VENTURA-CAHUENGA BOULEVARD CORRIDOR

Specific Plan

Ordinance No. 166,560
Effective February 16, 1991

Amended by Ordinance No. 171,240
Effective September 25, 1996

Amended by Ordinance No. 174,052
Effective August 18, 2001

Specific Plan Procedures amended pursuant to LAMC Sec. 13B.4. of Ch. 1A in accordance with Ordinance No. 187,930

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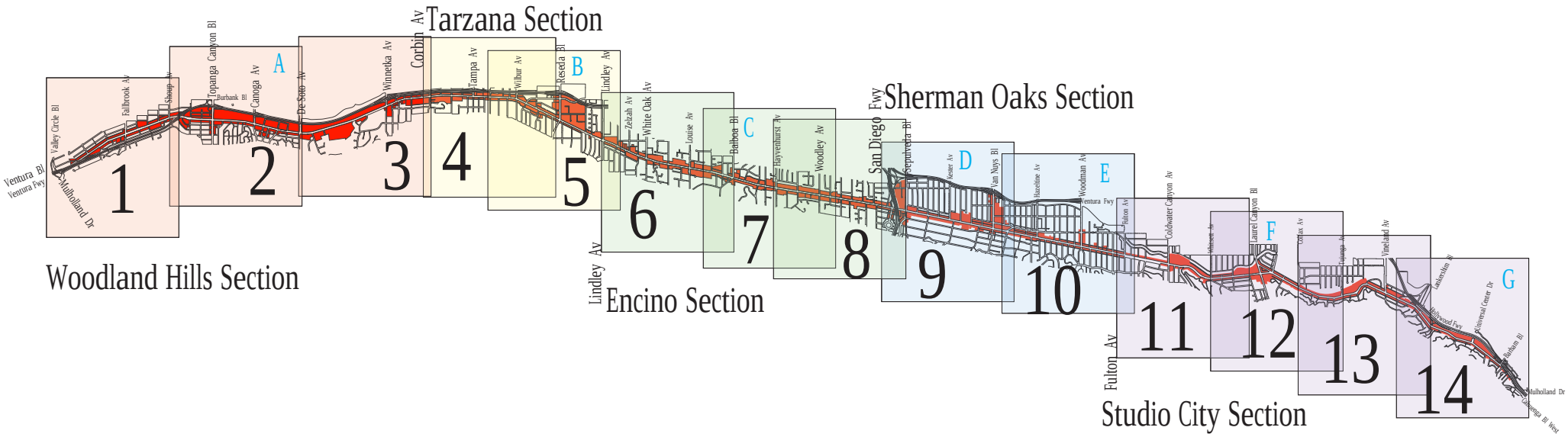


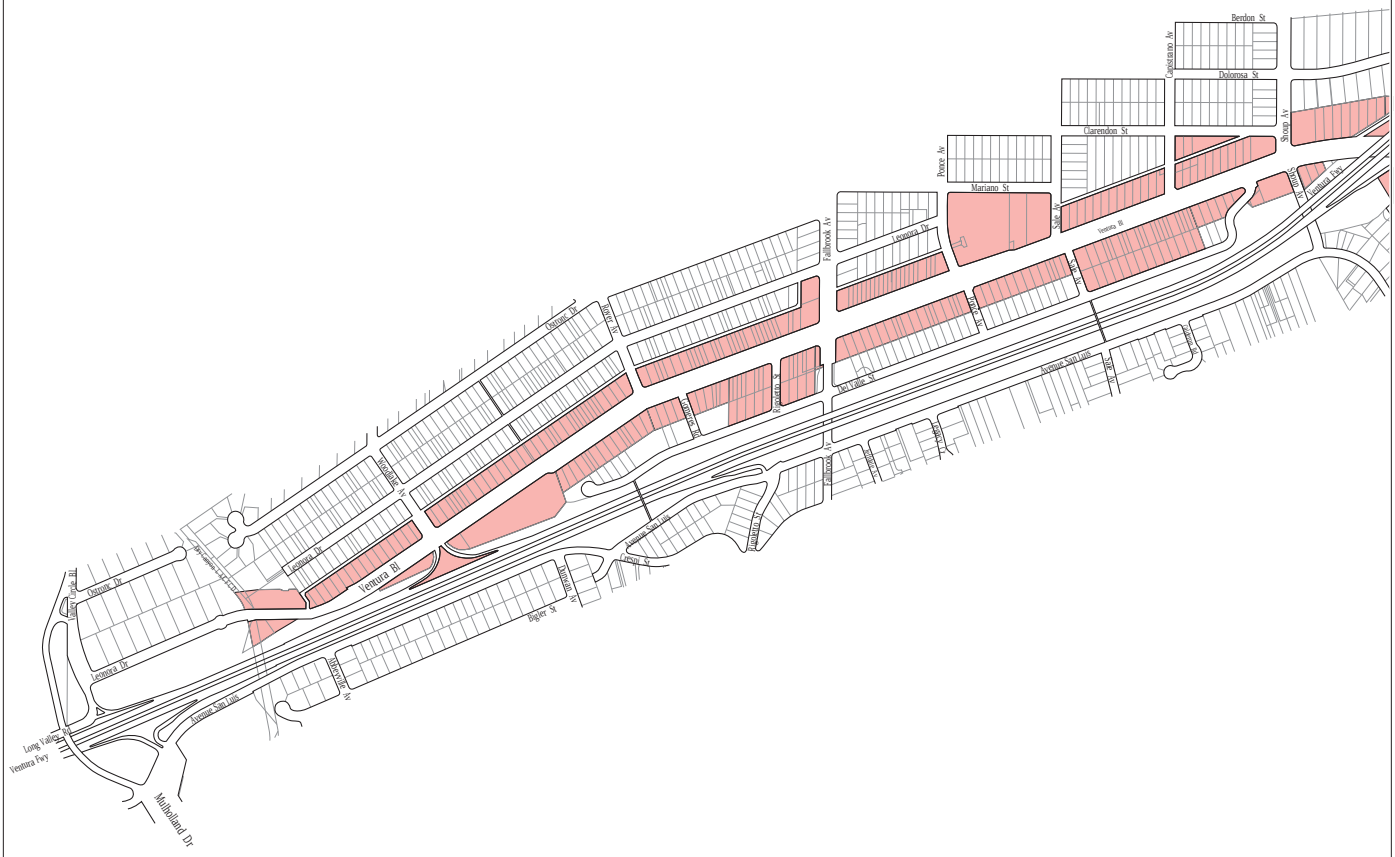
PLan Designation Maps 1-14

Plan Designation Map and Exhibit Series Index

ORDINANCE 174, 052
EFFECTIVE AUGUST 18, 2001

Not to Scale

Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

Regional Commercial

Community Commercial

Neighborhood & General Commercial

Map 1 - Woodland Hills Section

Plan Designations

0 400 800 ft N

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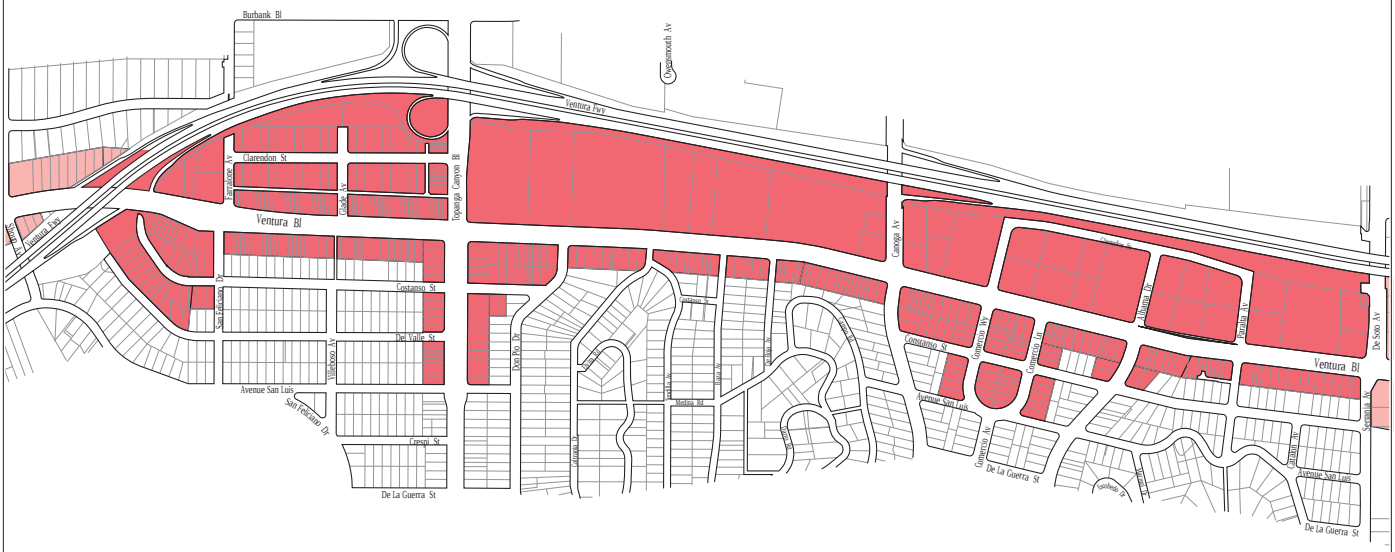
Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

