

# APPLICATIONS

## APPEAL APPLICATION Instructions and Checklist



### THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: \_\_\_\_\_

Reviewed & Accepted by (DSC Planner): \_\_\_\_\_

Receipt No.: \_\_\_\_\_ Date: \_\_\_\_\_

Determination authority notified       Receipt Number: \_\_\_\_\_

### PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals, use form [CP13-7854](#).

### RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

### APPELLATE BODY

**Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.**

Area Planning Commission (APC)       City Planning Commission (CPC)       City Council

Zoning Administrator (ZA)

### CASE INFORMATION

Case Number: CPC-2024-3381-DB-CDO-VHCA

APN: 2118015813

Project Address: 7354 Baird Ave.

Final Date to Appeal: 4/23/2026

### JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?       **Entire**       **Part**

Are specific Conditions of Approval being appealed?

YES

NO

If Yes, list the Condition Number(s) here: \_\_\_\_\_

On a separate sheet provide the following:

- Reason(s) for the appeal
- Specific points at issue
- How you are aggrieved by the decision

## APPELLANT

Check all that apply.

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Representative

Property Owner

Applicant

Operator of the Use/Site

## APPELLANT INFORMATION

Appellant Name: Marianne King

Company/Organization: \_\_\_\_\_

Mailing Address: 10041 Farralone Ave.

City: Chatsworth State: CA Zip Code: 91311

Telephone: 8182982026 E-mail: making@socal.rr.com

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

Self  Other: \_\_\_\_\_

Is the appeal being filed to support the original applicant's position?

YES

NO

## REPRESENTATIVE / AGENT INFORMATION

Name: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

## APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

Appellant Signature: *marianne king* Date: 4/23/2026

## GENERAL NOTES

*A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.*

*The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

## GENERAL APPEAL FILING REQUIREMENTS

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. Appeals may be filed either online or in person as referenced below.

## ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)

**Online Application System (OAS):** The OAS (<https://planning.lacity.gov/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.



QR Code to Online Appeal Filing

## IN PERSON APPEAL FILINGS

**Drop off at DSC:** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications.
- b. 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.

## CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978-1465	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.

## APPEAL DOCUMENTS

### 1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- Appeal Application
- Justification/Reason for Appeal
- Copy of Letter of Determination (LOD) for the decision being appealed

### 2. Electronic Copy

- Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

### 3. Appeal Fee

- Original Applicant.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable, or a fee

equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.

- Aggrieved Party.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

#### 4. Noticing Requirements (Applicant Appeals Only)

- Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

### SPECIFIC CASE TYPES

#### ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

#### DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to [LAMC Section 13B.2.5. \(Director Determination\) of Chapter 1A](#) or [LAMC Section 13B.2.3. \(Class 3 Conditional Use\) of Chapter 1A](#) as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
  - Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

#### WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to [LAMC Section 12.37 I of Chapter 1](#) or [LAMC Section 10.1.10. \(Waiver and Appeals\) of Chapter 1A](#) as applicable.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

#### [VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant [LAMC Section 13B.7.3.G. of Chapter 1A](#).

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

## NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to [LAMC Section 13B.6.2.G. of Chapter 1A](#). Nuisance Abatement/Revocations cases are only appealable to the City Council.

### Appeal Fee

- Applicant (Owner/Operator)*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

- Aggrieved Party*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

Appeal Reasons re: ENV-2024-3382-CE / CPC-2024-3381-DB-CDO-VHCA  
- 7354 Baird Ave.

The project is a residential care facility for the elderly proposed to be in a new 3-story shared housing building with 34 guest rooms, each approximately 200 square feet including private bathrooms.

1. The project has requested a 100 percent reduction in landscaping, a 100 percent reduction in trees to be planted, and is providing ZERO outdoor open space. The project does not mitigate for the loss of trees and permeable land that will be covered in concrete. Per comments in the staff report “The building will add to the urban heat island effect and stormwater runoff due to: (1) lack of trees / tree canopy; (2) lack of landscaping; (3) the entire area will be impervious.” And “This plan creates what will be a warehouse for seniors, because there is little provision for socializing beyond meals. For example, there are no amenities except the living room. There is no outdoor open space, landscaping, or opportunities to exercise.” The project is proposing an unhealthy building and living environment for its residents (the elderly).

2. This environmental review does not take into account the potential cumulative impacts that a project like this (repeated over and over again) can have on the environment. The review looks only at other shared housing buildings or residential care facilities in the vicinity thereby narrowing the scope of review. The environmental review should be looking at *all* multi-residential unit projects (including

dwelling units or guest rooms) of the past, present, and reasonably foreseeable probable future projects in the area, such as density bonus cases that have requested reductions in yard setbacks, landscaping, open space, and tree replacement or planting. The cumulative impacts should consider potential adverse impacts to the urban heat island effect, air quality, and stormwater runoff, as well as overall loss of landscaping and trees (nature).

3. There is no information and no specific LAFD condition of approval with respect to the how the elderly residents will be safe in the event of an emergency and how LAFD resources and the public may be impacted by increased demand from senior facilities. For example, although the RCFE is licensed by the State DHSS, the DSS depend on local fire officials to provide such safety clearances. It is also true that in case of emergency, it will be our first responders, not the state, to come to the rescue. Is there an evacuation plan? How will it be implemented and how long will it take to clear the building of potential up to 70 elderly residents (if shared rooms) with one elevator? Will there be evacuation drills conducted periodically? What happens when that one elevator breaks down? Will non-ambulatory residents be permitted to reside on the second and third floor? Will the narrow side yards of 3 feet 10 inches take into account evacuation safety, especially those of the bedridden occupants?

Overall, this kind of project raises a lot of concerns and has potential adverse impacts that should be fully understood and addressed before granting an approval.

**Applicant Copy**

Office: Downtown

Application Invoice No: 108550



\*68001108550\*

City of Los Angeles  
Department of City Planning



### City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please the assigned planner, please visit <https://planning.lacity.gov/pdiscaseinfo/> and enter the Case Number.

