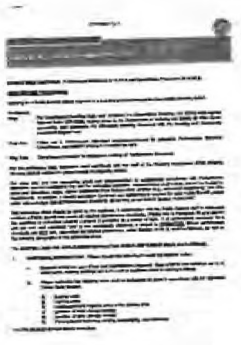
DATE:
7/25/2024

SCALE: 1/16" = 1'

SHEET:
P-1

FOR REFERENCE ONLY: 20230007675













PERFORMANCE STANDARDS

DATE: 7/25/2024

SHEET: P-2

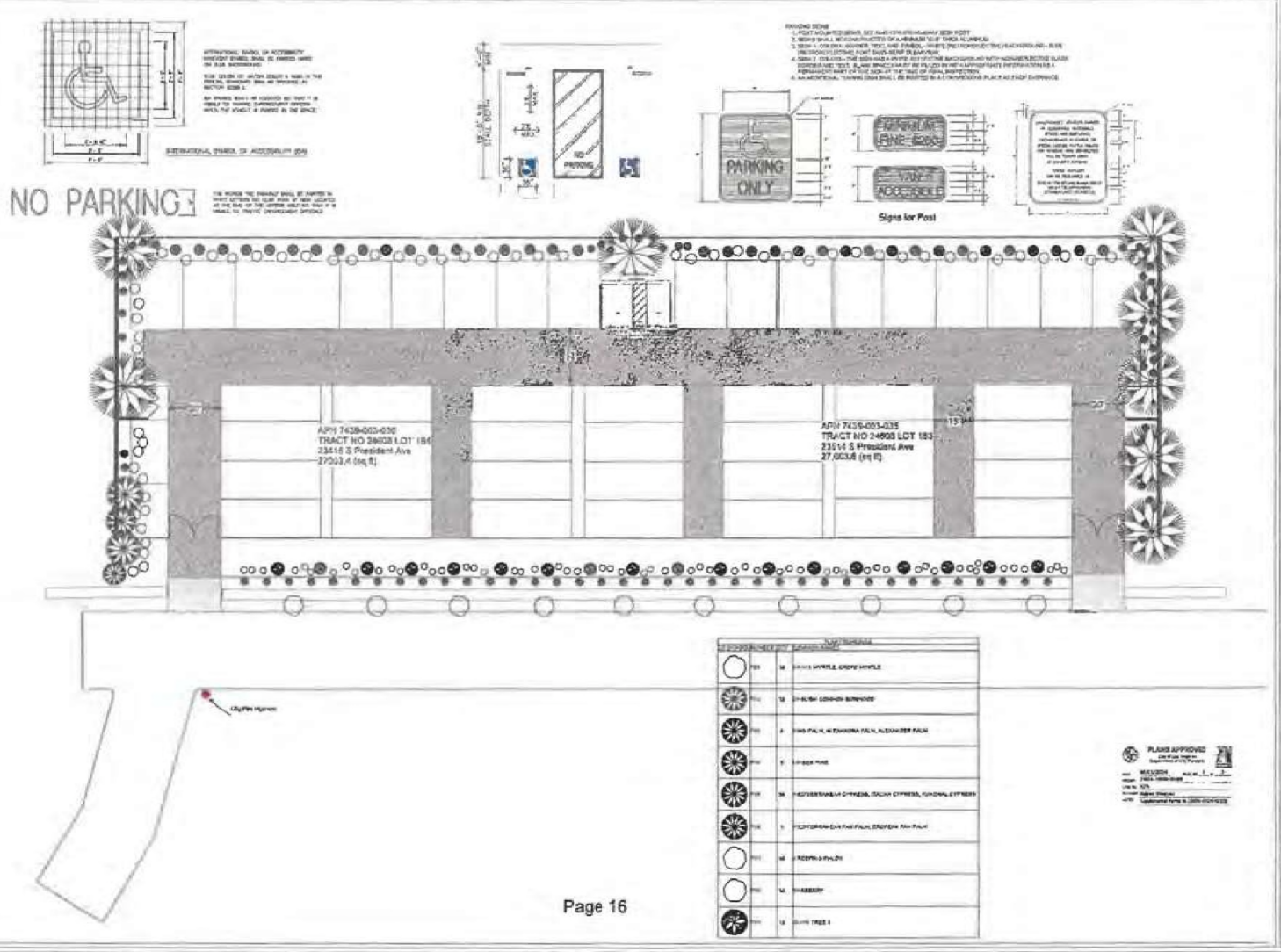

NO PARKING
NO PARKING
PARKING ONLY
VAN ACCESSIBLE
Signs for Post
APN 7439-003-036
TRACT NO 24608 LOT 184
23414 S President Ave
27,003.4 (sq ft)
APN 7439-003-035
TRACT NO 24608 LOT 183
23514 S President Ave
27,003.6 (sq ft)
City Fire Hydrant
PLANS APPROVED
ADA/FIRE/ LANDSCAPE
DATE: 7/25/2024
SHEET: P-3

EXHIBIT E

LOS ANGELES CITY PLANNING DEPARTMENT
STAFF REPORT TO THE CITY PLANNING COMMISSION

COMMISSION MEETING:

CASE/FILE NUMBER: CPC 99-0435

DATE: **January 27, 2000**
TIME: **After 8:30 A.M.***
PLACE: **Airtel Plaza Hotel**
7277 Valjean Avenue
Van Nuys, CA 91406

RELATED FILE: N/A

ENV'L. DOCUMENT: CE 99-0937

COUNCIL DISTRICT: All

PLAN AREA: All

__ PUBLIC HEARING required (or)

X Public Hearing completed or not required (public comment may be taken)

__ INFORMATION ONLY

SUBJECT/REQUEST: **SECOND SUPPLEMENT TO STAFF REPORT REGARDING CITY CHARTER IMPLEMENTATION AND CODE REVISION**

SUBJECT LOCATION: Citywide

SUMMARY/MISC: Second supplement to the staff report dated November 18, 1999 regarding proposed amendments to Chapter 1 of the Los Angeles Municipal Code and to the Administrative Code necessitated by the provisions contained in the new Charter and related proposals to improve planning processes. The proposed amendments consist of the boundary delineation for area planning commissions (APCs), the delegation of decision making and/or appeal authority to the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council, in conjunction with the standardization and simplification of procedures.

On January 13, 2000, the Commission heard additional comments from the public and directed staff to expand the discussion regarding APCs and neighborhood councils. The Commission directed staff to review the map labeled Attachment 1B from the January 13, 2000 supplemental staff report that depicts seven (7) APCs (with the Metro/Wilshire corridor split) to consider the possibility of including the Mulholland Scenic Parkway Specific Plan within the West Los Angeles Area Planning Commission boundaries. The Commission also directed staff to amend the set of appendices per Commissioner Landau's directions regarding projects with public benefits. The proposal would establish a new permit process for review of these

projects requiring initial decisions to be made by the Director of Planning or his/her designee with appeals heard by the City Planning Commission any of which may be considered by the City Council pursuant to Charter Section 245.

RECOMMENDATION: Adopt the Planning Department's staff report dated November 18, 1999, supplemental staff reports dated January 13, 2000 and January 27, 2000 with minor clarifications and the expanded policy statement. They are shown as a set of actions and findings in the supplemental report dated January 13, 2000 and identified as Attachment 1A - November 18, 1999 Appendix A - Area Planning Commission Boundary Map (6 APCs) and Attachment 2A - Planning Department's Original Recommendation for decision making authority and planning procedures.

Pursuant to the Commission's instructions of January 13, 2000, staff has prepared an alternative set of actions and findings for consideration and possible approval and recommendation to Council:

- A revised Area Planning Commission Boundary Map showing seven (7) APCs dividing the proposed Metro Area Planning Commission into two areas entitled the Metro Area and East Los Angeles Area Planning Commissions. As shown in Attachment 1B of this report.

- A revised set of actions, findings and appendices from the Supplemental staff report dated January 13, 2000 incorporating revisions for a new public benefit permit process. As shown in Attachment 2 of this report.

STAFF, PHONE: Charter Implementation Unit: Simon Pastucha (213) 580-5508; or Undine Petrulis (213) 580-3702

ADVICE TO PUBLIC: ***The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda.**

Written communications may be mailed to:
Los Angeles City Planning Commission, Rm. 1600, 221 N. Figueroa St., Los Angeles, CA 90012-2601. It is suggested that letters be received in the Commission office at least 8 days prior to the meeting so that they will be included in the Commissioners' information packets for review. However, all communications received before, and at the meeting, will be considered by the Commission.

Los Angeles City Planning Department

221 North Figueroa
16th Floor

CITY PLAN CASE NO. 99-0435

COUNCIL FILE NO. N/A

CPC MEETING DATE: January 27, 2000

TO: HONORABLE CITY PLANNING COMMISSION

FROM: CON HOWE
Director of Planning

SUBJECT: **SECOND SUPPLEMENT TO STAFF REPORT REGARDING CITY CHARTER IMPLEMENTATION AND CODE REVISION**

Table of Contents

	Page
Summary and Recommendations	5
Actions Recommended by Staff	5
Staff Report	11
Discussion of City Planning Commission Issues	12
Environmental Impact	17

Attachments

Attachment 1 - Area Planning Commission Boundaries

A) November 18, 1999 Appendix A - Area Planning Commission Boundary Map - 6 APCs

B) January 13, 2000 Proposed Commission Revised Appendix A - Area Planning Commission Boundary Map (Metro Wilshire Corridor Split) - 7 APCs

Attachment 2 - Actions, findings and appendices for decision making authority and planning procedures incorporating Commission's revisions to citywide Conditional Uses and the new public benefit permit process, standardization of decision making authority for the establishment of supplemental use districts and deletion of 10 acre threshold:

- Proposed Commission Revised Appendix B1 - Zoning Code Entitlement Chart with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts. Proposed

C ımission Revised Appendix B2- Speci Plan Entitlement Chart.

- Proposed Commission Revised Appendix C1 - Entitlement Processes with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts and C2 - Standardization of Procedures for Planning Processes

- Proposed Commission Revised Appendix D - Additional Code Changes and the deletion of the 10 acre threshold

- November 18, 1999 Appendix E - Administrative Code Deletions

- Expanded Appendix J - Los Angeles City Planning Commission Policy Statement Directing the Planning Department to Incorporate Neighborhood Councils and Area Planning Commissions in the Planning Process

SUMMARY AND RECOMMENDATIONS

The City Planning Commission had meetings on November 18, 1999, December 9, 1999 and January 13, 2000 regarding proposed amendments to Chapter 1 of the Los Angeles Municipal Code and to the Administrative Code. These proposed amendments are necessitated by the new Charter and proposals consistent with that document to improve planning processes. The proposed amendments consist of the boundary delineation for area planning commissions (APCs), the delegation of decision making and/or appeal authority to the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council, in conjunction with proposals to standardize and simplify procedures.

On January 13, 2000, the Commission heard additional comments from the public and directed staff to expand the discussion regarding APCs and neighborhood councils. The Commission directed staff to review the map labeled Attachment 1B from the January 13, 2000 supplemental staff report that depicts seven (7) APCs (with the Metro/Wilshire corridor split) to consider the possibility of including the Mulholland Scenic Parkway Specific Plan within the West Los Angeles Area Planning Commission boundary. The Commission also directed staff to amend the set of appendices per Commissioner Landau's directions regarding projects with public benefits. The directions separated citywide public benefits projects into two processes. Projects with citywide benefits and with major citywide impacts will follow the citywide Conditional Uses process. Projects with citywide public benefits with less significant citywide impacts will follow the new public benefits permit process. The public benefit permit process requires the initial decision to be made by the Director of Planning or his/her designee and these decisions are appealable to the City Planning Commission. Planning Commission actions may be further reviewed by the City Council pursuant to Charter Section 245.

The staff has not changed its recommendation but offers an alternative map with 7 APCs, (Attachment 1B), findings and appendices (Attachment 2) in response to the Commission's directions on these matters. Staff has provided an expanded discussion on the roles of neighborhood councils and area planning commissions in the staff report. The Commission may consider, as part of its action, to include the expanded discussion on neighborhood councils and area planning commissions as its report on this subject.

ACTION RECOMMENDED BY THE STAFF

The Planning Department staff recommends that the Commission adopt the Department's staff report dated November 18, 1999 with minor clarifications and the expanded policy statement contained in the supplemental staff reports dated January 13 and January 27, 2000. Staff recommends Attachment 1A - Appendix A Area Planning Commission Boundary Map (6 APCs) and Attachment 2A - Planning Department's original recommendation for Decision Making Authority and Planning Procedures in the supplemental report dated January 13, 2000. Should the Commission prefer to amend the staff's original recommendation, staff has

provided an alternative set of actions, findings and appendices for adoption as shown in Attachment 2 of this second supplemental report dated January 27, 2000.

Staff recommends the following:

1) Amend the staff report dated January 13, 2000 to include the expanded discussion on neighborhood councils and area planning commissions.

2) Adopt the staff report dated November 18,1999 and supplemental reports dated January 13, 2000 and January 27, 2000 as its reports on this subject, and transmit to the City Council.

3) Approve Attachment 1A-Appendix A: To establish six (6) area planning commissions and the map illustrating boundaries for the six area planning commissions, as contained in the staff report dated November 18, 1999 and supplemental staff reports dated January 13, 2000 and January 27, 2000, and recommend its adoption by the City Council.

4) Approve Attachment 2A-November 18, 1999 Appendices B1 and B2: Recommendations on decision making authority under the new Charter by initial decision makers and appeal bodies for all planning, legislative and quasi-judicial, entitlements (B1-Zoning Code Entitlement Chart and B2-Specific Plan Entitlement Chart), as contained in the staff report dated November 18, 1999, and supplemental staff reports dated January 13, 2000, and recommend its adoption by the City Council.

5) Approve Attachment 2A-November 18, 1999 Appendices C1 and C2: C1-Recommendations on Entitlement Processes and C2-Standardization of Procedures for Planning Processes, as contained in the staff report dated November 18, 1999, and supplemental staff reports dated January 13, 2000, and recommend its adoption by the City Council.

6) Approve Attachment 2A-November 18, 1999 Appendix D: Recommendations on various additional code changes in order to implement the Charter (chart attached) as contained in the staff report dated November 18, 1999, and supplemental staff report dated January 13, 2000, and recommend its adoption by the City Council.

7) Approve Attachment 2A-November 18, 1999 Appendix E: Charter Implementation Proposal Amending Chapter 22 of the Administrative Code to Repeal Various Provisions Inconsistent as a Result of the New Charter, as transmitted by the City Attorney (C.F. No. 99-1800), as contained in the staff report dated November 18, 1999, and supplemental staff report dated January 13, 2000, and recommend its adoption by the City Council.

8) Adopt Attachment 2A-Expanded Appendix J as the Commission's general policy for involvement of area planning commissions and neighborhood councils in the Community Plan Revision and Community Plan Update Process as well as an expression of the Commission's policy to involve area planning commissions and neighborhood councils in

similar early participation roles in other general plan, specific plan, or neighborhood implementation plan review and adoption procedures as appropriate to the specific steps of the process involved, as contained in the supplemental staff reports dated January 13, 2000 and January 27, 2000.

9) Adopt Categorical Exemption (CE) 99-0937. The attached recommendations and appendices are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines (ordinances which have no impact on the physical environment).

10) Adopt the following findings:

Findings

Find in accordance with Charter Section 96.5(5) that the attached proposals to implement the Charter are:

- In accordance with Charter Section 97.2(1)(a) in that the proposals to implement the Charter (Appendices A, B1, B2, C1, C2, D) are in substantial conformance with the purposes, intent, and provisions of the General Plan in that they implement the following Citywide General Plan Framework Element principles: "Clear and Consistent Rules" and "Effective Implementation". The proposals establish the authority by which individuals and regulating bodies have in making decisions on applications for entitlements and other matters processed through the Planning Department. The proposals also establish and clearly define the approval processes, time limits, and other rules by which such applications are handled. Procedures have been standardized and reduced in number so as to be consistent and understandable. Taken together, the proposals not only implement the new Charter but create "clear and consistent rules" for processing of applications and are an effective means of implementing the City's General Plan and zoning regulations.

  The Charter implementation proposals would provide for "clear and consistent rules governing both public and private sector development." Proposed implementation provisions would "provide predictability to anyone who develops property, including small businesses and individual homeowners," as called for in the Framework Principles. The proposals provide "clear and consistent rules" for all levels of decision making and appeal authority for the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council.

  The Framework principle calls for "Effective Implementation" which "is comprehensive, continuing and responsive to changing circumstances and needs." The Charter implementation proposals provide a comprehensive series of proposals and processes to address each legislative or quasi-judicial entitlement to be considered by any initial decision maker and subsequent appeal authority. This Framework principle also calls for communities and neighborhoods to be "engaged in a participatory process of

planning" which is fully anticipated through involvement of the area planning commissions in the community plan process, delegated decision making on local zone changes and as sole level of appeal on local conditional use permit cases. It is anticipated that neighborhood councils' input will be sought in the community planning process.

- In accordance with Charter Section 97.2(1)(a), the proposals to implement the Charter will have no adverse effect upon the General Plan, specific plans, or any other plans being prepared by the Department of City Planning. These proposals do not change the general plan, specific plans or any other plans, rather, they standardize and clarify procedures relating to the approval of such plans and the permitting process. Only procedural provisions necessitated by the new Charter have been added or deleted.

  Further, these proposals implement the Citywide General Plan Framework Element Economic Development Objective 7.4, to "Improve the provision of governmental services, expedite the administrative processing of development applications" in order to "develop and maintain a streamlined development review process to assure the City's competitiveness within the ... region" (policy 7.4.1), and objective 7.8, "maintain and improve municipal service levels throughout the city to support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development."

  The proposals provide for the establishment of six (6) area planning commissions made up of area residents to have initial decision making authority for local zone changes and appeal authority for local subdivisions and conditional use permits. In general, area planning commissions will address local cases, while the City Planning Commission will handle land use cases with citywide implications. This division of authority will result in improved and responsive governmental decision making.

  The proposals will encourage "a streamlined development review process" (Framework policy 7.4.1) by having appeals of conditional use permits go to local APCs, and ending there with one level (only) of appeal. As for projects requiring multiple approvals, they will be consolidated and heard by one decision maker, "whichever has jurisdiction over the other approvals required for the project" (Charter Section 564). Approvals for a project that requires both quasi-judicial and legislative actions shall be heard by the City Planning Commission.

- In accordance with Charter Section 97.2(1)(b), the proposals will be in conformity with the public necessity, convenience, general welfare and good zoning practice because they implement the provisions of the newly enacted City Charter and the City's Framework Principles of "Clear and Consistent Rules governing both public and private sector development" through "effective implementation" of six (6) area planning commissions, an expanded City Planning Commission and the delegation of decision making and appeal authority; and

- These proposals are exempt from the requirements of the California Environment Quality Act (CEQA) and City guidelines for the implementation thereof pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines, the adoption of proposals and, thereafter, ordinances which have no impact on the physical environment.

  The enactment of the proposed Charter implementation provisions will not result in any additional environmental impacts. All proposed provisions constitute merely changes in decision making and/or appellate authority processes. The proposals would, by themselves, neither add to or lessen environmental review requirements for any project. Any proposed project seeking an entitlement under the proposed provisions would be subject to CEQA requirements, relative to any impacts to be generated.

Should the Commission prefer to amend the staff's original recommendation:

Staff has prepared the following alternative map and set of actions, findings and appendices per the Commission's directions on January 13, 2000 for the Commission's consideration:

- A revised Area Planning Commission Boundary Map showing seven (7) APCs (with the Metro Wilshire corridor split). The revised map is shown as Attachment 1B of this report.

- A revised set of actions, findings and appendices from the supplemental staff report dated January 13, 2000 incorporating 7 APCs, revisions for Decision Making Authority and Planning Procedures incorporating Commission's revisions to the list of citywide Conditional Uses, the new public benefit permit process, standardization of decision making authority for the establishment of supplemental use districts, deletion of the 10 acre threshold and amendment of the staff report to include an expanded discussion concerning the involvement of neighborhood councils in the planning process. The revised set of actions, findings and appendices are contained in Attachment 2 of this report.

This alternative, or any portion or variation (including the possibility of placing the Mulholland Scenic Parkway Specific Plan within one area planning commission) may be adopted to replace or supplement the alternative listed in the above bullet points and found in the revised actions, findings and appendices contained in Attachment 2 in this report dated January 27, 2000.

CON HOWE
Director of Planning

APPROVED BY:

FRANKLIN P. EBERHARD
Deputy Director

PREPARED BY

SIMON PASTUCHA
Project Coordinator

UNDINE PETRULIS
Project Coordinator

STAFF REPORT

The City Planning Commission conducted public hearings on November 18, 1999, December 9, 1999, and January 13, 2000 regarding proposed amendments to Chapter 1 of the Los Angeles Municipal Code and to the Administrative Code necessitated by the provisions contained in the new Charter and proposals to improve planning processes. The proposed amendments consist of the boundary delineation for area planning commissions, the delegation of decision making and/or appeal authority to the Director of Planning, Zoning Administrator, area planning commissions, City Planning Commission and the City Council, in conjunction with the standardization and simplification of procedures as well as a number of proposals to improve the planning process. All of the proposed amendments and revisions will be by ordinance. This allows for changes to be made by ordinance over time as experience is gained.

At the November 18, 1999 public hearing there was an introduction by staff on the new Charter provisions, the recommendations, and the creation of area planning commissions. Also incorporated into the changes and recommendations are changes that simplify and improve the planning processes. Time is limited in order for both the City Planning Commission and City Council to consider and adopt new ordinances implementing the Charter. The amendments as well as the area planning commissions are to be in place before July 1, 2000. In order for this date to be met and for there to be a smooth transition from the old system to the new, staff estimates that the Council needs to have acted and the Mayor approved the implementing ordinances by May 2000.

The public hearing, held by the Commission was carried over from November 18, 1999 to December 9, 1999, and then again to January 13, 2000. Discussion at the public hearings covered a wide array of issues involving the boundary delineation for area planning commissions, the delegation of decision making and/or appeal authority necessitated by the provisions contained in the new Charter and proposals to improve planning processes.

On January 13, 2000, the Commission took additional comments from 9 members of the public. Some of the comments are listed below:

- A request for the inclusion of the Mulholland Scenic Parkway Specific Plan into one APC area.
- Move the process of obtaining a specific plan exception from Process 7A to Process 6, so that the APC is the initial decision maker with an appeal to the City Council.
- A request for all entitlements to be appealable to the City Council.
- The Central City Association and the Chamber of Commerce spoke in favor of the Planning Department's original recommendation of 6 APCs.
- Revocations should be heard by a more localized decision maker.
- The League of Women voters offered to work with the Planning Department on public training and outreach.

- Requesting the creation of a Mountain APC.

The Commission directed staff to look into several items and create a package for their adoption on January 27, 2000:

- Review the possibility of including the Mulholland Scenic Parkway Specific Plan in the West Los Angeles APC.
- Explain the role of APCs and neighborhood councils.
- Commissioner Landau's version of public benefit uses to be combined with the Commission's Revisions for Public Benefit Uses, standardization of decision making authority for the establishment of supplemental use districts and deletion of 10 acre threshold from the supplemental staff report dated January 13, 2000.

DISCUSSION OF CITY PLANNING COMMISSION ISSUES

At the end of the meeting of January 13, 2000, the Planning Commission gave staff specific directions regarding considerations for the meeting of January 27, 2000. The Planning Commission directed staff to respond to issues posed by the Planning Commissioners. These comments fall under the topic areas of 1) area planning commissions and 2) decision making and procedures. The staff report has been organized by the topic areas. The topic area contains the related issues raised by the Commissioners. Each issue is highlighted and followed by staff discussion.

TOPIC - AREA PLANNING COMMISSIONS

1. **Review the map labeled Attachment 1B from the January 13, 2000 Supplemental staff report that depicts seven APCs (establishing the Metro and East Los Angeles Area Planning Commissions in place of the proposed Metro Area Planning Commission) and consider the possibility of including the Mulholland Scenic Parkway Specific Plan area in the West Los Angeles Area Planning Commission boundary.**

   In response to considerable public comment and testimony, staff has considered various area planning commission boundaries. The Planning Department has not changed its original recommendation for six area planning commissions (Attachment 1A). Some of the factors considered include case loads, maintaining community plan boundaries, administrative implementation, citywide cohesion and consistency.

   However, as an alternative, the staff has suggested and the Commission is considering dividing the Metro APC in two (Appendix 1B); The Metro APC containing the Hollywood, Wilshire, Westlake, Central City and Central City North Community Plans, and the East Los Angeles APC containing the Silverlake-Echo Park, Northeast Los Angeles and Boyle Heights Community Plans.

   Staff reviewed the suggestion of including the Mulholland Scenic Parkway Specific Plan

area into one APC as was recommended by a representative of the organization Mulholland Tomorrow. Staff notes that none of the proposed changes would alter the implementation and enforcement of the Mulholland Scenic Parkway Specific Plan nor would it change the authority of the Mulholland Scenic Parkway Specific Plan Design Review Board. Staff continues to believe that community plan boundaries should be utilized for the configuration of APC jurisdictions. If Commission considers putting the Mulholland Scenic Parkway Specific Plan into one APC, staff would recommend it be placed in the South Valley APC based on geography. An examination of the map illustrating the boundaries of the specific plan showed that more of the Mulholland Scenic Parkway Specific Plan area is located in the proposed South Valley APC than the other APC. The additional number of cases generated by the Mulholland Scenic Parkway Specific Plan area is not significant enough to alter the caseloads of any area planning commission.

2. Further clarify the role of area planning commissions and the neighborhood councils

Through the entire Charter Implementation process staff has found that most confusion stems from the inability to differentiate between the duties of area planning commissions and neighborhood councils.

NEIGHBORHOOD COUNCILS

The Charter mandated the creation of the Department of Neighborhood Empowerment, an independent City Department, not a part of the Department of City Planning. The purpose of the Department of Neighborhood Empowerment is "to promote citizen participation in government and make government more responsive to local needs ... Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood" (Charter Section 900). These are grass roots type organizations that will play an advisory role concerning the delivery of City services and in all City decisions affecting neighborhoods, including planning issues. The City Council adopted the ordinance establishing the new Department of Neighborhood Empowerment on July 20, 1999, and a General Manager was chosen and confirmed by the City Council.

The Charter mandates that these advisory neighborhood councils are to be notified in a timely manner of pending applications (Section 907). An early notification system will be put into place by the Planning Department which will provide a reasonable opportunity for input before any decisions are made. This will give communities an additional avenue for early input in the decision making process.

Implicit in this early notice requirement was the understanding that, should a neighborhood council desire, it would have opportunities for input in the decision making process of the commissions and the City Council in an advisory role. The following additions to the Commission Policy have been made and could be adopted by

the Commission.

- All staff reports to the Commission or actions of the Director of Planning or Zoning Administrator will report comments and advice given by the affected neighborhood council(s) and
- Staff will address such comments and advice given by the neighborhood council(s) in their actions or reports.

Quite clearly the above policy would not preclude the neighborhood councils from appearing and giving testimony at hearings or during other parts of the planning process as any other person or group now has the right to do. Further, this policy is so broad as to include all matters being considered by the Department including applications being processed by the agency for entitlements or relief from various rules and regulations as the case may be. The policy statement is attached to this report for possible adoption by your commission as Proposed Commission Revised Appendix J.

At the three meetings of the City Planning Commission on the Department's recommendations to implement the new Charter, the question of the role of neighborhood advisory councils with respect to the planning process was brought up both by the public and several of the commissioners. There were also some suggestions that planning for establishment of the area planning commissions and the neighborhood advisory councils be coordinated. As a result of these concerns the staff contacted Rosalind Stewart, General Manager of the Department of Neighborhood Empowerment, to determine when a plan for creating neighborhood councils would be forth coming.

Ms. Stewart outlined the following. Public hearings to obtain public input on how neighborhood councils would be created and administered would commence in March 2000. She anticipated that there would be about twenty hearings held over a five to six month period. A plan is required to be submitted to the City Council by December 10, 2000 for their approval. The City Council would then have six months to approve a final plan. She believes that a working draft of a plan would not be available before the end of the public hearing process, if then, and would certainly not be final until the Council acts. Given the fact that the Charter mandates implementation of the planning provisions of the Charter by July 1, 2000, it is clear that these planning proposals can not wait for the neighborhood council plan to be drafted. However, this emphasizes the importance of close coordination with the Department of Neighborhood Empowerment and building into the planning process, in an appropriate way, a role for the future neighborhood advisory councils. This coordination is occurring and will continue to occur.

AREA PLANNING COMMISSIONS

The Charter mandates the creation of not less than five area planning commissions. "Each Area Planning Commission, with respect to matters concerning property located

in the area served by the Area Planning Commission, shall have and exercise the power to:

(a) hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator;
(b) hear and make determinations on any matter normally under the jurisdiction of a Zoning Administrator when that matter has been transferred to the jurisdiction of the Area Planning Commission because the Zoning Administrator has failed to act within the time limits prescribed by ordinance;
(c) hear and determine applications for, or appeals related to, conditional use permits and other similar quasi-judicial approvals, in accordance with procedures prescribed by ordinance;
(d) make recommendations with respect to zone changes or similar matters referred to it from the City Planning Commission pursuant to Section 562; and
(e) hear and determine other matters delegated to it by ordinance."

More specifically, as decision making appointed bodies, area planning commissions will have authority concerning property located in the area served by the area planning commission to:

- Make recommendations with respect to local zone changes or similar legislative matters delegated to it by ordinance pursuant to Section 562
- Act as the appeal body for conditional use permits and other similar quasi-judicial zoning administration approvals, in accordance with procedures prescribed by ordinance
- Act as an appeal body for certain Director of Planning decisions
- Act as an appeal body for tract or parcel maps below those thresholds set by ordinance
- Act as the initial decision making body for projects with multiple entitlements (including ZA entitlements) requiring at least one area planning commission approval
- Act in the role of the former Board of Zoning Appeals, as an appeal body for ZA actions

Los Angeles City Planning Commission Policy Statement Directing the Planning Department to Incorporate Neighborhood Councils and Area Planning Commissions in the Planning Process

The City Planning Commission will continue to make recommendations on all elements of the City's general plan, which include community plans amendments and revisions thereto. However, it is the intent of the City Planning Department to include both neighborhood councils (advisory bodies under the Charter) and the area planning commissions in the community plan adoption process.

Area planning commissions will be integrated into the public participation process which

has been successfully used throughout all three phases of the Community Plan Update Program (CPU), in updating and reviewing all 35 of the City's community plans. That process is portrayed in Appendix J. Through the public participation process, input is sought from the widest spectrum of community interests. A major component of the CPU program is the utilization of focus groups in order to seek input from all knowledgeable local groups within the community.

The attached flowchart marked Appendix J depicts the City Planning Commission's general policy for involvement of area planning commissions and neighborhood councils in the Community Plan Revision and Community Plan Update Process as well as an expression of the Commission's policy to involve area planning commissions and neighborhood councils in similar early participation roles in other general plan, specific plan, or neighborhood implementation plan review and adoption procedures as appropriate to the specific steps of the process involved.

The Planning Commission also directs the Planning Department as follows:

- all staff reports or actions of the Director or Zoning Administrator will include written comments that is received in a timely manner, given by the affected neighborhood advisory council(s),
- staff will address such written comments given by the neighborhood advisory council(s) in their actions or reports as appropriate,
- staff will continue to coordinate with the Department of Neighborhood Empowerment as it develops the plan for neighborhood councils as it relates to matters under the purview of the planning function, and
- nothing in this policy statement should be construed as to limit the opportunity for neighborhood advisory councils to participate in planning matters as is normally afforded to members of the public.

3. Discuss the implications of the Voters' Rights Act on the APCs

The City Attorney was asked by the City Planning Commission to comment on the possible implications of the Voters' Rights Act regarding equal representation of area planning commissions. The City Attorney indicated that the Voters' Rights Act only applies to elected officials. APCs are appointed bodies and therefore, it would not apply.

TOPIC - DECISION MAKING AND PROCEDURES

1. Amend appendices per Commissioner Landau's directions regarding development projects with public benefits. Include Commissioner Landau's version of development projects with public benefits with the Commission's version of public benefit uses from the first supplemental report dated January 13, 2000.

Commissioner Landau proposed a revision to Attachment 2B, Appendix C1, Process 3B of the supplemental report dated January 13, 2000. This proposal separates projects with citywide public benefits into two processes. Projects with citywide benefits and with major citywide impacts will follow the citywide Conditional Uses review process, Process 3 of Attachment 2, Proposed Commission Revised Appendix C1. Projects with citywide public benefits with less significant citywide impacts will follow the new public benefit permit process. This amendment, Process 3B, of Attachment 2, Proposed Commission Revised Appendix C1 creates the new permit process for review of projects of public benefit. The public benefit permit process requires the initial decision to be made by the Director of Planning or his/her designee with these decisions appealable to the City Planning Commission (see revised Appendix C1, Process 3B for the Commission's revised proposal). Any action of the of the City Planning Commission may be considered by the City Council pursuant to the provisions of Section 245 of the Charter.

ENVIRONMENTAL IMPACT

The attached recommendations/ appendices are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines (ordinances which have no impact on the physical environment).

ATTACHMENTS TO SECOND SUPPLEMENTAL STAFF REPORT

Attachment 1 - Area Planning Commission Boundaries

A) November 18, 1999 Appendix A - Area Planning Commission Boundary Map - 6 APCs

B) January 13, 2000 Proposed Commission Revised Appendix A - Area Planning Commission Boundary Map (Metro Wilshire Corridor Split) - 7 APCs

Attachment 2 - Actions, findings and appendices for decision making authority and planning procedures incorporating Commission's revisions to citywide Conditional Uses and the new public benefit permit process, standardization of decision making authority for the establishment of supplemental use districts and deletion of 10 acre threshold:

- Proposed Commission Revised Appendix B1 - Zoning Code Entitlement Chart with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts. Proposed Commission Revised Appendix B2- Specific Plan Entitlement Chart..

- Proposed Commission Revised Appendix C1 - Entitlement Processes with the new public benefit permit process and standardization of decision making authority for the establishment of supplemental use districts and C2 - Standardization of Procedures for Planning Processes

- Proposed Commission Revised Appendix D - Additional Code Changes and the deletion of the 10 acre threshold

- November 18, 1999 Appendix E - Administrative Code Deletions

- Expanded Appendix J - Los Angeles City Planning Commission Policy Statement Directing the Planning Department to Incorporate Neighborhood Councils and Area Planning Commissions in the Planning Process

EXHIBIT F

WRITER'S DIRECT DIAL: (213) 847-0562
FAX: (213) 485-8899
TTY:

Office of the City Attorney
Los Angeles, California

JAMES K. HAHN
CITY ATTORNEY

REPORT NO. R 00-0272
May 12, 2000

REPORT RE:

DRAFT CHARTER IMPLEMENTATION ORDINANCE AMENDING CHAPTER 1 OF THE LOS ANGELES MUNICIPAL CODE AND ORDINANCE NOS. 159,748 AND 171,681 IN ORDER TO MAKE TECHNICAL CHANGES AND ACHIEVE CONSISTENCY WITH THE REDISTRIBUTION OF AUTHORITY PURSUANT TO THE CHARTER ADOPTED BY THE VOTERS AT THE GENERAL MUNICIPAL ELECTION HELD JUNE 8, 1999. (CHARTER SECTIONS 550 to 556)

The Honorable City Council
of the City of Los Angles
Room 615, City Hall
200 North Main Street
Los Angeles, California 90012

The Honorable Richard J. Riordan, Mayor
Room 800, City Hall
200 North Main Street
Los Angeles, California 90012

(Council File No. 99-1800)

Dear Mayor Riordan and Members of Council:

Pursuant to the City Council's previous action, this office prepared and now transmits the above-described ordinance, approved as to form and legality. This ordinance has been approved by the Director of Planning on behalf of the City Planning Commission with a recommendation that it be adopted.

These revisions are consistent with the Council's previous action and with the provisions of the Charter, which will become effective on July 1, 2000. The draft ordinance contains revisions that standardize the procedures for applications, review and decision-making. In addition, the draft simplifies many sections of the Code so that they will be more

AD HOC COMT ON
CHARTER IMPLEMENTATION PLAN & LAND USE MGT. MAY 15 2000

easily understood by its users. The draft ordinance substantially reorganizes and rewrites numerous provisions of the Code, specifically the procedure for adopting land use ordinances, such as Code amendments, zone and height district changes, supplemental use districts, overlay zones and specific plans (Section 12.32); the procedure for the granting of conditional use permits and other similar quasi-judicial approvals (Section 12.24); the procedure for adoption of variances (Section 12.27); the procedure for amending the General Plan (Section 11.5.6); and the regulations and procedures for approving various public benefit projects (Section 14.00). In these sections, the revisions are intended to effectuate the changes directed by the new Charter, to implement the policy decisions adopted by Council with respect to these matters, and to simplify and clarify the applicable processes. These sections address, in large part, the allocation of decision-making authority among the Director, the Zoning Administrator, Area Planning Commissions, City Planning Commission and City Council.

To the extent feasible, the draft uses the generic terms of "initial decision-maker" and "appellate body" to simplify the explanation of procedures. For each class or category of use or nature of decision, the ordinance identifies who the initial decision-maker and appellate body is. This office is working with the City Planning Department staff to prepare a guide to the re-organization.

Based on Council's instructions, there is also a new category of uses, called "public benefit projects." This list of nine uses and the performance standards that must be met to proceed by right are located in Section 14.00 A. Section 14.00 B contains a procedure that allows an applicant to receive permission to substitute an alternate method of compliance for one or more of the performance standards, so long as that alternative method meets the purposes of the performance standards set out in Subsection A.

Councils' instructions also called for changes with regard to specific plan approvals. Section 11.5.7 contains a variety of procedures that permit the Director to grant relief from some specific plan requirements based on a threshhold approach. This section also identifies and describes other requirements and procedures for reviewing requests for relief that exceed the threshholds.

Another notable change in the Code is a provision in Section 12.36 for multiple approvals. Consistent with the Charter, the draft ordinance contains procedures that permit a more streamlined approach to review and decision-making of projects where there are multiple approvals involved. This procedure eliminates to a great extent, multiple hearings and multiple decision-makers for one project.

Although Section 19.00 is being amended, no changes in existing fees or establishment of new fees has occurred. The amendments pertain to citations and identification of correct decision-makers.

Should the Council adopt this ordinance, it may comply with the provisions of Section 96.5(5) of the City Charter by adopting the findings of the Director in his report or by making its own findings. Regarding a finding pursuant to the California Environmental Quality Act (CEQA), the Council may find that the attached ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to City's CEQA Guidelines, Article III Section 2 m, which exempts the "adoption of ordinances that do not result in impacts on the physical environment." Inasmuch as adoption of this ordinance provides for administrative changes only and merely implements existing controlling law, the Council can find that it does not result in any impacts on the physical environment. If the Council so finds, it should adopt this finding or make whatever environmental determinations it finds appropriate under the circumstances prior to or concurrent with adoption of the ordinance.

An attorney from this office will be available when the Council considers this matter to answer any questions you may have.

Very truly yours,

JAMES K. HAHN, City Attorney

Claudia Culling

CLAUDIA CULLING
Deputy City Attorney

cc: All Members of the City Council
The Honorable Rick Tuttle, Controller
Chief Legislative Analyst
City Administrative Officer
City Clerk
Department of City Planning
Department of Building and Safety
City Engineer

ORD.
ADOPTED
MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION
MAY 16 2000
LOS ANGELES CITY COUNCIL
TO THE MAYOR FORTHWITH 54578

EXHIBIT G

CITY COUNCIL ADOPTED MAY 16, 2000
ZONING CODE ENTITLEMENT CHART

LEGISLATIVE ACTIONS

	ACTION OR ENTITLEMENT	EXISTING CODE				NEW CHARTER			NEW CODE
		Code Section	Decision Body	Approval Procedure	Appeal Body	Initial Action Body	Decision Body	New Charter Process	Code Section on July 1, 2000
	Process 1 - Land Use Legislative Actions								
1	Historic Preservation Overlay Zone (to establish zone)	12.20.3	(Cultural Heritage Commission) CPC/ CCL	12.20 E		(Cultural Heritage Cmsn) & CPC	CCL	1	**No Change**
2	Vesting Zone Changes	12.21 F 3 (a)	CPC CCL	12.32 B,C,D, and E	CCL	CPC or APC	CCL	1	**12.32 Q**
3	Zone Changes	12.32	CPC CCL	12.32 B,C,D,and E	CCL	CPC or APC	CCL	1	**12.32 F**
4	Zoning of Annexed or Unzoned Areas	12.35	CPC CCL	N/A		CPC	CCL	1	**No Change**
5	Specific Plans (to establish or amend)	11.5.7	CPC CCL	11.5.8 D. 11.5.6		CPC	CCL	1	**No Change**
6	"O" Oil Drilling Districts (to establish a district)	13.00	ZA	13.00 C		CPC	CCL	1	**12.32 S**
7	"S" Animal Slaughtering Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	**12.32 S**
8	"G" Surface Mining Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	**12.32 S**
9	"RPD" Residential Planned Development Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	**12.32 S**
10	"K" Equinekeeping Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	**12.32 S**

	ACTION OR ENTITLEMENT	EXISTING CODE				NEW CHARTER			NEW CODE
		Code Section	Decision Body	Approval Procedure	Appeal Body	Initial Action Body	Decision Body	New Charter Process	Code Section on July 1, 2000
11	"CA" Commercial & Artcraft Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	12.32 S
12	"POD" Pedestrian Oriented Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	12.32 S
13	"CDO" Community Design Overlay Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	12.32 S
14	Mixed Use Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	12.32 S
15	"FH" Fence Height Districts (to establish a district)	13.00	CPC CCL	13.00 C		CPC	CCL	1	12.32 S
16	Designated Building Site - Historic Structures	Ord. No 159,802	CPC CCL	Ord. No 159,802 Section 3.		CPC	CCL	1	No Change
17	Building Lines	14.01	CPC CCL	14.04 A., B.	CCL	APC	CCL	1	12.32 R
18	Miscellaneous Ordinances Related to Planning Matters (e.g. AB283 Implementation Ordinances)	Ord No.	CPC CCL			CPC	CCL	1	No Change

	ACTION OR ENTITLEMENT	EXISTING CODE				NEW CHARTER			NEW CODE
		Code Section	Decision Body	Approval Procedure	Appeal Body	Initial Action Body	Decision Body	New Charter Process	Code Section on July 1, 2000
	Process 2 - General Plan								
19	General Plan Elements e.g. Framework Element, Open Space Element, etc.	11.5.6	CPC CCL	11.5.8 D. 11.5.6		CPC	CCL	2	**No Change**
20	Community Plans	11.5.6	CPC CCL	11.5.8 D. 11.5.6		CPC	CCL	2	**No Change**
21	Periodic Comprehensive General Plan Review- Combined Community Plan Amendment and Zone Change	11.5.8	CPC CCL	11.5.8 D. 11.5.6		CPC	CCL	2	**No Change**
22	Major Plan Review (MPR) for Larger Projects- Combined Community Plan Amendment and Zone Change	11.5.8	CPC CCL	11.5.8 D. 11.5.6		CPC	CCL	2	**No Change**

Legend:
APC- Area Planning Commission
BZA- Board of Zoning Appeals
CCL- City Council
CPC- City Planning Commission
Director- Director of Planning
Super of B&S- Superintendent of Building & Safety
ZA- Zoning Administrator

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 3 - CPC CUPs & Other Similar Quasi-Judicial Approvals								
23	Airports or aircraft landing fields	12.24 B 1	CPC	CCL	CPC	CCL		3	**12.24 U 1**
24	Auditoriums, stadiums, arenas	12.24 B 2	CPC	CCL	CPC	CCL		3	**12.24 U 2**
25	Stadiums and arenas in the MR1 Zone	12.24 C 23	ZA	BZA CCL	CPC	CCL		3	**12.24 U 2**
26	Correctional or penal institutions	12.24 B 4	CPC	CCL	CPC	CCL		3	**12.24 U 5**
27	Educational institutions	12.24 B 5	CPC	CCL	CPC	CCL		3	**12.24 U 6**
28	Golf courses	12.24 B 6	CPC	CCL	CPC	CCL		3	**12.24 U 8**
29	Land reclamation projects	12.24 B 7	CPC	CCL	CPC	CCL		3	**12.24 U 13**
30	Natural resources development	12.24 B 9	CPC	CCL	CPC	CCL		3	**12.24 U 17**
31	Piers, jetties, man-made islands, floating installations	12.24 B 10	CPC	CCL	CPC	CCL		3	**12.24 U 20**
32	Research and development centers	12.24 B 12	CPC	CCL	CPC	CCL		3	**12.24 U 23**
33	Schools, elementary and high	12.24 B 13	CPC	CCL	CPC	CCL		3	**12.24 U 24**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
34	Private schools (other than elementary or high or nursery schools) in the A, R, CR, C1 or C1.5 Zones	12.24 C 15	ZA	BZA CCL	CPC	CCL		3	12.24 U 24
35	Schools, elementary and high in the A, RE, RS, R1, RU, RZ, RMP, RW1, R2, RD, RW2, R3, C1, C1.5, or M Zones	12.24 C 52	ZA	BZA CCL	CPC	CCL		3	12.24 U 24
36	Hazardous waste treatment or storage facilities in the M2 and M3 Zones	12.24 B 21	CPC	CCL	CPC	CCL		3	12.24 U 10
37	Hazardous waste disposal facilities in the M3 Zone	12.24 B 22	CPC	CCL	CPC	CCL		3	12.24 U 11
38	Electric power generating plants	12.24 B 23	CPC	CCL	CPC	CCL		3	12.24 U 7
39	Desalinization plants	12.24 B 24	CPC	CCL	CPC	CCL		3	12.24 U 25
40	Major development projects	12.24 B 27	CPC	CCL	CPC	CCL		3	12.24 U 14
41	Child care facilities or nursery schools in the A, RE, RS, R1, RU, RZ, RMP, RW, R2, R3, or RD Zones, and in the CM and M Zones when providing care for children of employees	12.24 C 6	ZA	BZA CCL	CPC	CCL		3	12.24 U 4
42	Recycling uses in various zones	12.24 C 40	ZA	BZA CCL	CPC	CCL		3	12.24 U 22

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
43	Hospitals or sanitariums in the A, R, CR, C4, CM, or M Zones and in the C1 or C1.5 Zones when not permitted by right	12.24 C 49	ZA	BZA CCL	CPC	CCL		3	**12.24 U 12**
44	Onshore installations for oil drilling	12.24 C 51	ZA	BZA CCL	CPC	CCL		3	**12.24 U 18**
45	Wood and green waste recycling in the A1and A2 Zones	12.24 C 61	ZA	BZA CCL	CPC	CCL		3	**12.24 U 9**
46	Vesting Conditional Use Permits	12.21 F 3. (b)	CPC or ZA	CCL or BZA	Follows CUP process	Follows CUP process	X if a ZA decision	Follows underlying process	**12.24 T**
47	Various uses in the OS Zone	12.24 B 26	CPC	CCL	CPC	CCL		3	**12.24 U 19**
48	Various uses in the PF Zone	12.24 B 28	CPC	CCL	CPC	CCL		3	**12.24 U 21**
49	Motion picture and television studios and ancillary video and media production incidental to the main use in the A, R, or C Zones when not permitted by right	12.24 C 50	ZA	BZA CCL	CPC	CCL		3	**12.24 U 15**
50	Child care facilities for no more than 50 children in the R3 Zone	12.27 I 10	ZA	BZA CCL	CPC	CCL		3	**12.24 U 3**
51	Uses which support motion picture and television production and other entertainment industries	12.27 I 25	ZA	BZA	CPC	CCL		3	**12.24 U 16**
52	Land Use Determinations by Commission	12.24.1	CPC	CCL	CPC	CCL		3	**No Change**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
53	Conditional Use Plan Approvals/ Deemed to be approved PAD/ Time Extension	12.24 E, F, G	Director, CPC or ZA	CPC or BZA	ZA/APC/ CPC	APC/CCL	X	Follows underlying process	**12.24 J, L, M**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 3B - Public Benefits								
54	Cemeteries	12.24 B 3	CPC	CCL	Director	CPC	X	3B	**14.00 A 1**
55	Libraries, museums, fire or police stations or governmental enterprises	12.24 B 8	CPC	CCL	Director	CPC	X	3B	**14.00 A 3**
56	Public utilities and public service uses in the A, R, C, or MR Zones	12.24 B 11	CPC	CCL	Director	CPC	X	3B	**14.00 A 6**
57	Mobilehome parks	12.24 B 14	CPC	CCL	Director	CPC	X	3B	**14.00 A 4**
58	Recreational vehicle parks and mobilehome parks in the A, R or C Zones	12.24 B 19	CPC	CCL	Director	CPC	X	3B	**14.00 A 7**
59	Joint public/private development in PF Zone	12.24 B 29	CPC	CCL	Director	CPC	X	3B	**14.00 A**
60	Affordable housing development density increases (FAR - density bonus)	12.24 B 31	CPC	CCL	Director	CPC	X	3B	**14.00 A 2**
61	Parks, playgrounds or recreation or community centers in the A, R, or C1 Zones	12.24 C 12	ZA	BZA CCL	Director	CPC	X	3B	**14.00 A 5**
62	Shelter for the homeless with no more than 30 beds in the R3, M1, M2, and M3 Zones	12.27 I 12	ZA	BZA	Director	CPC	X	3B	**14.00 A 8**
63	Shelter for the homeless in no more than 6 trailers by a church, religious institution, or philanthropic institution	12.27 I 13	ZA	BZA CCL	Director	CPC	X	3B	**14.00 A 9**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 4A - ZA CUPs & Other Similar Quasi-Judicial Approvals								
64	Coastal Permits - Pre Certification	12.20.2	ZA or CPC	BZA or Council	Single case- ZA, multiple- (Follows underlying case)	Single case- APC, multiple- (Follows underlying case)	X	4A or (Follows underlying case)	**No Change**
65	Coastal Permits - Post Certification	12.20.2.1	ZA or CPC	BZA or Council	Single case-ZA, multiple- (Follows underlying case)	Single case- APC, multiple- (Follows underlying case)	X	4A or (Follows underlying case)	**No Change**
66	Continuation of Nonconforming Buildings and Uses	12.23 A 6	ZA	BZA CCL	ZA	APC	X	4A	**No Change**
67	Nonconforming Auto Dismantling Yards and Junk Yards - extension of time to comply	12.23 C 6	Director delegates to ZA	none	ZA	APC	X	4A	**No Change**
68	Nonconforming Hostels or Transient Occupancy Residential Structures - extension of time to comply	12.23 C 7	Director delegates to ZA	none	ZA	APC	X	4A	**No Change**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
69	Floor area ratio averaging in unified developments	12.24 B 25	CPC	CCL	ZA (Follows underlying process)	APC (Follows underlying process)	X	4A	**12.24 W 19**
70	Floor area ratio averaging in unified developments. Note: when filed with an underlying case, the FAR conditional use will be considered with the underlying case	12.24 C 58	ZA	BZA CCL	ZA or (Follows underlying process)	APC or (Follows underlying process)	X	4A	**12.24 W 19**
71	Kennels in an M Zone within 500 feet of a residential zone	12.24 C 1	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 25**
72	CM uses in the C1, C1.5, C2, C4, and C5 Zones within redevelopment areas	12.24 C 2	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 11**
73	Cattle or goat dairies in the A1 or A2 Zones	12.24 C 3	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 6**
74	Circus quarters or menageries in the A and MR2 Zones	12.24 C 4	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 10**
75	Columbariums, crematories or mausoleums in the A, R, C (except CR), M1 and MR2 Zones	12.24 C 5	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 12**
76	Drive-in theaters in the A, R or C1 Zones	12.24 C 7	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 16**
77	Foundries in the MR1 Zone	12.24 C 8	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 20**
78	Miniature or pitch and putt golf courses in the A, R, or C1 Zones	12.24 C 9	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 26**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
79	Mortuaries or funeral parlors in the C2, C4, C5, CM, or M1 Zones	12.24 C 10	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 29
80	Nurseries in the R, C1 and C1.5 Zones	12.24 C 11	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 31
81	Counseling or referral facilities in the R3, R4, and R5 Zones	12.24 C 13	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 14
82	Private clubs in the A, R1, RU, RZ, RMP, RW1, R2, RD, RW2, R3, or R4 Zones	12.24 C 14	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 35
83	Professional uses in the R4 and R5 Zones	12.24 C 16	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 36
84	Second dwellings on large lots in the RA, RS, or R1 Zones	12.24 C 17	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 44
85	Wireless telecommunication facilities in the A, R, C, or MR Zones	12.24 C 18	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 49
86	Hotels and motels under various conditions in various zones	12.24 C 19	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 24
87	Swine keeping (more than 5) in the A1 Zone, and swine keeping in the A2 and RA Zones	12.24 C 20	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 46
88	Garbage, fat, offal, or dead animal reduction or rendering in the M3 Zone	12.24 C 21	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 22
89	Temporary storage of abandoned, partially dismantled, obsolete or wrecked automobiles in the C2, C4, C5, CM, MR1, or M1 Zones	12.24 C 22	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 48

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
90	Stand for display or sale of agricultural products raised on the premises in the RA Zone	12.24 C 24	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 45
91	Second dwelling unit in the A, RA, RE, RS, R1, RMP, or RW1 Zones	12.24 C 25	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 43
92	Temporary geological exploratory core holes in all zones except the M3 Zone	12.24 C 26	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 47
93	Automobile service stations, tire repairing, battery servicing, or automobile lubrication in the C1.5	12.24 C 27	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 2
94	Sale of merchandise in the open or at an indoor swap meet under various conditions and in various zones	12.24 C 28	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 42
95	Automobile service stations, tire repairing, battery servicing, and automobile lubrication in the C4 Zone	12.24 C 29	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 3
96	Public parking areas in the A or R Zones	12.24 C 31	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 37
97	Reduced on-site parking for housing developments occupied by persons 62 years of age or older and/or by handicapped persons in RD, R3, R4, R5, CR, C1, C1.5, C2, C4 or C5 Zones.	12.24 C 32	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 38
98	Outside automobile hoists in the C2, C4, C5, CM, or M1 Zones	12.24 C 34	ZA	BZA CCL	ZA	APC	X	4A	repealed

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
99	Bovine feed or sales yards in the A1 or A2 Zones	12.24 C 36	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 5
100	Rental or storage of household moving rental trucks and utility rental trailers in the C2, C5, CM and MR1 Zones	12.24 C 37	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 39
101	Entertainment uses - dance halls, hostess dance halls and massage parlors in various zones	12.24 C 38	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 18
102	Penny arcades in the C2, C5, CM, M1, M2, or M3 Zones	12.24 C 39	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 34
103	Sale of alcoholic beverages for off-site consumption in the C and M Zones	12.24 C 42	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 1
104	Alcoholic Beverage Sales in the South Central Specific Plan Area	Ord. No 171,681	CPC	CCL	ZA	APC	X	4A	No Change
105	Nightclubs in Westwood Village	12.24 C 43	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 30
106	Automotive repair in the C2, C5, CM and M1 Zones within 300 feet of an A or R Zone	12.24 C 44	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 4
107	Sale of firearms or ammunition in the C1, C1.5, C2, C4, C5, CM, M1, M2, and M3 Zones	12.24 C 45	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 41
108	Churches in the A, RE, RS, R1, RU, RZ, RMP, RW1, R2, RD, RW2, R3, C1, C1.5, CM, or M Zones	12.24 C 46	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 9
109	Community antenna facilities in the A, R, C1, or C1.5 Zones	12.24 C 47	ZA	BZA CCL	ZA	APC	X	4A	12.24 W 13

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110	Fraternity or sorority houses in the A, R1, RU, RZ, RMP, RW1, R2, RD, RW2, or R3 Zones	12.24 C 48	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 21**
111	Change of use for a building in the Central Business District Redevelopment Area	12.24 C 54	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 7**
112	Developments combining residential and commercial uses in the R5 Zone when located in any redevelopment project area, but not in the Central City Community Plan Area, or any use or combination of uses in the C or R5 Zones	12.24 C 55	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 15**
113	Mini-shopping centers and commercial corner developments in the C, M1, M2, or M3 Zones where use does not comply with Sec. 12.22 requirements	12.24 C 56	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 27**
114	Outdoor eating areas for ground floor restaurants in the CR, C1, and C1.5 Zones when not permitted by right	12.24 C 57	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 32**
115	Drive-through fast food establishments in all C Zones except the CR Zone when located close to a residential zone or use	12.24 C 59	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 17**
116	Wood chipping and grinding (unenclosed) in the M2 Zone	12.24 C 60	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 8**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
117	Pawnshops in the C2, C5, CM, M1, M2, and M3 Zones	12.24 C 62	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 33**
118	Restaurants for the use of the general public in the MR1 and MR2 Zones	12.24 C 63	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 40**
119	To permit two or more development incentives pursuant to Sec.13.09 E 4 for a Mixed Use Project	12.24 C 64	ZA	BZA CCL	ZA	APC	X	4A	**12.24 W 28**
120	Adjustments to Yard, Area, Height and Building Lines	12.27 B	ZA	BZA	ZA	APC	X	4A	**12.28**
121	Slight Modifications	12.27 B	ZA	BZA	ZA	APC	X	4A	**12.28**
122	Plan Approvals - variances	12.27 B 9	ZA	BZA	ZA	APC	X	4A	**12.27 U**
123	Zoning Administration Interpretations (Yards/ Hillside)	12.27 C	ZA	BZA	ZA	APC	X	4A	**12.21 A 2**
124	Foster Care Homes	12.27 E	ZA	BZA	ZA	APC	X	4A	**12.24 X 9**
125	Parking Requirements for Showcase Theaters	12.27 F	ZA	BZA	ZA	APC	X	4A	**12.24 X 18**
126	Model Dwellings within Redevelopment Areas	12.27 G	ZA	BZA	ZA	APC	X	4A	**12.24 X 15**
127	Dwellings Adjacent to Equinekeeping Uses	12.27 H	ZA	BZA	ZA	APC	X	4A	**12.24 X 5**
128	Fences not to exceed 8 ft. in height in the required front, side, or rear yard in the A and R Zones	12.27 I 1	ZA	BZA	ZA	APC	X	4A	**12.24 X 7**
129	Fences not to exceed 6 ft. in height in the front yards within groups of lots	12.27 I 2	ZA	BZA	ZA	APC	X	4A	**12.24 X 8**
130	Standards for tennis courts in the A and R Zones	12.27 I 3	ZA	BZA	ZA	APC	X	4A	**12.21 C 4**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
131	Certified farmers' markets	12.27 I 4	ZA	BZA	ZA	APC	X	4A	**12.24 X 6**
132	To permit an automotive repair business existing prior to 12/31/98 to utilize front portion of lot for open storage	12.27 I 5	ZA	BZA	ZA	APC	X	4A	**12.24 X 4**
133	To permit a reduction in the number of parking spaces for an auditorium without fixed seats located within a City park	12.27 I 6	ZA	BZA	ZA	APC	X	4A	**12.24 X 19**
134	To permit reconstruction of a nonconforming building which was demolished per the Earthquake Safety Ordinance with the same nonconforming use or yards	12.27 I 7	ZA	BZA CCL	ZA	APC	X	4A	**12.24 X 16**
135	(Transitional Height) To permit buildings in C and M Zones to exceed the maximum heights permitted	12.27 I 9	ZA	BZA	ZA	APC	X	4A	**12.24 X 22**
136	To permit a restaurant, seating no more than 50 persons, to serve alcoholic beverages	12.27 I 14	ZA	BZA CCL	ZA	APC	X	4A	**12.24 X 2**
137	To permit 2 or more businesses to share off-street parking spaces	12.27 I 15	ZA	BZA	ZA	APC	X	4A	**12.24 X 20**
138	To permit buildings in the A1, A2, RA, RE, RS, R1, and RD Zones which are located in a Hillside Area to exceed various height, yard, area, and parking requirements	12.27 I 17	ZA	BZA	ZA	APC	X	4A	**12.24 X 11**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
139	To permit buildings on lots in the A1, A2, RA, RE, RS, R1, and RD Zones which are located on a Substandard Hillside Limited Street	12.27 I 18	ZA	BZA	ZA	APC	X	4A	12.24 X 21
140	Amateur radio antennas which exceed the maximum height permitted	12.27 I 20	ZA	BZA CCL	ZA	APC	X	4A	12.24 X 3
141	Joint living and work quarters for artists and artisans in commercial and industrial buildings in the CR, CM, MR1, M1, MR2, M2 and M3 Zones, and such quarters with reduced parking in the C1, C1.5, C2, C4, and C5 Zones	12.27 I 21	ZA	BZA	ZA	APC	X	4A	12.24 X 13
142	To permit buildings on a lot in the RA, RE20, RE15, RE11, RE9, RS, R1, and R2 Zones where the lot is not located in a Hillside Area or Coastal Zone to exceed the maximum height or stories permitted, or to reduce the required side yards	12.27 I 22	ZA	BZA	ZA	APC	X	4A	12.24 X 10
143	To permit projects comprised of dwelling units in the C Zones within Mixed Use Districts pursuant to Sec. 13.09 C 3	12.27 I 23	ZA	BZA	ZA	APC	X	4A	12.24 X 14
144	Historic Buildings	12.27 I 26	ZA	BZA	ZA	APC	X	4A	12.24 X 12

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
145	To permit Adaptive Reuse Projects in the M Zones in the Downtown Project Area pursuant to Sec. 12.22 A 26	12.27 I 27	ZA	BZA	ZA	APC	X	4A	**12.24 X 1**
146	Parking Requirements for Commercial or Industrial Uses with Parking Management Alternatives in C or M Zones	12.27 J	ZA	BZA CCL	ZA	APC	X	4A	**12.24 X 17**
147	Airport Approach Zoning Regulations - determinations of hardship or no hazard	12.50 D	ZA	BZA	ZA	APC	X	4A	**No Change**
148	Airport Approach Zoning Regulations - interpretations of boundaries or height limits	12.50 G	Director	Airport Zoning Cmsn	ZA	APC	X	4A	**No Change**
149	Conditional Use Plan Approvals/ Deemed to be approved PAD/ Time Extension	12.24 E, F, G	Director, CPC or ZA	CPC or BZA	ZA/APC/ CPC	APC/CCL	X	Follows underlying process	**12.24 J, L, M**
150	"O" Oil Districts (methods/conditions of operation)	13.01	ZA	BZA	ZA	APC	X	4A	**No Change**
151	"S" Animal Slaughtering Districts Permit for erection/enlargement of use (development plans)	13.02 E	ZA	BZA	ZA	APC	X	4A	**No Change**
152	"G" Surface Mining Districts Permit for Surface Mining Operations within established districts	13.03 D5	CPC	CCL	ZA	APC	X	4A	**No Change**
153	"RPD" Residential Planned Development Districts Final Development Plans	13.04	CPC recommendation to CCL/ MAYOR	CCL / MAYOR	ZA	APC	X	4A	**No Change**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
154	Temporary Use Approvals for Emergencies	16.00 - 16.04.2	ZA	BZA	ZA	APC	X	4A	**No Change**
155	Continuation of Nonconforming Oil Wells	12.23 C 4	ZA	BZA CCL	ZA	APC	X	4A	**No Change**
156	Heliport incidental to an office buidling, hospital or residential use	12.24 B 1	CPC	CCL	ZA	APC	X	4A	**12.24 W 23**
157	Vesting Conditional Use Permits	12.21 F 3. (b)	CPC or ZA	CCL or BZA	Follows CUP process	Follows CUP process	X if a ZA decision	Follows underlying process	**12.24 T**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 4B Building & Safety Appeals								
158	Appeal from Building Department Orders	12.27 A	ZA	BZA	Director	CPC	X	4B	**12.26 K**
	Process 4C - Revocations/ Nuisance Abatement								
159	Exceptions from Adult Entertainment Regulations (Sec. 12.70 C)	12.22 A 20	ZA	BZA CCL	ZA	APC/ CCL		4C	**No Change**
160	Revocation of Conditional Uses	12.24 I, J	CPC or ZA	CCL or BZA & CCL	Director/ CPC	CCL		4C	**12.24 Z**
161	Revocation Authority - 12.27 approvals	12.27 K	ZA	BZA CCL	Director/ CPC	CCL		4C	**12.24 Z**
162	Nuisance Use Abatement	12.27.1	CPC or ZA	BZA & CCL	Director	CCL		4C	**No Change**
	Process 5 - Variances								
163	Variances (Use)	12.27 B	ZA	BZA/ CCL	ZA	APC/ CCL		5	**12.27**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 6 - APC CUPs & Other Similar Quasi-Judicial Approvals								
164	Buildings over 6 stories in the Wilshire-Westwood Scenic Corridor	12.24 B 16	CPC	CCL	APC	CCL		6	**12.24 V 1**
165	Mixed commercial/residential development	12.24 B 30	CPC	CCL	APC	CCL		6	**12.24 V 2**
166	Transfer of Development Rights - Central Business District Redevelopment Project Area	14.5.1-14.5.8	CRA/ CPC/ CCL	CPC CCL	APC	CCL		6	**No Change**
167	Exception from Geographically Specific Plan	11.5.7 D	CPC	CCL	APC	CCL		6	**11.5.7 H**
168	Conditional Use Plan Approvals/ Deemed to be approved PAD/ Time Extension	12.24 E, F, G	Director, CPC or ZA	CPC or BZA	ZA/APC/ CPC	APC/CCL	X	Follows underlying process	**12.24 J, L, M**
169	Vesting Conditional Use Permits	12.21 F 3. (b)	CPC or ZA	CCL or BZA	Follows CUP process	Follows CUP process	X if a ZA decision	Follows underlying process	**12.24 T**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 7A- Director of Planning Approvals								
170	Site Plan Review	16.05	Director	CPC	Director	APC	X	7A	**No Change**
171	Director's Determination on Open Space Requirements for 6 or more Residential Units	12.21 G 3	Director	CPC	Director	APC	X	7A	**No Change**
172	Specific Plan Project Permit	11.5.7 D			Director	APC	X	7A	**11.5.7 C**
173	Specific Plan Project Permit Modification	11.5.7 D			Director	APC	X	7A	**11.5.7 F**
174	Specific Plan Project Permit Adjustment	11.5.7 D			Director	APC	X	7A	**11.5.7 G**
175	Zone Boundary Adjustments C or M and P or PB Adjustments	12.30 H 12.30 K	CPC Director	N/A CPC	Director	APC	X	7A	**No Change**
176	Private Streets	18.00 - 18.12	Director/ (Advisory Agency)	BZA	Director	APC	X	7A	**No Change**
177	To permit a reduction in the required parking spaces for a commercial or industrial building when located within 1,500 feet of a transit or bus station	12.27 I 16	ZA	BZA	Director	APC	X	7A	**12.24 Y**
178	Design Review - specific plans	16.50 E3	Review by Design Review Boards CPC	Council	DRB recommen-dation/ Director	APC	X	7A	**No Change**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
179	Historic Preservation Zone (Certificate of Appropriateness)	12.20.3	Review by Historic Pres. Boards/ Dir/CPC	CCL	Historic Pres. Board recommen-dation/ Director or APC	APC or CCL	X	7A	**No Change**
180	"CA" Commercial and Artcraft Districts Alternate procedures for waiver of public hearing	13.06 E3	CPC	CCL	Director	APC	X	7A	**No Change**
181	"POD" Pedestrian Oriented Districts For projects that cannot meet development standards	13.07	Director	CPC CCL	Director	APC	X	7A	**No Change**
182	"CDO" Community Design Overlay Districts Plan Approvals	13.08 E	Director	CPC	Director	APC	X	7A	**No Change**
	Process 7B- Director of Planning Approvals								
183	Clarification of "T", "Q", or "D" Rezoning Classification	12.32 M	Director	CCL	Director	CCL		7B	**12.32 H**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 8A - Division of Land								
184	Tract Maps	17.01 - 17.13	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
185	Parcel Maps (including Parcel Map Exemption, Cert. Of Compliance, Modification of Preliminary and Final Maps)	17.50 - 17.58	Advisory Agency	BZA CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
186	Parcel Maps with zone change or other concurrent discretionary action before the Commission	17.5	Advisory Agency	CPC CCL	Advisory Agency	CPC/CCL		8A	**No Change**
187	Condo Conversion Projects - residential & residential to commercial/industrial (parcel maps)	12.95.2	Advisory Agency	BZA CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
188	Condo Conversion Projects - residential & residential to commercial/industrial (tract maps)	12.95.2	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
189	Condo Conversion Projects - commercial/ industrial & commercial/industrial to residential (parcel maps)	12.95.3	Advisory Agency	BZA CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
190	Condo Conversion Projects - commercial/ industrial & commercial/industrial to residential (tract maps)	12.95.3	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
191	Reversion to Acreage	17.10 A	Advisory Agency	CPC CCL	Advisory Agency	CPC /CCL		8A	No Change
192	Modification of Tentative or Recorded Final Maps	17.14	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	No Change
193	Vesting Tentative Maps	17.16	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	No Change

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Process 8B - Division of Land								
194	Tract Maps	17.01 - 17.13	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
195	Parcel Maps (including Parcel Map Exemption, Cert. Of Compliance, Modification of Preliminary and Final Maps)	17.50 - 17.58	Advisory Agency	BZA CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
196	Condo Conversion Projects - residential & residential to commercial/industrial (parcel maps)	12.95.2	Advisory Agency	BZA CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
197	Condo Conversion Projects - residential & residential to commercial/industrial (tract maps)	12.95.2	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
198	Condo Conversion Projects - commercial/ industrial & commercial/industrial to residential (parcel maps)	12.95.3	Advisory Agency	BZA CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
199	Condo Conversion Projects - commercial/ industrial & commercial/industrial to residential (tract maps)	12.95.3	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**
200	Modification of Tentative or Recorded Final Maps	17.14	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	**No Change**

	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
201	Vesting Tentative Maps	17.16	Advisory Agency	CPC CCL	Advisory Agency	APC or CPC /CCL		8A or 8B	No Change

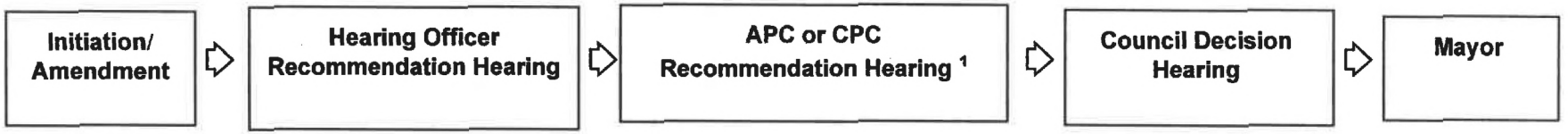
	ACTION OR ENTITLEMENT	EXISTING			NEW CHARTER				NEW CODE
		Code Section	Decision Body	Appeal Body	Decision Body	Decision or Appeal Body	Charter Section 245	New Charter Process	Code Section on July 1, 2000
	Other								
202	Landscape Approvals & Exemptions	12.40 F	Director	none	Director			N/A	**No Change**
203	Homeless Shelters - charitable organizations	12.81	CCL	none	CCL	None		N/A	**No Change**
204	"CDO" Community Design Overlay Districts Approval of Guidelines/ Standards	13.08 D	CPC	none	CPC		X	N/A	**No Change**
	Legend:								
	APC- Area Planning Commission								
	BZA- Board of Zoning Appeals								
	CCL- City Council								
	CPC- City Planning Commission								
	Director- Director of Planning								
	Super of B&S- Superintendent of Building and Safety								
	ZA- Zoning Administrator								
	Charter Section 245- "City Council Veto of Board Actions"								

EXHIBIT H

COUNCIL ADOPTED ORDINANCE MAY 16, 2000
ENTITLEMENT PROCESSES

Applications for entitlements, permits, maps or other matters may be acted upon in one of the eight proposed decision processes depicted in the diagrams below. The City Council adopted ordinance describes the procedures for processing each entitlement, permit or map. The following diagrams are generalizations and are provided for convenience of reference.

PROCESS 1 - LAND USE LEGISLATIVE ACTIONS (ZONE CHANGES, SPECIFIC PLANS, ETC.)



LEGEND: APC - Area Planning Commission CPC - City Planning Commission

- Zone and height district changes:

  [1] Authority to act on legislative matters may be delegated by the City Planning Commission to the Area Planning Commissions. The intent of the framers of the new Charter was that matters of mostly local significance be handled by the Area Planning Commissions. Thus, standards delineating which zone change ordinances would be handled at the local level (Area Planning Commission) are proposed as follows:
  -Any development project which creates or results in less than 50,000 gross square feet of nonresidential floor area (current site plan review standard),
  -Any development project which creates or results in less than 50 dwelling units or guest rooms or combination thereof (site plan review standard), or
  -Any application for a zone change without a proposed project description having less that 65,000 square feet of lot area (mini-shopping center standard).

- Changes to the zoning code.
- Establishment, change or removal of a Supplemental Use District (S, G, RPD, CA, POD, MU, CDO, FH, K and O Districts).
- Establishment, change or removal of a Historic Preservation Overlay Zone.
- Establishment, change or removal of Building Line.
- City owned Designated Building Site for Historic Structures.
- Establishment and amending of Specific Plans.

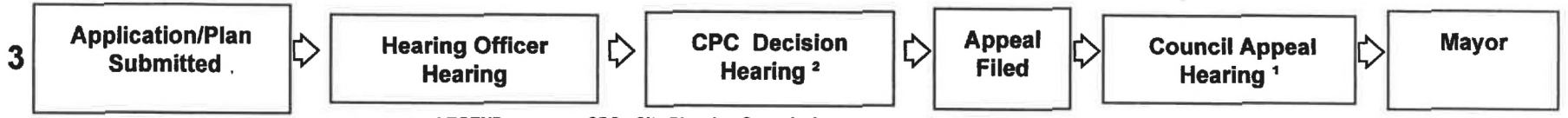
PROCESS 2 - GENERAL PLAN (ELEMENTS AND COMMUNITY PLAN CHANGES AND AMENDMENTS)



LEGEND: **CPC - City Planning Commission**

- Establishment or amendment of the General Plan Elements and Community Plans.
- Community Plan Update for amending of Community Plans.
- Major Plan Review/Periodic Plan Review (projects with a Community Plan Amendment and Zone Change).

PROCESS 3 - CITY PLANNING COMMISSION CUPs & OTHER SIMILAR QUASI-JUDICIAL APPROVALS



LEGEND: CPC - City Planning Commission

¹ Charter Sec. 563 (b) (2) Conditional Use Permits and Other Similar Quasi-Judicial Approvals. (B) If the Council is acting as the appellate body, the Council's action may be subject to Mayoral approval and Council override of Mayoral disapproval by a two-thirds vote of the Council, if so provided by ordinance.

² Charter Sec. 564. Projects Requiring Multiple Approvals.

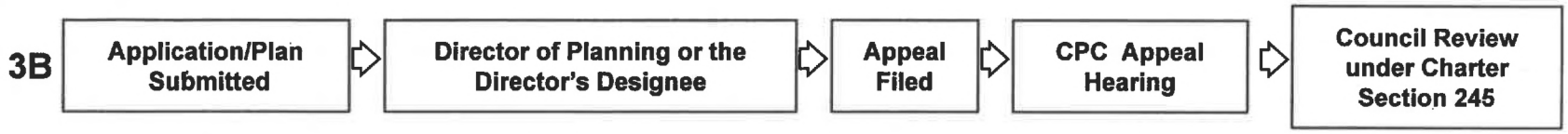
If a project requires approvals by both the Zoning Administrator and either an Area Planning Commission or the City Planning Commission, those approvals that would otherwise be heard and determined by the Zoning Administrator shall be heard and determined by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals required for the project. Approvals for a project that requires both quasi-judicial and legislative actions shall be heard and determined by the City Planning Commission, except as provided in Section 565.