- Regional Commercial
- Community Commercial
- Neighborhood & General Commercial

Map 2 - Woodland Hills Section

Plan Designations

0 400 800 ft N

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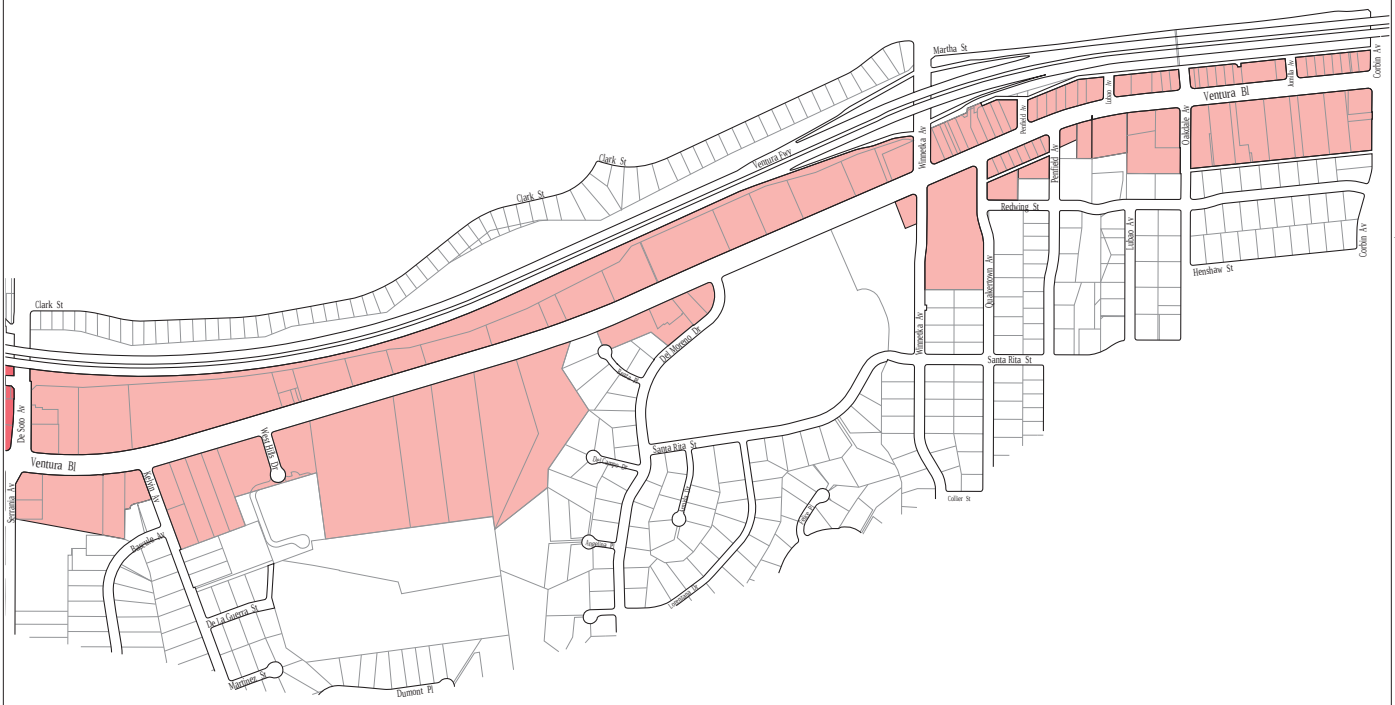
Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

Regional Commercial

Community Commercial

Neighborhood & General Commercial

Map 3 - Woodland Hills Section

Plan Designations

0 400 800 ft N

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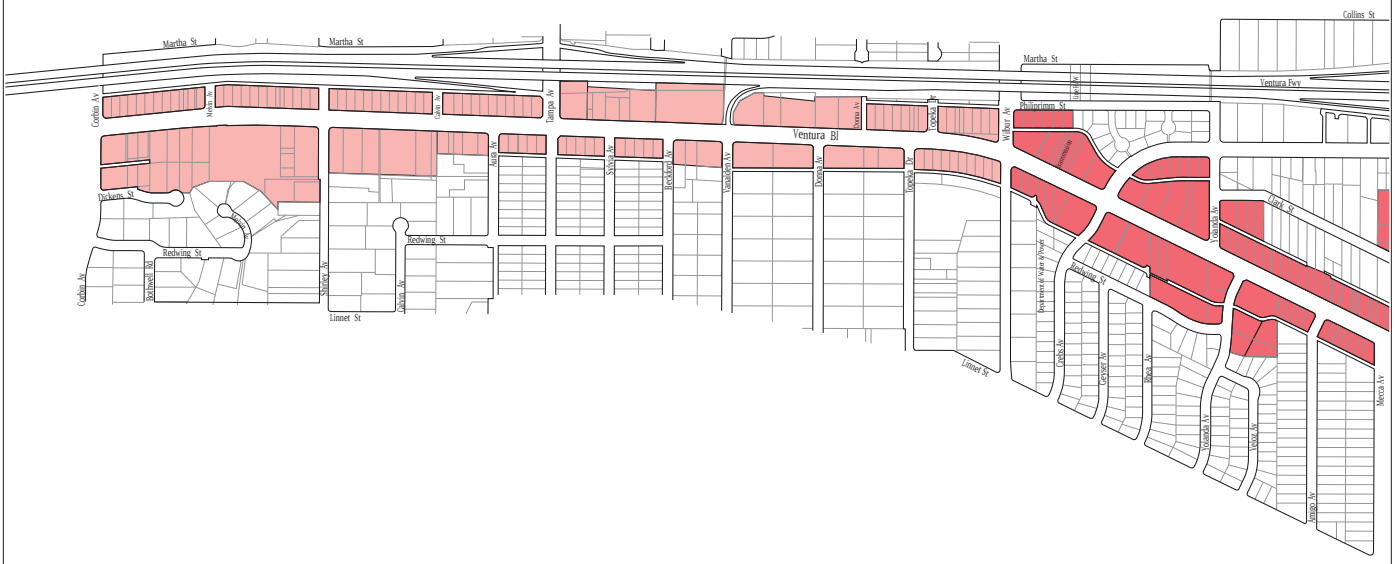

CPC 85-381

Regional Commercial

Community Commercial

Neighborhood & General Commercial

Map 4 - Tarzana Section

Plan Designations

0 400 800 ft N

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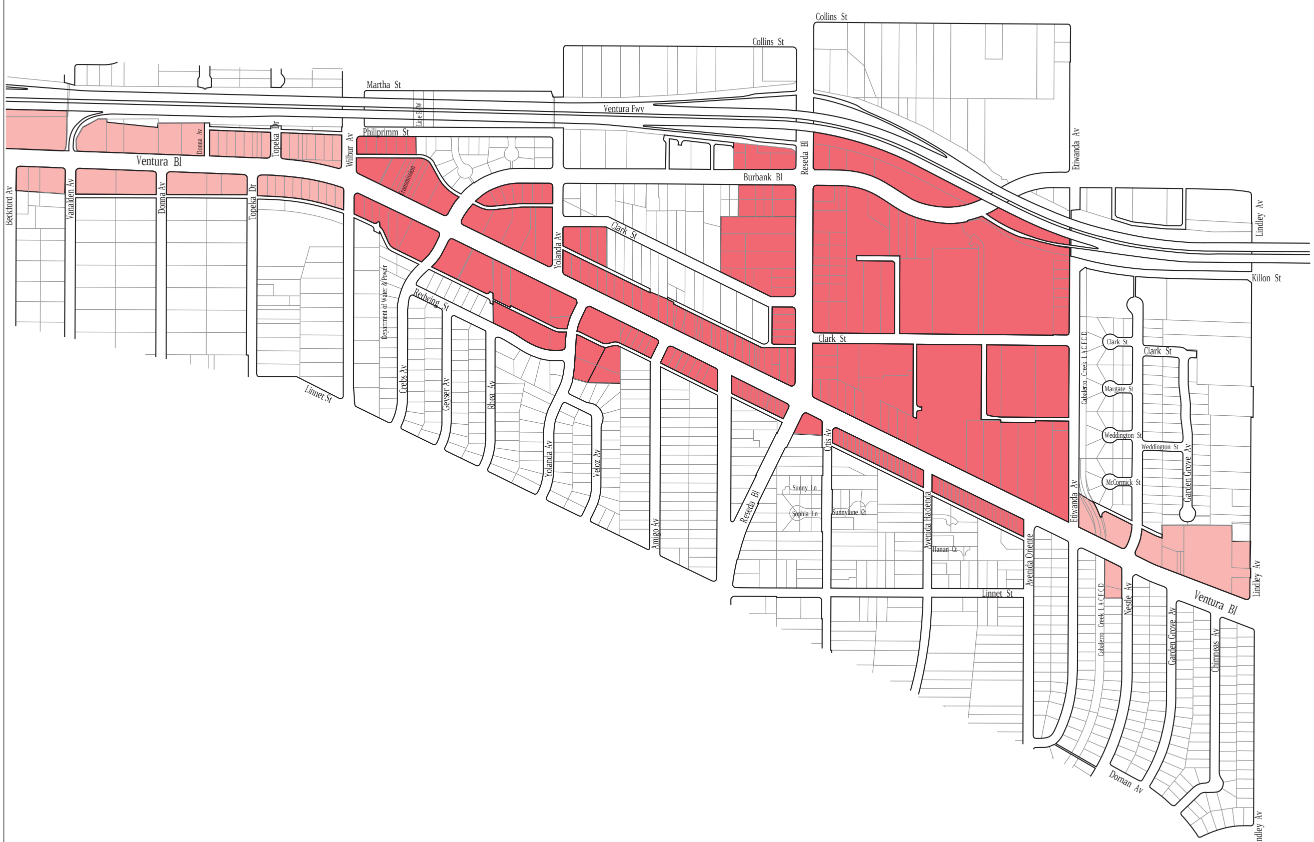
Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