**Payment Info: \$281.67 was paid on 04/23/2026 with receipt number 200583064101**

Applicant: Marianne King
Representative:
Project Address: 7354 N BAIRD AVE, 91335

NOTES:

CPC-2024-3381-DB-CDO-VHCA-1A			
Item	Fee	%	Charged Fee
Appeal by Person Other Than The Applicant	\$229.00	100 %	\$229.00
<b>Case Total</b>			<b>\$229.00</b>
* Fees Subject to Surcharges			\$229.00
Fees Not Subject to Surcharges			\$0.00
Plan & Land Use Fees Total			\$0.00
Expediting Fee			\$0.00
Development Services Center Surcharge (3%)			\$6.87
City Planning Systems Development Surcharge (6%)			\$13.74
Operating Surcharge (7%)			\$16.03
General Plan Maintenance Surcharge (7%)			\$16.03

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Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$0.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$6.87
City Planning Systems Dev. Surcharge (6%)	\$13.74
Operating Surcharge (7%)	\$16.03
General Plan Maintenance Surcharge (7%)	\$16.03
Grand Total	\$281.67
Total Overpayment Amount	\$0.00
Total Paid (amount must equal sum of all checks)	\$281.67

Council District:

Plan Area:

Processed by JASON CHAN on 4/23/2026

Signature: \_\_\_\_\_



# LOS ANGELES CITY PLANNING COMMISSION

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

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

## LETTER OF DETERMINATION

**MAILING DATE: APRIL 8, 2026**

**Case No.:** CPC-2024-3381-DB-CDO-VHCA  
**CEQA:** ENV-2024-3382-CE  
**Plan Area:** Reseda – West Van Nuys

Council District: 3 – Blumenfield

**Project Site:** 7354 North Baird Avenue

**Applicant:** Rajesh and Alaknanda Kumar  
Representative: Akhilesh Jha

At its meeting **March 26, 2026**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Construction, use, and maintenance of a three-story, 39-foot six inch in height, 34-unit, 13,937 square foot Residential Care Facility for the Elderly on a 7,503.7 square foot lot including four units reserved for Very Low Income Senior Citizens and 30 units at Market Rate for Seniors. No automobile or bicycle parking is proposed. The Applicant will demolish an existing one-story, approximately 1,420 square foot single-family dwelling and remove two on-site non-protected trees.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Dismissed**, as not necessary, a request for the following Off-Menu Incentives and Waivers of Development Standards:
  - a. An Off-Menu Incentive to deviate from all of the permanent Q Conditions and Design Standards and Guidelines of the Reseda Central Business District CDO (Ordinance Nos. 176,557 and 176,558), because the project meets all applicable Q Conditions and design standards and guidelines of the Reseda Central Business District CDO;
  - b. An Off-Menu Incentive to deviate from all landscaping and tree planting requirements pursuant to LAMC Section 12.21 G, because LAMC Section 12.21 G regulates landscaping and open space for six or more residential units and does not apply to Shared Housing Units;
  - c. A Waiver from transitional height requirements pursuant to LAMC Section 12.21.1 A.10, because transitional height requirements are not applicable to projects located in an R2 Zone; and
  - d. A Waiver from useable open space to provide zero square feet of open space in lieu of the otherwise required 3,400 square feet pursuant to LAMC Section 12.21 G, because LAMC Section 12.21 G regulates landscaping and open space for six or more residential units and does not apply to Shared Housing Units;
3. **Approved**, pursuant to Section 65915 et seq. of the California Government Code (CA GC) and Chapter 1, Section 12.22 A.37 and Chapter 1A Section 13B.2.3 of the Los Angeles Municipal Code (LAMC), a Shared Housing Building providing 34 rental units as a Residential Care Facility for the Elderly (RCFE) with four units reserved for Very Low Income Households

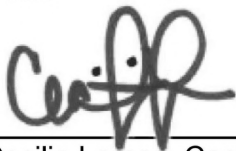
and 30 units reserved for Seniors at Market Rate with the following Off-Menu Incentive and Waivers of Development Standards:

- a. An Off-Menu Incentive for a 100 percent decrease from all landscaping requirements to provide zero square feet of landscaping in lieu of the otherwise required landscaping pursuant to LAMC Sections 12.40 - 12.43 and 12.21 G;
  - b. A Waiver of Development Standards for a 100 percent decrease from the required front yard setback to provide a zero-foot front yard setback in lieu of the otherwise required minimum 20 feet pursuant to LAMC Section 12.09 C.1;
  - c. A Waiver of Development Standards for a 36.7 percent decrease from the required north side yard setback to provide a three-foot 10-inch north side yard setback in lieu of the otherwise required minimum six feet pursuant to LAMC Section 12.09 C.2;
  - d. A Waiver of Development Standards for a 36.7 percent decrease from the required south side yard setback to provide a three-foot 10-inch south side yard setback in lieu of the otherwise required minimum six feet pursuant to LAMC Section 12.09 C.2;
  - e. A Waiver of Development Standards for a 100 percent decrease from the required rear yard setback to provide a zero-foot rear yard setback in lieu of the otherwise required 15 feet pursuant to LAMC Section 12.09 C.3;
  - f. A Waiver of Development Standards for a 100 percent deviation from the required long-term bicycle parking to provide no long-term bicycle parking spaces in lieu of the otherwise required three spaces pursuant to LAMC Section 12.21 A.16;
  - g. A Waiver of Development Standards for a 100 percent deviation from the required short-term bicycle parking to provide no short-term bicycle parking spaces in lieu of the otherwise required two spaces pursuant to LAMC Section 12.21 A.16; and
  - h. A Waiver of Development Standards for a 100 reduction in the number of required trees to be planted on-site and in the public right-of-way to provide zero trees in lieu of the trees needed to meet City Planning Commission Guidelines in compliance with LAMC Sections 12.40 - 12.43 (Landscape Ordinance No. 170,978);
7. **Approved**, pursuant to LAMC Chapter 1 Section 13.08 E and Chapter 1A Section 13B.2.5, a Director Determination for a 34-unit Residential Care Facility for the Elderly (RCFE);
  8. **Adopted** the attached Conditions of Approval; and
  9. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Saitman  
 Second: Klein  
 Ayes: Chavez, Johnson, Lawshe, Rosenstein  
 Absent: Choe, Diaz, Zamora

**Vote: 6 – 0**



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

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

The decision of the Los Angeles City Planning Commission as it relates to the Density Bonus Off-Menu Incentives and Waivers of Development Standards are not further appealable. The remaining entitlements are appealable to City Council within **15 days** after the mailing date of this

determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council.