Citywide Conditional Uses

- Major development projects - Code Section 12.24 B 27
- Vesting Conditional Use Permits (Applies only to CUPs listed in the Zoning Code) - **Code Section** 12.21 F 3. (b)
- Airports or aircraft landing fields - **Code Section** 12.24 B 1
- Auditoriums, stadiums, arenas - **Code Section** 12.24 B 2
- Correctional or penal institutions - **Code Section** 12.24 B 4
- Educational institutions - **Code Section** 12.24 B 5
- Golf courses - **Code Section** 12.24 B 6
- Land reclamation projects - **Code Section** 12.24 B 7
- Natural resources development - **Code Section** 12.24 B 9
- Piers, jetties, man-made islands, floating installations - **Code Section** 12.24 B 10
- Research and development centers - **Code Section** 12.24 B 12
- Schools, elementary and high, - **Code Section** 12.24 B 13, Private schools (other than elementary or high or nursery schools) - **Code Section** 12.24 C 15, and Schools, elementary and high (Private), - **Code Section** 12.24 C 52
- Hazardous waste treatment or storage facilities in the M2 and M3 Zones - **Code Section** 12.24 B 21
- Hazardous waste disposal facilities in the M3 Zone - **Code Section** 12.24 B 22
- Electric power generating plants - **Code Section** 12.24 B 23
- Desalinization plants - **Code Section** 12.24 B 24
- Stadiums and arenas in the MR1 Zone - **Code Section** 12.24 C 23
- Recycling uses in various zones - **Code Section** 12.24 C 40
- Onshore installations for oil drilling - **Code Section** 12.24 C 51
- Wood and green waste recycling in the A1and A2 Zones - **Code Section** 12.24 C 61
- Hospitals or sanitariums in the A, R, CR, C4, CM, or M Zones and in the C1 or C1.5 Zones when not permitted by right - **Code Section** 12.24 C 49
- Child care facilities or nursery schools in the A, RE, RS, R1, RU, RZ, RMP, RW, R2, R3, or RD Zones, and in the CM and M Zones when providing care for children of employees - **Code Section** 12.24 C 6
- Child care facilities for no more than 50 children in the R3 Zone - **Code Section** 12.27 I 10
- Various uses in the OS Zone - **Code Section** 12.24 B 26
- Various uses in the PF Zone - **Code Section** 12.24 B 28
- Motion picture and television studios and ancillary video and media production incidental to the main use in the A, R, or C Zones when not permitted by right - **Code Section** 12.24 C 50
- To permit uses which support motion picture and television production and other entertainment industries - **Code Section** 12.27 I 25
- Land Use Determinations by Commission - **Code Section** 12.24.1
- Conditional Use Plan Approvals - **Code Section** 12.24 G

Specific Plans - Phasing Programs - See Charter Implementation Ordinance (does not require Mayor review)

PROCESS 3B - PUBLIC BENEFIT PERMIT PROCESS

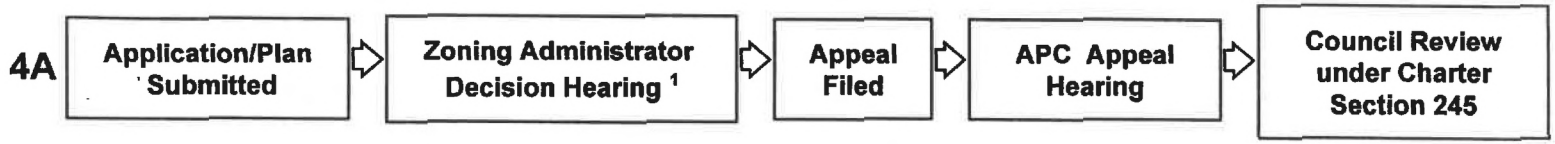


LEGEND: CPC - City Planning Commission

Public Benefit Uses - 3B -

- Cemeteries - **Code Section** 12.24 B 3
- Libraries, museums, fire or police stations or governmental enterprises - **Code Section** 12.24 B 8
- Public utilities and public service uses in the A, R, C, or MR Zones - **Code Section** 12.24 B 11
- Mobilehome parks - Code Section 12.24 B 14
- Recreational vehicle parks and mobilehome parks in the A, R or C Zones - **Code Section** 12.24 B 19
- Joint public/private development in PF Zone - **Code Section** 12.24 B 29
- Affordable housing development density increases (FAR - density bonus) - **Code Section** 12.24 B 31
- Parks, playgrounds or recreation or community centers in the A, R, or C1 Zones - **Code Section** 12.24 C 12
- Shelter for the homeless with no more than 30 beds in the R3, M1, M2, and M3 Zones - **Code Section** 12.27 I 12
- Shelter for the homeless in no more than 6 trailers by a church, religious institution, or philanthropic institution - **Code Section** 12.27 I 13

PROCESS 4A - ZONING ADMINISTRATOR CUPs & OTHER SIMILAR QUASI-JUDICIAL APPROVALS



LEGEND: APC - Area Planning Commission

[1] **Charter Sec. 564. Projects Requiring Multiple Approvals.**
If a project requires approvals by both the Zoning Administrator and either an Area Planning Commission or the City Planning Commission, those approvals that would otherwise be heard and determined by the Zoning Administrator shall be heard and determined by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals required for the project. Approvals for a project that requires both quasi-judicial and legislative actions shall be heard and determined by the City Planning Commission, except as provided in Section 565.

Local Community Conditional Uses - 4A-

- Kennels in an M Zone within 500 feet of a residential zone - **Code Section** 12.24 C 1
- CM uses in the C1, C1.5, C2, C4, and C5 Zones within redevelopment areas - **Code Section** 12.24 C 2
- Cattle or goat dairies in the A1 or A2 Zones - **Code Section** 12.24 C 3
- Circus quarters or menageries in the A and MR2 Zones - **Code Section** 12.24 C 4
- Columbariums, crematories or mausoleums in the A, R, C (except CR), M1 and MR2 Zones - **Code Section** 12.24 C 5
- Drive-in theaters in the A, R or C1 Zones - **Code Section** 12.24 C 7
- Foundries in the MR1 Zone - **Code Section** 12.24 C 8
- Miniature or pitch and putt golf courses in the A, R, or C1 Zones - **Code Section** 12.24 C 9
- Mortuaries or funeral parlors in the C2, C4, C5, CM, or M1 Zones - **Code Section** 12.24 C 10
- Nurseries in the R, C1 and C1.5 Zones - **Code Section** 12.24 C 11
- Counseling or referral facilities in the R3, R4, and R5 Zones - **Code Section** 12.24 C 13
- Private clubs in the A, R1, RU, RZ, RMP, RW1, R2, RD, RW2, R3, or R4 Zones - **Code Section** 12.24 C 14
- Professional uses in the R4 and R5 Zones - **Code Section** 12.24 C 16
- Second dwellings on large lots in the RA, RS, or R1 Zones - **Code Section** 12.24 C 17
- Wireless telecommunication facilities in the A, R, C, or MR Zones - **Code Section** 12.24 C 18
- Hotels and motels under various conditions in various zones - **Code Section** 12.24 C 19
- Swine keeping (more than 5) in the A1 Zone, and swine keeping in the A2 and RA Zones - **Code** Section 12.24 C 20
- Garbage, fat, offal, or dead animal reduction or rendering in the M3 Zone - **Code Section** 12.24 C 21
- Temporary storage of abandoned, partially dismantled, obsolete or wrecked automobiles in the C2, C4, C5, CM, MR1, or M1 Zones - **Code Section** 12.24 C 22
- Stand for display or sale of agricultural products raised on the premises in the RA Zone - **Code Section** 12.24 C 24
- Second dwelling unit in the A, RA, RE, RS, R1, RMP, or RW1 Zones - **Code Section** 12.24 C 25
- Temporary geological exploratory core holes in all zones except the M3 Zone - **Code Section** 12.24 C 26
- Automobile service stations, tire repairing, battery servicing, or automobile lubrication in the C1.5 Zone - **Code Section**12.24 C 27
- Sale of merchandise in the open or at an indoor swap meet under various conditions and in various zones - **Code Section** 12.24 C 28
- Automobile service stations, tire repairing, battery servicing, and automobile lubrication in the C4 Zone - **Code Section**12.24 C 29
- Public parking areas in the A or R Zones - **Code Section** 12.24 C 31
- Reduced on-site parking for housing developments occupied by persons 62 years of age or older and/or by handicapped persons in RD, R3, R4, R5, CR, C1, C1.5, C2, C4 or C5 Zones - **Code Section** 12.24 C 32
- Outside automobile hoists in the C2, C4, C5, CM, or M1 Zones - **Code Section** 12.24 C 34
- Bovine feed or sales yards in the A1 or A2 Zones - **Code Section** 12.24 C 36
- Rental or storage of household moving rental trucks and utility rental trailers in the C2, C5, CM and MR1 Zones - **Code Section** 12.24 C 37
- Entertainment uses - dance halls, hostess dance halls and massage parlors in various zones - **Code Section** 12.24 C 38

- Penny arcades in the C2, C5, CM, M1, M2, or M3 Zones - **Code Section** 12.24 C 39
- Sale of alcoholic beverages for off-site consumption in the C and M Zones - **Code Section** 12.24 C 42
- Alcoholic Beverage Sales in the South Central Specific Plan Area - Ord. No 171,681
- Nightclubs in Westwood Village - **Code Section** 12.24 C 43
- Automotive repair in the C2, C5, CM and M1 Zones within 300 feet of an A or R Zone - **Code Section** 12.24 C 44
- Sale of firearms or ammunition in the C1, C1.5, C2, C4, C5, CM, M1, M2, and M3 Zones - **Code Section** 12.24 C 45
- Churches in the A, RE, RS, R1, RU, RZ, RMP, RW1, R2, RD, RW2, R3, C1, C1.5, CM, or M Zones - **Code Section** 12.24 C 46
- Community antenna facilities in the A, R, C1, or C1.5 Zones - **Code Section** 12.24 C 47
- Fraternity or sorority houses in the A, R1, RU, RZ, RMP, RW1, R2, RD, RW2, or R3 Zones - **Code Section** 12.24 C 48
- Change of use for a building in the Central Business District Redevelopment Area - **Code Section** 12.24 C 54
- Developments combining residential and commercial uses in the R5 Zone when located in any redevelopment project area, but not in the Central City Community Plan Area, or any use or combination of uses in the C or R5 Zones - **Code Section** 12.24 C 55
- Mini-shopping centers and commercial corner developments in the C, M1, M2, or M3 Zones where use does not comply with Sec. 12.22 requirements - **Code Section** 12.24 C 56
- Outdoor eating areas for ground floor restaurants in the CR, C1, and C1.5 Zones when not permitted by right - **Code Section** 12.24 C 57
- Floor area ratio averaging in unified developments. Note: when filed with an underlying case, the FAR conditional use will be considered with the underlying case and by the decision body that considers the underlying case - **Code Section** 12.24 C 58
- Drive-through fast food establishments in all C Zones except the CR Zone when located close to a residential zone or use - **Code Section** 12.24 C 59
- Wood chipping and grinding (unenclosed) in the M2 Zone - **Code Section** 12.24 C 60
- Pawnshops in the C2, C5, CM, M1, M2, and M3 Zones - **Code Section** 12.24 C 62
- Restaurants for the use of the general public in the MR1 and MR2 Zones - **Code Section** 12.24 C 63
- To permit two or more development incentives pursuant to Sec.13.09 E 4 for a Mixed Use Project - **Code Section** 12.24 C 64
- Floor area ratio averaging in unified developments - **Code Section** 12.24 B 25
- Heliport incidental to an office building, hospital or residential use- **Code Section** 12.24 B 1

Other ZA/ Local Actions - 4A-

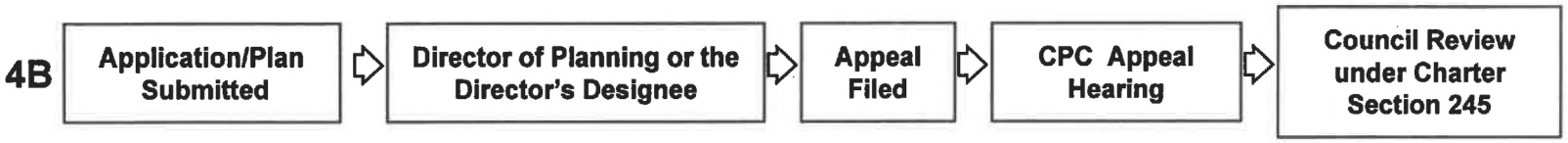
- Vesting Conditional Use Permits (Applies only to CUPs listed in the Zoning Code)- **Code Section** 12.21 F 3. (b)
- Conditional Use Plan Approvals - **Code Section** 12.24 G
- Slight Modifications - **Code Section** 12.27 B 2
- Adjustments to Yard, Area, Height and Building Line requirements - **Code Section** 12.27 B 1
- Plan Approvals - variances - **Code Section** 12.27 B 9
- Zoning Administration Interpretations (Yards/ Hillside) - **Code Section** 12.27 C
- Foster Care Homes - **Code Section** 12.27 E
- Parking Requirements for Showcase Theaters - **Code Section** 12.27 F
- Model Dwellings within Redevelopment Areas - **Code Section** 12.27 G
- Dwellings Adjacent to Equinekeeping Uses - **Code Section** 12.27 H
- Fences not to exceed 8 ft. in height in the required front, side, or rear yard in the A and R Zones - **Code Section** 12.27 I 1
- Fences not to exceed 6 ft. in height in the front yards within groups of lots - **Code Section** 12.27 I 2
- Standards for tennis courts in the A and R Zones - **Code Section** 12.27 I 3
- Certified farmers' markets - **Code Section** 12.27 I 4
- To permit an automotive repair business existing prior to 12/31/98 to utilize front portion of lot for open storage - **Code Section** 12.27 I 5
- To permit a reduction in the number of parking spaces for an auditorium without fixed seats located within a City park - **Code Section** 12.27 I 6
- To permit reconstruction of a nonconforming building which was demolished per the Earthquake Safety Ordinance with the same nonconforming use or yards - **Code Section** 12.27 I 7
- (Transitional Height) To permit buildings in C and M Zones to exceed the maximum heights permitted - **Code Section** 12.27 I 9

- To permit a restaurant, seating no more than 50 persons, to serve alcoholic beverages - **Code Section** 12.27 I 14
- To permit 2 or more businesses to share off-street parking spaces - **Code Section** 12.27 I 15
- To permit buildings in the A1, A2, RA, RE, RS, R1, and RD Zones which are located in a Hillside Area to exceed various height, yard, area, and parking requirements - **Code Section** 12.27 I 17
- To permit buildings on lots in the A1, A2, RA, RE, RS, R1, and RD Zones which are located on a Substandard Hillside Limited Street 12.27 I 18
- Amateur radio antennas which exceed the maximum height permitted - **Code Section** 12.27 I 20
- Joint living and work quarters for artists and artisans in commercial and industrial buildings in the CR, CM, MR1, M1, MR2, M2 and M3 Zones, and such quarters with reduced parking in the C1, C1.5, C2, C4, and C5 Zones - **Code Section** 12.27 I 21
- To permit buildings on a lot in the RA, RE20, RE15, RE11, RE9, RS, R1, and R2 Zones where the lot is not located in a Hillside Area or Coastal Zone to exceed the maximum height or stories permitted, or to reduce the required side yards - **Code Section** 12.27 I 22
- To permit projects comprised of dwelling units in the C Zones within Mixed Use Districts pursuant to Sec. 13.09 C 3 - **Code Section** 12.27 I 23
  Historic buildings- **Code Section** 12.27 I 26
- To permit Adaptive Reuse Projects in the M Zones in the Downtown Project Area pursuant to Sec. 12.22 A 28 - **Code Section** 12.27 I 27
- Parking Requirements for Commercial or Industrial Uses with Parking Management Alternatives in C or M Zones - **Code Section** 12.27 J
- Continuation of Nonconforming Buildings and Uses - **Code Section** 12.23 A 6
- Nonconforming Auto Dismantling Yards and Junk Yards - extension of time to comply - **Code Section** 12.23 C 6
- Nonconforming Hostels or Transient Occupancy Residential Structures - extension of time to comply - **Code Section** 12.23 C 7
- Airport Approach Zoning Regulations - determinations of hardship or no hazard - **Code Section** 12.50 D
- Airport Approach Zoning Regulations - interpretations of boundaries or height limits- **Code Section** 12.50 G
- Temporary Use Approvals for Emergencies - **Code Section** 16.00 - 16.04.2
- Currently under Revision by Code Studies Coastal Permits - Pre Certification - **Code Section** 12.20.2
- Coastal Permits - Post Certification - **Code Section** 12.20.2.1
- Continuation of Nonconforming Oil Wells - **Code Section** 12.23 C 4

Supplemental Use Districts - Sub procedure - 4A-

- S - Animal Slaughtering Districts Permit for erection/enlargement of use (development plans) - **Code Section** 13.02 E
- G - Surface Mining Districts Permit for Surface Mining Operations within established districts - **Code Section** 13.03 D5
- RPD - Residential Planned Development Districts Final Development Plans- **Code Section** 13.04
- O - Oil Districts (methods/conditions of operation) - **Code Section** 13.01

PROCESS 4B - OTHER ACTIONS (BUILDING AND SAFETY APPEALS)



LEGEND: CPC - City Planning Commission

Other ZA/ Local Actions - 4B -

- Appeal from Building Department Orders - **Code Section** 12.27 A

PROCESS 4C - OTHER ACTIONS (REVOCATIONS/ NUISANCE ABATEMENT)



Other ZA/ Local Actions - 4C -

- Revocation Authority - 12.27 approvals - **Code Section** 12.27 K
- Nuisance Use Abatement - **Code Section** 12.27.1
- Exceptions from Adult Entertainment - **Code Section** Regulations (Sec. 12.70 C) 12.22 A 20 (ZA/APC/Council)
- Revocation of Conditional Uses - **Code Section** 12.24 I, J

PROCESS 5 - VARIANCES



LEGEND: **APC - Area Planning Commission**

[1] Charter Sec. 563 (b) (2) (B) Conditional Use Permits and Other Similar Quasi-Judicial Approvals.
(B) If the Council is acting as the appellate body, the Council's action may be subject to Mayoral approval and Council override of Mayoral disapproval by a two-thirds vote of the Council, if so provided by ordinance.
[2] Charter Sec. 564. Projects Requiring Multiple Approvals.
If a project requires approvals by both the Zoning Administrator and either an Area Planning Commission or the City Planning Commission, those approvals that would otherwise be heard and determined by the Zoning Administrator shall be heard and determined by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals required for the project. Approvals for a project that requires both quasi-judicial and legislative actions shall be heard and determined by the City Planning Commission, except as provided in Section 565.
[3] Charter Sec. 563 (b) Appeal Process
There shall be no further appeal from the decision of the Area Planning Commission to deny a variance. However, that action od the Area Planning Commission is subject to Council review pursuant to Section 245.

Variance - Procedure - 5 -

- Variances (Use) - **Code Section** 12.27 B

PROCESS 6 - AREA PLANNING COMMISSION CUPs & OTHER SIMILAR QUASI-JUDICIAL APPROVALS



LEGEND: APC - Area Planning Commission

Specific Plans - Procedures - 6 -

- Exception from Geographically Specific Plan - **Code Section** 11.5.7 D
- See Charter Implementation Ordinance

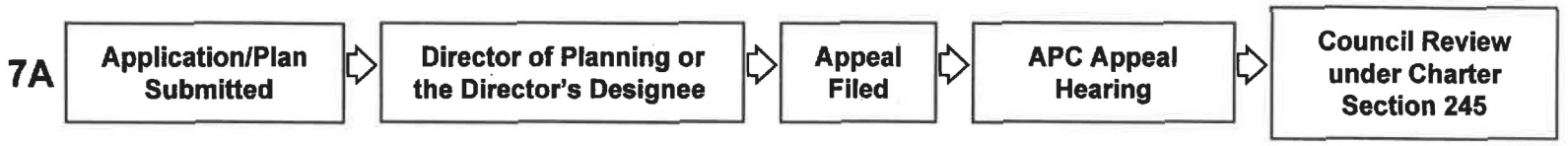
Local Community Conditional Uses - 6 -

- Mixed commercial/residential development - **Code Section** 12.24 B 30
- Buildings over 6 stories in the Wilshire- Westwood Scenic Corridor - **Code Section** 12.24 B 16
- Conditional Use Plan Approvals - **Code Section** 12.24 G
- Vesting Conditional Use Permits (Applies only to CUPs listed in the Zoning Code) - **Code Section** 12.21 F 3. (b)

Other ZA/ Local Actions - 6 -

- Transfer of Development Rights - Central Business District Redevelopment Project Area - **Code Section** 14.5.1 - 14.5.8

PROCESS 7A - DIRECTOR OF PLANNING APPROVALS



LEGEND: APC - Area Planning Commission

Director's Authority - 7A-

Site Plan Review - **Code Section** 16.05

- Director's Determination on Open Space Requirements for 6 or more Residential Units - **Code Section** 12.21 G 3
- Zone Boundary Adjustments C or M and P or PB Adjustments - **Code Section** 12.30 H; 12.30 K
- Private Streets - **Code Section** 18.00 - 18.12
- To permit a reduction in the required parking spaces for a commercial or industrial building when located within 1,500 feet of a transit or bus station - **Code Section** 12.27 I 16
- Design Review - specific plans - **Code Section** 16.50 E3
- Historic Preservation Zone (Certificate of Appropriateness) (Director or APC/ APC or CCL) - **Code Section** 12.20.3

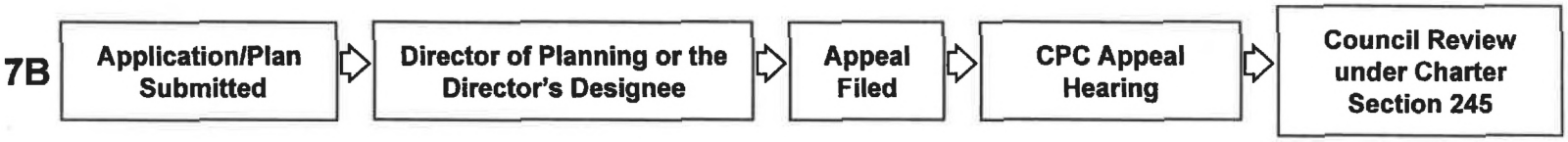
Supplemental Use Districts - Sub procedures -7A-

- CA - Commercial and Artcraft Districts Alternate procedures for waiver of public hearing - **Code Section** 13.06 E3
- POD - Pedestrian Oriented Districts For projects that cannot meet development standards - **Code Section** 13.07
- CDO - Community Design Overlay Districts Plan Approvals - **Code Section** 13.08 E

Specific Plans - Sub Procedures - 7A -

- Specific Plan Project Permit, Specific Plan Project Permit Modification, Specific Plan Project Permit Adjustment
- See Charter Implementation Ordinance

PROCESS 7B - DIRECTOR OF PLANNING APPROVALS



LEGEND: CPC - City Planning Commission

Director's Authority - 7B-

- Clarification of "T", "Q", or "D" Rezoning Classification (Appeal to CCL)

PROCESS 8A - DIVISION OF LAND



LEGEND: CPC - City Planning Commission

[1] **The intent of the framers of the new Charter was that matters of local significance be handled by the Area Planning Commissions. Thus, standards delineating which tract or parcel map appeals would be handled by the City Planning Commission are proposed as follows:**

-Any development project (tract or parcel map) which creates or results in 50,000 or more gross square feet of nonresidential floor area (current site plan review standard), or
-Any development project (tract or parcel map) which creates or results in 50 or more dwelling units or guest rooms or combination thereof (site plan review standard), or
-Any application without a proposed project description having less that 65,000 square feet of lot area (mini-shopping center standard).

Advisory Agency Authority - 8A-

- Tract Maps - **Code Section** 17.01 - 17.13 [1]
- Parcel Maps - **Code Section** 17.50 - 17.58 [1]
- Condo Conversion Projects - residential & residential to commercial/industrial - **Code Section** 12.95.2 [1]
- Condo Conversion Projects - commercial/ industrial & commercial/industrial to residential - **Code Section** 12.95.3 [1]
- Modification of Tentative or Recorded Final Maps - **Code Section** 17.14 [1]
- Vesting Tentative Maps - **Code Section** 17.16 [1]
- Reversion to Acreage - **Code Section** 17.10 A
- Parcel Maps with zone change or other concurrent discretionary action before the Commission - **Code Section** 17.05

PROCESS 8B - DIVISION OF LAND



LEGEND: **APC - Area Planning Commission**

[1] The intent of the framers of the new Charter was that matters of local significance be handled by the Area Planning Commissions. Thus, standards delineating which tract or parcel map appeals would be handled by the Area Planning Commission are proposed as follows:

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Advisory Agency Authority - 8B -

- Tract Maps - **Code Section** 17.01 - 17.13
- Parcel Maps - **Code Section** 17.50 - 17.58
- Condo Conversion Projects - residential & residential to commercial/industrial (tract or parcel map) - **Code Section** 12.95.2
- Condo Conversion Projects - commercial/ industrial & commercial/industrial to residential (tract or parcel map) - **Code Section** 12.95.3
- Modification of Tentative or Recorded Final Maps - **Code Section** 17.14
- Vesting Tentative Maps - **Code Section** 17.16

N/A TO DECISION PROCESSES:

Director's Authority - N/A-

- Landscape Approvals & Exemptions - **Code Section** 12.40 F

Other - N/A

- Homeless Shelters - charitable organizations - **Code Section** 12.81
- CDO - Community Design Overlay Districts Approval of Guidelines/ Standards - **Code Section** 13.08 D

INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that "compliance" means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission's ROPs can be accessed at http://planning.lacity.org, by selecting "Commissions & Hearings" and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

**If you are using Explorer, you will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

Planning CPC <cpc@lacity.org>

Subject: Case No. DIR-2024-7352-BSA – Response to Appellant Justification / Preface to Attached Memos & Flyers – 23416 President Avenue

Christal Cooper <mscooper8@aol.com> Mon, Jun 16, 2025 at 11:40 AM
To: Kristina Kropp <kkropp@lunaglushon.com>, Nicole Paulsen <nicole@levinmargolin.com>, "cpc@lacity.org" <cpc@lacity.org>, "eva.m.bencomo@lacity.org" <eva.m.bencomo@lacity.org>, "cecilia.lamas@lacity.org" <cecilia.lamas@lacity.org>

Subject: Case No. DIR-2024-7352-BSA – Response to Appellant Justification / Preface to Attached Memos & Flyers – 23416 President Avenue

To: City Planning Commission
From: Christal Cooper – Community Advocate, Harbor City, CA
Date: June 16, 2025
Re: Case No. DIR-2024-7352-BSA
Hearing Date: June 26, 2025
Property: 23416 S President Avenue, Los Angeles, CA 90710

Dear City Planning Commission,

Please find below the link to a comprehensive PDF report submitted in response to the appellant's April 22, 2025 justification for Case No. DIR-2024-7352-BSA. This report details the sustained and deliberate violations committed at the RV park located at 23416 S President Avenue and provides compelling evidence supporting the revocation of all associated permits and entitlements.

Due to file size limitations, please find the full report linked here: **Report**

The packet includes:

- A cover summary
- Fourteen memos documenting code violations, permit inconsistencies, plan manipulation, and ADA noncompliance
- Accompanying visual flyers (labeled for reference)
- A formal closing statement outlining why revocation is both legally and ethically required

This material demonstrates that the developer has repeatedly violated zoning law, safety codes, and accessibility standards. These violations were not minor oversights, they represent a pattern of noncompliance and misrepresentation that undermines the integrity of the City's zoning process and endangers public safety.

I respectfully request that these materials be incorporated into the official case record for the June 26, 2025 City Planning Commission hearing. Please confirm receipt of this submission.

Thank you for your time and commitment to equitable planning and enforcement.

Sincerely,
Christal Cooper
Community Advocate, Harbor City
23404 S Western Ave, Unit A
Harbor City, CA 90710
Email: MsCooper8@aol.com
Phone: 310-766-8971

June 26, 2025
To: City Planning Commission: Case Number: DIR-2024-7352-BSA
From: Christal Cooper – Community Advocate, Harbor City CA
Subject: Preface to Attached Memos & Flyers – Violations and Public Harm at 23416 President Avenue RV Park

Dear Commissioners,

Enclosed is a series of fourteen memos and accompanying documentation prepared by residents of Harbor City concerning the RV park development at 23416 President Avenue. Each memo outlines specific, documented violations of the Los Angeles Municipal Code (LAMC), building regulations, and Public Benefit Performance Standards under **LAMC §14.00 A.7**. These memos are paired with visual flyers to provide accessible, evidence-based summaries for your review.

What you are about to read is not a collection of minor grievances. These are serious, coordinated misrepresentations and structural violations that collectively disqualify this development from its current entitlements and Public Benefit status. The violations are not speculative, they are visible, measurable, and in many cases, already built in defiance of approved plans.

Throughout the fourteen memos, you will find evidence of:

- False plan submissions and omitted measurements used to evade proper code review
- Unauthorized RV expansion, increasing the total from 46 to 54 stalls without approval
- Encroachment into required buffer zones intended to protect surrounding homes
- Construction of unpermitted structures, including prefabricated buildings not shown on any approved plans
- Manipulation and reduction of ADA parking, compromising both accessibility and legal compliance
- Violation of Title 25 spacing and occupancy limits, including illegal stall dimensions and insufficient separation between RV units
- Neglect of required landscaping, substandard fencing, and persistent graffiti all degrading neighborhood safety and character
- Deliberate omission of RV stall dimensions.
- Some drive aisles were constructed below the legal minimum width, in clear violation of municipal code requirements
- Repeated inaction by LADBS, despite multiple community complaints and visible, documented violations

These violations reflect not just developer misconduct but a troubling failure of oversight. The LADBS approved plans do not match what was built. Key conditions of approved plans were disregarded. Legal standards were bypassed, and no Conditional Use Permit was sought despite known ambiguity.

The Planning Commission now has the opportunity and responsibility to intervene where enforcement failed. Each memo respectfully requests one or more of the following:

1. **Permit revocation**
2. **Disqualification from Public Benefit zoning status**
3. **Referral to the City Attorney for further investigation**
4. **Comprehensive enforcement of zoning regulations and community protections**

This packet is structured to be concise yet comprehensive. Each memo stands on its own, but together they tell a larger story: one of manipulation, avoidance, and harm.

We thank you for your time, and for your willingness to listen to the community voice that has fought hard to bring these truths to light.

Respectfully submitted,
Christal Cooper: MsCooper8@aol.com
Harbor City Resident / Community Advocate

Memo #1 Subject: Repeated Architectural Plan Manipulation and Missing Measurements - RV Park at 23416 President Avenue

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Summary: This memo supports revoking the permits issued for the RV park at 23416 President Avenue, based on documented evidence of architectural plan manipulation, missing measurements, and non-compliance with LAMC §12.21 and related zoning requirements.

Key Violations and Findings:
Conflicting Plan Sets and Deleted Information:

- January 7, 2024 Plan: RV stall sizes (20'×37' and 20'×40') were buried in the Notes section, not shown on the layout itself. This obscured compliance with setbacks and buffer zones, limiting transparency and hindering code review.
- July 2, 2024 Plan: Reduced the RV count to 39, omitting rear stall depths, demonstrating the originally proposed 46-stall layout was unfeasible under zoning constraints.
- July 25, 2024 Plan (Approved): The revised and approved plans indicate a total of 46 RV stalls; however, individual RV stall dimensions were omitted, and 47 RV stalls were ultimately constructed. Additionally, the plans omitted the footprint measurements and locations of both the electric distribution panels and the methane gas mitigation equipment, both of which have been installed within the area originally designated for ADA parking.

Rear Stall Depth Violates Code and Is Infeasible Within Actual Lot Dimensions

- All plans omit the physical layout of rear stall dimensions. One note claims rear lots are 20'×40', but this is physically impossible based on physical lot size constraints.
    - The required 15-foot rear buffer and 18-foot ADA space consume 33 feet.
    - A 40-foot RV stall would intrude into the roadway and buffer zone violating LAMC §12.21 A.5(e).

Missing Critical Measurements and ADA Obstruction:

- All plan sets fail to show accurate measurements for RV stalls and utilities infrastructure.
- Field verification shows an utilities infrastructure built within the ADA stall and 15-foot buffer zone, effectively violating ADA access and landscaping standards.
- The electrical and methane infrastructure measurements are not shown on any approved plan.

Violations of LAMC:

- LAMC §12.21 A.1(a): Requires all uses and structures to conform to zoning code. The missing and misleading measurements violate this section.
- LAMC §91.106.4.1: Requires complete plan documentation for all permitted construction.
- LAMC §14.00 A.7: Requires full compliance with Performance Standards for Public Benefit projects including buffers, access, and landscaping, which cannot be verified without complete dimensions.

Pattern of Misrepresentation – Grounds for City Attorney Referral:

- The deletion of key dimensions across plan sets, combined with early construction of utility island units, shows intent to bypass plan review and conceal noncompliance.
- This may constitute violations of LAMC §§91.0106 and 98.0403, involving misrepresentation of material facts.
- These actions merit referral to the City Attorney for investigation into potential fraud and abuse of the permitting process.

Conclusion:
The cumulative omissions, plan alterations, and lack of utility disclosures undermine zoning integrity and public trust. LADBS approved flawed plans lacking required data, representing a breakdown in enforcement.

Requested Actions:

- Revoke all permits for this project.
- Refer the case to the City Attorney's Office for investigation.
- Affirm that deceptive architectural submissions have no place in Public Benefit zoning.

Plan Manipulation: Missing Dimensions, Overbuilt Site LAMC §12.21 Violated

Harbor City – These three plan sets reveal more than design inconsistencies they document a sustained effort to mislead. At each stage, critical measurements were strategically omitted, buried, or altered to avoid triggering code violations or public scrutiny. The final approved plan excluded all stall dimensions entirely and yet, LADBS approved it. Meanwhile, 47 RVs were built instead of the 46 shown, with ADA parking removed to make room for unpermitted utility structures. Violations of LAMC §12.21, ADA accessibility laws, and Title 25 were effectively concealed. These were not clerical errors they were calculated omissions designed to bypass zoning review. The approval of incomplete, deceptive plans by LADBS represents a failure of enforcement that the CPC must now correct

🟦 Plan 1: Jan 7, 2024
- 46 RVs shown with the middle units stall dimensions of 20" by 37'
- 20' x 40' along rear fence stalls

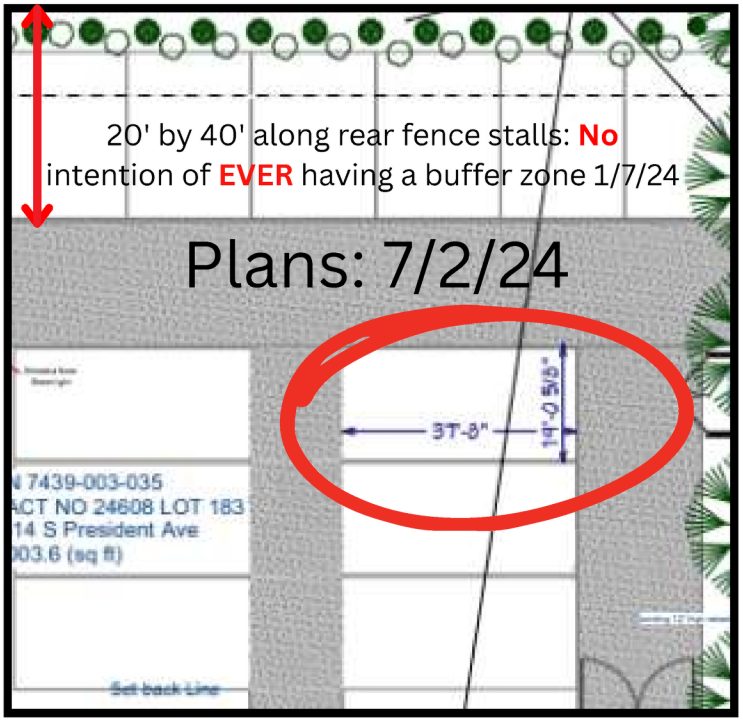
❌ Rear stalls exceed lot depth – erases required 15-ft buffer zone
❌ Total depth 135 ft – 20 ft beyond maximum allowed

🟧 Plan 2: July 2, 2024
- RV count reduced to 39 – stalls re-aligned to look compliant
- Middle stall sizes now shown correctly

⚠️ Rear stall dimensions missing
➡️ Appears compliant only because key data was omitted

🟥 Plan 3: July 25, 2024
- RV count increased back to 46
- All stall dimensions removed – nothing shown on layout

⚠️ LADBS still approved without verifying measurements
➡️ Omissions concealed buffer, ADA, and stall violations





NOTES: 39 RVs Plans from 7/2/24

THIS IS A 39 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH RENTAL SITE HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE
FOR ALL PERFORMANCE STANDARDS METRICS SEE PAGE 2
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND ADA PARKING REQUIREMENTS

NOTES: 46 RVs Plans from 1/7/24 exceeds total depth measurements by 20ft

THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH STALL HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE/ ALLL LOTS ALONG BACK FENCE ARE 20X40.
ALL REMAINING STALLS ARE 20X37.

Memo #2 Subject: Fence Violation at 23416 President Avenue – Noncompliance with Performance Standard #3

This memo is submitted to document a clear violation of LAMC §14.00 A.7, Performance Standard #3, which requires an 8-foot perimeter fence of masonry or wrought iron for all Public Benefit projects in residential zones.

Violation Summary:

- As Approved: The developer submitted and received approval for plans showing a full 8-foot wrought iron or masonry fence surrounding the property, in compliance with LAMC §14.00 A.7(3).

- As Built: Instead of installing the required fencing, the developer left the existing chain-link fence along the rear property line, topped with barbed wire, a material explicitly inconsistent with residential standards and a direct contradiction of the approved architectural plans.

Applicable Code Requirements:

- LAMC §14.00 A.7(3) – *Fencing and Screening Standard*: Requires that "the site shall be enclosed with an 8-foot-high solid decorative masonry wall or wrought iron fence unless otherwise approved."
- LAMC §91.106.4.1 – Requires that permitted construction match the submitted and approved plans.
- LAMC §12.21 A.1(a) – Prohibits the use or maintenance of any structure in violation of zoning or permit requirements.

Pattern of Noncompliance:

This is not an isolated incident. The same developer previously demolished a compliant perimeter wall at his Wilmington RV site and replaced it with barbed wire-topped chain-link fencing, again in direct violation of Performance Standard #3. This establishes a deliberate and repeated pattern of undermining residential protections and city oversight.

Why This Is Not Just an Enforcement Issue:

This is not a minor or correctable field violation, it is a direct violation of a mandatory Performance Standard under LAMC §14.00 A.7. Compliance with all twelve Performance Standards is a condition of eligibility for Public Benefit status. Failure to meet even one standard, such as Performance Standard #3, automatically disqualifies the project.

If the developer intends to proceed without meeting Performance Standard #3, they are legally required to obtain a Conditional Use Permit (CUP) pursuant to LAMC §12.24 U.14. No such CUP has been applied for or granted. Therefore, the current project lacks the legal entitlement to operate under the Public Benefit exemption.

Requested Action: We respectfully request that the City Planning Commission:

- Revoke the project's Public Benefit status and associated permits, and
- Refer the matter to LADBS and, if appropriate, the City Attorney for misrepresentation of approved construction documents.

When conditions of approval are ignored and enforcement fails, it becomes the CPC's responsibility to uphold the law and protect the community

Public Benefit Zoning Undermined: LAMC §14.00 A.7(3) Fence Requirement Violated

Harbor City - At the Harbor City site, the developer failed to install the 8-foot wrought iron or masonry fence required by LAMC §14.00 A.7(3) for Public Benefit projects in residential zones. Instead, he left the existing chain-link fence topped with barbed wire along the rear property line—directly contradicting the approved architectural plans. This is not a minor field change. It is a clear violation of a mandatory Performance Standard and reflects intentional noncompliance. Without meeting all twelve Performance Standards, the project cannot legally qualify for Public Benefit status. No Conditional Use Permit (CUP) has been filed or granted. Therefore, the project lacks valid zoning entitlement and must be revoked.





Wilmington: **Same developer** Demolished a compliant perimeter wall and replaced it with chain-link fencing topped with barbed wire, a blatant violation of LAMC §14.00 A.7(3), which requires an 8-foot wrought iron or masonry fence for Public Benefit projects. Barbed wire is not only noncompliant, it is inappropriate and unsafe in a residential neighborhood. This deliberate downgrade shows disregard for zoning law and public trust. The repeat violation across two sites shows a clear disregard for zoning law and public safety.





Memo 3: Subject: LADBS and Zoning Administrator erred in applying prevailing setback and violated LAMC §14.00 A.7 Performance Standard #4

Summary: The developer of the RV park at 23416 President Avenue was granted a permit based on a flawed front yard setback calculation. The approval violates Los Angeles Municipal Code ("LAMC") §14.00 A.7, specifically Performance Standard #4, which unambiguously requires that the front yard setback be at least as deep as that required by the underlying zone (R1 = 20 feet).
The Zoning Administrator improperly applied the Prevailing Setback Calculator, which is designed for conventional R1 projects under LAMC §12.08, not public benefit projects under §14.00 A.7. This misapplication allowed an illegal 17.69-foot setback, violating the fixed 20-foot requirement and undermining the purpose of Performance Standard #4.

Relevant Code Provisions:

- LAMC §14.00 A.7 (e) (Performance Standard #4): "The front yard setback is at least as deep as the setback required by the zone."
- LAMC §12.08 C.1 (R1 Zone): "The required front yard shall be not less than 20 feet in depth."
- LAMC §12.08 C.2 (Prevailing Setback Exception): This section allows for adjusted setbacks only under specific single-family development circumstances, and only when calculations are based on contiguous lots with valid measurements. It does not apply to public benefit projects processed under §14.00 A.7.
- LAMC §91.106.4.1: All permitted structures must reflect approved plans, and any deviation constitutes a code violation unless re-reviewed and re-approved.

Violations and Administrative Errors:

1. Use of the Prevailing Setback Calculator was improper.
    - The Prevailing Setback Calculator is not authorized for use under the public benefit Performance Standards. It is designed for basic R1 construction and cannot override fixed setbacks under §14.00 A.7.
2. The minimum 20-foot setback was not met.
    - The project was constructed with a front setback of only 17.69 feet, despite the approved plans showing the required 20-foot setback.
    - The Zoning Administrator improperly applied the Prevailing Setback Calculator, resulting in an inaccurate determination of a compliant setback. Even the Director of Planning's own appeal report identifies a prevailing setback of only 18.20 feet, below the required 20-foot minimum, thereby confirming the project's noncompliance with LAMC setback standards.
3. The parcel data used to calculate setback was false and misleading.
    - The developer relied on three unrelated parcels totaling only 26,442 square feet, not the actual 53,990 square feet of the subject property (APNs 7438-003-035 and 7438-003-036). This misrepresentation directly affected the outcome of the setback calculation.
4. LADBS failed to verify setback using certified parcel boundaries.
    - The Zoning Administrator used approximate ZIMAS tools instead of legally recorded parcel maps.
    - This violates LADBS's duty to verify data accuracy before permit approval.

Conclusion and Requested Action: This case represents a textbook example of zoning manipulation and administrative failure. The developer received approval for a setback deviation that violates fixed code standards, despite not applying for, nor being granted, a formal variance. This was accomplished by misusing tools, such as the Prevailing Setback Calculator, that do not legally apply to public benefit projects. Allowing this approval to stand would undermine the integrity of LAMC §14.00 A.7 and open the door to citywide abuse.
We respectfully urge the City Planning Commission to:

- Revoke the project's permit for violation of Performance Standard #4;
- Direct LADBS to review setback compliance using legal parcel maps and enforce the 20-foot minimum setback;
- Establish a formal policy clarifying that the Prevailing Setback Calculator does not apply to public benefit projects

Setback Manipulation & Data Errors – LADBS Oversight Failure / LAMC §14.00 A.7 Performance Standard #4 Violation

Harbor City - The developer used three unrelated parcels (26,442 sq. ft.) to reduce the required front setback to 17.69 feet. But the actual site parcels 7438-003-035 and 7438-003-036 totals 53,990 sq. ft. and is zoned R1, which **requires a 20-foot setback** under Performance Standard #4. Even the City's report shows the prevailing setback is 18.20 feet which still fails the legal minimum. This was a calculated move to shrink the front yard and squeeze in more units. It's zoning abuse, not public benefit.

Miss Information

Calculator for the prevailing setback:
Plans 7/25/24

Prevailing Setback calculations

Number of lots: **3** **Its only 2 parcels**

Prevailing Setback: **17.67 ft** **20 ft manatory**

Calculation **Used on the design plans**

Total no of lots entered: **3**
Total frontage entered: **150.00 ft**
40% from total frontage entered: **60.00 ft**
No of lots used in the calculation: **3**
Setback range used: **14.00 ft - 23.00 ft**
Total frontage used in the calculation: **150.00 ft**

Lots Used **Wrong data**

Lot	Frontage (ft)	Setback (ft)
1414	50.00	14.00
1500	50.00	16.00
23528	50.00	23.00

Verified Lot Information

23414 & 23416 President Lot for sale on President Ave in Harbor City. This listing includes **(2) parcels**: 7438-003-035, 7438-003-036. The total square footage is **53,990 SF** zoned LAR1 (1.24 acreas). The potential for development on this site is 8 SFR. Prevailing setback and development standards must be based on these APNs: 7438-003-035 & 7438-003-036

Performance Standard
(4) The front yard setback is at least as deep as the setback required by the zone;
(R) The required building setback for zone R1 is **20'**, no building, accessory building or structure of any kind is encroaching on this setback.
Not 17.69 ft Developer out of compliance
Not 18.20 ft Director of Planning out of compliance
Mandatory 20 ft setback

5. Ruben Vasquez and I, for the City, and Doug Ross, Donyea Adams, and Stewart Silver, for the Applicant, attended the June 28, 2024 meeting. We discussed the Performance Standards. In particular, the project still did not fully comply with condition #3. The original plans showed a wall within the required twenty-foot setback. We advised them that the wall can be 8 feet tall as long as it is setback 20 feet from the front property line; any portion of the wall within the setback had to be removed. The Applicant team seemed cooperative and said they wanted to ensure that they complied with all the conditions and were willing to submit updated plans to be clear they did comply or to

Memo #4 Subject: RV Park at 23416 President Avenue – Failure to Comply with Mandatory Landscaping Buffer and Parking Standards

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Summary: The developer at 23416 President Avenue has violated multiple zoning ordinances and performance standards governing public benefit projects in R1 zones, specifically Performance Standard #5 (landscape buffer) and Performance Standard #9 (parking requirements) under LAMC §14.00 A.7. These violations are not isolated enforcement issues, they reflect a systemic, intentional evasion of city code, and therefore warrant permit revocation.

Legal Standards and Violations:

1. LAMC §14.00 A.7(e)(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."
    - Violation: No landscaped buffer or irrigation exists on-site. Utility island hookups and RV stalls are encroaching directly into the required buffer zones. Prefab structures (most likely bathrooms/laundry) have been placed where landscaping is mandated.
2. LAMC §14.00 A.7(e)(9):n"The use meets the parking requirements of Section 12.21 A."
    - Violation: The RV park has not provided sufficient off-street parking. RVs are situated side-by-side with no adjacent vehicle spaces. Residents will be forced to park on neighborhood streets or block emergency access.
    - LAMC §12.21 A.6: Requires areas developed as public parking be landscaped; no such improvements have been made.
3. LAMC §91.106.4.1: Requires that all permitted improvements match approved plans. Deviations without review or permit approval are unlawful.
    - Violation: None of the additional prefab structures are shown on the approved plans. Their construction violates permit terms.

Why This Warrants Permit Revocation (Not Just Enforcement):

- The buffer zone was explicitly shown on approved plans. Its removal is not a compliance oversight; it is a material breach of a mandated condition.
- LADBS approved this project under the assumption that all 12 performance standards would be met. Failure to meet even one disqualifies the project from public benefit eligibility.
- LAMC §14.00 A.7 mandates that public benefit uses meet **ALL** applicable standards. There is no discretion to waive them retroactively.
- CPC has both the authority and responsibility to revoke permits where approvals were granted on misrepresentations or post-approval noncompliance.

Conclusion and Recommendation:

This developer has disregarded required landscaping, parking standards, and permit conditions. LADBS's failure to enforce during construction does not absolve the applicant's obligation to comply with the law. We respectfully request the City Planning Commission:

- Revoke the project's permit for violating Performance Standards #5 and #9;
- Issue formal direction to LADBS to enforce zoning setbacks and buffer zones;
- Clarify that Performance Standards under §14.00 A.7 are mandatory, not optional.

Landscaping Buffer Violated – LAMC §14.00 A.7 Standards #5 (Landscaping) & #9(Neighborhood Impact)

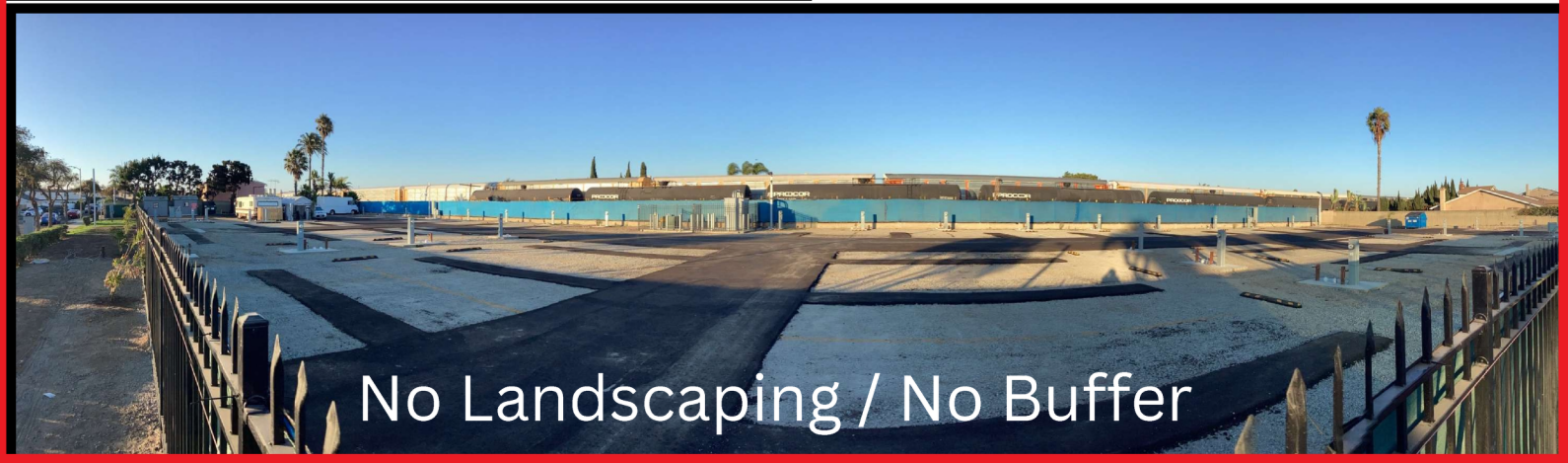
Harbor City – Where's the landscaping? Where's the buffer? The developer installed utility hookups, prefab structures, and hardscaping inside the required 10-foot landscaped buffer violating LAMC §14.00 A.7 Performance Standards #5 (landscaping) and #9 (parking/neighborhood impact). There is no planting, no screening, no irrigation, and no permits. What was supposed to protect neighbors from visual and noise impacts is now an illegal build zone. This isn't a buffer; it's an encroachment. No compliance means no Public Benefit.



No Landscaping / No Buffer



Structures are in the Buffer

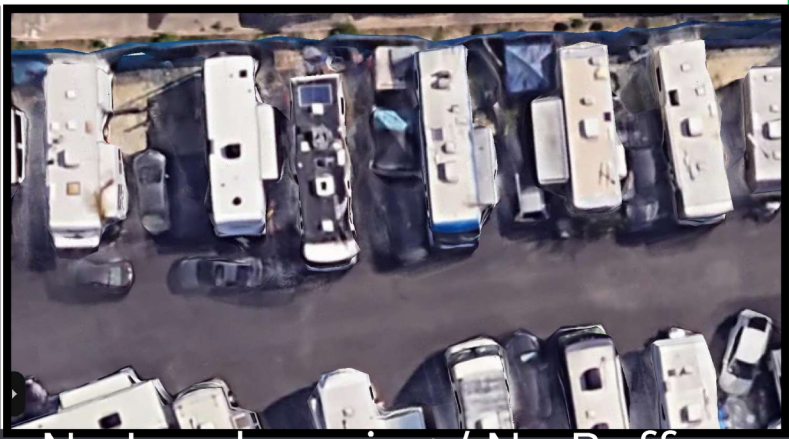


No Landscaping / No Buffer

Wilmington: Same Violations.This is what's coming to Harbor City if CPC does not act. In Wilmington, the same developer filled the required 10-foot buffer with RVs, utility hookups, and unapproved structures, no landscaping, no irrigation, and no enforcement. The pattern is clear: ignore the standards, build for profit, and rely on LADBS not to intervene. Without CPC action, Harbor City becomes the next zoning casualty.



No Landscaping / No Buffer



No Landscaping / No Buffer

Memo #5 Subject: RV Park at 23416 President Avenue - Failure to Provide Required Landscaping and Misuse of Title 25 Exemption (2 pages)

Summary: The developer of the RV park at 23416 President Avenue has failed to comply with Performance Standard #6 and Performance Standard #9 under LAMC §14.00 A.7, which applies to all public benefit projects in R1 zones. These violations include the complete failure to install required landscaping in parking areas and buffer zones, and the misuse of state regulations under Title 25 of the California Code of Regulations to falsely claim exemption from local zoning and parking requirements.

In addition to landscaping violations, the developer has improperly asserted that the site qualifies as a mobile home park under Title 25 to bypass local standards. However, the site is occupied exclusively by DMV-registered recreational vehicles, not HCD-certified mobile homes, and therefore does not qualify as a mobile home park. This project falls under the category of a Special Occupancy Park (SOP) and remains fully subject to local zoning regulations, including all twelve Performance Standards under LAMC §14.00 A.7.

These are not minor omissions; they are material violations and misrepresentations that undermine the public benefit entitlement and warrant revocation of all permits and designations issued for the site.

Legal Standards and Violations:

LAMC §14.00 A.7(e)(6): "Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6."
LAMC §12.21 A.6(a): Requires that at least 4% of a parking area be landscaped with trees, shrubs, and groundcover to reduce heat and preserve neighborhood character.

- Violation: Approved plans required installation of 60 creeping phlox, 58 barberry plants, 18 olive trees, and 36 Mediterranean cypress trees. None were planted. Instead, only 8 King Alexander Palms were installed.
- The front, side, and rear buffer zones were stripped and replaced with utility island hookups and hardscape, in direct violation of Performance Standard #6 and the approved site plan. No revised plans or LADBS approval were submitted for these alterations.

LAMC §14.00 A.7(e)(9):"The use meets the parking requirements of Section 12.21 A."

- Violation: The project provides no designated on-site parking for passenger vehicles, forcing residents to park on public streets and block internal roadways, creating unsafe conditions and violating LAMC §14.00 A.7(e)(9).
- The developer wrongly claims an exemption under Title 25, which applies only to state-licensed mobile home parks. This is a misapplication of the law, as local zoning regulations including LAMC §§12.21 A and 14.00 A.7 still govern this RV park.

Title 25 Argument Refuted:

The developer claims Title 25 exempts the project from local zoning standards, including landscaping and parking requirements. This is factually and legally incorrect.

- Title 25 of the California Code of Regulations governs mobilehome parks and Special Occupancy Parks (SOPs), including RV parks. However, its scope is limited to health and safety standards; it does not regulate zoning, establish parking requirements, or override local land use laws.
- This site will be occupied by recreational vehicles registered with the DMV, not HUD-certified mobile homes or HCD-permitted mobile home park structures.
- RV parks are governed by Title 25 as a Special Occupancy Park (SOP), but land use and zoning oversight remain under the jurisdiction of the City of Los Angeles.

Unless the site is a validly licensed HCD mobilehome park with long-term residential use and certified mobile homes, Title 25 does not override LAMC zoning requirements for RV Parks. The City retains full jurisdiction to enforce all Performance Standards under LAMC §14.00 A.7.

Why This Warrants Permit Revocation (Not Just Enforcement):

- Public Benefit projects must comply with all twelve Performance Standards under LAMC §14.00 A.7 to retain their designation.
- There is no legal mechanism to retroactively waive or modify these standards without revoking the Public Benefit status.
- The developer materially misrepresented landscaping and parking elements on approved plans.
- LADBS failed to conduct proper inspections or verify compliance during construction.
- These violations compromise environmental goals, neighborhood character, heat mitigation, and emergency access protections.
- The claim of Title 25 exemption is a strategic misrepresentation, not a legitimate legal defense.

Conclusion and Recommendation:

The developer at 23416 President Avenue has committed multiple violations that disqualify the project from Public Benefit eligibility and warrant immediate corrective action. Specifically, the developer has:

- Violated LAMC §14.00 A.7, including noncompliance with mandatory Performance Standards #6 (Landscaping) and #9 (Infrastructure);
- Failed to install required on-site landscaping and vehicle parking, both of which are essential conditions for approval;
- Misapplied Title 25 in an attempt to evade local zoning and land use regulations; and
- The developer installed key infrastructure including electrical and methane systems without providing required measurements or location on plans.

We respectfully urge the City Planning Commission to revoke the project's permits, enforce compliance with all applicable standards, and uphold the integrity of the Public Benefit process under LAMC §14.00 A.7.

Requested Actions:

1. Revoke the project's Public Benefit designation and all permits granted under LAMC §14.00 A.7.
2. Direct LADBS to issue formal Notices of Violation and pursue enforcement.
3. Affirm that Title 25 does not override LAMC for RV parks unless operating as a valid HCD-licensed mobile home park.
4. Require full compliance with landscaping and parking standards under LAMC §12.21 A.6 and §14.00 A.7.

Continue to next page

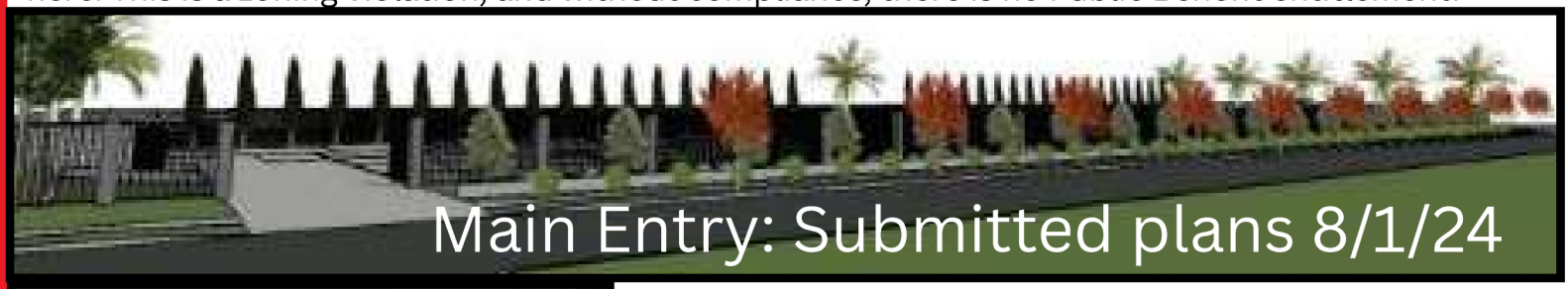
Parking Area Landscaping Violation – LAMC §12.21 A.6 & Performance Standard #6

Required 4% Landscaping Replaced with Dirt and Hookups

Not Exempt Under Title 25

Harbor City - Where's the Landscaping? Where's the Buffer?

The developer replaced the required 10-foot side buffer with utility island hookups, prefab structures, and hardscaping, violating LAMC §14.00 A.7, Standards #5, #6, and #9. Approved plans called for 60 creeping phlox, 58 barberry plants, 18 olive trees, and 36 Mediterranean cypress trees to screen the project and meet the environmental goals of Public Benefit zoning. None were planted. There's no irrigation, no permits, just asphalt, dirt, and utility islands where living green buffers were promised. This is not a buffer; it's a hardscape encroachment. And there's no Title 25 exemption here. This is a zoning violation, and without compliance, there is no Public Benefit entitlement.

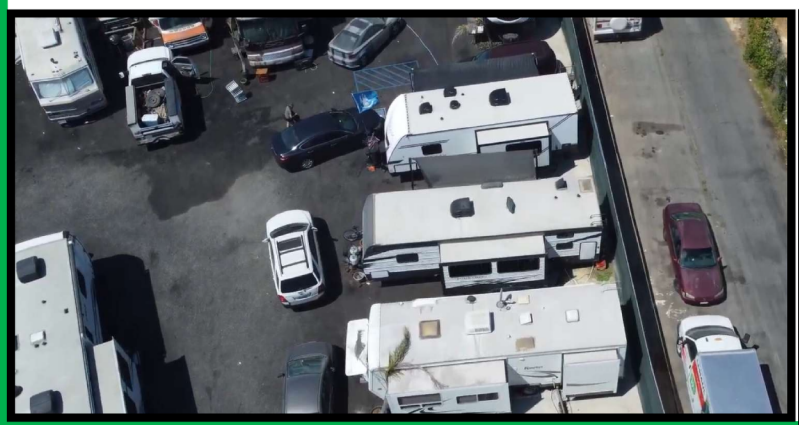


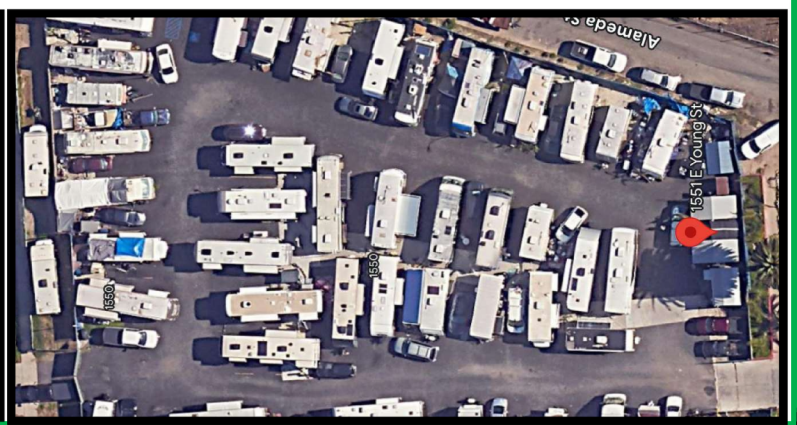


Actual site: No Green Space



Wilmington: Same Developer. Same Violations. Where is the 4% landscaping? Where is the buffer? The same developer stripped required landscape areas and replaced them with RV parking, utility boxes, and paving. This is how a green buffer becomes an RV pad—unless the CPC stops it. Title 25 does not override Los Angeles zoning law. If these violations go unchecked, Harbor City will repeat Wilmington's failure.





Memo #6 Subject: Failure to Maintain Clean Premises – Violation of LAMC §14.00 A.7(8) at 23416 President Avenue

This memo documents the failure of the developer at 23416 President Avenue to meet the mandatory cleanliness and maintenance obligations required under Performance Standard #8 of Los Angeles Municipal Code (LAMC) §14.00 A.7, applicable to Public Benefit projects in R1 zones.

Violation Summary:

- Observed Condition: Graffiti is present on the tarp covered chain-link fence at the rear of the property and has not been removed. This condition was photographed and verified while the site was still under construction and before occupancy.

- Applicable Law:
  LAMC §14.00 A.7(8) requires that all properties developed under Public Benefit provisions "be maintained free of graffiti, debris, and other signs of neglect" as part of ongoing compliance with performance standards.

- Public Impact: The presence of graffiti during early site development signals a clear disregard for long-term maintenance, undermining the intent of the ordinance and lowering the visual quality of the surrounding residential neighborhood. The failure to uphold this baseline standard raises concern over the future condition of the property and its compatibility with the R1 zone.

Enforcement and Revocation Justification:

This is not merely an enforcement issue, it is a breach of a required condition of development. Under LAMC §14.00 A.7, failure to meet any Performance Standard such as #8 on cleanliness renders the project noncompliant and ineligible for Public Benefit zoning treatment. The proper remedy is not a warning or future correction, it is revocation of the granted permit unless the project obtains a Conditional Use Permit under LAMC §12.24 U.14, which this developer never sought.

The Commission must interpret this failure not in isolation but as part of a broader pattern of disregard for zoning protections and community standards. When basic cleanliness standards are violated before occupancy, it signals a troubling trajectory of neglect and noncompliance.

Requested Action:
We respectfully urge the Commission to revoke the project's Public Benefit status and associated permits under LAMC §14.00 A.7. The project has already failed its first basic test of responsibility, clean and safe maintenance of the premises, and should not be allowed to proceed further in an R1 neighborhood.

Graffiti and Neglect – Violation of LAMC §14.00 A.7(8) Performance Standard #8 Broken Before Occupancy

Harbor City - Graffiti Before Occupancy? Graffiti was documented on the rear fence of the RV park at 23416 President Avenue. This violates Performance Standard #8 under LAMC §14.00 A.7, which requires all Public Benefit properties to be maintained free of graffiti, debris, and signs of neglect. Clean, safe maintenance is not optional, it is a condition of development. If the site is already showing neglect during construction, how will it be maintained long-term? This is a clear warning sign and grounds for immediate revocation of Public Benefit status.





Wilmington: Same Developer. Same Neglect.

The same developer since January 2023, still shows graffiti along its perimeter fence, a continuing violation of LAMC §14.00 A.7(8). This is not a one-time oversight. It's an established pattern of neglect. If this is how the developer maintains an active site, Harbor City should expect the same blight, same decay, and same disregard for community standards.





Memo # 7 Subject: RV Park Removal of Required Parking and Title 25 Misuse

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Summary: The developer of the property at 23416 President Avenue removed all on-site parking from the final project plans after obtaining permits, in direct violation of Performance Standard #9 under LAMC §14.00 A.7. This standard mandates full compliance with the parking requirements outlined in LAMC §12.21 A. To justify the elimination of required parking, the developer falsely invoked a Title 25 exemption. However, this exemption applies exclusively to mobile home parks; not to Special Occupancy Parks, such as the RV park proposed in this project. Title 25 regulates only health and safety standards for RV parks; it does not govern zoning, dictate parking requirements, or supersede local land use laws. Furthermore, the project includes no HCD-certified mobile homes and lacks a valid HCD mobile home park license, rendering any Title 25 exemption claim invalid. This misrepresentation constitutes a bait-and-switch tactic that undermines the project's public benefit designation and warrants the immediate revocation of its permit.

Legal Standards and Violations:

1. LAMC §14.00 A.7(e)(9): "The use meets the parking requirements of Section 12.21 A."
2. LAMC §12.21 A.4 and A.6: Establishes parking and landscaping minimums for all developments unless expressly exempted.
   - Violation: The developer's original plans provided one passenger vehicle parking space per RV stall. These parking spaces were removed in later plan sets without review or justification. RVs now occupy the entire site with no legal on-site parking, in violation of Performance Standard #9.
3. LAMC §12.24 U.14: Requires a Conditional Use Permit when ambiguity or nonconformance exists in a proposed use.
   - Violation: The developer removed required on-site parking and failed to meet minimum provisions under LAMC §12.21 A, yet never applied for a Conditional Use Permit as required by §12.24 U.14. This reflects an intentional effort to bypass zoning review.
4. Misuse of Title 25 (California Code of Regulations): Title 25 exemptions apply solely to certified mobilehome parks regulated by the California Department of Housing and Community Development (HCD).
   - Violation: This site will contain DMV-registered RVs without tie-downs, permanent foundations, or fixed utility infrastructure. It does not meet the legal definition of a mobilehome park and therefore cannot invoke Title 25 exemptions to avoid compliance with LAMC parking standards.

Why This Warrants Permit Revocation (Not Just Enforcement):

- The original permit was granted based on plans showing full parking compliance. Its removal invalidates the basis of approval.
- Public Benefit projects must meet all 12 Performance Standards to retain eligibility. Removal of any required element nullifies the project's legal status under LAMC §14.00 A.7.
- Allowing retroactive exemption circumvents both community review and legal due process, setting a dangerous precedent for zoning abuse.

Conclusion and Recommendation:

This developer misrepresented the nature and scope of the project after obtaining approval, removed required parking without legal justification, and falsely invoked Title 25 to dodge local laws. The result is an unpermitted, non-compliant use in an R1 neighborhood, with no lawful parking or traffic safety mitigation. We respectfully request the City Planning Commission:

- Revoke the project's permit for violating Performance Standard #9;
- Direct LADBS to initiate enforcement for illegal plan alterations;
- Reaffirm that RV parks must comply with all relevant provisions of LAMC §12.21 and cannot rely on inapplicable mobilehome exemptions.

Parking Requirement Removed – LAMC §14.00 A.7(e)(9) Violation

No Legal Parking. No Title 25 Exemption. No Public Benefit.

Harbor City - Where Did the Parking Go? This project violates Performance Standard #9 under LAMC §14.00 A.7. The developer eliminated all on-site vehicle parking from the final plan set, despite earlier approvals showing one space per RV. Now, RVs are crammed side by side with no room for passenger vehicles, forcing RV residents to park on the street or block fire lanes. These are DMV-registered RVs, not HCD-certified mobilehomes, Title 25 does not apply. Local zoning still governs, and LAMC §12.21 A requires on-site parking. This is not a legal exemption. It's a zoning violation. No parking means no compliance and no Public Benefit status.



NOTES: 7/2/24 plans

THIS IS A 39 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUE
EACH RENTAL SITE HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE
FOR ALL PERFORMANCE STANDARDS METRICS SEE PAGE 2
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND

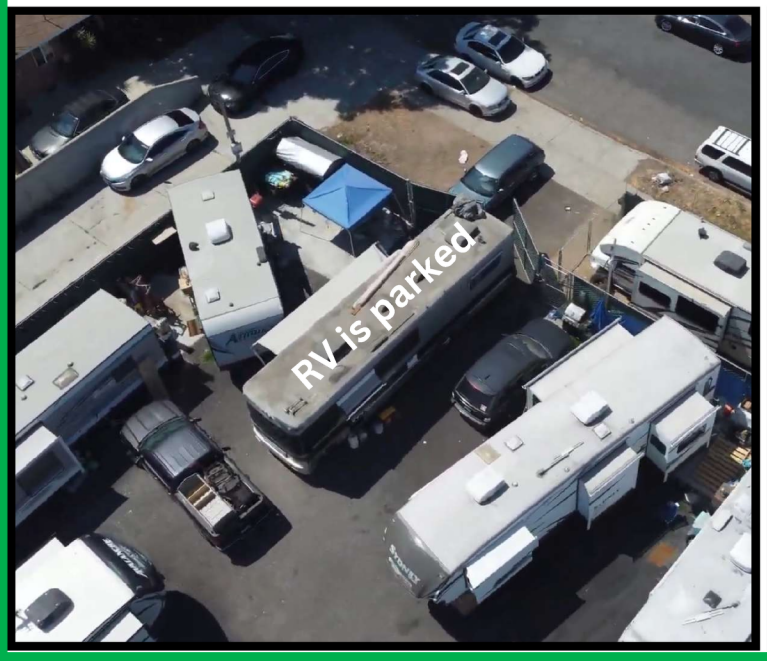
NOTES: 1/7/24 plans

THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00
EACH STALL HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE/
ALL REMAINING STALLS ARE 20X37.

6/13/25 Letter to CPC

In any event, Oceans 11 is providing ample off-street parking. The plans show that each of the RV spots will be accompanied by one parking space.

Wilmington – Same Developer, Same Strategy: At the Wilmington RV park, the same developer ignored parking requirements, resulting in cars parked illegally across fire lanes and drive aisles. Emergency access is blocked, circulation is chaotic, and there is no formal parking plan. This is a preview of what Harbor City will become if these violations go unchecked. No enforcement then. No accountability now. CPC must act before this becomes permanent.



Unsafe



Unsafe

Memo #8 Subject: RV Park at 23416 President Avenue – Removal of ADA Parking and Violation of Civil Rights Protections (2 pages)

Summary: The removal of ADA-compliant parking at the RV park located at 23416 President Avenue constitutes a direct violation of federal and local accessibility laws, including LAMC §14.00 A.7, the California Building Code (CBC), and the Americans with Disabilities Act (ADA). While two ADA parking stalls were originally included in the approved plans, the developer later eliminated them without formal revision or approval and installed methane-rated electrical infrastructure in the same location. Though the methane and electrical structures appeared in the first set of stamped plans, it was buried on page 4 in small font and was not included in the site layout or labeled with any dimensions or measured placement, a procedural violation that concealed its true impact on site compliance. This act is both discriminatory and deceptive, as it effectively denies access to disabled individuals and disqualifies the project from Public Benefit status.

Physical Constraints Proving Noncompliance:

- The total depth from the rear fence to the drive aisle measures 33 feet, which previously accommodated a layout consisting of a 15-foot rear landscape buffer and an 18-foot-deep ADA-compliant parking stall (15' + 18' = 33').
- The newly installed methane-rated electrical enclosure is approximately 20 feet deep and setback approximately 5 feet from the rear fence, consuming two-thirds of the 33-foot zone.
- This leaves approximately 8 feet of depth between the front of the utility structure and the drive aisle; significantly less than the 18 feet required to accommodate an ADA-compliant parking stall.
- Despite this, the developer now claims that ADA parking will be reinstated in front of the electrical enclosure, a claim that is physically impossible due to available space, and highlights a willful misrepresentation of future compliance.

Unpermitted and Undisclosed Infrastructure:

The installed infrastructure includes: A methane-sensitive electrical service panel;

- Although the structure appears on the first set of stamped plans, it was built without measured placement or dimensioned labeling, in violation of LAMC §91.106.4.1, which requires clear, accurate, and complete plans for all permitted construction. The plans approved by LADBS lacked any measurements or specific location for the electrical/methane infrastructure, rendering the approval procedurally invalid and unenforceable.
- Constructed within the designated footprint of a required ADA parking stall and landscaped buffer, the installation violates both spatial and functional requirements under multiple code provisions.

Legal Standards and Violations:

- LAMC §14.00 A.7(e)(9): Requires compliance with LAMC §12.21 A, which incorporates ADA and CBC parking requirements.
- LAMC §12.21 A: Requires all public-serving uses to maintain accessible parking under CBC and federal ADA standards.
- CBC Chapter 11B: Requires a minimum number of accessible stalls for public-serving sites, including temporary RV parks.
- ADA Title III: Prohibits discrimination by public accommodations. The removal and physical obstruction of ADA parking constitutes exclusion by design.
- LAMC §91.106.4.1: Prohibits construction or use of unapproved structures not shown on stamped plans.

Why This Warrants Permit Revocation (Not Just Enforcement):

- The removal of ADA parking, combined with the installation of unauthorized methane-sensitive electrical equipment, violates:
    - LAMC Performance Standard #9,
    - Federal ADA access laws, and
    - Local safety and zoning regulations.

- There is no remaining physical space to reintroduce ADA parking, due to the encroachment of the 20-foot structure into the 33-foot zone.
- This is not an isolated error: A similar ADA stall violation occurred at another project by the same developer in Wilmington, showing a pattern of disregard for accessibility and legal compliance.
- LADBS failed to catch or enforce these violations, compounding the harm and forcing community members to defend their rights without institutional support.

Conclusion and Recommendation:
There is no Public Benefit when a project physically excludes people with disabilities and undermines basic life safety requirements. The removal of ADA parking, the unpermitted installation of critical infrastructure, and the ongoing misrepresentation of compliance justify full permit revocation.

We respectfully request that the City Planning Commission:

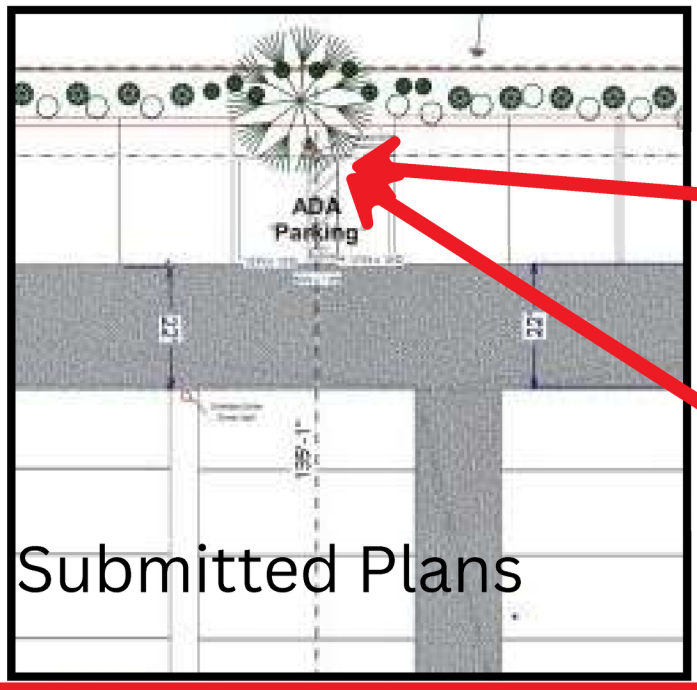
- Revoke the project's permits for violating ADA, CBC, and LAMC regulations;
- Direct LADBS to issue enforcement actions for construction and plan violations;
- Declare the project ineligible for Public Benefit status under LAMC §14.00 A.7;
- Set a precedent that disabled access and life safety are not negotiable in any land use decision.

Continue to the next page

ADA Accessibility Violation
Civil Rights and Zoning Laws Ignored

Approved ADA Parking Removed, Replaced with Utility Infrastructure
Violates Title II of the ADA and LAMC §14.00 A.7 Public Benefit Requirements

Harbor City – ADA Access Removed, Safety Compromised: The approved plans for 23416 President Avenue included two ADA-compliant parking spaces, as required by federal and local law. But these spaces were later eliminated and replaced with permanent utility infrastructure including what appears to be a methane-rated electrical service panel. ADA access is now impossible. This isn't a technical oversight, it's a civil rights violation. Removing accessible parking excludes disabled individuals by design and violates the ADA, California Building Code, and LAMC §14.00 A.7. The presence of unapproved infrastructure in a methane zone only makes the violation more dangerous. There is no Public Benefit when part of the public is shut out.

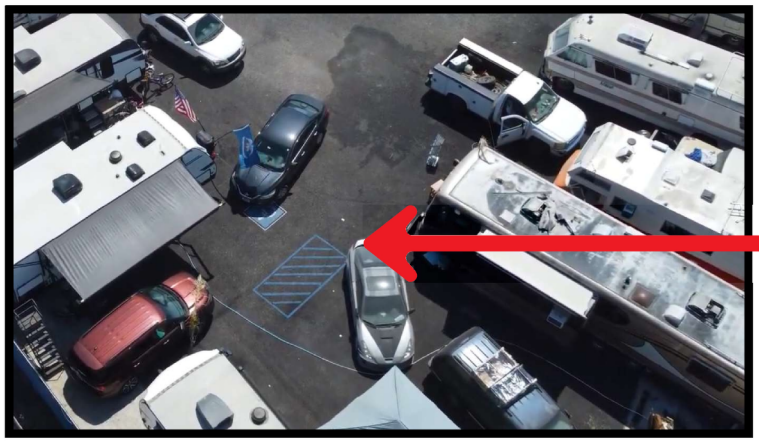


Submitted Plans


Actual Site: NO ADA Parking



Wilmington: Same Developer. Same ADA Disregard. At the Wilmington RV park, ADA parking is blocked by RVs and personal vehicles making access unreliable or impossible. This is not accidental. It reflects a broader pattern of noncompliance and neglect. Removing accessible parking violates both the spirit and letter of Public Benefit zoning.