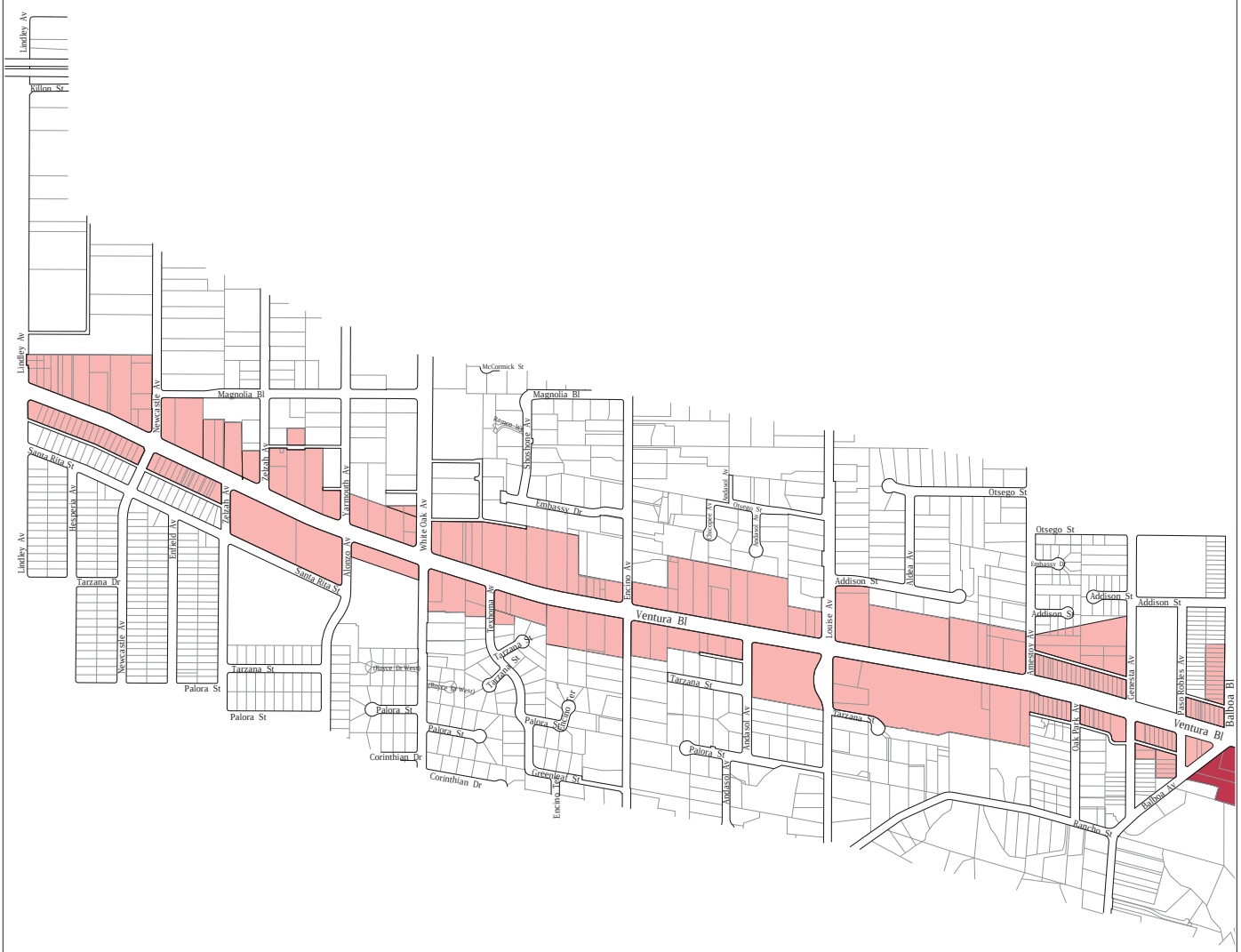
	Regional Commercial
	Community Commercial
	Neighborhood & General Commercial

Map 5 - Tarzana Section

Plan Designations

0 400 800 ft N

Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

Regional Commercial

Community Commercial

Neighborhood & General Commercial

Map 6 - Encino Section

Plan Designations

0 400 800 ft N

mc:023.Encino1:08.26.04

Ventura / Cahuenga Boulevard Corridor Specific Plan

CPC 85-381

- Regional Commercial
- Community Commercial
- Neighborhood & General Commercial

Map 7 - Encino Section

Plan Designations

0 400 800 ft N

mc:023.Encino2:08.26.04

CPC 85-381

Regional Commercial

Community Commercial

Neighborhood & Office Commercial

Map 8 - Encino Section

Plan Designations

0 400 800 ft N

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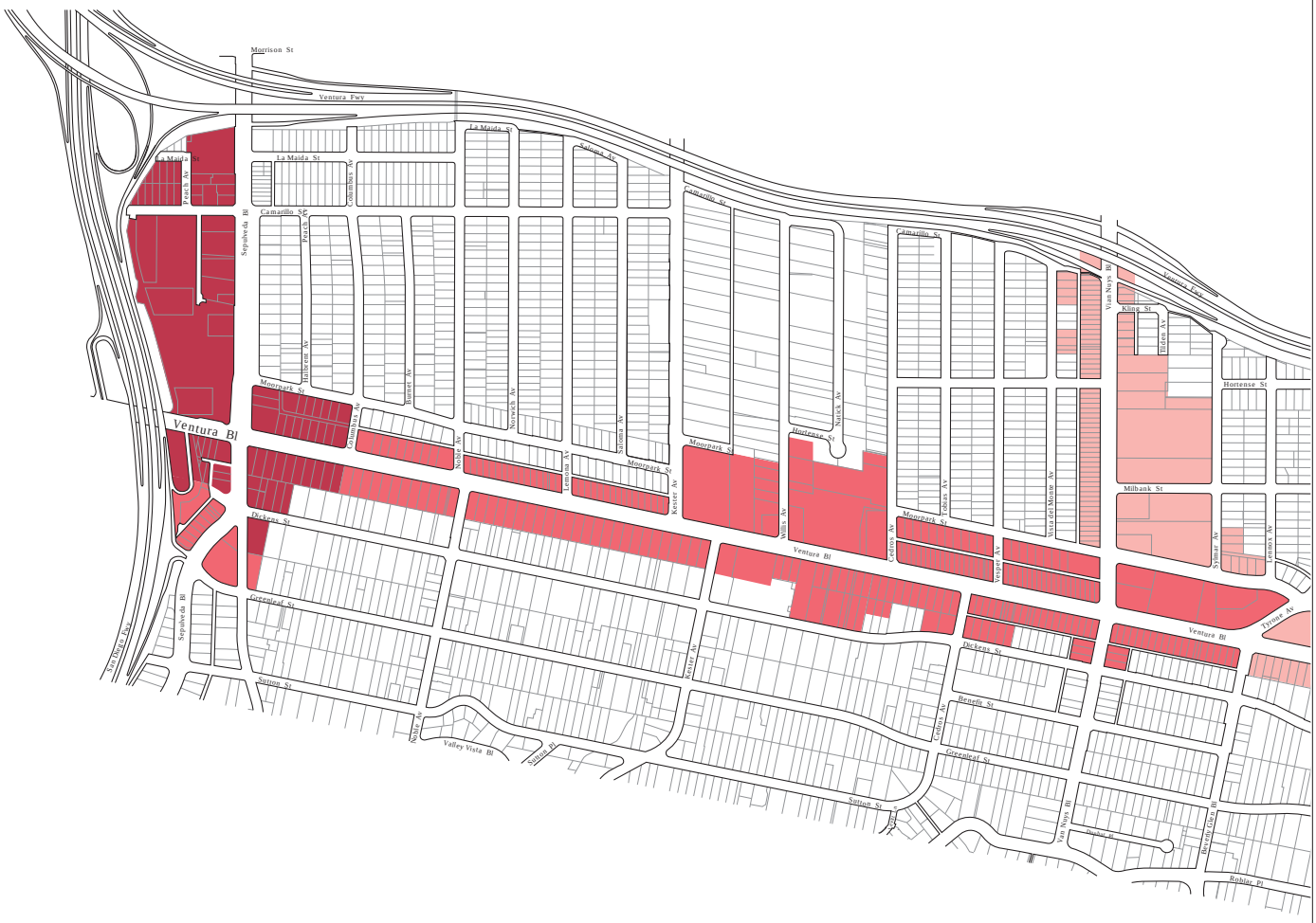
Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

- Regional Commercial
- Community Commercial
- Neighborhood & General Commercial

Map 9 - Sherman Oaks Section

Plan Designations

0 400 800 ft N

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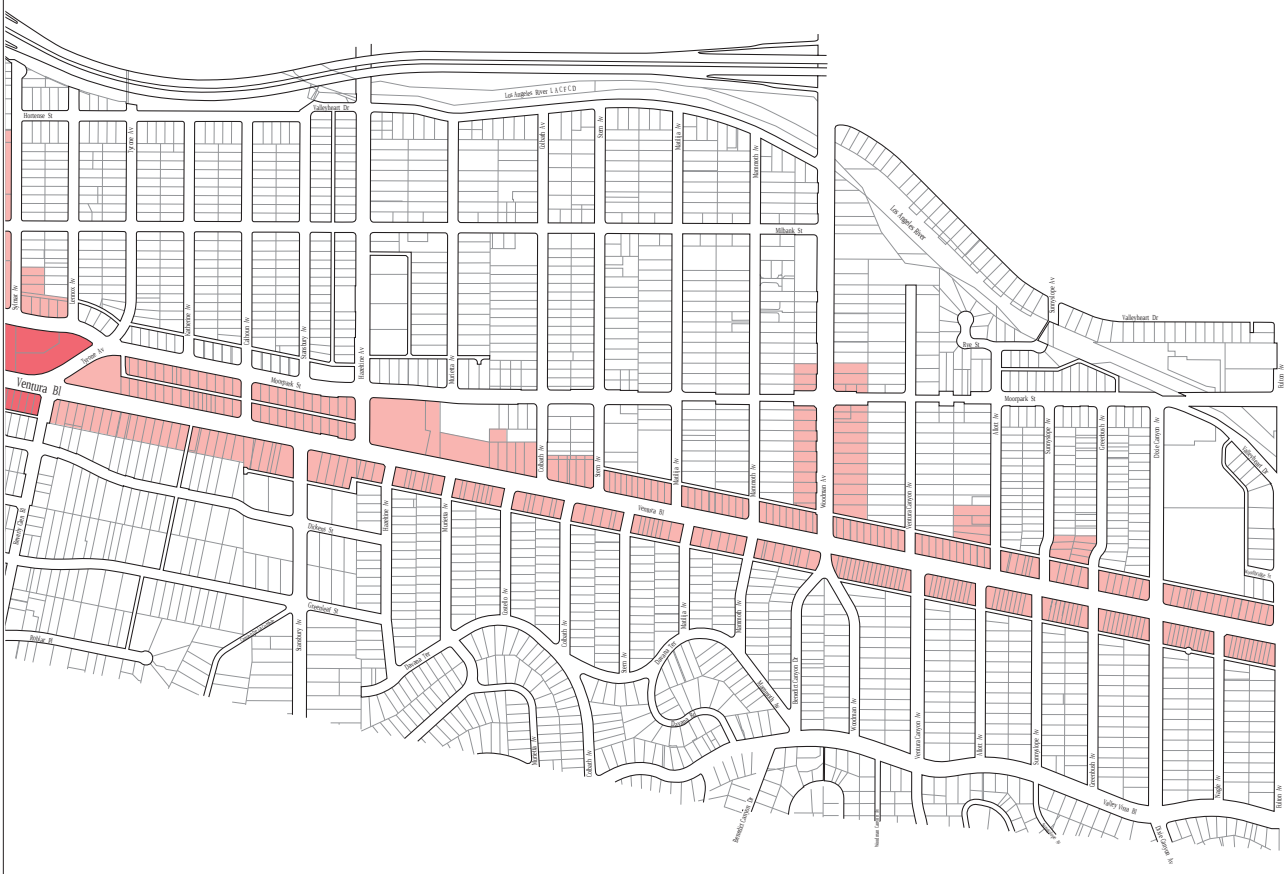