### **FINAL APPEAL DATE: APRIL 23, 2026**

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

### **HOW TO FILE AN APPEAL**

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. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

### **ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)**



QR Code to  
Online Appeal Filing

**Online Application System (OAS):** The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

### **IN PERSON APPEAL FILINGS**



QR Code to Forms  
for In-Person Appeal  
Filing

**Drop off at DSC.** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

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### **CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS**

<b>Office</b>	<b>Address</b>	<b>Phone Number</b>	<b>Email</b>
Metro DSC	201 N. Figueroa St 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org

South LA DSC 8475 S. Vermont Ave,  
*Tuesday and* 1st Floor (213) 978-1465 [planning.southla@lacity.org](mailto:planning.southla@lacity.org)  
*Thursday Only* Los Angeles, CA 90044

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.

### **DETERMINATION EFFECTIVE DATE**

This determination will become effective after the end of the appeal period date on the first page of this document unless an appeal is filed with the Department of City Planning.

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

### **SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS**



QR Code to BuildLA  
Appointment Portal for  
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at [appointments.lacity.org](https://appointments.lacity.org) after the effective date of the determination..

See instructions on how to prepare for your appointment at [planning.lacity.gov/project-review/case-filings](https://planning.lacity.gov/project-review/case-filings)

Attachments: Conditions of Approval, Amended Findings

cc: Blake Lamb, Principal City Planner  
Claudia Rodriguez, Senior City Planner  
Laura Frazin-Steele, City Planner

## CONDITIONS OF APPROVAL

Pursuant to Los Angeles Municipal Code (LAMC) Chapter 1, Section 12.22 A.37 State Density Bonus Program and the procedures set forth in LAMC Chapter 1A, Section 13B.2.3 Class 3 Conditional Use Permit, the following conditions are hereby imposed upon the use of the subject property.

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped “**Exhibit A,**” and attached to the subject case file. Subsequent modifications are reviewed pursuant to 13B.2.3 H (Modification Procedures) and may be permitted where they are equal to or less than 10% of what was initially approved and do not require additional incentives, subject to review by the Department of City Planning. Modifications greater than 10% or that require additional incentives shall necessitate a new case filing. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Each change shall be identified and justified in writing.
2. **Density.** The project shall be limited to a density of 34 Shared Housing Units, and defined by LAMC Section 12.22 A.37 and California Government Code (CA GC) Sections 65915(o)(7)(A) and (B), including density bonus units.
3. **On-Site Restricted Affordable Units.** Four units shall be reserved for Very Low Income Households for Senior Citizens (Senior Citizens as defined by LAMC Section 12.22 A.37) to the satisfaction of the Los Angeles Housing Department (LAHD).
4. **Changes in On-Site Restricted Units.** Deviations that increase the number of restricted affordable units shall be consistent with the provisions of State Density Bonus Law in CA GC Section 65915(b)(1)(B) and 65915(f) and LAMC Section 12.22 A.37(c)(2)(iii) and 12.22 A.37 (e)(1)(iii)(a).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make four units available to Very Low Income Households for Senior Citizens, for rental as determined to be affordable to such households by LAHD for a period of 99 years. In the event the applicant reduces the proposed density of the project, the number of required set-aside affordable units may be adjusted, consistent with LAMC Section 12.22 A.37(c)(2)(iii) and CA GC Section 65915(b)(1)(B), to the satisfaction of LAHD, and in consideration of the project’s SB 8 Determination and LAMC Section 16.61. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Fair Housing Requirements for Affordable Housing adopted by the City Council and with any monitoring requirements established by the LAHD. Additionally, the applicant shall comply with all applicable Occupant Protections required by LAMC Section 16.60 A.3(b). Refer to the “Density Bonus/ Affordable Housing Incentive Program Findings” of this determination.
6. **Housing Crisis Act and Resident Protections**
  - a. **No Net Loss.** The project shall comply with LAMC Chapter 1, Section 16.60 A.5. A Housing Development Project shall include at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the last five years (i.e., “no net loss”). Projects subject to the Resident Protections Ordinance that result in a net loss of housing are prohibited.