Accessibility Ignored

Memo #9 Why This Warrants Permit Revocation (Not Just Enforcement)

Subject: RV Park at 23416 President Avenue - Drive Aisle Width Noncompliance and Public Safety Risks

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Summary: The RV park at 23416 President Avenue violates Performance Standard #9 under LAMC §14.00 A.7, as multiple drive aisles within the site measure only 15 feet wide, well below both the 19-foot legal minimum under LAMC §12.21 A.5(e)(2) and the 24-foot fire safety recommendation for two-way vehicular access. These dangerously narrow lanes put residents, emergency responders, and neighborhood traffic safety at risk and are the result of deliberate plan manipulation. This violation disqualifies the project from retaining its Public Benefit status and requires permit revocation.

Legal Standards and Violations:

1. LAMC §14.00 A.7(e)(9): "The use meets the parking requirements of Section 12.21 A."
2. LAMC §12.21 A.5(e)(2): "When access driveways serve more than 25 automobiles, each driveway shall be at least 19 feet in width, or two one-way driveways, each at least 10 feet wide, shall be provided."
    - Violation: This site serves 46 RVs and includes only one main drive aisle. Each interior aisle must meet the 19-foot minimum. However, multiple interior aisles are only 15 feet wide, and the main aisle is just 22 feet, short of both the 24-foot fire safety guideline and zoning standards.
    - Three of these 15-foot aisles serve eight RV stalls and terminate at a dead-end fence, meaning vehicles must both enter and exit along the same narrow path. This clearly constitutes a two-way traffic lane and fails to meet the minimum fire lane and access standards.
3. Fire Code Standards (Reference: LAFD Access Requirements):
    - Typically require 24 feet for two-way emergency vehicle access.
    - Violation: The site plan fails to meet this width on any interior road segment, creating access hazards.
4. LAMC §91.106.4.1: Requires construction to follow approved plans or obtain amended permits.
    - Violation: Developer deleted all stall dimensions in the final submitted plan set, likely to conceal noncompliant aisle widths and avoid detection by LADBS.
    - This was not a minor oversight; it was a calculated effort to hide safety and zoning violations.
    - Public Benefit projects must meet all 12 Performance Standards. Failure to comply with Performance Standard #9 voids this eligibility.
    - LADBS failed to identify or correct this violation, which makes CPC oversight essential to uphold code integrity and public safety.
    - Fire access and traffic circulation are core health and safety concerns, not discretionary matters. These violations place the community in real danger.

Conclusion and Recommendation:

The approval of this project was based on incomplete and deceptive site plans. The drive aisle widths do not meet zoning or fire safety requirements. This noncompliance disqualifies the project as a Public Benefit under LAMC §14.00 A.7 and warrants immediate revocation of its permits.

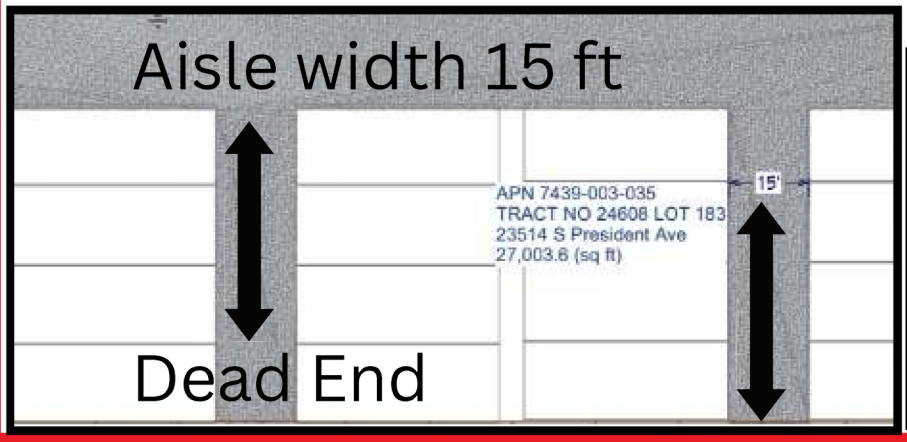
We respectfully request the City Planning Commission:

- Revoke the project's permit due to drive aisle noncompliance;
- Instruct LADBS to initiate enforcement actions against the developer;
- Reinforce that drive aisle and fire access standards are not optional and must be met without manipulation or circumvention.

Drive Aisle Violation – Fire Access and Zoning Standards Ignored

15-Foot Lanes Built Where 24 Feet Is Required
Violates LAMC §12.21 A.5(e)(2) and Title 25 §2110(b)(1)(A)

Harbor City – Narrow Aisles, Blocked Safety Routes
The site plan for 23416 President Avenue shows multiple interior drive aisles only 15 feet wide, well below both the 19-foot minimum required under LAMC §12.21 A.5(e)(2) and the 24-foot standard for two-way fire access recommended by LAFD. This RV park serves 46 units, so every aisle must safely accommodate two-way traffic and emergency vehicles. Worse, three of the 15-foot aisles are dead ends serving eight stalls each, forcing all vehicles to enter and exit the same narrow lane. These are not private driveways; they are functional roadways. The Zoning Administrator wrongly treated them as private access paths, and LADBS approved a plan that clearly puts public safety at risk. Noncompliant circulation is not a technicality, it's a life safety violation that voids the project's Public Benefit status.



Not wide enough for emergency access! Minimum is 19 ft



Wilmington: Same Developer. Same Dangerous Design. This developer used the same underbuilt circulation layout at his Wilmington RV site narrow lanes, dead ends, and no regard for emergency access. This is not 19 feet. It is not safe. LAMC §12.21 and Title 25 §2110 set clear minimums for two-way travel, and this project meets neither. Public safety is not optional. If this design stands in Harbor City, it sets a dangerous precedent for every residential zone in Los Angeles.

Main driveway





Memo #10 Subject: RV Park at 23416 President Avenue – Unauthorized Density Increases and Misrepresentation of Plans

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Summary: The developer of the RV park at 23416 President Avenue submitted conflicting sets of site plans showing 39 and 46 RV spaces on the same blueprint. Despite these inconsistencies, the developer has built 47 stalls and installed 53 shore power units signaling intent to expand far beyond the approved design. These additions were not shown in any publicly disclosed plans, nor were they reviewed or permitted by LADBS. These discrepancies reflect willful manipulation of zoning documentation to increase commercial density in violation of Performance Standard #9 under LAMC §14.00 A.7.

Applicable Laws and Violations:

1. LAMC §14.00 A.7(e)(9): "The use meets the parking requirements of Section 12.21 A."
    - Violation: The increase from 46 to 53 RV shore power stations was never included in the approved plans, thus violating the requirement to meet original parking and use parameters.
2. LAMC §12.21 A.1(a): Prohibits any use or structure not expressly permitted under an issued certificate of occupancy.
    - Violation: The 53 shore power units and the additional RV stalls constitute unpermitted use and expansion.
3. LAMC §91.106.4.1: Requires construction to match approved plans or to submit and receive approval for revised permits.
    - Violation: The current built conditions 47 RVs with hookups for 6 more are materially different from the approved project.
4. Performance Standard #9: Requires full compliance with §12.21 A, which covers dimensions, access, parking, and use limitations.
    - Violation: Increased density and new infrastructure were installed without ensuring access, landscaping, or fire code compliance.

Evidence of Manipulation:

- Multiple conflicting plan sets were submitted, with no clarification offered to the public or reviewing agencies.
- ABC7 aerial footage (June 27, 2024) captured visual proof of more infrastructure than the plans reflected.
- Shore power units added to interior-facing sides allowed for additional RVs not disclosed in permit filings.

Why This Warrants Permit Revocation:

- Pattern of deception: Submitting multiple versions of plans with conflicting densities misleads the public and oversight bodies.
- Exceeds scope of Public Benefit zoning: The developer failed to comply with the core requirement of Performance Standard #9, which mandates full transparency and conformity with LAMC §12.21 A.
- Not merely an enforcement issue: These discrepancies demonstrate a deliberate attempt to bypass zoning and public process, which undermines the legitimacy of the entire approval.

Conclusion and Recommendation: Because of these blatant misrepresentations, unauthorized infrastructure, and violations of zoning law, we urge the City Planning Commission to:

- Revoke the RV park's permits immediately;
- Disqualify the project's Public Benefit status under LAMC §14.00 A.7;
- Refer the matter to LADBS and City Attorney for enforcement and possible fraud review.

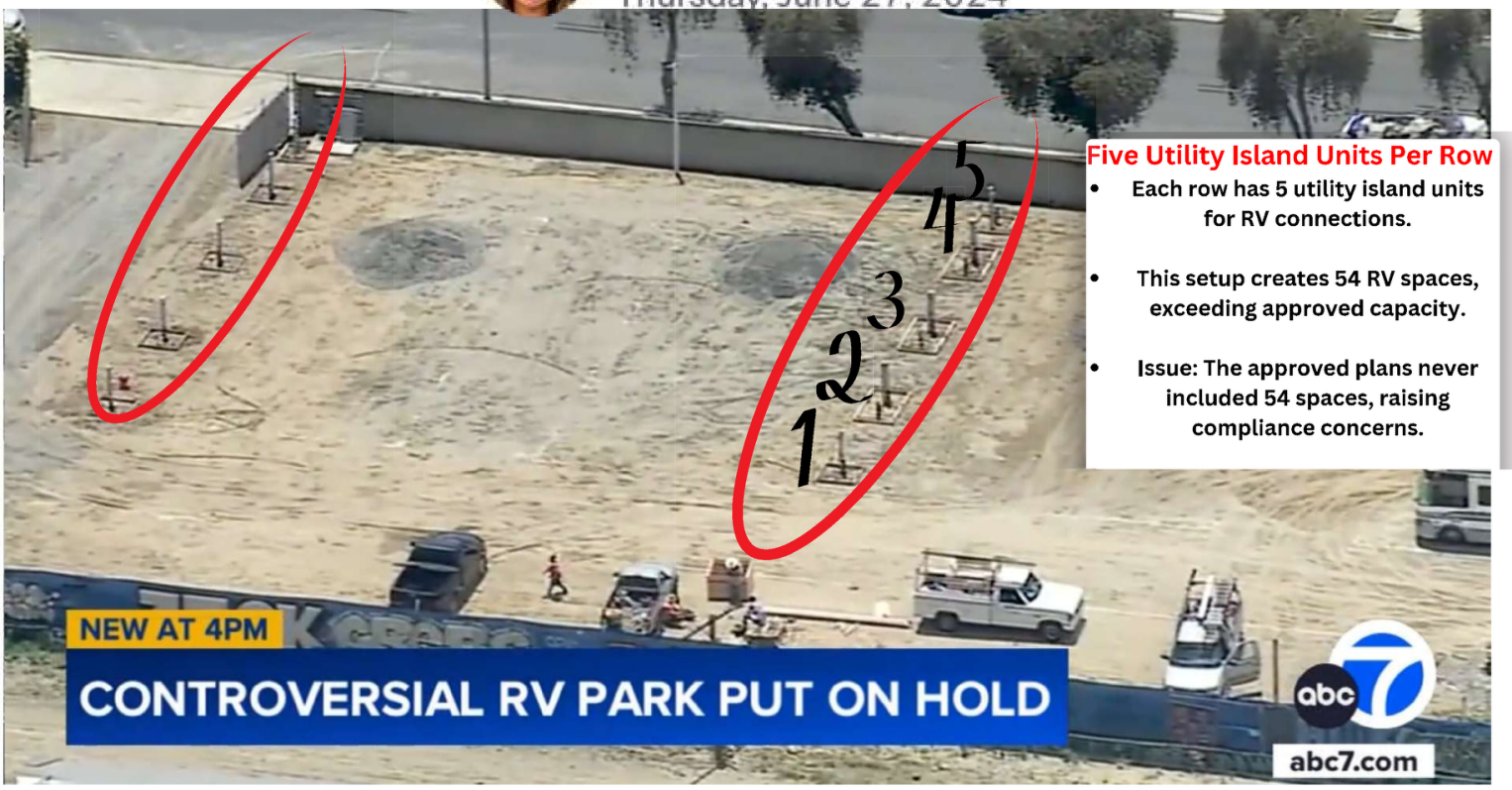
54 Utility Island Units Built – Only 39 and 46 Approved Violation of LAMC §14.00 A.7(9): Hidden Density, Manipulated Plans

Harbor City - The developer submitted conflicting plans, one showing 46 RVs, another reduced to 39 just to secure approval. But aerial and on-site documentation reveals that 54 utility island hookups were installed, allowing for far more RVs than the public or LADBS were ever told. Hookups even extend into the 20-foot front buffer zone, a clear zoning violation. ABC7 aerial footage confirms this hidden expansion. This directly violates LAMC §14.00 A.7(9), which requires all Public Benefit projects to fully match their approved plans. This is not an oversight, it's deliberate misrepresentation to increase density without public review or permit approval.



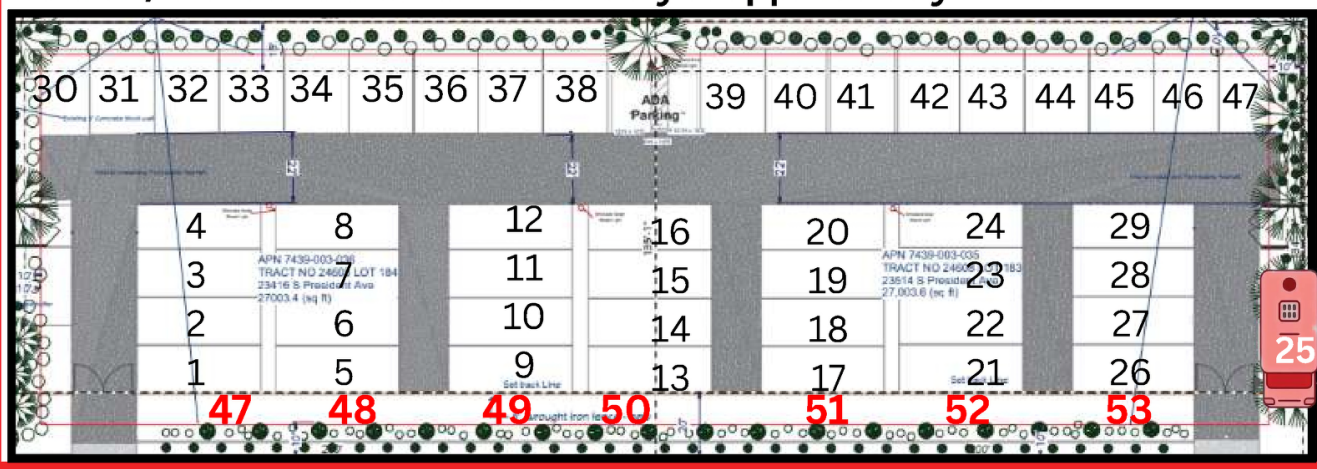
By Shayla Girardin

Thursday, June 27, 2024



Plans: 7/25/24: Built with the intention of installing 54 RVs Not 46 RVs / No RV stall Measurements yet approved by LADBS

Utility Island units in front of the property in the 20ft buffer





Memo #11 Subject: Pattern of LADBS Inaction Undermines Zoning Enforcement and Community Trust

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Summary: Addressing the Los Angeles Department of Building and Safety's (LADBS) failure to respond meaningfully to multiple documented complaints submitted by community members regarding clear violations at 23416 President Avenue. These include fencing discrepancies, buffer zone encroachments, missing landscaping, and unpermitted structures, all of which were either ignored or dismissed without thorough inspection.

Violation of Municipal Responsibilities:

While the developer violated numerous provisions of the Los Angeles Municipal Code (LAMC) and Performance Standards under §14.00 A.7, LADBS failed to enforce:

- LAMC §91.103.1 - Grants LADBS authority and responsibility to enforce all provisions of the building and zoning codes.
- LAMC §91.106.4.1 - Requires that construction match approved plans, with LADBS responsible for verifying compliance.
- LAMC §12.21 A.1(a) - Prohibits any use, structure, or modification that deviates from approved plans or zoning code requirements.

Despite receiving complaints supported by photo and video documentation, LADBS closed multiple cases without field verification or follow-up reports effectively insulating the developer from scrutiny.

Why This Matters to CPC:

The CPC is not just a procedural backstop. When LADBS fails to act, the CPC becomes the only venue for accountability. This project is approved under LAMC §14.00 A.7 as a *public benefit project* which requires full compliance with all 12 performance standards. Any violation disqualifies the project.

When community members exhaust all administrative pathways and are ignored, it signals a collapse in regulatory integrity. Permits issued under these conditions must be revoked, not merely corrected in the field.

Requested Action:

We urge the City Planning Commission to:

- Revoke the project's Public Benefit eligibility and related permits under LAMC §14.00 A.7.
- Initiate an independent audit of LADBS handling of complaints regarding this site.
- Recommend the matter for referral to the City Attorney's Office to investigate systemic failure to enforce zoning standards.

The CPC must uphold the law where enforcement failed and restore public confidence in the zoning process.

LADBS Ignored Repeated Violations – 23416 President Avenue Community Complaints Dismissed. Violations Unchecked. LAMC §§91.103.1 & 91.106.4.1 Not Enforced

Harbor City - LADBS Failed to Enforce the Law: Despite receiving multiple complaints from residents with photos, dates, and documentation LADBS closed the cases without issuing corrections or conducting proper site inspections. This inaction violates LADBS's duties under LAMC §§91.103.1, 91.106.4.1, and 12.21 A.1(a), which require them to enforce zoning and ensure compliance with approved plans. Instead, the developer was allowed to proceed unchecked, erecting unpermitted structures, erasing buffer zones, and removing landscaping with no accountability. R1 neighborhoods deserve meaningful enforcement not silence. Now the burden falls to the CPC. If LADBS won't act, you must.

Date Received	Problem Description	Status
1/6/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
5/27/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
6/21/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
6/21/2024	MISCELLANEOUS COMPLAINTS	CLOSED
6/26/2024	COMMERCIAL ADVERTISING ON A TEMPORARY CONSTRUCTION FENCE	CLOSED
7/2/2024	MISCELLANEOUS COMPLAINTS	CLOSED
7/21/2024	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
7/31/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/1/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/14/2024	OPEN STORAGE OF VEHICLES THAT CANNOT BE LEGALLY OPERATED (E.G. JUNK CARS)	CLOSED
8/15/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/22/2024	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
8/23/2024	MISCELLANEOUS COMPLAINTS	CLOSED
9/3/2024	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
9/5/2024	ANY PROBLEMS THAT ONLY OCCUR FROM 5:00PM TO 7:00 AM (AT NIGHT) OR ON WEEKENDS	CLOSED
9/26/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	DISABLED ACCESS ISSUES	CLOSED
2/22/2025	MISCELLANEOUS COMPLAINTS	CLOSED
5/7/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED

23416 S PRESIDENT AVE

Date Received: 8/22/2024
Description: CONSTRUCTION DONE WITHOUT PERMITS (
Inspector: BRIAN CHRISTIAN
Phone: (310)732-4530
Status: DUPLICATE SERVICE REQUEST

23416 S PRESIDENT AVE

Date Received: 2/20/2025
Description: DISABLED ACCESS ISSUES
Inspector: KELLY WARNER
Phone: (310)732-4531
Status: DUPLICATE SERVICE REQUEST

📅 Feb 20–22, 2025 – Multiple Complaints Filed

📸 Documented violations of individual performance standards.

❓ Did LADBS even inspect the site? Were any correction notices issued?

⚠️ To this day, the RV park remains noncompliant and LADBS has taken no visible action

Wilmington: Same Developer, Same Violations, Same LADBS Failure

At the developer's other RV site 1550 E. L Street (also listed as 1551 Young Street) residents also reported violations of Public Benefit Performance Standards. Just like in Harbor City, LADBS closed the complaints without requiring compliance. To this day, the Wilmington site remains out of compliance. This isn't a one-time lapse it's a pattern of zoning abuse enabled by enforcement failure. What happened in Wilmington is now repeating in Harbor City. The CPC must step in where LADBS did not.

2/24/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/24/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/24/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/24/2025	MISCELLANEOUS COMPLAINTS	CLOSED

1550 E L ST

Date Received: 2/24/2025
Description: MISCELLANEOUS COMPLAINTS
Inspector: KELLY WARNER
Phone: (310)732-4531
Status: DUPLICATE SERVICE REQUEST

Memo #12 Subject: Unpermitted Expansion, Buffer Zone Encroachment, and Structural Violations - RV Park at 23416 President Avenue

This memo documents zoning and building code violations at 23416 President Avenue. The developer exceeded project limits by expanding RV capacity, building unpermitted prefabricated structures, and violating buffer zone and ADA requirements. These deliberate actions warrant permit revocation.

Key Violations:

1. Unpermitted RV Expansion

- Approved for 46 RV stalls.
- 47 stalls built; 7 additional hookups installed in the front buffer zone totaling 54 RVs.

Violations:

- LAMC §12.21 A.1(a): Prohibits unapproved land uses.
- LAMC §91.106.4.1: Requires permits for any structural additions.

2. Unapproved Prefab Structures

- Three prefabricated buildings were added (likely bathrooms and laundry).
- Not shown in any approved plan set.

Violations:

- LAMC §91.106.4.1: Requires full plan disclosure and permit approval.

3. Buffer Zone & ADA Stall Manipulation

- Rear includes a 15-foot buffer and 18-foot ADA stall (33 ft total).
- ADA stalls were removed to fit electrical and methane infrustructure not shown on any plans.
- RVs now extend into buffer zones, eliminating landscaping.

Violations:

- LAMC §14.00 A.7, Standard #5: Requires a 10-foot landscaped buffer.
- LAMC §14.00 A.7, Standard #9 / §12.21: Requires compliant parking and circulation.
- ADA Compliance: Removal of ADA stalls violates federal access laws.

4. Pattern of Deception

- Prefab buildings and electrical and methane infrastructure not disclosed.
- Utility island hookups installed in landscaping areas.
- ADA stall removal concealed to increase RV capacity.

Why Permits Should Be Revoked

- These are not technical errors but clear attempts to evade zoning and public benefit standards.
- Project fails to qualify for Public Benefit status under LAMC §14.00 A.7.
- LADBS failed to act, leaving the CPC responsible for corrective action.

Requested Actions:

1. Revoke all entitlements and permits at 23416 President Avenue.
2. Remove Public Benefit designation under LAMC §14.00 A.7.
3. Refer to the City Attorney for potential fraud and misrepresentation.
4. Enforce restoration of landscaped buffers and ADA compliance.

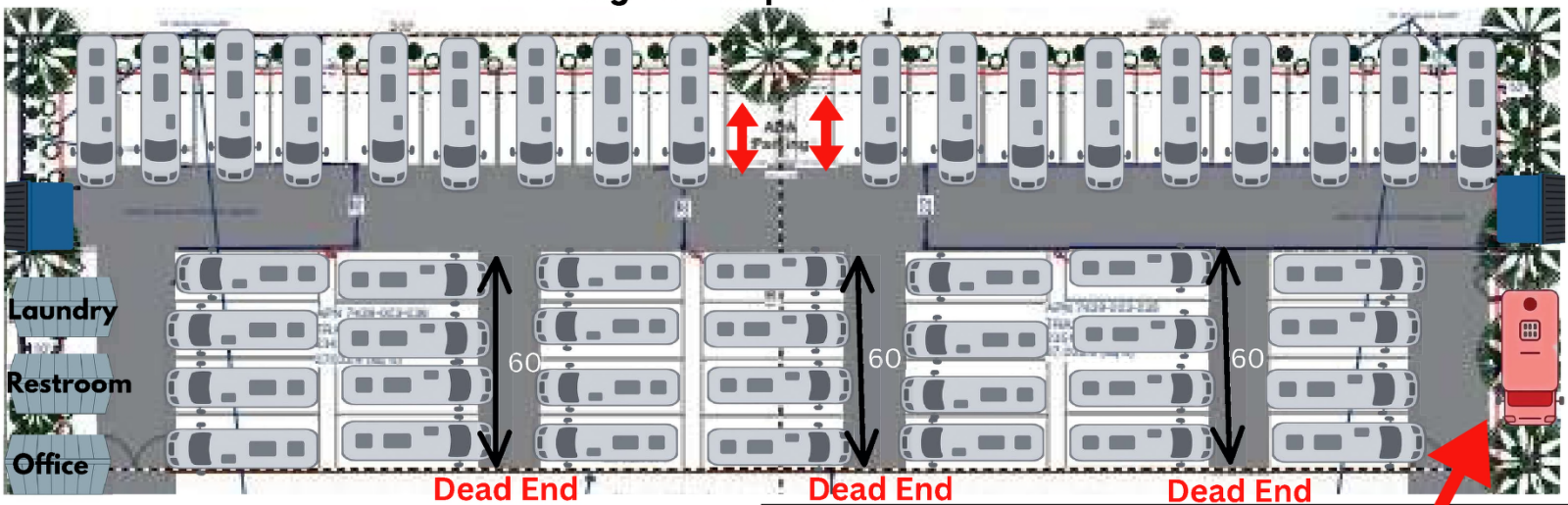
Conclusion: This project exemplifies zoning abuse and enforcement failure. If allowed to stand, it sets a dangerous precedent. The CPC must act to uphold the law and protect neighborhoods.

Illegal RV Expansion and Unpermitted Structures

Violates LAMC §§12.21 A.1(a), 91.106.4.1, and §14.00 A.7 – Public Benefit Voided

The developer was approved for 46 RV stalls but has already built 47 and installed utility island hookups in the front buffer zone enabling a total of 54 RVs. He also constructed three prefabricated buildings, likely restrooms or laundry rooms, none of which appear on any approved plans. These additions violate LAMC §12.21 A.1(a) (prohibiting unapproved land uses) and §91.106.4.1 (requiring permits for new structures). RVs now encroach into the required 10-foot landscaped buffer, and the ADA stalls were eliminated to make room for the electrical and methane equipment. This project clearly fails to meet the Performance Standards required under LAMC §14.00 A.7 for Public Benefit eligibility. This is not a clerical oversight it is deliberate zoning abuse that must be stopped.

On plans ADA is 18 feet long, which means the RVs were always going to be in the buffer zone Violating another perfomance standard

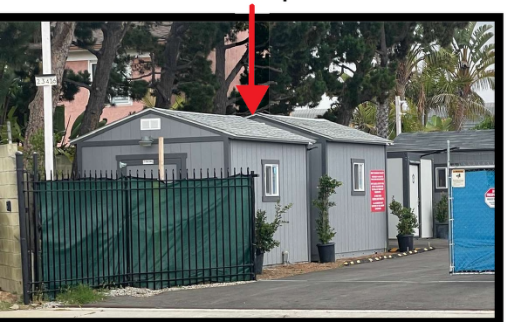


Measurements and loaction for the electrical and methane equipment **NOT** on final plan





These 3 structures are **NOT** on any of the 3 submitted plans



Utility Island hookups Roughins ready to GO Creates another row of RVs in the Front 20ft Buffer Zone





Only 46 RVs stalls on Approved plans

Unapproved RV Stall #47 Utility Island hookups Installed Without Authorization intentional noncompliance

Memo #13 Subject: Stall Width and Spacing Violations – 23416 President Avenue RV Park
Violations of Title 25 §2110 and §2330

Summary: This memo documents serious stall layout violations at the RV park located at 23416 President Avenue, Harbor City, including excessive stall occupancy and illegal spacing between RV units. The project includes 29 stalls measuring 15 feet wide by 38 feet deep, and 17 stalls that are 20 feet wide (with stall depth undisclosed). Most notably, the site includes 7 rows of 4 RVs side by side, each occupying exactly 60 feet of horizontal space. This arrangement fails to meet the 6-foot required separation between units mandated by Title 25 §2330, and it creates a direct fire and life safety hazard.

Stall Configuration Observed:

- 29 stalls: 15 ft wide × 38 ft deep (570 sq ft per stall)
- 17 stalls: 20 ft wide (length undisclosed)
- Total site area: approx. 53,990 sq ft
- 7 rows of 4 RVs side by side, placed in four adjacent 15-ft-wide stalls (total 60 ft per row)

Violations of Title 25:

1. Title 25 §2110 – Maximum Occupied Area

- Each RV stall may not be more than 75% occupied by any combination of:
  - The RV itself
  - Slide-outs, stairs, decking, awnings, utility enclosures, or other structures
- In the 29 stalls measuring 570 sq ft:
  - 75% = 427.5 sq ft
  - A typical RV is 300 – 400 sq ft, and accessories routinely exceed this margin
- As a result, most of these stalls are over-occupied in violation of §2110.

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2. Title 25 §2330 – Required Clearance Between RV Units

- Per §2330(a), a minimum 6-foot horizontal clearance is required between adjacent RVs: In the current site layout:
  - 4 RVs are placed in adjacent 15-ft-wide stalls, for a total of 60 ft
  - Each RV is approximately 8.5 feet wide, which leaves 6.5 feet of leftover space per stall
  - This means only 3.25 feet of clearance on each side of the RV not the required 6 feet between units

Even under ideal, perfectly centered conditions, this only provides 6.5 ft of shared clearance between units, not 6 ft from *each* RV. In practice, this clearance is further reduced by slide-outs, stairs, or misalignment.
Required Legal Width: To legally fit 4 RVs side by side:

- 4 RVs × 8.5 ft = 34 ft
  3 required separation gaps × 6 ft = 18 ft
- Total minimum = 52 ft of usable width for RV bodies + clearances

However, because the RVs are assigned to individual stalls, the required clearances must be contained within the stall layout itself. Therefore:

- 4 stalls × 15 ft + 3 clearances × 6 ft = 78 ft total required width
- Conclusion: The current 60-ft layout falls 18 feet short of Title 25 spacing standards and violates §2330.

---

3. The remaining 17 stalls have wider measurements, but depth is unknown – Incomplete Data

- The 17 stalls listed at 20 ft wide cannot be evaluated for compliance with §2110 without knowing their depth
- If the stalls are undersized or occupied by oversized RVs with slide-outs or attached structures, they may exceed allowable space limits and constitute over-occupancy.

Conclusion:

- The 29 stalls at 15' × 38' are not compliant with Title 25 §§ 2110 (occupied area) and §2330 (spacing)
- The 7 rows of 4 RVs side by side in 60 ft strips are a direct and serious violation of state-mandated spacing requirements
- The minimum required width for 4 legally spaced RVs is 78 feet, not 60
- The layout poses immediate risks to fire safety, code compliance, and neighborhood compatibility
- The park as configured cannot legally qualify for Public Benefit Use under LAMC §14.00 A.7, which requires full compliance with zoning, safety, and public welfare standards

---

Requested Actions:

We respectfully request that the City Planning Commission:

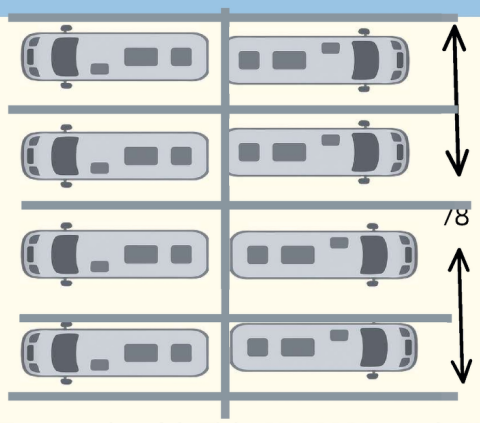
1. Require the developer to disclose complete stall dimensions (including stall depth)
2. Direct LADBS and LAFD to inspect the site's stall occupancy, spacing, and fire access for compliance
3. Determine that the current site layout violates Title 25 and the Public Benefit Performance Standards under LAMC §14.00 A.7
4. Revoke or deny any continued entitlement to operate under the Public Benefit exemption until the site is brought into full compliance

Continue to next page

Unsafe Stall Layout

Violations Title 25 §§2110 Occupied Area and §2330 Spacing

Legal Layout



To comply with Title 25 §2330, each RV must be separated by a minimum of 6 feet of horizontal clearance between exterior walls. In a stall-based layout, this clearance must be built directly into the design.

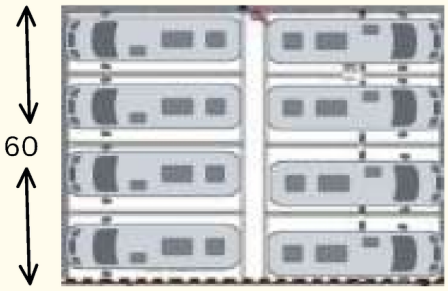
Therefore, placing 4 RVs in 15-foot-wide stalls requires:

4 stalls×15 ft+3 separations×6 ft=60+18=78 feet.

This 78-foot total is the minimum width necessary to ensure legal spacing. Making each RV stall 19 ⅝

The July 2, 2024 Design Plan explicitly labeled the stall widths as 19 ⅝ feet making it compliant with Title 25. In the revised July 25, 2024 plan, those RV stall dimensions were removed

Devloper Layout



Currently, each RV stall is 15 feet wide, totaling 60 feet for four adjacent stalls. However, Title 25 §2330 requires a minimum of 6 feet of horizontal clearance between the exterior walls of adjacent RVs.

The developer's 60-foot layout is not compliant because the spacing is tied to fixed stall boundaries, not movable RV positions, and it does not provide an independent 6-foot buffer between units as required by law. Only a 78-foot layout, which includes both stall widths and the mandated clearances, meets the letter and intent of Title 25 §2330.

Perhaps that's why, in the July 25, 2024 plan, the developer deleted the stall width measurements that were previously disclosed in the July 2 version, which were complaint with Title 25, raising further concerns about transparency and code compliance.

🔥 Why This Matters:

A 6-foot buffer helps prevent fire spread between units

It ensures space for emergency responders to access RVs

Cramped layouts violate not only zoning, but basic life-safety standards

Timeline

📅 Date	🗂️ Plan Version	📏 Stall Width
July 2, 2024 Original	Submission 19 ⅝ feet	(compliant)
July 25, 2024	Revised Plan	Stall measurements deleted ❗

Compliant stall measurements were erased in the revised plan why?"

Memo #14: Legal Violations Related to Missing Dimensions and Improper Plan Approval
Subject: Omission of Critical Measurements and Approval of Noncompliant Plans – 23416 President Avenue (2 pages)

Summary: This memo outlines the specific Los Angeles Municipal Code (LAMC) and California Code of Regulations (Title 25) violations committed by the developer through the submission of incomplete and misleading architectural plans. It also identifies regulatory failures by the Los Angeles Department of Building and Safety (LADBS), which approved and permitted plans without the required measurements to verify code compliance.

Developer Violations:

1. LAMC §91.106.4.1 – Incomplete Plans Submitted
   All permit applications must include plans drawn to scale, showing the location, nature, and extent of proposed work.
   Violation: Developer omitted RV stall widths, depths, ADA stall dimensions, utility locations, and buffer measurements, preventing meaningful review.
2. LAMC §12.21 A.1(a) – Failure to Comply with Zoning Code
   No building or use shall occur unless it complies with the provisions of this article.
   Violation: The RV layout encroaches into required buffer zones and drive aisles due to missing and misleading dimensional data.
3. LAMC §14.00 A.7 – Noncompliance with Public Benefit Performance Standards
   Public Benefit uses must comply with mandatory landscaping, setback, access, and safety standards.
   Violation: The lack of complete dimensional data obstructs verification of compliance with required standards.
4. LAMC §91.0106 and §98.0403 – Material Misrepresentation
   It is unlawful to knowingly omit, conceal, or falsify material facts in any application submitted to LADBS. Submitting incomplete or misleading plans such as omitting stall dimensions, infrastructure locations, or parking layout
   Violation: Deletion of stall dimensions, concealment of RV stall count increase, and failure to document utility infrastructure (Electrical and Methane) installations suggest deliberate evasion of plan review.

Violations of California Code of Regulations (Title 25):

1. Title 25 §2110 – Maximum Occupied Area
   Stalls may not be more than 75% occupied by RVs and associated structures.
   Violation: Without dimensions, it cannot be verified whether stalls meet the 75% rule.
2. Title 25 §2330 – Required Clearance Between Units
   A minimum 6-foot horizontal clearance must exist between adjacent RVs.
   Violation: Missing stall widths obscure compliance; field measurements show only 3.25 feet of spacing per RV.
3. Title 25 §2106 – Roadway Width Requirements
   Two-way drive aisles must be a minimum of 18 feet wide.
   Violation: Developer built dead-end 15-foot-wide aisles that function as two-way roads.
4. Title 25 §2428 – Utility Equipment Installation
   Electrical equipment must be installed in documented, code-compliant locations.
   Violation: Electrical and methane infrastructure were installed inside ADA and buffer areas, not shown on plans.

LADBS Regulatory Failures:

1. LAMC §91.106.4.3.2 – Duty to Review for Code Compliance
   LADBS must ensure submitted plans comply with zoning, access, and safety codes.
   Regulatory Failure: LADBS Approved Architecturally Incomplete Plans Lacking Required Stall Measurements and Utility Infrastructure (Electrical and Methane)

2. LAMC §12.21 A.1 – Uniform Enforcement of Zoning Laws
   All uses and structures must be equally subject to zoning enforcement.
   Failure: LADBS applied enforcement inconsistently, approving plans that lacked required verification data.

3. LAMC §14.00 A.7 – Failure to Enforce Public Benefit Standards
   Public Benefit projects must meet all performance standards before approval.
   Failure: LADBS failed to require full plan data to confirm buffer zones, landscaping, and spacing compliance.

Conclusion: The omissions and deletions across submitted plans represent clear violations of both state and municipal law. LADBS's approval of incomplete documents reflects a failure in enforcement, undermining the integrity of zoning procedures. The developer's actions merit referral to the City Attorney for investigation into material misrepresentation and potential fraud.

Requested Actions:

- Revoke all permits and entitlements associated with the RV park.
- Refer the developer to the City Attorney for further investigation.
- Require resubmission of full site plans with all dimensions, stall data, and infrastructure clearly labeled.
- Direct LADBS to issue a stop-work order pending code compliance review.

Continue to the next page.

LEGAL VIOLATIONS:
SUBMISSION OF INCOMPLETETE, DECEPTIVE PLANS

DEVELOPER LEGAL VIOLATIONS:

- LAMC §91.106.4.1 requires complete plans
  Missing dimensions violate §104.2
- Title 25 §1032 requires complete plans
  Missing measurements violate (a)

LADBS APPROVAL VIOLATIONS:

- Title 25 §1018.8(a) requires verification of submitted documents
  Approval without key measurements violates (a)

State law mandates that all dimensional information must be provided and review prior to plan approval.

CPC: REVOKE PLANS FOR INTENTIONAL MISCONDUCT

Closing Statement: Why Revocation Is the Only Just Outcome
Re: 23416 President Avenue – RV Park Violations and Public Harm

Commissioners,

After reviewing the fourteen memos and accompanying documentation, one truth should be clear: this is not a matter of isolated violations or minor misunderstandings. What has occurred at 23416 President Avenue is a calculated, sustained pattern of deception, manipulation, and noncompliance carried out by the developer and enabled by the repeated failure of LADBS to uphold its enforcement responsibilities.

At every critical phase plan submission, permit issuance, and site inspection key details were omitted, altered, or ignored. The electrical and methane infrastructure, while conceptually approved, lacked any measured placement on the submitted plans. It was ultimately installed along the rear fence line, eliminating not only the required 15-foot landscaped buffer zone but also the ADA-compliant parking that was positioned in front of it, both of which were quietly removed without authorization or public notice. In addition, multiple unpermitted prefabricated structures were constructed, not only without disclosure or permits, but also within the required 10-foot side yard buffer zone, in clear violation of LAMC §14.00 A.7. Required landscaping buffers were erased entirely. And through it all, LADBS failed to act, signing off on noncompliant construction, closing valid community complaints, and turning a blind eye to mounting violations. This is not passive oversight, it is regulatory abandonment.

Of particular regulatory concern, the interior drive aisle widths were built as narrow as 15 feet well below the 19-foot minimum required under LAMC §12.21 A.5(e)(2) for any site serving more than 25 vehicles. This isn't just a zoning error, it's a *life-safety failure*. LADBS approved plans that violate basic fire access requirements, placing both residents and first responders at risk. Even Title 25 §2106(b)(1)(A) requires two-way roads in RV parks to be at least 18 feet wide to ensure safe vehicle and emergency access. Yet the developer built 15-foot-wide dead-end aisles, which function as two-way roads since vehicles must enter and exit the same way. This layout violates state safety standards and poses serious access risks. Regardless of which code applies, LAMC or Title 25, the 15-foot aisle is clearly out of compliance.

Worse still, the RV stall layout itself is fundamentally illegal under state law. Title 25 §2330 requires a minimum six-foot horizontal clearance between RV units. Yet the developer placed 4 RVs side by side in 15-foot-wide stalls across a 60-foot-wide row, leaving zero legal spacing between them. To comply with Title 25, a four-unit row must span at least 78 feet. This noncompliant configuration not only violates fire safety standards and building code it places lives at risk. Title 25 §2110 also limits the maximum occupied area per stall to 75%, but the developer can pack large RVs, accessories, and slide-outs into 15' × 38' pads, regularly exceeding the legal limit. These aren't minor technicalities. They are enforceable life-safety violations under California law.

Perhaps most telling of the developer's intent to mislead is that the final site plans omit the actual stall width measurements entirely. No dimensions were shown for the 46 interior RV stalls only for the outer perimeter and driveway widths. It was only through mathematical reverse-calculation using the total lot width and number of RVs that we discovered the interior stalls are just 15 feet wide, not the originally proposed 19 5/8 feet. Even more egregious, 47 RV stalls were constructed on-site without ever appearing on the submitted plans, further inflating site density in violation of approved entitlements. This deliberate omission should have triggered immediate scrutiny by LADBS. Instead, the department approved plans and construction that violate Title 25 §2330 (minimum 6 ft spacing) and §2110 (75% maximum occupancy). The concealment of stall widths and the addition of unpermitted stalls was not an accident; it was a strategy to mask noncompliance and overbuild the site beyond what safety laws allow.

Furthermore, because the project now exceeds the limitations of the original Public Benefit claim through increased density, eliminated parking, and the absence of ADA access it no longer qualifies for by-right approval under LAMC §14.00 A.7. This triggers the requirement for a Conditional Use Permit under LAMC §12.24 U.14, which the developer never applied for. Their failure to obtain a CUP is not a mere technicality; it is a jurisdictional failure that strips the project of its legal standing. The CPC is not limited to evaluating what the developer said they *would* do, but must assess what was actually built. The discrepancies between the approved plans and the built conditions are not minor; they are material, and they warrant denial of the entire entitlement.

The most troubling outcome? The developer may still walk away with entitlements and a functional RV park despite having violated the law every step of the way.

If the only consequence for knowingly submitting false plans, omitting key measurements, deleting ADA access, and overbuilding beyond permit limits is to "correct the issue later," then we've created a system with no deterrents. One where deception becomes a strategy, not a risk.

If this Commission merely recommends future compliance or minor corrections, the message to developers across Los Angeles will be unmistakable:

> **"Break the rules. Get the permit. Build what you want. And if you're caught? You'll get a second chance."**

That's not the purpose of zoning law. That's not a public benefit. And that's not equitable governance.

This isn't just a legal issue, it's a moral one. And the burden hasn't been borne by the City, but by the residents. The community has been forced to raise over $27,000 in filing fees, attorney costs, and documentation expenses just to get the City to enforce its own codes. This should never be the responsibility of residents.

And the violations at this Harbor City site echo an even deeper injustice. At the developer's Wilmington site at 1551 Young Street, nearly identical violations continue to occur. Why? Perhaps because Wilmington is a BIPOC, working-class, environmentally overburdened neighborhood, where enforcement is weaker and community resources are fewer. That community never stood a chance and ours won't either, unless this Commission chooses accountability over indifference.

And yet, when these violations are raised, the response is always the same: *"Not my job."* The developer's lawyers say it's an enforcement issue, not a planning issue. LADBS says the plans look fine on paper, even if the built site is noncompliant. Zoning officials say they can only evaluate what's stamped, not what's actually constructed. No one takes responsibility. Everyone points elsewhere. It's a regulatory shell game and it has left the public with no accountability, no recourse, and no protection.

But if every agency claims it's not their rodeo, then who's left holding the reins? The answer, unfortunately, is us the residents who've spent over $27,000 in legal fees, filings, and documentation just to make sure the laws *you already passed* are actually enforced.

The developer violated:

- LAMC §14.00 A.7 – by failing multiple required Performance Standards
- LAMC §12.21 A.1(a) – by expanding use without obtaining the required approvals
- LAMC §91.106.4.1 – by constructing beyond the scope of approved plans
- Federal and State ADA laws – by removing designated accessible parking stalls
- Title 25 §2110 – by exceeding the maximum allowable occupied area per RV stall
- Title 25 §2330 – by failing to provide the required 6-foot separation between RV units
  Title 25 §2106(b)(1)(A) – by constructing substandard 15-foot-wide drive aisles that do not meet the minimum 18-foot requirement for two-way roads

Therefore, revocation is not just justified it is required to preserve the integrity of zoning law, to protect vulnerable communities, and to send a clear message:

Rules should apply equally to everyone, and those who violate them should not be rewarded.

We ask the City Planning Commission to:

- Revoke all entitlements and permits for 23416 President Avenue;
- Disqualify the project from Public Benefit status; and
- Refer the developer to the City Attorney for investigation into potential fraud and misrepresentation.

This is your opportunity to restore credibility, enforce the law, and protect Los Angeles communities from becoming test sites for unchecked abuse. We urge you to act accordingly.

Respectfully submitted,
Christal Cooper
Harbor City Resident / Community Advocate
23404 Western Ave A
Harbor City, CA 90744

Planning CPC <cpc@lacity.org>

Subject: Executive Summary – Green Meadows West Submission on 23416 S. President Avenue (Silver RV Park) Case No.: DIR-2024-7352-BSA

Christal Cooper <mscooper8@aol.com> Thu, Sep 25, 2025 at 6:22 AM
To: "cpc@lacity.org" <cpc@lacity.org>
Cc: Nicole Paulsen <nicole@levinmargolin.com>, Rick Thomas <rickthomasmediarich@gmail.com>, "noah.goldberg@latimes.com" <noah.goldberg@latimes.com>, Councilmember Tim McOsker <councilmember.mcosker@lacity.org>, "aperez@cbs.com" <aperez@cbs.com>, Allen Manalansan <allen.manalansan@lacity.org>, Phyllis Nathanson <phyllis.nathanson@lacity.org>, Undine Petrulis <undine.petrulis@lacity.org>, Pamela Thornton <pamela.thornton@lacity.org>, Deseray Sarcona <deseray.sarcona@lacity.org>, Devin Myrick <devin.myrick@lacity.org>

On Thursday, September 25, 2025 at 06:12:37 AM PDT, Christal Cooper <mscooper8@aol.com> wrote:

Dear Commissioners,

I am submitting the attached **79-page report** on 23416 S. President Avenue (Silver RV Park), along with two photos embedded below that make the violations clear at a glance. The full report documents **violations of 11 out of 12 Public Benefit Performance Standards**, but even in the aerial image alone, at least **five violations are visibly evident.** With 34 LADBS complaints already filed and the developer announcing an October opening date, I respectfully urge you to review both the photos and the report before making any determination.

Aerial Evidence of Noncompliance



Caption: "Aerial image of 23416 S. President Avenue, Harbor City — built conditions clearly violate at least five Public Benefit Performance Standards."

Visible Violations from Image 1:

- **PS #2 –** Setbacks/Buffer: 15-ft landscaped buffer eliminated; replaced with asphalt and utility pedestals.

- **PS #5 –** Landscaping: No trees, palms, or irrigation installed; site left bare and noncompliant.
- **PS #8 –** ADA Access/Parking: No ADA striping, signage, or accessible path of travel visible.
- **PS #9 –** Parking Standards: RV stalls and utilities intrude into buffer zones.
- **PS #12 –** Public Benefit: Without landscaping, buffers, or accessibility, no public benefit is provided.

The site was built using **January 2024 electrical plans (P-4)**, which had already been deemed **noncompliant.** Despite this, inspections for occupancy were scheduled for **June 28, 2024**, a month before the developer submitted revised plans on **July 25**, later approved **August 1.** This proves the site was built under **noncompliant plans.**

Systemic Enforcement Gap

There are currently 34 complaints filed in the LADBS system, most documenting how the park does not conform to the 12 Performance Standards. This demonstrates that no entity ensures the built site matches the approved plans or enforces the very standards meant to protect the community.

Wilmington as a Warning



[Quoted text hidden]

2 attachments

Email CPC Oct 9 (2).pdf
1853K

Oct 9 Case No DIR-2024-7352-BSA (4).pdf
20976K

Subject: Executive Summary – Green Meadows West Submission on 23416 S. President Avenue (Silver RV Park) Case No.: DIR-2024-7352-BSA

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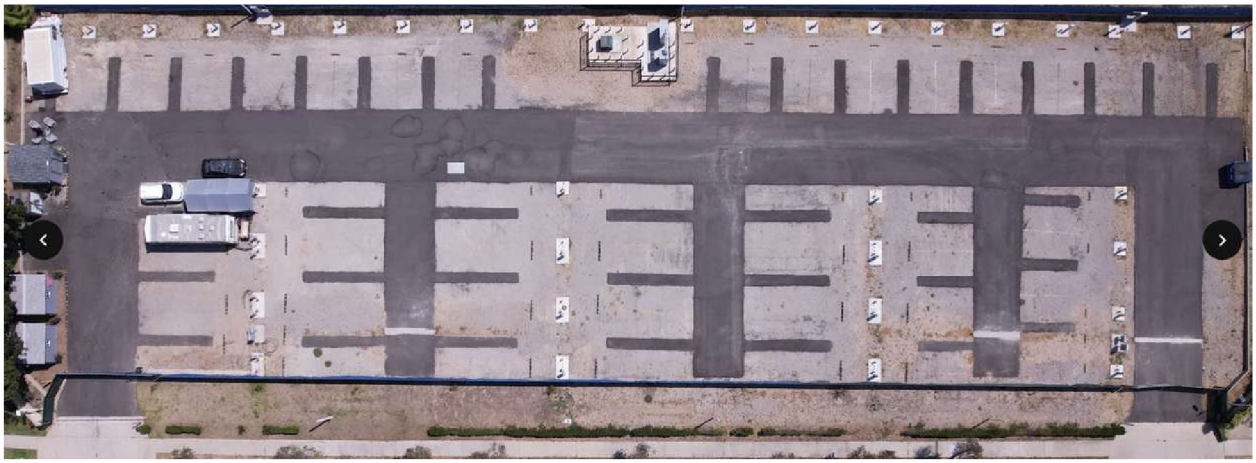

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Systemic Enforcement Gap

There are currently 34 complaints filed in the LADBS system, most documenting how the park does not conform to the 12 Performance Standards. This demonstrates that no entity ensures the built site matches the approved plans or enforces the very standards meant to protect the community.

Wilmington as a Warning



Caption: "Photo of 1551 Young Street, Wilmington — same developer, same violations. Harbor City is already on track to look and function the same way."

This underscores why City Planning, not LADBS, must enforce the 12 Performance Standards. LADBS only verifies whether a circuit breaker or utility is installed correctly, not whether the project complies with required setbacks, buffers, or ADA access. The developer's attorneys exploit this gap by framing compliance as an *"enforcement matter,"* knowing no agency will actually enforce the standards. This strategy allows the developer to avoid the 12 PS entirely, maximizing profits at the expense of community safety, livability, and quality of life.

Urgency

To make matters worse, the representative of the RV park has already stated that the project will be **opening in October.** This means the violations identified here will never be corrected, and the Harbor City site will look and function just like the noncompliant Wilmington site.

Why the Report Must Be Read

The attached 79-page report provides drone imagery, plan conflicts, and LADBS complaint records that show exactly how these violations occurred. While the violations of the 12 Performance Standards have been raised before, City Planning has repeatedly stated that its role is limited to reviewing *"plans"* and that some other entity is responsible for enforcement. But as this report demonstrates, no entity actually ensures the built site matches the approved plans, and without Commission action, these violations will stand uncorrected.

Planning staff argue that *"LADBS did not err"* but how can that be true when LADBS approved two conflicting plan sets? The site plans (P-1) preserved ADA stalls and showed a buffer, while the electrical plans (P-4) eliminated ADA stalls, omitted the buffer, and added extra pedestals. Which set governs compliance? And if construction followed P-4 the noncompliant version, doesn't that mean the project was built in violation of its approvals?

Why This Case Matters Citywide

The attached report consolidates hazards, plan conflicts, and complaint evidence into a single legal record. Commissioners should be aware that this case is not just about Harbor City, your ruling will determine whether the **12 Performance Standards** have any **enforceable meaning** citywide.

CEQA and zoning compliance are non-delegable duties. Courts have made clear (Bozung, Friends of B Street, Sherwin-Williams) that paper-only compliance cannot substitute for actual verification. If the Commission accepts paper compliance here, it permanently lowers the bar and renders the standards meaningless for every neighborhood in Los Angeles.

Call to Action

This is why I urge the Commission to require a full site inspection and reconciliation of the built conditions against the approved entitlement plans before any certificate of occupancy or finding of compliance is granted. If these violations cannot be corrected, then the project is ineligible for Public Benefit approval and must be required to seek a Conditional Use Permit (CUP) and undergo full CEQA review. Anything less permanently entitles a noncompliant project and undermines the protections guaranteed by law.
Sincerely,

Green Meadows West
Christal Cooper
23404 Western Ave A
Harbor City Ca. 90710

Comprehensive Submission on 23416 S. President Avenue (Silver RV Park)

Case No.: DIR-2024-7352-BSA

Prepared For:
Los Angeles City Planning Commission

Submitted By:
Green Meadows West

Date:
September 25, 2025

Included Reports:

Report 1: CEQA Is Triggered
Report 2: LADBS and Planning Failures
Report 3: Performance Standards Violations

Executive Summary: Legal and Procedural Grounds for Discretionary Review

This submission presents a comprehensive legal and factual record demonstrating that the proposed RV park at 23416 S. President Avenue is ineligible for ministerial approval under LAMC §14.00 A.7. Environmental hazards, procedural failures, and physical violations collectively trigger discretionary review under CEQA Guidelines and City zoning law.

Introduction to Reports on 23416 S. President Avenue (Silver RV Park)

This submission documents a sustained pattern of regulatory breakdowns and environmental risk that legally disqualify the project from ministerial entitlement and compel corrective discretionary review. Each attached report addresses a distinct but converging axis of noncompliance environmental, procedural, and physical, establishing that the project is discretionary under state law and City code.

Report 1: CEQA Is Triggered

This report establishes why the RV park cannot lawfully be processed ministerially under CEQA. It documents abandoned oil wells, a methane zone, and CalGEM's discretionary safety recommendations. Together, these factors create legally defined triggers under CEQA Guidelines Appendix G and §15357, requiring full environmental review before approval.

Report 2: LADBS and Planning Failures

This report details systemic oversight failures by LADBS and City Planning. Departments approved conflicting site and electrical plans, including electrical drawings that showed overbuilt utility pedestals, which effectively expanded the project from 46 RV parking stalls to 48. They dismissed community complaints and accepted misrepresentations such as counting City-owned street trees as private landscaping. These actions reflect a breakdown in procedural integrity that undermined the approval process. Because inspections never occurred, there is no mechanism to reconcile the approved plans with the built site, leaving zoning compliance unverified and effectively unenforceable.

Planning's Lack of Enforcement

Planning treated compliance with the Performance Standards as an "enforcement issue" to be verified later, rather than a prerequisite to approval. This error is fatal: LAMC §14.00 A.7 requires full compliance before entitlement, not after. By approving conflicting plans on paper

and deferring verification, Planning abdicated its duty to enforce zoning laws, leaving the project entitled without lawful basis.

Report 3: Performance Standards Violations

This report demonstrates that the as-built project violates at least 11 of the 12 Public Benefit Performance Standards, including aisle circulation, setbacks, buffers, landscaping, ADA parking access, vehicle parking, and screening. Each violation is substantiated with plan sheets, site photos, and drone footage. Since compliance with all standards is a legal prerequisite under LAMC §14.00 A.7, these violations disqualify the project from ministerial approval.

Ministerial approval under LAMC §14.00 A.7 is legally contingent on full compliance. These violations are not correctable post hoc, they disqualify the project outright.

Purpose of Submission

These reports are complementary and address distinct aspects of the case:

- The CEQA Analysis establishes the legal necessity of environmental review.
- The LADBS/Planning Report documents systemic oversight failures.
- The Performance Standards Report provides site-specific proof of violations.

Together, they form a comprehensive legal record showing the project cannot proceed by-right. These failures have real-world consequences, compromising safety, eroding trust in the public process, and exposing the community to unmitigated environmental risks.

Requested Actions

We respectfully urge the City Planning Commission to:

1. Recognize the RV park as a discretionary project ineligible for ministerial approval.
2. Require a Conditional Use Permit and full CEQA environmental review.
3. Revoke all prior approvals issued under LAMC §14.00 A.7.
4. Impose a moratorium on further construction until compliance is verified.
5. Refer the matter to the City Attorney for formal review of potential misrepresentation and enforcement lapses.

The Commission's decision will set a precedent for how hazardous sites are reviewed and whether public oversight is meaningfully upheld. The community deserves a transparent, lawful, and safety-first process. We urge the Commission to act decisively and restore integrity to the land use review system.

This is not just a local land use dispute, it is a test of whether hazardous site development will be held to lawful standards and whether community oversight will be respected.

Report 1

CEQA Is Triggered

Environmental Hazards and Legal Mandates Requiring Discretionary Review

Green Meadows West
Date: September 25, 2025

Rebuttal Letter Regarding CEQA Appendix G – 23416 S. President Avenue

Case No.: DIR-2024-7352-BSA
Hearing Date: October 9, 2025
To: Los Angeles City Planning Commission

Introduction

This letter is submitted on behalf of concerned residents and stakeholders who believe the City's April 9, 2025 determination dangerously misinterprets CEQA obligations.

The proposed RV park at 23416 S. President Avenue sits atop nine abandoned oil wells within a designated methane zone, conditions that unequivocally trigger mandatory environmental review under CEQA Guidelines Appendix G.

By treating this project as ministerial under LAMC §14.00 A.7, the City has ignored hazards that CEQA requires to be analyzed. This is not a technical oversight; it endangers public safety, violates state law, and erodes community trust.

This letter outlines the legal, environmental, and community-based reasons why CEQA review is not only appropriate, it is required.

Requested Actions

To uphold CEQA's purpose and protect public health, we respectfully urge the Planning Commission to:

- Recognize the project as discretionary under CEQA
- Initiate an Initial Study under Appendix G
- Reject ministerial processing under LAMC §14.00 A.7
- Require a Conditional Use Permit consistent with state law
- Incorporate CalGEM recommendations and General Plan Safety policies into CEQA review

1. Appendix G Triggers Are Ignored at Public Peril

Appendix G requires analysis where a project may:

- Be located on a hazardous materials site (Gov. Code §65962.5)
- Expose people or structures to risk of loss, injury, or death from **methane migration, fire,** or flooding
- Create a significant hazard to the public or environment

All three thresholds apply to this site. The City has adopted Appendix G as its threshold framework, making its application mandatory, not optional.

2. City Planning Cannot Delegate CEQA Responsibility

While LADBS may oversee building code compliance, City Planning is the CEQA lead agency for land use approvals. Courts have ruled that CEQA duties are non-delegable (*Friends of Sierra Madre v. City of Sierra Madre*, 25 Cal.4th 165 (2001)).

Given these hazards, City Planning must require CEQA review. LADBS cannot convert life-safety issues into "ministerial" tasks.

3. CalGEM Letter Confirms Hazards, Not Exemption

The April 9 determination incorrectly cited CalGEM's March 5, 2024 letter as proof CEQA does not apply. In fact, the letter confirms:

- Nine oil wells remain within project boundaries
- Verification of well locations and leak testing are required
- Restrictions on construction near wells remain in effect

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.

These steps require discretionary judgment, not clerical review. CalGEM's own CEQA Handbook emphasizes that even properly abandoned wells may pose residual risks requiring environmental review.

Construction Over Oil Wells – CEQA Trigger

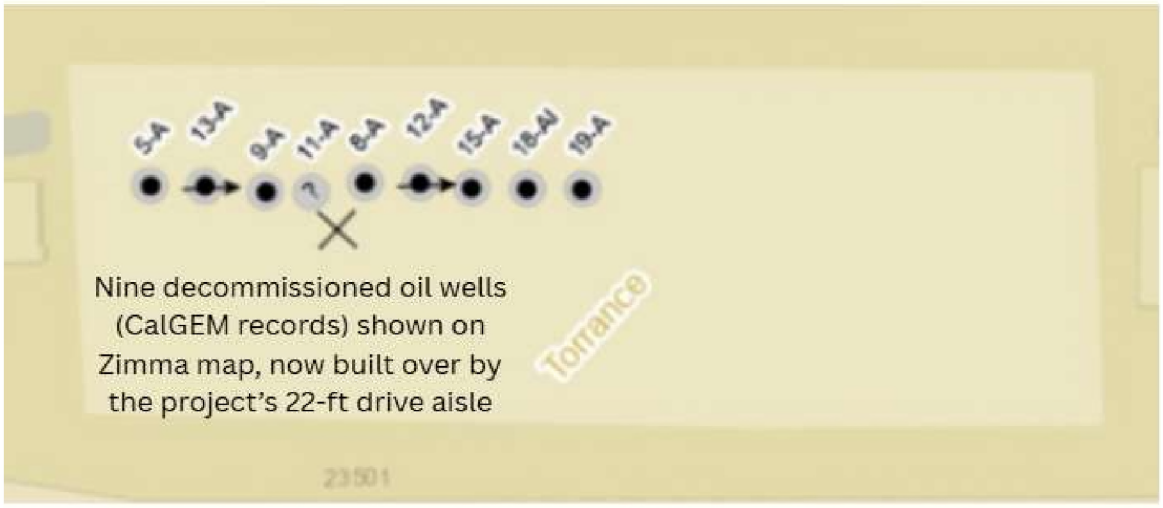
The CalGEM letter prohibits any structures from being built over or in proximity to abandoned wells where access or future testing could be impeded. As shown in the Zimma well location map and confirmed by current aerial imagery, the project's 22-foot paved drive aisle and associated utility infrastructure have been constructed directly over multiple oil wells within the site boundary. Although labeled as circulation lanes, these paved aisles function as permanent structures: they are hard-surfaced and designed for continuous vehicular use. Their placement creates a lasting obstruction to oil well access, monitoring, and any future repair or re-sealing of the oil wells, in direct conflict with CalGEM's requirements.

CEQA Consequence

CEQA Guidelines Appendix G requires analysis where a project "may create a significant hazard to the public or environment" due to placement on a hazardous materials site. Building vehicular circulation lanes over known oil wells constitutes substantial evidence of a potentially significant hazard. This condition cannot be resolved ministerially because it demands discretionary judgment, whether to realign circulation, impose access easements, or redesign the site entirely.

Exhibit X – Drive Aisle Constructed Over Oil Wells

The Zimma map of well locations (top) compared with current aerial imagery of the built RV park (bottom) shows that the project's 22-foot paved drive aisle and utility infrastructure have been constructed directly over multiple abandoned oil wells. This placement permanently obstructs access for monitoring, leak testing, or future repair/re-sealing, in direct conflict with CalGEM's March 5, 2024 letter prohibiting any structures over or near wells. Building vehicular circulation lanes over known oil wells constitutes substantial evidence of a significant hazard under CEQA Appendix G, requiring discretionary review and mitigation.





4. Why "Verification" Still Demands Discretion

CalGEM's online GIS maps are not survey-accurate and may contain errors of 20 - 100 feet. Property boundaries, grading, and site improvements change how wells interact with development.

That is why CalGEM requires:

- Professional field surveys
- Geophysical testing
- Methane leak monitoring

Determining which methods to use, how to interpret results, and what mitigation to impose are discretionary decisions. This alone requires CEQA review.

5. Substantial Evidence Triggers Review

CEQA Guidelines §15002(a)(3): ministerial exemptions apply only when no judgment is required. Here, multiple discretionary judgments are unavoidable, including whether:

- The oil wells are safely abandoned
- Methane mitigation is adequate
- The development conflicts with the General Plan

Under CEQA's Fair Argument Standard, the CalGEM letter itself is substantial evidence of a potential significant effect. This requires at minimum an Initial Study.

6. Courts Have Spoken: CEQA Cannot Be Bypassed

Legal precedent overwhelmingly supports the need for CEQA review in cases involving hazardous site conditions. Courts have repeatedly ruled that discretion, even when subtle, triggers CEQA obligations:

- *Protecting Our Water v. County of Stanislaus*, 10 Cal.5th 479 (2020) - ministerial classification depends on actual discretion
  - Labeling an approval 'ministerial' doesn't make it so. If the agency has discretion to evaluate environmental risks, CEQA applies
- *Bozung v. LAFCO*, 13 Cal.3d 263 (1975) - CEQA review must precede approval
  - Agencies cannot approve a project and then conduct environmental review as an afterthought. Bozung makes clear: CEQA comes first.
- *Friends of "B" Street v. City of Hayward*, 106 Cal.App.3d 988 (1980) - hazardous site risks require discretionary analysis
  - When credible evidence raises environmental concerns, agencies must engage in full CEQA review. Rubber-stamped approvals are an abuse of discretion

- *Laurel Heights Improvement Assn. v. Regents of UC*, 47 Cal.3d 376 (1988) - CEQA prohibits segmentation of environmental review
    - Environmental review must address the whole of the project—including foreseeable future phases. Piecemeal analysis violates CEQA
- *West Adams Heritage Assn. v. City of Los Angeles* (2024)
    - Even infill projects lose their exemption when unusual circumstances, like hazardous site conditions, are present
- *Gooden v. County of Los Angeles* (2024) - hazardous site conditions require CEQA review
    - Environmental discretion cannot be bypassed when contamination, unstable soils, or sensitive receptors are involved.

7. Methane Risks Are Not Routine - They Are Deadly

The site lies within a methane seep zone, triggering LAMC §§91.7101–91.7109. While LADBS may inspect construction details, explosive gas migration is not a routine hazard.

LAMC §14.00 A.7 is intended for "public benefit projects." Building atop a methane zone and abandoned oil wells creates a public risk, not a public benefit.

8. **Propane Hazard and Fire Risk**

The proposed RV park includes 46 or more recreational vehicles, each equipped with onboard propane tanks. This concentration of flammable fuel sources significantly increases the risk of fire and explosion, particularly given the site's location within a methane buffer zone and proximity to abandoned oil wells. Under CEQA Appendix G, such conditions trigger mandatory hazard review. The City's failure to evaluate the cumulative risk posed by propane, methane, and oil infrastructure constitutes a clear violation of CEQA's threshold requirements and endangers public safety.

9. Cumulative Hazards Must Be Analyzed Together

CEQA prohibits segmentation. The combined risks of:

- Nine abandoned oil wells
- Methane zone designation

… must be reviewed together for cumulative effects. Treating them in isolation violates CEQA (*Laurel Heights I, 1988, 47 Cal.3d 376*).

10. General Plan Safety Element Requires CEQA Review

The Los Angeles General Plan Safety Element requires:

- Avoidance of development in methane zones and oil fields
- Coordination with CalGEM
- Public health protection as a planning priority

Approving this project ministerially would directly conflict with these policies. CEQA review is required whenever a project is inconsistent with the General Plan.

11. Why CEQA Review Necessitates a Conditional Use Permit

Once CEQA is triggered, the City must exercise judgment in reviewing site-specific hazards. That means it cannot rely on a ministerial pathway like LAMC §14.00 A.7.

This provision was designed for "Public Benefit" projects that meet pre-set performance standards. It is not a discretionary entitlement. If CEQA applies, §14.00 A.7 is legally off the table.

For RV parks, the fallback discretionary entitlement is a Conditional Use Permit (CUP):

- LAMC §12.03 still defines RV parks as requiring a CUP.
- Health & Safety Code §18865.1 authorizes cities to require CUPs for RV parks, especially when hazards are present.

Therefore, CEQA review is not just procedural, it functionally requires a CUP. The presence of nine abandoned oil wells and the methane zone designation demand site-specific analysis, mitigation, and coordination with CalGEM. These are discretionary actions. The City cannot lawfully bypass CEQA by misclassifying this project as ministerial.

12. Community Voices and Environmental Equity

Harbor City is already burdened by its proximity to refineries and port-related industrial uses. A so-called "public benefit" RV park built atop hazardous oil infrastructure only deepens this inequity.

> *"We live here. We breathe this air. Ignoring CEQA puts our families at risk." - Concerned Resident, Green Meadows West*

The Planning Commission has a responsibility to ensure that environmental protections are not selectively applied. Communities like Harbor City deserve the same safeguards as any other neighborhood. Environmental justice is not a checkbox, it is both a legal and moral obligation.

13. CEQA Streamlining Does Not Apply

State streamlining laws (SB 35, AB 2011) exclude projects on hazardous sites. The presence of nine oil wells categorically disqualifies this RV park from any statutory exemption.

14. CEQA Noncompliance = Litigation Risk

Bypassing CEQA here exposes the City to challenges under Pub. Res. Code §21168.9, which authorizes courts to set aside unlawful approvals.

If this project proceeds without CEQA review, the City faces:

- Litigation risk - approvals overturned in court
- Reputational harm - loss of community trust in oversight
- Liability - for foreseeable harm to residents and first responders

Conclusion and Request

The CalGEM letter confirms hazards, it does not erase them. Appendix G, Title 25, and case law all demand CEQA review. Once CEQA is triggered, ministerial approval under LAMC §14.00 A.7 is off the table. The City must process this project through a discretionary pathway, and for RV parks the only lawful entitlement is a Conditional Use Permit (CUP).

We respectfully request that the Planning Commission:

- Recognize this project as discretionary, not ministerial
- Initiate an Initial Study under Appendix G
- Reject §14.00 A.7 processing and require a CUP
- Incorporate CalGEM recommendations and General Plan Safety policies into CEQA review

The Planning Commission must not allow hazardous development to proceed under the guise of ministerial approval. CEQA exists to protect the public from precisely this kind of regulatory failure. We urge you to uphold the law, honor your duty, and require full environmental review through the CUP process.

Report 2

LADBS and Planning Failures

Procedural Missteps and Oversight Breakdowns

Prepared by: Green Meadows West

Date: September 25, 2025

LADBS & Planning Failures – 23416 S. President Avenue

Systemic Regulatory Breakdown in Hazardous Site Approval

Introduction

This report documents how the City of Los Angeles, through the Department of Building and Safety (LADBS) and the Department of City Planning, failed in its legal duty to enforce zoning, CEQA, safety, and ADA accessibility requirements at 23416 S. President Avenue. These failures are not isolated errors; they reflect systemic neglect that enabled unlawful construction on a potentially hazardous site. While the developer's violations of the 12 Performance Standards are documented separately, this report focuses on how City agencies facilitated those violations by approving conflicting plans, dismissing community complaints, and treating mandatory legal safeguards as discretionary "enforcement issues."

Regulatory Failures

1. Failure to Conduct CEQA Hazard Review

Planning relied on internal GEM review of oil wells but conducted no CEQA review. CEQA Appendix G requires hazard analysis in an Initial Study or EIR when abandoned oil wells, methane zones, or fire risks are present. By bypassing CEQA, the City stripped the community of environmental protections.

2. Approval of Conflicting Plans

The January 2024 electrical plans (P-4) depicted 48 utility pedestals, two more than the 46 approved, while also eliminating the ADA parking spaces and omitting the required 10-foot buffer zone. By contrast, the January 2024 site plans continued to show ADA parking spaces within the layout, directly contradicting the electrical sheets. LADBS nevertheless approved both conflicting plan sets without reconciliation, leaving one set of plans that preserved ADA stalls and another that eliminated them. In July 2024, the developer was directed to submit revised plans to show compliance with all 12 Performance Standards, an acknowledgment that the project was out of compliance. Yet construction proceeded under the outdated and noncompliant electrical layout, effectively expanding the project to 48 RV stalls and removing ADA accessibility. By approving conflicting plans without resolving these discrepancies, and by allowing the developer to construct the site using the noncompliant plans, LADBS created an enforcement vacuum, leaving no single authoritative plan to govern compliance.

3. Utilities Installed in Setback and Buffer Zones

The developer's attorney admitted utility island pedestal placement within the buffer zone (Exhibit B, p. 39). Drone and news footage confirm installation by June 2024. LADBS approved utilities in restricted zones, violating PS #2 and PS #5.

4. ADA Parking Removed for Utility System

An 800A electrical distribution system replaced the ADA parking spaces on the January 2024 electrical plans (P-4). LADBS approved the electrical plan without reconciling it against the site plan, which still showed ADA parking. The result: no ADA parking, violating PS #8, the ADA, and the California Building Code. By June 27, construction had already been completed using the noncompliant electrical layout, yet the "final" plan approval was not issued until August 1, after the fact. With conflicting plans approved and no field verification, no agency is responsible for enforcing this violation, leaving ADA protections effectively eliminated.

5. Utility Pedestal Overcount and Unauthorized Expansion

Planning-approved site plans authorized 46 RV stalls. The January 2024 electrical plans (P-4) showed 48 utility pedestals. Field counts confirm 48–54 utility pedestals installed. By June 27, construction had already been completed on the noncompliant electrical layout, yet LADBS issued "final" plan approval on August 1. In doing so, LADBS ratified an unauthorized site expansion and violated the rule of law by allowing construction to exceed the entitlements granted. Because no agency is tasked with verifying the built site against approved plans, this violation will continue unchecked.

6. Misrepresentation of Landscaping

The April 2025 Director's Determination credited 10 crepe myrtles in the public parkway as on-site landscaping. These City-owned trees cannot count toward private canopy obligations under PS #3 and PS #5.

7. Methane Mitigation Failure

The site is located within a designated Methane Zone (ZI-1195, ZI-2536), as indicated on the electrical plans, which clearly label the property as "METHANE ZONE." The Los Angeles Fire Department (LAFD) confirmed that no methane clearance inspection had taken place. Despite this, the Los Angeles Department of Building and Safety (LADBS) was prepared to grant occupancy without inspecting the methane mitigation system, in violation of Los Angeles Municipal Code (LAMC) §91.7103 and Ordinance No. 175790.

8. Failure to Reconcile Plan Sets Across Departments

Planning approved site plans while LADBS approved non complaint utilities plans without ensuring consistency between the two plans. This violated LAMC §12.21 A.1(a) and §91.106.4.1, which require coordinated review and enforcement.

9. Failure to Enforce Director's Determination

The April 2025 Determination required compliance with all 12 Performance Standards as a precondition to ministerial approval. Staff later treated the Performance Standard violations as

mere 'enforcement issues,' ignoring binding conditions and undermining the Determination's legal authority.

10. Improper Reliance on Paper Compliance

LADBS and Planning certified compliance using corrected site plans that were never implemented. Compliance must be determined by what was actually built, not by unverified plans.

11. Failure to Require Conditional Use Permit (CUP)

The project involved hazardous site conditions and conflicting plan sets. The initial plans omitted the required buffer zones, and the January 2024 electrical plans did the same. At the direction of Planning staff (Ruben and Ana), the developer's July 2024 site plans were revised to depict a 10-foot landscaped buffer that had been omitted from earlier submissions. However, by that time the site had already been constructed following the noncompliant electrical layout, with no buffer in place. Because staff had to resolve conflicting plan sets, choosing between layouts with and without required buffer zones, the project could not be treated as ministerial. That exercise of judgment made the approval discretionary, triggering CEQA and requiring a Conditional Use Permit (CUP). In addition, the removal of ADA-required parking was unlawful and further invalidates the Determination. Under Health & Safety Code §18865.1 and CEQA, a Conditional Use Permit (CUP) was required. By processing the project as ministerial, the City acted unlawfully.

12. Failure to Investigate Community Complaints

Residents filed dozens of detailed complaints, many raising specific violations of the Public Benefit Performance Standards (including setbacks, buffers, ADA parking spaces, drive aisle circulation, landscaping, and methane). LADBS dismissed these filings as "duplicates" without conducting inspections or verifying the underlying evidence. This practice violated its duty under LAMC §91.103.1 to investigate code violations. By treating substantive complaints as redundant, LADBS failed both its enforcement obligations and the community's right to meaningful review.

13. **Unpermitted Prefabricated Buildings**

Office, restroom, and laundry buildings were constructed without LADBS permits, violating LAMC §91.106.4.1. Despite this clear violation, no enforcement action occurred

14. **Failure to Enforce Stall Limits**

The site was approved for 46 RV stalls but 48–54 were constructed. The City failed to treat this overbuilding as a land use violation, instead minimizing it as a "field discrepancy."

15. **Failure to Consider Community Evidence**

Drone footage, site photos, and complaints were submitted into the CPC record. Planning relied solely on the April 2025 report, ignoring new evidence. CEQA Guidelines §15088 requires reasoned responses to substantial evidence. The City's omissions denied due process.

16. **Spot Zoning and Unequal Rule Application**

By exempting this project from CUP, CEQA, and enforcement, the City created de facto spot zoning. This arbitrary treatment undermines equal protection under planning law.

17. **Premature Inspections Before Plan Approval**

Court minutes (Sept. 11, 2025) confirm that the developer requested final inspections on June 27 and July 2, 2024, weeks before submitting corrected plans on July 25, 2024. LADBS accepted and scheduled these inspections under the outdated January 2024 electrical plans, even though Planning had already directed corrections that were not yet incorporated. This procedural failure allowed the site to be constructed with plans Planning had already deemed deficient, effectively locking in violations that the later 'corrected' plans only superficially corrected. As the California Supreme Court made clear in *Bozung v. LAFCO* (1975) 13 Cal.3d 263, and reaffirmed in *San Joaquin Raptor Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, agencies may not approve or advance projects on the promise of later corrections. Compliance must be verified before entitlements are granted. LADBS's scheduling of inspections under deficient plans violated this principle and rendered the approval process unlawful.

Conclusion

These failures demonstrate that the City and the developer are both responsible for the unlawful construction of the RV park at 23416 S. President Avenue. LADBS and Planning approved conflicting plans, ignored CEQA, dismissed community evidence, and allowed unpermitted and unsafe construction. Under state law, this project cannot remain ministerial. Its approvals must be revoked, a Conditional Use Permit required, and full CEQA review conducted. Anything less signals that performance standards are optional, that entitlements can be expanded after the fact, and that hazardous projects can bypass public review.