CPC 85-381

Regional Commercial

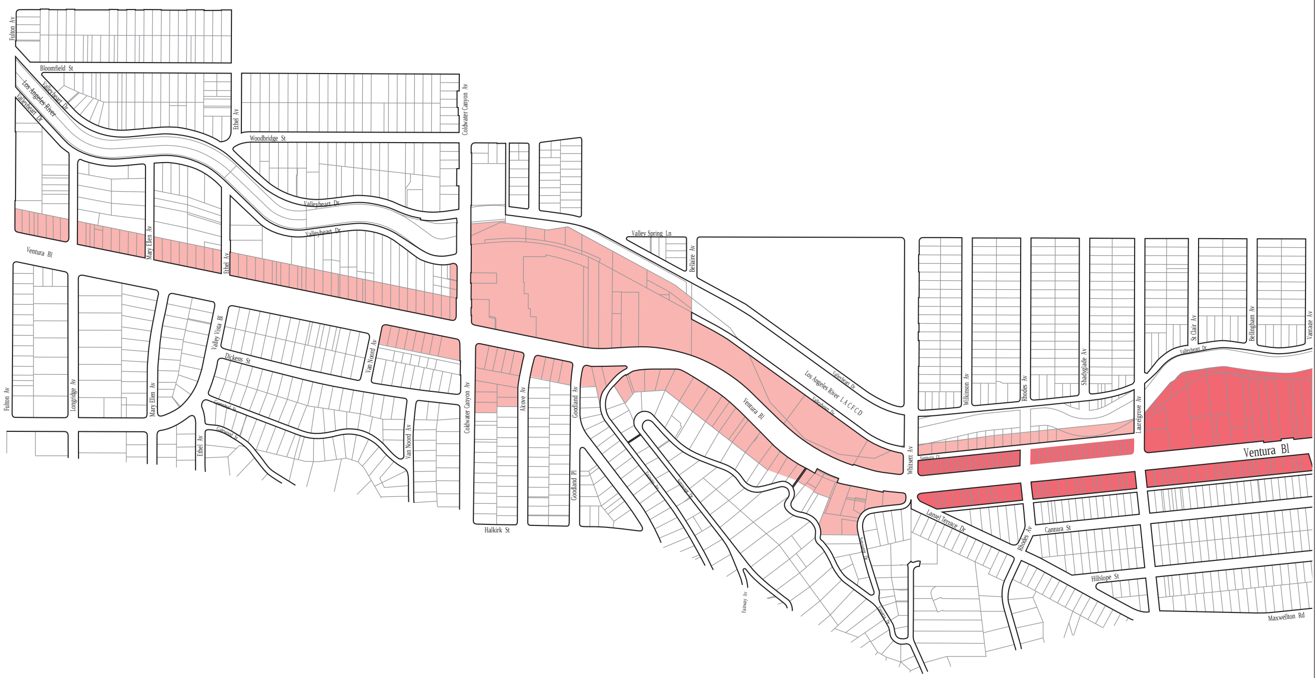
Community Commercial

Neighborhood & General Commercial

Map 10 - Sherman Oaks Section

Plan Designations

0 400 800 ft N



CPC 85-381

Regional Commercial

Community Commercial

Neighborhood & General Commercial

Map 11 - Studio City Section

Plan Designations

0 400 800 ft N

Ventura / Cahuenga Boulevard Corridor Specific Plan

CPC 85-381

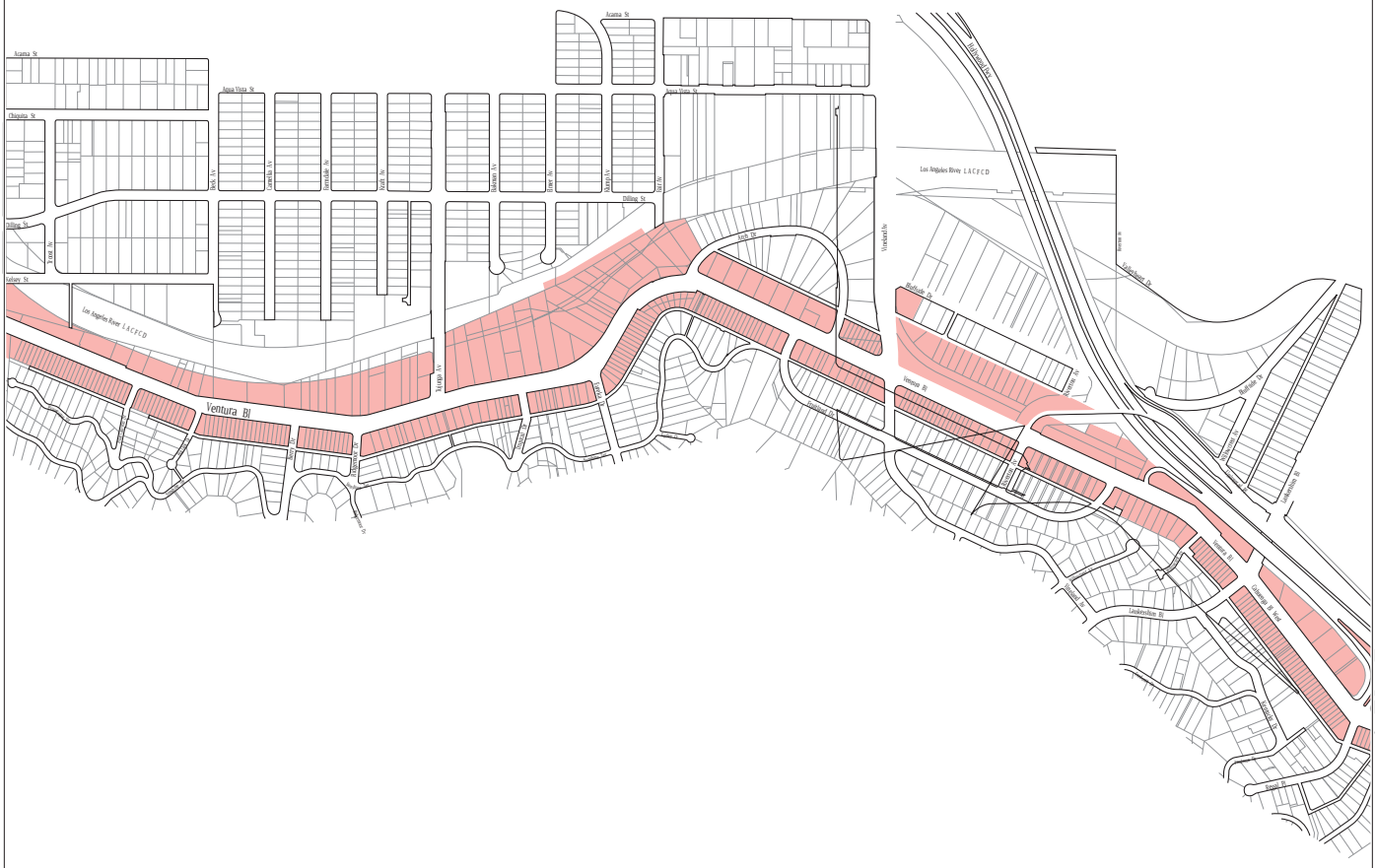
- Regional Commercial
- Community Commercial
- Neighborhood & General Commercial

Map 12 - Studio City Section

Plan Designations

0 400 800 ft N

mc:023.StudioCity2:08.26.04



CPC 85-381

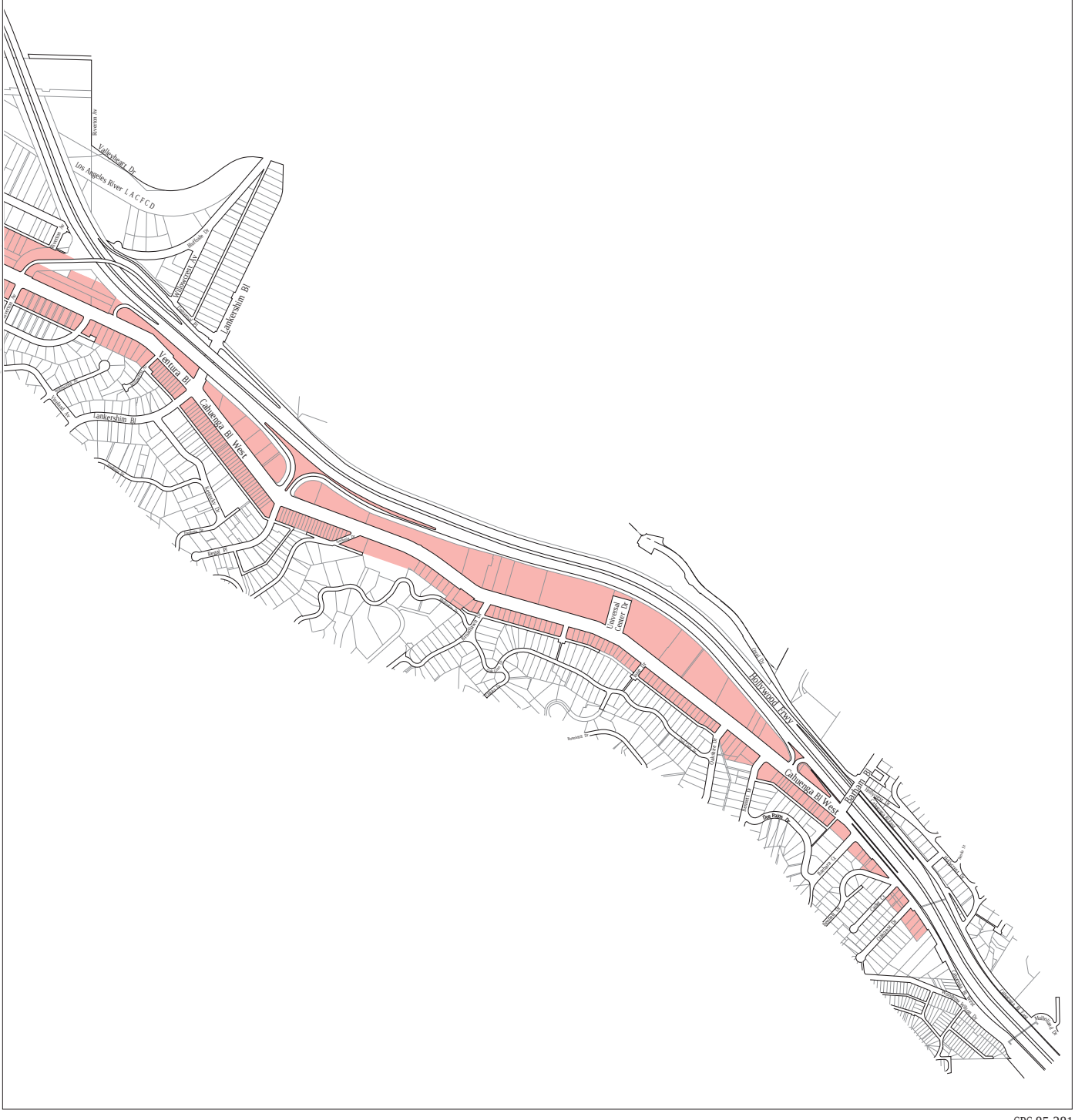
- Regional Commercial
- Community Commercial
- Neighborhood & General Commercial