- b. Occupant Protections.** Additionally, the applicant shall comply with all applicable Occupant Protections required by LAMC Chapter 1, Section 16.60 A.3(b), including the Right to Remain up to 6 months prior to construction, Right to Return if Demolition does not proceed, and for qualifying tenants the Right to Return to an Affordable unit in the new project, and the Right to Relocation.
- 7. Use.** The project site shall be limited to a Residential Care Facility for the Elderly (RCFE).
- 8. Shared Housing Unit.** Each unit shall include a bathroom and sink.
- 9. Loading.** All loading activities shall be conducted on-site.
- 10. Floor Area.** The project is limited to a maximum floor area of 13,937 square feet and a maximum floor area ratio (FAR) of 2.78:1 as shown on “**Exhibit A**” (Sheet A000).
- 11. Height.** The project is limited to a maximum height of three stories and 39 feet 6 inches as shown on “**Exhibit A,**” (Sheets A200 and A201).
- 12. Automobile Parking.** As permitted under State AB 2097 and CA GC 65863.2, no automobile parking is required.
- 13. Additional Off-Menu Incentive – Landscaping.** The project is allowed a 100% decrease from all landscaping requirements to provide 0 square feet of landscaping in lieu of the otherwise required landscaping pursuant to LAMC Sections 12.40 - 12.43.
- 14. Waivers of Development Standards.**
- a. Front Yard.** The project is allowed 100% reduction from the required front yard setback to provide a 0 foot front yard setback in lieu of the otherwise required minimum 20 feet pursuant to LAMC Section 12.09 C.1.
- b. North Side Yard.** The project is allowed a 36.7% decrease in the required north side yard setback to provide a 3 foot 10 inch north side yard setback in lieu of the otherwise required minimum 6 feet pursuant to LAMC Section 12.09 C.2.
- c. South Side Yard.** The project is allowed a 36.7% decrease in the required south side yard setback to provide a 3 foot 10 inch south side yard setback in lieu of the otherwise required minimum 6 feet pursuant to LAMC Section 12.09 C.2.
- d. Rear Yard.** The project is allowed a 100% decrease from the required rear yard setback to provide a 0 foot rear yard setback in lieu of the otherwise required 15 feet pursuant to LAMC Section 12.09 C.3.
- e. Long-Term Bicycle Parking.** The project is allowed a 100% percent decrease in the required long-term bicycle parking to provide zero long-term bicycle parking spaces in lieu of the otherwise required three spaces pursuant to LAMC Section 12.21 A.16.
- f. Short-Term Bicycle Parking.** The project is allowed a 100% decrease in the required short-term bicycle parking to provide zero short-term bicycle parking spaces in lieu of the otherwise required two spaces pursuant to LAMC Section 12.21 A.16.

**g. Tree Planting.** The project is allowed a 100% reduction in the number of required trees to be planted on-site and in the public right-of-way to provide zero trees in lieu of the otherwise required 14 trees pursuant to LAMC Sections 12.40 - 12.43.

**15. SB 8 Replacement Units (Government Code Section 66300).** The project shall be required to provide a Replacement Unit Determination (RUD) letter issued by the Los Angeles Housing Department (LAHD) for inclusion in the subject case file. The project is required to demonstrate compliance with the RUD letter to the satisfaction of LAHD. If restricted affordable units are required by LAHD, the most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.

**16. Accessory Dwelling Units (ADUs).** No ADUs are proposed herein. If the applicant proposes ADUs at a future date, those ADUs shall be subject to affordability requirements as determined by LAHD.

**17. Reseda Central Business District Community Design Overlay (CDO).** The project is required to comply with the following:

**a. Signage.** Any wall or nameplate signage proposed shall be in substantial compliance with “**Exhibit A,**” Sheet A202.

**b. Signage.** All signage shall meet the requirements of LAMC Sections 12.09 and 12.21 A.7 as regulated by the Los Angeles Department of Building and Safety.

**c. Trash Areas.** Trash areas shall be fully enclosed and screened from public view.

**d. Colors.** As shown on “**Exhibit A**” (Sheet A113), the building colors are black, dark gray, gray, and off-white.

**e. Security Devices.** As shown on “**Exhibit A**” (Sheet A113), no security devices using barbed wire, razor wire, and/or concertina wire are used.

### **Administrative Conditions**

**18. Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff “**Plans Approved.**” A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.

**19. Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application, shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

**20. Approvals, Verification, and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

- 21. Code Compliance.** Use, area, height, open space, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 22. Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
- 23. Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.
- 24. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 25. Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by

the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissioners, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## FINDINGS

(As Amended by the City Planning Commission at its meeting on March 26, 2026)

### A. DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS.

The applicant requested two Off-Menu Incentives which can be dismissed as follows:

- A request to deviate from all landscaping and tree planting requirements pursuant to LAMC Section 12.21 G, which regulates multi-family residential projects and does not apply to Shared Housing Buildings. Therefore, the request to deviate from landscaping and tree planting is discussed elsewhere herein, but not as applicable to LAMC Section 12.21 G.
- A request to deviate from all of the permanent Q Conditions and Design Standards and Guidelines of the Reseda Central Business District Community Design Overlay. All of the required findings of the Reseda Central Business District Community Design Overlay can be made, and the request for an Off-Menu Incentive to deviate from the Reseda Central Business District CDO can be dismissed.

Pursuant to Chapter 1, LAMC Section 12.22 A.37(f) and consistent with California Government (CA GC) Code Section 65915(d)(1), a Housing Development may request Incentive(s) not on the Menu of Incentives to seek a deviation from a Development Standard elsewhere in the Los Angeles Municipal Code (LAMC) or a site's applicable zoning ordinance, Community Plan, Specific Plan, or overlay. The Incentive shall be granted unless any of the following written findings are made based upon substantial evidence.

**1. The Incentive does not result in identifiable and actual cost reductions, consistent with CA GC Section 65915(k), to provide for affordable housing costs, as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in CA GC Section 65915(c).**

The applicant has requested herein a 100% decrease from all landscaping requirements to provide zero square feet of landscaping in lieu of the otherwise required landscaping pursuant to LAMC Sections 12.40 – 12.43 and 12.21 G. The applicant has also requested to deviate from the requirement to plant trees as a Waiver of Development Standard, which shall be discussed elsewhere herein. The applicant did not request to deviate from LAMC Section 12.21 C.1(g), which requires every front yard to be open and obstructed from ground to sky, and further requires "All portions of the required front yard of one-family dwellings, two-family dwellings, multiple dwellings or group dwellings, apartment houses, hotels, motels, apartment hotels and retirement hotels in the RE, RS, R1, RU, RZ, R2, RD, R3, RAS3, R4, RAS4, R5, or C Zones not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved." However, had the applicant requested deviation from landscaping in the required front yard pursuant to LAMC Section 12.21 C.1(g), this requirement would have been dismissed as not needed. The required front yard for this project is waived herein, and so to require landscaping in an area that is not required to be provided is a circuitous and unnecessary requirement. Further, LAMC Section 12.21 C.1(g) requires the "...planted area in the RD, R3, RAS3, R4, RAS4, R5, or C Zones shall be planted in accordance with a landscape plan prepared by a licensed landscape architect, licensed

architect, or landscape contractor to the satisfaction of the Department of City Planning. The planted area shall include at least one tree, which shall be at least 15 gallon in size and at least six feet in height at the time of planting, for each 500 square feet of planted area and shall be equipped with an automatic irrigation system, which shall be properly maintained.” This requirement is not applicable herein, as the project site is zoned R2.