To restore the rule of law, protect public safety, and uphold the credibility of the City's land use process, the Commission must act: revoke ministerial approvals and require discretionary review

Report 2: Systemic Regulatory Failures

How LADBS & Planning Enabled Unlawful Construction at 23416 S. President Avenue

I. The Language of the Motion Refers to Allegations of Site-Based Violations

On August 19, 2025, the Los Angeles City Council adopted Councilmember McOsker's amendment instructing the Department of Building and Safety (DBS) to:

> "provide a written response to the **specific allegations raised** in the appeal or at the PLUM Committee hearing that the proposed RV Park or permit application fails to meet any applicable performance standards." April 9, 2025 Planning determination report

The operative phrase is **"specific allegations."** The pending appeal and PLUM testimony did not raise abstract zoning questions; they raised **site-based discrepancies**: utilities constructed within setbacks, ADA parking eliminated, landscaping buffers replaced with concrete utility island pedestals, three unpermitted buildings erected without approvals, and conflicting plan sets showing different utility pedestal counts. These violations are compounded by the fact that construction was carried out based on the non-compliant January 2024 electrical plans, which themselves showed zero-foot setbacks and were inconsistent with later plan revisions. Such issues cannot be resolved by re-reading stamped plans; they require site verification against what has actually been built.

Under well-established principles of statutory interpretation, legislative enactments must be given effect, not rendered meaningless (County of San Diego v. Superior Court (1986) 176 Cal.App.3d 1009). To interpret the Motion as authorizing another paper-only response would nullify the directive. The only way to "respond" to such allegations is to reconcile the entitlement plans with the built site.

Conclusion: Legislative intent requires DBS to verify conditions on the ground, not merely restate plan compliance.

II. The April 9 Report Demonstrates the Risk of Paper-Only Review

The April 9, 2025 Director of Planning determination admitted that compliance with LAMC §14.00 A.7 was found "by virtue of performance standards shown on plans and by a recorded covenant," and that "any deviations … are handled as an enforcement issue." This shows Planning relied solely on submitted plan sheets and did not verify actual conditions.

Deferring violations to "later enforcement" deprived the public of a meaningful opportunity to contest the project before entitlement was granted. This failure undermines the procedural due process protections built into CEQA and LAMC §14.00 A.7, which require compliance to be established as a precondition to approval.

Conclusion: A paper-only response repeats the April 9 error, **undermines due process**, and fails to address the Motion's directive.

III. The Enforcement Gap Necessitates Site Verification

Currently, no single entity ensures that the built site matches the approved plans:

- HCD issues certificates of occupancy, but reviews only Title 25 construction safety (road widths, lot occupancy, utility hookups). HCD does not enforce City zoning standards such as setbacks, buffers, or ADA parking.

- LADBS reviews discrete permits (for example, whether an electrical panel is installed correctly under code), but does not confirm whether permitted elements are illegally located within required setbacks.

- City Planning clears entitlement plans "on paper," but treats any deviations from those plans as a separate "enforcement issue" outside its entitlement role.

This regulatory structure creates a vacuum where violations fall through the cracks and the RV park, as constructed, is never reconciled with the entitlement plans. Courts have made clear that CEQA and zoning duties are non-delegable (Bozung v. LAFCO (1975) 13 Cal.3d 263; Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988). By failing to verify, the City unlawfully shifts compliance responsibility to the developer itself.

Moreover, treating this large-scale, hazard-prone RV park as exempt from verification while ordinary homeowners are subject to field inspections for minor improvements is arbitrary and capricious, raising equity and fairness concerns.

Conclusion: Without site verification, the City abdicates its non-delegable duty to enforce zoning laws and creates inequitable enforcement standards.

IV. Case Law Confirms That Paper-Only Responses Are Unlawful

California courts have consistently rejected reliance on unverified developer submissions:

- San Joaquin Raptor Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, approvals invalidated where the county accepted applicant claims without independent verification.
- Bozung v. LAFCO (1975) 13 Cal.3d 263, statutory and CEQA compliance must be verified before approval, not deferred to enforcement.
- Sherwin-Williams Co. v. City of Los Angeles (1993) 4 Cal.4th 893, agencies must enforce zoning standards as written; mandatory conditions cannot be treated as optional.

A written response that relies solely on submitted plan sheets would replicate the very errors condemned by these cases.

Conclusion: Case law **requires independent verification**; paper-only responses violate precedent and expose the City to CEQA and zoning challenges.

V. Remedy

To fulfill the August 19 Motion and comply with law, the Planning Commission must require DBS to:

1. Conduct an on-site verification of compliance with approved plans, including but not limited to: required setbacks, ADA-compliant parking spaces, landscaping elements, the presence of unpermitted structures, and the placement of utility structures within buffer zones.
2. Withhold recognition of compliance until verification is completed and publicly documented.
3. Acknowledge that failure to verify risks not only litigation under CEQA, but also a writ of mandate under Code of Civil Procedure §1094.5 for abuse of discretion.

Only through site verification can DBS meaningfully "respond" to the allegations raised in the appeal. Anything less repeats the April 9 error, nullifies the Motion's purpose, and exposes the City to legal and reputational consequences.

Conclusion: Field verification is the only path consistent with the Motion, with CEQA, and with the City's duty to uphold public trust in the land use process.

VI. The April 9 Report Was Legally Defective

The April 9 determination was not simply incomplete, it was legally defective for three reasons:

1. It misclassified mandatory prerequisites as enforcement. LAMC §14.00 A.7 makes compliance with all 12 Performance Standards a jurisdictional prerequisite to entitlement. The April 9 report improperly shifted these preconditions into post-approval "enforcement," contrary to law.
2. It ignored evidence in the record. By April 9, community members had submitted photographs, drone footage, and plan conflicts. Yet the determination admitted it relied only on stamped plans. Ignoring material evidence presented during the process is a violation of procedural due process.
3. It forced entitlement before compliance. By approving on paper first and pushing compliance to "later enforcement," Planning deprived the public of its right to meaningful review at the entitlement stage, contrary to Bozung and CEQA Guidelines.

The very need for the August 19 Motion underscores this defect. If the April 9 report had fully addressed compliance, Council would not have been forced to direct DBS to issue a written response.

Conclusion: The April 9 report failed to fulfill Planning's legal duty. It left unresolved the very allegations raised by the community and compelled Council to intervene. The project remains ineligible for ministerial approval until compliance is independently verified on the ground.

VII. Public Consequences and Accountability

This is more than a paperwork error, it is a failure of public accountability. The site at 23416 President Avenue, zoned single-family residential (R1-1XL-0) and designated for "low residential" use, contains nine plugged oil wells. These oil wells were only recently sealed, underscoring the site's long industrial-only history and lingering environmental risks. In late 2023, the oil pumping units were removed, and shortly thereafter the property was sold to the RV park developer. A permit was granted in March 2024 under Public Benefit RV Park status (LAMC §14.00 A.7), with supplemental plans submitted in July.

For the first time, people will now be living on this recently decommissioned oil site in RVs with propane tanks. The 12 Performance Standards were never intended to resolve the hazards of building atop oil wells; they were crafted to move low-impact projects more quickly through ministerial approval. Applied here, to a high-risk site, they offer only minimal safeguards. setbacks, buffers, ADA access, and circulation widths, and even those protections collapse if no agency verifies / enforces compliance in the field. Despite the site's hazardous history, no agency has confirmed whether the constructed project matches the approved entitlement plans. Critical requirements needed for ministerial approval, such as setbacks, ADA parking, landscaping buffers, and utility placements remain unverified. This lack of oversight highlights a

double standard: ordinary homeowners cannot install a fence or remodel a kitchen without inspection, yet this potentially hazardous RV park was approved based solely on submitted plans, with no agency accountable for ensuring that construction aligns with entitlements.

By ignoring evidence and shifting compliance to "later enforcement," Planning did more than make an error, it undermined the very purpose of the Performance Standards, eroded public trust, and signaled to developers that hazardous projects can be entitled based on submitted plans alone, with no confirmation that the site was built accordingly. This is not a technical oversight; it is an open invitation for abuse. If compliance exists only on paper, then the protections required by law collapse into a façade, leaving communities exposed, the City vulnerable to litigation, and the credibility of its land use process in jeopardy.

Conclusion: The Commission must recognize that failure to verify built site conditions does more than expose the City to litigation, it undermines the rule of law, erodes public trust, and teaches developers that compliance is optional. If verification is not required here, the Performance Standards become meaningless across Los Angeles.

VIII. The Performance Standards Become Meaningless Without Verification

LAMC §14.00 A.7 was enacted to provide communities with substantive protections, setbacks, buffers, circulation widths of drive aisles, and ADA access that must be verified in practice, not only represented on plans**.** Yet as the April 9 determination and current enforcement framework reveal, there is no agency tasked with ensuring that these standards are actually met on the ground.

- HCD does not enforce City zoning standards.
- LADBS only checks whether discrete permits meet technical code, not whether they are placed illegally.
- **City Planning** approves entitlement plans based solely on submitted documents, but disclaims responsibility for confirming that the built site conforms to those plans once permits are issued, leaving zoning compliance unverified.

If Planning does not step in to require site verification, the inevitable result is that the RV park will open while violating multiple Performance Standards. This would render the standards meaningless. Any developer could design a site that "looks compliant" on stamped plans but build something very different, overbuilt, unsafe, and incompatible with surrounding neighborhoods.

This is not a hypothetical risk; it is precisely what has already occurred here: utilities placed in setbacks, ADA parking removed, unpermitted buildings built, landscaping buffers replaced with concrete utility island pedestals, and plan sets in conflict about utility pedestal counts. Without site verification, these violations become permanent features of an entitled project, and the very purpose of §14.00 A.7 is defeated.

Conclusion: If Planning allows this RV park to proceed without site verification, the Performance Standards are reduced to paper formalities. Developers will learn they can "check the boxes" on plans, secure approvals, and then ignore the rules on the ground. This outcome would gut the City's zoning protections and invite systemic abuse.

IX. Implications for Council Oversight

This issue is not confined to Harbor City. If the April 9 approach is upheld, developers across Los Angeles will learn they can secure approvals on paper and then disregard the Performance Standards in practice. That outcome strips §14.00 A.7 of meaning, undermines the Council's legislative intent, and leaves communities without protection.

Moreover, if LADBS responds with another paper review, the August 19 Motion adopted by Council is effectively nullified. Council enacted that directive to ensure specific allegations were addressed, not ignored. To allow DBS to reduce that Motion to a plan check is to erode Council's own oversight authority.

Finally, the political consequences are real: residents will see the City entitling hazardous projects without requiring compliance, fueling mistrust in land use decisions and opening the City to CEQA litigation. Council's credibility, as much as its legal responsibility, is at stake.

Conclusion: Council must make clear that its directives are binding, that Performance Standards require site verification, and that protecting communities from unsafe, noncompliant developments is the core purpose of land use law.

X. Community, Fiscal, and Equity Consequences

Community Consequences: Without site verification, Harbor City residents will live beside an RV park that may be overbuilt and in violation of fire code, ADA protections, and required setbacks. This is not an abstract land use dispute, it is a public safety issue. Families will be forced to live next to propane tanks in a methane zone without any agency confirming compliance. Residents with disabilities have already lost ADA parking spaces. The absence of verification means these hazards are locked in, exposing the community to avoidable risks.

Fiscal Consequences: Paper-only compliance is not just unsafe, it is expensive. If the City allows the RV park to open without confirming Performance Standards on the ground, it exposes taxpayers to CEQA litigation, ADA enforcement actions, and potential negligence claims in the event of an accident. Every dollar spent defending unlawful approvals is a dollar taken away from public services. Councilmembers should recognize that failing to require verification today could translate into millions in legal exposure tomorrow.

Equity Consequences: Harbor City is already overburdened with industrial hazards, oil wells, and methane zones. Performance Standards were designed to offer protections for precisely these frontline communities. If they are reduced to paper-only exercises, then residents here, many already living with cumulative environmental burdens, are left with no meaningful safeguards. To approve this project without verification is to send the message that certain neighborhoods are expendable, undermining the City's stated commitments to environmental justice and equitable land use.

Conclusion: Site verification and enforcement are not just legal requirements; they are moral, fiscal, and equity imperatives. Without them, the community bears the safety risks, taxpayers bear the financial risks, and vulnerable neighborhoods bear the burden of yet another broken promise. Performance Standards were enacted to guarantee real protections, without verification and enforcement, they collapse into paper formalities.

Exhibits: Wilmington Site (1551 Young Street)

The following photographs are included to demonstrate the real-world consequences of approving RV parks under LAMC §14.00 A.7 without site verification.

These images are from **1551 Young Street in Wilmington**, another RV park developed by the same applicant. In reality, the built site shows multiple, obvious violations that were never corrected: utility pedestals installed within required buffer zones, RV stalls constructed without the 15-foot setbacks, circulation aisles built narrower than the 20-foot minimum, and ADA spaces not constructed to code.

The significance is twofold:

1. **Pattern of Non-compliance:** These conditions mirror the same types of violations alleged at 23416 President Avenue, proving they are not isolated errors but a recurring practice by this developer.

2. **Enforcement Gap:** No agency ever verified or enforced the standards at Wilmington. What exists on the ground today directly contradicts the entitlement approvals, showing how "paper compliance" collapses when field verification is absent.

By including these exhibits, the Commission can see what happens when Performance Standards are treated as a **check-the-box exercise** rather than enforceable prerequisites. The Wilmington site stands as a cautionary example: without verification, the protections intended by §14.00 A.7 are meaningless.

Exhibit 1: Photo showing utility pedestals in landscaped buffer zone. *Violation of PS #2, PS #5.*



Exhibit 2: Photo showing prefab structures against fence with **no 15 ft setback**. *Violation of PS #2.*

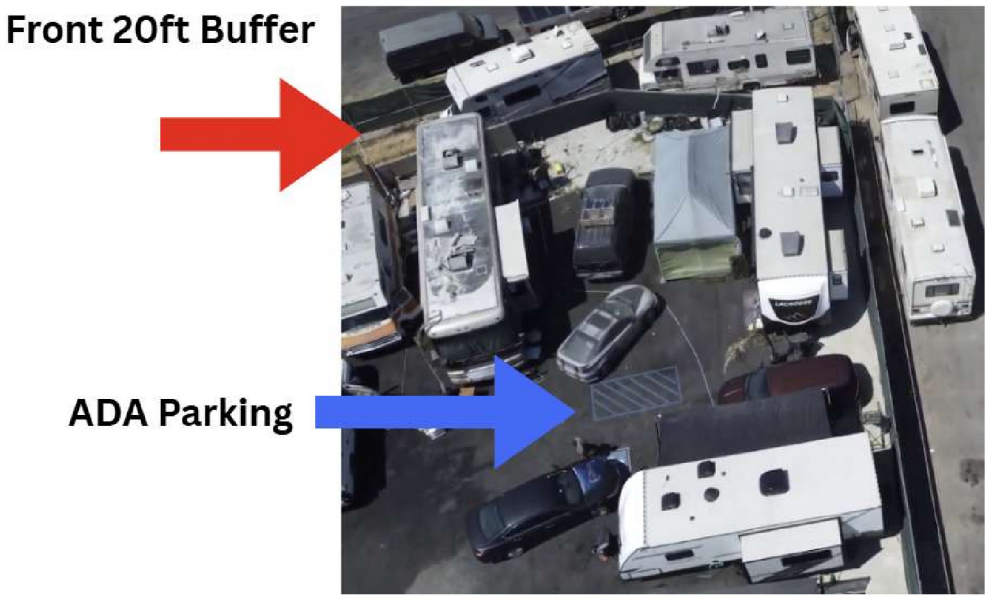


Exhibit 3: Photo showing tight drive aisle <20 ft wide. *Violation of PS #1.*



Exhibit 4:

- Photo showing striped blue ADA stall with no signage, access aisle, or usable path of travel, obstructed by RVs and vehicles. **Violation of PS #8 (Accessibility).**
- RVs are parked directly within the required 20-foot front yard setback, where a double fence has been installed instead of the mandated landscaped green space. Violation of **Performance Standard #4 (Front Yard Setback)** and **Performance Standard #5 (Landscaping and Irrigation).**



Report 3

Performance Standards Violations

Comprehensive Evidence Binder: 12 Standards of Noncompliance

Prepared by: Green Meadows West

Date: September 25, 2025

Report 3: Performance Standards Violations

23416 S. President Avenue – Silver RV Park

Prepared for Submission to the Los Angeles City Planning Commission
Date: September 17, 2025
Prepared by: Community Coalition: Green Meadows West

Subject

This report documents 11 of 12 Performance Standards violations under LAMC §14.00 A.7 at the proposed RV park located at 23416 S. President Avenue.

Purpose

Ministerial approval under §14.00 A.7 requires full compliance with all twelve Performance Standards. These are legal thresholds not optional guidelines. A single violation disqualifies the project from by-right approval and triggers the requirement for a Conditional Use Permit (CUP) and full CEQA review.

Contents

- Standard-by-standard analysis of violations
- Evidence drawn from approved plan sheets, site photos, and drone footage
- Legal and procedural context for each violation
- Exhibits documenting physical noncompliance

Conclusion

The as-built project violates at least 11 of 12 Performance Standards, including circulation, setbacks, buffers, ADA access, parking, and screening. These failures make the project ineligible for ministerial approval and require discretionary review under CEQA and CUP procedures.

Requested Action

We respectfully request that the Los Angeles City Planning Commission revoke ministerial approval and require a CUP with full CEQA review.

Performance Standard #1 – Safe Circulation & Access

Requirement

- **LAMC §12.21 A.5(e)(2):** Drive aisles serving more than 25 vehicles must be ≥19 ft wide (or two 10 ft lanes).
- **Title 25 CCR §2106(b)(1)–(3):** Two-way roads in Special Occupancy Parks must be ≥20 ft wide (25–32 ft if parking is allowed).

- **LAMC §14.00 A.7 (PS #1):** Projects must provide safe drive aisle circulation and emergency access.

Purpose
To guarantee safe two-way traffic flow, unobstructed access for fire and emergency vehicles, and reliable evacuation routes for residents in confined RV park environments.

Planning Department's Claim (April 9, 2025)
The Director of Planning's report concluded the project was compliant, reasoning that since residential driveways in R1 zones may be as narrow as 9 ft, the 15 ft aisles here were "more than sufficient.

Evidence from the Plans and Built Site

- **Entrance/Exit Gates and Central Spine**
  Two 20 ft driveways on President Avenue connect to a 22 ft central spine.
- **Dead-End Aisles**
  Three aisles, each only 15 ft wide, branch from the spine and serve 8 RVs apiece. These aisles end at the front fence, creating ~60 ft dead-end aisles.
- RVs are parked on both sides of aisles, the aisles must operate as two-way circulation roads. At 15 ft wide, they are well below the required 20 ft minimum, making them noncompliant.
- **Rear Fence and Utility Cluster**
  The rear of the property has been built out with 20 RV stalls, utility island pedestals, and an 800A electrical distribution system. This buildout violates required rear-yard setbacks (PS #2), eliminates landscaped buffers (PS #5), and expands the project beyond its approved 46-stall entitlement. By converting a required buffer into utilities and stalls, the developer not only violated zoning standards but also created an unauthorized expansion that no agency has reconciled against approved plans.
- **Walled-In Design**
  The property is fully enclosed by fencing, with both access gates located along the same frontage. Interior aisles end in dead-ends, creating choke points that trap residents and obstruct emergency responders. This configuration eliminates secondary egress and violates fundamental principles of safe circulation.

Why Planning Is Wrong

- **Misapplied 9-Foot Driveway Rule**
  Planning misapplied LAMC §12.21 A.5(e)(2) by treating three 15 ft dead-end aisles as if they were compliant "driveways." In reality, each aisle functions as a two-way circulation road serving 8 RV stalls, and at only 15 ft wide, they fall below the required 20–24 ft minimums under Title 25 CCR §2106 and LAFD Appendix D. Aggregating multiple non-compliant aisles does not satisfy the code, and the dead-end design compounds the hazard.

- **Violation of Title 25 and Fire Code**
  Title 25 requires a minimum 20-ft width for two-way circulation. The built aisles at only 15 ft wide are unlawful under state law. In addition, LAFD Appendix D requires 20–24 ft fire lanes and prohibits dead-end access without compliant turnarounds. Fire trucks cannot maneuver or pass in 15-ft aisles, rendering the project non-compliant with fire safety standards.

- **Jurisdiction Misstatement**
  Planning argued Title 25 is enforced by HCD, not the City. This is misleading: LAMC §14.00 A.7 explicitly requires compliance with all applicable state standards. The City cannot lawfully declare compliance while ignoring controlling state law.

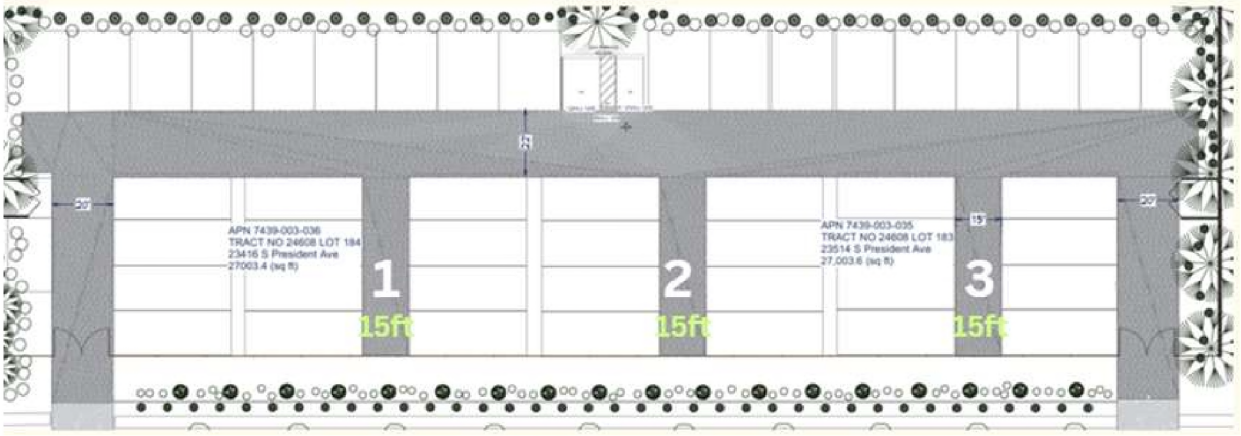
Conclusion

The project fails PS #1. Internal aisles are only 15 ft wide, yet function as two-way roads, and end in dead-ends with no secondary circulation. These conditions violate LAMC §12.21, Title 25 CCR §2106, and LAFD Fire Code Appendix D.

Beyond legal non-compliance, this layout poses an immediate life-safety hazard.The risk is especially acute for vulnerable populations often housed in RV parks, including seniors, disabled individuals, and low-income families.

The Planning Commission must require the applicant to redesign the circulation system to comply with Title 25 CCR §2106, LAFD Appendix D, and the City's obligations under LAMC §14.00 A.7. At minimum, compliance requires widening interior aisles to 20–24 feet, eliminating dead-end configurations, and providing secondary access routes to ensure safe emergency ingress and evacuation.

- **Exhibit 1.1**: January / July 2024 Site Plans (P-1) – show 15 ft aisles.



- **Exhibit 1.2 –** As-built layout:Three dead-end aisles, each 15 ft wide, with no secondary access, violating Title 25 and Fire Code. Code requires 20 - 24 ft wide fire lanes (Title 25 CCR §2106; LAFD Appendix D). Built:15 ft.These aisles are not driveways; they serve occupied RV stalls and therefore must function as two-way fire lanes.



Red arrows: 3 Aisle are Dead Ends
No turnaround / secondary access – Fire Code violation.

Performance Standard #2 – Setbacks

Requirement

- **LAMC §14.00 A.7, PS #2**: Requires a minimum 15-foot rear setback and 10-foot landscaped buffer zone, which must remain free of structures.
- **LAMC §12.03 (Definitions)**: A structure is "anything constructed or erected which requires a location on the ground."

Purpose

To provide open landscaped buffer space for neighborhood compatibility, protect adjoining residents, and ensure setback areas function as open green space.

Planning Department's Claim (April 9, 2025)

> "The plans reviewed by the Zoning Administrator show compliance with the required setback regulations and landscaped buffer requirements of the Zoning Code."

Developer's Argument (August 8, 2025)

> "The presence of rough-ins for shore power units, for example, does not negate compliance with landscaping requirements. To the contrary, landscaping can be and often is installed around such infrastructure. Appellant's argument rests on an unsupported and incorrect assumption that the presence of utilities necessarily precludes landscaping"

Evidence from the Plans and Built Site

1. January 2024 Plans Show Conflicting Setbacks

- The **January 2024 site plan (P-1)** labeled a 15 ft rear setback, giving the appearance of compliance on paper.
- The **January 2024 electrical plan (P-4)** eliminated the buffer, placing concrete pad utility island pedestals and an 800A electrical distribution system near the rear property line.
- This internal conflict created a false impression of compliance in Planning's files while LADBS simultaneously approved an electrical plan that made compliance of the Performance Standards impossible.
- The developer ultimately built it according to P-4, with concrete pad utility island pedestals inside the setback leaving no room for landscaping.

2. Planning Required Corrections in April–July 2024

- City staff identified a problem in April 2024. Planning flagged missing buffer zones, and on July 10, 2024, City Planner Ruben Vasquez issued a declaration confirming the January plans failed to provide the required 10 ft landscaped buffer and ordering resubmission.

- Corrected plans were not submitted until July 2, resubmitted on July 25, and finally approved on August 1, 2024.

3. Built Site Follows the Non-compliant January Plans

- Despite Planning's direction, aerial photos and inspections confirm the site was built according to the January 2024 non-complaint electrical plan (P-4), not the corrected July/August 2024 versions.

- Concrete pad utility island pedestals sit directly against the rear fence, eliminating both the 15 ft setback and the landscaped buffer zones.

4. Court Records Confirm Non-compliance at Inspection

- Court minutes (September 11, 2025) show the developer requested final inspections as early as June 28 and July 2, 2024, weeks before the corrected plans were submitted (July 25, 2024) or approved (August 1, 2024).

This establishes that the site was constructed in accordance with the non-compliant plans dated January 2024, rather than the revised and approved plans submitted in July 2024.

Why Planning & the Developer Are Wrong

Encroachment by Structures
Concrete utility island pedestals qualify as "structures" under LAMC §12.03 because they are constructed, ground-mounted, and permanent. Their placement inside the setback is a direct violation of PS #2.

Landscaping Cannot Cure the Violation
The standard requires an open, unobstructed, and continuously landscaped buffer. Instead, the setback has been filled with concrete pad utility island pedestals and utility infrastructure. Landscaping placed around equipment does not constitute a landscaped buffer and fails to meet the intent or letter of the performance standard.

Proof of Misrepresentation

- Planning required corrections as early as April 2024, after the staff confirmed the January 2024 plans failed to provide the 10 ft landscaped buffer. Revised plans were not submitted until July 25, 2024, and only approved on August 1, 2024.
- Yet court records show the developer **requested final inspections on June 28 and July 2, 2024**, weeks before corrected plans were even submitted. More troubling, these requests came **the day after the City Council (June 26, 2024) had already halted the project.**
- This sequencing means the developer was moving forward with inspection requests on construction built under the non-complaint January 2024 electrical plan (P-4), not the corrected July/August 2024 versions. Whether or not LADBS actually conducted the inspections, the request proves the project was constructed with non-compliant plans.
- The Director's April 2025 statement that "the plans show compliance" was therefore misleading. Planning relied on the compliant-looking August 1, 2024 approved site plans (submitted July 25), In reality, the developer had already completed construction of the site based on the January 2024 electrical plan (Sheet P-4), which eliminated the buffer. As a result, the required setback was eliminated and improperly replaced with permanent structures, contrary to both the letter and intent of Performance Standard #2.

Retroactive approvals cannot legalize non-compliant construction once built; doing so collapses the rule of law and renders the Performance Standards meaningless.

Adverse Neighborhood Impact
A landscaped buffer was required, yet the setback area was constructed with concrete utility island pedestals and electrical distribution infrastructure. This substitution eliminates the open, unobstructed green space envisioned by PS #2 and undermines its public benefit purpose, while materially worsening visual blight, increasing residents' exposure to environmental hazards, and creating direct safety risks by placing electrical systems and utility clusters in areas intended to remain clear for buffers and circulation. Buffers exist to protect surrounding neighborhoods from high-impact land uses; removing them converts a safeguard into a hazard.

Conclusion

The project fails Performance Standard #2 because:

- Concrete pad utility island pedestals are prohibited structures inside the 15 ft setback under PS #2.
- The site was built with the non-compliant January 2024 electrical plan (P-4), not the corrected July/August 2024 versions.
- Planning's claim of compliance was factually and legally incorrect.
- The rear setback has been eliminated and replaced with structures, in violation of both the plain language of the Code and the purpose of PS #2.

Citation:

- **LAMC §12.03 – Definition of "Structure":** "Anything constructed or erected which requires a location on the ground or is attached to something having a location on the ground."
- Concrete pad utility island pedestals clearly fall within this definition. Their presence inside the setback is a direct violation of PS #2.

Performance Standard #2 – Setbacks

Requirement: 15 ft rear setback and 10 ft landscaped buffer must remain free of structures. Violation: Concrete pad utility island pedestals and the 800A electric distribution system were installed directly in the setback/buffer areas.

Exhibit 2.1 – January 2024 Site Plan (P-1): Shows a labeled 15 ft setback line, giving the appearance of compliance.

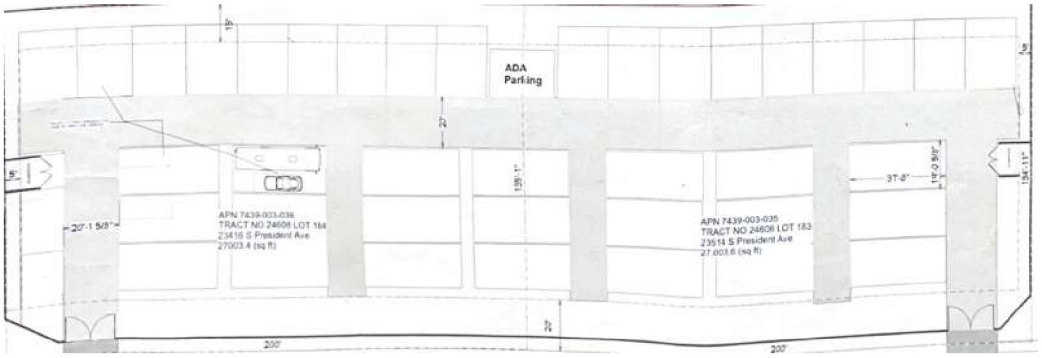


Exhibit 2.2 – January 2024 Electrical Plan (P-4): Eliminates the rear setback and places pedestals directly against the property line.

- Small rectangular boxes on the plan designate concrete pad utility island pedestals. Pedestals circled in red are located inside the 15 ft setback/buffer zone, in direct violation of PS #2. Pedestals circled in blue are located outside the setback and shown for comparison. This distinction highlights that only the rear setback pedestals are unlawful.

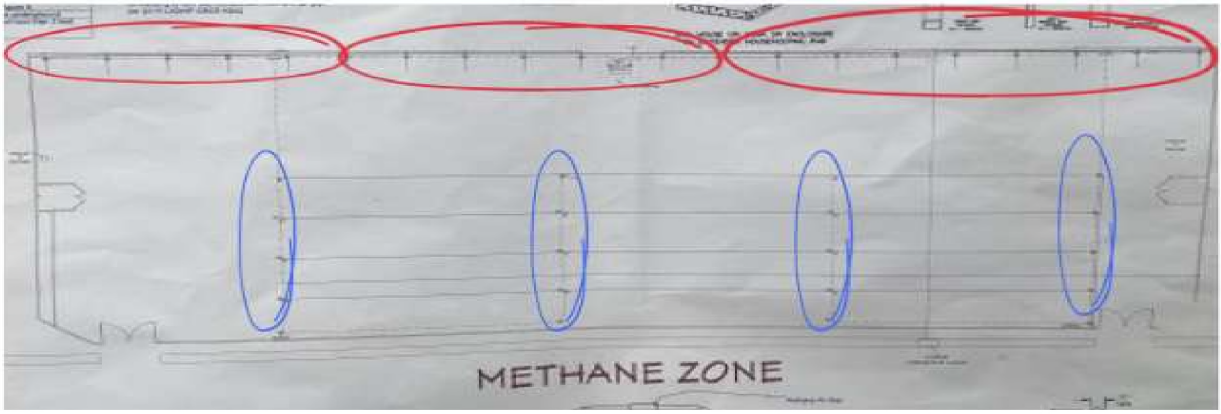


Exhibit 2.3 – Blue arrows highlight the small rectangular symbols in the January 2024 Electrical Plan (P-4), which designates concrete pad utility island pedestals. These symbols, shown here in close-up, confirm that the pedestals were placed directly along the rear property line inside the 15-foot setback. The red arrow indicates the 800A electric distribution system, also constructed in the setback, further eliminating the required landscaped buffer.

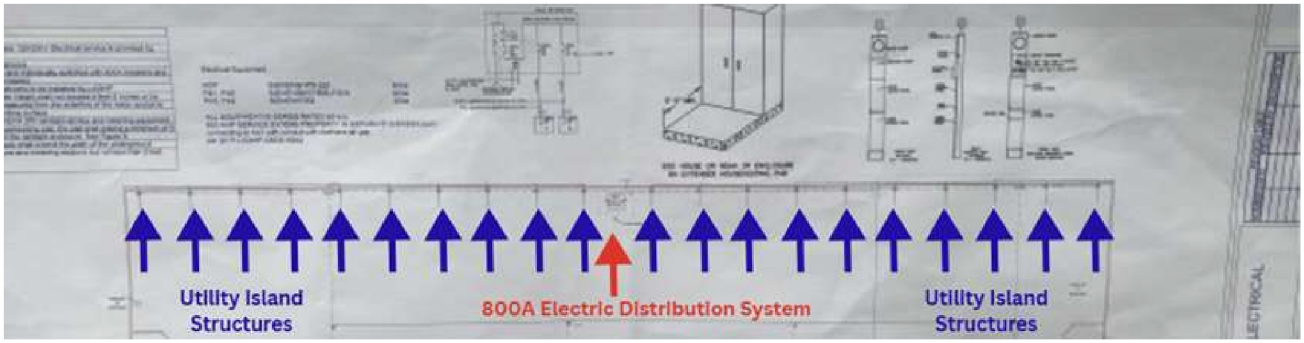


Exhibit 2.4 – As-Built Aerial (2024/2025): Confirms construction followed the non-complaint electrical plan (P-4), not the corrected and approved July/August 2024 versions. Concrete pad utility island pedestals occupy the required buffer zone, leaving no landscaped setback.

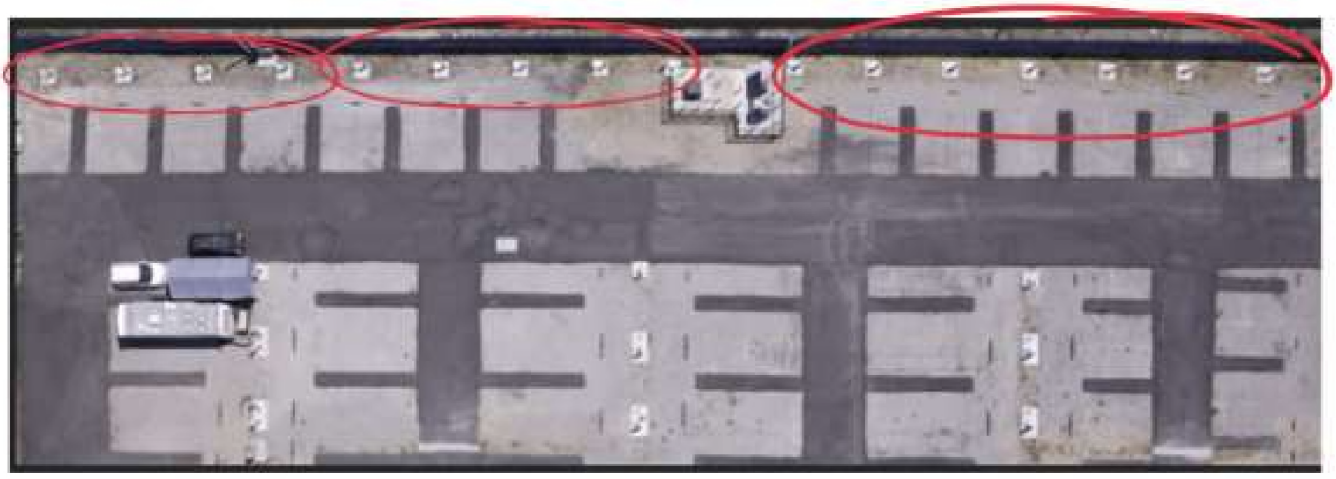


Exhibit 2.5 – As-Built ABC News (June 27,2024):Confirms construction followed the non-complaint electrical plan (P-4), not the corrected July/August 2024 versions. Concrete pad utility island pedestals were installed within the required buffer zone, eliminating the landscaped setback required by PS #2.



Red arrows designate utility island pedestals constructed within the 15-foot rear setback and landscaped buffer zone. Their placement directly in the buffer constitutes a clear violation of Performance Standard #2, which prohibits structures in this required open space.

Exhibit B – Court Records and Inspection Dates

- **Exhibit 2.4 –** Court Minutes (Sept. 11, 2025): Show developer requested final inspections June 28 and July 2, 2024.

performance standards and issued its clearance under LAMC section 14.00.A.7. (AR 29, 720-721.) On March 22, 2024, LADBS issued the permit. (AR 10-14, 767-784 [approved plan set]; Silver Decl. ¶ 12.) Between March and June 2024, Petitioner incurred approximately $585,000 in construction at the Property. (Silver Decl. ¶ 12.) Final inspections for the Certificate of Occupancy ("CofO") were scheduled for June 28 and July 2, 2024. (Id. ¶ 18.)

- Figure 2.5 – Plan Approval Timeline: Corrected plans were not resubmitted until July 25 and approved August 1, 2024.



- Analysis:Developer requested final inspections on June 28 and July 2, 2024, just two days after LA City Council halted the project on June 26 and weeks before corrected plans were even submitted (July 25, 2024) or approved (August 1, 2024). Requesting inspections before plan approval is procedurally impossible under LAMC §91.106.4.1, which prohibits construction or inspection without approved plans. Whether or not LADBS actually performed the inspections, the requests themselves prove the project was built with the non-compliant January 2024 plans while the entitlement process remained unresolved.

Performance Standard #3 – Fencing & Screening

Requirement

- **LAMC §14.00 A.7, PS #3:** LAMC §14.00 A.7, PS #3 requires RV parks to provide adequate fencing or screening to buffer the site from adjacent properties and public streets. The standard calls for a solid, decorative masonry wall or wrought iron fence at least eight (8) feet in height, or the maximum height otherwise allowed by the zone, whichever is less. The fence or wall must enclose the entire perimeter of the property, but it cannot extend into the required front yard setback, which must remain open.

Purpose: To screen RV parks from public view, protect visual character, and ensure compatibility with neighboring residential uses.

Planning Department's Claim (April 9, 2025)

> "The plans reviewed by the Zoning Administrator show fencing around the perimeter of the property consistent with setback and height requirements, thereby satisfying the fencing and screening performance standard."

Evidence from the Built Site

Front (Street-Facing):

- Approved plans show decorative wrought iron with landscaping.
- Built: Wrought iron frame with construction mesh strapped to the back. This is a temporary, unattractive fix and fails to meet LAMC §14.00 A.7, PS #3, which requires a *solid, decorative masonry wall or wrought iron fence at least 8 feet in height.* The construction mesh is neither solid, decorative, nor permanent.

Entrance/Exit Gates:

- Built as chain-link with barbed wire, industrial in appearance and inconsistent with neighborhood character.

Rear Fence (Abutting Residences):

- Has a chain-link with barbed wire.

Why Planning & Developer Are Wrong

1. Non-compliant Materials Used

- Chain-link and barbed wire are explicitly not "adequate screening."
- Construction Mesh strapped to wrought iron is not permanent fencing and fails decorative requirements.

2. Plans vs. As-Built

- Submitted plans showed decorative wrought iron perimeter fencing.
- As-built site substituted chain-link, barbed wire, and construction mesh substantial deviations.

3. Neighborhood Impact

- Instead of a landscaped decorative buffer, neighbors face industrial-style fencing.
- This violates the purpose of PS #3 and degrades neighborhood character.

4. False Compliance Finding

- Planning's April 2025 conclusion relied solely on **submitted plans**, not actual built conditions.
- The developer's substitutions render the project non-compliant, invalidating Planning's compliance finding.

Conclusion

The project fails **Performance Standard #3 – Fencing & Screening** because:

- The front and rear fences are covered with mismatched construction mesh, which does not qualify as decorative screening under applicable zoning standards.
- Entrance/exit gates are chain-link with barbed wire, industrial and non-compliant.
- The rear fence is chain-link with barbed wire, non-complaint.

Result: The as-built fencing directly contradicts the plans and violates LAMC §14.00 A.7, PS #3.

Performance Standard #3 – Fencing & Screening

The following figures show how the fencing and screening, as built, deviate from both the approved plans and the requirements of PS #3. Instead of decorative, permanent fencing, the developer substituted chain-link, barbed wire, and construction mesh, measures that are temporary, industrial in appearance, and inconsistent with neighborhood character.

Exhibit 3.1 – Front Fence (Street-Facing): Plans required decorative wrought iron fencing with landscaping. As built, construction mesh was strapped to the back of the wrought iron, creating a temporary, unattractive "screen" that does not meet PS #3 requirements.



Exhibit 3.2 – Entrance / Exit Gates: The gates are chain-link topped with barbed wire. These industrial-style gates are inconsistent with neighborhood character and fail to provide decorative or adequate screening.



Gate 1 - 23416 President Ave



Gate 2 - 23414 President Ave

Exhibit 3.3 – Rear Fence: Constructed of chain-link topped with barbed wire. Covered with blue construction mesh, which is temporary and non-decorative. This fails PS #3's requirement for permanent, adequate screening and undermines the public-benefit purpose of neighborhood buffering.



Exhibit 3.4 - Declaration of Ruben Vasquez (July 9, 2024): Confirms that Performance Standard #3 (Fencing & Screening) was not met under the January 2024 plans and required correction prior to resubmission.

> 4. In late April, 2024, Anna and I double checked the project's compliance with the twelve Public Benefits project performance standards in LAMC section 14.00.A.7 and determined there was an issue. We met with the applicant on April 30 to discuss the issue. More recently, in June, 2024, we re-reviewed the plans and determined that at least one of the required performance standards, specifically number 3, still had not been met.

Performance Standard #4 – Front Yard Setback

Requirement

- **LAMC §14.00 A.7, PS #4:** The project must comply with applicable yard requirements.
- **LAMC §12.21 C.1(a):** In R1, front yard = 20% of lot depth, capped at 20 ft.
  - Lot depth ≈ 135 ft → 20% = 27 ft → cap applies: 20 ft required.

Purpose
Preserve consistent front yards, prevent overbuilding along the street frontage, protect neighborhood character, and ensure traffic and pedestrian safety by keeping sightlines clear within the setback.

Planning Department's Claim (Apr. 9, 2025)
The Director's report states the Prevailing Setback Calculator yielded ~18.20 ft, and the July 25, 2024 plans show a 20 ft front setback, thus "exceeding the calculated prevailing setback" and meeting the standard.

Evidence from the Plans and Built Site

- **Base Requirement = 20 ft (R1 minimum)**
  Both Planning and the applicant acknowledge R1 requires **20 ft** when the 20% depth exceeds the cap.
- **Prevailing Setback Misapplied**
  - The "prevailing" tool produced 18.20 ft using approximations and limited frontage sampling.
  - By code, "prevailing" cannot reduce below the zone's 20 ft minimum; it only requires more when the block pattern is deeper.
- **As-Built Condition**
  - Field measurement shows the **front fence line at 17′-3″ (17.25 ft)** - short of **both** 20 ft and Planning's own 18.20 ft figure.
  - The fence/stalls encroach into the required front yard.

- **Plans vs. Reality**
    - Plans (7/25/24) label 20 ft on paper.
    - Built condition is ~17.25 ft, contradicting the plans and the code minimum.

Why Planning & the Developer Are Wrong

- **Mandatory 20 ft Ignored**
  The R1 minimum establishes a 20-ft baseline. 'Prevailing' may not be applied to reduce this measurement below the required minimum.
- **Calculator Misuse**
  Tool outputs are approximate and disclaimered; the dataset was based on 3 fictitious lots to produce a lower setback figure.
- **Nonconforming Build**
  Even under Planning's (mistaken) 18.20 ft, the built 17.25 ft still falls short, so paper compliance cannot cure the field violation

Proof of Misrepresentation – Prevailing Setback Calculation

- The July 25, 2024 plans included a prevailing setback calculation showing 17.67 ft, based on three fictitious parcels.
- As shown in Figure 4.5 (Developer's Calculation), the developer input three unrelated lots (APN 1414, 1500, 23528) with setbacks of 14 ft, 16 ft, and 23 ft.
- In reality, the project site consists of only two parcels:
    - APN 7438-003-035 (23412 President Ave) – 26,826.20 sq ft
    - APN 7438-003-036 (23416 President Ave) – 27,006.30 sq ft
    - Total = 53,990 sq ft (≈1.24 acres)

- LADBS records, Zillow, and the property sale listing confirm only two parcels exist, not three.
- By inputting three unrelated lots totaling 150 ft of frontage, the developer artificially lowered the setback requirement from 20 ft (mandatory R1 zone minimum) to 17.67 ft.
- This misinformation was printed directly on the July 25, 2024 site plans and relied upon by the Planning Department to conclude "compliance."

Conclusion

The project fails PS #4 because:

- R1's zone 20 ft minimum front setback was not met.
- Planning improperly relied on a "prevailing" figure below the 20 ft requirement.
- The as-built 17.25 ft front yard violates both the 20 ft standard and Planning's own 18.20 ft calculation.
- Planning's compliance finding is factually wrong and legally invalid.

Exhibits – Performance Standard #4 (Front Yard Setback)

Exhibit 4.1 – Prevailing Setback Calculator (Planning File):
Shows an 18.20 ft "prevailing" output derived from limited inputs; by law it cannot reduce below the 20 ft R1 requirements.

> 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

Exhibit 4.2 – Developer's Prevailing Setback Calculation (July 25, 2024 Plans): Shows 17.67 ft setback based on 3 unrelated parcels. Only 2 legal parcels (23412 & 23416 President Ave) exist. Inputting extra parcels lowered the required setback below the mandatory 20 ft standard.

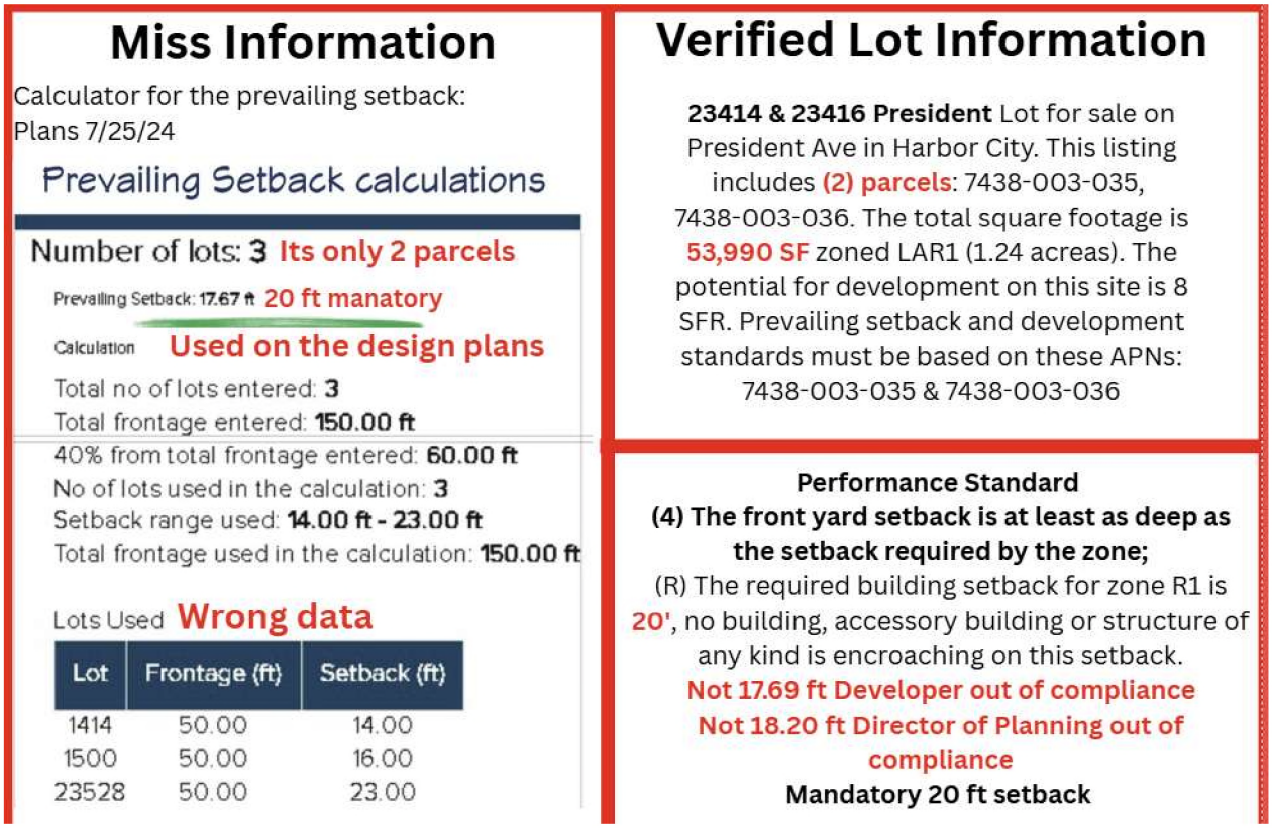


Exhibit 4.3 – As-Built Front Yard Measurement:
Field-verifiable photo/diagram confirming **17'3" ft (17.25 ft)** from property line to fence, **short of 20 ft** and even **18.20 ft**.



Performance Standard #5 – Landscaped Buffer

Requirement

- **LAMC §14.00 A.7, PS #5:** Requires a 10-foot landscaped buffer with planting and irrigation along all perimeters.

- **LAMC §12.40 & Landscape Ordinance (Ord. No. 170,978)**: Requires automatic irrigation systems, live planting, and continuous landscape screening.

Purpose

To shield neighbors from noise, lights, and activity inside the RV park, while ensuring visual compatibility with the surrounding residential neighborhood.

Planning Department's Claim (April 9, 2025)

"The plans reviewed by the Zoning Administrator show compliance with the required 10-foot landscaped buffer, including planting and irrigation, along property lines adjoining residential uses. Therefore, the project meets Performance Standard #5."

Evidence from the Plans and Built Site

1. **January 2024 Plans – Non-compliant**
    - Site plan (P-1) and electrical plan (P-4) showed zero landscaped buffer. The built site demonstrates multiple intrusions into the required 10-ft landscaped buffer. Concrete pad utility island pedestals, and an 800A electrical distribution system extend within approximately 3 ft of the rear fence line. In addition, the buffer area contains asphalt strips (visible as dark areas in aerial photos) that extend into the zone. These strips, together with the utility structures, have converted the buffer zone into RV parking stalls. What was required to be a continuous open unobstructed green landscaped buffer has instead been converted into asphalt, equipment pads, and RV stalls, in direct violation of Performance Standard #5.

2. **July 2024 "Corrected" Plans – On Paper Only**
    - After Planning flagged the violation, the developer resubmitted July 2 and July 26, 2024 site plans showing a 10-ft landscape buffer
    - Critical flaw: Electrical plans were never updated and concrete pad utility island pedestals and an 800A electric distribution system have already been constructed in the buffer zone.

3. **Built Condition (2025)**
    - Construction followed the non-compliant January 2024 utility plans, not the July 2024"corrected" site plan.

- The rear and side yard buffer zones are not landscaped as required. Instead, they contain prefab structures, asphalt strips, and concrete pad utility island pedestals, some extending within approximately 3 ft of the rear fence line. These hardscape intrusions eliminate the continuous 10-ft landscaped buffer mandated under PS #5.
- The gated portion of the property lacks any planting, and no irrigation system has been installed on the site.
- Timeline Discrepancy: Court records show the developer requested final inspections on June 28 and July 2, 2024, weeks before the revised plans were resubmitted (July 25) and approved (August 1, 2024). This proves construction was built under the non-compliant January plans, not the corrected July/August versions.

Developer's Argument vs. Reality

In multiple filings, the developer's attorney asserted:
"Performance Standard #5 requires a 10-foot landscaped buffer along the periphery of the Property. The Planning Department approved Oceans 11's plans submitted with its Supplemental Permit application showing a 10-foot landscaped buffer along the periphery as required. Thus, the Project complies with Performance Standard #5." (Reznik, Aug. 8, 2025; June 13, 2025 letters)

This argument fails for three reasons:

1. **Paper vs. Construction**
   - Although the July 2024 "corrected" site plan depicts a landscaped buffer, the built project followed the January 2024 utility plans, which hardscaped the setback, installed concrete utility island pedestals, and RV parking within the buffer. The required landscaping was eliminated, and the buffer's screening function lost.
   - Performance Standard #5 requires a landscaped buffer to be built, not merely drawn on a plan sheet.

2. **Incomplete Plan Revisions**
   - While the site plan was revised in July 2024, the electrical plans were never updated. LADBS continued to approve inspections based on the January electrical drawings, guaranteeing that the "buffer" could not exist in practice.

3. **Absence of Planting and Irrigation**
   - Even though the buffer zone was added to the corrected July plans, the ordinance also requires live planting and automatic irrigation none of which were constructed.
   - Site inspections and photographs confirm that no landscaping or irrigation was installed. The buffer area was instead converted into a utility yard and RV parking, eliminating its required function as a continuous landscaped screen.

Conclusion:
LADBS's reliance on paper plans is misleading. Approval of revised plans does not equal compliance when the as-built site clearly shows the buffer zones were never created. Without inspections or field verification, plan approval becomes a paper exercise that masks non-compliance rather than enforcing the standards. Absent site verification, Performance Standard #2 is rendered meaningless, as its promised protections exist only on paper, not on the ground.

Why Planning & the Developer Are Wrong

- **No Landscaped Buffer Exists**
  The rear and side yard buffer zones, which PS #5 requires to contain continuous live planting and irrigation, have instead been compromised and built over, rendering the project noncompliant with PS #5.
    - North Side Buffer: Occupied by permanent buildings and prefab structures, eliminating the landscaped area altogether.
    - South Side Buffer: Converted into an unauthorized RV stall, further eliminating the required buffer.
    - Rear Buffer: Encroached upon by asphalt strips extending RV stalls, with concrete utility island pedestals and an 800A electrical distribution system placed as close as 3 feet from the fence line.
- **Misrepresentation in Plans vs. Construction**
  Planning approved the July 2024 site plans, which added a buffer on paper, but construction had already been completed using the non-compliant January 2024 electrical plans (P-4). When Planning issued its April 2025 finding of "compliance," it relied entirely on the revised July 25 plans, while ignoring that the built site reflected the earlier non-compliant drawings. This disconnect between approved plans and actual construction demonstrates that compliance was manufactured on paper only, not verified in the field. Retroactive plan corrections cannot legalize unlawful construction. Only a site inspection can resolve these discrepancies, but no agency has been tasked with performing one, leaving a regulatory gap where violations are locked in.

Conclusion
The project fails Performance Standard #5 because:

- The required 10-ft landscaped buffer with irrigation was never built.
- Instead, buffer zones were filled with utility structures, 800A electrical distribution systems and partially paved asphalt.
- LADBS allowed construction to proceed under non-compliant January 2024 electrical plans, despite later "corrected" July site plans.
- This constitutes a direct violation of LAMC §14.00 A.7, PS #5, undermining both the letter and intent of the law.

The installation of industrial infrastructure in the green space eliminated the 10-foot continuous landscaped buffer mandated by PS #5. By removing the buffer, the project eliminated the very purpose of this safeguard: to shield adjacent residents from noise, exhaust, and visual blight,

and to provide a safe, livable separation between heavy RV use and surrounding homes. This failure also diminishes livability for RV residents themselves, who are forced to reside without the shade, greenery, and health protections the buffer was intended to provide. In effect, LADBS's approval not only violated zoning law but also traded away community and resident protections for expediency, leaving both neighbors and occupants exposed.

Performance Standard #5 – Landscaped Buffer

Performance Standard #5 requires a 10-foot landscaped buffer with planting and irrigation along property lines adjoining residential uses. This buffer is not optional; it is a mandatory condition intended to shield neighbors from noise, lights, and activity inside the RV park while ensuring compatibility with surrounding homes. The developer never provided this buffer in practice. In the rear buffer, concrete pad utility pedestals, and asphalt paving extend partway into the required zone, reducing the space available for landscaping. In the side buffer, prefab structures occupy the setback, eliminating the required planting and irrigation. Planning's approval relied on revised plan sheets submitted months after construction was nearly complete, but the as-built condition confirms that the continuous landscaped buffer was never delivered.
The following evidence demonstrates how both the plans and the built site fail to comply with PS #5.

Exhibits – Performance Standard #5 (Landscaped Buffer)

Exhibit 5.1 July 2, 2024 Plan Correction Acknowledgment
Declaration text confirms that the applicant's first set of plans did not show a 10-foot landscaped buffer. On July 2, 2024, Planning staff (Ruben Vasquez) flagged this violation and required the applicant to resubmit corrected plans later that same day. This establishes that the original and earlier revised plans lacked the required buffer and that compliance was attempted only after-the-fact, on paper.

7. Upon review of the first set of revised plans by me and Ruben, we noticed the plans did not clearly show compatibility with Public Benefits Standard 5, that the property has a ten-foot landscaped buffer. On July 2, Ruben sent an email to me and the Applicant and asked the Applicant for clarification on the 10-foot landscape buffer. In response, the Applicant team submitted a second revised set of plans on July 2 after 2 pm. A true and correct copy of the second revised set of plans is attached as Exhibit D. I emailed them to confirm receipt of the updated and clarified plans on July 3 at 1:30 pm and to advise that we were going to review the plans. A true and correct copy of the July 2/July 3 string of emails is attached as Exhibit C.

Figure 5.2 – July 1–3, 2024 Email and Plan Review Record:
Planning staff (Ruben and Anna) identified that the first set of revised plans submitted July 1, 2024 did not show the required 10-foot landscaped buffer under PS #5. On July 2, staff requested clarification from the applicant. Later that same day, the applicant submitted a second set of revised plans. On July 3, staff acknowledged receipt and confirmed review of the updated plans.

This sequence confirms that the buffer requirement was still missing as late as July 1, 2024, and only added in response to Planning's repeated requests.

6. Upon review of the first set of revised plans received by me and Anna late on July 1, 2024, we noticed the plans did not clearly show compatibility with Public Benefits Standard 5, that the property has a ten-foot landscaped buffer. On July 2, I sent an email to Anna and the Applicant and asked the Applicant for clarification on the 10-foot landscape buffer. In response, the Applicant team submitted a second revised set of plans on July 2 after 2 pm. A true and correct copy of the second revised set of plans is attached as Exhibit D. Anna emailed them to confirm receipt of the updated and clarified plans on July 3 at 1:30 pm and to advise that we were going to review the plans. A true and correct copy of the July 2/July 3 string of emails is attached as Exhibit C.

Exhibit 5.3 – July 2024 "Corrected / Revised" Site Plan (On Paper Only):
Depicts a **10-ft landscaped buffer** added after Planning corrections. However, no landscape details provided and utility plans (P-4) were never updated.

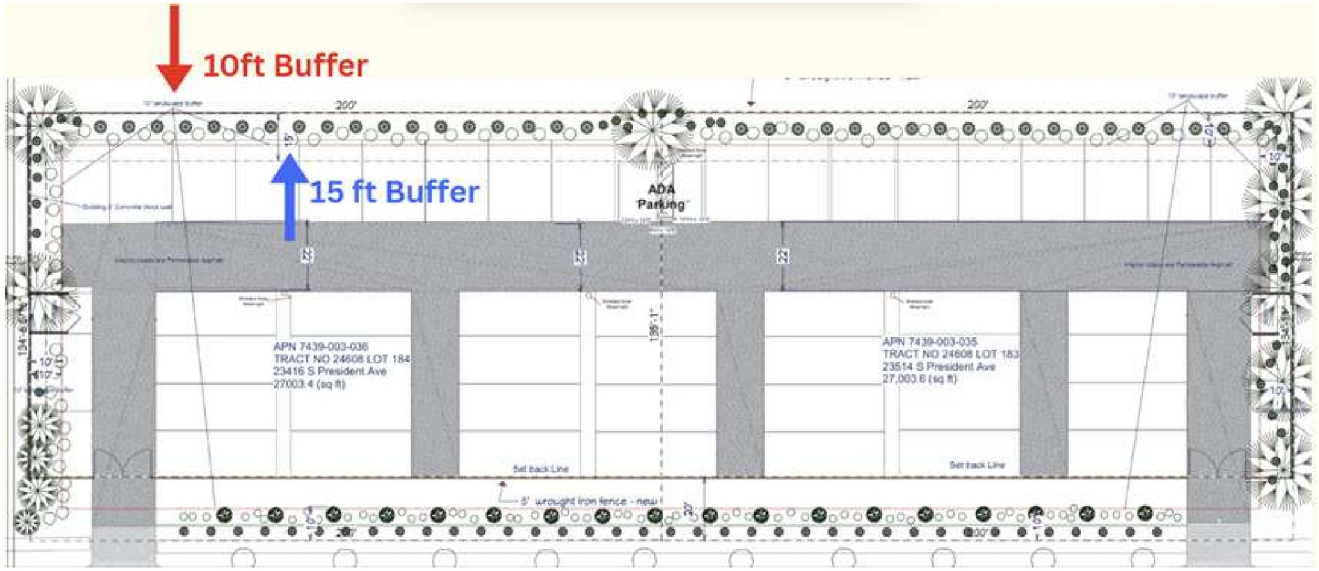


Exhibit 5.3 – As-Built Site Condition (2025):
Photos and aerials confirm the buffer area is paved with strips of asphalt, concrete utility island pedestals and 800A electric distribution system and lacks required planting or irrigation.

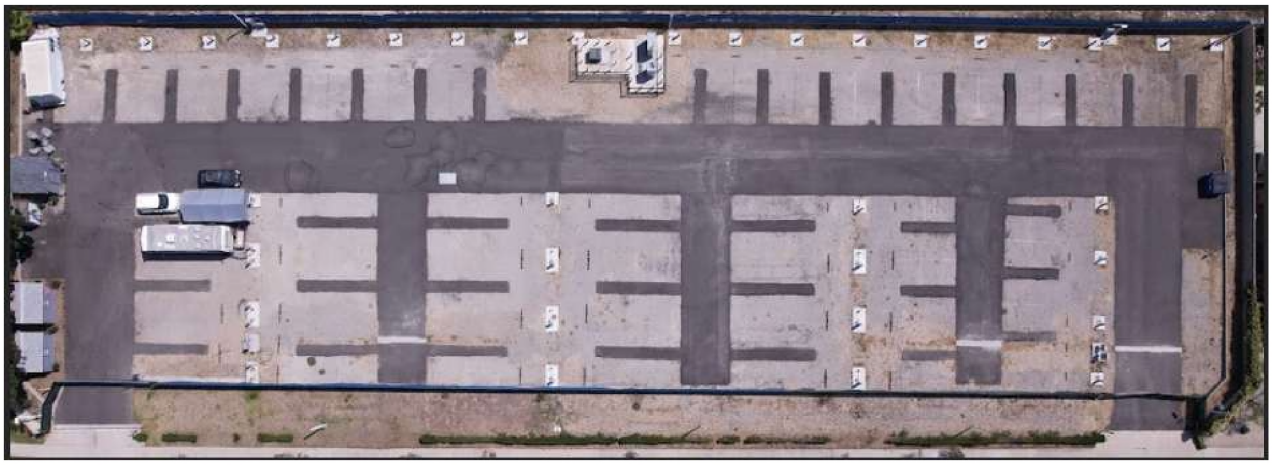
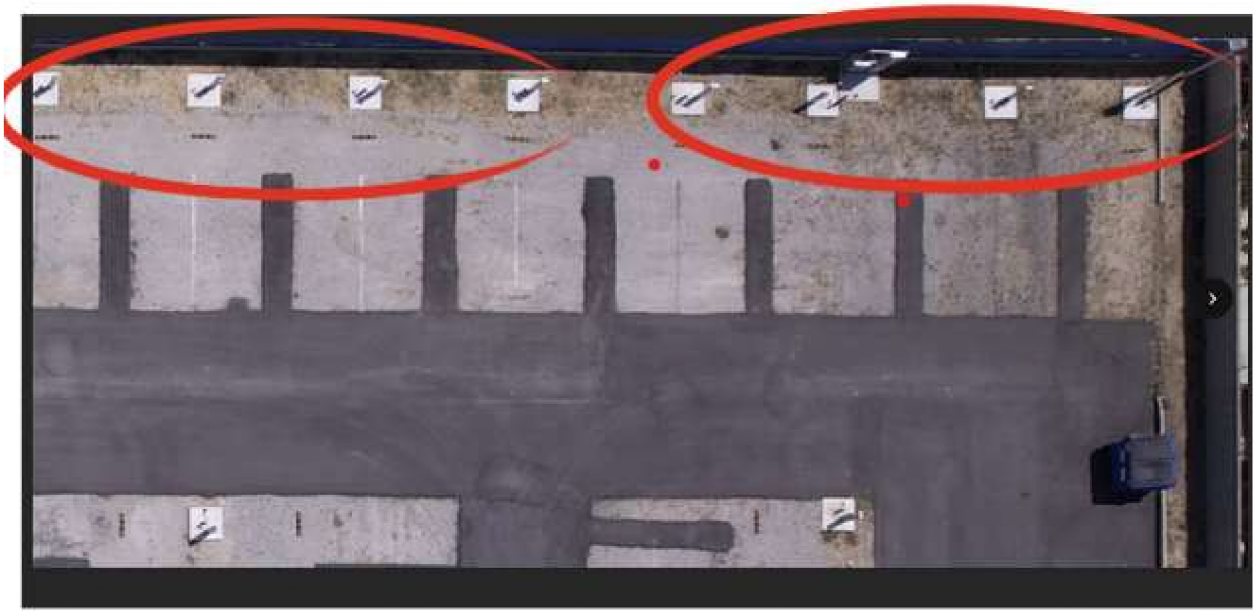


Exhibit 5.4 – Reznik's Claim vs. Reality:
Excerpt from developer's August 8, 2025 letter stating: "The Planning Department approved plans showing a 10-foot landscaped buffer… Thus, the Project complies with PS #5."
→ In contrast, site photos and aerials confirm no landscaped buffer exists. The buffer zone is paved with asphalt and occupied by utility pedestals and structures, directly contradicting the developer's claim.

Lawyers Claim: Developer's Counsel, Exhibit B, p. 5 (August 2025)

> Second, Appellant provides no evidence that Oceans 11 is constructing something in those areas that conflict with the required landscaping. The presence of rough-ins for shore power units, for example, does not negate compliance with landscaping requirements. To the contrary, landscaping can be and often is installed around such infrastructure. Appellant's argument rests on an unsupported and incorrect assumption that the presence of utilities necessarily precludes landscaping—an assumption that is contradicted by standard development practices and the plain language of the Code.

Exhibit 5.5 – Rear Property Line: No Landscaped Buffer
Aerial image of the rear wall shows utility pedestals (circled in red) constructed directly against the property line, eliminating the required 10-ft landscaped buffer. Instead of open green space with planting and irrigation, the setback is occupied by utility structures, proving non-compliance with PS #5.



Performance Standard #6 – Tree Planting Requirement

Requirement

- **LAMC §14.00 A.7, PS #6**: At least 4% of the total site area must be landscaped with trees, in addition to other landscape requirements.
- **LAMC §12.40 & Landscape Ordinance (Ord. No. 170,978)**: Requires automatic irrigation, live planting, and ongoing maintenance to ensure tree survival and canopy coverage.

Purpose

To reduce heat island effects, provide shade, improve air quality, and visually soften large paved areas common to RV parks.
Planning Department's Claim (April 9, 2025)
"The project includes sufficient tree planting areas and landscaping to meet the 4% site coverage requirement. Plans reviewed by the Zoning Administrator demonstrate compliance with Performance Standard #6."

Evidence from the Plans and Built Site

Required Coverage

- Total site area = 53,990 sq. ft.
- 4% requirement = 2,160 sq. ft. tree canopy coverage.

Plans Submitted (July 25, 2024)

- Depicted rows of trees and perimeter landscaped buffers (see Exhibit 6.1).
- A plant schedule listed numerous species, including palms, cypress, and boxwood.
- No canopy calculations or irrigation design were provided, only schematic symbols.
- Planning relied on these schematic depictions to conclude "compliance."

Built Condition (2025 Aerial & Field Evidence)

- Areas designated on the plans as landscaped buffers were instead constructed as RV pads, leaving them unsuitable for planting with irrigation.
- Only eight palm trees were planted on the property, all confined to the front buffer along the wrought iron fence. With no irrigation system, some have since died, leaving the frontage barren and the interior of the site completely without trees or plants.
- Along President Avenue, the only other trees present are City-owned cypress street trees planted in the public sidewalk parkway, outside the RV park property line. Despite being public assets, the developer improperly counted these trees toward the project's required 4% on-site tree canopy, misrepresenting compliance with PS #5
- The site contains no viable tree canopy within the property.

Irrigation & Maintenance

- Ord. No. 170,978 requires "automatic irrigation systems designed to ensure plant survival and canopy development."
- No irrigation system was installed.
- As a result, some of the palms planted in the front buffer have failed, leaving barren dirt along the wrought iron fence instead of the required landscaped canopy (see Exhibit 6.3)."

Why Planning & the Developer Are Wrong

1. **City Owned Street Trees Do Not Count**
   City-owned cypress trees in the sidewalk parkway are public property and cannot be credited toward private compliance.
2. **Approved Plans Not Implemented**
   Perimeter planting buffers shown on the approved plans were eliminated in construction and replaced with gravel and asphalt pads.
3. **Dead Palms ≠ Canopy**
   Canopy coverage refers to the mature spread of tree foliage, not simply planting saplings. Even if the palms survived, their limited spread could never reach the 2,160 sq. ft. canopy requirement.

4. **Irrigation & Maintenance Ignored**
   The Landscape Ordinance requires automatic irrigation and upkeep to ensure planting survival. These conditions were disregarded entirely.

Conclusion

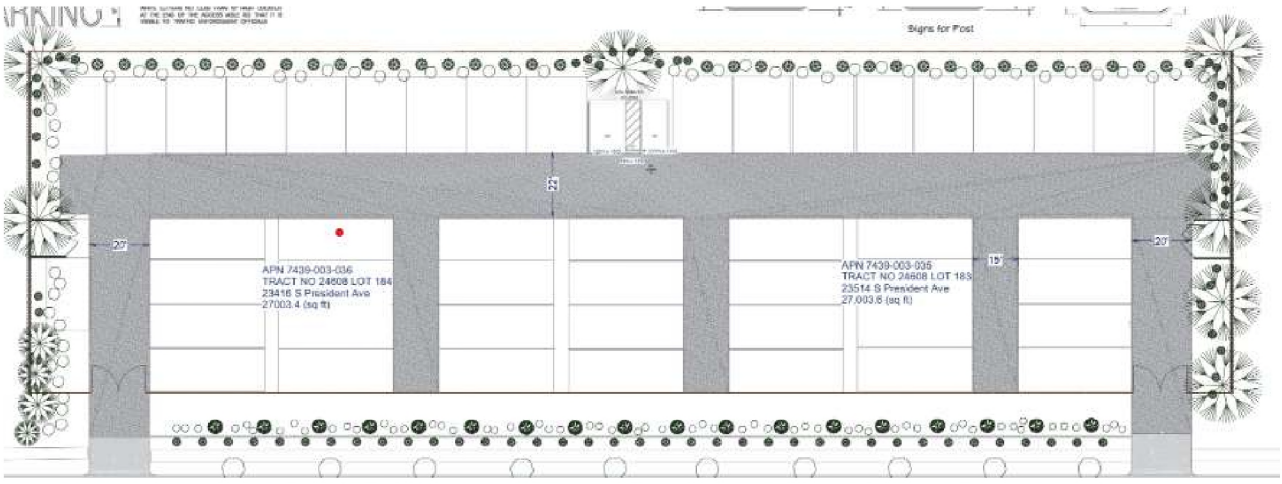
The project fails Performance Standard #6 because:

- The required 2,160 sq. ft. of tree canopy was never provided, and the landscaped buffer lacks both trees and live planting with irrigation.
- July 25, 2024 plans depicted planting areas that were never constructed.
- The only remaining trees are City-owned cypress street trees located in the public. sidewalk parkway, outside the RV park property boundary.
- Some of the eight on-site palms have already failed due to lack of irrigation and maintenance.

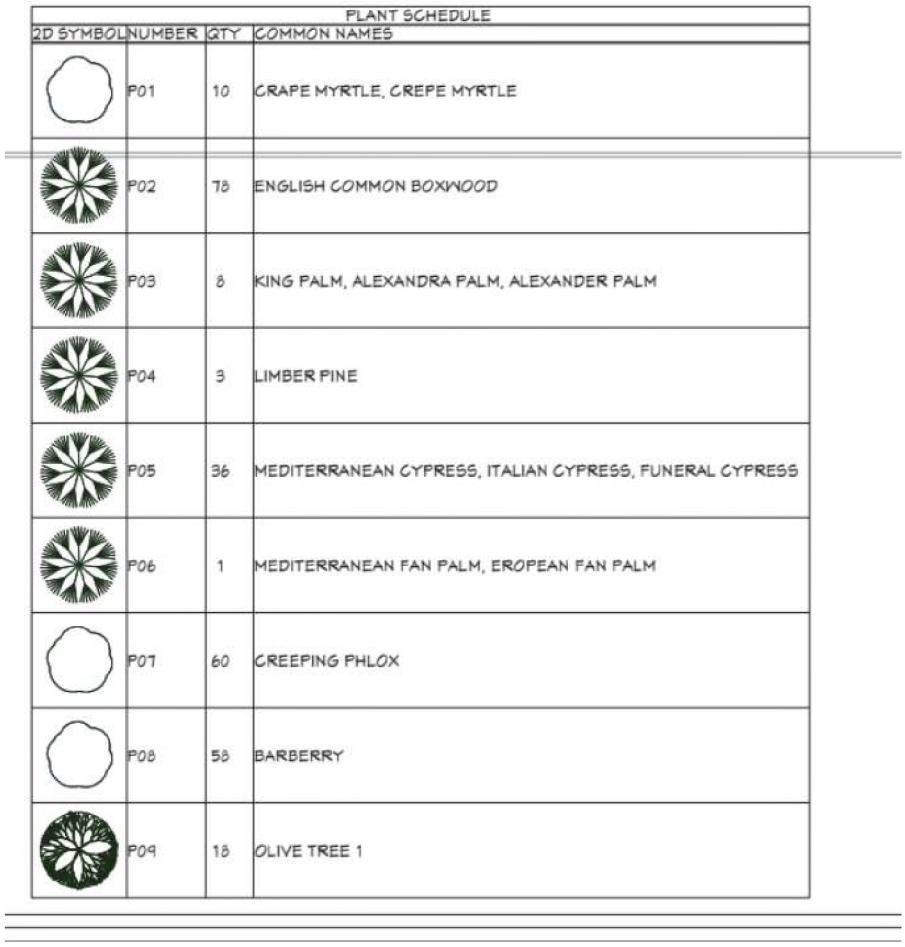
Planning's April 2025 compliance finding is unsupported by field evidence and inconsistent with site conditions. The built site is a gravel/asphalt utility yard with dead palms not a landscaped RV park as required by law.

Exhibits

- **Exhibit 6.1 –** July 25, 2024 Landscape Plan: perimeter tree symbols shown, but never installed.



- **Exhibit 6.2 –** July 25, 2024 Plant Schedule: developer's plan depicted multiple species of plants (Crepe Myrtle, Cypress, Olive, Palms).



PLANT SCHEDULE

2D SYMBOL	NUMBER	QTY	COMMON NAMES
	P01	10	CRAPE MYRTLE, CREPE MYRTLE
	P02	78	ENGLISH COMMON BOXWOOD
	P03	8	KING PALM, ALEXANDRA PALM, ALEXANDER PALM
	P04	3	LIMBER PINE
	P05	36	MEDITERRANEAN CYPRESS, ITALIAN CYPRESS, FUNERAL CYPRESS
	P06	1	MEDITERRANEAN FAN PALM, EROPEAN FAN PALM
	P07	60	CREEPING PHLOX
	P08	58	BARBERRY
	P09	18	OLIVE TREE 1

- **Exhibit 6.3 –** 2025 Aerial Photo:The built condition reveals gravel RV pads and dead or failing palms in place of the required on-site tree canopy, confirming non-compliance with PS #5.



Performance Standard #7 – Open Space & Recreation Area

Requirement

- **LAMC §14.00 A.7, PS #7**: Requires at least **100 sq. ft. of usable open space** per RV space for recreation.
- With 46 RV spaces, this project would require **4,600 sq. ft**. of usable, landscaped, and accessible open space.

Purpose: To ensure RV parks provide livable, recreational amenities for residents.

The Director of Planning's report stated:

> "Plans reviewed by the Zoning Administrator show adequate open space consistent with Performance Standard #7."

Planning staff appear to have counted the front yard setback and landscaped buffers as "open space," rather than requiring the developer to dedicate separate, usable recreation areas.