Map 13- Studio City Section

Plan Designations

0 400 800 ft N

Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

- Regional Commercial
- Community Commercial
- Neighborhood & General Commercial

Map 14 - Studio City Section

Plan Designations

0 400 800 ft N

mc:023.StudioCity4:08.26.04

Ventura / Cahuenga Boulevard Corridor Specific Plan

CPC 85-381

Specific Plan Area

Pedestrian Oriented Area

Exhibit A - Woodland Hills Section

Pedestrian Oriented Areas

0 400 800 ft N

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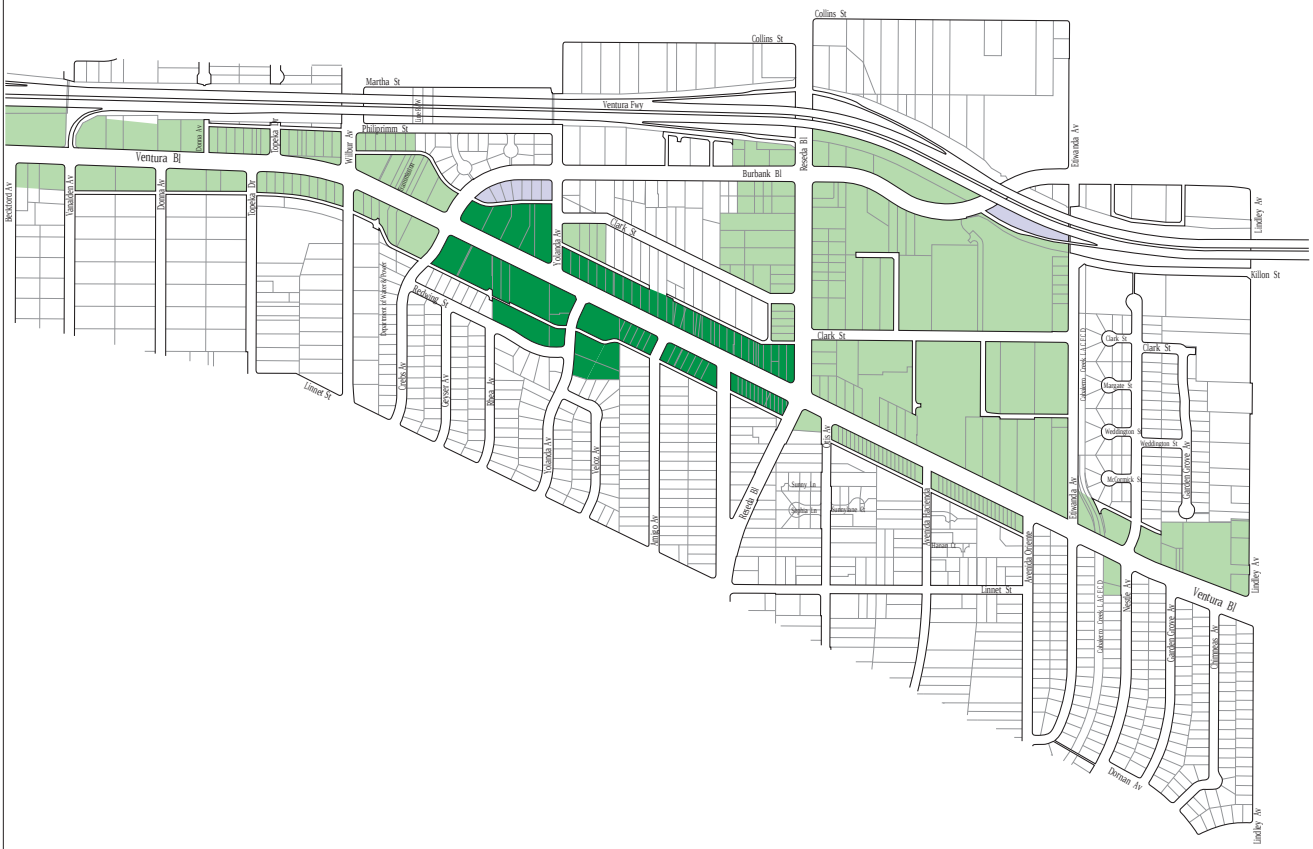

CPC 85-381

Specific Plan Area

Pedestrian Oriented Area

Exhibit B - Tarzana Section

Pedestrian Oriented Areas

0 400 800 ft N

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Ventura / Cahuenga Boulevard Corridor Specific Plan

CPC 85-381

Specific Plan Area

Pedestrian Oriented Area

Exhibit C - Encino Section

Pedestrian Oriented Areas

0 400 800 ft N

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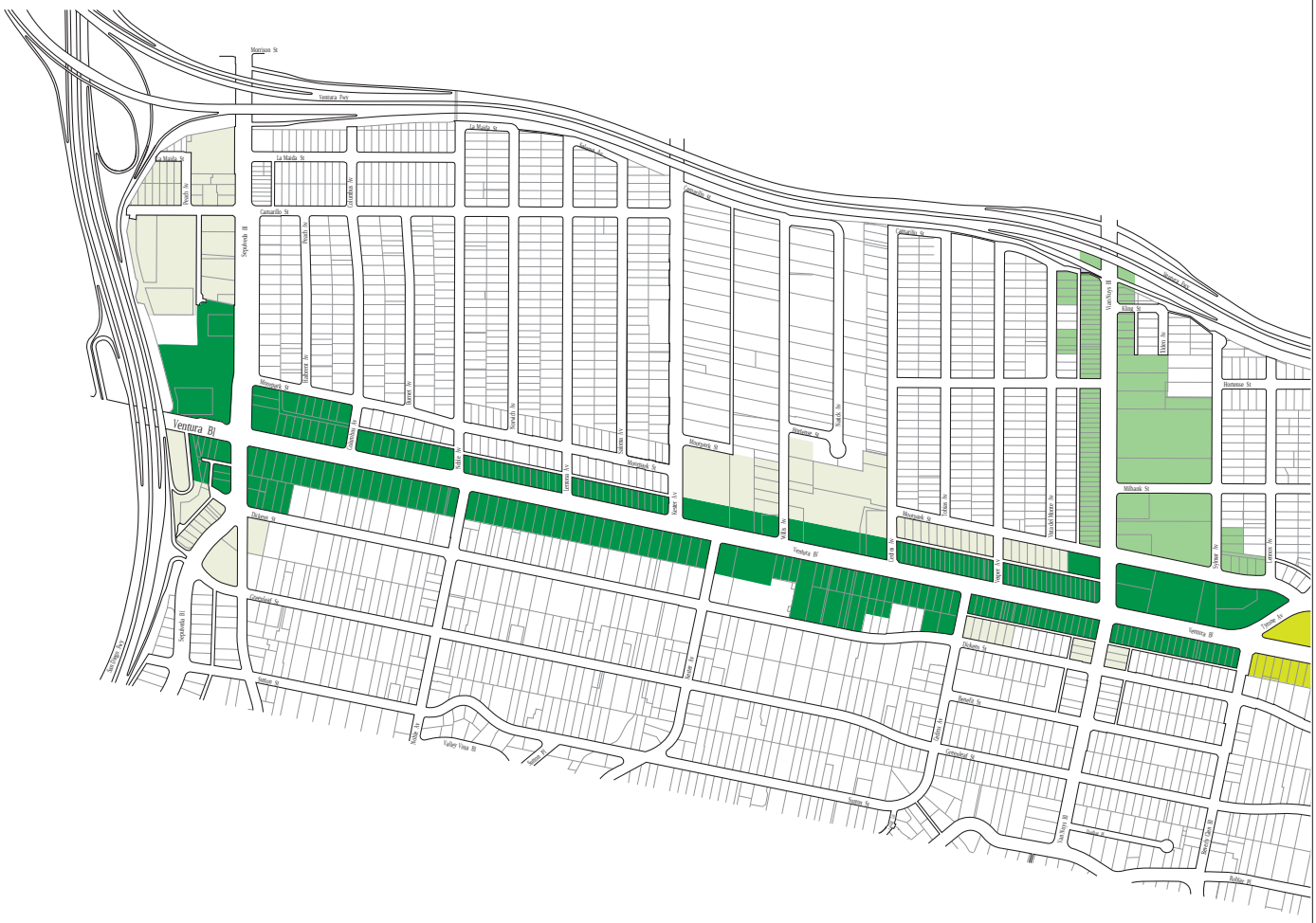
Ventura / Cahuenga Boulevard Corridor Specific Plan