The Municipal Code regulates landscaping in LAMC Sections 12.40 – 12.43 and 12.21 G. LAMC Section 12.21 G regulates six or more multi-family residential dwelling units and is not applicable to a Shared Housing Unit project. Therefore, the request for an Incentive to deviate from all landscaping requirements, including tree planting, pursuant to 12.21 G can be dismissed. Pursuant to LAMC Section 12.40 E and F, Planning shall not approve proposed landscape for any project unless the landscape satisfies the requirements of the landscape point system, as established by the City Planning Commission, including City Planning Commission Guidelines. The Guidelines include but are not limited to tree planting and water management, and the landscape point system is referenced under Guidelines “O.” Under the point system, points are awarded for features and techniques such as tree planting, use of 100 percent California native plants, and planting on walls and fences. No landscaping, including planting of California native plants, is shown on the applicant’s plans.

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested Incentive to deviate from all landscaping requirements does not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low-, low-, and moderate-income households. Section 50052.5 addresses owner-occupied housing, and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

LAMC Section 12.22 A.37(f)(1)(i) establishes that an Affordable Housing Project that provides 5% of the units as restricted affordable units (excluding units added as a density bonus) for Very Low Income Household occupancy may qualify for one Incentive. To qualify for two Incentives, the project would be required to set aside 10% of its units for Very Low Income Household occupancy. The project is setting aside four shared housing units for Very Affordable Housing occupancy for Seniors or 9%. As such, the project qualifies for one Incentive to allow the developer a 100% decrease from all landscaping requirements to provide 0 square feet of landscaping in lieu of landscaping otherwise required under LAMC Sections 12.40 – 12.43.

- 2. The Incentive will have a Specific Adverse Impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to low-income and moderate-income households. Inconsistency with the zoning ordinance or General Plan land use designation shall not constitute a Specific Adverse Impact upon the public health or safety.**

There is no evidence in the record that the proposed density bonus Incentive to deviate from all landscape requirements will have a specific adverse impact. A “specific adverse impact” is defined as “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they

existed on the date the application was deemed complete” (per CA GC Section 65589.5(d)(2) and LAMC Section 12.03).

The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. There is also no substantial evidence that the project’s proposed Incentive will have a specific adverse impact on public health and safety, or on property listed in the California Register of Historic Resources.

Therefore, there is not substantial evidence that the proposed project, and thus the requested Incentive to deviate from landscape requirements, will have a specific adverse impact on the physical environment, or on public health and safety. Based on the above, there is no basis to deny the requested landscape Incentive.

**3. The Incentive would be contrary to state or federal law.**

The Incentive for a deviation from all landscape requirements is not contrary to state or federal law.

**B. DENSITY BONUS / AFFORDABLE HOUSING WAIVER COMPLIANCE FINDINGS.**

Pursuant to LAMC Section 12.22 A.37(d)(3)(i) and consistent with CA GC Section 65915(e) a Waiver of Development Standards shall be approved by the applicable decision-making authority unless that decision making authority makes one of the following findings:

**4. The Development Standard associated with a request for a Waiver will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in LAMC Section 12.22 A.37(c) at the densities or with the Base Incentives and Additional Incentives permitted under this subdivision.**

Per CA GC Section 65915(e)(1) and LAMC Section 12.22 A.37(d)(3)(i), Waivers are “...reductions in Development Standards that will have the effect of physically precluding the construction of a Housing Development meeting the [affordable set-aside percentage] at the densities or with the Incentives permitted under [the State Density Bonus Program]...Waivers neither reduce nor increase the number of Incentives to which a project is entitled.”

The project requested two Waivers of Development Standards which are not applicable and can be dismissed as follows:

- **A 100% Waiver of transitional height requirements pursuant to LAMC Section 12.21.1 A.10.** Transitional height requirements under LAMC Section 12.21.1 A.10 regulates height for buildings on C or M zoned lots. The subject site is zoned [Q]R2-2D-CDO, and transitional height requirements pursuant to Section 12.21.1 A.10 do not apply to R2 zoned lots. As such, the applicant’s request to waive all transitional height requirements pursuant to LAMC Section 12.21.1 A.10 can be dismissed.
- **A 100% Waiver of useable open space to provide 0 square feet of open space in lieu of the otherwise required 3,400 square feet pursuant to LAMC Section 12.21 G.** LAMC Section 12.21 G applies to multi-family residential dwelling units

and not to Shared Housing Units. Therefore, the applicant's request to deviate from open space requirements as regulated by LAMC Section 12.21 G is not applicable and is dismissed.