Evidence from the Plans and Built Site

Open Space Required

46 RV spaces × 100 sq. ft. **= 4,600 sq. ft. required usable open space.**

Plans Submitted (July 25, 2024)

- Depicted the 20 ft front setback and perimeter buffer as "open space."
- These areas were not designed for recreation, no benches, play areas, dog runs, or shaded amenities are shown.

Built Condition (2025 Aerial & Field Evidence)

- The 20-ft front yard setback functions only as a buffer along President Avenue. It consists of dirt with a few failing palms by the fence and sits directly next to the street and driveways. By definition, this area cannot be counted as usable open space. No recreational facilities or designated open areas exist anywhere on the property, leaving the project in violation of Performance Standard #7

Why Planning & the Developer Are Wrong

- **Setbacks ≠ Usable Open Space**
  Rear setbacks (PS #2), front yard setbacks (PS #4), and landscaped buffers (PS #5) have their own independent requirements. They cannot be double-counted as PS #7 open space.
- **Not Usable or Recreational**
  Under planning standards, usable open space must be accessible, landscaped, and intentionally designed for resident recreation, such as picnic tables, shade structures, play areas, or dog runs. Barren dirt, gravel, and utility corridors do not qualify as recreational space under this definition.
- **Resident Impact**
  This is not a technical oversight; it is a livability failure. Residents were entitled to recreational amenities but instead were left with barren dirt and utility boxes. The absence of usable open space diminishes quality of life and defeats the purpose of PS #7.

Conclusion

The project fails Performance Standard #7 because:

- It required 4,600 sq. ft. of usable recreation space but the developer provided none.
- Planning improperly counted setbacks and buffers toward this requirement.
- The built site is gravel, asphalt, and utilities, not landscaped or programmed recreation.

Result: Planning's April 2025 finding of compliance is unsupported by site conditions and inconsistent with zoning standards.

Exhibit 7.1 – Front Setback Condition (September 15, 2025):
Photo of the 20-ft front yard setback along President Avenue. This area is a required landscaped buffer and, under zoning law, cannot be counted toward resident open space. Yet the developer has treated this setback as if it fulfills the project's open space obligation. In reality, open space must be a dedicated, usable, and accessible area for residents, such as a recreation yard, courtyard, or communal green, separate from required setbacks and buffers. The frontage here consists only of dirt and a few small palm trees, several of which have failed, leaving the setback barren. By misclassifying a buffer as open space, the project not only double-counts a zoning requirement but also deprives residents of the recreation and amenity space that Performance Standard #7 was enacted to guarantee.



Exhibit 7.2 – Aerial View of Built Site (2025):
Aerial image showing the RV park layout. No dedicated recreation area exists; instead, the site is dominated by RV stalls, utility corridors, and under sized drive aisles. The required 4,600 sq. ft. of usable open space is absent, confirming non-compliance with PS #7.



Performance Standard #8 – Accessibility (ADA Compliance)

Requirement

- **LAMC §14.00 A.7, PS #8**: Requires RV parks to provide accessible ADA compliant parking and facilities consistent with ADA and Title 24.

- **California Title 24 (Building Code):** Requires ADA-compliant RV stalls and accessible path of travel per park, with maneuvering space, utilities, and clear routes.

Purpose: To guarantee access for individuals with disabilities, ensure compliance with state and federal law, and protect residents' civil rights.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:
"The site plan reviewed by the Zoning Administrator included accessible RV stalls and therefore meets Performance Standard #8."

Evidence from the Plans and Built Site

Original Plans (January 7, 2024 – Site Plan)

- Site plans depicted ADA parking spaces at the rear of the property that were never constructed.

Electrical Plan (January 2024 – P-4)

- The electrical plan eliminated ADA spaces and replaced them with an 800A electrical distribution system and concrete pad, utility island pedestals.
- This made ADA parking spaces impossible to construct in the designated area.

July 2024 "Corrected" Plans

- Resubmitted site plans continued to show ADA parking spaces, maintaining "paper only compliance."
- The electrical plans that eliminated the ADA parking spaces were never corrected or resubmitted, meaning construction proceeded in accordance with the non-compliant January design.
- LADBS accepted the revised site plan without reconciling it against the non-complaint electrical drawings, allowing the discrepancy to persist.

As-Built Condition (2025 Aerial & Field Evidence)

- Construction followed the January 2024 electrical plan, not the July 2024 "corrected" site plan.
- The 800A electrical distribution system was installed in the precise location designated for ADA parking spaces, effectively eliminating required accessible ADA spaces.
- The site today has no ADA-compliant parking spaces, no accessible parking, and no ADA path of travel.

Why Planning & the Developer Are Wrong

- Contradictory Plans Ignored
  Planning relied on the revised July 2024 site plan, while the non-complaint electrical drawings dictated construction and eliminated ADA compliance.
- Procedural Failure by LADBS
  LADBS accepted plans without verifying consistency across plan sets, authorizing construction that directly violated ADA accessibility standards.
- Legal Consequences Beyond Zoning
  Failure to provide ADA-compliant parking and access is not just a zoning violation, it

constitutes a federal civil rights violation under the **Americans with Disabilities Act (ADA)** and California Title 24, exposing both the developer and the City to liability.

- **Resident Impact**
  The absence of ADA parking spaces and accessible routes denies disabled individuals the ability to safely access the site. This exclusion violates both the letter and spirit of accessibility law.
- **Systemic Accountability**

This failure is not an isolated incident; it reflects a broader systemic breakdown in coordinating approved plan sets, verifying as-built construction, and enforcing civil rights protections. The resulting conditions create a hazardous environment for residents with disabilities and significantly undermine public confidence in the permitting and oversight process.

Conclusion

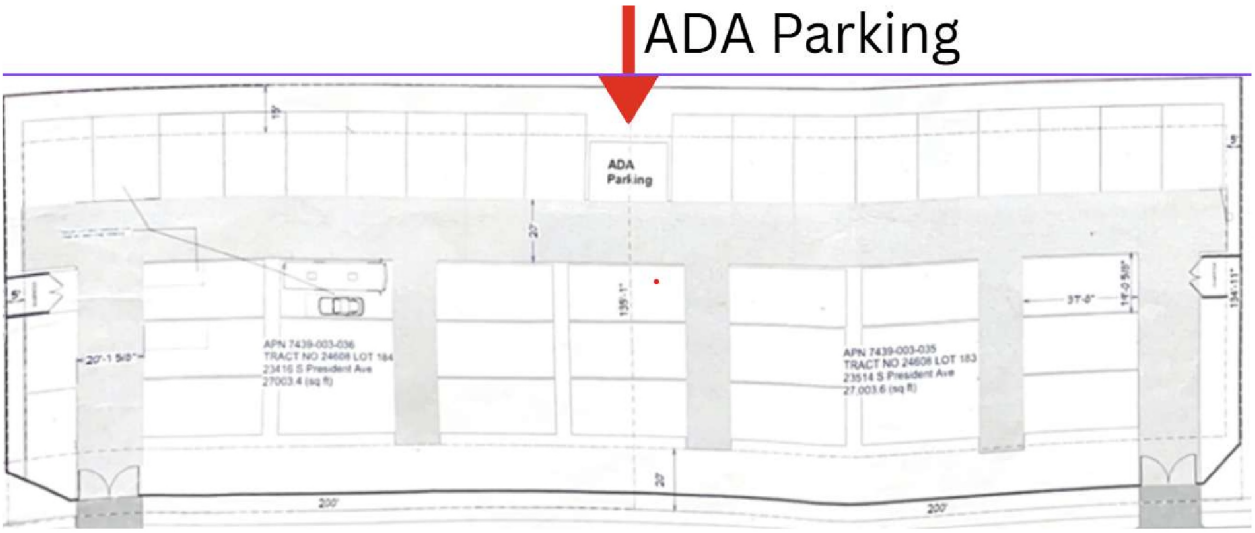
The project fails Performance Standard #8 because:

- ADA-compliant parking spaces, shown in the approved site plans, were excluded from the electrical drawings that guided construction.
- The as-built site has no ADA parking spaces, no accessible parking, and no path of travel.
- LADBS allowed construction to proceed despite conflicting plans.
- Planning's compliance finding was unsupported by construction documents and inconsistent with site conditions.

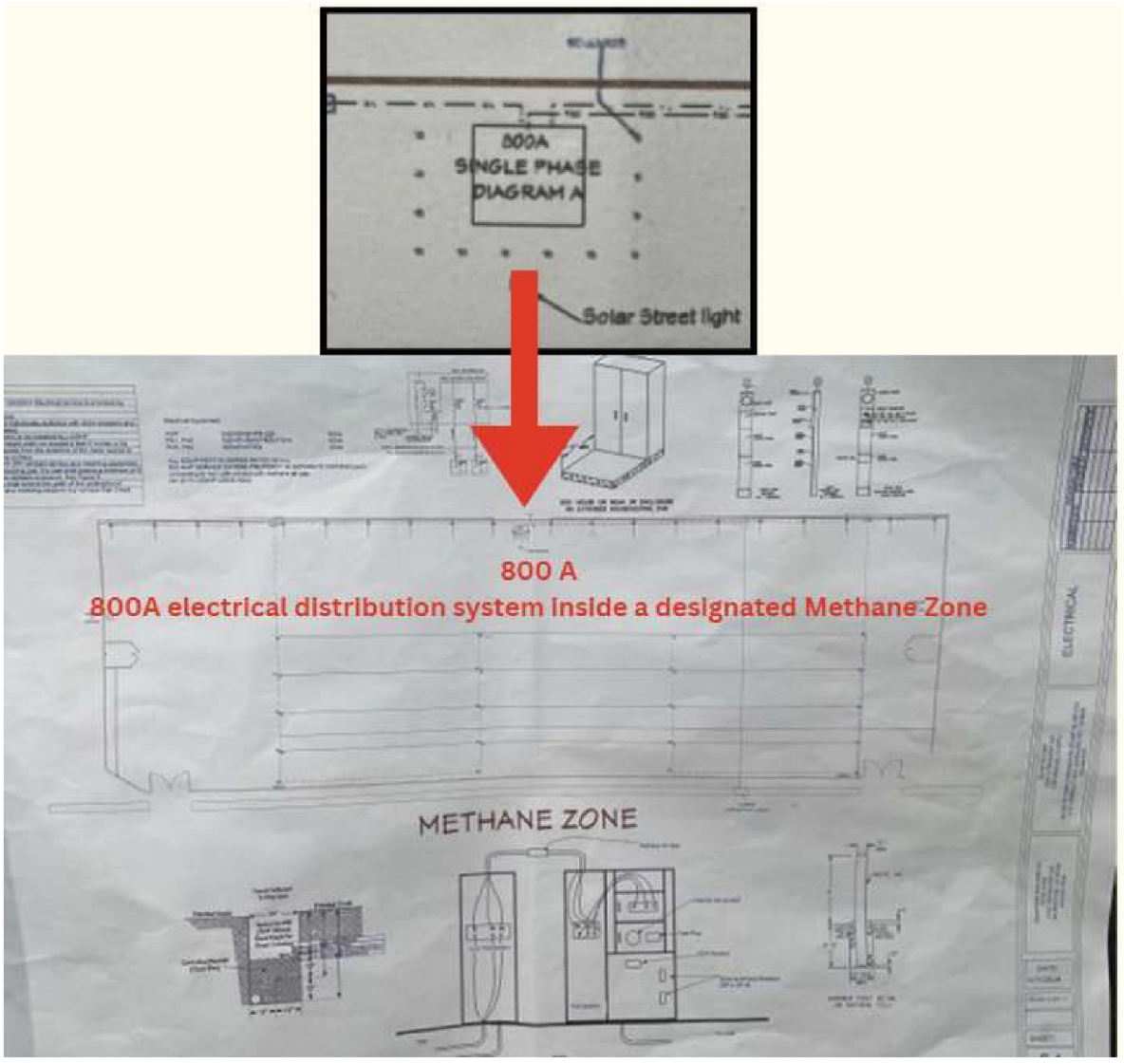
This is not a technical oversight, it is a failure of civil rights compliance under **LAMC §14.00 A.7, PS #8, Title 24, and the ADA.**

Exhibit Suggestions

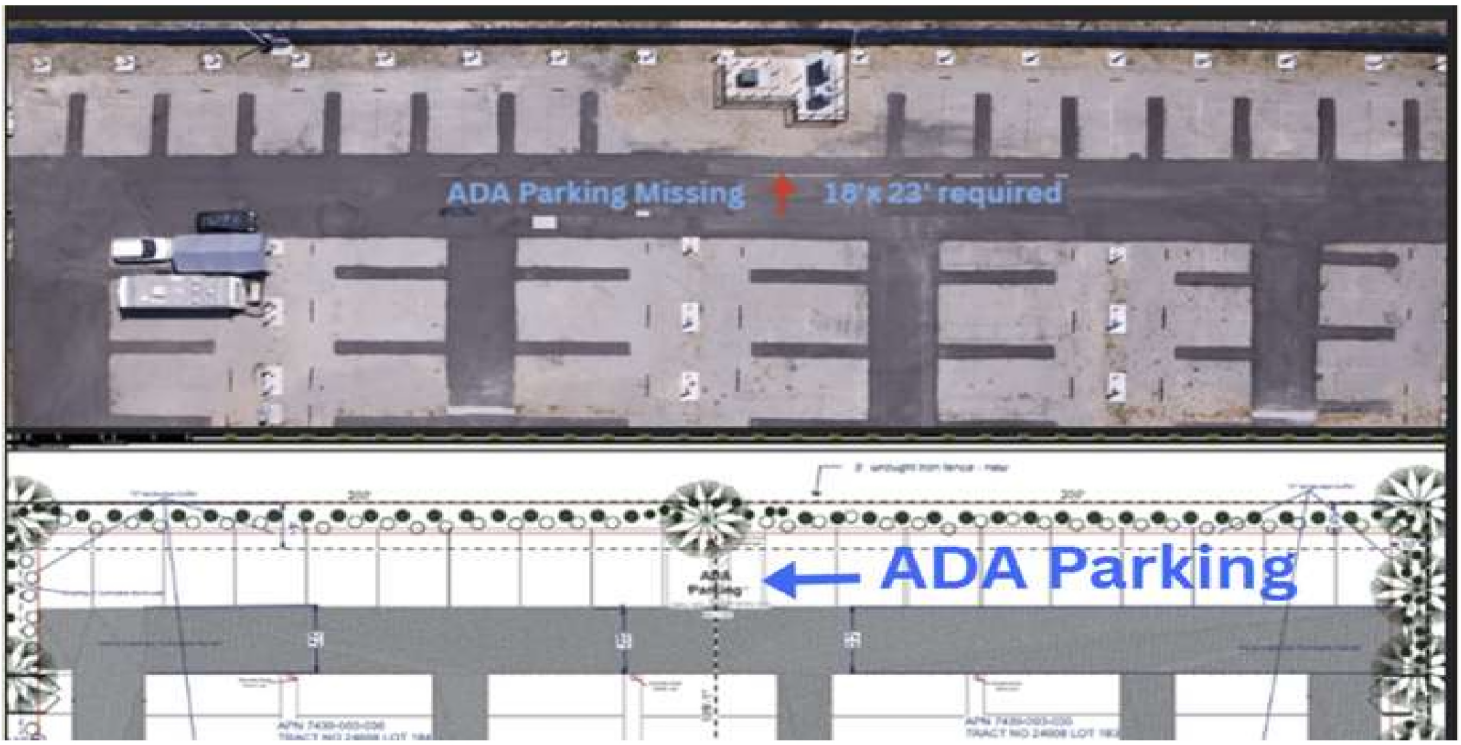
- **Exhibit 8.1 –** January 2024 Site Plan (P-1): ADA parking spaces shown at rear of site.



- **Exhibit 8.2 – January 2024 Electrical Plan (P-4)**: ADA parking spaces replaced by 800A distribution electrical system.



- **Exhibit 8.3 – Field Photo (2025):** No ADA parking spaces, no accessible path of travel visible



Performance Standard #9 – Parking Requirements

Requirement

- **LAMC §14.00 A.7, PS #9**: Requires one automobile parking space per RV space, in addition to the RV stall itself.
- **LAMC §12.21 A.5 & LADBS standards**: Parking spaces must be clearly designated, striped, and physically separated from RV stalls to ensure safe circulation and zoning compliance.

Purpose: To prevent spillover parking into neighborhood streets, reduce conflicts between RVs and automobiles, and maintain safe circulation for both residents and emergency vehicles.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:
"The project provides sufficient automobile parking spaces consistent with Performance Standard #9."

Evidence from Plans, Website, and Built Site

Plans Submitted (January & July 2024)

- No designated, striped auto parking spaces shown on any plan sheet.
- The developer improperly counted the RV pads themselves as dual-use stalls for both RVs and automobiles.
- This directly conflicts with zoning and LADBS requirements for separate automobile parking.

Built Condition (2025 Aerial & Field Evidence)

- The site contains only RV pads and drive aisles.
- No striped parking exists for vehicles.
- Residents will most likely park cars in drive aisles, blocking circulation and violating both PS #1 (Safe Access) and PS #9 (Parking).

Developer's Website (SilverRV.com)

- Advertises additional $600/month for an extra space.
- This admission confirms that auto parking was never built into the site's design as required,

Why Planning & the Developer Are Wrong

- **RV Pads ≠ Auto Parking**
  Code requires parking spaces to be clearly marked, striped, and separate. Counting RV pads violates both the letter and intent of PS #9.

- **No Striped Parking Spaces Exist**
  Without striped parking spaces, autos obstruct circulation and emergency access, undermining PS #1 and PS #9 simultaneously.

- **Website = Admission Against Interest**
  The developer's own $600 parking upcharge demonstrates that vehicle parking is not automatically included with the rental of an RV stall, but instead treated as an optional add-on. This directly undermines PS #9, which requires adequate on-site parking to be provided as part of the project rather than monetized separately.

- **Enforcement Failure**
  By accepting "dual use" of RV pads as compliance, Planning **nullified PS #9** and set a dangerous precedent that invites future projects to sidestep this requirement.

- **Resident Impac**t
  Tenants will be forced to pay extra for basic parking that should have been included by law. This shifts the burden from the developer to residents, undermines affordability, and creates daily conflicts over circulation.

Conclusion

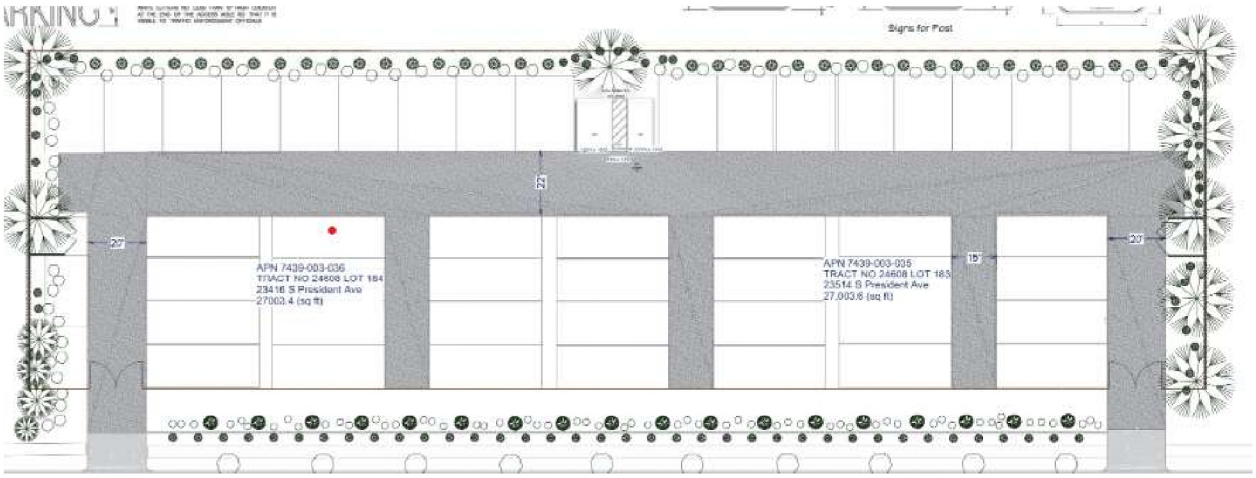
The project fails Performance Standard #9 because:

- Parking spaces for vehicles are required but none were provided.
- The developer improperly counted RV pads as automobile parking.
- No striped vehicle parking spaces exist on the built site.
- The developer's own website confirms non-compliance by charging $600/month for vehicle parking.

Planning's April 2025 conclusion is unsupported by site conditions, inconsistent with zoning requirements, and contradicted by the developer's own admissions.

Exhibits

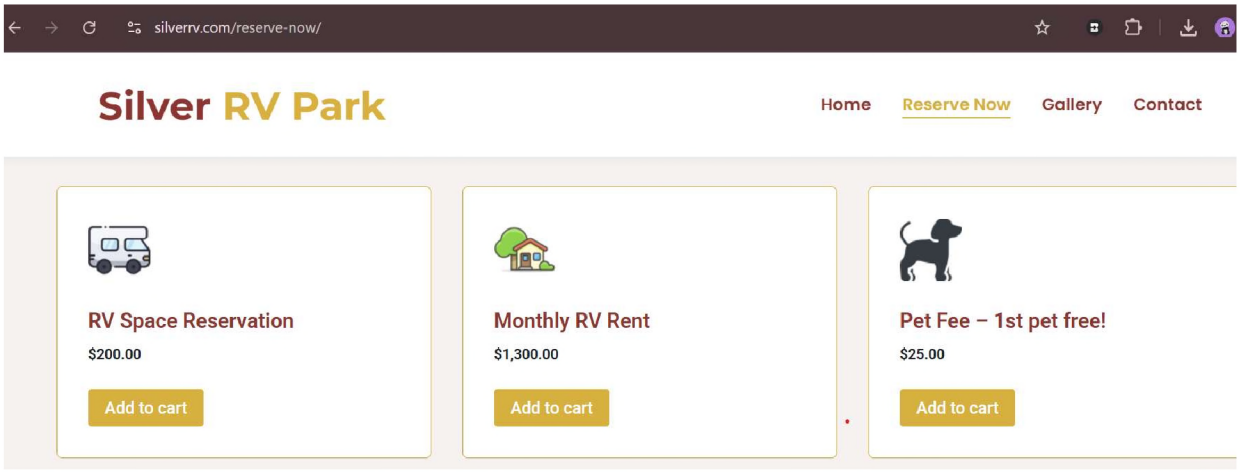
- **Exhibit 9.1 – July 2024 Site Plan:** All three submitted plans do not have designated spaces for vehicles

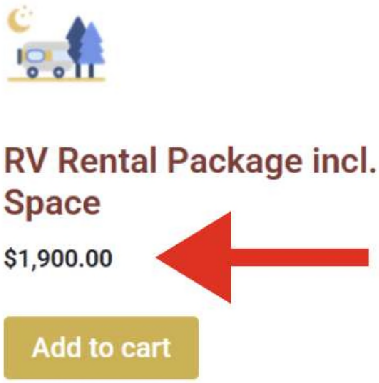


- **Exhibit 9.2 – Aerial Photo (2025):** No striped vehicle parking visible on site



- **Exhibit 9.3 –** Silver RV Website Screenshot: Advertises $600/month for additional parking, confirming PS #9 violation.





Performance Standard #10 – Storage & Screening Requirements

Requirement

- **LAMC §14.00 A.7, PS #10:** Storage areas, trash bins, and utility equipment must be completely screened from view with fencing, walls, or landscaping.
- Screening must be of substantial, durable materials such as masonry, wood, or dense landscaping.
- **Prohibited:** Per LADBS and zoning standards, “barbed wire and temporary screening materials such as tarps shall not be used in residential zones.”
- **Landscape Ordinance (Ord. No. 170,978)**: Requires that all screening be constructed of “substantial and permanent materials” capable of providing continuous coverage and

preventing deterioration.

Purpose: To ensure RV parks contribute positively to neighborhood character by shielding service areas from view, preventing blight, and protecting both residents and neighbors from unsightly or unsafe storage conditions.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:

"The project includes adequate screening of storage and service areas consistent with Performance Standard #10."

Evidence from Plans and Built Site

Plans Submitted (January & July 2024):

- Front & Back: Decorative wrought iron fencing.
- Gates: Not specified, but assumed consistent with wrought iron/masonry.
- Landscaping symbols included to suggest visual screening.

As-Built Condition (2025 Aerial & Field Evidence):

- **Front Fence: A**t the front of the property, the wrought iron fence has been covered with a construction mesh screen. This material, commonly marketed as construction or windscreen mesh, is a temporary product explicitly prohibited under PS #3. It lacks permanence, is visually incompatible with the surrounding neighborhood, and is already showing signs of deterioration. These conditions clearly demonstrate that it fails to meet the standards for adequate decorative screening.
- **Back Fence:** The rear property line is built with chain-link fencing topped with barbed wire, in direct violation of PS #3's requirements. The entire length is covered with a mesh screen covered with graffiti, which further violates PS #10's requirement that the site be maintained in a clean and orderly condition.
- **Gates:** Constructed of chain-link and barbed wire, never disclosed in plans. Their industrial appearance is incompatible with the surrounding residential neighborhood
- **Utilities & Trash:**
    - The 800A electrical distribution system is exposed behind a wrought iron fence, violating PS #10's requirement for enclosed utilities. Proper compliance requires solid masonry enclosures (Fire rated material), not open fencing.
    - Dumpsters are visible from inside the RV park and two story neighboring homes, violating PS #10's requirement for screened, orderly trash storage. Exposed dumpsters create odors, attract pests, and cause visual blight, undermining livability and the intent of permanent screening.

Additional Evidence – Unpermitted Structures

Requirement
LAMC §14.00 A.7, PS #10 requires all storage and service facilities to be both ***shown on plans*** and completely screened with durable fencing, walls, or landscaping. Unpermitted or unreviewed structures cannot qualify as compliant.

As-Built Condition

- Three prefabricated structures were constructed on-site that were not identified in either the January or July 2024 plan sets.

Why This Matters

- By building unpermitted structures, the developer violated the zoning requirement for review under PS #10.

Why Planning & the Developer Are Wrong

1**. Construction Mesh and Barbed Wire Are Prohibited**
Construction Mesh is intended to be temporary, it deteriorates quickly, and invites graffiti. Barbed wire is not a residential fencing material. Both are explicitly disallowed under LADBS and zoning standards.

2. **Downgrade from Approved Plans**
Original plans depicted wrought iron fencing in front and back, with existing masonry walls on both sides. As built, the developer used construction mesh, chain-link, and barbed wire. Gates were never disclosed as chain-link/barbed wire.

3. **Utilities and Trash Remain Visible**
The 800A electrical distribution system and dumpster are visible from inside and outside the site.

4. **Graffiti Proves Immediate Failure**
The mesh covering the rear fence is covered in graffiti, violating the performance standard #8.

5. **Planning Relied on Submitted Plans Only**
The compliance finding was based on submitted plans that were never implemented. The as-built site directly contradicts the approved materials.

Conclusion

The project fails Performance Standard #10 because:

- Screening consists of construction mesh, chain-link, and barbed wire, none of which are permitted in residential zones.
- Trash and utilities remain exposed to both residents and neighbors.
- Graffiti exists on the mesh screening on back fencing.
- Gates and rear fence were downgraded from wrought iron/masonry (plans) to chain-link/barbed wire (as built).
- Planning's April 2025 finding of compliance is unsupported by site conditions and contradicted by zoning and screening standards.

By using prohibited materials and failing to provide durable screening, the project violates **LAMC §14.00 A.7, PS #10** and the **Landscape Ordinance (Ord. No. 170,978).** Instead of a public benefit, the site is a source of blight, setting a dangerous precedent if uncorrected.

Exhibit 10.1 – Rear Fence with Construction Mesh & Graffiti

Photograph of the rear property line showing construction mesh material covering chain-link fence, covered with graffiti. This demonstrates why construction mesh is unacceptable in residential zones: as it deteriorates quickly and invites vandalism.



Exhibit 10.2 – Exposed Utilities

Photograph of the 800A electrical distribution system located at the center of the site, screened only by inadequate barriers. The equipment is visible from within the RV park and from neighboring two-story homes, violating PS #10's requirement that utilities be fully screened.



Exhibit 10.3 – Front Fence with Construction Mesh

Photograph of the front façade along President Avenue where wrought iron fencing was covered with a temporary construction mesh in a variety of colors. This directly contradicts approved plans that required decorative wrought iron fencing and demonstrates substitution of inferior, non-compliant materials.



Exhibit 10.4 – Unsheltered Dumpster

Photograph of the dumpster placed openly, without an enclosure or durable screening. The location and lack of enclosure leave solid waste visible to residents and neighbors, undermining health, safety, and visual standards.



Exhibit 10.4 – Unpermitted Storage Structures

Photo of prefabricated structures located on-site but not shown in January or July 2024 plan sets.



Performance Standard #12 – Plan Conformance

Requirement

- **LAMC §14.00 A.7, PS #12:** All projects must be developed in conformance with the plans approved by LADBS and City Planning.
- **LAMC §12.21 A.1(a):** Land use must comply with zoning requirements and conditions of approval.
- **LAMC §91.106.4.1**: No building or structure may be erected without required permits.

Purpose: To ensure projects are built exactly as approved and not expanded or altered in ways that undermine zoning compliance, neighborhood protections, or the public-benefit determination.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:
"The project conforms to the plans approved by the Department of Building and Safety and City Planning."

Evidence from Plans and Built Site

Violation 1 – Excess RV Stalls

- **Approved:** Maximum of 46 RV stalls.
- **Constructed:** Field counts and aerials confirm **48–54 RV stalls,** depending on sheet or count.
- **Impact**: Any RV stall beyond 46 is an automatic violation of PS #12 and disqualifies the project from ministerial approval.

Violation 2 – Utility Pedestal Inconsistencies

- **Plans**: January 2024 electrical plan (P-4) shows **48 pedestals,** even though only 46 were approved.
- **Constructed:** Site pedestal counts exceed 46 and do not match either the January or July plan sets.
- **Impact:** Conflicting plan sheets prove the project was never built per the approved July corrections.

Violation 3 – Unpermitted Prefabricated Structures

- **Three prefabricated buildings** (office, restroom, laundry) were constructed.
- LADBS permit records confirm no approvals.

- **Legal Consequence:** Under **LAMC §91.106.4.1**, unpermitted structures are subject to enforcement action, including removal or discretionary review. Their presence independently voids ministerial eligibility.

Violation 4 – CEQA Hazard Review Failure

- **Site Conditions:** The property is in a methane zone and overlies abandoned oil wells.
- **CEQA Trigger:** While ministerial projects are normally exempt, once CalGEM issued hazard recommendations, the City was required to exercise discretion. That discretionary action triggers CEQA review under Appendix G.
- **Failure:** Planning and LADBS treated hazards as "enforcement issues," bypassing CEQA obligations. No methane clearance or hazard analysis was conducted despite CalGEM's directive.
- **Impact**: The City unlawfully approved construction in a known hazard zone without environmental review, exposing residents and neighbors to risks of methane migration, soil contamination, and explosion.

Why Planning & the Developer Are Wrong

- **Exceeding Approvals = Automatic Violation:** A park approved for 46 RV stalls but built with 48–54 is non-conforming by definition.
- **Pedestal Conflicts Prove Non-Conformance**: The January 2024 electrical plan showed 48 utility pedestals, while approvals authorized only 46. Field counts confirm 48–54 pedestals built. This cannot be reconciled with the approvals because it represents an unauthorized expansion of the project, construction exceeding the entitlements granted, a violation that can only be corrected by removal or new discretionary review, neither of which occurred.
- **Unpermitted Structures = Independent Violation**: Prefab buildings erected without permits are illegal under §91.106.4.1.
- **CEQA Trigger Ignored:** CalGEM's recommendations required discretionary review, but Planning refused to act, unlawfully sidestepping CEQA.

Conclusion

The project fails Performance Standard #12 – Plan Conformance because:

- It was approved for 46 RV stalls but 48–54 were built.
- Electrical plan sheets show 48 pedestals, with only 46 approved for the site, proving conflicting and unreconciled plan sets.
- Three prefab buildings were constructed without LADBS permits.
- CEQA hazard review was unlawfully bypassed despite CalGEM recommendations.

This is not a single oversight, it reflects a systemic failure of plan enforcement, inter-agency coordination, and environmental review. The result is a project materially divergent from its approvals, in violation of LAMC §14.00 A.7, PS #12; LAMC §12.21 A.1(a); and §91.106.4.1.

Failure of PS #12 invalidates the project's "Public Benefit" status and requires a Conditional Use Permit (CUP) with full CEQA review.

Exhibit 12.1 – Approved Site Plan (P-1): Authorizes a maximum of 46 RV stalls.

NOTES:

THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH STALL HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE/ ALLL LOTS ALONG BACK FENCE ARE 20X40.
ALL REMAINING STALLS ARE 20X37.
STALL NUMBERS WILL BE PERMANANTLY IDENTIFIED BY METAL PLATES STAKED INTO GROUND
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND ADA PARKING REQUIREMENTS
THERE ARE NO PAY PHONES LOCATED ON THE PROPERTY.
PROPERTY HAS EXISTING CEMENT BLOCK FENCE ON 3 SIDES (SIDES 8' IN HEIGHT, FRONT IS 6')
FENCE ON REAR OF PROPERTY IS 2' TALL BLOCK FENCE WITH 6' CHAIN LINK ON TOP, IS ADJACENT
TO RAILROAD TRACKS
STREET SIDE OF PROPERTY IS FULLY LANDSCAPED. LANDSCAPING TO BE INSTALLED ON REMAINING 3 SIDES

Exhibit 12.2 – January 2024 Electrical Plan (P-4): Shows 48 utility pedestals, exceeding the approved 46 and conflicting with the site plan. There are 20 utility island pedestals in the back row, and 29 in the center area.

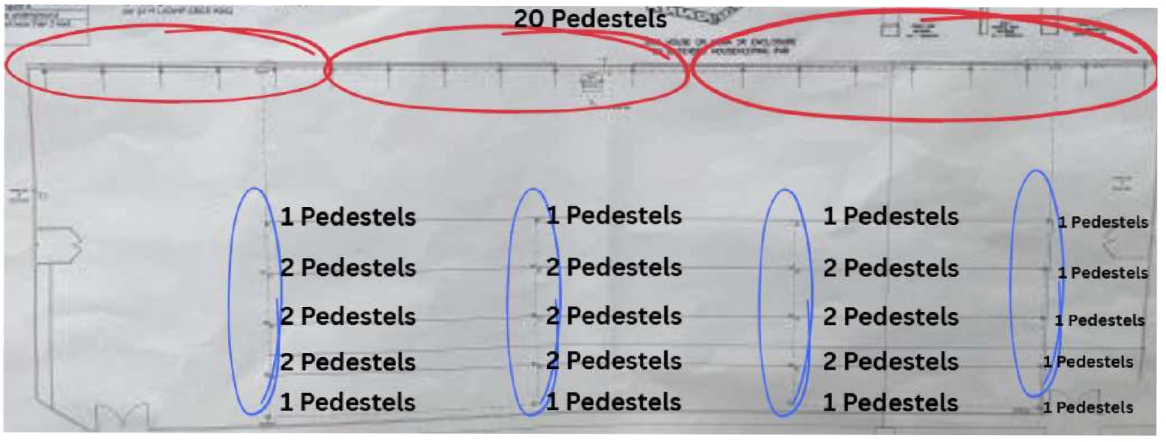


Exhibit 12.3 – Aerial Photographs & Drone Footage (2025): Field counts confirm 48 RV stalls, only 46 were approved.

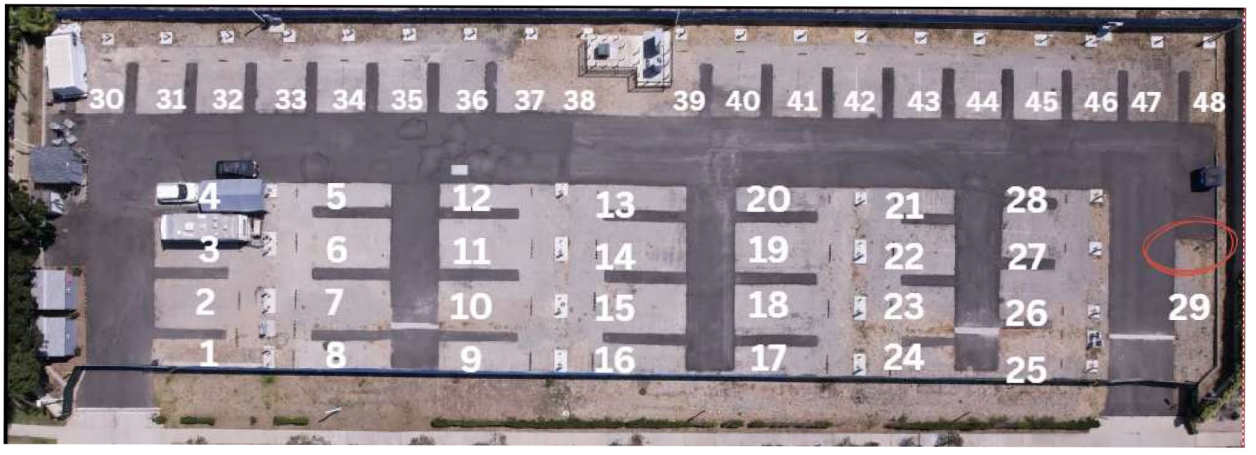
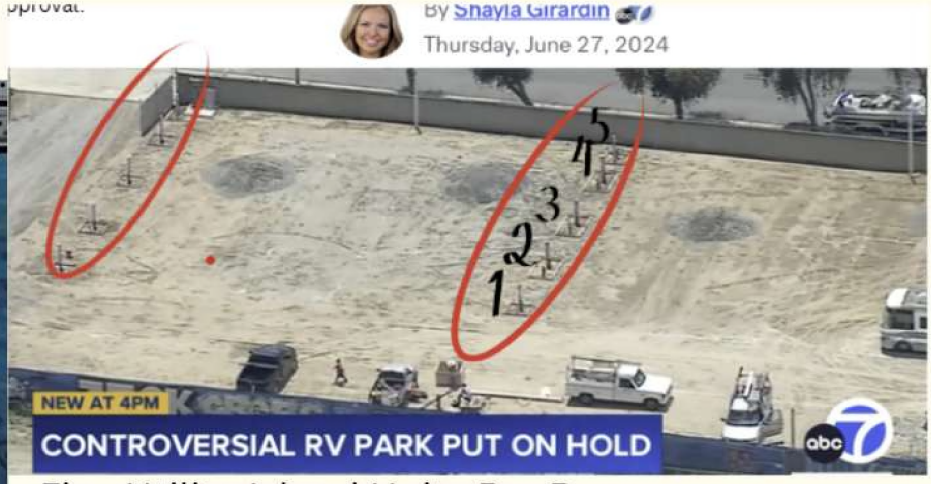


Exhibit 12.4 – Aerial Footage ABC June 27, 2024: Field counts confirm 48–54 RV stalls were built and utility islands constructed on-site.

#47





Five Utility Island Units Per Row

- Each row has 5 utility island units for RV connections.
- This setup creates 54 RV spaces, exceeding approved capacity.
- Issue: The approved plans never included 54 spaces, raising compliance concerns.





Exhibit 12.5 – Photographs of Prefabricated Structures: Office, restroom, and laundry units visible on-site but not shown on any approved plan set.



Exhibit 12.6 – LADBS Permit Records: Confirm no permits exist for the prefabricated structures.

Permit Information found: 2

23416 S PRESIDENT AVE 90710

Application/Permit #	PC/Job #	Type	Status	Work Description
23041-90000-69311	--	Electrical	Permit Closed 4/19/2024	tempoary 200 amp power pole
24026-10000-00086	B24LA13084	Nonbldg-Alter/Repair	Quality Review Completed 7/23/2024	SUPPLEMENTAL PERMIT TO PERMIT NUMBER 23020-10000-02232. USE OF LAND FOR NEW RECREATION VEHICLE PARK FOR PUBLIC BENEFIT PROJECT PER LAMC 14.00A7.
24026-10000-00085	B24LA13082	Nonbldg-Alter/Repair	Application Pending 7/9/2024	No work description available
23020-10000-02232	B23LA21368	Nonbldg-New	Permit Closed 6/28/2024	USE OF LAND FOR NEW RECREATION VEHICLE PARK FOR PUBLIC BENEFIT PROJECT PER LAMC 14.00A7.

23416 S PRESIDENT AVE TEMP 90710

Application/Permit #	PC/Job #	Type	Status	Work Description
23041-30000-72159	X23WL06002	Electrical	Issued 12/6/2023	TEMP POWER POLE

Exhibit 12.7 – LAFD FIMS Records: No methane clearance performed despite the property's designation in a methane buffer zone.

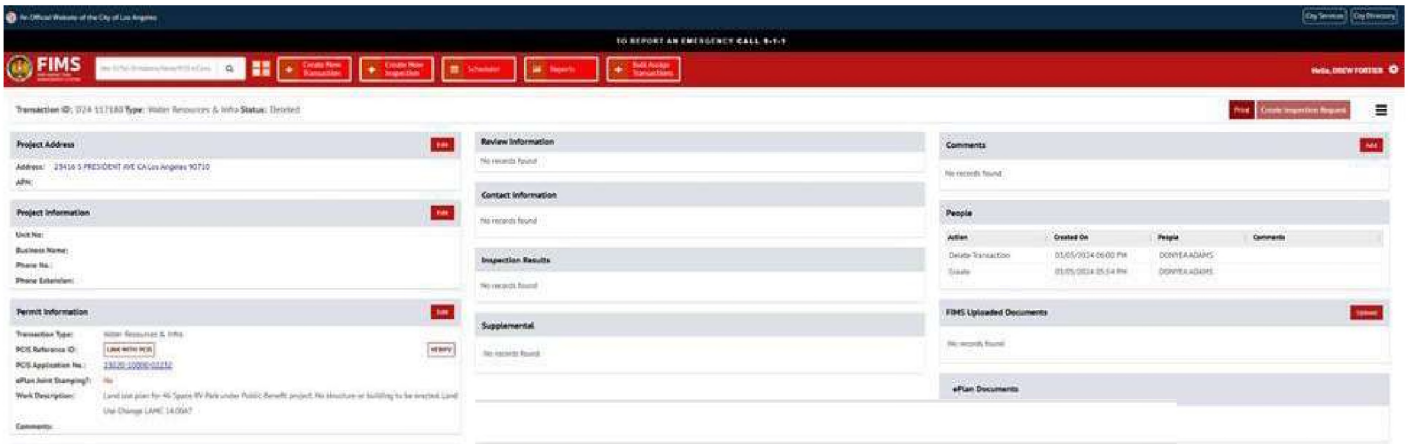


Exhibit 12.7- LADBS Complaint Closures and Duplicates: Records show multiple complaints about non-conforming pedestals, utility islands, and unpermitted construction were closed as "duplicates" without documented site inspection.

23416 S PRESIDENT AVE

Date Received: 2/20/2025
Description: MISCELLANEOUS COMPLAINTS
Inspector: KELLY WARNER
Phone: (213)645-6081
Status: DUPLICATE SERVICE REQUEST

Code Enforcement Information: 34

Date Received	Problem Description	Status
1/6/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
5/27/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
6/21/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
6/21/2024	MISCELLANEOUS COMPLAINTS	CLOSED
6/26/2024	COMMERCIAL ADVERTISING ON A TEMPORARY CONSTRUCTION FENCE	CLOSED
7/2/2024	MISCELLANEOUS COMPLAINTS	CLOSED
7/21/2024	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
7/31/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/1/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/14/2024	OPEN STORAGE OF VEHICLES THAT CANNOT BE LEGALLY OPERATED (E.G. JUNK CARS)	CLOSED
8/15/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/22/2024	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
8/23/2024	MISCELLANEOUS COMPLAINTS	CLOSED
9/3/2024	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
9/5/2024	ANY PROBLEMS THAT ONLY OCCUR FROM 5:00PM TO 7:00 AM (AT NIGHT) OR ON WEEKENDS	CLOSED
9/26/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	DISABLED ACCESS ISSUES	CLOSED
2/22/2025	MISCELLANEOUS COMPLAINTS	CLOSED
5/7/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/14/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/29/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/29/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/30/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
7/15/2025	MISCELLANEOUS COMPLAINTS	CLOSED
7/15/2025	MISCELLANEOUS COMPLAINTS	CLOSED
7/21/2025	MISCELLANEOUS COMPLAINTS	CLOSED
7/26/2025	MISCELLANEOUS COMPLAINTS	CLOSED
8/2/2025	MISCELLANEOUS COMPLAINTS	UNDER INVESTIGATION
8/23/2025	MISCELLANEOUS COMPLAINTS	UNDER INVESTIGATION

Exhibit 12.8 – CalGEM Letter:Exhibit 12.8 – CalGEM Letter
Source: April 9, 2024 Planning Report, Page 5.
This letter documents hazardous abandoned wells and methane risk, which under CEQA Appendix G requires environmental review. Because CEQA does not apply to ministerial approvals, CalGEM's findings trigger the City's obligation to treat the project as discretionary and initiate CEQA review.

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.

Conclusion

Other Major Violations Beyond Performance Standards

In addition to the documented violations of the twelve Public Benefit Performance Standards, the project suffers from serious legal and procedural defects that independently disqualify it from ministerial approval:

- **LADBS Approval of Conflicting Plans –** LADBS approved the January 2024 electrical sheet (P-4) with 48 utility pedestals while Planning had only authorized 46 RV stalls on P-1. These inconsistencies were never reconciled, resulting in unapproved overbuilt infrastructure.
- **Failure to Enforce CEQA Appendix G Hazards –** The site is located in a methane zone and above abandoned oil wells. Under CEQA's fair argument standard, these conditions trigger mandatory environmental review. Yet no CEQA Initial Study was conducted, and no LAFD methane clearance was obtained, violating CEQA's procedural safeguards.
- **Misrepresentation of Landscaping –** The developer improperly counted City-owned street trees as private, on-site trees, inflating compliance with the 4% landscaping requirement. This false representation was relied upon in the Planning Department's April 2025 finding.
- **Elimination of ADA Parking –** ADA parking spaces shown on site plans were eliminated to accommodate an 800A electrical system. This violates both ADA and

California Building Code Chapter 11B. Denying ADA access is not just a zoning failure, it is a violation of federal civil rights law.

- **Failure of LADBS Complaint Enforcement –** Multiple community complaints were dismissed as "duplicates" without evidence of site inspections or corrective action. This undermines transparency, accountability, and public trust in enforcement.
- **Unpermitted Structures –** Prefabricated office, restroom, and laundry buildings were installed without LADBS permits or inspections. Under LAMC §91.106.4.1, unpermitted structures are subject to enforcement orders, including removal or discretionary legalization. Their presence independently invalidates ministerial approval.

Why Ministerial Approval Cannot Apply

By law, compliance with all twelve Performance Standards is a mandatory precondition for ministerial Public Benefit approval under LAMC §14.00 A.7. Once any standard is not met, the project is no longer ministerial and must undergo discretionary review.

California Health & Safety Code §18865.1 further requires a Conditional Use Permit (CUP) for all RV parks statewide. Local ordinances cannot override this mandate. Ministerial approval here is therefore unlawful both under state law and city code.

Community and Resident Impacts

This is not a technical oversight, it is a livability failure.

- Instead of the required recreational space, residents are confined to cramped RV stalls with only barren gravel and utility equipment.
- Required ADA parking spaces were replaced by electrical equipment, excluding disabled individuals from safe use of the site.
- Parking, which should have been provided as a condition of approval, is instead being sold at $600/month, shifting the burden from developer to tenants.

These failures directly harm tenants, spill impacts into the neighborhood, and defeat the "public benefit" intent of §14.00 A.7.

Systemic Failure and Accountability

This case illustrates a systemic breakdown in inter-agency coordination: Planning approved schematic promises, LADBS approved conflicting plan sets, and enforcement staff dismissed documented complaints as "duplicates." If such practices are allowed to stand, no community can rely on zoning safeguards being enforced.

We respectfully request that the Commission not only require a CUP and CEQA review for this project but also refer to LADBS's enforcement failures for oversight or audit. Without accountability, these violations will repeat.

Final Request

The record shows systemic violations of zoning, safety, livability, ADA accessibility, and environmental standards. At least eleven of the twelve Performance Standards have failed, and multiple independent legal defects exist beyond those standards.

By law:

- CEQA review must occur before approval when hazards are present (Friends of Mammoth v. Board of Supervisors, 8 Cal.3d 247; Bozung v. LAFCO, 13 Cal.3d 263).
- Ministerial approval cannot apply once discretion is required.
- CUP processing is mandated under Health & Safety Code §18865.1.

We therefore respectfully request that the Planning Commission:

1. Suspend entitlements pending full review.
2. Require a Conditional Use Permit (CUP) with public hearing.
3. Initiate CEQA review, including methane and oil well hazards.
4. Refer LADBS enforcement failures for independent oversight.

This is not just a zoning dispute, it is a test of whether our land use system will honor its own standards, protect vulnerable communities, and enforce the laws designed to safeguard public health and environmental integrity.

Planning CPC <cpc@lacity.org>

ubject: Executive Summary – Green Meadows West Submission on 23416 S. President Avenue (Silver RV Park) Case No.: DIR-2024-7352-BSA

Christal Cooper <mscooper8@aol.com> Fri, Sep 26, 2025 at 4:17 AM
To: Planning CPC <cpc@lacity.org>
Cc: Nicole Paulsen <nicole@levinmargolin.com>, Rick Thomas <rickthomasmediarich@gmail.com>, Councilmember Tim McOsker <councilmember.mcosker@lacity.org>, Allen Manalansan <allen.manalansan@lacity.org>, Deseray Sarcona <deseray.sarcona@lacity.org>, "aperez@cbs.com" <aperez@cbs.com>, Devin Myrick <devin.myrick@lacity.org>, "noah.goldberg@latimes.com" <noah.goldberg@latimes.com>, Pamela Thornton <pamela.thornton@lacity.org>, Phyllis Nathanson <phyllis.nathanson@lacity.org>, Undine Petrulis <undine.petrulis@lacity.org>, "david.zahniser@latimes.com" <david.zahniser@latimes.com>, "steve.lopez@latimes.com" <steve.lopez@latimes.com>

CPC: Please confirm receipt of this submission.

The scheduled hearing date is Thursday, October 9, 2025
Case No.: DIR-2024-7352-BSA
Supporting materials are due by Monday, September 29, 2025.

Dear Commissioners,

I am submitting the attached **79-page report** on 23416 S. President Avenue (Silver RV Park), along with two photos embedded below that make the violations clear at a glance. The full report documents **violations of 11 out of 12 Public Benefit Performance Standards**, but even in the aerial image alone, at least **five violations are visibly evident.** With 34 LADBS complaints already filed and the developer announcing an October opening date, I respectfully urge you to review both the photos and the report before making any determination.

Aerial Evidence of Noncompliance



Caption: "Aerial image of 23416 S. President Avenue, Harbor City — built conditions clearly violate at least five Public Benefit Performance Standards."

Visible Violations from Image 1:

- **PS #2 –** Setbacks/Buffer: 15-ft landscaped buffer eliminated; replaced with asphalt and utility pedestals.
- **PS #5 –** Landscaping: No trees, palms, or irrigation installed; site left bare and noncompliant.
- **PS #8 –** ADA Access/Parking: No ADA striping, signage, or accessible path of travel visible.
- **PS #9 –** Parking Standards: RV stalls and utilities intrude into buffer zones.
- **PS #12 –** Public Benefit: Without landscaping, buffers, or accessibility, no public benefit is provided.

The site was built using **January 2024 electrical plans (P-4)**, which had already been deemed **noncompliant.** Despite this, inspections for occupancy were scheduled for **June 28, 2024**, a month before the developer submitted revised plans on **July 25**, later approved **August 1.** This proves the site was built under **noncompliant plans.**

Systemic Enforcement Gap

There are currently 34 complaints filed in the LADBS system, most documenting how the park does not conform to the 12 Performance Standards. This demonstrates that no entity ensures the built site matches the approved plans or enforces the very standards meant to protect the community.

Wilmington as a Warning



Caption: "Photo of 1551 Young Street, Wilmington — same developer, same violations. Harbor City is already on track to look and function the same way."

This underscores why City Planning, not LADBS, must enforce the 12 Performance Standards. LADBS only verifies whether a circuit breaker or utility is installed correctly, not whether the project complies with required setbacks, buffers, or ADA access. The developer's attorneys exploited this gap by framing compliance as an *"enforcement matter,"* knowing no agency will actually enforce the standards. This strategy allows the developer to avoid the 12 PS entirely, maximizing profits at the expense of community safety, livability, and quality of life.

Urgency

To make matters worse, the representative of the RV park has already stated that the project will be **opening in October.** This means the violations identified here will never be corrected, and the Harbor City site will look and function just like the noncompliant Wilmington site.

Why the Report Must Be Read

The attached 79-page report provides drone imagery, plan conflicts, and LADBS complaint records that show exactly how these violations occurred. While the violations of the 12 Performance Standards have been raised before, City Planning has repeatedly stated that its role is limited to reviewing *"plans"* and that some other entity is responsible for enforcement. But as this report demonstrates, no entity actually ensures the built site matches the approved plans, and without Commission action, these violations will stand uncorrected.

Planning staff argue that *"LADBS did not err"* but how can that be true when LADBS approved two conflicting plan sets? The site plans (P-1) preserved ADA stalls and showed the 15-ft setback, while the electrical plans (P-4) eliminated ADA stalls, omitted the setback, and added extra pedestals. Which set governs compliance? And if construction followed P-4 the noncompliant version, doesn't that mean the project was built in violation of its approvals?

Why This Case Matters Citywide

The attached report consolidates hazards, plan conflicts, and complaint evidence into a single legal record. Commissioners should be aware that this case is not just about Harbor City, your ruling will determine whether the **12 Performance Standards** have any **enforceable meaning** citywide.

CEQA and zoning compliance are non-delegable duties. Courts have made clear (Bozung, Friends of B Street, Sherwin-Williams) that paper-only compliance cannot substitute for actual verification. If the Commission accepts paper compliance here, it permanently lowers the bar and renders the standards meaningless for every neighborhood in Los Angeles.

Call to Action

This is why I urge the Commission to require a full site inspection and reconciliation of the built conditions against the approved entitlement plans before any certificate of occupancy or finding of compliance is granted. If these violations cannot be corrected, then the project is ineligible for Public Benefit approval and must be required to seek a Conditional Use Permit (CUP) and undergo full CEQA review. Anything less permanently entitles a noncompliant project and undermines the protections guaranteed by law.
Sincerely,

Green Meadows West
Christal Cooper
23404 Western Ave A
Harbor City Ca. 90710

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2 attachments

Email CPC Oct 9 (3).pdf
1853K

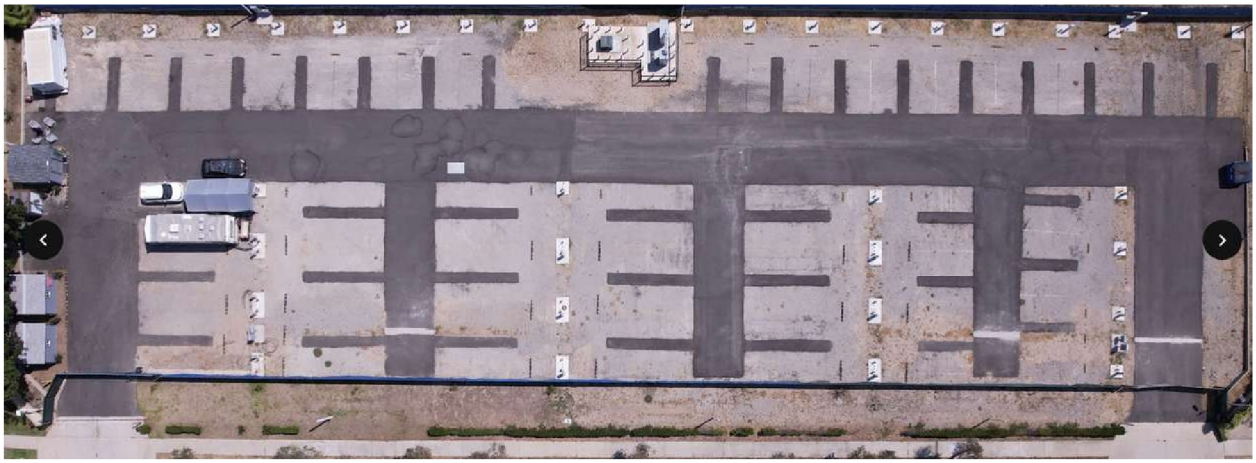
Oct 9 Case No DIR-2024-7352-BSA (5).pdf
20976K

Subject: Executive Summary – Green Meadows West Submission on 23416 S. President Avenue (Silver RV Park) Case No.: DIR-2024-7352-BSA

Dear Commissioners,

I am submitting the attached **79-page report** on 23416 S. President Avenue (Silver RV Park), along with two photos embedded below that make the violations clear at a glance. The full report documents **violations of 11 out of 12 Public Benefit Performance Standards**, but even in the aerial image alone, at least **five violations are visibly evident.** With 34 LADBS complaints already filed and the developer announcing an October opening date, I respectfully urge you to review both the photos and the report before making any determination.

Aerial Evidence of Noncompliance



Caption: "Aerial image of 23416 S. President Avenue, Harbor City — built conditions clearly violate at least five Public Benefit Performance Standards."

Visible Violations from Image 1:

- **PS #2 –** Setbacks/Buffer: 15-ft landscaped buffer eliminated; replaced with asphalt and utility pedestals.
- **PS #5 –** Landscaping: No trees, palms, or irrigation installed; site left bare and noncompliant.
- **PS #8 –** ADA Access/Parking: No ADA striping, signage, or accessible path of travel visible.
- **PS #9 –** Parking Standards: RV stalls and utilities intrude into buffer zones.
- **PS #12 –** Public Benefit: Without landscaping, buffers, or accessibility, no public benefit is provided.

The site was built using **January 2024 electrical plans (P-4)**, which had already been deemed **noncompliant.** Despite this, inspections for occupancy were scheduled for **June 28, 2024**, a month before the developer submitted revised plans on **July 25**, later approved **August 1.** This proves the site was built under **noncompliant plans.**

Systemic Enforcement Gap

There are currently 34 complaints filed in the LADBS system, most documenting how the park does not conform to the 12 Performance Standards. This demonstrates that no entity ensures the built site matches the approved plans or enforces the very standards meant to protect the community.

Wilmington as a Warning



Caption: "Photo of 1551 Young Street, Wilmington — same developer, same violations. Harbor City is already on track to look and function the same way."

This underscores why City Planning, not LADBS, must enforce the 12 Performance Standards. LADBS only verifies whether a circuit breaker or utility is installed correctly, not whether the project complies with required setbacks, buffers, or ADA access. The developer's attorneys exploited this gap by framing compliance as an *"enforcement matter,"* knowing no agency will actually enforce the standards. This strategy allows the developer to avoid the 12 PS entirely, maximizing profits at the expense of community safety, livability, and quality of life.

Urgency

To make matters worse, the representative of the RV park has already stated that the project will be **opening in October.** This means the violations identified here will never be corrected, and the Harbor City site will look and function just like the noncompliant Wilmington site.

Why the Report Must Be Read

The attached 79-page report provides drone imagery, plan conflicts, and LADBS complaint records that show exactly how these violations occurred. While the violations of the 12 Performance Standards have been raised before, City Planning has repeatedly stated that its role is limited to reviewing *"plans"* and that some other entity is responsible for enforcement. But as this report demonstrates, no entity actually ensures the built site matches the approved plans, and without Commission action, these violations will stand uncorrected.

Planning staff argue that *"LADBS did not err"* but how can that be true when LADBS approved two conflicting plan sets? The site plans (P-1) preserved ADA stalls and showed a 15-ft setback, while the electrical plans (P-4) eliminated ADA stalls, omitted the setback, and added extra pedestals. Which set governs compliance? And if construction followed P-4 the noncompliant version, doesn't that mean the project was built in violation of its approvals?

Why This Case Matters Citywide

The attached report consolidates hazards, plan conflicts, and complaint evidence into a single legal record. Commissioners should be aware that this case is not just about Harbor City, your ruling will determine whether the **12 Performance Standards** have any **enforceable meaning** citywide.

CEQA and zoning compliance are non-delegable duties. Courts have made clear (Bozung, Friends of B Street, Sherwin-Williams) that paper-only compliance cannot substitute for actual verification. If the Commission accepts paper compliance here, it permanently lowers the bar and renders the standards meaningless for every neighborhood in Los Angeles.

Call to Action

This is why I urge the Commission to require a full site inspection and reconciliation of the built conditions against the approved entitlement plans before any certificate of occupancy or finding of compliance is granted. If these violations cannot be corrected, then the project is ineligible for Public Benefit approval and must be required to seek a Conditional Use Permit (CUP) and undergo full CEQA review. Anything less permanently entitles a noncompliant project and undermines the protections guaranteed by law.
Sincerely,

Green Meadows West
Christal Cooper
23404 Western Ave A
Harbor City Ca. 90710

Comprehensive Submission on 23416 S. President Avenue (Silver RV Park)

Case No.: DIR-2024-7352-BSA

Prepared For:
Los Angeles City Planning Commission

Submitted By:
Green Meadows West

Date:
September 25, 2025

Included Reports:

Report 1: CEQA Is Triggered
Report 2: LADBS and Planning Failures
Report 3: Performance Standards Violations

Executive Summary: Legal and Procedural Grounds for Discretionary Review

This submission presents a comprehensive legal and factual record demonstrating that the proposed RV park at 23416 S. President Avenue is ineligible for ministerial approval under LAMC §14.00 A.7. Environmental hazards, procedural failures, and physical violations collectively trigger discretionary review under CEQA Guidelines and City zoning law.

Introduction to Reports on 23416 S. President Avenue (Silver RV Park)

This submission documents a sustained pattern of regulatory breakdowns and environmental risk that legally disqualify the project from ministerial entitlement and compel corrective discretionary review. Each attached report addresses a distinct but converging axis of noncompliance environmental, procedural, and physical, establishing that the project is discretionary under state law and City code.

Report 1: CEQA Is Triggered

This report establishes why the RV park cannot lawfully be processed ministerially under CEQA. It documents abandoned oil wells, a methane zone, and CalGEM's discretionary safety recommendations. Together, these factors create legally defined triggers under CEQA Guidelines Appendix G and §15357, requiring full environmental review before approval.

Report 2: LADBS and Planning Failures

This report details systemic oversight failures by LADBS and City Planning. Departments approved conflicting site and electrical plans, including electrical drawings that showed overbuilt utility pedestals, which effectively expanded the project from 46 RV parking stalls to 48. They dismissed community complaints and accepted misrepresentations such as counting City-owned street trees as private landscaping. These actions reflect a breakdown in procedural integrity that undermined the approval process. Because inspections never occurred, there is no mechanism to reconcile the approved plans with the built site, leaving zoning compliance unverified and effectively unenforceable.

Planning's Lack of Enforcement

Planning treated compliance with the Performance Standards as an "enforcement issue" to be verified later, rather than a prerequisite to approval. This error is fatal: LAMC §14.00 A.7 requires full compliance before entitlement, not after. By approving conflicting plans on paper

and deferring verification, Planning abdicated its duty to enforce zoning laws, leaving the project entitled without lawful basis.

Report 3: Performance Standards Violations

This report demonstrates that the as-built project violates at least 11 of the 12 Public Benefit Performance Standards, including aisle circulation, setbacks, buffers, landscaping, ADA parking access, vehicle parking, and screening. Each violation is substantiated with plan sheets, site photos, and drone footage. Since compliance with all standards is a legal prerequisite under LAMC §14.00 A.7, these violations disqualify the project from ministerial approval.

Ministerial approval under LAMC §14.00 A.7 is legally contingent on full compliance. These violations are not correctable post hoc, they disqualify the project outright.

Purpose of Submission

These reports are complementary and address distinct aspects of the case:

- The CEQA Analysis establishes the legal necessity of environmental review.
- The LADBS/Planning Report documents systemic oversight failures.
- The Performance Standards Report provides site-specific proof of violations.

Together, they form a comprehensive legal record showing the project cannot proceed by-right. These failures have real-world consequences, compromising safety, eroding trust in the public process, and exposing the community to unmitigated environmental risks.

Requested Actions

We respectfully urge the City Planning Commission to:

1. Recognize the RV park as a discretionary project ineligible for ministerial approval.
2. Require a Conditional Use Permit and full CEQA environmental review.
3. Revoke all prior approvals issued under LAMC §14.00 A.7.
4. Impose a moratorium on further construction until compliance is verified.
5. Refer the matter to the City Attorney for formal review of potential misrepresentation and enforcement lapses.

The Commission's decision will set a precedent for how hazardous sites are reviewed and whether public oversight is meaningfully upheld. The community deserves a transparent, lawful, and safety-first process. We urge the Commission to act decisively and restore integrity to the land use review system.

This is not just a local land use dispute, it is a test of whether hazardous site development will be held to lawful standards and whether community oversight will be respected.

Report 1

CEQA Is Triggered

Environmental Hazards and Legal Mandates Requiring Discretionary Review

Green Meadows West
Date: September 25, 2025

Rebuttal Letter Regarding CEQA Appendix G – 23416 S. President Avenue

Case No.: DIR-2024-7352-BSA
Hearing Date: October 9, 2025
To: Los Angeles City Planning Commission

Introduction

This letter is submitted on behalf of concerned residents and stakeholders who believe the City's April 9, 2025 determination dangerously misinterprets CEQA obligations.

The proposed RV park at 23416 S. President Avenue sits atop nine abandoned oil wells within a designated methane zone, conditions that unequivocally trigger mandatory environmental review under CEQA Guidelines Appendix G.

By treating this project as ministerial under LAMC §14.00 A.7, the City has ignored hazards that CEQA requires to be analyzed. This is not a technical oversight; it endangers public safety, violates state law, and erodes community trust.

This letter outlines the legal, environmental, and community-based reasons why CEQA review is not only appropriate, it is required.

Requested Actions

To uphold CEQA's purpose and protect public health, we respectfully urge the Planning Commission to:

- Recognize the project as discretionary under CEQA
- Initiate an Initial Study under Appendix G
- Reject ministerial processing under LAMC §14.00 A.7
- Require a Conditional Use Permit consistent with state law
- Incorporate CalGEM recommendations and General Plan Safety policies into CEQA review

1. Appendix G Triggers Are Ignored at Public Peril

Appendix G requires analysis where a project may:

- Be located on a hazardous materials site (Gov. Code §65962.5)
- Expose people or structures to risk of loss, injury, or death from **methane migration, fire,** or flooding
- Create a significant hazard to the public or environment

All three thresholds apply to this site. The City has adopted Appendix G as its threshold framework, making its application mandatory, not optional.

2. City Planning Cannot Delegate CEQA Responsibility

While LADBS may oversee building code compliance, City Planning is the CEQA lead agency for land use approvals. Courts have ruled that CEQA duties are non-delegable (*Friends of Sierra Madre v. City of Sierra Madre*, 25 Cal.4th 165 (2001)).

Given these hazards, City Planning must require CEQA review. LADBS cannot convert life-safety issues into "ministerial" tasks.

3. CalGEM Letter Confirms Hazards, Not Exemption

The April 9 determination incorrectly cited CalGEM's March 5, 2024 letter as proof CEQA does not apply. In fact, the letter confirms:

- Nine oil wells remain within project boundaries
- Verification of well locations and leak testing are required
- Restrictions on construction near wells remain in effect

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.

These steps require discretionary judgment, not clerical review. CalGEM's own CEQA Handbook emphasizes that even properly abandoned wells may pose residual risks requiring environmental review.

Construction Over Oil Wells – CEQA Trigger

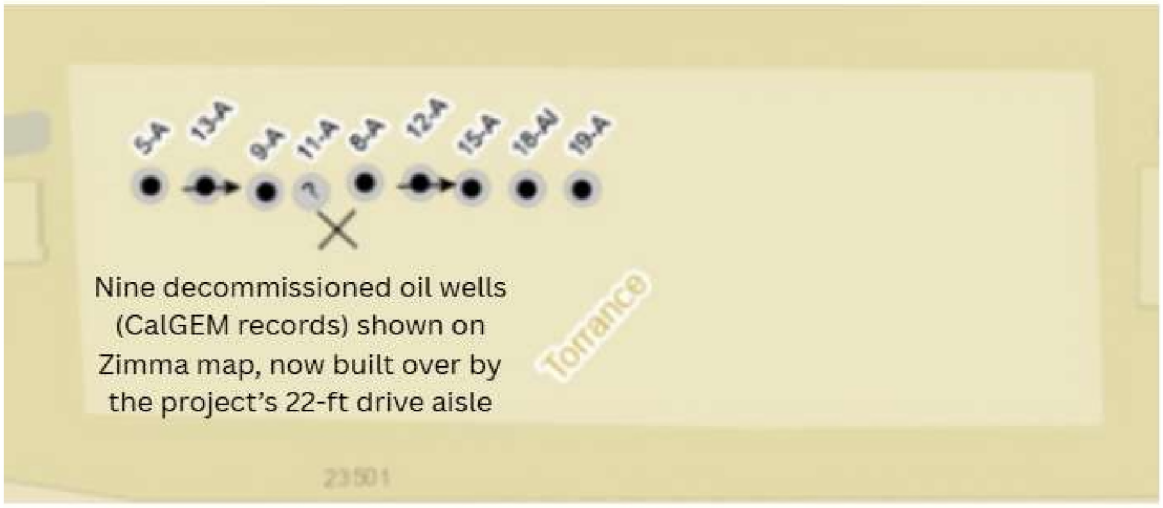
The CalGEM letter prohibits any structures from being built over or in proximity to abandoned wells where access or future testing could be impeded. As shown in the Zimma well location map and confirmed by current aerial imagery, the project's 22-foot paved drive aisle and associated utility infrastructure have been constructed directly over multiple oil wells within the site boundary. Although labeled as circulation lanes, these paved aisles function as permanent structures: they are hard-surfaced and designed for continuous vehicular use. Their placement creates a lasting obstruction to oil well access, monitoring, and any future repair or re-sealing of the oil wells, in direct conflict with CalGEM's requirements.

CEQA Consequence

CEQA Guidelines Appendix G requires analysis where a project "may create a significant hazard to the public or environment" due to placement on a hazardous materials site. Building vehicular circulation lanes over known oil wells constitutes substantial evidence of a potentially significant hazard. This condition cannot be resolved ministerially because it demands discretionary judgment, whether to realign circulation, impose access easements, or redesign the site entirely.

Exhibit X – Drive Aisle Constructed Over Oil Wells

The Zimma map of well locations (top) compared with current aerial imagery of the built RV park (bottom) shows that the project's 22-foot paved drive aisle and utility infrastructure have been constructed directly over multiple abandoned oil wells. This placement permanently obstructs access for monitoring, leak testing, or future repair/re-sealing, in direct conflict with CalGEM's March 5, 2024 letter prohibiting any structures over or near wells. Building vehicular circulation lanes over known oil wells constitutes substantial evidence of a significant hazard under CEQA Appendix G, requiring discretionary review and mitigation.





4. Why "Verification" Still Demands Discretion

CalGEM's online GIS maps are not survey-accurate and may contain errors of 20 - 100 feet. Property boundaries, grading, and site improvements change how wells interact with development.

That is why CalGEM requires:

- Professional field surveys
- Geophysical testing
- Methane leak monitoring

Determining which methods to use, how to interpret results, and what mitigation to impose are discretionary decisions. This alone requires CEQA review.

5. Substantial Evidence Triggers Review

CEQA Guidelines §15002(a)(3): ministerial exemptions apply only when no judgment is required. Here, multiple discretionary judgments are unavoidable, including whether:

- The oil wells are safely abandoned
- Methane mitigation is adequate
- The development conflicts with the General Plan

Under CEQA's Fair Argument Standard, the CalGEM letter itself is substantial evidence of a potential significant effect. This requires at minimum an Initial Study.

6. Courts Have Spoken: CEQA Cannot Be Bypassed

Legal precedent overwhelmingly supports the need for CEQA review in cases involving hazardous site conditions. Courts have repeatedly ruled that discretion, even when subtle, triggers CEQA obligations:

- *Protecting Our Water v. County of Stanislaus*, 10 Cal.5th 479 (2020) - ministerial classification depends on actual discretion
  - Labeling an approval 'ministerial' doesn't make it so. If the agency has discretion to evaluate environmental risks, CEQA applies
- *Bozung v. LAFCO*, 13 Cal.3d 263 (1975) - CEQA review must precede approval
  - Agencies cannot approve a project and then conduct environmental review as an afterthought. Bozung makes clear: CEQA comes first.
- *Friends of "B" Street v. City of Hayward*, 106 Cal.App.3d 988 (1980) - hazardous site risks require discretionary analysis
  - When credible evidence raises environmental concerns, agencies must engage in full CEQA review. Rubber-stamped approvals are an abuse of discretion

- *Laurel Heights Improvement Assn. v. Regents of UC*, 47 Cal.3d 376 (1988) - CEQA prohibits segmentation of environmental review
    - Environmental review must address the whole of the project—including foreseeable future phases. Piecemeal analysis violates CEQA
- *West Adams Heritage Assn. v. City of Los Angeles* (2024)
    - Even infill projects lose their exemption when unusual circumstances, like hazardous site conditions, are present
- *Gooden v. County of Los Angeles* (2024) - hazardous site conditions require CEQA review
    - Environmental discretion cannot be bypassed when contamination, unstable soils, or sensitive receptors are involved.

7. Methane Risks Are Not Routine - They Are Deadly

The site lies within a methane seep zone, triggering LAMC §§91.7101–91.7109. While LADBS may inspect construction details, explosive gas migration is not a routine hazard.

LAMC §14.00 A.7 is intended for "public benefit projects." Building atop a methane zone and abandoned oil wells creates a public risk, not a public benefit.

8. **Propane Hazard and Fire Risk**

The proposed RV park includes 46 or more recreational vehicles, each equipped with onboard propane tanks. This concentration of flammable fuel sources significantly increases the risk of fire and explosion, particularly given the site's location within a methane buffer zone and proximity to abandoned oil wells. Under CEQA Appendix G, such conditions trigger mandatory hazard review. The City's failure to evaluate the cumulative risk posed by propane, methane, and oil infrastructure constitutes a clear violation of CEQA's threshold requirements and endangers public safety.

9. Cumulative Hazards Must Be Analyzed Together

CEQA prohibits segmentation. The combined risks of:

- Nine abandoned oil wells
- Methane zone designation

… must be reviewed together for cumulative effects. Treating them in isolation violates CEQA (*Laurel Heights I, 1988, 47 Cal.3d 376*).

10. General Plan Safety Element Requires CEQA Review

The Los Angeles General Plan Safety Element requires:

- Avoidance of development in methane zones and oil fields
- Coordination with CalGEM
- Public health protection as a planning priority

Approving this project ministerially would directly conflict with these policies. CEQA review is required whenever a project is inconsistent with the General Plan.

11. Why CEQA Review Necessitates a Conditional Use Permit

Once CEQA is triggered, the City must exercise judgment in reviewing site-specific hazards. That means it cannot rely on a ministerial pathway like LAMC §14.00 A.7.

This provision was designed for "Public Benefit" projects that meet pre-set performance standards. It is not a discretionary entitlement. If CEQA applies, §14.00 A.7 is legally off the table.

For RV parks, the fallback discretionary entitlement is a Conditional Use Permit (CUP):

- LAMC §12.03 still defines RV parks as requiring a CUP.
- Health & Safety Code §18865.1 authorizes cities to require CUPs for RV parks, especially when hazards are present.

Therefore, CEQA review is not just procedural, it functionally requires a CUP. The presence of nine abandoned oil wells and the methane zone designation demand site-specific analysis, mitigation, and coordination with CalGEM. These are discretionary actions. The City cannot lawfully bypass CEQA by misclassifying this project as ministerial.

12. Community Voices and Environmental Equity

Harbor City is already burdened by its proximity to refineries and port-related industrial uses. A so-called "public benefit" RV park built atop hazardous oil infrastructure only deepens this inequity.

> *"We live here. We breathe this air. Ignoring CEQA puts our families at risk." - Concerned Resident, Green Meadows West*

The Planning Commission has a responsibility to ensure that environmental protections are not selectively applied. Communities like Harbor City deserve the same safeguards as any other neighborhood. Environmental justice is not a checkbox, it is both a legal and moral obligation.

13. CEQA Streamlining Does Not Apply

State streamlining laws (SB 35, AB 2011) exclude projects on hazardous sites. The presence of nine oil wells categorically disqualifies this RV park from any statutory exemption.

14. CEQA Noncompliance = Litigation Risk

Bypassing CEQA here exposes the City to challenges under Pub. Res. Code §21168.9, which authorizes courts to set aside unlawful approvals.

If this project proceeds without CEQA review, the City faces:

- Litigation risk - approvals overturned in court
- Reputational harm - loss of community trust in oversight
- Liability - for foreseeable harm to residents and first responders

Conclusion and Request

The CalGEM letter confirms hazards, it does not erase them. Appendix G, Title 25, and case law all demand CEQA review. Once CEQA is triggered, ministerial approval under LAMC §14.00 A.7 is off the table. The City must process this project through a discretionary pathway, and for RV parks the only lawful entitlement is a Conditional Use Permit (CUP).

We respectfully request that the Planning Commission:

- Recognize this project as discretionary, not ministerial
- Initiate an Initial Study under Appendix G
- Reject §14.00 A.7 processing and require a CUP
- Incorporate CalGEM recommendations and General Plan Safety policies into CEQA review

The Planning Commission must not allow hazardous development to proceed under the guise of ministerial approval. CEQA exists to protect the public from precisely this kind of regulatory failure. We urge you to uphold the law, honor your duty, and require full environmental review through the CUP process.