CPC 85-381

Specific Plan Area

Restricted Use Area

Pedestrian Oriented Area

Pedestrian Development District

Exhibit D - Sherman Oaks Section

Pedestrian Oriented Areas

0 400 800 ft N

mc:ShermanOaks_Exhibit D:08.26.04

Ventura / Cahuenga Boulevard Corridor Specific Plan

CPC 85-381

Specific Plan Area

Restricted Use Area

Pedestrian Oriented Area

Pedestrian Development District

Exhibit E —Sherman Oaks Section

Pedestrian Oriented Areas

0 400 800 ft N

mc:023.ShermanOaks_Exhibit E.08.26.04

CPC 85-381

Specific Plan Area

Pedestrian Oriented Area

Exhibit F —Studio City Section

Pedestrian Oriented Areas

0 400 800 ft N

Ventura / Cahuenga Boulevard Corridor Specific Plan

CPC 85-381

Specific Plan Area

Regionally Impacted Area

Exhibit G—Studio City Section

Pedestrian Oriented Areas

0 400 800 ft N

mc:023.StudioCity_Exhibit G:08.26.04

VENTURA-CAHUENGA BOULEVARD CORRIDOR SPECIFIC PLAN

An ordinance amending the Ventura-Cahuenga Boulevard Corridor Specific Plan, for portions of the Sherman-Oaks-Studio City/Cahuenga Pass-Toluca Lake District Plan, the Encino-Tarzana District Plan, and the Canoga Park-Winnetka-Woodland Hills-West Hills District Plan.

WHEREAS, the Ventura/Cahuenga Boulevard Corridor Specific Plan is nine years old; and

WHEREAS, the policy language needs to be clarified and procedural changes necessitated by the new Charter require an amendment to effect those policies; and

WHEREAS, the Ventura-Cahuenga Boulevard Corridor is still experiencing serious traffic, transportation and density problems, which in a number of locations are classified as unacceptable, and after the slow pace of development during the recent recession, new development in the Corridor once again is developing beyond the capacity of the transportation infrastructure; and

WHEREAS, the amendments; expansion of pedestrian oriented areas; and designation of the Regionally Impacted Area, Pedestrian Development District and Restricted Use Area address the increase in traffic generated by increased development by encouraging pedestrian activity and minimizing multiple automobile trips; and

WHEREAS, historical approaches to building and financing transportation capital improvements no longer appear sufficient to meet the needs of the corridor. As a result new approaches, including restrictions on future developments, must be devised to ensure that Ventura Boulevard remains viable as the San Fernando Valley's premier commercial corridor; and

WHEREAS, the adoption and implementation of community streetscape plans will contribute to improving streetscape amenities as well as enhance the aesthetic atmosphere along the Ventura/Cahuenga Corridor while creating individual and distinct identities for the five communities within the Corridor; and

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. ESTABLISHMENT OF SPECIFIC PLAN

A. The Council hereby establishes the Ventura-Cahuenga Boulevard Corridor Specific Plan. The Corridor extends from Dry Canyon-Calabasas Flood Control Channel west of Woodlake Avenue to Woodrow Wilson Drive on the east as shown in Map 1. The Specific

Plan is applicable to that area of the City of Los Angeles that are highlighted on Maps 1 through 14.

B. As shown in Maps 1 through 14, the Ventura-Cahuenga Boulevard Corridor Specific Plan is divided into five major communities: (1) the Studio City/Cahuenga Pass Community (west of Woodrow Wilson Drive to Fulton Avenue), (2) the Sherman Oaks Community (Fulton Avenue to the San Diego Freeway), (3) the Encino Community (San Diego Freeway to Lindley Avenue), (4) the Tarzana Community (Lindley Avenue to Corbin Avenue), and (5) the Woodland Hills Community (Corbin Avenue to Dry Canyon-Calabasas Flood Control Channel, west of Woodlake Avenue).

C. The Pedestrian Oriented Areas (POA) within each of the five major communities are indicated on Exhibits A through G.

D. As shown in Maps 1 through 14, the Ventura-Cahuenga Boulevard Corridor Specific Plan utilizes three plan designations: (1) Regional Commercial; (2) Community Commercial, and (3) Neighborhood and General Commercial.

Section 2. **PURPOSES**

The purposes of this Specific Plan are as follows:

A. To assure that an equilibrium is maintained between the transportation infrastructure and land use development in the Corridor and within each separate community of the Ventura-Cahuenga Boulevard Corridor Specific Plan area.

B. To provide for an effective local circulation system of streets and alleys which is minimally impacted by the regional circulation system and reduces conflicts among motorists, pedestrians, and transit riders.

C. To provide building and site design guidelines to promote attractive and harmonious multi-family and commercial development.

D. To assure a balance of commercial land uses in the Specific Plan area that will address the needs of the surrounding communities and greater regional area.

E. To provide a compatible and harmonious relationship between residential and commercial development where commercial areas are contiguous to residential neighborhoods.

F. To preserve and enhance community aesthetics by establishing coordinated and comprehensive standards for signs, buffering, setbacks, lot coverage, and landscaping.

G. To enhance the plan area landscaping by providing guidelines and a process for a coordinated landscaping program of public and private property for the Specific Plan's communities.

H. To promote an attractive pedestrian environment which will encourage pedestrian activity and reduce traffic congestion.

I. To promote and enhance the distinct character of each of the five Specific Plan communities by establishing design guidelines and community development limitations.

J. To establish guidelines and a process for implementing Charter required amendments, regulatory controls, providing incentives, and funding mechanisms, and enforcement for the systematic execution of the policies and goals of the General Plan within the Specific Plan area.

K. To promote a high level of pedestrian activity in the Pedestrian Oriented Areas by regulating the placement of buildings and structures to accommodate outdoor dining and other ground level retail activity, as well as provide for attractive landscaping.

L. To provide community development limitations based on the community infrastructure's transportation capacity.

M. To preserve alleys, wherever possible, in the corridor to facilitate traffic flow.

N. To enhance Community Streetscape Plans by encouraging the undergrounding of utilities.

Section 3. RELATIONSHIP TO OTHER PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE

A. Relation To Los Angeles Municipal Code.

1. The regulations of the Specific Plan are in addition to those set forth in the planning and zoning provisions of Los Angeles Municipal Code (LAMC) Chapter I, as amended, and any other relevant ordinances and do not convey any rights not otherwise granted under the provisions and procedures contained in that chapter and other relevant ordinances, except as specifically provided here.

2. Wherever this Specific Plan contains provisions which require different setbacks, restricted yards, lower densities, lower heights, restricted uses, greater parking requirements or other greater restrictions or limitations on development than would be allowed pursuant to the provisions contained in LAMC Chapter I, the Specific Plan shall prevail and supersede the applicable provisions of that Code.

B. Procedures For Various Approval Related To The This Specific Plan. The procedures for the granting of an exception, Project Permit Compliance, Appeal, Modification of Permit Compliance, Project Permit Adjustment to and Interpretation of this Specific Plan are set forth in LAMC Section 11.5.7. In approving an exception to this

Specific Plan, pursuant to Section 11.5.7 F, the Area Planning Commission, and the City Council on appeal, may simultaneously approve any conditional use under their jurisdiction. Only one fee shall be required for joint applications.

Section 4. **DEFINITIONS**

The following words or phrases, whenever used in this Specific Plan, shall be construed as defined in this Section. Words and phrases not defined herein shall be construed as defined in LAMC Sections 12.03, 91.0402 through 91.0423 and 91.6203.

A.M. PEAK HOUR: The one hour period of a weekday with the greatest average on-street traffic volume occurring during the hours of 7:00 A.M. to 10:00 P.M.

APPLICANT: Any person, as defined in LAMC Section 11.01, submitting an application for a building permit, demolition permit, excavation permit, foundation permit, grading permit or sign permit for a Project.

ASSESSMENT DISTRICT: For the purposes of this Specific Plan Ordinance, an area established within the boundaries of this Specific Plan by the City Council for the purpose of levying assessments on property owners within the area to fund certain improvements and activities as identified within this Specific Plan.

AUTO-RELATED USES: Auto-related uses for the purposes of this Specific Plan shall be defined as car washes, motor and/or recreational vehicle sales and/or rentals, maintenance, repair and accessory installation.

CITY BUILDING COST INDEX: An index for tracking the rate of inflation in building costs. For the purposes of this Specific Plan, that component of the index for the Los Angeles Metropolitan Area, published by Marshall and Swift relative to “metal frame and walls” will be used to define the City Building Cost Index. If for any reason, this Index ceases to be published, then a similar building cost index will be utilized.

COMMERCIAL FLOOR AREA: Floor area devoted to non-residential uses. Hotels and motels shall not be considered residential uses for purposes of this definition.

COMMUNITY COMMERCIAL PLAN DESIGNATION: A land use designation in the Community Plan which is a focal point for surrounding residential neighborhoods and containing a diversity of uses, such as small offices and overnight accommodations, cultural facilities, schools and libraries, in addition to neighborhood oriented services.

COMMUNITY PLAN(S): The adopted Community Plans for the Sherman Oaks-Studio City/Cahuenga Pass-Toluca Lake-Cahuenga Pass Community Plan area, the Encino-Tarzana Community Plan area, and the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan area, which plans include all portions of the Ventura/Cahuenga Boulevard Corridor Specific Plan.

CONVENIENCE MARKET: A retail market, which has a floor area of less than 5,000 square feet and which sells an assortment of packaged food and small, non-food carry-out items.

COURT/COURTYARD: A space, open to the sky, located within three feet above or below curb level on a lot and bounded on three or more sides by walls of a building.

DRIVE-THROUGH CONVENIENCE PREMIUM: The fixed component of the Project Impact Assessment (PIA) Fee charged when Drive-Through Establishments are included in retail sales/service, restaurant, and bank use regardless of the number of ATM, teller, and service windows; and for gasoline stations regardless of the number of fueling positions. Convenience Markets are always charged this Drive-Through/ Convenience Premium.