The project will set aside four Shared Housing Units at Very Low Income for Senior Citizens. The applicant is requesting and is approved for Waivers of Development Standards for reduced yard setbacks, bicycle parking, and tree planting. As disclosed by the applicant, denying these Waivers would physically preclude the construction of the 34 unit Shared Housing Building. The following seven Waivers from Zoning Code regulations are approved:

- **Front Yard Setback - A 100% decrease from the required front yard setback to provide a 0 foot front yard setback in lieu of the otherwise required minimum 20 feet pursuant to LAMC Section 12.09 C.1.** Granting the Waiver of Development Standards for a front yard setback allows the developer to expand the building envelope so that additional Shared Housing Units can be constructed, and the overall space dedicated to living opportunities for Senior Citizens can be increased.
- **North Side Yard Setback - A 36.7% decrease from the required north side yard setback to provide a 3 foot 10 inch north side yard setback in lieu of the otherwise required minimum 6 feet pursuant to LAMC Section 12.09 C.2.** Granting the Waiver of Development Standards for a reduced north side yard setback allows the developer to expand the building envelope so that additional Shared Housing Units for Senior Citizens can be constructed, and the overall space dedicated to living opportunities for Very Low Income Senior Citizens can be increased.
- **South Side Yard Setback - A 36.7% decrease from the required south side yard setback to provide a 3 foot 10 inch south side yard setback in lieu of the otherwise required minimum 6 feet pursuant to LAMC Section 12.09 C.2.** Granting the Waiver of Development Standards for a reduced south side yard setback allows the developer to expand the building envelope so that additional Shared Housing Units for Senior Citizens can be constructed, and the overall space dedicated to living opportunities for Very Low Income Senior Citizens can be increased.
- **Rear Yard Setback - A 100% decrease from the required rear yard setback to provide a 0 foot rear yard setback in lieu of the otherwise required 15 feet pursuant to LAMC Section 12.09 C.3.** The project site abuts an alley, which provides a 20 foot buffer between the proposed structure and the property to the rear of the site. Further, granting the Waiver of Development Standards for a reduced rear yard setback allows the developer to expand the building envelope so that additional Shared Housing Units for Senior Citizens can be constructed, and the overall space dedicated to living opportunities for Very Low Income Senior Citizens can be increased.
- **Long-Term Bicycle Parking - A 100% percent deviation from the required long-term bicycle parking to provide no long-term bicycle parking spaces in lieu of the otherwise required three spaces pursuant to LAMC Section 12.21 A.16.** Granting the Waiver of Development Standards for zero long-term bicycle parking spaces allows the developer to expand the building envelope so that additional Shared Housing Units for Senior Citizens can be constructed, and the

overall space dedicated to living opportunities for Very Low Income Senior Citizens can be increased. Furthermore, requiring the project to provide long-term bicycle parking may require passageway requirements under the LAMC, which could further restrict the developer's ability to provide Shared Housing Units for Senior Citizens at Very Low Income.

- **Short-Term Bicycle Parking - A 100% percent deviation from the required short-term bicycle parking to provide no short-term bicycle parking spaces in lieu of the otherwise required two spaces pursuant to LAMC Section 12.21 A.16.** Granting the Waiver of Development Standards for zero short-term bicycle parking spaces allows the developer to expand the building envelope so that additional Shared Housing Units for Senior Citizens can be constructed, and the overall space dedicated to living opportunities for Very Low Income Senior Citizens can be increased. Also, requiring the project to provide short-term bicycle parking may require passageway requirements under the LAMC, which could further restrict the developer's ability to provide Shared Housing Units for Senior Citizens at Very Low Income.
- **Tree Planting - A 100% reduction in the number of required trees to be planted on-site and in the public right-of-way to provide 0 trees in lieu of the trees required pursuant to LAMC Sections 12.40 - 12.43.** According to the Tree Disclosure Statement Form No. CP-4067 submitted by the applicant, the property does not contain any protected trees or shrubs and there are no street trees in the public right-of-way. Further, the applicant discloses that no trees or shrubs have been removed in the last 2 years. According to information provided by the applicant, two existing non-protected trees located on site will need to be removed to construct the proposed project.

As previously discussed herein, LAMC Section 12.21 G applies to multi-family residential dwelling units and not to Shared Housing Units. Therefore, the applicant's request to deviate from tree planting requirements as regulated by LAMC Section 12.21 G is not applicable and is dismissed. The request to waive tree requirements under LAMC Sections 12.40 – 12.43 is granted herein, as it will allow the developer to expand the building envelope and results in construction efficiencies that provide for affordable housing costs.

Additionally, as previously discussed herein, the applicant did not request to deviate from LAMC Section 12.21 C.1(g), which requires every front yard to be open and obstructed from ground to sky, and further requires "All portions of the required front yard of one-family dwellings, two-family dwellings, multiple dwellings or group dwellings, apartment houses, hotels, motels, apartment hotels and retirement hotels in the RE, RS, R1, RU, RZ, R2, RD, R3, RAS3, R4, RAS4, R5, or C Zones not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved." However, had the applicant requested deviation from landscaping in the required front yard pursuant to LAMC Section 12.21 C.1(g), this requirement would have been dismissed as not needed. The required front yard for this project is waived herein, and so to require landscaping in an area that is not required to be provided is a circuitous and unnecessary requirement. Further, LAMC Section 12.21 C.1(g) requires "...planted area in the RD, R3, RAS3, R4, RAS4, R5, or C Zones shall be planted in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Department of City Planning. The planted area shall include at least one tree,

which shall be at least 15 gallon in size and at least six feet in height at the time of planting, for each 500 square feet of planted area and shall be equipped with an automatic irrigation system, which shall be properly maintained.” This requirement is not applicable herein, as the project site is zoned R2.

LAMC Section 62.162 gives the Urban Forestry Division/Board of Public Works the power to plant, maintain, and issue tree permits. Under this authority, Urban Forestry Division/Board of Public Works requires street trees in the public right-of-way. The Urban Forestry Division/Board of Public Works reviews projects during Plan Check. The Department of City Planning does not have authority under LAMC Section 62.162.

**5. The Waiver would have a Specific Adverse Impact as defined in California Government Code Section 65589.5(d)(2), upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the Specific, Adverse Impact.**

There is no evidence in the record that the proposed Zoning Code Waivers from landscaping and tree planting requirements; front, side, and rear yard setback requirements; and short- and long-term bicycle parking regulations will have a specific adverse impact. A “specific adverse impact” is defined as “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (per CA GC Section 65589.5(d)(2) and LAMC Section 12.03).