Report 2

LADBS and Planning Failures

Procedural Missteps and Oversight Breakdowns

Prepared by: Green Meadows West

Date: September 25, 2025

LADBS & Planning Failures – 23416 S. President Avenue

Systemic Regulatory Breakdown in Hazardous Site Approval

Introduction

This report documents how the City of Los Angeles, through the Department of Building and Safety (LADBS) and the Department of City Planning, failed in its legal duty to enforce zoning, CEQA, safety, and ADA accessibility requirements at 23416 S. President Avenue. These failures are not isolated errors; they reflect systemic neglect that enabled unlawful construction on a potentially hazardous site. While the developer's violations of the 12 Performance Standards are documented separately, this report focuses on how City agencies facilitated those violations by approving conflicting plans, dismissing community complaints, and treating mandatory legal safeguards as discretionary "enforcement issues."

Regulatory Failures

1. Failure to Conduct CEQA Hazard Review

Planning relied on internal GEM review of oil wells but conducted no CEQA review. CEQA Appendix G requires hazard analysis in an Initial Study or EIR when abandoned oil wells, methane zones, or fire risks are present. By bypassing CEQA, the City stripped the community of environmental protections.

2. Approval of Conflicting Plans

The January 2024 electrical plans (P-4) depicted 48 utility pedestals, two more than the 46 approved, while also eliminating the ADA parking spaces and omitting the required 10-foot buffer zone. By contrast, the January 2024 site plans continued to show ADA parking spaces within the layout, directly contradicting the electrical sheets. LADBS nevertheless approved both conflicting plan sets without reconciliation, leaving one set of plans that preserved ADA stalls and another that eliminated them. In July 2024, the developer was directed to submit revised plans to show compliance with all 12 Performance Standards, an acknowledgment that the project was out of compliance. Yet construction proceeded under the outdated and noncompliant electrical layout, effectively expanding the project to 48 RV stalls and removing ADA accessibility. By approving conflicting plans without resolving these discrepancies, and by allowing the developer to construct the site using the noncompliant plans, LADBS created an enforcement vacuum, leaving no single authoritative plan to govern compliance.

3. Utilities Installed in Setback and Buffer Zones

The developer's attorney admitted utility island pedestal placement within the buffer zone (Exhibit B, p. 39). Drone and news footage confirm installation by June 2024. LADBS approved utilities in restricted zones, violating PS #2 and PS #5.

4. ADA Parking Removed for Utility System

An 800A electrical distribution system replaced the ADA parking spaces on the January 2024 electrical plans (P-4). LADBS approved the electrical plan without reconciling it against the site plan, which still showed ADA parking. The result: no ADA parking, violating PS #8, the ADA, and the California Building Code. By June 27, construction had already been completed using the noncompliant electrical layout, yet the "final" plan approval was not issued until August 1, after the fact. With conflicting plans approved and no field verification, no agency is responsible for enforcing this violation, leaving ADA protections effectively eliminated.

5. Utility Pedestal Overcount and Unauthorized Expansion

Planning-approved site plans authorized 46 RV stalls. The January 2024 electrical plans (P-4) showed 48 utility pedestals. Field counts confirm 48–54 utility pedestals installed. By June 27, construction had already been completed on the noncompliant electrical layout, yet LADBS issued "final" plan approval on August 1. In doing so, LADBS ratified an unauthorized site expansion and violated the rule of law by allowing construction to exceed the entitlements granted. Because no agency is tasked with verifying the built site against approved plans, this violation will continue unchecked.

6. Misrepresentation of Landscaping

The April 2025 Director's Determination credited 10 crepe myrtles in the public parkway as on-site landscaping. These City-owned trees cannot count toward private canopy obligations under PS #3 and PS #5.

7. Methane Mitigation Failure

The site is located within a designated Methane Zone (ZI-1195, ZI-2536), as indicated on the electrical plans, which clearly label the property as "METHANE ZONE." The Los Angeles Fire Department (LAFD) confirmed that no methane clearance inspection had taken place. Despite this, the Los Angeles Department of Building and Safety (LADBS) was prepared to grant occupancy without inspecting the methane mitigation system, in violation of Los Angeles Municipal Code (LAMC) §91.7103 and Ordinance No. 175790.

8. Failure to Reconcile Plan Sets Across Departments

Planning approved site plans while LADBS approved non complaint utilities plans without ensuring consistency between the two plans. This violated LAMC §12.21 A.1(a) and §91.106.4.1, which require coordinated review and enforcement.

9. Failure to Enforce Director's Determination

The April 2025 Determination required compliance with all 12 Performance Standards as a precondition to ministerial approval. Staff later treated the Performance Standard violations as

mere 'enforcement issues,' ignoring binding conditions and undermining the Determination's legal authority.

10. Improper Reliance on Paper Compliance

LADBS and Planning certified compliance using corrected site plans that were never implemented. Compliance must be determined by what was actually built, not by unverified plans.

11. Failure to Require Conditional Use Permit (CUP)

The project involved hazardous site conditions and conflicting plan sets. The initial plans omitted the required buffer zones, and the January 2024 electrical plans did the same. At the direction of Planning staff (Ruben and Ana), the developer's July 2024 site plans were revised to depict a 10-foot landscaped buffer that had been omitted from earlier submissions. However, by that time the site had already been constructed following the noncompliant electrical layout, with no buffer in place. Because staff had to resolve conflicting plan sets, choosing between layouts with and without required buffer zones, the project could not be treated as ministerial. That exercise of judgment made the approval discretionary, triggering CEQA and requiring a Conditional Use Permit (CUP). In addition, the removal of ADA-required parking was unlawful and further invalidates the Determination. Under Health & Safety Code §18865.1 and CEQA, a Conditional Use Permit (CUP) was required. By processing the project as ministerial, the City acted unlawfully.

12. Failure to Investigate Community Complaints

Residents filed dozens of detailed complaints, many raising specific violations of the Public Benefit Performance Standards (including setbacks, buffers, ADA parking spaces, drive aisle circulation, landscaping, and methane). LADBS dismissed these filings as "duplicates" without conducting inspections or verifying the underlying evidence. This practice violated its duty under LAMC §91.103.1 to investigate code violations. By treating substantive complaints as redundant, LADBS failed both its enforcement obligations and the community's right to meaningful review.

13. **Unpermitted Prefabricated Buildings**

Office, restroom, and laundry buildings were constructed without LADBS permits, violating LAMC §91.106.4.1. Despite this clear violation, no enforcement action occurred

14. **Failure to Enforce Stall Limits**

The site was approved for 46 RV stalls but 48–54 were constructed. The City failed to treat this overbuilding as a land use violation, instead minimizing it as a "field discrepancy."

15. **Failure to Consider Community Evidence**

Drone footage, site photos, and complaints were submitted into the CPC record. Planning relied solely on the April 2025 report, ignoring new evidence. CEQA Guidelines §15088 requires reasoned responses to substantial evidence. The City's omissions denied due process.

16. **Spot Zoning and Unequal Rule Application**

By exempting this project from CUP, CEQA, and enforcement, the City created de facto spot zoning. This arbitrary treatment undermines equal protection under planning law.

17. **Premature Inspections Before Plan Approval**

Court minutes (Sept. 11, 2025) confirm that the developer requested final inspections on June 27 and July 2, 2024, weeks before submitting corrected plans on July 25, 2024. LADBS accepted and scheduled these inspections under the outdated January 2024 electrical plans, even though Planning had already directed corrections that were not yet incorporated. This procedural failure allowed the site to be constructed with plans Planning had already deemed deficient, effectively locking in violations that the later 'corrected' plans only superficially corrected. As the California Supreme Court made clear in *Bozung v. LAFCO* (1975) 13 Cal.3d 263, and reaffirmed in *San Joaquin Raptor Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, agencies may not approve or advance projects on the promise of later corrections. Compliance must be verified before entitlements are granted. LADBS's scheduling of inspections under deficient plans violated this principle and rendered the approval process unlawful.

Conclusion

These failures demonstrate that the City and the developer are both responsible for the unlawful construction of the RV park at 23416 S. President Avenue. LADBS and Planning approved conflicting plans, ignored CEQA, dismissed community evidence, and allowed unpermitted and unsafe construction. Under state law, this project cannot remain ministerial. Its approvals must be revoked, a Conditional Use Permit required, and full CEQA review conducted. Anything less signals that performance standards are optional, that entitlements can be expanded after the fact, and that hazardous projects can bypass public review.

To restore the rule of law, protect public safety, and uphold the credibility of the City's land use process, the Commission must act: revoke ministerial approvals and require discretionary review

Report 2: Systemic Regulatory Failures

How LADBS & Planning Enabled Unlawful Construction at 23416 S. President Avenue

I. The Language of the Motion Refers to Allegations of Site-Based Violations

On August 19, 2025, the Los Angeles City Council adopted Councilmember McOsker's amendment instructing the Department of Building and Safety (DBS) to:

> "provide a written response to the **specific allegations raised** in the appeal or at the PLUM Committee hearing that the proposed RV Park or permit application fails to meet any applicable performance standards." April 9, 2025 Planning determination report

The operative phrase is **"specific allegations."** The pending appeal and PLUM testimony did not raise abstract zoning questions; they raised **site-based discrepancies**: utilities constructed within setbacks, ADA parking eliminated, landscaping buffers replaced with concrete utility island pedestals, three unpermitted buildings erected without approvals, and conflicting plan sets showing different utility pedestal counts. These violations are compounded by the fact that construction was carried out based on the non-compliant January 2024 electrical plans, which themselves showed zero-foot setbacks and were inconsistent with later plan revisions. Such issues cannot be resolved by re-reading stamped plans; they require site verification against what has actually been built.

Under well-established principles of statutory interpretation, legislative enactments must be given effect, not rendered meaningless (County of San Diego v. Superior Court (1986) 176 Cal.App.3d 1009). To interpret the Motion as authorizing another paper-only response would nullify the directive. The only way to "respond" to such allegations is to reconcile the entitlement plans with the built site.

Conclusion: Legislative intent requires DBS to verify conditions on the ground, not merely restate plan compliance.

II. The April 9 Report Demonstrates the Risk of Paper-Only Review

The April 9, 2025 Director of Planning determination admitted that compliance with LAMC §14.00 A.7 was found "by virtue of performance standards shown on plans and by a recorded covenant," and that "any deviations … are handled as an enforcement issue." This shows Planning relied solely on submitted plan sheets and did not verify actual conditions.

Deferring violations to "later enforcement" deprived the public of a meaningful opportunity to contest the project before entitlement was granted. This failure undermines the procedural due process protections built into CEQA and LAMC §14.00 A.7, which require compliance to be established as a precondition to approval.

Conclusion: A paper-only response repeats the April 9 error, **undermines due process**, and fails to address the Motion's directive.

III. The Enforcement Gap Necessitates Site Verification

Currently, no single entity ensures that the built site matches the approved plans:

- HCD issues certificates of occupancy, but reviews only Title 25 construction safety (road widths, lot occupancy, utility hookups). HCD does not enforce City zoning standards such as setbacks, buffers, or ADA parking.

- LADBS reviews discrete permits (for example, whether an electrical panel is installed correctly under code), but does not confirm whether permitted elements are illegally located within required setbacks.

- City Planning clears entitlement plans "on paper," but treats any deviations from those plans as a separate "enforcement issue" outside its entitlement role.

This regulatory structure creates a vacuum where violations fall through the cracks and the RV park, as constructed, is never reconciled with the entitlement plans. Courts have made clear that CEQA and zoning duties are non-delegable (Bozung v. LAFCO (1975) 13 Cal.3d 263; Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988). By failing to verify, the City unlawfully shifts compliance responsibility to the developer itself.

Moreover, treating this large-scale, hazard-prone RV park as exempt from verification while ordinary homeowners are subject to field inspections for minor improvements is arbitrary and capricious, raising equity and fairness concerns.

Conclusion: Without site verification, the City abdicates its non-delegable duty to enforce zoning laws and creates inequitable enforcement standards.

IV. Case Law Confirms That Paper-Only Responses Are Unlawful

California courts have consistently rejected reliance on unverified developer submissions:

- San Joaquin Raptor Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, approvals invalidated where the county accepted applicant claims without independent verification.
- Bozung v. LAFCO (1975) 13 Cal.3d 263, statutory and CEQA compliance must be verified before approval, not deferred to enforcement.
- Sherwin-Williams Co. v. City of Los Angeles (1993) 4 Cal.4th 893, agencies must enforce zoning standards as written; mandatory conditions cannot be treated as optional.

A written response that relies solely on submitted plan sheets would replicate the very errors condemned by these cases.

Conclusion: Case law **requires independent verification**; paper-only responses violate precedent and expose the City to CEQA and zoning challenges.

V. Remedy

To fulfill the August 19 Motion and comply with law, the Planning Commission must require DBS to:

1. Conduct an on-site verification of compliance with approved plans, including but not limited to: required setbacks, ADA-compliant parking spaces, landscaping elements, the presence of unpermitted structures, and the placement of utility structures within buffer zones.
2. Withhold recognition of compliance until verification is completed and publicly documented.
3. Acknowledge that failure to verify risks not only litigation under CEQA, but also a writ of mandate under Code of Civil Procedure §1094.5 for abuse of discretion.

Only through site verification can DBS meaningfully "respond" to the allegations raised in the appeal. Anything less repeats the April 9 error, nullifies the Motion's purpose, and exposes the City to legal and reputational consequences.

Conclusion: Field verification is the only path consistent with the Motion, with CEQA, and with the City's duty to uphold public trust in the land use process.

VI. The April 9 Report Was Legally Defective

The April 9 determination was not simply incomplete, it was legally defective for three reasons:

1. It misclassified mandatory prerequisites as enforcement. LAMC §14.00 A.7 makes compliance with all 12 Performance Standards a jurisdictional prerequisite to entitlement. The April 9 report improperly shifted these preconditions into post-approval "enforcement," contrary to law.
2. It ignored evidence in the record. By April 9, community members had submitted photographs, drone footage, and plan conflicts. Yet the determination admitted it relied only on stamped plans. Ignoring material evidence presented during the process is a violation of procedural due process.
3. It forced entitlement before compliance. By approving on paper first and pushing compliance to "later enforcement," Planning deprived the public of its right to meaningful review at the entitlement stage, contrary to Bozung and CEQA Guidelines.

The very need for the August 19 Motion underscores this defect. If the April 9 report had fully addressed compliance, Council would not have been forced to direct DBS to issue a written response.

Conclusion: The April 9 report failed to fulfill Planning's legal duty. It left unresolved the very allegations raised by the community and compelled Council to intervene. The project remains ineligible for ministerial approval until compliance is independently verified on the ground.

VII. Public Consequences and Accountability

This is more than a paperwork error, it is a failure of public accountability. The site at 23416 President Avenue, zoned single-family residential (R1-1XL-0) and designated for "low residential" use, contains nine plugged oil wells. These oil wells were only recently sealed, underscoring the site's long industrial-only history and lingering environmental risks. In late 2023, the oil pumping units were removed, and shortly thereafter the property was sold to the RV park developer. A permit was granted in March 2024 under Public Benefit RV Park status (LAMC §14.00 A.7), with supplemental plans submitted in July.

For the first time, people will now be living on this recently decommissioned oil site in RVs with propane tanks. The 12 Performance Standards were never intended to resolve the hazards of building atop oil wells; they were crafted to move low-impact projects more quickly through ministerial approval. Applied here, to a high-risk site, they offer only minimal safeguards. setbacks, buffers, ADA access, and circulation widths, and even those protections collapse if no agency verifies / enforces compliance in the field. Despite the site's hazardous history, no agency has confirmed whether the constructed project matches the approved entitlement plans. Critical requirements needed for ministerial approval, such as setbacks, ADA parking, landscaping buffers, and utility placements remain unverified. This lack of oversight highlights a

double standard: ordinary homeowners cannot install a fence or remodel a kitchen without inspection, yet this potentially hazardous RV park was approved based solely on submitted plans, with no agency accountable for ensuring that construction aligns with entitlements.

By ignoring evidence and shifting compliance to "later enforcement," Planning did more than make an error, it undermined the very purpose of the Performance Standards, eroded public trust, and signaled to developers that hazardous projects can be entitled based on submitted plans alone, with no confirmation that the site was built accordingly. This is not a technical oversight; it is an open invitation for abuse. If compliance exists only on paper, then the protections required by law collapse into a façade, leaving communities exposed, the City vulnerable to litigation, and the credibility of its land use process in jeopardy.

Conclusion: The Commission must recognize that failure to verify built site conditions does more than expose the City to litigation, it undermines the rule of law, erodes public trust, and teaches developers that compliance is optional. If verification is not required here, the Performance Standards become meaningless across Los Angeles.

VIII. The Performance Standards Become Meaningless Without Verification

LAMC §14.00 A.7 was enacted to provide communities with substantive protections, setbacks, buffers, circulation widths of drive aisles, and ADA access that must be verified in practice, not only represented on plans**.** Yet as the April 9 determination and current enforcement framework reveal, there is no agency tasked with ensuring that these standards are actually met on the ground.

- HCD does not enforce City zoning standards.
- LADBS only checks whether discrete permits meet technical code, not whether they are placed illegally.
- **City Planning** approves entitlement plans based solely on submitted documents, but disclaims responsibility for confirming that the built site conforms to those plans once permits are issued, leaving zoning compliance unverified.

If Planning does not step in to require site verification, the inevitable result is that the RV park will open while violating multiple Performance Standards. This would render the standards meaningless. Any developer could design a site that "looks compliant" on stamped plans but build something very different, overbuilt, unsafe, and incompatible with surrounding neighborhoods.

This is not a hypothetical risk; it is precisely what has already occurred here: utilities placed in setbacks, ADA parking removed, unpermitted buildings built, landscaping buffers replaced with concrete utility island pedestals, and plan sets in conflict about utility pedestal counts. Without site verification, these violations become permanent features of an entitled project, and the very purpose of §14.00 A.7 is defeated.

Conclusion: If Planning allows this RV park to proceed without site verification, the Performance Standards are reduced to paper formalities. Developers will learn they can "check the boxes" on plans, secure approvals, and then ignore the rules on the ground. This outcome would gut the City's zoning protections and invite systemic abuse.

IX. Implications for Council Oversight

This issue is not confined to Harbor City. If the April 9 approach is upheld, developers across Los Angeles will learn they can secure approvals on paper and then disregard the Performance Standards in practice. That outcome strips §14.00 A.7 of meaning, undermines the Council's legislative intent, and leaves communities without protection.

Moreover, if LADBS responds with another paper review, the August 19 Motion adopted by Council is effectively nullified. Council enacted that directive to ensure specific allegations were addressed, not ignored. To allow DBS to reduce that Motion to a plan check is to erode Council's own oversight authority.

Finally, the political consequences are real: residents will see the City entitling hazardous projects without requiring compliance, fueling mistrust in land use decisions and opening the City to CEQA litigation. Council's credibility, as much as its legal responsibility, is at stake.

Conclusion: Council must make clear that its directives are binding, that Performance Standards require site verification, and that protecting communities from unsafe, noncompliant developments is the core purpose of land use law.

X. Community, Fiscal, and Equity Consequences

Community Consequences: Without site verification, Harbor City residents will live beside an RV park that may be overbuilt and in violation of fire code, ADA protections, and required setbacks. This is not an abstract land use dispute, it is a public safety issue. Families will be forced to live next to propane tanks in a methane zone without any agency confirming compliance. Residents with disabilities have already lost ADA parking spaces. The absence of verification means these hazards are locked in, exposing the community to avoidable risks.

Fiscal Consequences: Paper-only compliance is not just unsafe, it is expensive. If the City allows the RV park to open without confirming Performance Standards on the ground, it exposes taxpayers to CEQA litigation, ADA enforcement actions, and potential negligence claims in the event of an accident. Every dollar spent defending unlawful approvals is a dollar taken away from public services. Councilmembers should recognize that failing to require verification today could translate into millions in legal exposure tomorrow.

Equity Consequences: Harbor City is already overburdened with industrial hazards, oil wells, and methane zones. Performance Standards were designed to offer protections for precisely these frontline communities. If they are reduced to paper-only exercises, then residents here, many already living with cumulative environmental burdens, are left with no meaningful safeguards. To approve this project without verification is to send the message that certain neighborhoods are expendable, undermining the City's stated commitments to environmental justice and equitable land use.

Conclusion: Site verification and enforcement are not just legal requirements; they are moral, fiscal, and equity imperatives. Without them, the community bears the safety risks, taxpayers bear the financial risks, and vulnerable neighborhoods bear the burden of yet another broken promise. Performance Standards were enacted to guarantee real protections, without verification and enforcement, they collapse into paper formalities.

Exhibits: Wilmington Site (1551 Young Street)

The following photographs are included to demonstrate the real-world consequences of approving RV parks under LAMC §14.00 A.7 without site verification.

These images are from **1551 Young Street in Wilmington**, another RV park developed by the same applicant. In reality, the built site shows multiple, obvious violations that were never corrected: utility pedestals installed within required buffer zones, RV stalls constructed without the 15-foot setbacks, circulation aisles built narrower than the 20-foot minimum, and ADA spaces not constructed to code.

The significance is twofold:

1. **Pattern of Non-compliance:** These conditions mirror the same types of violations alleged at 23416 President Avenue, proving they are not isolated errors but a recurring practice by this developer.

2. **Enforcement Gap:** No agency ever verified or enforced the standards at Wilmington. What exists on the ground today directly contradicts the entitlement approvals, showing how "paper compliance" collapses when field verification is absent.

By including these exhibits, the Commission can see what happens when Performance Standards are treated as a **check-the-box exercise** rather than enforceable prerequisites. The Wilmington site stands as a cautionary example: without verification, the protections intended by §14.00 A.7 are meaningless.

Exhibit 1: Photo showing utility pedestals in landscaped buffer zone. *Violation of PS #2, PS #5.*



Exhibit 2: Photo showing prefab structures against fence with **no 15 ft setback**. *Violation of PS #2.*

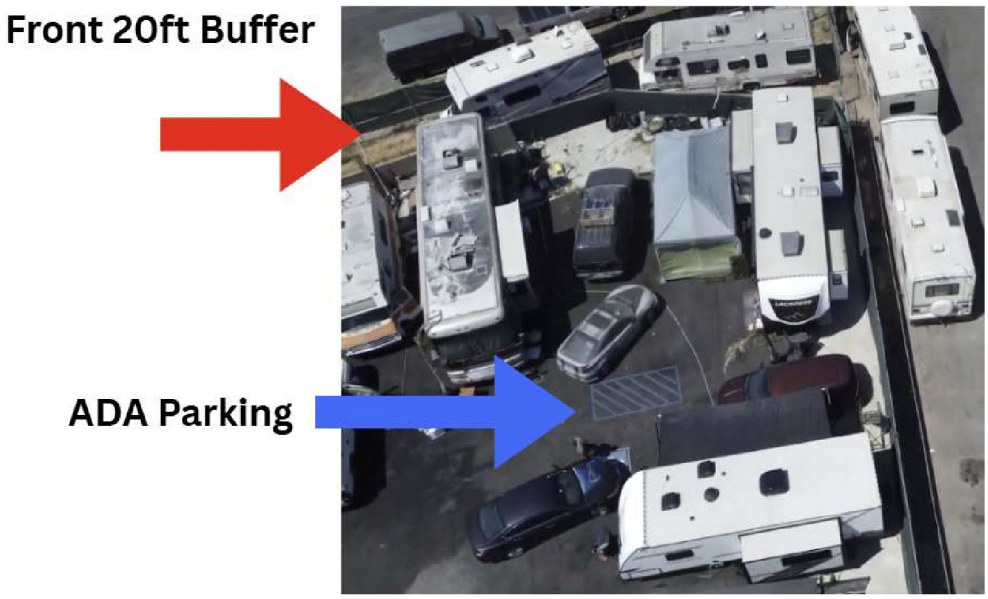


Exhibit 3: Photo showing tight drive aisle <20 ft wide. *Violation of PS #1.*



Exhibit 4:

- Photo showing striped blue ADA stall with no signage, access aisle, or usable path of travel, obstructed by RVs and vehicles. **Violation of PS #8 (Accessibility).**
- RVs are parked directly within the required 20-foot front yard setback, where a double fence has been installed instead of the mandated landscaped green space. Violation of **Performance Standard #4 (Front Yard Setback)** and **Performance Standard #5 (Landscaping and Irrigation).**



Report 3

Performance Standards Violations

Comprehensive Evidence Binder: 12 Standards of Noncompliance

Prepared by: Green Meadows West

Date: September 25, 2025

Report 3: Performance Standards Violations

23416 S. President Avenue – Silver RV Park

Prepared for Submission to the Los Angeles City Planning Commission
Date: September 17, 2025
Prepared by: Community Coalition: Green Meadows West

Subject

This report documents 11 of 12 Performance Standards violations under LAMC §14.00 A.7 at the proposed RV park located at 23416 S. President Avenue.

Purpose

Ministerial approval under §14.00 A.7 requires full compliance with all twelve Performance Standards. These are legal thresholds not optional guidelines. A single violation disqualifies the project from by-right approval and triggers the requirement for a Conditional Use Permit (CUP) and full CEQA review.

Contents

- Standard-by-standard analysis of violations
- Evidence drawn from approved plan sheets, site photos, and drone footage
- Legal and procedural context for each violation
- Exhibits documenting physical noncompliance

Conclusion

The as-built project violates at least 11 of 12 Performance Standards, including circulation, setbacks, buffers, ADA access, parking, and screening. These failures make the project ineligible for ministerial approval and require discretionary review under CEQA and CUP procedures.

Requested Action

We respectfully request that the Los Angeles City Planning Commission revoke ministerial approval and require a CUP with full CEQA review.

Performance Standard #1 – Safe Circulation & Access

Requirement

- **LAMC §12.21 A.5(e)(2):** Drive aisles serving more than 25 vehicles must be ≥19 ft wide (or two 10 ft lanes).
- **Title 25 CCR §2106(b)(1)–(3):** Two-way roads in Special Occupancy Parks must be ≥20 ft wide (25–32 ft if parking is allowed).

- **LAMC §14.00 A.7 (PS #1):** Projects must provide safe drive aisle circulation and emergency access.

Purpose
To guarantee safe two-way traffic flow, unobstructed access for fire and emergency vehicles, and reliable evacuation routes for residents in confined RV park environments.

Planning Department's Claim (April 9, 2025)
The Director of Planning's report concluded the project was compliant, reasoning that since residential driveways in R1 zones may be as narrow as 9 ft, the 15 ft aisles here were "more than sufficient.

Evidence from the Plans and Built Site

- **Entrance/Exit Gates and Central Spine**
  Two 20 ft driveways on President Avenue connect to a 22 ft central spine.
- **Dead-End Aisles**
  Three aisles, each only 15 ft wide, branch from the spine and serve 8 RVs apiece. These aisles end at the front fence, creating ~60 ft dead-end aisles.
- RVs are parked on both sides of aisles, the aisles must operate as two-way circulation roads. At 15 ft wide, they are well below the required 20 ft minimum, making them noncompliant.
- **Rear Fence and Utility Cluster**
  The rear of the property has been built out with 20 RV stalls, utility island pedestals, and an 800A electrical distribution system. This buildout violates required rear-yard setbacks (PS #2), eliminates landscaped buffers (PS #5), and expands the project beyond its approved 46-stall entitlement. By converting a required buffer into utilities and stalls, the developer not only violated zoning standards but also created an unauthorized expansion that no agency has reconciled against approved plans.
- **Walled-In Design**
  The property is fully enclosed by fencing, with both access gates located along the same frontage. Interior aisles end in dead-ends, creating choke points that trap residents and obstruct emergency responders. This configuration eliminates secondary egress and violates fundamental principles of safe circulation.

Why Planning Is Wrong

- **Misapplied 9-Foot Driveway Rule**
  Planning misapplied LAMC §12.21 A.5(e)(2) by treating three 15 ft dead-end aisles as if they were compliant "driveways." In reality, each aisle functions as a two-way circulation road serving 8 RV stalls, and at only 15 ft wide, they fall below the required 20–24 ft minimums under Title 25 CCR §2106 and LAFD Appendix D. Aggregating multiple non-compliant aisles does not satisfy the code, and the dead-end design compounds the hazard.

- **Violation of Title 25 and Fire Code**
  Title 25 requires a minimum 20-ft width for two-way circulation. The built aisles at only 15 ft wide are unlawful under state law. In addition, LAFD Appendix D requires 20–24 ft fire lanes and prohibits dead-end access without compliant turnarounds. Fire trucks cannot maneuver or pass in 15-ft aisles, rendering the project non-compliant with fire safety standards.

- **Jurisdiction Misstatement**
  Planning argued Title 25 is enforced by HCD, not the City. This is misleading: LAMC §14.00 A.7 explicitly requires compliance with all applicable state standards. The City cannot lawfully declare compliance while ignoring controlling state law.

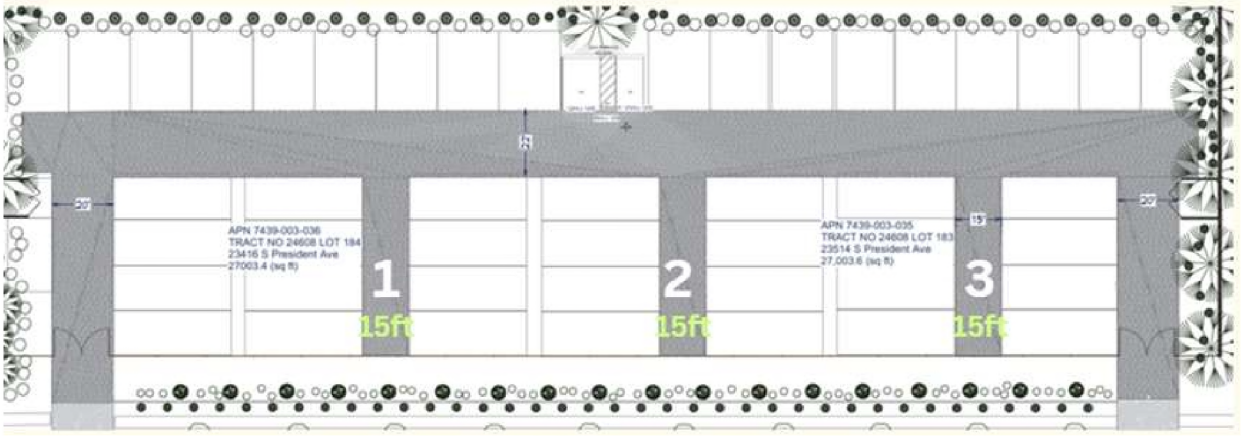
Conclusion

The project fails PS #1. Internal aisles are only 15 ft wide, yet function as two-way roads, and end in dead-ends with no secondary circulation. These conditions violate LAMC §12.21, Title 25 CCR §2106, and LAFD Fire Code Appendix D.

Beyond legal non-compliance, this layout poses an immediate life-safety hazard.The risk is especially acute for vulnerable populations often housed in RV parks, including seniors, disabled individuals, and low-income families.

The Planning Commission must require the applicant to redesign the circulation system to comply with Title 25 CCR §2106, LAFD Appendix D, and the City's obligations under LAMC §14.00 A.7. At minimum, compliance requires widening interior aisles to 20–24 feet, eliminating dead-end configurations, and providing secondary access routes to ensure safe emergency ingress and evacuation.

- **Exhibit 1.1**: January / July 2024 Site Plans (P-1) – show 15 ft aisles.



- **Exhibit 1.2 –** As-built layout:Three dead-end aisles, each 15 ft wide, with no secondary access, violating Title 25 and Fire Code. Code requires 20 - 24 ft wide fire lanes (Title 25 CCR §2106; LAFD Appendix D). Built:15 ft.These aisles are not driveways; they serve occupied RV stalls and therefore must function as two-way fire lanes.



Red arrows: 3 Aisle are Dead Ends
No turnaround / secondary access – Fire Code violation.

Performance Standard #2 – Setbacks

Requirement

- **LAMC §14.00 A.7, PS #2**: Requires a minimum 15-foot rear setback and 10-foot landscaped buffer zone, which must remain free of structures.
- **LAMC §12.03 (Definitions)**: A structure is "anything constructed or erected which requires a location on the ground."

Purpose

To provide open landscaped buffer space for neighborhood compatibility, protect adjoining residents, and ensure setback areas function as open green space.

Planning Department's Claim (April 9, 2025)

> "The plans reviewed by the Zoning Administrator show compliance with the required setback regulations and landscaped buffer requirements of the Zoning Code."

Developer's Argument (August 8, 2025)

> "The presence of rough-ins for shore power units, for example, does not negate compliance with landscaping requirements. To the contrary, landscaping can be and often is installed around such infrastructure. Appellant's argument rests on an unsupported and incorrect assumption that the presence of utilities necessarily precludes landscaping"

Evidence from the Plans and Built Site

1. January 2024 Plans Show Conflicting Setbacks

- The **January 2024 site plan (P-1)** labeled a 15 ft rear setback, giving the appearance of compliance on paper.
- The **January 2024 electrical plan (P-4)** eliminated the buffer, placing concrete pad utility island pedestals and an 800A electrical distribution system near the rear property line.
- This internal conflict created a false impression of compliance in Planning's files while LADBS simultaneously approved an electrical plan that made compliance of the Performance Standards impossible.
- The developer ultimately built it according to P-4, with concrete pad utility island pedestals inside the setback leaving no room for landscaping.

2. Planning Required Corrections in April–July 2024

- City staff identified a problem in April 2024. Planning flagged missing buffer zones, and on July 10, 2024, City Planner Ruben Vasquez issued a declaration confirming the January plans failed to provide the required 10 ft landscaped buffer and ordering resubmission.

- Corrected plans were not submitted until July 2, resubmitted on July 25, and finally approved on August 1, 2024.

3. Built Site Follows the Non-compliant January Plans

- Despite Planning's direction, aerial photos and inspections confirm the site was built according to the January 2024 non-complaint electrical plan (P-4), not the corrected July/August 2024 versions.

- Concrete pad utility island pedestals sit directly against the rear fence, eliminating both the 15 ft setback and the landscaped buffer zones.

4. Court Records Confirm Non-compliance at Inspection

- Court minutes (September 11, 2025) show the developer requested final inspections as early as June 28 and July 2, 2024, weeks before the corrected plans were submitted (July 25, 2024) or approved (August 1, 2024).

This establishes that the site was constructed in accordance with the non-compliant plans dated January 2024, rather than the revised and approved plans submitted in July 2024.

Why Planning & the Developer Are Wrong

Encroachment by Structures
Concrete utility island pedestals qualify as "structures" under LAMC §12.03 because they are constructed, ground-mounted, and permanent. Their placement inside the setback is a direct violation of PS #2.

Landscaping Cannot Cure the Violation
The standard requires an open, unobstructed, and continuously landscaped buffer. Instead, the setback has been filled with concrete pad utility island pedestals and utility infrastructure. Landscaping placed around equipment does not constitute a landscaped buffer and fails to meet the intent or letter of the performance standard.

Proof of Misrepresentation

- Planning required corrections as early as April 2024, after the staff confirmed the January 2024 plans failed to provide the 10 ft landscaped buffer. Revised plans were not submitted until July 25, 2024, and only approved on August 1, 2024.
- Yet court records show the developer **requested final inspections on June 28 and July 2, 2024**, weeks before corrected plans were even submitted. More troubling, these requests came **the day after the City Council (June 26, 2024) had already halted the project.**
- This sequencing means the developer was moving forward with inspection requests on construction built under the non-complaint January 2024 electrical plan (P-4), not the corrected July/August 2024 versions. Whether or not LADBS actually conducted the inspections, the request proves the project was constructed with non-compliant plans.
- The Director's April 2025 statement that "the plans show compliance" was therefore misleading. Planning relied on the compliant-looking August 1, 2024 approved site plans (submitted July 25), In reality, the developer had already completed construction of the site based on the January 2024 electrical plan (Sheet P-4), which eliminated the buffer. As a result, the required setback was eliminated and improperly replaced with permanent structures, contrary to both the letter and intent of Performance Standard #2.

Retroactive approvals cannot legalize non-compliant construction once built; doing so collapses the rule of law and renders the Performance Standards meaningless.

Adverse Neighborhood Impact
A landscaped buffer was required, yet the setback area was constructed with concrete utility island pedestals and electrical distribution infrastructure. This substitution eliminates the open, unobstructed green space envisioned by PS #2 and undermines its public benefit purpose, while materially worsening visual blight, increasing residents' exposure to environmental hazards, and creating direct safety risks by placing electrical systems and utility clusters in areas intended to remain clear for buffers and circulation. Buffers exist to protect surrounding neighborhoods from high-impact land uses; removing them converts a safeguard into a hazard.

Conclusion

The project fails Performance Standard #2 because:

- Concrete pad utility island pedestals are prohibited structures inside the 15 ft setback under PS #2.
- The site was built with the non-compliant January 2024 electrical plan (P-4), not the corrected July/August 2024 versions.
- Planning's claim of compliance was factually and legally incorrect.
- The rear setback has been eliminated and replaced with structures, in violation of both the plain language of the Code and the purpose of PS #2.

Citation:

- **LAMC §12.03 – Definition of "Structure":** "Anything constructed or erected which requires a location on the ground or is attached to something having a location on the ground."
- Concrete pad utility island pedestals clearly fall within this definition. Their presence inside the setback is a direct violation of PS #2.

Performance Standard #2 – Setbacks

Requirement: 15 ft rear setback and 10 ft landscaped buffer must remain free of structures. Violation: Concrete pad utility island pedestals and the 800A electric distribution system were installed directly in the setback/buffer areas.

Exhibit 2.1 – January 2024 Site Plan (P-1): Shows a labeled 15 ft setback line, giving the appearance of compliance.

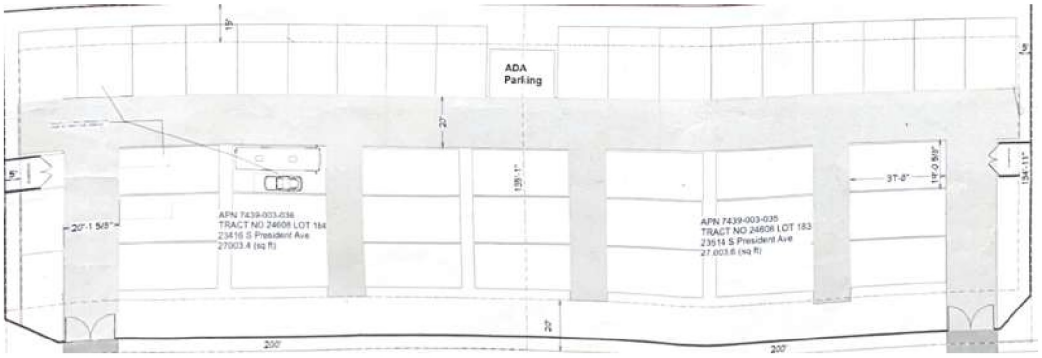


Exhibit 2.2 – January 2024 Electrical Plan (P-4): Eliminates the rear setback and places pedestals directly against the property line.

- Small rectangular boxes on the plan designate concrete pad utility island pedestals. Pedestals circled in red are located inside the 15 ft setback/buffer zone, in direct violation of PS #2. Pedestals circled in blue are located outside the setback and shown for comparison. This distinction highlights that only the rear setback pedestals are unlawful.

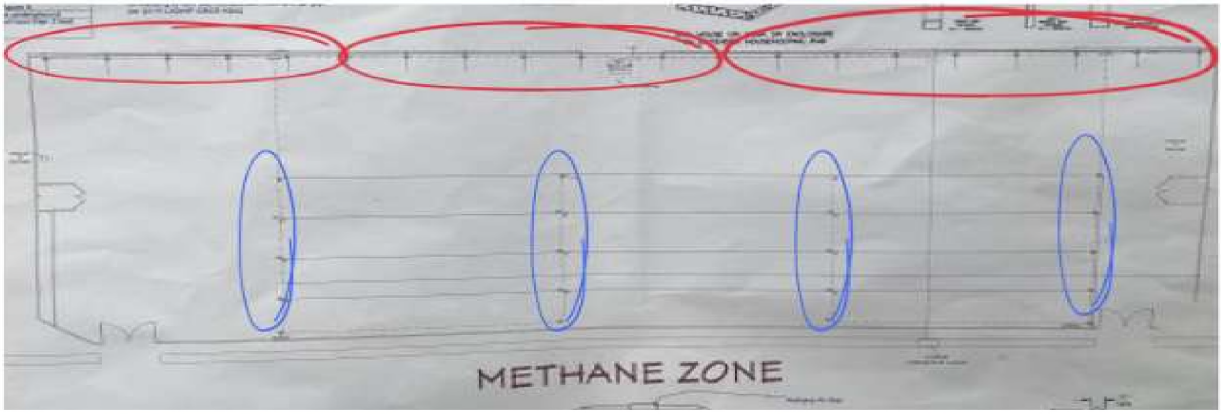


Exhibit 2.3 – Blue arrows highlight the small rectangular symbols in the January 2024 Electrical Plan (P-4), which designates concrete pad utility island pedestals. These symbols, shown here in close-up, confirm that the pedestals were placed directly along the rear property line inside the 15-foot setback. The red arrow indicates the 800A electric distribution system, also constructed in the setback, further eliminating the required landscaped buffer.

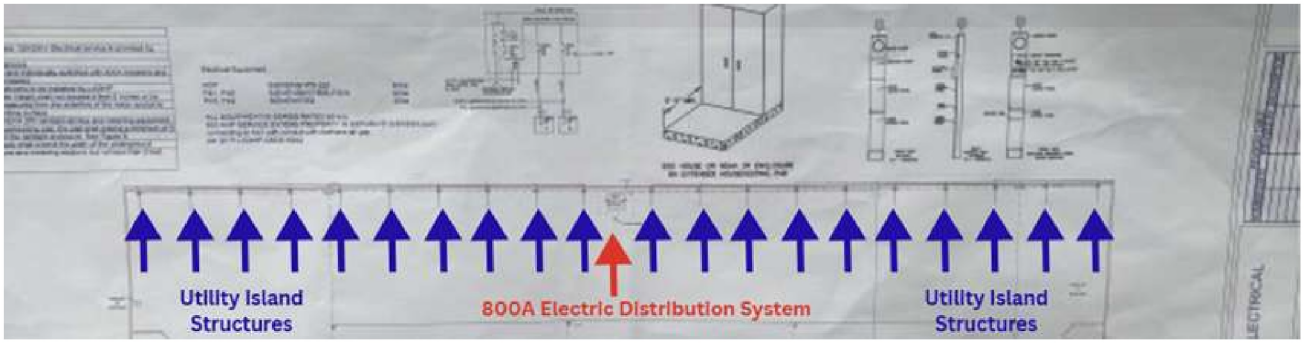


Exhibit 2.4 – As-Built Aerial (2024/2025): Confirms construction followed the non-complaint electrical plan (P-4), not the corrected and approved July/August 2024 versions. Concrete pad utility island pedestals occupy the required buffer zone, leaving no landscaped setback.

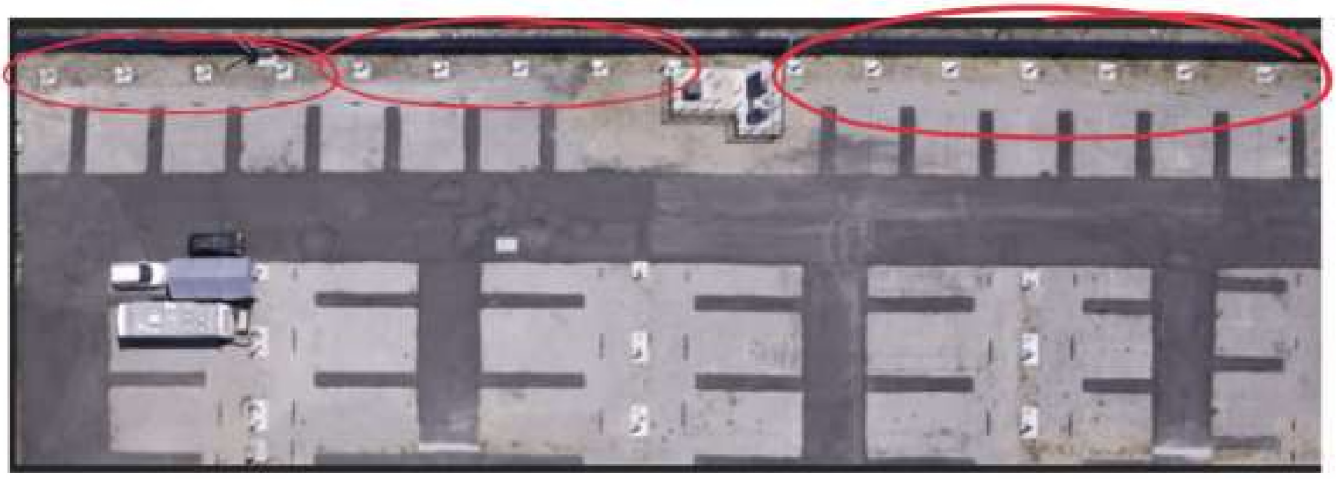


Exhibit 2.5 – As-Built ABC News (June 27,2024):Confirms construction followed the non-complaint electrical plan (P-4), not the corrected July/August 2024 versions. Concrete pad utility island pedestals were installed within the required buffer zone, eliminating the landscaped setback required by PS #2.



Red arrows designate utility island pedestals constructed within the 15-foot rear setback and landscaped buffer zone. Their placement directly in the buffer constitutes a clear violation of Performance Standard #2, which prohibits structures in this required open space.

Exhibit B – Court Records and Inspection Dates

- **Exhibit 2.4 –** Court Minutes (Sept. 11, 2025): Show developer requested final inspections June 28 and July 2, 2024.

performance standards and issued its clearance under LAMC section 14.00.A.7. (AR 29, 720-721.) On March 22, 2024, LADBS issued the permit. (AR 10-14, 767-784 [approved plan set]; Silver Decl. ¶ 12.) Between March and June 2024, Petitioner incurred approximately $585,000 in construction at the Property. (Silver Decl. ¶ 12.) Final inspections for the Certificate of Occupancy ("CofO") were scheduled for June 28 and July 2, 2024. (Id. ¶ 18.)

- Figure 2.5 – Plan Approval Timeline: Corrected plans were not resubmitted until July 25 and approved August 1, 2024.



- Analysis:Developer requested final inspections on June 28 and July 2, 2024, just two days after LA City Council halted the project on June 26 and weeks before corrected plans were even submitted (July 25, 2024) or approved (August 1, 2024). Requesting inspections before plan approval is procedurally impossible under LAMC §91.106.4.1, which prohibits construction or inspection without approved plans. Whether or not LADBS actually performed the inspections, the requests themselves prove the project was built with the non-compliant January 2024 plans while the entitlement process remained unresolved.

Performance Standard #3 – Fencing & Screening

Requirement

- **LAMC §14.00 A.7, PS #3:** LAMC §14.00 A.7, PS #3 requires RV parks to provide adequate fencing or screening to buffer the site from adjacent properties and public streets. The standard calls for a solid, decorative masonry wall or wrought iron fence at least eight (8) feet in height, or the maximum height otherwise allowed by the zone, whichever is less. The fence or wall must enclose the entire perimeter of the property, but it cannot extend into the required front yard setback, which must remain open.

Purpose: To screen RV parks from public view, protect visual character, and ensure compatibility with neighboring residential uses.

Planning Department's Claim (April 9, 2025)

> "The plans reviewed by the Zoning Administrator show fencing around the perimeter of the property consistent with setback and height requirements, thereby satisfying the fencing and screening performance standard."

Evidence from the Built Site

Front (Street-Facing):

- Approved plans show decorative wrought iron with landscaping.
- Built: Wrought iron frame with construction mesh strapped to the back. This is a temporary, unattractive fix and fails to meet LAMC §14.00 A.7, PS #3, which requires a *solid, decorative masonry wall or wrought iron fence at least 8 feet in height.* The construction mesh is neither solid, decorative, nor permanent.

Entrance/Exit Gates:

- Built as chain-link with barbed wire, industrial in appearance and inconsistent with neighborhood character.

Rear Fence (Abutting Residences):

- Has a chain-link with barbed wire.

Why Planning & Developer Are Wrong

1. Non-compliant Materials Used

- Chain-link and barbed wire are explicitly not "adequate screening."
- Construction Mesh strapped to wrought iron is not permanent fencing and fails decorative requirements.

2. Plans vs. As-Built

- Submitted plans showed decorative wrought iron perimeter fencing.
- As-built site substituted chain-link, barbed wire, and construction mesh substantial deviations.

3. Neighborhood Impact

- Instead of a landscaped decorative buffer, neighbors face industrial-style fencing.
- This violates the purpose of PS #3 and degrades neighborhood character.

4. False Compliance Finding

- Planning's April 2025 conclusion relied solely on **submitted plans**, not actual built conditions.
- The developer's substitutions render the project non-compliant, invalidating Planning's compliance finding.

Conclusion

The project fails **Performance Standard #3 – Fencing & Screening** because:

- The front and rear fences are covered with mismatched construction mesh, which does not qualify as decorative screening under applicable zoning standards.
- Entrance/exit gates are chain-link with barbed wire, industrial and non-compliant.
- The rear fence is chain-link with barbed wire, non-complaint.

Result: The as-built fencing directly contradicts the plans and violates LAMC §14.00 A.7, PS #3.

Performance Standard #3 – Fencing & Screening

The following figures show how the fencing and screening, as built, deviate from both the approved plans and the requirements of PS #3. Instead of decorative, permanent fencing, the developer substituted chain-link, barbed wire, and construction mesh, measures that are temporary, industrial in appearance, and inconsistent with neighborhood character.

Exhibit 3.1 – Front Fence (Street-Facing): Plans required decorative wrought iron fencing with landscaping. As built, construction mesh was strapped to the back of the wrought iron, creating a temporary, unattractive "screen" that does not meet PS #3 requirements.



Exhibit 3.2 – Entrance / Exit Gates: The gates are chain-link topped with barbed wire. These industrial-style gates are inconsistent with neighborhood character and fail to provide decorative or adequate screening.



Gate 1 - 23416 President Ave



Gate 2 - 23414 President Ave

Exhibit 3.3 – Rear Fence: Constructed of chain-link topped with barbed wire. Covered with blue construction mesh, which is temporary and non-decorative. This fails PS #3's requirement for permanent, adequate screening and undermines the public-benefit purpose of neighborhood buffering.



Exhibit 3.4 - Declaration of Ruben Vasquez (July 9, 2024): Confirms that Performance Standard #3 (Fencing & Screening) was not met under the January 2024 plans and required correction prior to resubmission.

> 4. In late April, 2024, Anna and I double checked the project's compliance with the twelve Public Benefits project performance standards in LAMC section 14.00.A.7 and determined there was an issue. We met with the applicant on April 30 to discuss the issue. More recently, in June, 2024, we re-reviewed the plans and determined that at least one of the required performance standards, specifically number 3, still had not been met.

Performance Standard #4 – Front Yard Setback

Requirement

- **LAMC §14.00 A.7, PS #4:** The project must comply with applicable yard requirements.
- **LAMC §12.21 C.1(a):** In R1, front yard = 20% of lot depth, capped at 20 ft.
  - Lot depth ≈ 135 ft → 20% = 27 ft → cap applies: 20 ft required.

Purpose
Preserve consistent front yards, prevent overbuilding along the street frontage, protect neighborhood character, and ensure traffic and pedestrian safety by keeping sightlines clear within the setback.

Planning Department's Claim (Apr. 9, 2025)
The Director's report states the Prevailing Setback Calculator yielded ~18.20 ft, and the July 25, 2024 plans show a 20 ft front setback, thus "exceeding the calculated prevailing setback" and meeting the standard.

Evidence from the Plans and Built Site

- **Base Requirement = 20 ft (R1 minimum)**
  Both Planning and the applicant acknowledge R1 requires **20 ft** when the 20% depth exceeds the cap.
- **Prevailing Setback Misapplied**
  - The "prevailing" tool produced 18.20 ft using approximations and limited frontage sampling.
  - By code, "prevailing" cannot reduce below the zone's 20 ft minimum; it only requires more when the block pattern is deeper.
- **As-Built Condition**
  - Field measurement shows the **front fence line at 17′-3″ (17.25 ft)** - short of **both** 20 ft and Planning's own 18.20 ft figure.
  - The fence/stalls encroach into the required front yard.

- **Plans vs. Reality**
    - Plans (7/25/24) label 20 ft on paper.
    - Built condition is ~17.25 ft, contradicting the plans and the code minimum.

Why Planning & the Developer Are Wrong

- **Mandatory 20 ft Ignored**
  The R1 minimum establishes a 20-ft baseline. 'Prevailing' may not be applied to reduce this measurement below the required minimum.
- **Calculator Misuse**
  Tool outputs are approximate and disclaimered; the dataset was based on 3 fictitious lots to produce a lower setback figure.
- **Nonconforming Build**
  Even under Planning's (mistaken) 18.20 ft, the built 17.25 ft still falls short, so paper compliance cannot cure the field violation

Proof of Misrepresentation – Prevailing Setback Calculation

- The July 25, 2024 plans included a prevailing setback calculation showing 17.67 ft, based on three fictitious parcels.
- As shown in Figure 4.5 (Developer's Calculation), the developer input three unrelated lots (APN 1414, 1500, 23528) with setbacks of 14 ft, 16 ft, and 23 ft.
- In reality, the project site consists of only two parcels:
    - APN 7438-003-035 (23412 President Ave) – 26,826.20 sq ft
    - APN 7438-003-036 (23416 President Ave) – 27,006.30 sq ft
    - Total = 53,990 sq ft (≈1.24 acres)

- LADBS records, Zillow, and the property sale listing confirm only two parcels exist, not three.
- By inputting three unrelated lots totaling 150 ft of frontage, the developer artificially lowered the setback requirement from 20 ft (mandatory R1 zone minimum) to 17.67 ft.
- This misinformation was printed directly on the July 25, 2024 site plans and relied upon by the Planning Department to conclude "compliance."

Conclusion

The project fails PS #4 because:

- R1's zone 20 ft minimum front setback was not met.
- Planning improperly relied on a "prevailing" figure below the 20 ft requirement.
- The as-built 17.25 ft front yard violates both the 20 ft standard and Planning's own 18.20 ft calculation.
- Planning's compliance finding is factually wrong and legally invalid.

Exhibits – Performance Standard #4 (Front Yard Setback)

Exhibit 4.1 – Prevailing Setback Calculator (Planning File):
Shows an 18.20 ft "prevailing" output derived from limited inputs; by law it cannot reduce below the 20 ft R1 requirements.

> 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

Exhibit 4.2 – Developer's Prevailing Setback Calculation (July 25, 2024 Plans): Shows 17.67 ft setback based on 3 unrelated parcels. Only 2 legal parcels (23412 & 23416 President Ave) exist. Inputting extra parcels lowered the required setback below the mandatory 20 ft standard.

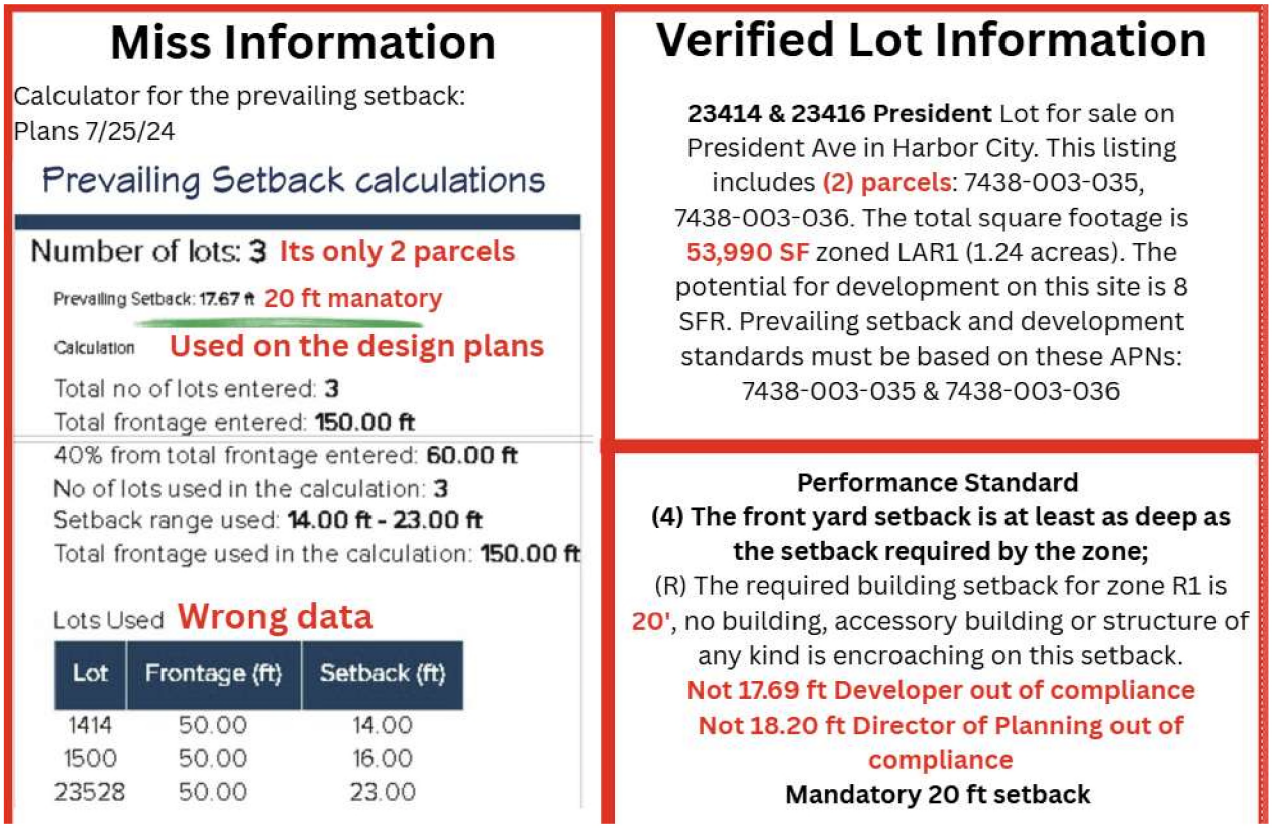


Exhibit 4.3 – As-Built Front Yard Measurement:
Field-verifiable photo/diagram confirming **17'3" ft (17.25 ft)** from property line to fence, **short of 20 ft** and even **18.20 ft**.



Performance Standard #5 – Landscaped Buffer

Requirement

- **LAMC §14.00 A.7, PS #5:** Requires a 10-foot landscaped buffer with planting and irrigation along all perimeters.

- **LAMC §12.40 & Landscape Ordinance (Ord. No. 170,978)**: Requires automatic irrigation systems, live planting, and continuous landscape screening.

Purpose

To shield neighbors from noise, lights, and activity inside the RV park, while ensuring visual compatibility with the surrounding residential neighborhood.

Planning Department's Claim (April 9, 2025)

"The plans reviewed by the Zoning Administrator show compliance with the required 10-foot landscaped buffer, including planting and irrigation, along property lines adjoining residential uses. Therefore, the project meets Performance Standard #5."

Evidence from the Plans and Built Site

1. **January 2024 Plans – Non-compliant**
    - Site plan (P-1) and electrical plan (P-4) showed zero landscaped buffer. The built site demonstrates multiple intrusions into the required 10-ft landscaped buffer. Concrete pad utility island pedestals, and an 800A electrical distribution system extend within approximately 3 ft of the rear fence line. In addition, the buffer area contains asphalt strips (visible as dark areas in aerial photos) that extend into the zone. These strips, together with the utility structures, have converted the buffer zone into RV parking stalls. What was required to be a continuous open unobstructed green landscaped buffer has instead been converted into asphalt, equipment pads, and RV stalls, in direct violation of Performance Standard #5.

2. **July 2024 "Corrected" Plans – On Paper Only**
    - After Planning flagged the violation, the developer resubmitted July 2 and July 26, 2024 site plans showing a 10-ft landscape buffer
    - Critical flaw: Electrical plans were never updated and concrete pad utility island pedestals and an 800A electric distribution system have already been constructed in the buffer zone.

3. **Built Condition (2025)**
    - Construction followed the non-compliant January 2024 utility plans, not the July 2024"corrected" site plan.

- The rear and side yard buffer zones are not landscaped as required. Instead, they contain prefab structures, asphalt strips, and concrete pad utility island pedestals, some extending within approximately 3 ft of the rear fence line. These hardscape intrusions eliminate the continuous 10-ft landscaped buffer mandated under PS #5.
- The gated portion of the property lacks any planting, and no irrigation system has been installed on the site.
- Timeline Discrepancy: Court records show the developer requested final inspections on June 28 and July 2, 2024, weeks before the revised plans were resubmitted (July 25) and approved (August 1, 2024). This proves construction was built under the non-compliant January plans, not the corrected July/August versions.

Developer's Argument vs. Reality

In multiple filings, the developer's attorney asserted:
"Performance Standard #5 requires a 10-foot landscaped buffer along the periphery of the Property. The Planning Department approved Oceans 11's plans submitted with its Supplemental Permit application showing a 10-foot landscaped buffer along the periphery as required. Thus, the Project complies with Performance Standard #5." (Reznik, Aug. 8, 2025; June 13, 2025 letters)

This argument fails for three reasons:

1. **Paper vs. Construction**
   - Although the July 2024 "corrected" site plan depicts a landscaped buffer, the built project followed the January 2024 utility plans, which hardscaped the setback, installed concrete utility island pedestals, and RV parking within the buffer. The required landscaping was eliminated, and the buffer's screening function lost.
   - Performance Standard #5 requires a landscaped buffer to be built, not merely drawn on a plan sheet.

2. **Incomplete Plan Revisions**
   - While the site plan was revised in July 2024, the electrical plans were never updated. LADBS continued to approve inspections based on the January electrical drawings, guaranteeing that the "buffer" could not exist in practice.

3. **Absence of Planting and Irrigation**
   - Even though the buffer zone was added to the corrected July plans, the ordinance also requires live planting and automatic irrigation none of which were constructed.
   - Site inspections and photographs confirm that no landscaping or irrigation was installed. The buffer area was instead converted into a utility yard and RV parking, eliminating its required function as a continuous landscaped screen.

Conclusion:
LADBS's reliance on paper plans is misleading. Approval of revised plans does not equal compliance when the as-built site clearly shows the buffer zones were never created. Without inspections or field verification, plan approval becomes a paper exercise that masks non-compliance rather than enforcing the standards. Absent site verification, Performance Standard #2 is rendered meaningless, as its promised protections exist only on paper, not on the ground.

Why Planning & the Developer Are Wrong

- **No Landscaped Buffer Exists**
  The rear and side yard buffer zones, which PS #5 requires to contain continuous live planting and irrigation, have instead been compromised and built over, rendering the project noncompliant with PS #5.
    - North Side Buffer: Occupied by permanent buildings and prefab structures, eliminating the landscaped area altogether.
    - South Side Buffer: Converted into an unauthorized RV stall, further eliminating the required buffer.
    - Rear Buffer: Encroached upon by asphalt strips extending RV stalls, with concrete utility island pedestals and an 800A electrical distribution system placed as close as 3 feet from the fence line.
- **Misrepresentation in Plans vs. Construction**
  Planning approved the July 2024 site plans, which added a buffer on paper, but construction had already been completed using the non-compliant January 2024 electrical plans (P-4). When Planning issued its April 2025 finding of "compliance," it relied entirely on the revised July 25 plans, while ignoring that the built site reflected the earlier non-compliant drawings. This disconnect between approved plans and actual construction demonstrates that compliance was manufactured on paper only, not verified in the field. Retroactive plan corrections cannot legalize unlawful construction. Only a site inspection can resolve these discrepancies, but no agency has been tasked with performing one, leaving a regulatory gap where violations are locked in.

Conclusion
The project fails Performance Standard #5 because:

- The required 10-ft landscaped buffer with irrigation was never built.
- Instead, buffer zones were filled with utility structures, 800A electrical distribution systems and partially paved asphalt.
- LADBS allowed construction to proceed under non-compliant January 2024 electrical plans, despite later "corrected" July site plans.
- This constitutes a direct violation of LAMC §14.00 A.7, PS #5, undermining both the letter and intent of the law.

The installation of industrial infrastructure in the green space eliminated the 10-foot continuous landscaped buffer mandated by PS #5. By removing the buffer, the project eliminated the very purpose of this safeguard: to shield adjacent residents from noise, exhaust, and visual blight,

and to provide a safe, livable separation between heavy RV use and surrounding homes. This failure also diminishes livability for RV residents themselves, who are forced to reside without the shade, greenery, and health protections the buffer was intended to provide. In effect, LADBS's approval not only violated zoning law but also traded away community and resident protections for expediency, leaving both neighbors and occupants exposed.

Performance Standard #5 – Landscaped Buffer

Performance Standard #5 requires a 10-foot landscaped buffer with planting and irrigation along property lines adjoining residential uses. This buffer is not optional; it is a mandatory condition intended to shield neighbors from noise, lights, and activity inside the RV park while ensuring compatibility with surrounding homes. The developer never provided this buffer in practice. In the rear buffer, concrete pad utility pedestals, and asphalt paving extend partway into the required zone, reducing the space available for landscaping. In the side buffer, prefab structures occupy the setback, eliminating the required planting and irrigation. Planning's approval relied on revised plan sheets submitted months after construction was nearly complete, but the as-built condition confirms that the continuous landscaped buffer was never delivered.
The following evidence demonstrates how both the plans and the built site fail to comply with PS #5.

Exhibits – Performance Standard #5 (Landscaped Buffer)

Exhibit 5.1 July 2, 2024 Plan Correction Acknowledgment
Declaration text confirms that the applicant's first set of plans did not show a 10-foot landscaped buffer. On July 2, 2024, Planning staff (Ruben Vasquez) flagged this violation and required the applicant to resubmit corrected plans later that same day. This establishes that the original and earlier revised plans lacked the required buffer and that compliance was attempted only after-the-fact, on paper.

7. Upon review of the first set of revised plans by me and Ruben, we noticed the plans did not clearly show compatibility with Public Benefits Standard 5, that the property has a ten-foot landscaped buffer. On July 2, Ruben sent an email to me and the Applicant and asked the Applicant for clarification on the 10-foot landscape buffer. In response, the Applicant team submitted a second revised set of plans on July 2 after 2 pm. A true and correct copy of the second revised set of plans is attached as Exhibit D. I emailed them to confirm receipt of the updated and clarified plans on July 3 at 1:30 pm and to advise that we were going to review the plans. A true and correct copy of the July 2/July 3 string of emails is attached as Exhibit C.

Figure 5.2 – July 1–3, 2024 Email and Plan Review Record:
Planning staff (Ruben and Anna) identified that the first set of revised plans submitted July 1, 2024 did not show the required 10-foot landscaped buffer under PS #5. On July 2, staff requested clarification from the applicant. Later that same day, the applicant submitted a second set of revised plans. On July 3, staff acknowledged receipt and confirmed review of the updated plans.

This sequence confirms that the buffer requirement was still missing as late as July 1, 2024, and only added in response to Planning's repeated requests.

6. Upon review of the first set of revised plans received by me and Anna late on July 1, 2024, we noticed the plans did not clearly show compatibility with Public Benefits Standard 5, that the property has a ten-foot landscaped buffer. On July 2, I sent an email to Anna and the Applicant and asked the Applicant for clarification on the 10-foot landscape buffer. In response, the Applicant team submitted a second revised set of plans on July 2 after 2 pm. A true and correct copy of the second revised set of plans is attached as Exhibit D. Anna emailed them to confirm receipt of the updated and clarified plans on July 3 at 1:30 pm and to advise that we were going to review the plans. A true and correct copy of the July 2/July 3 string of emails is attached as Exhibit C.

Exhibit 5.3 – July 2024 "Corrected / Revised" Site Plan (On Paper Only):
Depicts a **10-ft landscaped buffer** added after Planning corrections. However, no landscape details provided and utility plans (P-4) were never updated.

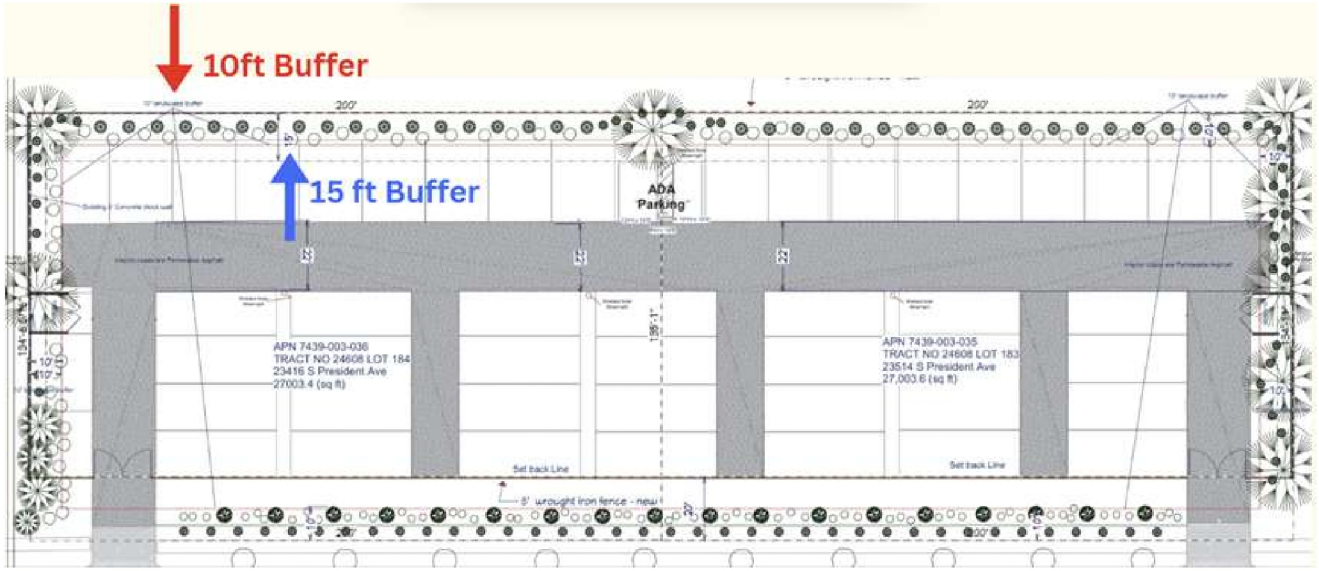


Exhibit 5.3 – As-Built Site Condition (2025):
Photos and aerials confirm the buffer area is paved with strips of asphalt, concrete utility island pedestals and 800A electric distribution system and lacks required planting or irrigation.

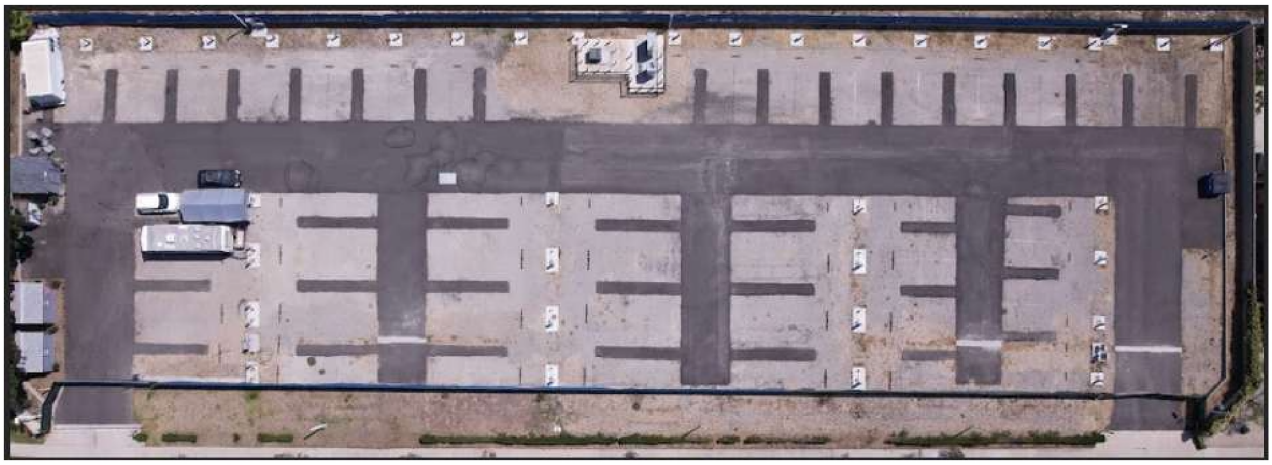
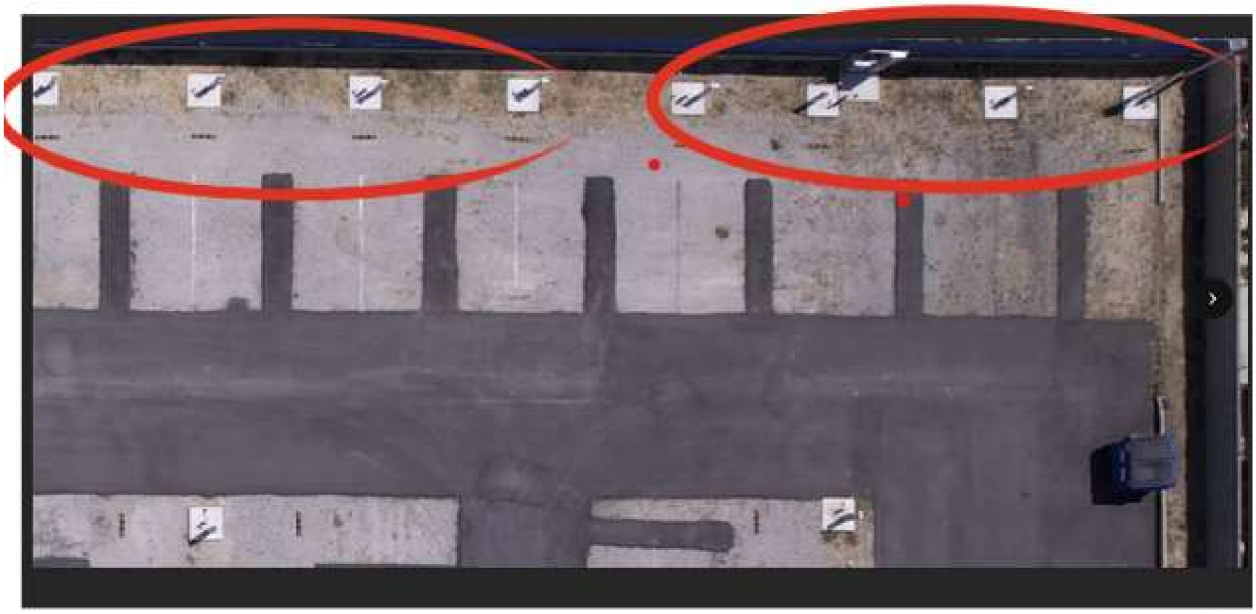


Exhibit 5.4 – Reznik's Claim vs. Reality:
Excerpt from developer's August 8, 2025 letter stating: "The Planning Department approved plans showing a 10-foot landscaped buffer… Thus, the Project complies with PS #5."
→ In contrast, site photos and aerials confirm no landscaped buffer exists. The buffer zone is paved with asphalt and occupied by utility pedestals and structures, directly contradicting the developer's claim.

Lawyers Claim: Developer's Counsel, Exhibit B, p. 5 (August 2025)

> Second, Appellant provides no evidence that Oceans 11 is constructing something in those areas that conflict with the required landscaping. The presence of rough-ins for shore power units, for example, does not negate compliance with landscaping requirements. To the contrary, landscaping can be and often is installed around such infrastructure. Appellant's argument rests on an unsupported and incorrect assumption that the presence of utilities necessarily precludes landscaping—an assumption that is contradicted by standard development practices and the plain language of the Code.

Exhibit 5.5 – Rear Property Line: No Landscaped Buffer
Aerial image of the rear wall shows utility pedestals (circled in red) constructed directly against the property line, eliminating the required 10-ft landscaped buffer. Instead of open green space with planting and irrigation, the setback is occupied by utility structures, proving non-compliance with PS #5.



Performance Standard #6 – Tree Planting Requirement

Requirement

- **LAMC §14.00 A.7, PS #6**: At least 4% of the total site area must be landscaped with trees, in addition to other landscape requirements.
- **LAMC §12.40 & Landscape Ordinance (Ord. No. 170,978)**: Requires automatic irrigation, live planting, and ongoing maintenance to ensure tree survival and canopy coverage.

Purpose

To reduce heat island effects, provide shade, improve air quality, and visually soften large paved areas common to RV parks.
Planning Department's Claim (April 9, 2025)
"The project includes sufficient tree planting areas and landscaping to meet the 4% site coverage requirement. Plans reviewed by the Zoning Administrator demonstrate compliance with Performance Standard #6."

Evidence from the Plans and Built Site

Required Coverage

- Total site area = 53,990 sq. ft.
- 4% requirement = 2,160 sq. ft. tree canopy coverage.

Plans Submitted (July 25, 2024)

- Depicted rows of trees and perimeter landscaped buffers (see Exhibit 6.1).
- A plant schedule listed numerous species, including palms, cypress, and boxwood.
- No canopy calculations or irrigation design were provided, only schematic symbols.
- Planning relied on these schematic depictions to conclude "compliance."

Built Condition (2025 Aerial & Field Evidence)

- Areas designated on the plans as landscaped buffers were instead constructed as RV pads, leaving them unsuitable for planting with irrigation.
- Only eight palm trees were planted on the property, all confined to the front buffer along the wrought iron fence. With no irrigation system, some have since died, leaving the frontage barren and the interior of the site completely without trees or plants.
- Along President Avenue, the only other trees present are City-owned cypress street trees planted in the public sidewalk parkway, outside the RV park property line. Despite being public assets, the developer improperly counted these trees toward the project's required 4% on-site tree canopy, misrepresenting compliance with PS #5
- The site contains no viable tree canopy within the property.

Irrigation & Maintenance

- Ord. No. 170,978 requires "automatic irrigation systems designed to ensure plant survival and canopy development."
- No irrigation system was installed.
- As a result, some of the palms planted in the front buffer have failed, leaving barren dirt along the wrought iron fence instead of the required landscaped canopy (see Exhibit 6.3)."