DRIVE-THROUGH ESTABLISHMENT: Any establishment which dispenses food or services for consumption or use on or off the premises to an individual in a vehicle. These establishments may include, but are not limited to, restaurants, pharmacies, banks, and dry cleaners.

FLOOR AREA RATIO: A multiplier applied to the buildable area of a commercially or residentially zoned lot in order to determine the maximum allowable floor area of all buildings on a lot. The ratio is a calculation of the maximum allowable buildable floor area of all buildings to the total square footage of the lot.

FRONT YARD: The Front Yard shall be defined as the area of the lot facing Ventura or Cahuenga Boulevard between the front lot line and those portions of the building at ground level, exclusive of over-hangs or extensions. Where there is no established building line on Ventura or Cahuenga Boulevard, then the lot line contiguous with Sepulveda, Van Nuys, Reseda or Laurel Canyon Boulevards shall be deemed the front lot line.

GROUND FLOOR: The lowest story within a building that is accessible to the street, the floor level of which is within three feet above or below curb level, the frontage of which is on or is primarily facing any public street, and the depth of which is at least 50 feet or the total depth of the building, whichever is less.

IN LIEU CREDIT: A credit toward payment of the Project Impact Assessment Fee, pursuant to the provisions of Section 11 of this Specific Plan.

INTERIM CONTROL ORDINANCE (ICO) PROJECTS: Projects for which a covenant and agreement was recorded pursuant to the Ventura/Cahuenga Boulevard Interim Control Ordinance or preceding ordinances (Ordinance Nos. 165,290, 162,907, 160,406, 160,514 and 166,313).

LEVEL OF SERVICE (LOS): An indicator, designated “A” through “F,” of the degree of traffic saturation of a lane segment or intersection. For purposes of this Specific Plan, "LOS" pertains to Level of Service at intersections, which is determined by the ratio of critical lane volume “V” to the intersection's capacity "C" or “V/C” ratio.

MIXED-USE PROJECT: A Project which combines office or other commercial uses with a residential use with at least 25% of the total Project floor area as residential and at least 33% of the total Project floor area as commercial.

NEIGHBORHOOD AND GENERAL COMMERCIAL PLAN DESIGNATION: A land use designation in the Community Plan which is a focal point for surrounding residential neighborhoods and containing a diversity of land uses, such as restaurants, retail outlets, grocery stores, child care facilities, small professional offices, community meeting rooms, pharmacies, religious facilities and other similar services.

PEDESTRIAN DEVELOPMENT DISTRICT (PDD): A Pedestrian Development District is the area identified on Map 2B bounded by both sides of Ventura Boulevard between Beverly Glen Boulevard/Tyrone Avenue and Fulton Avenue.

PEDESTRIAN ORIENTED AREA: Areas within the Specific Plan boundaries, as shown in grey shading on the maps in Section 1 of this Specific Plan, in which greater pedestrian activity is encouraged.

PEDESTRIAN SERVING USES -Tier I: Academic tutoring or learning centers; art galleries; barber shops; beauty and nail salons; book stores; cafes; candy shops; cell phone stores; coffee houses; community facilities including chamber of commerce office; computer sales; day spas and tanning salons; dress making and tailoring; dry goods and notions; copying services; carrousels (as an accessory use to a retail or Pedestrian Serving Use); financial services without Drive-Through Establishments which provide check cashing, ready cash and money orders; furniture; grocery stores; hardware stores (less than 5,000 square feet); hobby shops; ice cream parlors; martial arts/dance centers; pet shops; pharmacies; photographers; restaurants without Drive-Through Establishments; shoe repair; theaters; toy stores; video or music stores; and stores selling other small consumer items, or providing similar services, as determined by the Director of Planning.

PEDESTRIAN SERVING USES - TIER II: Accountants; architects; day care (short term); doctors; dentists; dry cleaners; chiropractors; insurance companies (with additional parking); interior decorating; law and legal aid; locksmith; mortgage companies; real estate offices (with additional parking).

PERMITTED FLOOR AREA, APPROVED: Commercial Floor Area of a Project which has been granted a Project Permit Compliance or a clearance from the Department of City Planning and Department of Transportation pursuant to the Ventura/Cahuenga Boulevard Interim Control Ordinance or a Project Permit Compliance pursuant to the provisions of this Specific Plan.

PHASES OF DEVELOPMENT: A schedule of development for Projects in this Specific Plan area that limits development by correlating incremental increases in the total Approved Permitted Floor Area of all commercial Projects with the implementation of certain transportation objectives and actions, as specified in this Specific Plan.

PHASING PROGRAM: A schedule applicable to Projects for the purpose of dividing into stages the construction of Projects and the construction of related transportation infrastructure.

P.M. PEAK HOUR: The one hour period of a weekday with the greatest average on-street traffic volume occurring during the hours of 3:00 P.M. to 7:00 P.M.

PORTABLE SIGN: A sign not permanently affixed either to land or to a structure on land.

PRELIMINARY TRAFFIC ASSESSMENT: The Department of Transportation's initial determination of the requirements for review of the Project's compliance with transportation-related Specific Plan provisions, including the necessity for a Traffic Study.

PRIOR SPECIFIC PLAN (PSP PROJECTS). Projects permitted during the period from February 16, 1991, to the effective date of this Specific Plan amending the Ventura/Cahuenga Boulevard Corridor Specific Plan.

PROJECT: Any grading, construction, erection, addition to, or structural alteration of any building or structure, a use of vacant land, or change of use on a lot located in whole or in part within the Specific Plan area, which requires the issuance of any building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit. A Project shall not include interior construction or a change of use unless it (a) increases the floor area; or (b) increases the number of Trips; or (c) increases parking requirements pursuant to Section 7 F of this Specific Plan; or (d) includes a change of use which is not consistent with those permitted by Section 5 A 3 of this Specific Plan.

PROJECT PERMIT COMPLIANCE: An application submitted to the Director of Planning for a determination that the proposed Project meets the Specific Plan requirements and the Design Guidelines of this Specific Plan and, where applicable, that the Department of Transportation has determined in writing that the Project is in conformance with the transportation provisions of this Specific Plan.

PROJECT IMPACT ASSESSMENT FEE: The monies required to be paid into the Ventura/Cahuenga Boulevard Corridor Specific Plan Revenue Fund by an Applicant for a Project, based on the Project's floor area and land use, pursuant to the requirements of this Specific Plan.

REGIONAL COMMERCIAL PLAN DESIGNATION: A land use designation in the Community Plan which is a focal point of regional commerce, identity and activity and containing a diversity of uses, such as corporate and professional offices, residential, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services.

REGIONALLY IMPACTED AREA: The area identified on Exhibit G bounded by both sides of Cahuenga Boulevard West between Woodrow Wilson Drive on the east and Lankershim Boulevard on the west.

RESTRICTED USE AREA: The area identified on Map 2B bounded by both sides of Van Nuys Boulevard between Moorpark Street on the south and the Ventura (101) Freeway on the north.

SANDWICH SIGN: A portable sign consisting of two sign faces which connect at the top and extend outward at the bottom.

SHOPPING CENTER: A building or group of buildings on a lot or lots with 10,000 or more square feet of commercial retail uses and with more than one commercial retail use.

STRETCHERS: Replacement or enhancement of signs that exceed height and/or area of initially permitted sign face by the Department of Building and Safety.

SUPERGRAPHIC DISPLAY: A sign, consisting of an image projected onto a wall or printed on vinyl, mesh or other material with or without written text, supported and attached, to a wall by an adhesive and/or by using stranded cable and eye-bolts and/or other materials or methods, that does not comply with the provisions in LAMC Section 91.62.01, *et seq.*, relating to Wall Signs, Mural Signs, Off-Site Signs and Temporary Signs.

SUPERMARKET: A retail store with a floor area equal to or greater than 5,000 square feet, which sells an assortment of foods, as well as items for food preparation, household cleaning, and personal care.

TAKE-OUT FOOD ESTABLISHMENT: An establishment dispensing food for off-site consumption that has the following characteristics: (1) contains the space capacity to provide for no more than five seats; (2) provides no table orders or waiter-service; (3) provides no utensils, beverage, condiment, or other foodstuffs, except expressly as part of any order dispensed for off-site consumption; and (4) dispenses all food in disposable containers and/or wrapping.

TRAFFIC ASSESSMENT: The Department of Transportation's written determination of the likely traffic impacts resulting from the Project and its mitigation measures, considering the estimate of Project-generated trips, ambient growth, related developments, and levels of service at adjacent intersections.

TRAFFIC STUDY: A written report prepared at the Applicant's expense and submitted by the Applicant according to DOT's Traffic Study guidelines, discussing the traffic engineering investigation and analysis of Project-related traffic impacts, including recommendations to mitigate the traffic impacts, if any.

TRANSPORTATION DEMAND MANAGEMENT (TDM): A program promoting ridesharing and transit use to reduce Project-related Trips, to be provided by an Applicant or owner, lessee or assignee of an Applicant.

TRIP: An arrival at or a departure from a Project during the A.M. or P.M. peak hours by a motor vehicle as calculated by the Department of Transportation using the Trip generation formulas and/or table provided in technical references published by the Institute of Transportation Engineers

and other transportation and traffic engineering industry sources.

Section 5. PROHIBITIONS, VIOLATIONS, ENFORCEMENT, USE LIMITATIONS AND RESTRICTIONS, AND EXEMPTIONS.

A. Prohibitions

1. **Violations and Penalties.** Any violation of this Specific Plan shall be subject to the provisions of LAMC Sections 11.00 (m) and 12.04.01.

    a. **Existing Violations.** No Project Permit Compliance approvals shall be issued for Projects until all cited violations of the Specific Plan regulations are corrected.

    b. **Certificate of Occupancy.** Prior to the issuance of a certificate of occupancy, and in addition to all other requirements of the Department of Building and Safety, the property owner shall provide a letter of certification by a licensed landscape architect to the Director of Planning, that all required landscape and relevant streetscape elements have been implemented.

2. **Specific Plan Compliance Required for Building, Demolition, Excavation, Foundation, Grading and Sign Permits.** Notwithstanding any provision of the LAMC to the contrary, no building, demolition, excavation, foundation, grading or sign permit shall be issued for a Project, unless the Applicant complies with all sections of this Specific Plan. No sign permits shall be issued unless the sign conforms to the requirements of Sections 8 and 9 of this Specific Plan. In general, a Project shall be subject to a Department of Transportation mitigation approval described in Section 10 and a Department of City Planning Project Permit Compliance described in Section 9.