The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. There is no substantial evidence that the project’s proposed Waivers will have a specific adverse impact on property listed in the California Register of Historic Resources. Moreover, the project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. There is also no substantial evidence that the project’s proposed Waivers will have a specific adverse impact on public health and safety.

During Plan Check, the project will be reviewed for compliance with the Building Code. This review will ensure compliance with Building Code regulations, including but not limited to fire regulations, access, and ADA compliance. No Waiver is granted herein for Building Code regulations.

Further, the project will be required to meet all California Department of Social Services (CDSS) licensing requirements for a Residential Care Facility for the Elderly (RCFE). The City of Los Angeles has no jurisdiction over State RCFE requirements. No Waiver was requested or can be granted herein from State RCFE requirements.

Therefore, there is no substantial evidence that the proposed project, and thus the requested Waivers of Development Standards, will have a specific adverse impact on the physical environment, or on public health and safety. Based on the above, there is no basis to deny the requested Waivers from landscaping and tree planting requirements; front, side, and rear yard setback requirements; and short- and long-term bicycle parking.

**6. The Waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.**

The existing structure on site and the property are not listed in the City's database of historic resources, including Historic Places LA or SurveyLA. The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The property is not listed in the California Register of Historical Resources as identified on Historic Places LA or SurveyLA. Therefore, the Waiver would not have an adverse impact on any real property that is listed in the California Register of Historical Resources.

**7. The Waiver would be contrary to state or federal law.**

The requested Waiver is not contrary to state or federal law.

**C. RESEDA CENTRAL BUSINESS DISTRICT COMMUNITY DESIGN OVERLAY (CDO) FINDINGS**

The project is located within the Reseda Central Business District CDO designated under ZIMAS as ZI-2339 (Ordinance Nos. 176,557 and 176,558). The Reseda Central Business District CDO permanent [Q] Conditions and Design Guidelines and Standards serve to enhance the physical appearance of the area, promote exterior design standards, and reinforce pedestrian scale. Pursuant to LAMC Section 13.08, the following findings must be made to grant an approval of plans under the Reseda Central Business District CDO.

**8. The project substantially complies with the adopted Community Design Overlay and Design Guidelines and Standards.**

The permanent [Q] Conditions, as codified in Ordinance No. 176,558, include regulations that are not applicable to a Shared Housing use as follows: automotive uses (permanent Q Conditions 2.A.1(a) and 2.A.2.B; open storage (permanent Q Conditions 2.A.1(b); commercial project street front entrances (permanent Q Condition 2.A.1(d); and industrial uses (permanent Q Condition 2.A.2).

The following permanent Q Conditions may be applicable to a Shared Housing use:

- Permanent Q Condition 2.A.1(c) prohibits ground-floor residential uses on any commercially zoned lot to a depth of a minimum 100 feet as measured from the building frontage. However, the subject site is zoned [Q]R2-2D-CDO and is not a commercially zoned lot. As such, permanent Q Condition 2.A.1(c) is not applicable to the proposed project.
- Permanent Q Condition 2.B limits the height of buildings to 45 feet with the exception of projects located in a RAS Zone. However, State Density Bonus Law under CA GC Section 65915 and the State Density Bonus Program under LAMC Section 12.22 A.37 supersede the CDO height regulation. In this instance, the project height is requested at 39 feet 6 inches, which is in compliance with the CDO's 45 foot height limitation.
- Permanent Q Condition 2.C regulates signage, including business signage. Condition 2.C.1 prohibits specific types of signage, including pole signs, off-site commercial sign and billboards, freestanding signs on walls and fences, illuminated architectural canopy signs, cabinet and roof signs, inflatable signs, blinking/flashing/electronic signs, and flags. Conditions 2.C.2 a, b, and d restrict signage size per business. Condition 2.C.2 c restricts the area of each wall sign

to 2 square feet for each 1 foot of building frontage. Condition 2.C.2 also restricts the size of awning signs to one square foot for each foot of building frontage, and requires that rear signs be non-illuminated.

Pursuant to LAMC Section 12.09 A.7, the project site's R2 Zoning allows name plates and signs as allowed for in LAMC Section 12.21 A.7. LAMC Section 12.21 A.7 does not allow signage in an R Zone to project above the roof ridge or parapet wall; allows for only one unlighted nameplate limited to 1.5 square feet in the R Zone; and unlighted signage pertaining to rental limited to 12 square feet. Each sign is limited to 20 square feet and the surface area of all signage cannot exceed 30 square feet. Other signage conditions under LAMC Section 12.21 A.7 are not applicable, including but not limited to the sale of farm products and church bulletin boards.

The applicant has not requested entitlement approval for signage herein on the Department of City Planning Application Form No. CP13-7771.1. However, the applicant's plans show a 15 square foot sign affixed to the building frontage (see "**Exhibit A**" Sheet A202). The sign shown on Sheet A202 is not included in the list of signs prohibited under Permanent Q Condition 2.C.1. Moreover, the sign shown on "**Exhibit A**" is consistent with the size regulations of Permanent Q Condition 2.C.2.c, and is not a projecting sign, awning sign, or rear signage.

As shown herein on Sheet A202 of "**Exhibit A**" and as conditioned herein, the signage complies with the Reseda Central Business District CDO. LADBS will review any sign plans to determine whether the signage complies with LAMC Section 12.21 A.7. Sign plans prepared to LADBS specifications will be reviewed for compliance with "**Exhibit A.**"

- Permanent Q Condition 2.D regulates parking buildings adjacent to residentially zoned property. The project does not include a parking building, and this condition is not applicable.