Why Planning & the Developer Are Wrong

1. **City Owned Street Trees Do Not Count**
   City-owned cypress trees in the sidewalk parkway are public property and cannot be credited toward private compliance.
2. **Approved Plans Not Implemented**
   Perimeter planting buffers shown on the approved plans were eliminated in construction and replaced with gravel and asphalt pads.
3. **Dead Palms ≠ Canopy**
   Canopy coverage refers to the mature spread of tree foliage, not simply planting saplings. Even if the palms survived, their limited spread could never reach the 2,160 sq. ft. canopy requirement.

4. **Irrigation & Maintenance Ignored**
   The Landscape Ordinance requires automatic irrigation and upkeep to ensure planting survival. These conditions were disregarded entirely.

Conclusion

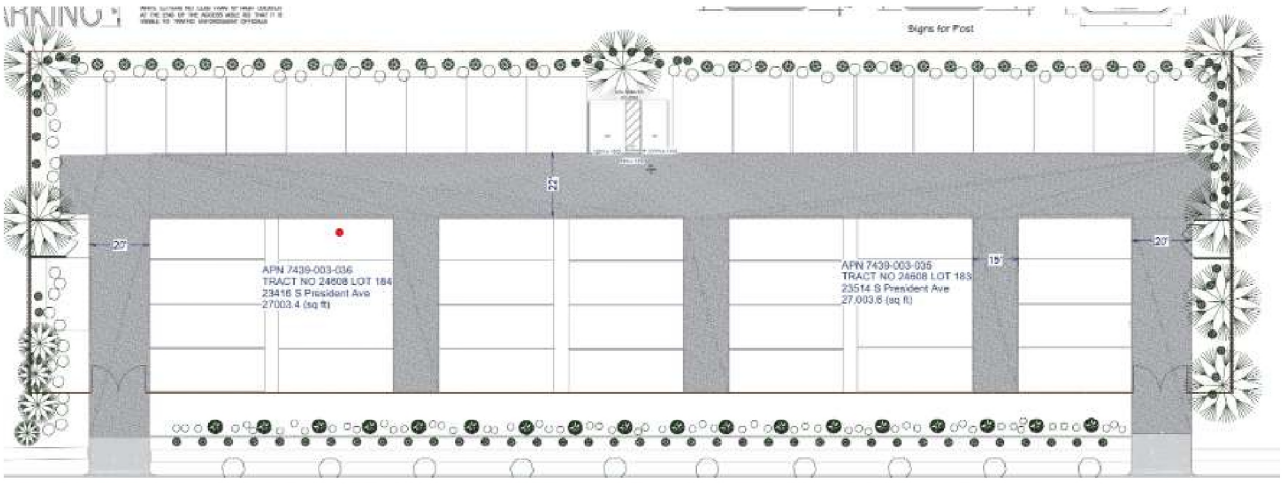
The project fails Performance Standard #6 because:

- The required 2,160 sq. ft. of tree canopy was never provided, and the landscaped buffer lacks both trees and live planting with irrigation.
- July 25, 2024 plans depicted planting areas that were never constructed.
- The only remaining trees are City-owned cypress street trees located in the public. sidewalk parkway, outside the RV park property boundary.
- Some of the eight on-site palms have already failed due to lack of irrigation and maintenance.

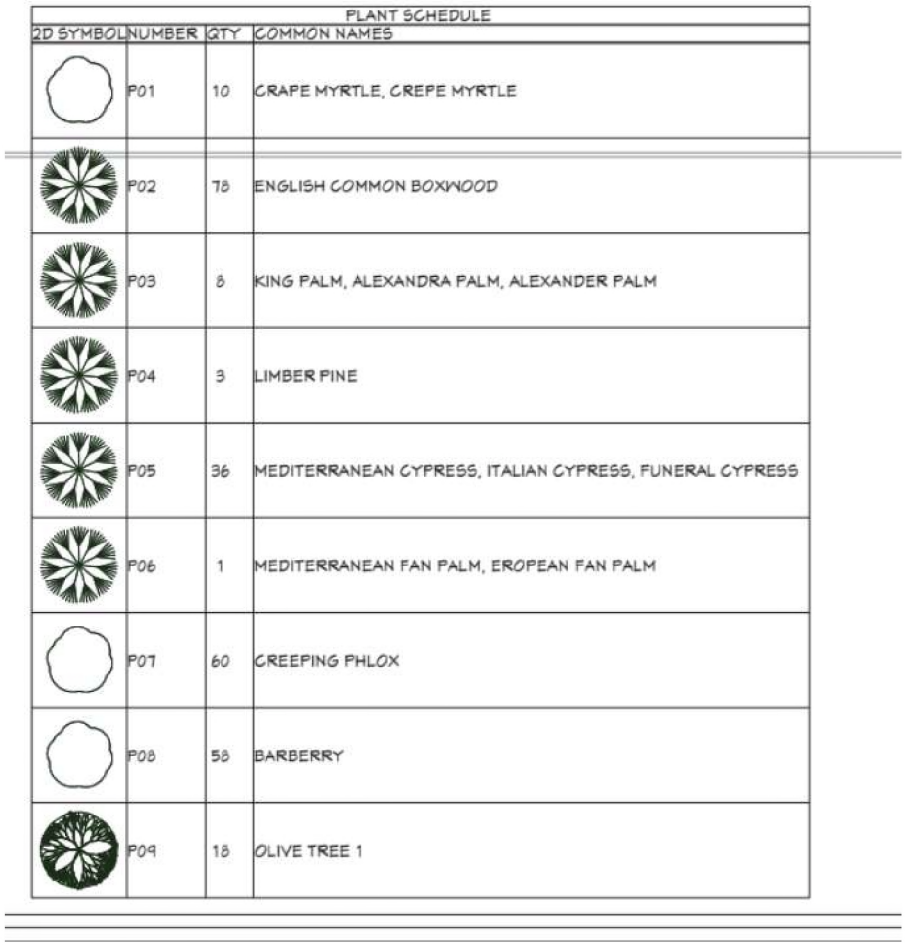
Planning's April 2025 compliance finding is unsupported by field evidence and inconsistent with site conditions. The built site is a gravel/asphalt utility yard with dead palms not a landscaped RV park as required by law.

Exhibits

- **Exhibit 6.1 –** July 25, 2024 Landscape Plan: perimeter tree symbols shown, but never installed.



- **Exhibit 6.2 –** July 25, 2024 Plant Schedule: developer's plan depicted multiple species of plants (Crepe Myrtle, Cypress, Olive, Palms).



PLANT SCHEDULE

2D SYMBOL	NUMBER	QTY	COMMON NAMES
	P01	10	CRAPE MYRTLE, CREPE MYRTLE
	P02	78	ENGLISH COMMON BOXWOOD
	P03	8	KING PALM, ALEXANDRA PALM, ALEXANDER PALM
	P04	3	LIMBER PINE
	P05	36	MEDITERRANEAN CYPRESS, ITALIAN CYPRESS, FUNERAL CYPRESS
	P06	1	MEDITERRANEAN FAN PALM, EROPEAN FAN PALM
	P07	60	CREEPING PHLOX
	P08	58	BARBERRY
	P09	18	OLIVE TREE 1

- **Exhibit 6.3 –** 2025 Aerial Photo:The built condition reveals gravel RV pads and dead or failing palms in place of the required on-site tree canopy, confirming non-compliance with PS #5.



Performance Standard #7 – Open Space & Recreation Area

Requirement

- **LAMC §14.00 A.7, PS #7**: Requires at least **100 sq. ft. of usable open space** per RV space for recreation.
- With 46 RV spaces, this project would require **4,600 sq. ft**. of usable, landscaped, and accessible open space.

Purpose: To ensure RV parks provide livable, recreational amenities for residents.

The Director of Planning's report stated:

> "Plans reviewed by the Zoning Administrator show adequate open space consistent with Performance Standard #7."

Planning staff appear to have counted the front yard setback and landscaped buffers as "open space," rather than requiring the developer to dedicate separate, usable recreation areas.

Evidence from the Plans and Built Site

Open Space Required

46 RV spaces × 100 sq. ft. **= 4,600 sq. ft. required usable open space.**

Plans Submitted (July 25, 2024)

- Depicted the 20 ft front setback and perimeter buffer as "open space."
- These areas were not designed for recreation, no benches, play areas, dog runs, or shaded amenities are shown.

Built Condition (2025 Aerial & Field Evidence)

- The 20-ft front yard setback functions only as a buffer along President Avenue. It consists of dirt with a few failing palms by the fence and sits directly next to the street and driveways. By definition, this area cannot be counted as usable open space. No recreational facilities or designated open areas exist anywhere on the property, leaving the project in violation of Performance Standard #7

Why Planning & the Developer Are Wrong

- **Setbacks ≠ Usable Open Space**
  Rear setbacks (PS #2), front yard setbacks (PS #4), and landscaped buffers (PS #5) have their own independent requirements. They cannot be double-counted as PS #7 open space.
- **Not Usable or Recreational**
  Under planning standards, usable open space must be accessible, landscaped, and intentionally designed for resident recreation, such as picnic tables, shade structures, play areas, or dog runs. Barren dirt, gravel, and utility corridors do not qualify as recreational space under this definition.
- **Resident Impact**
  This is not a technical oversight; it is a livability failure. Residents were entitled to recreational amenities but instead were left with barren dirt and utility boxes. The absence of usable open space diminishes quality of life and defeats the purpose of PS #7.

Conclusion

The project fails Performance Standard #7 because:

- It required 4,600 sq. ft. of usable recreation space but the developer provided none.
- Planning improperly counted setbacks and buffers toward this requirement.
- The built site is gravel, asphalt, and utilities, not landscaped or programmed recreation.

Result: Planning's April 2025 finding of compliance is unsupported by site conditions and inconsistent with zoning standards.

Exhibit 7.1 – Front Setback Condition (September 15, 2025):
Photo of the 20-ft front yard setback along President Avenue. This area is a required landscaped buffer and, under zoning law, cannot be counted toward resident open space. Yet the developer has treated this setback as if it fulfills the project's open space obligation. In reality, open space must be a dedicated, usable, and accessible area for residents, such as a recreation yard, courtyard, or communal green, separate from required setbacks and buffers. The frontage here consists only of dirt and a few small palm trees, several of which have failed, leaving the setback barren. By misclassifying a buffer as open space, the project not only double-counts a zoning requirement but also deprives residents of the recreation and amenity space that Performance Standard #7 was enacted to guarantee.



Exhibit 7.2 – Aerial View of Built Site (2025):
Aerial image showing the RV park layout. No dedicated recreation area exists; instead, the site is dominated by RV stalls, utility corridors, and under sized drive aisles. The required 4,600 sq. ft. of usable open space is absent, confirming non-compliance with PS #7.



Performance Standard #8 – Accessibility (ADA Compliance)

Requirement

- **LAMC §14.00 A.7, PS #8**: Requires RV parks to provide accessible ADA compliant parking and facilities consistent with ADA and Title 24.

- **California Title 24 (Building Code):** Requires ADA-compliant RV stalls and accessible path of travel per park, with maneuvering space, utilities, and clear routes.

Purpose: To guarantee access for individuals with disabilities, ensure compliance with state and federal law, and protect residents' civil rights.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:
"The site plan reviewed by the Zoning Administrator included accessible RV stalls and therefore meets Performance Standard #8."

Evidence from the Plans and Built Site

Original Plans (January 7, 2024 – Site Plan)

- Site plans depicted ADA parking spaces at the rear of the property that were never constructed.

Electrical Plan (January 2024 – P-4)

- The electrical plan eliminated ADA spaces and replaced them with an 800A electrical distribution system and concrete pad, utility island pedestals.
- This made ADA parking spaces impossible to construct in the designated area.

July 2024 "Corrected" Plans

- Resubmitted site plans continued to show ADA parking spaces, maintaining "paper only compliance."
- The electrical plans that eliminated the ADA parking spaces were never corrected or resubmitted, meaning construction proceeded in accordance with the non-compliant January design.
- LADBS accepted the revised site plan without reconciling it against the non-complaint electrical drawings, allowing the discrepancy to persist.

As-Built Condition (2025 Aerial & Field Evidence)

- Construction followed the January 2024 electrical plan, not the July 2024 "corrected" site plan.
- The 800A electrical distribution system was installed in the precise location designated for ADA parking spaces, effectively eliminating required accessible ADA spaces.
- The site today has no ADA-compliant parking spaces, no accessible parking, and no ADA path of travel.

Why Planning & the Developer Are Wrong

- Contradictory Plans Ignored
  Planning relied on the revised July 2024 site plan, while the non-complaint electrical drawings dictated construction and eliminated ADA compliance.
- Procedural Failure by LADBS
  LADBS accepted plans without verifying consistency across plan sets, authorizing construction that directly violated ADA accessibility standards.
- Legal Consequences Beyond Zoning
  Failure to provide ADA-compliant parking and access is not just a zoning violation, it

constitutes a federal civil rights violation under the **Americans with Disabilities Act (ADA)** and California Title 24, exposing both the developer and the City to liability.

- **Resident Impact**
  The absence of ADA parking spaces and accessible routes denies disabled individuals the ability to safely access the site. This exclusion violates both the letter and spirit of accessibility law.
- **Systemic Accountability**

This failure is not an isolated incident; it reflects a broader systemic breakdown in coordinating approved plan sets, verifying as-built construction, and enforcing civil rights protections. The resulting conditions create a hazardous environment for residents with disabilities and significantly undermine public confidence in the permitting and oversight process.

Conclusion

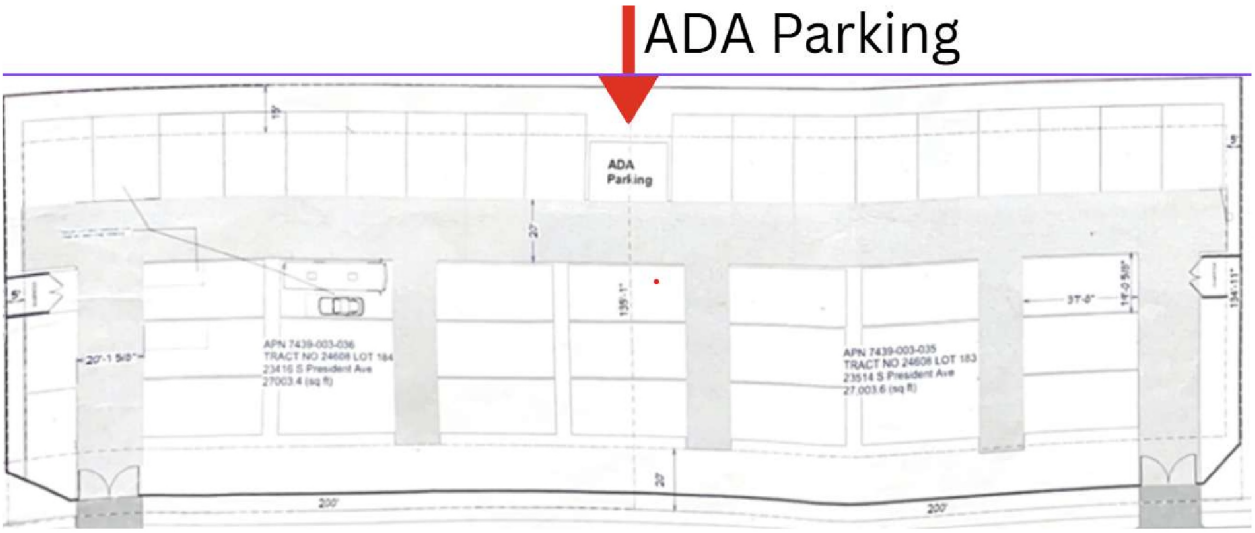
The project fails Performance Standard #8 because:

- ADA-compliant parking spaces, shown in the approved site plans, were excluded from the electrical drawings that guided construction.
- The as-built site has no ADA parking spaces, no accessible parking, and no path of travel.
- LADBS allowed construction to proceed despite conflicting plans.
- Planning's compliance finding was unsupported by construction documents and inconsistent with site conditions.

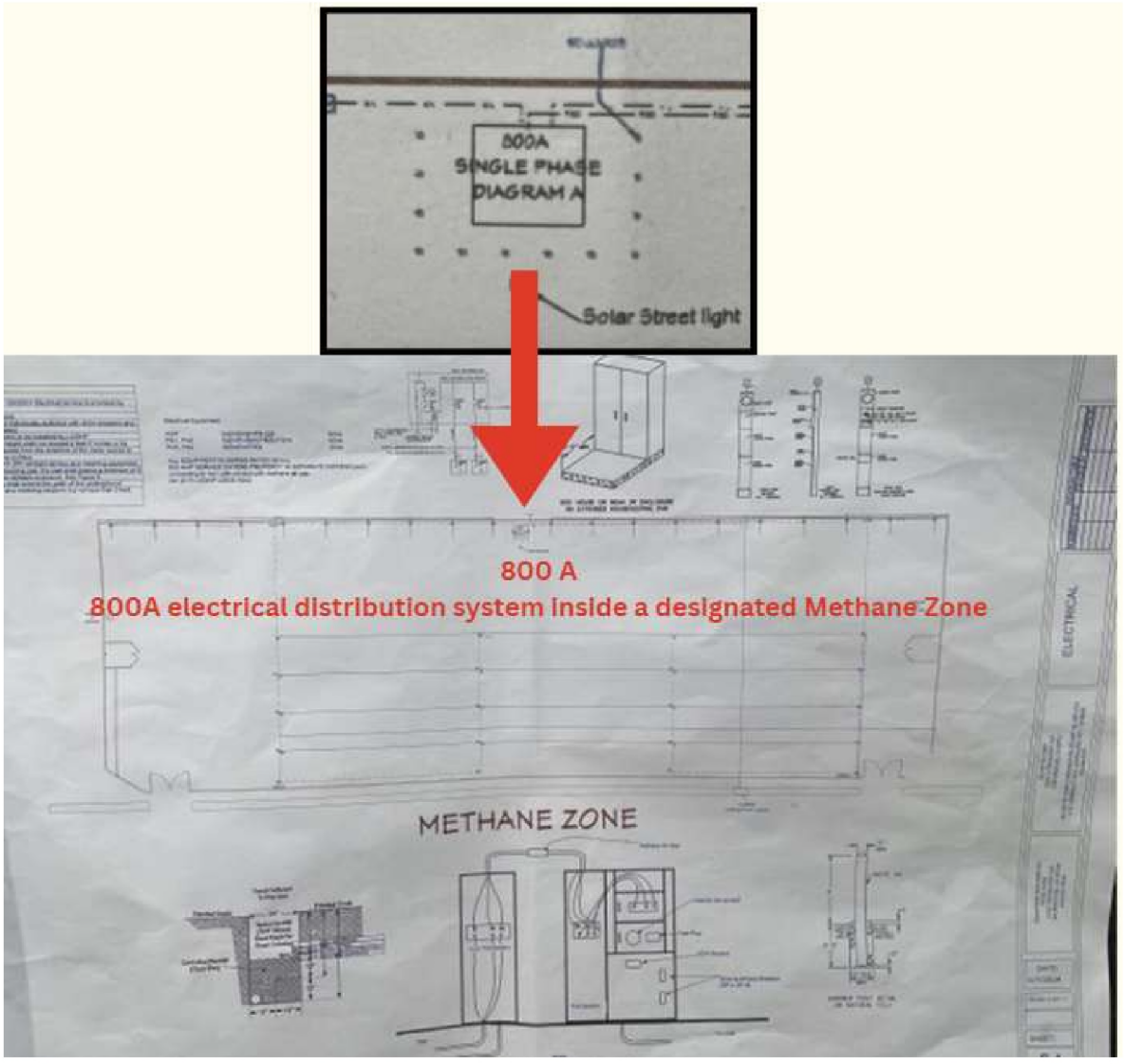
This is not a technical oversight, it is a failure of civil rights compliance under **LAMC §14.00 A.7, PS #8, Title 24, and the ADA.**

Exhibit Suggestions

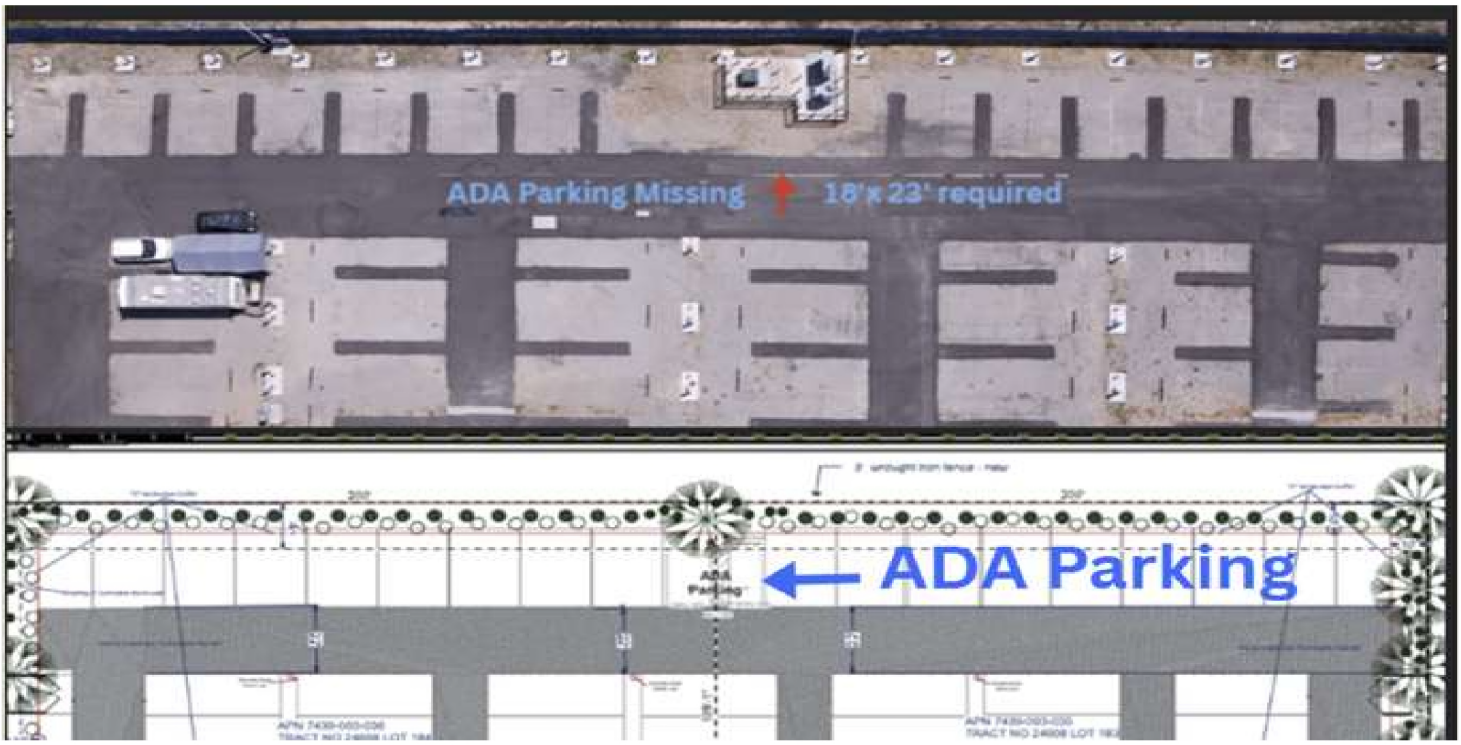
- **Exhibit 8.1 –** January 2024 Site Plan (P-1): ADA parking spaces shown at rear of site.



- **Exhibit 8.2 – January 2024 Electrical Plan (P-4)**: ADA parking spaces replaced by 800A distribution electrical system.



- **Exhibit 8.3 – Field Photo (2025):** No ADA parking spaces, no accessible path of travel visible



Performance Standard #9 – Parking Requirements

Requirement

- **LAMC §14.00 A.7, PS #9**: Requires one automobile parking space per RV space, in addition to the RV stall itself.
- **LAMC §12.21 A.5 & LADBS standards**: Parking spaces must be clearly designated, striped, and physically separated from RV stalls to ensure safe circulation and zoning compliance.

Purpose: To prevent spillover parking into neighborhood streets, reduce conflicts between RVs and automobiles, and maintain safe circulation for both residents and emergency vehicles.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:
"The project provides sufficient automobile parking spaces consistent with Performance Standard #9."

Evidence from Plans, Website, and Built Site

Plans Submitted (January & July 2024)

- No designated, striped auto parking spaces shown on any plan sheet.
- The developer improperly counted the RV pads themselves as dual-use stalls for both RVs and automobiles.
- This directly conflicts with zoning and LADBS requirements for separate automobile parking.

Built Condition (2025 Aerial & Field Evidence)

- The site contains only RV pads and drive aisles.
- No striped parking exists for vehicles.
- Residents will most likely park cars in drive aisles, blocking circulation and violating both PS #1 (Safe Access) and PS #9 (Parking).

Developer's Website (SilverRV.com)

- Advertises additional $600/month for an extra space.
- This admission confirms that auto parking was never built into the site's design as required,

Why Planning & the Developer Are Wrong

- **RV Pads ≠ Auto Parking**
  Code requires parking spaces to be clearly marked, striped, and separate. Counting RV pads violates both the letter and intent of PS #9.

- **No Striped Parking Spaces Exist**
  Without striped parking spaces, autos obstruct circulation and emergency access, undermining PS #1 and PS #9 simultaneously.

- **Website = Admission Against Interest**
  The developer's own $600 parking upcharge demonstrates that vehicle parking is not automatically included with the rental of an RV stall, but instead treated as an optional add-on. This directly undermines PS #9, which requires adequate on-site parking to be provided as part of the project rather than monetized separately.

- **Enforcement Failure**
  By accepting "dual use" of RV pads as compliance, Planning **nullified PS #9** and set a dangerous precedent that invites future projects to sidestep this requirement.

- **Resident Impac**t
  Tenants will be forced to pay extra for basic parking that should have been included by law. This shifts the burden from the developer to residents, undermines affordability, and creates daily conflicts over circulation.

Conclusion

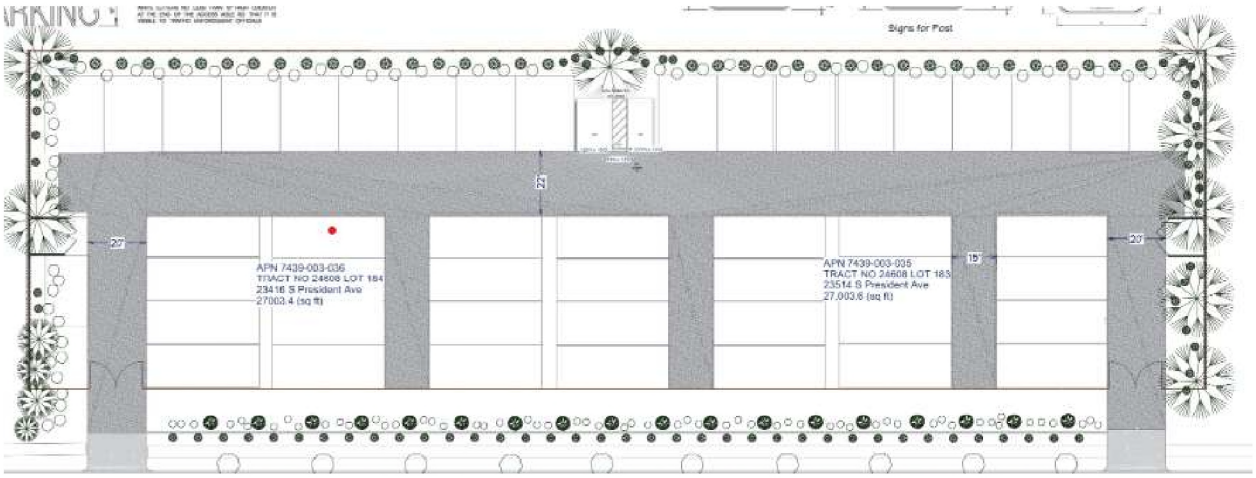
The project fails Performance Standard #9 because:

- Parking spaces for vehicles are required but none were provided.
- The developer improperly counted RV pads as automobile parking.
- No striped vehicle parking spaces exist on the built site.
- The developer's own website confirms non-compliance by charging $600/month for vehicle parking.

Planning's April 2025 conclusion is unsupported by site conditions, inconsistent with zoning requirements, and contradicted by the developer's own admissions.

Exhibits

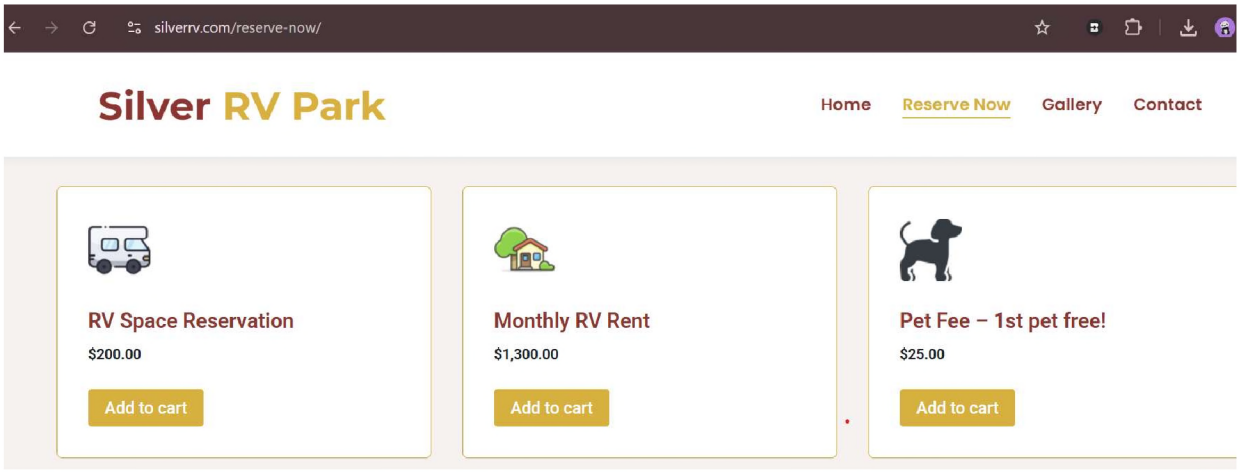
- **Exhibit 9.1 – July 2024 Site Plan:** All three submitted plans do not have designated spaces for vehicles

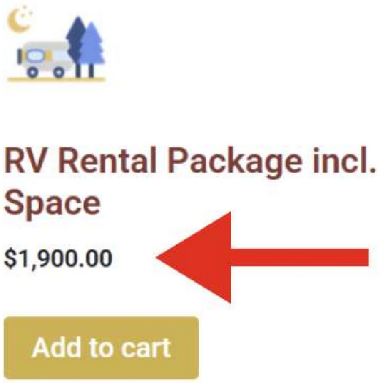


- **Exhibit 9.2 – Aerial Photo (2025):** No striped vehicle parking visible on site



- **Exhibit 9.3 –** Silver RV Website Screenshot: Advertises $600/month for additional parking, confirming PS #9 violation.





Performance Standard #10 – Storage & Screening Requirements

Requirement

- **LAMC §14.00 A.7, PS #10:** Storage areas, trash bins, and utility equipment must be completely screened from view with fencing, walls, or landscaping.
- Screening must be of substantial, durable materials such as masonry, wood, or dense landscaping.
- **Prohibited:** Per LADBS and zoning standards, “barbed wire and temporary screening materials such as tarps shall not be used in residential zones.”
- **Landscape Ordinance (Ord. No. 170,978)**: Requires that all screening be constructed of “substantial and permanent materials” capable of providing continuous coverage and

preventing deterioration.

Purpose: To ensure RV parks contribute positively to neighborhood character by shielding service areas from view, preventing blight, and protecting both residents and neighbors from unsightly or unsafe storage conditions.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:

"The project includes adequate screening of storage and service areas consistent with Performance Standard #10."

Evidence from Plans and Built Site

Plans Submitted (January & July 2024):

- Front & Back: Decorative wrought iron fencing.
- Gates: Not specified, but assumed consistent with wrought iron/masonry.
- Landscaping symbols included to suggest visual screening.

As-Built Condition (2025 Aerial & Field Evidence):

- **Front Fence: A**t the front of the property, the wrought iron fence has been covered with a construction mesh screen. This material, commonly marketed as construction or windscreen mesh, is a temporary product explicitly prohibited under PS #3. It lacks permanence, is visually incompatible with the surrounding neighborhood, and is already showing signs of deterioration. These conditions clearly demonstrate that it fails to meet the standards for adequate decorative screening.
- **Back Fence:** The rear property line is built with chain-link fencing topped with barbed wire, in direct violation of PS #3's requirements. The entire length is covered with a mesh screen covered with graffiti, which further violates PS #10's requirement that the site be maintained in a clean and orderly condition.
- **Gates:** Constructed of chain-link and barbed wire, never disclosed in plans. Their industrial appearance is incompatible with the surrounding residential neighborhood
- **Utilities & Trash:**
    - The 800A electrical distribution system is exposed behind a wrought iron fence, violating PS #10's requirement for enclosed utilities. Proper compliance requires solid masonry enclosures (Fire rated material), not open fencing.
    - Dumpsters are visible from inside the RV park and two story neighboring homes, violating PS #10's requirement for screened, orderly trash storage. Exposed dumpsters create odors, attract pests, and cause visual blight, undermining livability and the intent of permanent screening.

Additional Evidence – Unpermitted Structures

Requirement
LAMC §14.00 A.7, PS #10 requires all storage and service facilities to be both ***shown on plans*** and completely screened with durable fencing, walls, or landscaping. Unpermitted or unreviewed structures cannot qualify as compliant.

As-Built Condition

- Three prefabricated structures were constructed on-site that were not identified in either the January or July 2024 plan sets.

Why This Matters

- By building unpermitted structures, the developer violated the zoning requirement for review under PS #10.

Why Planning & the Developer Are Wrong

1**. Construction Mesh and Barbed Wire Are Prohibited**
Construction Mesh is intended to be temporary, it deteriorates quickly, and invites graffiti. Barbed wire is not a residential fencing material. Both are explicitly disallowed under LADBS and zoning standards.

2. **Downgrade from Approved Plans**
Original plans depicted wrought iron fencing in front and back, with existing masonry walls on both sides. As built, the developer used construction mesh, chain-link, and barbed wire. Gates were never disclosed as chain-link/barbed wire.

3. **Utilities and Trash Remain Visible**
The 800A electrical distribution system and dumpster are visible from inside and outside the site.

4. **Graffiti Proves Immediate Failure**
The mesh covering the rear fence is covered in graffiti, violating the performance standard #8.

5. **Planning Relied on Submitted Plans Only**
The compliance finding was based on submitted plans that were never implemented. The as-built site directly contradicts the approved materials.

Conclusion

The project fails Performance Standard #10 because:

- Screening consists of construction mesh, chain-link, and barbed wire, none of which are permitted in residential zones.
- Trash and utilities remain exposed to both residents and neighbors.
- Graffiti exists on the mesh screening on back fencing.
- Gates and rear fence were downgraded from wrought iron/masonry (plans) to chain-link/barbed wire (as built).
- Planning's April 2025 finding of compliance is unsupported by site conditions and contradicted by zoning and screening standards.

By using prohibited materials and failing to provide durable screening, the project violates **LAMC §14.00 A.7, PS #10** and the **Landscape Ordinance (Ord. No. 170,978).** Instead of a public benefit, the site is a source of blight, setting a dangerous precedent if uncorrected.

Exhibit 10.1 – Rear Fence with Construction Mesh & Graffiti

Photograph of the rear property line showing construction mesh material covering chain-link fence, covered with graffiti. This demonstrates why construction mesh is unacceptable in residential zones: as it deteriorates quickly and invites vandalism.



Exhibit 10.2 – Exposed Utilities

Photograph of the 800A electrical distribution system located at the center of the site, screened only by inadequate barriers. The equipment is visible from within the RV park and from neighboring two-story homes, violating PS #10's requirement that utilities be fully screened.



Exhibit 10.3 – Front Fence with Construction Mesh

Photograph of the front façade along President Avenue where wrought iron fencing was covered with a temporary construction mesh in a variety of colors. This directly contradicts approved plans that required decorative wrought iron fencing and demonstrates substitution of inferior, non-compliant materials.



Exhibit 10.4 – Unsheltered Dumpster

Photograph of the dumpster placed openly, without an enclosure or durable screening. The location and lack of enclosure leave solid waste visible to residents and neighbors, undermining health, safety, and visual standards.



Exhibit 10.4 – Unpermitted Storage Structures

Photo of prefabricated structures located on-site but not shown in January or July 2024 plan sets.



Performance Standard #12 – Plan Conformance

Requirement

- **LAMC §14.00 A.7, PS #12:** All projects must be developed in conformance with the plans approved by LADBS and City Planning.
- **LAMC §12.21 A.1(a):** Land use must comply with zoning requirements and conditions of approval.
- **LAMC §91.106.4.1**: No building or structure may be erected without required permits.

Purpose: To ensure projects are built exactly as approved and not expanded or altered in ways that undermine zoning compliance, neighborhood protections, or the public-benefit determination.

Planning Department's Claim (April 9, 2025)

The Director of Planning's report concluded:
"The project conforms to the plans approved by the Department of Building and Safety and City Planning."

Evidence from Plans and Built Site

Violation 1 – Excess RV Stalls

- **Approved:** Maximum of 46 RV stalls.
- **Constructed:** Field counts and aerials confirm **48–54 RV stalls,** depending on sheet or count.
- **Impact**: Any RV stall beyond 46 is an automatic violation of PS #12 and disqualifies the project from ministerial approval.

Violation 2 – Utility Pedestal Inconsistencies

- **Plans**: January 2024 electrical plan (P-4) shows **48 pedestals,** even though only 46 were approved.
- **Constructed:** Site pedestal counts exceed 46 and do not match either the January or July plan sets.
- **Impact:** Conflicting plan sheets prove the project was never built per the approved July corrections.

Violation 3 – Unpermitted Prefabricated Structures

- **Three prefabricated buildings** (office, restroom, laundry) were constructed.
- LADBS permit records confirm no approvals.

- **Legal Consequence:** Under **LAMC §91.106.4.1**, unpermitted structures are subject to enforcement action, including removal or discretionary review. Their presence independently voids ministerial eligibility.

Violation 4 – CEQA Hazard Review Failure

- **Site Conditions:** The property is in a methane zone and overlies abandoned oil wells.
- **CEQA Trigger:** While ministerial projects are normally exempt, once CalGEM issued hazard recommendations, the City was required to exercise discretion. That discretionary action triggers CEQA review under Appendix G.
- **Failure:** Planning and LADBS treated hazards as "enforcement issues," bypassing CEQA obligations. No methane clearance or hazard analysis was conducted despite CalGEM's directive.
- **Impact**: The City unlawfully approved construction in a known hazard zone without environmental review, exposing residents and neighbors to risks of methane migration, soil contamination, and explosion.

Why Planning & the Developer Are Wrong

- **Exceeding Approvals = Automatic Violation:** A park approved for 46 RV stalls but built with 48–54 is non-conforming by definition.
- **Pedestal Conflicts Prove Non-Conformance**: The January 2024 electrical plan showed 48 utility pedestals, while approvals authorized only 46. Field counts confirm 48–54 pedestals built. This cannot be reconciled with the approvals because it represents an unauthorized expansion of the project, construction exceeding the entitlements granted, a violation that can only be corrected by removal or new discretionary review, neither of which occurred.
- **Unpermitted Structures = Independent Violation**: Prefab buildings erected without permits are illegal under §91.106.4.1.
- **CEQA Trigger Ignored:** CalGEM's recommendations required discretionary review, but Planning refused to act, unlawfully sidestepping CEQA.

Conclusion

The project fails Performance Standard #12 – Plan Conformance because:

- It was approved for 46 RV stalls but 48–54 were built.
- Electrical plan sheets show 48 pedestals, with only 46 approved for the site, proving conflicting and unreconciled plan sets.
- Three prefab buildings were constructed without LADBS permits.
- CEQA hazard review was unlawfully bypassed despite CalGEM recommendations.

This is not a single oversight, it reflects a systemic failure of plan enforcement, inter-agency coordination, and environmental review. The result is a project materially divergent from its approvals, in violation of LAMC §14.00 A.7, PS #12; LAMC §12.21 A.1(a); and §91.106.4.1.

Failure of PS #12 invalidates the project's "Public Benefit" status and requires a Conditional Use Permit (CUP) with full CEQA review.

Exhibit 12.1 – Approved Site Plan (P-1): Authorizes a maximum of 46 RV stalls.

NOTES:

THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH STALL HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE/ ALLL LOTS ALONG BACK FENCE ARE 20X40.
ALL REMAINING STALLS ARE 20X37.
STALL NUMBERS WILL BE PERMANANTLY IDENTIFIED BY METAL PLATES STAKED INTO GROUND
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND ADA PARKING REQUIREMENTS
THERE ARE NO PAY PHONES LOCATED ON THE PROPERTY.
PROPERTY HAS EXISTING CEMENT BLOCK FENCE ON 3 SIDES (SIDES 8' IN HEIGHT, FRONT IS 6')
FENCE ON REAR OF PROPERTY IS 2' TALL BLOCK FENCE WITH 6' CHAIN LINK ON TOP, IS ADJACENT
TO RAILROAD TRACKS
STREET SIDE OF PROPERTY IS FULLY LANDSCAPED. LANDSCAPING TO BE INSTALLED ON REMAINING 3 SIDES

Exhibit 12.2 – January 2024 Electrical Plan (P-4): Shows 48 utility pedestals, exceeding the approved 46 and conflicting with the site plan. There are 20 utility island pedestals in the back row, and 29 in the center area.

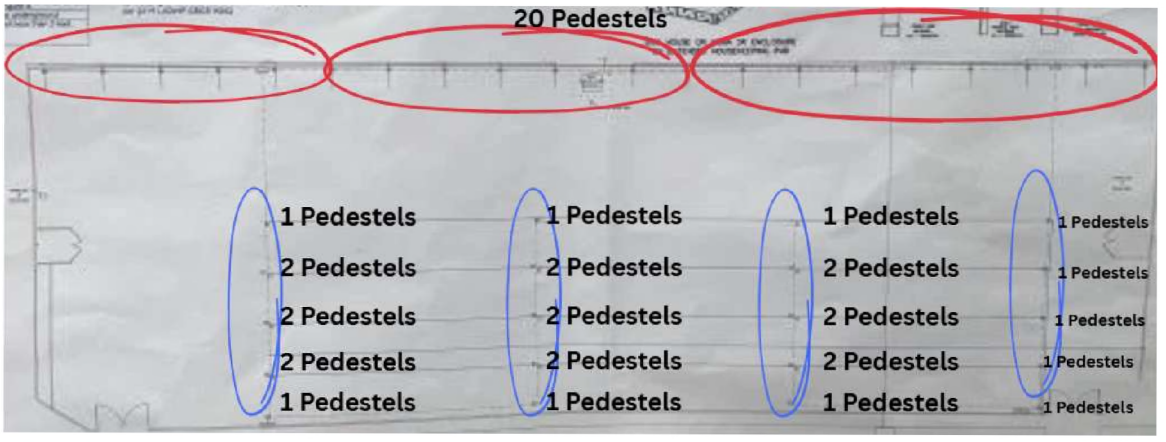


Exhibit 12.3 – Aerial Photographs & Drone Footage (2025): Field counts confirm 48 RV stalls, only 46 were approved.

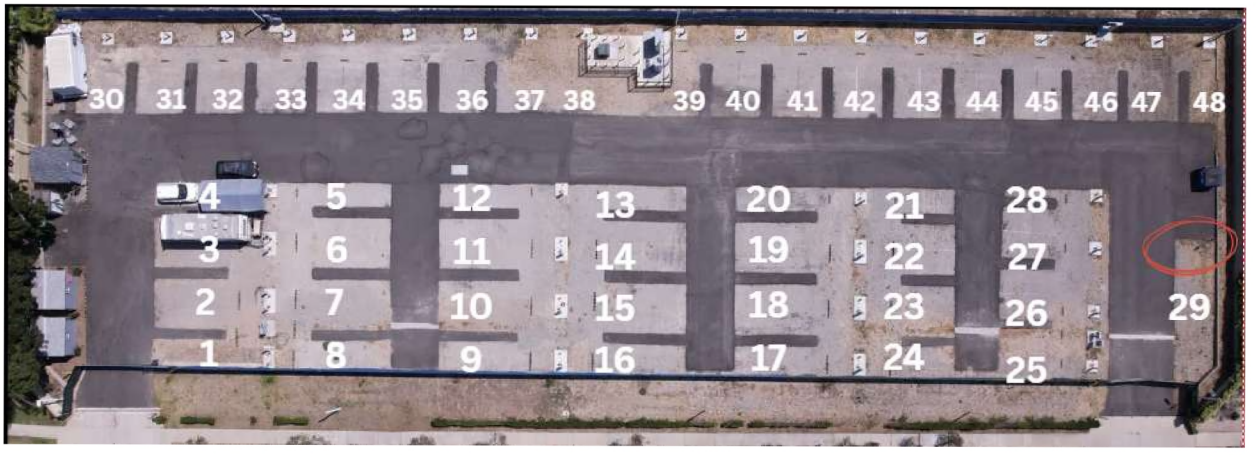
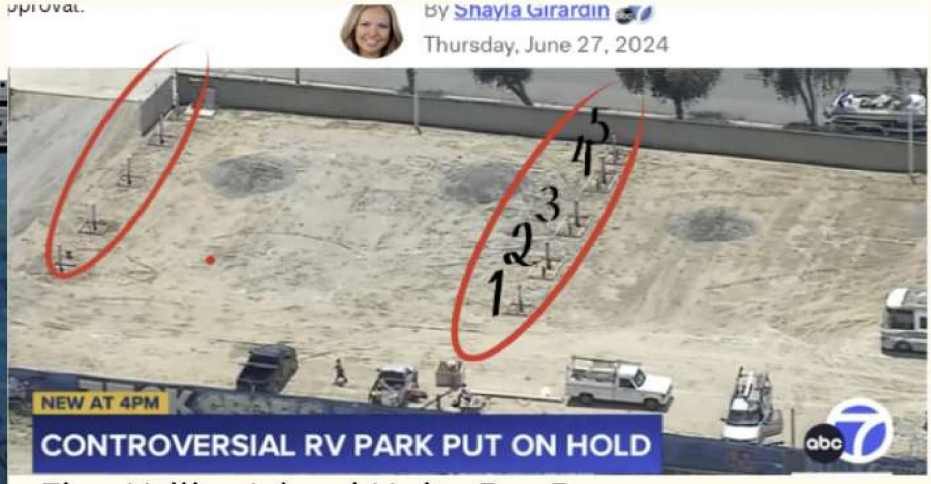


Exhibit 12.4 – Aerial Footage ABC June 27, 2024: Field counts confirm 48–54 RV stalls were built and utility islands constructed on-site.

#47





Five Utility Island Units Per Row

- Each row has 5 utility island units for RV connections.
- This setup creates 54 RV spaces, exceeding approved capacity.
- Issue: The approved plans never included 54 spaces, raising compliance concerns.





Exhibit 12.5 – Photographs of Prefabricated Structures: Office, restroom, and laundry units visible on-site but not shown on any approved plan set.



Exhibit 12.6 – LADBS Permit Records: Confirm no permits exist for the prefabricated structures.

Permit Information found: 2

23416 S PRESIDENT AVE 90710

Application/Permit #	PC/Job #	Type	Status	Work Description
23041-90000-69311	--	Electrical	Permit Closed 4/19/2024	tempoary 200 amp power pole
24026-10000-00086	B24LA13084	Nonbldg-Alter/Repair	Quality Review Completed 7/23/2024	SUPPLEMENTAL PERMIT TO PERMIT NUMBER 23020-10000-02232. USE OF LAND FOR NEW RECREATION VEHICLE PARK FOR PUBLIC BENEFIT PROJECT PER LAMC 14.00A7.
24026-10000-00085	B24LA13082	Nonbldg-Alter/Repair	Application Pending 7/9/2024	No work description available
23020-10000-02232	B23LA21368	Nonbldg-New	Permit Closed 6/28/2024	USE OF LAND FOR NEW RECREATION VEHICLE PARK FOR PUBLIC BENEFIT PROJECT PER LAMC 14.00A7.

23416 S PRESIDENT AVE TEMP 90710

Application/Permit #	PC/Job #	Type	Status	Work Description
23041-30000-72159	X23WL06002	Electrical	Issued 12/6/2023	TEMP POWER POLE

Exhibit 12.7 – LAFD FIMS Records: No methane clearance performed despite the property's designation in a methane buffer zone.

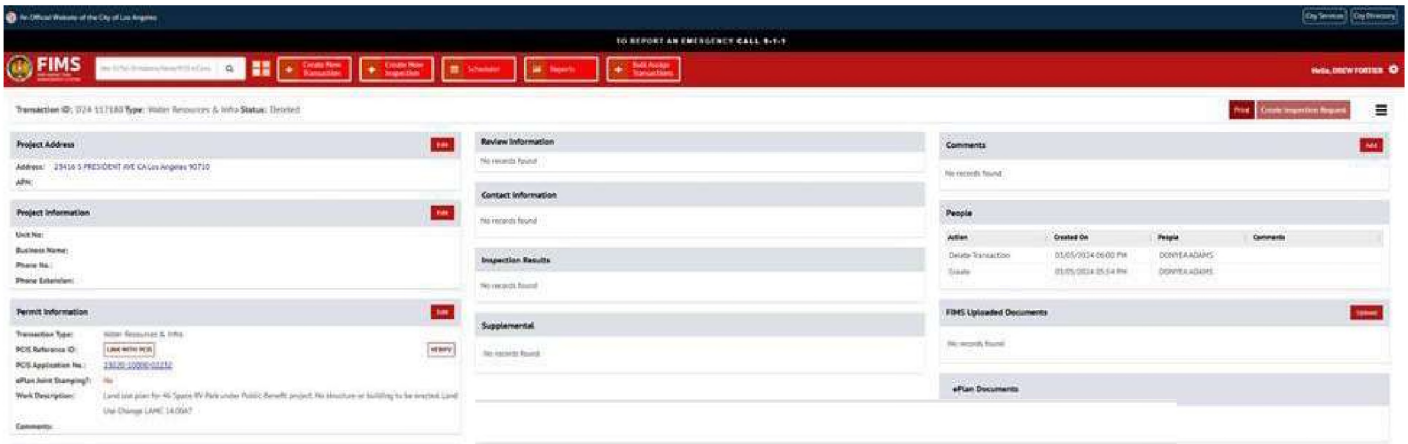


Exhibit 12.7- LADBS Complaint Closures and Duplicates: Records show multiple complaints about non-conforming pedestals, utility islands, and unpermitted construction were closed as "duplicates" without documented site inspection.

23416 S PRESIDENT AVE

Date Received: 2/20/2025
Description: MISCELLANEOUS COMPLAINTS
Inspector: KELLY WARNER
Phone: (213)645-6081
Status: DUPLICATE SERVICE REQUEST

Code Enforcement Information: 34

Date Received	Problem Description	Status
1/6/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
5/27/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
6/21/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
6/21/2024	MISCELLANEOUS COMPLAINTS	CLOSED
6/26/2024	COMMERCIAL ADVERTISING ON A TEMPORARY CONSTRUCTION FENCE	CLOSED
7/2/2024	MISCELLANEOUS COMPLAINTS	CLOSED
7/21/2024	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
7/31/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/1/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/14/2024	OPEN STORAGE OF VEHICLES THAT CANNOT BE LEGALLY OPERATED (E.G. JUNK CARS)	CLOSED
8/15/2024	MISCELLANEOUS COMPLAINTS	CLOSED
8/22/2024	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
8/23/2024	MISCELLANEOUS COMPLAINTS	CLOSED
9/3/2024	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
9/5/2024	ANY PROBLEMS THAT ONLY OCCUR FROM 5:00PM TO 7:00 AM (AT NIGHT) OR ON WEEKENDS	CLOSED
9/26/2024	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	MISCELLANEOUS COMPLAINTS	CLOSED
2/20/2025	DISABLED ACCESS ISSUES	CLOSED
2/22/2025	MISCELLANEOUS COMPLAINTS	CLOSED
5/7/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/14/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/29/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/29/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
6/30/2025	CONSTRUCTION DONE WITHOUT PERMITS OR INSPECTIONS	CLOSED
7/15/2025	MISCELLANEOUS COMPLAINTS	CLOSED
7/15/2025	MISCELLANEOUS COMPLAINTS	CLOSED
7/21/2025	MISCELLANEOUS COMPLAINTS	CLOSED
7/26/2025	MISCELLANEOUS COMPLAINTS	CLOSED
8/2/2025	MISCELLANEOUS COMPLAINTS	UNDER INVESTIGATION
8/23/2025	MISCELLANEOUS COMPLAINTS	UNDER INVESTIGATION

Exhibit 12.8 – CalGEM Letter:Exhibit 12.8 – CalGEM Letter
Source: April 9, 2024 Planning Report, Page 5.
This letter documents hazardous abandoned wells and methane risk, which under CEQA Appendix G requires environmental review. Because CEQA does not apply to ministerial approvals, CalGEM's findings trigger the City's obligation to treat the project as discretionary and initiate CEQA review.

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.

Conclusion

Other Major Violations Beyond Performance Standards

In addition to the documented violations of the twelve Public Benefit Performance Standards, the project suffers from serious legal and procedural defects that independently disqualify it from ministerial approval:

- **LADBS Approval of Conflicting Plans –** LADBS approved the January 2024 electrical sheet (P-4) with 48 utility pedestals while Planning had only authorized 46 RV stalls on P-1. These inconsistencies were never reconciled, resulting in unapproved overbuilt infrastructure.
- **Failure to Enforce CEQA Appendix G Hazards –** The site is located in a methane zone and above abandoned oil wells. Under CEQA's fair argument standard, these conditions trigger mandatory environmental review. Yet no CEQA Initial Study was conducted, and no LAFD methane clearance was obtained, violating CEQA's procedural safeguards.
- **Misrepresentation of Landscaping –** The developer improperly counted City-owned street trees as private, on-site trees, inflating compliance with the 4% landscaping requirement. This false representation was relied upon in the Planning Department's April 2025 finding.
- **Elimination of ADA Parking –** ADA parking spaces shown on site plans were eliminated to accommodate an 800A electrical system. This violates both ADA and

California Building Code Chapter 11B. Denying ADA access is not just a zoning failure, it is a violation of federal civil rights law.

- **Failure of LADBS Complaint Enforcement –** Multiple community complaints were dismissed as "duplicates" without evidence of site inspections or corrective action. This undermines transparency, accountability, and public trust in enforcement.
- **Unpermitted Structures –** Prefabricated office, restroom, and laundry buildings were installed without LADBS permits or inspections. Under LAMC §91.106.4.1, unpermitted structures are subject to enforcement orders, including removal or discretionary legalization. Their presence independently invalidates ministerial approval.

Why Ministerial Approval Cannot Apply

By law, compliance with all twelve Performance Standards is a mandatory precondition for ministerial Public Benefit approval under LAMC §14.00 A.7. Once any standard is not met, the project is no longer ministerial and must undergo discretionary review.

California Health & Safety Code §18865.1 further requires a Conditional Use Permit (CUP) for all RV parks statewide. Local ordinances cannot override this mandate. Ministerial approval here is therefore unlawful both under state law and city code.

Community and Resident Impacts

This is not a technical oversight, it is a livability failure.

- Instead of the required recreational space, residents are confined to cramped RV stalls with only barren gravel and utility equipment.
- Required ADA parking spaces were replaced by electrical equipment, excluding disabled individuals from safe use of the site.
- Parking, which should have been provided as a condition of approval, is instead being sold at $600/month, shifting the burden from developer to tenants.

These failures directly harm tenants, spill impacts into the neighborhood, and defeat the "public benefit" intent of §14.00 A.7.

Systemic Failure and Accountability

This case illustrates a systemic breakdown in inter-agency coordination: Planning approved schematic promises, LADBS approved conflicting plan sets, and enforcement staff dismissed documented complaints as "duplicates." If such practices are allowed to stand, no community can rely on zoning safeguards being enforced.

We respectfully request that the Commission not only require a CUP and CEQA review for this project but also refer to LADBS's enforcement failures for oversight or audit. Without accountability, these violations will repeat.

Final Request

The record shows systemic violations of zoning, safety, livability, ADA accessibility, and environmental standards. At least eleven of the twelve Performance Standards have failed, and multiple independent legal defects exist beyond those standards.

By law:

- CEQA review must occur before approval when hazards are present (Friends of Mammoth v. Board of Supervisors, 8 Cal.3d 247; Bozung v. LAFCO, 13 Cal.3d 263).
- Ministerial approval cannot apply once discretion is required.
- CUP processing is mandated under Health & Safety Code §18865.1.

We therefore respectfully request that the Planning Commission:

1. Suspend entitlements pending full review.
2. Require a Conditional Use Permit (CUP) with public hearing.
3. Initiate CEQA review, including methane and oil well hazards.
4. Refer LADBS enforcement failures for independent oversight.

This is not just a zoning dispute, it is a test of whether our land use system will honor its own standards, protect vulnerable communities, and enforce the laws designed to safeguard public health and environmental integrity.

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Ref: 85397-0001

June 23, 2025

BY EMAIL ONLY

President Lawshe
Members of the City Planning Commission
Department of City Planning
City of Los Angeles
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Los Angeles, CA 90012
Attn: Eva Bencomo, Commission Executive Assistant I
Attn: Cecilia Lamas, Commission Executive Assistant II
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eva.m.bencomo@lacity.org
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Re: Case Number: DIR-2024-7352-BSA
Response to Appellant's April 22, 2025 Justification to Appeal
Property Address: 23416 S President Ave., Los Angeles
City Planning Commission Hearing Date: June 26, 2025

Dear President Lawshe and Members of the City Planning Commission:

Our office represents Oceans 11 RV Park, LLC ("Oceans 11"), the owner of 23416 S. President Avenue, Los Angeles (the "Site"), and the applicant for ministerial permits to develop a recreational vehicle park ("RV") park as a by-right Public Benefit Project under LAMC Section 14.00A(7) (the "Project"). On June 13, 2025, we submitted a letter on behalf of Oceans 11 to address Concerned Residents of Green Meadows West's ("Appellant") appeal of the Director of Planning's April 9, 2025, Letter of Determination ("LOD").

On June 16, 2025, Appellant submitted a "Letter to CPC" in support of its appeal. Appellant's letter repeats arguments that were fully considered and rejected by both DBS and the Planning Director. The letter also alleges that the onsite conditions do not comply with the performance standards for a Public Benefit Project even though construction is not complete, final inspections have not yet occurred, and the City has not even reactivated the Project's original permit that was issued back in March 2024 and/or issued its supplemental permit that was cleared for approval back in August 2024 and which, according to the City, is forthcoming.

The following serves to supplement our June 13, 2025, correspondence and rebut Appellant's allegations. We reiterate our request that the CPC deny the latest appeal and sustain the LOD.

I. The Special Occupancy Parks Act Does Not Control Local Land Use

Appellant again incorrectly argues that the Special Occupancy Parks Act ("SOPA") requires the applicant to obtain a Conditional Use Permit ("CUP") from the City to permit an RV park. A plain reading of the statute, the legislative context, and the California Department of Housing and Community Development's ("HCD") own guidance materials make clear that Appellant misunderstands the scope and purpose of SOPA.

First, SOPA's core purpose is to protect public health and safety within the parks themselves, not to determine where such parks may be located. That authority belongs squarely to local agencies. Gov. Code § 65800 et seq.

Second, Appellant misreads Health & Safety Code § 18866.2, which states that "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…" (emphasis added). The term "may" is permissive, not mandatory. The statute does not require a CUP; it merely authorizes an applicant to apply for one if the local jurisdiction's zoning ordinance requires it. The remainer of Section 18866.2 simply outlines the public hearing procedures a local agency will follow **if** it requires a CUP.

Third, HCD—the state agency tasked with enforcing SOPA—has made clear that zoning and land use determinations are the exclusive domain of local governments. HCD issued an April 21, 2008 Information Bulletin on the "Validity of local ordinances relating to installation of new manufacturer homes and/or sale or conversion of mobilehome parks, " which states that "Throughout this memorandum, there are references to "manufactured homes", "mobilehome parks" and "the Mobilehome Parks Act"; however, unless otherwise noted, the same issues and rules apply to recreational vehicles…recreational vehicle parks, and the Special Occupancy Parks Act." https://www.hcd.ca.gov/sites/default/files/docs/building-standards/ib-2008-10.pdf. The bulletin then discusses Health and Safety Code section 18300, which lists the scope of local government authority. The statute states in relevant part that state law "shall not prevent local authorities" from enacting zones or establishing types of uses and locations within the jurisdiction where RV parks are allowed. The Bulletin states "subdivision(g) of H&SC section 18300 provides express authority for local governments…to adopt zoning ordinances to allow or prohibit parks and certain park uses…," to establish park density, to require recreational facilities, and "to approve or deny approval for any construction permit to build or increase the size of a park…." It specifies that "with respect to construction of a new or expanded park…HCD regulations require evidence of local approvals from the local planning agency." Exh. A.

HCD's website also makes it clear that local agencies govern the zoning and land use approvals for RV parks whereas HCD oversees health and safety standards for them. For example, HCD's website states that applicants must "[o]btain any necessary local agency approvals and complete all necessary plans, calculations, engineering, etc. required for processing [] application[s]" to permit a special occupancy park. https://www.hcd.ca.gov/building-standards/permits-and-inspections?utm_source=chatgpt.com.

The HCD website also states that "[a] construction permit is required when developing a new mobilehome park or special occupancy park" and that among the "local government approvals…[that] must accompany all construction project permit applications" is "[w]ritten approval **or** a conditional use permit from the local planning agency." (emphasis added). https://www.hcd.ca.gov/manufactured-and-mobilehomes/mobilehome-parks/park-construction-and-alterations?utm_source=chatgpt.com ("The required written approvals may be in letter form issued by the agency having authority to grant such an approval or simply a signature on the affected plans by the approving agency's authorized agent.").

Thus, according to HCD itself, zoning and land use is left to the local agencies. Nothing in SOPA requires that a CUP be obtained, and the City remains fully empowered to determine—through its own zoning code—whether and how to permit an RV park. If the City has deemed the project consistent with its zoning and ministerially approvable under LAMC § 14.00.A.7, no CUP is required. We respectfully request that the Commission reject the appeal on this ground.

II. LAMC Section 12.03 Does Not Modify Section 14.00 For Public Benefit Projects

See our office's June 13, 2025, letter addressing Appellant's erroneous argument that Section 12.03 imposes a CUP requirement for RV parks. Section 14.00.A.7 unquestionably provides a ministerial pathway for permitting an RV park. Appellant admits as much in its June 16, 2025, letter where it states "LAMC § 14.00.A provides that uses which do not meet the performance standards set forth therein require a CUP"—i.e., a CUP is not required if the use meets the performance standards.

III. Profit Motive Does Not Disqualify a Public Benefit Project

See Oceans 11's June 13, 2025, letter explaining that the zoning code does not require that a project be operated by a nonprofit organization in order to qualify for ministerial approval under LAMC Section 14.00.A.7. The Planning Director correctly rejected the contention that a project "for-profit" somehow defeats Public Benefit Project eligibility under Section 14.00 of the LAMC.

IV. DBS And Planning Have Repeatedly Determined That The Project Meets All Twelve Performance Standards

The remainer of Appellant's arguments pertain to Oceans 11's building plans, which have nothing to do with zoning determinations or interpretations. As the Director of Planning

correctly found, "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." Nor are they now appealable to the Commission. Those are issues within DBS' jurisdiction. Nevertheless, Oceans 11 briefly addresses Appellants' flawed arguments below.

A. Appellant Alleges That Onsite Conditions Do Not Comply With Performance Standards Nos. 3, 4, 5, 6, And 8 Before The Project Is Even Complete.

Fatal to Appellant's appeal is its accusations that the onsite conditions of the Property fail to satisfy the performance standards even though construction is not complete, the City still has not reactivated Oceans 11's permit or issued its supplemental permit, and final inspections have not yet occurred. (*See, e.g.,* Letter to CPC, p. 7 ["As the record shows, a chain-link fence has been installed instead."]; *id.* ["There is graffiti on the chain link fence that has not been removed."].) All fencing landscaping[1], and setbacks will be inspected **after** the permit is reinstated/issued and construction is complete. It is only at that point that DBS will verify compliance with the approved plans. Appellants allegations are essentially premature code enforcement complaints. It is impossible to find the Project out of compliance before it is even complete.

What is particularly egregious about the appeal are the allegations that the project violates performance standards relating to the front-yard setback and the landscape buffer. The City required Oceans 11 to submit a supplemental application to address these specific issues and subsequently confirmed compliance. Regarding performance standard no. 4, Appellant admits that Oceans 11's plans show a 20-foot setback, but argues that "it is clear" that Oceans 11 will instead utilize a 17.67 foot front yard prevailing setback. Not only would that not be a violation considering that the City itself calculated 17.67 feet to be the prevailing setback, but Oceans 11 has already represented numerous times that it will provide a 20-foot front-yard setback. Oceans 11 has also recorded a signed covenant agreeing to indefinitely comply with all the performance standards. Appellant's suspicion that Oceans 11 might use the prevailing setback instead of a 20-foot setback is unfounded and would not constitute a violation in any event.

Regarding performance standard nos. 5 and 6 requiring a landscape buffer and parking area landscaping, Appellant argues that the records shows utility hookups and other structures in those areas, thereby "negating the ability to provide the required landscaping." First, the City has already determined that the Project complies with LAMC § 12.21.A.6 by dedicating **more than** the required 4% of the total parking area to landscaping.[2] Ten existing myrtle trees alone account

[1] Plan Sheet P-2 shows a 10-ft landscaped periphery, which complies with performance standard no. 5. Inspection will occur after installation.

[2] The LOD's reasoning on this allegation is instructive: "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

for a quarter of the 4% requirement. In other words, Oceans 11 is providing more landscaping than is even required and Appellant has made no showing that any utility hookups threaten compliance.

Second, Appellant provides no evidence that Oceans 11 is constructing something in those areas that conflict with the required landscaping. The presence of rough-ins for shore power units, for example, does not negate compliance with landscaping requirements. To the contrary, landscaping can be and often is installed around such infrastructure. Appellant's argument rests on an unsupported and incorrect assumption that the presence of utilities necessarily precludes landscaping—an assumption that is contradicted by standard development practices and the plain language of the Code.

Finally, Appellant is again arguing prematurely about onsite conditions before project completion, final inspections, and permits.

B. **Oceans 11's Project Complies With Performance Standard No. 9**

See our office's June 13, 2025, letter addressing Appellant's allegation. We also note that Appellant's argument that Title 25 parking requirements apply only to mobilehome parks and not RV parks is directly contradicted by HCD's 2008 Bulletin stating that "the same issues and rules apply to recreational vehicle parks" unless otherwise noted. The bulletin then specifies that local government authority over RV parks includes the "adopt[ion of] ordinances, rules, regulations or resolutions prescribing park perimeter walls or enclosures on public street frontage, signs, access, and **vehicle parking**[.]" (emphasis added).

Accordingly, we end up back at LAMC Section 12.21.A for the regulation of offsite parking, which Appellant agrees does not contain "explicit parking ratios for RV parks." (Letter to CPC dated June 16, 2025.) Appellant does not identify a parking ratio it believes should apply, but simply states that it is error for the City to exempt Oceans 11 from providing offsite parking. That is not, however, what the record shows. The LOD states that Plan Sheet No. 1 shows that " '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." Thus, **Oceans 11 is providing ample offsite parking**, thereby satisfying performance standard no. 9.

Because the Project meets all the performance standards thereby entitling Oceans 11 to ministerial permits, there is no basis for Appellant to insist that Oceans 11 instead obtain a CUP.

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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." (LOD, p. 50 [emphasis added].)

V. Conclusion

Appellant's June 16, 2025, "Letter to CPC" offers no new evidence or legal basis to overturn the LOD. The record shows that: (1) no CUP is required for the Project; (2) eligibility as a Public Benefit Project is not based on profit motives; (3) allegations regarding current onsite conditions are premature and unfounded given that the Project is not yet complete, final inspections have not yet occurred, and the applicant is still waiting for the City to reactivate its original permit and/or issue its supplemental permit that is supposedly forthcoming; and (4) the evidence unquestionably shows the Project's compliance with the twelve performance standards.

For the foregoing reasons and those articulated in our office's June 13, 2025, letter, we urge the Commission to deny the appeal and affirm the Director of Planning's LOD in full.

Sincerely,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

cc: Kristina Kropp, Luna & Glushon (Appellant Representative)

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Ref: 85397-0001

June 13, 2025

BY EMAIL ONLY

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Members of the City Planning Commission
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Re: Case Number: DIR-2024-7352-BSA
Response to Appellant's April 22, 2025 Justification to Appeal
Property Address: 23416 S President Ave., Los Angeles
City Planning Commission Hearing Date: June 26, 2025

Dear President Lawshe and Members of the City Planning Commission:

Our office represents Oceans 11 RV Park, LLC ("Oceans 11"), the owner of 23416 S. President Avenue, Los Angeles (the "Site"), and the applicant for the project at issue in this appeal. For background, Oceans 11 applied for a building permit to develop a recreational vehicle ("RV") park as a by-right Public Benefit Project that complies with the performance standards of LAMC Section 14.00A(7) (the "Project"). This Project would provide additional alternative housing for its residents. Tenants would be required to sign leases and attach their RVs to the water, sewer, and power lines.

Oceans 11 received the necessary approvals from all relevant City departments, including the Department of City Planning ("Planning Department") and the Department of Building & Safety ("DBS"). In August 2024, the Planning Department and DBS issued a joint inter-departmental memorandum analyzing each performance standard in detail and concluding that the Project "is in compliance with the Public Benefit performance standards per LAMC Section 14.00 A.7" and that "[t]he City does not have an ability to impose additional conditions, outside of the Public Benefits provisions, for the use of land associated with the proposed RV Park, which the project meets." (Exhibit A.)

The appellant, Concerned Residents of Green Meadows West – Harbor City (the "Appellant"), has already twice appealed the Project and has lost both times. On July 18, 2024, Appellant appealed DBS' original issuance of Permit No. 23020-10000-02232 ("Original Permit") for the Project and the City's purported intention to issue Supplemental Permit No. 24016-10000-00086 ("Supplemental Permit").[1] On August 2, 2024, DBS denied the appeal in its entirety because it found that the Project complied in every respect with the performance standards set forth in LAMC Section 14.00A.7 and was therefore entitled to ministerial approval.

On November 12, 2024, Appellant appealed DBS' decision to the Director of Planning on the similar grounds. A public hearing on the appeal was held on January 16, 2025. On April 9, 2025, the Director of Planning determined that DBS did not err or abuse its discretion in any way—including in preparing to issue the Supplemental Permit without a CUP—because the Project qualifies as a ministerial Public Benefit Project by complying with the twelve enumerated performance standards set forth in LAMC § 14.00A.7. The Planning Director further found that RV parks are listed among the uses allowed as Public Benefit Projects and no further showing of how the project "benefits" the public or whether or not the Project is "for profit" is required.

I. The Planning Director Did Not Err or Abuse Its Discretion

Appellant now appeals the Planning Director's decision to the City Planning Commission on virtually the same grounds asserted unsuccessfully twice before. Neither DBS nor the Planning Director erred or abused its discretion, and the City Planning Commission should deny this appeal.

A. The Special Occupancy Parks Act does not compel the City to require a conditional use permit for RV parks qualifying as Public Benefit Projects.

Appellant contends that the California Special Occupancy Parks Act (the "Act") forces the City to require a CUP for all RV parks. The Act does no such thing. The Act is a state law requirement to secure a "conditional permit" from the State of California Department of Housing and Community Development ("HCD")—a state safety permit entirely separate from a local land use entitlement. Nothing in the Act mentions, much less mandates, a City-issued CUP for an RV Park. State permitting remains solely within HCD's jurisdiction. And here, Oceans 11 has already stated on the record that it has applied with HCD for its **state** conditional permit.

The Planning Director squarely addressed this point: "The Special Occupancy Parks Act does not compel the City to issue a conditional use permit." Simply stated, the Health & Safety Code neither invalidates nor modifies LAMC § 14.00A.7. Compliance with the twelve performance standards remains the sole prerequisite for the City to permit an RV Park as a ministerial Public Benefit Project.

[1] It should be noted that the original permit is currently closed and the supplemental permit has not been issued so it is unclear what Appellant is even appealing.

1. A qualifying Public Benefit Project under LAMC Section 14.00A.7 is a ministerial, by-right project that does not require a CUP.

Appellant next contends that the RV Park requires a CUP because of the definition of "recreational vehicle park" in Section 12.03 of the LAMC, which states in relevant part: "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." Section 12.03 is purely a definitional section, not the regulations that govern a particular use.

Instead, the required process for permitting an RV Park is set forth in Section 14.00A.7. Under Section 14.00A.7, a CUP is only required for RV Parks that do not meet the twelve performance standards and is not otherwise allowable in the zone. As detailed below, the City has consistently and repeatedly found that this Project meets all twelve performance standards and must be permitted ministerially.[2]

2. The Project complies with the performance standards.

Appellant's final argument is that DBS erred in issuing a building permit without a CUP because the RV park does not meet the twelve performance standards contained in LAMC Section 14.00A.7.

At the outset, the Planning Director correctly pointed out that there are no active building permits for this Project to appeal. The Original Permit is currently "closed" and the Supplemental Permit has not been issued.

Also troubling is Appellant's failure to provide any explanation or evidence as to why it contends that certain performance standards have not been met. All Appellant says is that "[e]vidence will be presented that the project does not" satisfy performance standards 3, 4, 5, 6, 8, and 9. For the time being, we will assume that Appellant intends to present the same "evidence" of allegedly unmet performance standards that it had presented at the prior two hearings, which we address below:

Performance Standard #3:

To date, Appellant has not provided any credible evidence that the Project does not comply with Performance Standard #3 requiring a solid decorative masonry or wrought iron wall/fence encircling the periphery of the property that is at least eight feet in height, or the maximum height permitted by the zone, whichever is less. On August 1, 2024, the Planning Department approved Oceans 11's plans submitted with the Supplemental Permit application because it shows new 8-foot tall wrought iron fences along the front and rear property lines and

[2] The Planning Director also correctly noted that although the procedures for permitting RV parks has been modified throughout the years, the RV Park definition has not undergone corresponding updates.

existing 8-foot tall concrete block walls on the side property lines. As the plans show 8-foot tall walls/fences "encircling the periphery of the property," the plans unquestionably comply with Performance Standard #3.

Performance Standard #4:

Performance Standard #4 requires a front yard setback at least as deep as the underlying zone. The Site is zoned R1-1XL-O, which requires a minimum front yard setback that is 20% of the lot depth, but that does not need to be greater than 20 feet, or a prevailing setback if 40% or more of the lots along the frontage observe a front yard setback that varies not more than 10 feet.

Both the City and Oceans 11 calculated a prevailing setback that was less than 20 feet. Oceans 11's plans nevertheless show a 20-foot front yard setback, which exceeds the calculated prevailing setback. Thus, the plans undoubtedly comply with Performance Standard #4.

Performance Standard #5:

Performance Standard #5 requires a 10-foot landscaped buffer along the periphery of the Property. The Planning Department approved Oceans 11's plans submitted with its Supplemental Permit application showing a 10-foot landscaped buffer along the periphery as required. Thus, the Project complies with Performance Standard #5.

Performance Standard #6:

Performance Standard #6 requires parking areas be landscaped in accordance with LAMC Section 12.21 A.6, which requires that at least four percent of the parking area be devoted to the following improvements: (1) 1/4th of the required improvements will be credited for street trees that comply with the Master Plan for Street Trees; (2) 1/4th of the required improvements will be credited for walls that are constructed along all lot lines abutting a street; (3) up to and including 3/4ths of the requirements will be credited for landscaped setback areas or interior landscaping, provided that the total of said setback area is equal to that percent of the total parking area being credited.

Here, 4% of the 46,135 s.f. parking area is 1,845.5 s.f. The plans show 4,000 s.f. of landscaped area in the front, which exceeds the required 4% of landscaped area. Additionally, 1/4th of the 4% of the parking area is credited for 10 existing crepe myrtle street trees. Thus, the plans comply with Performance Standard #6.

Performance Standard #8:

Performance Standard #7 states that all graffiti must be removed or painted over within 24 hours of its occurrence. Appellant's suggestion that Oceans 11 has not complied with Performance Standard #8 before the Project has even been completed (and permitted) is ludicrous. At the last hearing, Appellant identified certain graffiti on the rear chain link fence. The plans,

however, show that a new 8-foot tall wrought iron fence will be installed in its place. Oceans 11 further recorded a covenant agreeing to comply with the Public Benefit Project performance standards contained in LAMC Section 14.00A.7, which will be triggered once the Project is permitted and the new fence is erected.

Performance Standard #9:

Performance Standard #9 requires that the use satisfy the parking requirements of LAMC Section 12.21A, which contain the City's offsite parking requirements. Appellant argues that the Planning Director erred in concluding that LAMC Section 12.21A "does not provide specific guidance on parking requirements for recreational vehicles." Specifically, Appellant argues that the Planning Director's reliance on the offsite parking exemption at the end of LAMC Section 12.21A applies only to "mobilehome parks", but not "RV parks". Even if the exemption was exclusive to mobilehome parks, however, Appellant still has not identified anything in LAMC Section 12.21 or elsewhere in the code that requires a minimum number of parking spaces for RV parks because there is none. (Exhibit A at pg. 7 [Planning Department and DBS stating that "LAMC Section 12.21.A does not provide any specific guidance on the parking requirements for recreational vehicle parks or mobile home parks."].) Appellant admits as much: "[The LAMC] lack[s] [] explicit parking ratios for RV parks." (Appeal to CPC, p. 4.)