The Reseda Central Business District CDO Design Standards and Guidelines were established primarily for commercial properties and are not applicable to Shared Housing uses. For example, the project does not incorporate a surface parking lot (Standard 2b, Standard 4) or shopping areas with pedestrian walkways (Guideline 5). The project meets the applicable Reseda Central Business District CDO Design Standards and Guidelines as follows:

- Guideline 7 regulates the visual look of trash areas. As shown on "**Exhibit A,**" and as conditioned herein, trash areas shall be screened from public view.
- Guideline 13 regulates building colors to avoid highly reflective colors that produce glare. As conditioned herein and as shown on "**Exhibit A,**" the project is designed with exterior colors that do not produce glare, including but not limited to black, dark gray, gray, and off-white.
- Guideline 21 regulates Security Devices. As shown on "**Exhibit A**" (Sheet A113), in compliance with Guideline 21 and as conditioned herein, no security devices using barbed wire, razor wire, and/or concertina wire are used.

**9. The structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.**

The applicant is requesting and has been granted an Off-Menu Incentive to waive landscaping requirements. However, the structures and site plan are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.

The surrounding area is improved with urban uses. To the north, the abutting site on Baird Avenue is zoned [Q]R2-2D-CDO and designated for General Commercial land use. The site is improved with a single-family dwelling. Further north, sites on Baird Avenue across Valerio Street are zoned R1-1, designated for Low Medium II Residential land use, and improved with single-family dwellings. To the south, sites along the east side of Baird Avenue are zoned [Q]R2-2D-CDO, designated for General Commercial land use, and improved with single-family uses. Further south, at the northeast corner of Baird Avenue and Wyandotte Street, the site is zoned [Q]R3-2-CDO and designed for General Commercial land use. This site is improved with a multi-family dwelling. To the south, along the west side of Baird Avenue, sites are zoned R1-1, designated for Medium Residential use, and are improved with single-family dwellings. To the east along Reseda Boulevard, south of Valerio Street sites are zoned [Q]C2-2D-CDO and sites north of Valerio Street are zoned [Q]C2-1VL-CDO. Along Reseda Boulevard sites north and south of Valerio Street are designated for General Commercial land use. These sites are improved with commercial uses (automotive, retail, restaurant), a U.S. Post Office, and a multi-family residence. As shown on ZIMAS, the subject site is located within 500 feet of a school zone. Reseda Elementary School is located to the west on a site zoned [Q]PF-1XL and designated for Public Facilities.

Siting a Residential Care Facility for the Elderly at the subject site will allow residents and employees of the facility to walk along sidewalks in an improved neighborhood. Further, facility residents and/or employees can utilize nearby commercial uses, such as the post office and restaurants. The project is separated from commercial uses along Reseda Boulevard by a 20-foot alley. As such, the three-story, 34 unit Shared Housing Building provides a buffer between abutting commercial and residential uses. The proposed structure, site plan, and use are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.

Therefore, as shown on “**Exhibit A**” and as conditioned herein, the project substantially complies with the applicable adopted Community Design Overlay and Design Guidelines and Standards.

#### **D. CEQA FINDINGS**

The project was analyzed under Case No. ENV-2024-3382-CE the construction, use and maintenance of three-story, 39 foot 6 inch in height, 34 unit, 13,937 square foot Residential Care Facility for the Elderly on a 7,503.7 square foot lot including four units reserved for Very Low Income Senior Citizens and 30 units at Market Rate for Seniors. No automobile parking or bicycle parking is proposed. To achieve the proposed project, the applicant will demolish an existing one-story, approximately 1,420 square foot single-family dwelling and remove two on-site non-protected trees.

The project qualifies for a Categorical Exemption under Section 15332, Class 32 as an infill development within an urbanized area. To be eligible for a Class 32 Exemption, all of the

following qualifications must be met: the project site is 5 acres or less; the project is consistent with the General Plan (i.e., Community Plan) and zoning; the project is not located on any hazardous waste site list; the project is not demolishing a historical resource; and it is not readily apparent the project will create a significant impact to the environment.

All required qualifications to be eligible for a Class 32 are met. The subject site is wholly within the City of Los Angeles, on a site that is approximately 7,503.7 square feet / 0.17 acres. The project is consistent with the General Plan and zoning. The project site is zoned [Q]R2-2D-CDO and is located within the Reseda-West Van Nuys Community Plan. The project site is designated for General Commercial land use which corresponds to the C1.5, C2, CR, C4, RAS3, RAS4, and P Zones. The R2 Zone is more restrictive than the range of zones corresponding to the General Commercial land use designation, and therefore, the zoning is consistent with the land use. Pursuant to LAMC Section 12.09 A, the R2 Zone is a “two-family zone” that allows any use permitted in the R1 “one-family zone;” two-family dwellings; apartment houses, boarding or rooming houses, or multiple dwellings under specific circumstances; accessory buildings; and accessory uses and home occupations. The applicant is utilizing the density of the RAS3 Zone as allowed pursuant to CAGC Section 65915 and LAMC Section 12.22 A.37 to construct a 34 unit Shared Housing Building. A Residential Care Facility for the Elderly is a permitted use under the range of zones corresponding to the General Commercial land use designation. Further, the project site is in compliance with the Reseda Central Business District Community Design Overlay. The project site has been previously disturbed by development and has no value as habitat for endangered, rare or threatened species, including but not limited to protected trees. Approval of the 34 unit Shared Housing Building will not result in significant effects relating to traffic, noise, air quality, or water quality. Furthermore, the three-story, 39 foot 6 inch in height, 13,937 square foot facility can be adequately served by all required utilities and public services.

Further, there are no exceptions to the use of a categorical exemption due to location, cumulative impact of similar Shared Housing Buildings or Residential Care Facility for the Elderly uses, or unusual circumstances. The project is not located on a scenic highway or hazardous waste site. The project is not the site of a historic resource. Therefore, as set forth in State CEQA Guidelines Section 15300.2, there are no exceptions that would prohibit the use of any categorical exemption, and no mitigation measures are required.

The project is also subject to review under existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management, Xeriscape Ordinance, Stormwater Ordinance, etc.) and regulatory compliance measures, which are specifically intended to mitigate potential impacts on all projects.

Therefore, Find, based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 91401.