In summary, Appellant insists that the Project must "comply with the intent and framework of LAMC § 12.21 A" without ever identifying what the alleged parking requirement is under the LAMC or otherwise. In fact, Appellant also offhandedly states that "RV's are governed by California Recreational Vehicle Occupancy Law" encoded in Civil Code Section 799.20 *et seq.*, but again fails to establish any minimum offsite parking requirement for RV parks under that statute. And, in any event, Appellant claims that no statute—be it Civil Code Section 799.20 *et seq.* or Title 25 of the California Code of Regulations for Special Occupancy Parks—"does not supersede the City's Code requirements…" for offsite parking.

In any event, Oceans 11 **is** providing ample off-street parking. The plans show that each of the RV spots will be accompanied by one parking space. Further, two ADA parking stalls will be situated at the center rear of the Property.

3. Compliance with the Performance Standards renders the Project a Public Benefit.

Appellant's final argument is that the Project is not eligible as a Public Benefit Project because it proposes a "for profit" use. That is nonsense.

The criteria for being deemed a Public Benefit Project is that: (1) the proposed use is one of the thirteen specific uses identified in LAMC Section 14.00; and (2) the specific use meets the applicable performance standards. Nothing in Section 14.00 or elsewhere in the code determines Public Benefit Project eligibility based on whether the project is or is not for profit and/or whether the applicant adequately demonstrates the project's benefit to the public. The

Appellant made that up. If the use is listed in Section 14.00 and the project meets the corresponding performance standards, it is a Public Benefit Project.

Finally, Appellant has in the past argued, and may very well do so again at the upcoming hearing, that the onsite conditions deviate from the City-approved plans. Those arguments are factually false, premature, and outside the scope of a CPC administrative appeal. After all, the City still has not even issued Oceans 11 permits for the Project and has not performed final inspections. Thus, verification of onsite conditions has not even occurred yet, and when it does, DBS and not Planning confirms that the work performed and onsite conditions accurately reflect the approved plans.

We appreciate your attention to these matters and reserve the right to supplement our arguments.

Sincerely,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

cc: Kristina Kropp, Luna & Glushon (Appellant Representative)

EXHIBIT A

CITY OF LOS ANGELES
INTER-DEPARTMENTAL MEMORANDUM

Date: August 23, 2024

To: Honorable City Council
c/o City Clerk, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

From: Vincent P. Bertoni, AICP, Director of Planning
Department of City Planning

Osama Younan, General Manager *Allen Manalansan FOR*
Department of Building and Safety

Dear Honorable Members:

DEPARTMENT OF CITY PLANNING AND DEPARTMENT OF BUILDING AND SAFETY REPORT BACK REGARDING 23416 PRESIDENT AVENUE; CF 24-0711

BACKGROUND

On June 26, 2024, the City Council adopted a motion instructing the Department of City Planning and the Department of Building and Safety (LADBS) to report back on the property located at 23416 President Avenue. The report includes the following information:

- the environmental analysis, as well as any required standard evaluations, that are required for any construction or projects to occur;
- whether the Home-Sharing (Short-Term Rental) Ordinance would be applicable to the proposed use; what requirements are necessary for the use to comply, and what enforcement mechanisms exist for the proposed Recreational Vehicle (RV) Park;
- the type and extent of the "public benefits" associated with the proposed use, and a description of the public benefits checklist and standards that qualify this project as a "public benefit project" per the Los Angeles Municipal Code 14.00A7; and,
- a description of the City's ability to impose additional conditions for the use of land associated with the proposed RV park.

SUMMARY

Pursuant to LAMC Section 14.00.A7, Recreational Vehicle Parks (RV Parks) are a by-right use in the A, R or C Zones, if the proposed project complies with the 12 objective performance standards. Public Benefit Projects, such as RV Parks, are allowed citywide, on a ministerial basis. Public Benefit Projects are uses which have been determined to have a citywide benefit and public purpose, rather than a site-specific benefit. The Public Benefit Projects Administrative Procedures were adopted by the Los Angeles City Council, on 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.

DISCUSSION

Subject Site Zoning and General Plan Land Use Designation

The subject property is a level, approximately 54,012 square-foot site, consisting of two parcels zoned R1-1XL-O with a Low Residential land use designation (Exhibit A). The property has approximately 350 feet of frontage on President Avenue in Harbor City. The property address is 23416 and 23514 South President Avenue. The property is located in a single-family residential neighborhood developed with one- and two-story homes. The property abuts Metro right-of-way to the east. President Avenue is a Local Street improved to a width of 60 feet with sidewalks, curb, gutter, and street trees. The property formerly contained an oil-drilling use, which was decommissioned in 2022.

On November 9, 2023, the property owner applied for a "Use of Land Permit (Permit No. 23020-10000-02232) to allow a new Recreational Vehicle Park for Public Benefit Project per LAMC Section 14.00A7." (Exhibit B) On July 9, 2024, the property owner applied for a Supplemental Building Permit for a "Use of Land for new recreational Vehicle Park for Public Benefit Project per LAMC 14.00A7." (Exhibit C, permit 24026-10000-00086) The supplemental permit was necessary to update the site plan to show compliance with public benefit standards relating to landscaping, fencing, and parking (Exhibit D).

RELEVANT ZONING CODE DEFINITIONS AND REGULATIONS

LAMC Section 12.03 Definitions

Home-Sharing - An accessory use of a Host's Primary Residence for a maximum of 120 days in a calendar year for the purpose of providing Short-Term Rental in compliance with the registration and other requirements of Los Angeles Municipal Code Section 12.22 A.32. For purposes of this definition, the terms "Host", "Short-Term Rental" and "Primary Residence" shall have the same meaning as defined in Section 12.22 A.32. of this Code. (Added by Ord. No. 185,931, Eff. 7/1/19.)

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.)

LAMC Section 14.00 - Public Benefit Projects (Amended by Ord. No. 173,268, Eff. 7/1/00) [1]

A. Public Benefit Projects and Performance Standards. Where not permitted by right or by Conditional Use Permit pursuant to Subsections U., V. or W. of Section 12.24, 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 alternative compliance measures approved pursuant to Subsection B. (First Para. Amended by Ord. No. 173,992, Eff. 7/6/01.)

B. Alternative Compliance Procedures for Public Benefit Projects.

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 alternative compliance measures pursuant to the following procedures.

RESPONSES TO THE CITY COUNCIL MOTION

Below is a response to each question raised in the City Council Motion regarding the building permit application for the proposed Recreational Vehicle Park (RV Park) at the 23416 President Avenue property.

1) Required environmental analysis, as well as any required standard evaluations, that are needed for any construction or projects to occur

If a project qualifies as a Public Benefit Project, by meeting each of the enumerated Performance Standards in 14.00A(7), it is subject only to an administrative review process. As such, it is exempt from application of the California Environmental Quality Act (CEQA). Although the subject building permit application did not require CEQA analysis, the project was subject to Los Angeles Fire Department (LAFD) review for compliance with CalGEM standards for oil well abandonment and sealing of previous oil drilling operations.

2) Applicability of the Home-Sharing (Short-Term Rental) Ordinance to the proposed use; if applicable requirements necessary for the use to comply, and enforcement mechanisms exist for the proposed RV park

The Home-Sharing Ordinance (No. 185,931), prohibits home-sharing in non-residential buildings, including vehicles parked on the property, storage sheds, trailers, or any temporary structures. Per LAMC Section 12.03, a RV Park is defined as providing rental or lease sites for individual

[1] This Zoning Code Section was amended as part of the Processes and Procedures updates that were effective on January 22, 2024. The amended regulations are not applicable to the subject project because the building permit application was submitted and plan check fees were paid in November 2023.

recreational vehicles occupied for temporary purposes. Since temporary purposes indicate that these are not permanent residences, this property and/or these individual recreational vehicles are not eligible for a Home-Sharing registration.

Short-term rentals within the City of Los Angeles are routinely scanned for compliance with Home-Sharing regulations. Listings advertising a short-term rental listing without a valid Home-Sharing registration number will be considered out of compliance. City Planning refers non-compliant violations to the appropriate agencies, which may issue a citation.

LADBS issues citations for single-dwelling properties and condominium units, while the Los Angeles Housing Department issues citations for multiple-dwelling properties. A Notice of Code Violation will specify the steps that the cited party may take in response to the citation. Other City Departments such as the Los Angeles Police Department, the Fire Department, the Department of Transportation, and the Bureau of Sanitation, address specific issues like noise complaints, party house violations, fire safety, parking violations, and litter.

3) The type and extent of the "public benefits" associated with the proposed use, and a description of the public benefits checklist and standards that qualify this project as a "public benefit project" per the Los Angeles Municipal Code 14.00A7

LAMC Section 14.00 enumerates 13 types of Public Benefit Project uses, ranging from cemeteries, density bonus projects, parks, homeless shelters and Certified Farmers' Markets, that qualify for administrative approval if the project complies with the respective performance standards. There is no criteria or requirement in the code to evaluate the "public benefits" of a proposed Public Benefit Project. LAMC Section 14.00.A7 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. Public Benefits Projects that can't comply with all of the required performance standards listed in LAMC Section 14.00, can file for a discretionary approval of (LAMC Section 14.00.B), which is acted on by the Director of Planning or Associate Zoning Administrator, depending on whether the application was submitted before January 2024.

Public Benefits Checklist and Performance Standards for the Subject Project

Applicants requesting approval of a Public Benefits Project are required to fill out the Public Benefits Checklist (Exhibit E) to ensure the project complies with the applicable performance standards. Enumerated below are the 12 performance standards per LAMC Section 14.00 A.7 (Recreational vehicle parks and mobile home parks in the A, R or C Zones) 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 submitted site plan 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.

The applicant has attested that the project will comply with the City's noise regulations via the recordation of a Covenant and Agreement. The covenant was recorded on November 21, 2023 (Instrument no. 20230807676).

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 front yard and rear yard. 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.

Per LAMC Section 12.08 C.1, the R1 Zone requires a front yard of not less than 20% of the depth of the lot, but such front yard need not exceed 20 feet. The subject lot has a depth of 134 feet. 20% of 134 is 26 feet. Therefore, 20 feet 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.

As shown on the site plan, the project proposes a 10-foot landscaped buffer along the periphery of the property. As noted on the plans, an automatic irrigation system will be installed.

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

Per LAMC Section 12.21 A.6, 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.

As shown on the plans, the project will continue to maintain 10 existing Crape Myrtle street trees, which accounts for one-fourth percent credit of the required four percent.

The total square footage of the parking area is 46,136 square feet. Four percent of 46,136 square feet is 1,845.44 square feet. The project proposes a 4,000 square foot landscaped area in the front yard, which exceeds the required 4% of landscaped area required.

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.

The project proposes one, 20 square-foot identification sign to be mounted to the right of the northerly driveway entrance.

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.

The applicant has agreed to comply with this performance standard via the recordation of a Covenant and Agreement. The covenant was recorded on November 21, 2023 (Instrument no. 20230807676).

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, the Department of Building and Safety Information Bulletin for Parking Regulations page 2 (Exhibit F) notes that per Title 25 of the California Administrative Code parking regulations for mobile home parks are not applicable. The project is proposing 46 recreational vehicles parking stalls. Each stall will provide an area for one car to park.

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.

As noted on the plans, there are 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.

The project proposes shielded solar light poles on-site. The shielding on the lights prevents the light source from being seen from adjacent properties.

4) The City's ability to impose additional conditions for the use of land associated with the proposed RV park

LADBS only has the ability to enforce objective building and zoning code standards. Additionally, LADBS required the applicant to obtain approval from LASAN, DCP, and LAFD.

The City does not have an ability to impose additional conditions, outside of the Public Benefits provisions, for the use of land associated with the proposed RV park., which the project meets If a project does not meet all 12 performance standards, the applicant must file for a discretionary approval per 14.00. B.1. Under a discretionary permit, which is not applicable here, City Planning may add conditions of approval.

CONCLUSION

The review by City Planning staff found that the RV Park located at 23416 President Avenue is in compliance with the Public Benefit performance standards per LAMC Section 14.00 A.7 (Recreational vehicle parks and mobile home parks in the A, R or C Zones). 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. As demonstrated above, the project's compliance with each performance standard was either identified on the plans or the covenant.

For additional information, please contact Anna M. Vidal, Senior City Planner, at (213) 482-7079, or Anna.Vidal@lacity.org.

VPB:LW:MZ:AMV:RV

Exhibit A

City of Los Angeles
Department of City Planning

ZIMAS INTRANET LARIAC6 2020 Color-Ortho 08/20/2024



Address: 23416 S PRESIDENT AVE
APN: 7439003036
PIN #: 042B193 193

Tract: TR 24608
Block: None
Lot: 184
Arb: None

Zoning: R1-1XL-O
General Plan: Low Residential

N W E S

(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 of 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 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 current 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.

14.00.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.

8. **Shelters for the homeless** (as defined in Section 12.03) containing not more than 30 beds are permitted by right in the R3, M1, M2 and M3 Zones with reduced parking requirements.

(a) **Performance Standards:**

(1) There no other shelters for the homeless within 300 feet of the subject property;

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

(3) There are no outdoor public telephones on the site;

(4) No signs are present on the property relating to its use as a shelter for the homeless;

(5) No outdoor toilets are present on the site;

(6) 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;

(7) At least ten percent of the number of parking spaces otherwise required by Section 12.21 A.4. are provided, and in no event are fewer than two spaces provided; and

(8) All streets, alleys or sidewalks adjoining the property meet standard street dimensions.

Exhibit C

23416 S President Ave Permit Application #: **24026 - 10000 - 00086**

Nonbldg-Alter/Repair	City of Los Angeles - Department of Building and Safety	Plan Check #: B24LA13084FO
Commercial	**24026 - 10000 - 00086**	Plans Filed in: METRO
Regular Plan Check	**CLEARANCE SUMMARY WORKSHEET**	Printed On: 08/19/24 09:39:58

IMPORTANT: This summary documents the clearance(s) required prior to permit issuance. Most clearance(s) are granted electronically, however this form will also be completed so that in the event of a computer outage, there is evidence of the clearance action(s). Keep this form with all other documents necessary to obtain the permit.

INSTRUCTIONS

APPLICANT/REPRESENTATIVE: You are advised to initiate the approval process for the following permit application clearance(s) marked as "Not Cleared" as soon as possible, in order to allow adequate time to obtain the approvals. Certain departments (such as the Department of City Planning) may require additional plan review and approval process, which may include mandatory appeal periods. The address and phone number of the specific agency corresponding to the **"Address Code:"** shown for each clearance is indicated at the end of this form and it is recommended that you call before appearing in person. Remember to bring a copy of the permit application to the clearance agency for their reference. A "Cleared" condition requires no further action on your part.

CLEARANCE AGENCIES: For city agencies, perform electronic clearance action(s) using PCIS **and** complete this form. For non-city agencies or PCIS outages, complete this form.

Description of Work: SUPPLEMENTAL PERMIT TO PERMIT NUMBER 23020-10000-02232. USE OF LAND FOR NEW RECREATION VEHICLE PARK FOR PUBLIC BENEFIT PROJECT PER LAMC 14.00A7.

Building & Safety Contact

Plan Check Office: METRO

PC Engineer: Michael Lopez

Status	Clearance Description and New Status
Cleared	**Agency:** **City Planning Department** **Description:** Front yard landscape per 12.21C1(g) **Address Code:** **2** Electronic Clearance [X] By : RVASQUEZ Date: 08/01/24 Phone:_____ Comments: Approved Per LAMC 14.00 A 7 Public Benefit Project; Plans stamp dated 08/01/2024; Per Covenant & Agreement recorded on 11/21/2023 (Instrument #: 20230807676); Per fees paid on 11/14/2023 for $741.69 (Invoice #: 91949; Receipt #: 2023318005-69).
Cleared	**Agency:** **City Planning Department** **Description:** Miscellaneous Approval for:Review of conditions for a proposed RV park as a public benefit project per LAMC 14.00A.7. **Address Code:** **2** Electronic Clearance [X] By : RVASQUEZ Date: 08/01/24 Phone:_____ Comments: Approved Per LAMC 14.00 A 7 Public Benefit Project; Plans stamp dated 08/01/2024; Per Covenant & Agreement recorded on 11/21/2023 (Instrument #: 20230807676); Per fees paid on 11/14/2023 for $741.69 (Invoice #: 91949; Receipt #: 2023318005-69).
Cleared	**Agency:** **City Planning Department** **Description:** Parking lot w/ >20 cars per 12.21A6(g) or (h), or >6 cars per 12.42B **Address Code:** **2** Electronic Clearance [X] By : RVASQUEZ Date: 08/01/24 Phone:_____ Comments: Approved Per LAMC 14.00 A 7 Public Benefit Project; Plans stamp dated 08/01/2024; Per Covenant & Agreement recorded on 11/21/2023 (Instrument #: 20230807676); Per fees paid on 11/14/2023 for $741.69 (Invoice #: 91949; Receipt #: 2023318005-69).

Cleared	**Agency:** **Department of Building and Safety** **Description:** Condition of Approval of Disabled Access corrections **Address Code:** **4** Electronic Clearance ☒ By : MLOPEZ Date: 07/25/24 Phone:_____ Comments: 1. No Change in Accessible parking provided; Referece Original Permit # 23020-10-02232.
Cleared	**Agency:** **Bureau of Sanitation** **Description:** Obtain Watershed Protection Div. clearance for Low Impact Development (LID) **Address Code:** **19** Electronic Clearance ☒ By : MFRAGOSO Date: 08/17/24 Phone:_____ Comments: Stormwater Observation Report (SOR) required before final sign off or issuance of certificate of occupancy (CfO). Approved for 43,473 SF of permeablehardscape for incidental rain, per approved LID plans. Overflow directly to street through an approved City of Los Angeles, Building and Safety, and Bureau of Engineering standards. (1 Sheets)

End of Clearance(s) for 24026 - 10000 - 00086. Refer to "ADDRESS CODES" sheet for clearance agency address/phone information.

NOTES:

THIS IS A 46 SPOT RV PARK BEING BUILT UNDER LAMC 14.00 A 7 PUBLIC BENEFIT PROJECT
EACH RENTAL SITE HAS ROOM FOR PARKING 1 RV AND 1 VEHICLE
FOR ALL PERFORMANCE STANDARDS METRICS SEE PAGE 2
THE PROJECT MEETS LOS ANGELES PARKING REQUIREMENTS AND ADA PARKING REQUIREMENTS
THERE ARE NO PAY PHONES LOCATED ON THE PROPERTY.
ALL LIGHT IS SHIELDED FROM ADJOINING AND ADJACENT PROPERTIES
PROPERTY HAS EXISTING CEMENT BLOCK FENCE ON 2 SIDES (SIDES 8' IN HEIGHT, FRONT IS 8' WROUGHT IRON AND SET BACK 20' FROM FRONT PROPERTY LINE, FENCE ON REAR OF PROPERTY IS 2' TALL BLOCK FENCE WITH 6' WROUGHT IRON ON TOP, IS ADJACENT TO RAILROAD TRACKS
PROPERTY WILL HAVE 10' LANDSCAPE BUFFER AROUND PERIPHERY OF PROPERTY WITH IRRIGATION SYSTEM

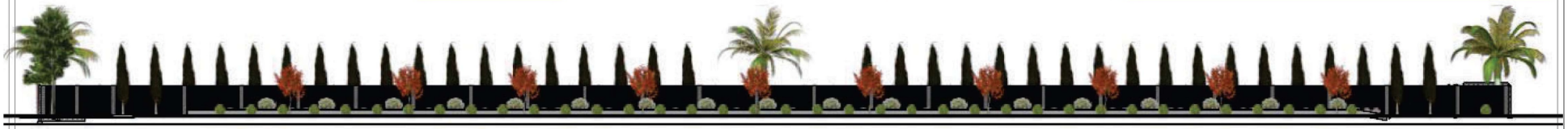
This project is CEQA Exempt
Ca forn a Code of Regu at ons t t e 14 § 15268, m n ster a projects are exempt from the requ rements of the Ca forn a Env ronmenta Qua ty Act (CEQA)

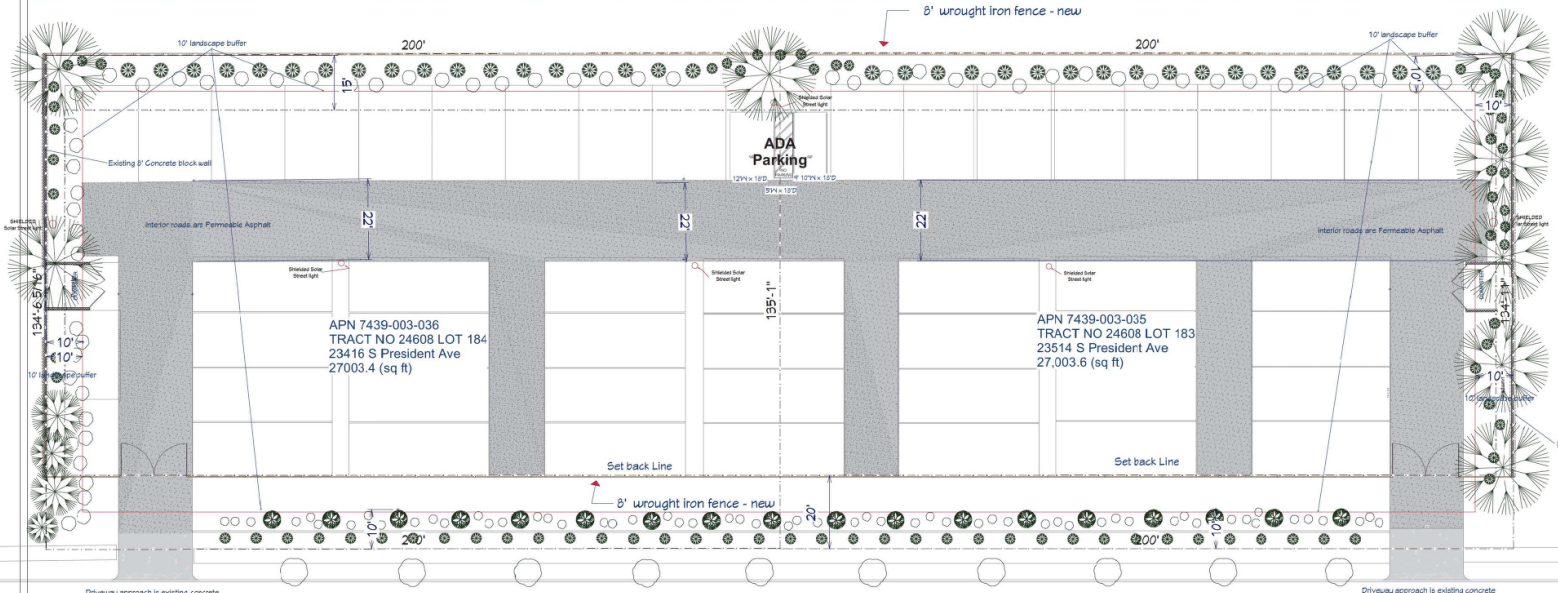
Exhibit D
Page 14



Landscaping requirements
Tota sq ft of parking 46136 sq ft.
4% = 1845.5 sq ft
1/4 credit for street trees = 461.4 sq ft
front yard andscape - 4000 sq ft

4% exceeded





SILVER RV PARK
(310) 925-1444 23416 President Ave

4' x 5' 5 gn to be mounted to r ght of eft entry gate

Project s comp ant w th a app cab e Performance Standards,
Codes ard Regu at ons set forth by:
C ty of Los Ange es P ann ng Dept, Pub c Benef ts Project
C ty of Los Ange es F re Department
State of Ca forn a Dept of Hous ng and Commun ty Deve opment/ Spec a Occupancy/RV Park
State of Ca forn a Hea th and Safety Code
State of Ca forn a Code of Regu at ons, T t e 24
Bu d ng Code & Energy Eff c ency Standards
State of Ca forn a Code of Regu at ons, T t e 25
D v s on I, Chapter 2
A Requ rements of Ut ty Prov ders to estab sh serv ce

Landscaping consist of:

Across front:
Existing boxwoods
Crepe Myrt e Trees
Eng ish Ivy

Adding
miniature o ive trees
seasona co or /ground cover

Back
36 Ita ian cypress'
36 Boxwoods
seasona co or/ground cover

sides, existing torrey pines
eng ish ivy on fence
adding
8 queen pa ms
seasona co or/groundcover

PLANS APPROVED
City of Los Angeles
Department of City Planning
DATE: 08/01/2024 PAGE NO: 1 of 3
POSE NO: 24026-10000-00086
CASE NO: N/A
PLANNER: Ruben Vasquez
NOTES: Supplemental Permit to 23020-10000-02232

N

WALL SCHEDULE
2D SYMBOL WALL TYPE(S)
EX ST NG 8' CONCRETE BLOCK WALL S DES OF PROPERTY
NEW 8' WROUGHT RON FENCE FRONT AND REAR

City Fire Hydrant

235th St

Presidents Way

Layout Page Tab e		
Number	T t e	Comments
1	SITE PLAN	
2	PERFORMANCE STANDARDS	
3	ADA/FIRE/LANDSCAPE	
4	LOCAL APPROVALS	
5	Capped We Locat ons	
6	ELECTRICAL	
7	ELECTRICAL 2	
8	ELECTRICAL 3	
9	GRADING	
10	SEWER	
11	WATER	
12	NOTES	

Preva ing Setback ca cu ations

Number of lots: 3

Prevailing Setback: 17497 ft

Calculation

Total no of lots entered: 3
Total frontage entered: 150.00 ft
40% from total frontage entered: 60.00 ft
No of lots used in the calculation: 3
Setback range used: 14.00 ft - 23.00 ft
Total frontage used in the calculation: 150.00 ft

Lots Used

Lot	Frontage (ft)	Setback (ft)
1414	50.00	14.00
1500	50.00	16.00
23528	50.00	23.00

New front and rear fence detail
8' wrought iron ocated at front and rear of property



P-1

REVISION TABLE
NUMBER | DATE | REVISED BY | DESCRIPTION

SITE PLAN

S LVER RV PARK
23414 S PRES DENT AVE
LOS ANGELES CA 90710

S LVER RV PARK CORPORAT ON STUART S LVER-CEO
4712 ADM RALTY WAY MAR NA DEL REY CA 90292
818-288-5372

DRAWINGS PROVIDED BY:
DOUG ROSS
1025 MCFARLAND AVE
WILMINGTON CA 90744
424-533-2936

DATE: 7/25/2024

SCALE: 1/16"=1

SHEET: P-1

FOR REFERENCE ONLY: 2023807676

Notes:

This project is being built under LAMC 14.00A 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 14.00A 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 2006-10 (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 14.00A 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)"

LAMC 14.00A Section 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.

(R) Any building constructed will be a single story building that is equal or lower in height to all buildings on surrounding properties. Please note structures inside park are regulated wholly by HCD

(2) The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of LAMC.

(R) Chapter 11 specifies that in zone R A, presumed ambient noise levels (dB(A)) must not surpass 50 decibels between 7:00 a.m. and 10:00 p.m., and nighttime levels should not exceed 40 decibels from 10:00 p.m. to 7:00 a.m. Notably, there are no planned installations on the property that would surpass these levels. Moreover, both park rules and the pet policy dictate that individuals on the premises must refrain from actions that could disrupt the peaceful enjoyment of others residing on or near the property.

(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.

(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.

(4) The front yard setback is at least as deep as the setback required by the zone;

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

(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;

(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 tho 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.

(6) Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6.;

(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 are will meet standard 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;

(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, the1 sign will be located on fence to right of entry gate.

(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;

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

(9) The use meets the parking requirements of Section 12.21 A;

(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 12/26/2022 (attached)

(10)All streets, alleys or sidewalks adjoining the property meet standard street dimensions;

President Ave is considered a Local Street by street classification in LABOE's Complete Streets Design Guide. This streets/sidewalks exceeds the design standard set for this type of street

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

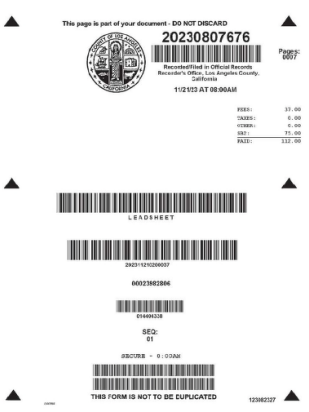
(R) There will be no landline phones, including payphones located on the property. Phone service for park personnel will be provided via cellular phones attached to an Internet PBX provider.

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

(R) All park security lighting will be installed with shielding and aimed in a direction away from adjoining properties. in addition, they will be self dimming when no motion is detected. Location of lighting is shown on plans. Though all park lighting is regulated solely by HCD, we are meeting the requirement

(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.

(R)As stated above and shown in these plans, where applicable, all performance standards will be met when this project is completed and verification will be provided to planning at that time in meeting these standards, planning department approval is ministerial and should be granted at this time. Approval of this ministerial project supersedes the need for a conditional use permit. The covenant has been filed in accordance with the municipal code and a stamped copy has been provided to city planning department



This page is part of your document - DO NOT DISCARD

20230807676

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County, California

11/2/23 AT 08:00AM

Pages: 0007

FEES: 37.00
TAXES: 0.00
OTHER: 0.00
SB2: 75.00
PAID: 112.00

LEADSHEET

20231121209037

00023823806

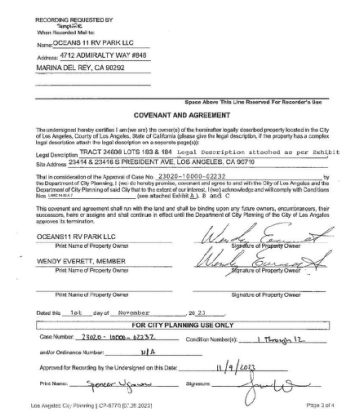
014493328

SEQ: 01

SECURE - 0:00AM

THIS FORM IS NOT TO BE DUPLICATED

123382127



RECORDING REQUESTED BY
Tangible

When Recorded Mail to:
Name OCEAN811 RV PARK LLC
Address 4712 ADMIRALTY WAY #948
MARINA DEL REY, CA 90292

Space Above This Line Reserved For Recorder's Use

COVENANT AND AGREEMENT

The undersigned hereby certifies I am (we are) the owner(s) of the hereinafter legally described property located in the City of Los Angeles, County of Los Angeles, State of California (please give the legal description, if the property has a complex legal description attach the legal description on a separate page(s))

Legal Description TRACT 24696 LOTS 183 & 184 Legal Description attached as per Exhibit

Site Address 23414 & 23416 S PRESIDENT AVE, LOS ANGELES, CA 90710

That in consideration of the Approval of Case No. 23020-10000-02232 by the Department of City Planning, I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the Department of City Planning of said City that to the extent of our interest, I (we) acknowledge and will comply with Conditions Nos. ONE through C (see attached Exhibit A-1, B and C)

This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their successors, heirs or assigns and shall continue in effect until the Department of City Planning of the City of Los Angeles approves its termination.

OCEAN811 RV PARK LLC
Print Name of Property Owner

Signature of Property Owner

WENDY EVERETT, MEMBER
Print Name of Property Owner

Signature of Property Owner

Print Name of Property Owner

Signature of Property Owner

Dated this 1st day of November, 20 23

FOR CITY PLANNING USE ONLY

Case Number 23020 - 10000 - 02232 Condition Number(s) 1 Through 12

and/or Ordinance Number N/A

Approved for Recording by the Undersigned on this Date 11/1/2023

Print Name: Spencer Kilgore Signature:

Los Angeles City Planning [CP-8770] (C.26 2023)

Page 3 of 4

THIS PAGE FOR NOTARY'S USE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT CIVIL CODE SECTION 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

On November 1, 2023 before me, Ruth B. Kelso-Mayfield
(Here Insert Name and Title of the Officer)

Personally appeared Wendy Everett
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Ruth B. Kelso-Mayfield
Notary Public - California
Los Angeles County
Commission # 2441228
My Comm. Expires Oct 31, 2026

Place Notary Seal Above

Los Angeles City Planning [CP-8770] (C.26 2023)

Page 4 of 4

EXHIBIT "A"

INSTRUCTIONS:

PUBLIC BENEFIT PROJECTS (PUB) INSTRUCTIONS

ZONING CODE SECTIONS: Performance Standards is 14.00 A and Compliance/Procedures is 14.00 B.

READ BEFORE PROCEEDING

Applying for a Public Benefit project approval is a two-step process (except for Unpermitted Dwelling Units):

Preliminary Step: For Unpermitted Dwelling Units only, complete the Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form (CP-7838), submit plans to the Department of Building and Safety for Plan Check processing, and coordinate the Affordable Housing Covenant with the Housing and Community Investment Department.

Step One: Filling out a Performance Standard checklist/worksheet to determine Performance Standard Compliance, and whether project is permitted by right.

Step Two: Compliance procedure for project not meeting all Performance Standards.

For the preliminary step, applicants must coordinate with the staff at the Planning Department (DSC Housing Services Unit) to confirm the project meets the eligibility criteria.

For steps one and two supporting proof and documentation to substantiate compliance with Performance Standards must be provided to City staff for evaluation purposes. Substantiation shall include, but not be limited to: plans and elevations, maps, signed statements from "independent verifiers (e.g., acoustical consultant)," and City departments. In addition, a signed and sworn Covenant and Agreement is required for each Public Benefit project which acknowledges that all Performance Standards will be met, as set forth in Section 14.00 LAMC.

This instruction sheet should be used by the applicant, in consultation with the Public Counter staff to determine whether a Public Benefit use needs an expanded performance standards. Refer to Paragraph 15 and answer the questions to determine whether a project is permitted as a matter of right. If all performance standards for a use are met, and answered "yes" in the appropriate checklist, a project is **PERMITTED.** Where performances are not met, and alternative compliance procedures, under Section 14.00 B, shall be followed, as well as the following components of this Instruction sheet.

The **MASTER LAND USE APPLICATION INSTRUCTION SHEET-500' RADIUS** should also be followed.

1. **ADDITIONAL INFORMATION:** Please provide the following to assist the decision maker.
   a. Describe briefly the type of use and improvement proposed, state whether new buildings are to be constructed, existing buildings are to be used or additions made to existing buildings.
   b. Where applicable the following items shall be delineated on plans in accordance with the applicable Zoning Code Section:
      1) Exterior walls
      2) Lighting plans
      3) Landscaped and irrigated areas in the parking area
      4) Location of trash storage area(s)
      5) Location of other storage area(s)
      6) Plot/site layout indicating striping, landscaping, and driveways

CP-7760 [05.20.2017] Public Benefit Instructions

EXHIBIT "B"

c. Plans provided should illustrate how compliance with all applicable Performance Standards and purposes are met, as set forth in Section 14.00 of the Los Angeles Municipal Code.

d. Other Supportive Evidence including documents and photographs will be required to substantiate compliance with Performance Standards.

e. Additionally for Unpermitted Dwelling Units (UDU) only: provide the following:
   1) The completed and signed original copy of the "UDU Interagency Referral Form".
   2) Evidence of the pre-existing unit acceptable to the Department of City Planning's Housing Services Unit.

2. **PUBLIC BENEFIT PROJECT CHECKLIST:** The following public benefit uses are permitted, provided they meet the performance standards set forth below (and answered "yes"). Otherwise, where there is an answer of "no," an approval of alternative compliance measures, pursuant to Section 14.00 B, will be required.

Which Public Benefit use is being applied for? 1400 A-7 RV PARK

Please proceed to the use requested below and answer only performance standard items for that use. Any "No" answer requires an additional approval under Section 14.00 B.

CP-7760 [05.20.2017] Public Benefit Instructions

EXHIBIT "C"

PERFORMANCE STANDARDS

9. **Recreational vehicle parks are mobile home parks in the A, R or C Zones (Sec. 14.00 A 7).**

		Please Write Yes or No
1)	No buildings are higher than any main building on adjoining property or across a street or alley from the use.	YES
2)	The use is conducted in conformance with the City's noise regulations pursuant to Chapter 11 of the Code.	YES
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.	YES
4)	The front yard setback is at least as deep as the setback required by the zone.	YES
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.	YES
6)	Parking areas are landscaped pursuant to the requirements of Section 12.21 A.6.	YES
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.	YES
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.	YES
9)	The use meets the parking requirements of Section 12.21 A.	YES
10)	All streets, alleys and sidewalks adjoining the property meet standard street dimensions.	YES
11)	There are no outdoor public telephones on the site.	YES
12)	Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.	YES

CP-7760 [05.20.2017] Public Benefit Instructions

EXHIBIT D
LEGAL DESCRIPTION

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

LOTS 183 AND 184 OF TRACT NO. 24696, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 813, PAGES 34 TO 42, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7439-003-035 AND 7439-003-036

PLANS APPROVED
City of Los Angeles
Department of City Planning

DATE: 08/01/2024 PAGE NO. 2 of 3
PCIS NO: 24026-10000-00086
CASE NO: N/A
PLANNER: Ruben Vasquez
NOTES: Supplemental Permit to 23020-10000-02232

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

PERFORMANCE STANDARDS

S LVER RV PARK
23414 S PRES DENT AVE
LOS ANGELES CA 90710

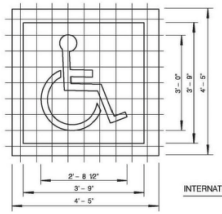
S LVER RV PARK CORPORAT ON STUART S LVER-CEO
4712 ADM RALTY WAY MAR NA DEL REY CA 90292

DRAWINGS PROVIDED BY:
DOUG ROSS
MCFARLAND AVE
WILMINGTON, CA 90744
424-533-2936

DATE:
7/25/2024

SCALE:1/16"=1

SHEET:
P-2

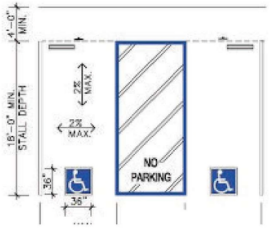


INTERNATIONAL SYMBOL OF ACCESSIBILITY PAVEMENT SYMBO. SHALL BE PAINTED WHITE ON BLUE BACKGROUND.

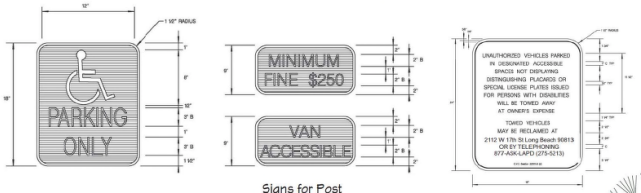
BLUE COLOR TO MATCH COLOR A 15090 IN THE FEDERAL STANDARD 595A AS SPECIFIED IN SECTION 22(B) 2.

ISA SYMBOL SHALL BE LOCATED SO THAT IT IS VISIBLE TO TRAFFIC ENFORCEMENT OFFICER WHEN THE VEHICLE IS PARKED IN THE SPACE.

INTERNATIONAL SYMBOL OF ACCESSIBILITY (ISA)



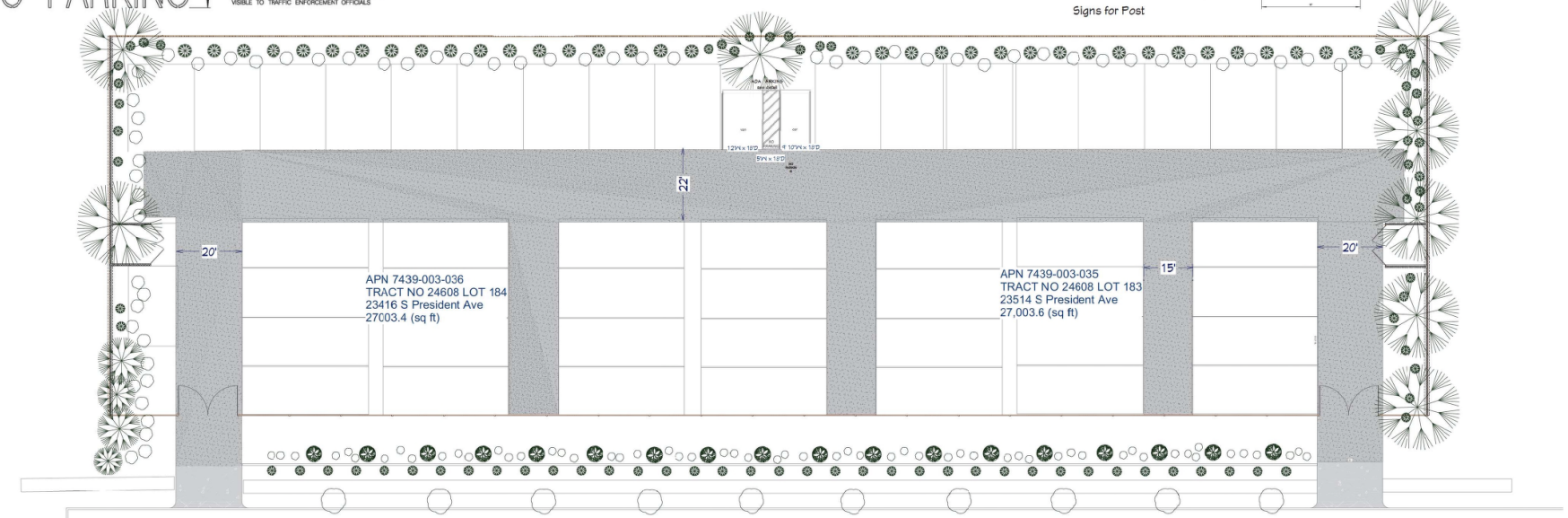
PARK NG S GNS
1 POST MOUNTED S GNS SEE M 45 FOR BREAK AWAY S GN POST
2 S GNS SHALL BE CONSTRUCTED OF A M N MUM 0 16" TH CK ALUM NUM
3 S GN 1 COLORS BORDER TEXT AND SYMBOL WH TE (RETROREFLECT VE) BACKGROUND BLUE (RETROREFLECT VE) FONT SANS SER F CLEARY EW
4 S GN 2 COLORS THE S GN HAS A WH TE REFLECT VE BACKGROUND W TH NON REFLECT VE BLACK BORDER AND TEXT BLANK SPACES MUST BE F LLED N W TH APPROPR ATE NFORMAT ON AS A PERMANENT PART OF THE S GNAT THE T ME OF F NAL NSPECT ON
5 AN ADD T ONAL TOW NG S GN SHALL BE POSTED N A CONSP CUOUS PLACE AT EACH ENTRANCE



Signs for Post

NO PARKING

THE WORDS "NO PARKING" SHALL BE PAINTED IN WHITE LETTERS NO LESS THAN 12" HIGH LOCATED AT THE END OF THE ACCESS AISLE SO THAT IT IS VISIBLE TO TRAFFIC ENFORCEMENT OFFICIALS





PLANT SCHEDULE

2D SYMBOL	NUMBER	QTY	COMMON NAMES
	P01	10	CRAPE MYRTLE CREPE MYRTLE
	P02	78	ENGL SH COMMON BOXWOOD
	P03	8	K NG PALM ALEXANDRA PALM ALEXANDER PALM
	P04	3	L MBER P NE
	P05	36	MED TERRANEAN CYPRESS TALIAN CYPRESS FUNERAL CYPRESS
	P06	1	MED TERRANEAN FAN PALM ERGPEAN FAN PALM
	P07	60	CREEP NG PHLOX
	P08	56	BARBERRY
	P09	18	OL VE TREE 1

PLANS APPROVED
City of Los Angeles
Department of City Planning
DATE: 08/01/2024 PAGE NO. 3 of 3
PCIS NO. 24026-10000-00086
CASE NO. N/A
PLANNER Ruben Vasquez
NOTES: Supplemental Permit to 23920-10000-02232

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

ADA/FIRE/
LANDSCAPE

S LVER RV PARK
23414 S PRES DENT AVE
LOS ANGELES CA 90710

S LVER RV PARK CORPORAT ON STUART S LVER-CEO
4712 ADM RALTY WAY MAR NA DEL REY CA 90292
818-268-5372

DRAWINGS PROVIDED BY:
DOUG ROSS
1025 HOTALAND AVE
WILMINGTON, CA 90744
424-533-2936

DATE:
7/25/2024

SCALE:1/16"=1

SHEET:
P-3

INSTRUCTIONS:

PUBLIC BENEFIT PROJECTS (PUB) INSTRUCTIONS

ZONING CODE SECTIONS: Performance Standards in 14.00 A and Compliance Procedures in 14.00 B.

READ BEFORE PROCEEDING

Applying for a Public Benefit project approval is a two-step process (except for Unpermitted Dwelling Units):

Preliminary Step: For Unpermitted Dwelling Units only, complete the Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form (CP-7835), submit plans to the Department of Building and Safety for Plan Check processing, and coordinate the Affordable Housing Covenant with the Housing and Community Investment Department.

Step One: Filling out a Performance Standard checklist/worksheet to determine Performance Standard Compliance, and whether project is permitted by right.

Step Two: Compliance procedure for project not meeting all Performance Standards.

For the preliminary step, applicants must coordinate with the staff at the Planning Department (DSC Housing Services Unit) to confirm the project meets the eligibility criteria.

For steps one and two supporting proof and documentation to substantiate compliance with Performance Standards must be provided to City staff for evaluation purposes. Substantiation shall include, but not be limited to: plans and elevations, maps, signed statements from "independent verifiers (e.g., acoustical consultant)," and City departments. In addition, a signed and sworn Covenant and Agreement is required for each Public Benefit project which acknowledges that all Performance Standards will be met, as set forth in Section 14.00 LAMC.

This instruction sheet should be used by the applicant, in consultation with the Public Counter staff to determine whether a Public Benefit use meets all required performance standards. Please turn to Paragraph 15 and answer the questions to determine whether a project is permitted as a matter of right. If all performance standards for a use are met, and answered "yes" in the appropriate checklist, a project is **PERMITTED.** Where performance standards are NOT met, alternative compliance procedures, under Section 14.00 B, shall be followed, as well as the following paragraphs of this instruction sheet.

The **MASTER LAND USE APPLICATION INSTRUCTION SHEET–500' RADIUS** should also be followed.

1. **ADDITIONAL INFORMATION:** Please provide the following to assist the decision maker:

   a. Describe briefly the type of use and improvement proposed. State whether new buildings are to be constructed, existing buildings are to be used or additions made to existing buildings.

   b. Where applicable the following items shall be delineated on plans in accordance with the applicable Zoning Code Section:

      1) Exterior walls
      2) Lighting plans
      3) Landscaped and irrigated areas in the parking area
      4) Location of trash storage area(s)
      5) Location of other storage area(s)
      6) Parking layout indicating striping, landscaping, and driveways

c.. Plans provided should illustrate how compliance with all applicable Performance Standards and purposes are met, as set forth in Section 14.00 of the Los Angeles Municipal Code.

d. Other Supportive Evidence including documents and photographs will be required to substantiate compliance with Performance Standards.

e. Additionally, for Unpermitted Dwelling Units (UDU) only, provide the following:

1) The completed and signed original copy of the "UDU Interagency Referral Form".
2) Evidence of the pre-existing unit acceptable to the Department of City Planning's Housing Services Unit.

2. **PUBLIC BENEFIT PROJECT CHECKLIST:** The following public benefit uses are permitted, provided they meet the performance standards set forth below (and answered "yes"). Otherwise, where there is an answer of "no," an approval of alternative compliance measures, pursuant to Section 14.00 B, will be required.

Which Public Benefit use is being applied for? _____

Please proceed to the use requested below and answer only performance standard items for that use. Any "No" answer requires an additional approval under Section 14.00 B.

PERFORMANCE STANDARDS

d. Mobile home parks where any trailer or mobile home is permitted to remain longer than one day and which were lawfully in existence on December 6, 1986 (Sec. 14.00 A 4).

		Please Write: Yes or No
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 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.	
4)	The front yard is at least as deep as the setback required by the zone.	
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.	
6)	Parking areas are landscaped pursuant to the requirements of Section 12.21 A 6.	
7)	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.	
8)	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.	
9)	The use meets the parking requirements of Section 12.21 A.	
10)	All streets, alleys and sidewalks adjoining the property meet standards street dimensions.	
11)	There are no outdoor public telephones on the site.	
12)	Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.	

SUMMARY OF PARKING REGULATIONS

Exhibit F

Please be aware that areas that are

a. located within Specific Plans, Interim Control Ordinances, or special districts may have different parking requirements than provided in this Information Bulletin.
b. Projects eligible to use AB 2097 as indicated on ZIMAS parcel profile report at the time of plan check submittal are able to utilize reduced parking requirements. Hotels, motels, bed and breakfast inns or other transient lodging except where a portion of a housing development project is designated for use as a residential hotel, are not eligible for AB 2097 reduce parking requirements.

SECTION 12.21A.4(c) – COMMERCIAL AND INDUSTRIAL BUILDINGS Use of Building (or portions of) *	**Ratio (spaces/sq ft)**
1. Health or Athletic Club, Bath House, Gymnasium, Video arcades, Karaoke, Laser tag or similar and Pool Hall (use total floor area minus the pool tables)	1 per 100
2. Studio for dance, yoga, martial art smaller than 1000 sq ft and with no more than 10 occupants at any given time (note such limitations on the Building Permit)	1 per 500
3. Skating/Roller Rinks, Bowling Alleys (Bowling Area), Basketball Court (including court surface); Sitting or viewing area at 1 per 100; with stadium seating for spectators 1 per 35 or 1 per 5 fixed seats. Bowling Lanes in a bowling alley can be calculated at 1 per 500.	1 per 100 (more parking required for viewing or seating area)
4. Restaurant, Café, Coffee Shop, Bar, Night Club, Banquet/Dance Hall or similar	1 per 100
5. Small Restaurant, Café, or Coffee Shop (1,000 sq. ft. or less)	1 per 200
6. Retail, Take-Out Restaurant (no seating), Art Gallery (retail) or Discount Wholesaler selling to the general Public, Gold buying	1 per 250
7. Wholesaler not selling to the general Public	1 per 500
8. Retail Furniture, Major Appliances, or similar	1 per 500
9. Professional Office or other Business/services such as Dry Cleaner, Coin-laundry, Beauty Salon, Art Studio (no retail), Museum, Travel Agency, kennel, animal clinic, animal hospital…..similar	1 per 500
10. School for adult: Trade, Music, Professional, or similar as defined in code section 12.21A.4(c)(7)	
a. Classroom or assembly area	1 per 50 or 1 per 5 fixed seats
b. Laboratory or Classroom with heavy equipment	1 per 500
11. Adult Care Facility	1 per 500
12. Warehouse or Storage (for Household Goods) - Parking shall be calculated for each building; Refuse Transfer Station[6]	1 per 500 (1st 10,000 sq ft) + 1 per 5,000 after
13. Light manufacturing uses such as data retrieval, record management, research and development, information processing, electronic technology or multi-media productions	1 per 500
14. Auto Dismantling Yard, Junk Yard or Open Storage in the M2 or M3 zones [Sec. 12.19 A.4(b)(4) and Sec. 12.20 A.6(b)(3)	6 for the first acre, 1 per 12,000 sq ft for the second acre, and 1 for each acre after
15. Used vehicle sales /auto repair garage per Sec. 12.26.F (exception: display of not more than 3 vehicles for purpose of sale or trade at any one time)	1 per 2000 of outdoor vehicle sales area (min. 2 stalls) + parking as required for the building

SECTION 12.21A.4(d) – INSTITUTIONS: Use of Building (or portions of)*	**Ratio (spaces/sq ft or unit)**
1. Philanthropic Institution, Museum, Government Office, or similar	1 per 500
2. Medical Office, Clinic, or Medical Service Facility	1 per 200
3. Sanitarium or Convalescent Home	The greater of 1 per 500 or min 0.2 per bed
4. Hospital	2 per patient bed

***Exceptions for Section 12.21A.4(c), (d), (e) and (f)**

1. Any roofed Outdoor Eating Areas in connection with restaurants, cafes or other eating/refreshment establishments will provide parking as required except for ground floor **"Outdoor Eating Area"** as defined per Section 12.03 of the Zoning Code. No parking is required for any **UNROOFED** Outdoor Eating Areas such as patios, terraces or roof decks.
2. For any Specific Plans published prior to May 21,1990, required parking shall be based on Specific Plan or Section 12.21A.4 whichever is required more parking.
3. Read 12.21A.4(j) for **combination of uses** inside an office building or an industrial-use lot. Exception 12.21A.4(j)(3) can be applied to retails, health club or any commercial uses per section 12.21A.4(c) for an office building greater than 50,000 sq ft.
4. For church, gyms or any assembly, every 24" of **bleacher or pew** (if no delineated seats or cushions for each person) **is considered as one seat.**

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5. Warehouses built prior to Sept 8, 1950 can be considered as Industrial Use for nonconforming parking per LADBS' 10/06/1997 memo.
6. **Refuse Transfer Station** - Parking requirements are same as warehouse use per ZA Memo No. 135 (04/03/2020)
7. For existing buildings per Ord.#182,110 (amending section 12.21A.4(m)), Department of Building and Safety may reduce the number of required parking spaces by the number of spaces which the LADBS determines are needed to provide disabled parking spaces required by the State access laws.

SECTION 12.21A.4(e) and (f) – ASEEMBLY AREA AND SCHOOLS: Use of Building (or portions of)*	**Ratio (spaces/sq ft or unit)**
1. High School/College Auditorium; Stadium; Theater; Bingo Parlors more than 50 occupants; or similar assembly	1 per 35 sq. ft. or 1 per 5 fixed seats
2. Church (The greater of the main sanctuary or main assembly area)	1 per 35 sq. ft. or 1 per 5 fixed seats
3. Schools (Private or Public)	//////////////////////////////
a. Elementary/Middle – K thru 8th grade	1 per classroom (on-site only)
b. 9th thru 12th grade	The greater of auditorium, any assembly or 1 per 500 of total building area
4. Facility for 12th graders and under including Child Care, Counseling Facility, After School Program for tutoring or athletic facility	The greater of 1 per 500 of total building area or 1 per classroom for K thru 8th grade

SPECIAL DISTRICTS: Use of Building (or portions of)	**Ratio spaces/sq ft or unit**
1. Downtown Parking District (DPD) - 12.21 A.4(i)(1) – Auditoriums and other similar places of assembly	1 per 10 fixed seats or 1 per 100 sq ft
2. Downtown Parking District (DPD) - 12.21 A.4(i)(2) and (3) – Hospitals, philanthropic institutions, governmental offices buildings, medical offices and all uses as listed in Section 12.21A.4(c) (No parking for any uses listed in Section 12.21A.4(c) when the total commercial use is smaller than 7,500 sq ft in gross floor area)	1 per 1000 for all uses in Section 12.21A4C
3. Downtown Parking District (DPD) - 12.21 A.4(i)(3) - warehouse	1 per 1000 (1st 10,000 sq ft) + 1 per 5,000 after
4. Community Redevelopment Areas & Enterprise Zones outside of DPD District - 12.21A4(x)(3) for medical office, clinic and all commercial uses in Sec. 12.21A.4(c)	1 per 500
5. Historical Buildings (National Register of Historic places or State or City historical or cultural monuments) – 12.21 A.4(x)(2)	No change in parking in connection with change of use.

SECTION 12.21A.4(a) and (b) – Use of Building (or portions of)**	**Ratio (spaces/sq ft or unit)**
1. One-Family Dwelling (SFD) or group of one family dwellings	2 (on-site only)
2. Apartment or Two-Family Dwelling (Duplex)	//////////////////////////////////////
a. units > 3 habitable rooms (such as a typical 2 bedroom unit)	2 (on-site only)
b. units = 3 habitable rooms (such as a typical 1 bedroom unit)	1.5 (on-site only)
c. units < 3 habitable rooms (such as a typical single unit)	1 (on-site only)
3. Hotel, Motel, Boarding House or Dormitory[7] including accessory facilities	//////////////////////////////////////
a. first 30 guestrooms / a suite in a Hotel	1
b. next 30 guestrooms / a suite in a Hotel	One half
c. remaining guestrooms / a suite in a Hotel	One third
d. Multi-purposes assembly room >750 sq ft inside a hotel or motel	1 per 35 sq. ft. or 1 per 5 fixed seats
e. Restaurants > 750 sq.ft and not intended for hotel guests	1 per 100 sq. ft.
4. Condominiums	Planning's tract condition
5. Mobile Homes Park (Title 25 of the California Administrative Code)	N/A

***See Footnotes on Page 1 of 2.**

****Exceptions for Section 12.21A.4(a) and (b):**

1. Subject to the Hillside Ordinance or **the Baseline Hillside Ordinance**, an SFD may require up to a maximum of 5 parking spaces.
2. Residential located inside the **Central City Parking District (CCPD)** may have reduce parking as follows:
   a) Provide 1 parking per dwelling unit. When more than six dwelling units having more than 3 habitable rooms per unit on the site, the parking for these units shall be at 1¼.
   b) Provide 1 parking for each 2 guestrooms for first 20, 1 for each 4 guestrooms for next 20, 1 for each 6 guestrooms for the remaining.
3. **SFD on a narrow lot, 40 ft or less in width and** not abutting an alley requires only one parking space. However, this reduction shall not apply to lots fronting on a substandard street in A1, A2, A, RE, RS, R1 and RD zones. 12.21A.4(q).

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4. Any **commercial vehicle** which exceeds a registered net weight of 5600 lbs shall not be considered as an accessory residential use.
5. **Affordable Housing Incentives –** Parking Options are available for Housing Development Projects pursuant to 12.22 A.25(d).
6. **Elder Care Facilities –** Reduced parking for special housing types pursuant to 12.21 A.4(d)(5).
7. Every 100 sq ft of superficial floor area in a **dormitory** shall be considered as a separate guest room.
8. **Bicycle parking** is required per Section 12.21A.16.

9. Section 4.106.4.2.2 of the 2023 Los Angeles Green Building Code requires
    a. multi-family dwellings with **less than 20 dwelling units** to have a minimum
        i. Thirty (30) percent of the total number of parking spaces on the building site to be **EV Capable** (capable of supporting future Level 2 electrical vehicle charging spaces (EVCS),
        ii. Twenty-five (25) percent of the total number of parking spaces on the building site to be **EV Ready** (equipped with low power Level 2 EV charging receptacles). For multifamily dwelling parking facilities, no more than one receptacle is required per dwelling unit when more than one parking space is provided for use by a single dwelling unit. The number of EV Ready parking spaces may be counted toward the total number of EV Capable parking spaces required for the building per 04.106.4.2.1. Item 1.
    b. multi-family dwellings with **more than 20 dwelling units** to have a minimum
        i. Thirty (30) percent of the total number of parking spaces on the building site to be **EV Capable** (capable of supporting future Level 2 electrical vehicle charging spaces (EVCS),
        ii. Twenty-five (25) percent of the total number of parking spaces on the building site to be **EV Ready** (equipped with low power Level 2 EV charging receptacles). For multifamily dwelling parking facilities, no more than one receptacle is required per dwelling unit when more than one parking space is provided for use by a single dwelling unit. The number of EV Ready parking spaces may be counted toward the total number of EV Capable parking spaces required for the building per 04.106.4.2.1. Item 1.
        iii. Ten (10) percent of the total number of parking spaces on the building site to be **EV Chargers** (equipped with Level 2 EV charging receptacles).

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DENNIS R. LUNA
(1946-2016)

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June 16, 2025

VIA EMAIL

Monique Lawshe, President
Los Angeles City Planning Commission
Los Angeles City Hall
200 N. Spring Street
Los Angeles, CA 90012

Re: **DIR-2024-7352-BSA-1A**
23416 and 23514 South President Avenue, 90710

Honorable Commissioners:

Our firm represents the Concerned Residents of Green Meadows West – Harbor City (the "Residents"), residents who reside in the immediate vicinity and neighborhood of the proposed Recreation Vehicle ("RV") park at 23416 S. President Ave., Los Angeles California 90710 (the "Project").

The Project, as proposed, requires a Conditional Use Permit ("CUP") under the law. The Los Angeles Department of Building and Safety ("LADBS") erred and abused its discretion in failing to require a CUP on connection with the issuance of building permits for the Project.

For the reasons set forth herein, the Commission should grant the within appeal.

I. The Applicant Has Failed to Obtain, and LADBS Has Failed to Require, a Conditional Use Permit

1. Special Occupancy Parks Act

The state of California Special Occupancy Parks Act is enacted in California *Health & Safety Code* §§18860-18875. By definition, it applies to RV parks. *Health & Safety Code* §18862.43 ("[s]pecial occupancy park" means a recreational vehicle park, temporary recreational vehicle park, incidental camping area, or tent camp).

The Special Occupancy Parks Act was enacted based upon an express finding by the state Legislature "for consistent and **uniform** statewide regulations for special occupancy parks to assure their health, safety, and general welfare, and a decent living environment." *Health & Safety Code* §18863(emphasis added). It 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. *Health & Safety Code* §18865(a)(emphasis added).

Health & Safety Code §18865.1(emphasis added) requires 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."

LADBS's issuance of a building permit without a CUP and public hearing by the governing body, as required by the Special Occupancy Parks Act, which supersedes any ordinance enacted by the City, constitutes error and abuse.

The Zoning Administrator has made the determination that the *Health & Safety Code* regulations regulating special occupancy park are only applicable if the city has assumed enforcement responsibilities. This is incorrect and completely unfounded. To the contrary, the Special Occupancy Parks Act "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." *Health & Safety Code* §18865(a)(emphasis added).

Indeed, while the City may assume enforcement responsibilities, *for purposes of enforcement*, this has nothing to do with the requirement to 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. *Health & Safety Code* §18865.1.

The Applicant argues that they have applied with State of California Department of Housing and Community Development ("HCD") for its state conditional permit. And while that may or may not be true (no actual evidence of such application has been submitted), that has nothing to do with the requirement for a conditional use permit from "the governing body of any city, city and county, or county." *Health & Safety Code* §18865.1.

LADBS failed to require a CUP, as required by state law.

2. Los Angeles Municipal Code §12.03

Los Angeles Municipal Code ("LAMC") §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."

In this case, the applicant has failed to obtain a CUP, therefore the RV park is not authorized.

The Zoning Administrator has made the determination that LAMC §12.03 does not apply because the LAMC was updated subsequent to the enactment of LAMC §12.03. However, other changes to the LAMC do not affect the continued requirements of LAMC §12.03, as written. LAMC §12.03 continues to define a recreational vehicle park as "[a]ny lot or portion of a lot permitted by conditional use." Had the City Council wanted to update this portion of the LAMC, it could have done so. However, the City Council has not updated this requirement.

LADBS's issuance of a building permit without a conditional use permit, as required by LAMC §12.03, constitutes error and abuse. The City has no authority to require compliance with just some portions of the LAMC.

3. Los Angeles Municipal Code §14.00.A.7

LAMC §14.00.A provides that uses which do not meet the performance standards set forth therein require a CUP. The performance standards set forth in LAMC §14.00 have not been met for the Project.

a. Performance Standard #9

LAMC §14.00.A.7(a)(9) requires that "[t]he use meets the parking requirements of Section 12.21.A."

LADBS and the Zoning Administrator have determined that this Performance Standard need not be adhered to because Section 12.21.A "does not provide specific guidance on parking requirements for recreational vehicle parks." LADBS and the Zoning Administrator rely on an LADBS bulletin [Exhibit 1] for the proposition that RV parks are "exempt" from parking requirements under Title 25.

First, this is factually incorrect. The LADBS bulletin relied upon by LADBS and the Zoning Administrator [Exhibit 1] references Mobile Home Parks, not RV parks – the two are not synonymous. Mobile homes are regulated by the Mobilehome Residency Law ("MRL") (Cal. *Civ. Code* §798 *et. seq.*). A "Mobilehome" is a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section 35790 of the *Vehicle Code*. Mobilehome includes a (1) manufactured home, as defined in Section 18007 of the *Health and Safety Code*, and a (2) mobilehome, as defined in Section 18008 of the *Health and Safety Code*. It does not include a recreational vehicle, trailer, or commercial coach. Unlike mobilehome parks, RV's are governed by California's Recreational Vehicle Occupancy Law (RVPOL), (Cal. *Civ. Code* § 799.20 *et. seq.*).

The Title 25 regulations for mobilehome parks are not applicable here.

Furthermore, LADBS/the Zoning Administrator's logic is circular. The applicant cannot "meet the parking requirements of Section 12.21.A" without meeting the parking requirements of Section 12.21.A. The lack of explicit parking ratios for RV parks does not relieve the project of its obligation to comply with performance standard 9. What is otherwise the purpose of Performance Standard 9?

This Commission will note, Performance Standard 9 was specifically added in 2000, after the LAMC §14.00 was first adopted. At that time, the City Council specifically determined to impose this parking requirement on RV parks. What would be the purpose of adding an "exempt" performance standard? Certainly, the City Council was well aware of Title 25.

The City cannot read a Code section in a manner that eliminates this stated requirement. LAMC §14.00.A.7(b) specifically states, in part, that the purpose of the performance standards is to provide "[s]ufficient off-street parking… to preclude the need for utilization of on-street parking by the use allowed on the site." There is clearly a parking requirement in LAMC §14.00.

There is no legal justification for failing to enforce Performance Standard 9. Failure to comply with a performance standard triggers a CUP.

b. <u>Performance Standard #4</u>

LAMC §14.00.A.7(a)(4) requires that the front yard setback is at least as deep as the setback required by the zone. In the R1 Zone, the front yard setback is 20% lot depth, 20 ft max, but not less than prevailing.

The Zoning Code regulations relating to prevailing setbacks require "... that where all of the developed lots which have front yards that vary in depth by not more than 10 ft. comprise 40% or more of the frontage, the minimum front yard depth shall be the average depth of the front yards of such lots."

The plans approved for the Project, as approved, show ***both*** a front yard setback of 20 feet and a prevailing setback calculation of 17.67 feet. Sheet No. P-1 of the plans shows a prevailing front yard setback calculation of 17.67 feet, while the plans show a project that observes a front yard setback of 20 feet. LADBS has no discretion to *not* approve a setback requirement, but allow the Applicant to choose. Failure to comply with a performance standard triggers a CUP.

With the 17.67 foot dimensions on the plans, it is clear that the Applicant will utilize a 17.67 foot front yard setback, calculated via a prevailing setback calculation. The problem here is that the prevailing setback calculation was based upon only <u>three</u> lots. Below is a ZIMAS map of the street, with the subject Property in blue:



T**here are clearly thirty-seven lots along easterly frontage of President Avenue**. All of these lots must be used in a front yard setback calculation. It is error and abuse to use just three lots for the prevailing front yard calculation. There is no authority whatsoever to use three lots on a frontage of thirty-seven lots.

This Commission should note, as stated in the Zoning Administrator's determination letter, when the Zoning Administrator used the Prevailing Setback Calculator provided on the LADBS website and inputted the dimensions and setbacks observed on the 37 lots along the subject easterly frontage of President Avenue, the prevailing setback was calculated to be 18.20 feet. Yet, the Zoning Administrator simply provides that "[t]he Department of Building and Safety will make a final determination as to the prevailing front yard setback." In doing so, the Zoning Administrator fails to recognize that this is not something to be left to some "other time" in the process. **Where, as here, the setback is not being met, a CUP is required under §14.00.A.7.**

LADBS cannot "not" approve a front yard setback for purposes of issuing a building permit. If all performance standards are not met, a CUP is required. A CUP is required here.

c. <u>Performance Standards #5</u>

LAMC §14.00.A.7(a)(5) requires that 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"

As the record shows, prefab structures, utility hook-ups and unapproved structures have been placed where landscaping should be, negating the ability to provide the required landscape buffer. Accordingly, this standard cannot be met, and a CUP is required.

d. <u>Performance Standard #6</u>

LAMC §14.00.A.7(a)(6) requires that "[p]arking areas are landscaped pursuant to the requirements of Section 12.21.A.6" which requires that at least four percent of the total parking area be dedicated to landscaping.

As the record shows, rough-ins for shore power units have been placed in the areas which are supposed to be landscaped pursuant to the requirements of Section 12.21.A.6, negating the ability to provide the required landscaping. Accordingly, this standard cannot be met, and a CUP is required.

e. Performance Standard #3

LAMC §14.00.A.7(a)(3) requires that there be "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."

As the record shows, a chain-link fence has been installed instead. Accordingly, this standard is not met and a CUP is required.

f. Performance Standard #8

LAMC §14.00.A.7(a)(8) requires that "[a]ll 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." There is graffiti on the chain link fence that has not been removed.

II. The Use of the Land is Not a Public Benefit

LAMC §14.00 authorizes certain public benefit uses. However, the proposed use is admittedly a "for profit" use and not a public benefit use. Therefore, it is not authorized under Los Angeles Municipal Code §14.00.

LADBS's issuance of a building permit for a use for profit under Los Angeles Municipal Code §14.00 constitutes error and abuse. The Zoning Administrator's determination provides no adequate rationale for this point. Again, the City cannot read a Code section in a manner that eliminates a stated requirement – in this case, a public benefit requirement.

III. Conclusion

LAMC §14.00.A.7(b) provides:

> "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."

By not requiring a CUP even though the Project does not comply with the mandated performance standards, LADBS and the Zoning Administrator are acting in direct conflict to the stated purpose of the regulations.

This Commission should grant the within appeal.

Very truly yours,

LUNA & GLUSHON
A Professional Corporation



ROBERT L. GLUSHON

EXHIBIT 1

SUMMARY OF PARKING REGULATIONS

Please be aware that areas that are

a. located within Specific Plans, Interim Control Ordinances, or special districts may have different parking requirements than provided in this Information Bulletin.
b. Projects eligible to use AB 2097 as indicated on ZIMAS parcel profile report at the time of plan check submittal are able to utilize reduced parking requirements. Hotels, motels, bed and breakfast inns or other transient lodging except where a portion of a housing development project is designated for use as a residential hotel, are not eligible for AB 2097 reduce parking requirements.

SECTION 12.21A.4(c) – COMMERCIAL AND INDUSTRIAL BUILDINGS Use of Building (or portions of) *	**Ratio (spaces/sq ft)**
1. Health or Athletic Club, Bath House, Gymnasium, Video arcades, Karaoke, Laser tag or similar and Pool Hall (use total floor area minus the pool tables)	1 per 100
2. Studio for dance, yoga, martial art smaller than 1000 sq ft and with no more than 10 occupants at any given time (note such limitations on the Building Permit)	1 per 500
3. Skating/Roller Rinks, Bowling Alleys (Bowling Area), Basketball Court (including court surface); Sitting or viewing area at 1 per 100; with stadium seating for spectators 1 per 35 or 1 per 5 fixed seats. Bowling Lanes in a bowling alley can be calculated at 1 per 500.	1 per 100 (more parking required for viewing or seating area)
4. Restaurant, Café, Coffee Shop, Bar, Night Club, Banquet/Dance Hall or similar	1 per 100
5. Small Restaurant, Café, or Coffee Shop (1,000 sq. ft. or less)	1 per 200
6. Retail, Take-Out Restaurant (no seating), Art Gallery (retail) or Discount Wholesaler selling to the general Public, Gold buying	1 per 250
7. Wholesaler not selling to the general Public	1 per 500
8. Retail Furniture, Major Appliances, or similar	1 per 500
9. Professional Office or other Business/services such as Dry Cleaner, Coin-laundry, Beauty Salon, Art Studio (no retail), Museum, Travel Agency, kennel, animal clinic, animal hospital.....similar	1 per 500
10. School for adult: Trade, Music, Professional, or similar as defined in code section 12.21A.4(c)(7)	
a. Classroom or assembly area	1 per 50 or 1 per 5 fixed seats
b. Laboratory or Classroom with heavy equipment	1 per 500
11. Adult Care Facility	1 per 500
12. Warehouse or Storage (for Household Goods) - Parking shall be calculated for each building; Refuse Transfer Station[6]	1 per 500 (1st 10,000 sq ft) + 1 per 5,000 after
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15. Used vehicle sales /auto repair garage per Sec. 12.26.F (exception: display of not more than 3 vehicles for purpose of sale or trade at any one time)	1 per 2000 of outdoor vehicle sales area (min. 2 stalls) + parking as required for the building

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4. Hospital	2 per patient bed

***Exceptions for Section 12.21A.4(c), (d), (e) and (f)**

1. Any roofed Outdoor Eating Areas in connection with restaurants, cafes or other eating/refreshment establishments will provide parking as required except for ground floor **"Outdoor Eating Area"** as defined per Section 12.03 of the Zoning Code. No parking is required for any **UNROOFED** Outdoor Eating Areas such as patios, terraces or roof decks.
2. For any Specific Plans published prior to May 21,1990, required parking shall be based on Specific Plan or Section 12.21A.4 whichever is required more parking.
3. Read 12.21A.4(j) for **combination of uses** inside an office building or an industrial-use lot. Exception 12.21A.4(j)(3) can be applied to retails, health club or any commercial uses per section 12.21A.4(c) for an office building greater than 50,000 sq ft.
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b. 9th thru 12th grade	The greater of auditorium, any assembly or 1 per 500 of total building area
4. Facility for 12th graders and under including Child Care, Counseling Facility, After School Program for tutoring or athletic facility	The greater of 1 per 500 of total building area or 1 per classroom for K thru 8th grade

SPECIAL DISTRICTS: Use of Building (or portions of)	**Ratio spaces/sq ft or unit**
1. Downtown Parking District (DPD) - 12.21 A.4(i)(1) – Auditoriums and other similar places of assembly	1 per 10 fixed seats or 1 per 100 sq ft
2. Downtown Parking District (DPD) - 12.21 A.4(i)(2) and (3) – Hospitals, philanthropic institutions, governmental offices buildings, medical offices and all uses as listed in Section 12.21A.4(c) (No parking for any uses listed in Section 12.21A.4(c) when the total commercial use is smaller than 7,500 sq ft in gross floor area)	1 per 1000 for all uses in Section 12.21A4C
3. Downtown Parking District (DPD) - 12.21 A.4(i)(3) - warehouse	1 per 1000 (1st 10,000 sq ft) + 1 per 5,000 after
4. Community Redevelopment Areas & Enterprise Zones outside of DPD District - 12.21A4(x)(3) for medical office, clinic and all commercial uses in Sec. 12.21A.4(c)	1 per 500
5. Historical Buildings (National Register of Historic places or State or City historical or cultural monuments) – 12.21 A.4(x)(2)	No change in parking in connection with change of use.

SECTION 12.21A.4(a) and (b) – Use of Building (or portions of)**	**Ratio (spaces/sq ft or unit)**
1. One-Family Dwelling (SFD) or group of one family dwellings	2 (on-site only)
2. Apartment or Two-Family Dwelling (Duplex)	////////////////////////////////////
a. units > 3 habitable rooms (such as a typical 2 bedroom unit)	2 (on-site only)
b. units = 3 habitable rooms (such as a typical 1 bedroom unit)	1.5 (on-site only)
c. units < 3 habitable rooms (such as a typical single unit)	1 (on-site only)
3. Hotel, Motel, Boarding House or Dormitory[7] including accessory facilities	//
a. first 30 guestrooms / a suite in a Hotel	1
b. next 30 guestrooms / a suite in a Hotel	One half
c. remaining guestrooms / a suite in a Hotel	One third
d. Multi-purposes assembly room >750 sq ft inside a hotel or motel	1 per 35 sq. ft. or 1 per 5 fixed seats
e. Restaurants > 750 sq.ft and not intended for hotel guests	1 per 100 sq. ft.
4. Condominiums	Planning's tract condition
5. Mobile Homes Park (Title 25 of the California Administrative Code)	N/A

***See Footnotes on Page 1 of 2.**

****Exceptions for Section 12.21A.4(a) and (b):**

1. Subject to the Hillside Ordinance or **the Baseline Hillside Ordinance**, an SFD may require up to a maximum of 5 parking spaces.
2. Residential located inside the **Central City Parking District (CCPD)** may have reduce parking as follows:
   a) Provide 1 parking per dwelling unit. When more than six dwelling units having more than 3 habitable rooms per unit on the site, the parking for these units shall be at 1¼.
   b) Provide 1 parking for each 2 guestrooms for first 20, 1 for each 4 guestrooms for next 20, 1 for each 6 guestrooms for the remaining.
3. **SFD on a narrow lot, 40 ft or less in width and** not abutting an alley requires only one parking space. However, this reduction shall not apply to lots fronting on a substandard street in A1, A2, A, RE, RS, R1 and RD zones. 12.21A.4(q).

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4. Any **commercial vehicle** which exceeds a registered net weight of 5600 lbs shall not be considered as an accessory residential use.
5. **Affordable Housing Incentives –** Parking Options are available for Housing Development Projects pursuant to 12.22 A.25(d).
6. **Elder Care Facilities –** Reduced parking for special housing types pursuant to 12.21 A.4(d)(5).
7. Every 100 sq ft of superficial floor area in a **dormitory** shall be considered as a separate guest room.
8. **Bicycle parking** is required per Section 12.21A.16.

9. Section 4.106.4.2.2 of the 2023 Los Angeles Green Building Code requires
    a. multi-family dwellings with **less than 20 dwelling units** to have a minimum
        i. Thirty (30) percent of the total number of parking spaces on the building site to be **EV Capable** (capable of supporting future Level 2 electrical vehicle charging spaces (EVCS),
        ii. Twenty-five (25) percent of the total number of parking spaces on the building site to be **EV Ready** (equipped with low power Level 2 EV charging receptacles). For multifamily dwelling parking facilities, no more than one receptacle is required per dwelling unit when more than one parking space is provided for use by a single dwelling unit. The number of EV Ready parking spaces may be counted toward the total number of EV Capable parking spaces required for the building per 04.106.4.2.1. Item 1.
    b. multi-family dwellings with **more than 20 dwelling units** to have a minimum
        i. Thirty (30) percent of the total number of parking spaces on the building site to be **EV Capable** (capable of supporting future Level 2 electrical vehicle charging spaces (EVCS),
        ii. Twenty-five (25) percent of the total number of parking spaces on the building site to be **EV Ready** (equipped with low power Level 2 EV charging receptacles). For multifamily dwelling parking facilities, no more than one receptacle is required per dwelling unit when more than one parking space is provided for use by a single dwelling unit. The number of EV Ready parking spaces may be counted toward the total number of EV Capable parking spaces required for the building per 04.106.4.2.1. Item 1.
        iii. Ten (10) percent of the total number of parking spaces on the building site to be **EV Chargers** (equipped with Level 2 EV charging receptacles).

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