B. Enforcement.

1. **Responsible Department.** The Department of Building and Safety shall be responsible for enforcing the provisions of this Specific Plan.

2. **Citations.** Notwithstanding the provisions of Subsection A 1 above, violation of the provisions of this Specific Plan, subsequent to the initial warning, shall be punishable by an administrative citation to the property owner in the amount of $250.00.

    a. **Repeat Violations**. Fines shall be increased for repeat violations of any provision of this Specific Plan and calculated from the date of the initial citation as follows:

        1. **First violation:** Warning to correct violation within 30 days of citation.

2. **Second violation within 60 days:** $250.00

3. **Third violation within 90 days:** $500.00

4. **Fourth violation within 120 days:** $1,000.00 and each subsequent violation.

b. **Establishment of Fund.** The Department of Building and Safety shall establish a Community Enforcement Revenue Fund for each of the following communities: Studio City/ Cahuenga Pass, Sherman Oaks, Encino, Tarzana, Woodland Hills.

c. **Exclusivity of Funds.** The monies generated as a result of the citations issued shall be used exclusively to fund enforcement of the regulations of the Ventura/Cahuenga Boulevard Corridor Specific Plan and the PACE Program.

3. Pro-Active Code Enforcement Survey (PACE). The Department of Building and Safety shall conduct a PACE survey, at least once every six months, in each of the five major communities as shown on Maps 1 through 14 to issue citations for any violations of the provisions of this Specific Plan involving permanent structures or signs.

C. Use Limitations and Restrictions.

1. Use Limitations In Pedestrian Oriented Areas.

a. In addition to the prohibition in Subdivision 2 above, in the Pedestrian Oriented Areas identified on Exhibits A-G in Section 1 of this Specific Plan, no building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit shall be issued for any Project unless the Project includes floor area on the Ground Floor of the building along at least 75 percent of the frontage of a building, excluding the frontage along vehicular access to on-site parking, devoted to retail uses or any Pedestrian Serving Use -Tier I. Office and retail uses cannot be combined within one tenant space unless a physical, stationary barrier is constructed or installed. Office uses accessory to retail will be combined with the retail square footage for the purposes of determining parking requirements.

The Applicant shall guarantee the continued restriction to retail or Pedestrian Serving Uses - Tier I for at least 75 percent of the frontage of a building by executing and recording a covenant and agreement. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning, recorded with the County Recorder, and a certified copy

delivered to the Departments of City Planning and Transportation prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit.

1. An Applicant may apply for a Project Permit Compliance approval for additional uses defined under Pedestrian Serving Uses - Tier II, if a Pedestrian Oriented Area has reached a vacancy rate of 12 percent or higher within that Pedestrian Oriented Area.

    a. Permission granted for these uses shall be in affect only for the period of time in which the vacancy rate of the Pedestrian Oriented Area where a Project is located remains above eight percent. When the vacancy rate falls to eight percent, Pedestrian Serving Uses - Tier II shall no longer be permitted.

    b. In order to obtain approval of a Project Permit Compliance for Pedestrian Serving Uses - Tier II, the Applicant shall provide evidence to the satisfaction of the Director of Planning of the current vacancy rate.

2. A Project Permit Compliance granted pursuant to (1) above shall terminate should the approved use cease for a period of time exceeding three months or when a change of use occurs.

b. No Drive-Through Establishments, motor and recreational vehicle sales and/or rentals, maintenance, repair and accessory installation, or car washes shall be permitted in Pedestrian Oriented Areas.

c. All businesses in a Pedestrian Oriented Area fronting a street or Courtyard shall maintain direct pedestrian access to the sidewalk or Courtyard.

d. All businesses located within a Pedestrian Oriented Area shall maintain at least 50% of their wall frontage as window space, display case, or public art. Nonreflective glass shall be used to allow maximum visibility from sidewalk or courtyard areas into interior of buildings. Window displays shall conform with sign requirements of this Specific Plan and the Los Angeles Municipal Code.

e. Where a Project is located in an existing building or structure that is set back and raised above grade so as not to be readily accessible and/or visible by pedestrian traffic, the Project shall be exempt from Subsections (a), (c), and (d) above.

f. Subdivision 3 above shall not apply to a Project which consists of construction, erection, addition to or structural alteration of a hospital located in the Pedestrian Oriented Area identified on Exhibits of Section 1 C, so long as the Project does not exceed 160,000 square feet of Floor Area and any new uses in the Project within 100 feet of Ventura Boulevard are retail or Pedestrian Serving Uses.

2. Use Restrictions in a Regionally Impacted Area, Pedestrian Development District and Restricted Use Area within the Ventura/ Cahuenga Boulevard Corridor Specific Plan Area.

a. **Regionally Impacted Area - Studio City/Cahuenga Pass.** The following uses shall be prohibited in the Regionally Impacted Area on both sides of Cahuenga Boulevard West bounded by Woodrow Wilson Drive on the east and Lankershim Boulevard on the west as shown on Exhibit G:

1. Drive-Through Establishments.

2. Auto-Related Uses.

3. Hotels/Motels.

b. **Pedestrian Development District - Sherman Oaks.** The following uses shall be prohibited in the Pedestrian Development District on both sides of Ventura Boulevard bounded by Fulton Avenue on the east and Beverly Glen Boulevard / Tyrone Avenue on the west as shown on Exhibits D & E:

1. Drive-Through Establishments.

2. Auto-Related Uses.

c. **Restricted Use Area - Sherman Oaks.** The following uses shall be prohibited in the Restricted Use Area on both sides of Van Nuys Boulevard bounded by the Ventura Freeway (101) on the north and Moorpark Street on the south as shown on Exhibits D & E:

1. Drive-Through Establishments.

2. Auto-Related Uses.

3. Other Limitations within the Ventura/Cahuenga Boulevard Corridor Specific Plan Area.

a. Permanent Cargo Containers. Cargo containers used permanently for incidental storage to an existing commercial use shall be prohibited within the Ventura/Cahuenga Boulevard Corridor Specific Plan area.

b. Temporary Permits for Cargo Containers. Only two consecutive temporary permits, for up to six months each, shall be permitted within a three year period and shall be subject to the following regulations after approval by the Planning Department and Building and Safety:

1. Temporary containers shall be located on that portion of a lot where open storage is allowed by the Los Angeles Municipal Code.

2. The use of a temporary container shall be limited to incidental storage for an existing commercial use.

3. The use of a temporary container shall not allow human occupancy.

4. The temporary container shall not be located so as to block, obstruct, or reduce any required parking spaces of the existing buildings on the lot, loading area or required exits, windows or vent shafts.

5. The temporary container shall not be visible from Ventura Boulevard, Cahuenga Boulevard, Reseda Boulevard, Sepulveda Boulevard, Van Nuys Boulevard or Laurel Canyon Boulevard.

6. A site shall be limited to one temporary container with a maximum 400 square foot of floor area for each 5,000 square foot of lot area (permitted for open storage).

7. Each temporary container shall not exceed 10 feet in height, 10 feet in width and 40 feet in length and shall have no wall openings except for an access door opening at one end of the unit. Temporary containers shall not be stacked on each other.

8. Access to temporary container for the disabled shall meet Title 24 requirements relating to handicap access.

D. Total Exemptions From Specific Plan Provisions. Any Project for which a building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit is required in order to comply with an order issued by the Department of Building and Safety to repair an unsafe or substandard condition shall be exempt from the provisions of this Specific Plan. This exemption shall not apply to a change of use or an addition of floor area except as the increase in floor area is required to meet Americans with Disabilities Act (ADA) requirements.

Section 6. **BUILDING LIMITATIONS**

A. **Basic Development Rights**. All Projects which involve new construction, or additions of more than one hundred square feet of floor area to existing buildings shall be limited by the Floor Area Ratios in Subsection B and the Commercial Floor Area buildout limitations in Subsection C. However, notwithstanding the limitations in Subsections C, D and E below, each lot shall have development rights of at least a 0.35:1 Floor Area Ratio in the Neighborhood and General Commercial Plan Designation areas and a 0.5:1 Floor Area Ratio in the Regional Commercial and Community Commercial Plan Designation areas.

B. **Floor Area Ratio Limitations**.

1. The following Floor Area Ratios shall apply to Projects within the Community Commercial Plan Designation, and within the Regional Commercial Plan Designation west of the San Diego freeway:

a. No Project may exceed a maximum Floor Area Ratio of 1.25:1.

b. However, an additional Floor Area Ratio of 0.25:1 may be granted by the Department of City Planning during the Project Permit Compliance process for a Mixed-Use Project, pursuant to Section 9.

2. The following Floor Area Ratio shall apply to Projects within the Community Commercial Plan Designation on the north and south side of Ventura Boulevard bounded by Radford Avenue on the east and Colfax Avenue on the west:

a. No Project may exceed a maximum Floor Area Ratio of 1.0:1.

3. The following Floor Area Ratio shall apply to Projects within the Neighborhood and General Commercial Plan Designations:

No Project may exceed a maximum Floor Area Ratio of 1.0:1.

4. The following Floor Area Ratio shall apply to Projects within the Regional Commercial Plan Designation east of the San Diego Freeway:

No Project may exceed a maximum Floor Area Ratio of 1.5:1.

C. **Cumulative Permitted Commercial Floor Area and Existing Floor Area.** The Cumulative Permitted Floor Area and the existing floor area prior to the Ventura/Cahuenga Boulevard Interim Control Ordinance for all commercial square footage in this Specific Plan shall not exceed the following cumulative square footage, by Phase of Development:

Phase I - 23,400,000 square feet;
Phase II - 27,898,000 square feet.

D. Project Limitations Based On Commercial Floor Area For Phase I and Phase II. In Phase I, no Project shall be permitted which would result in creating more than the cumulative total Commercial Floor Area in any community that exceeds the following limits:

ADDITIONAL FLOOR AREA ALLOCATIONS FOR EACH COMMUNITY AND CUMULATIVE TOTALS FOR EACH PHASE OF DEVELOPMENT

COMMUNITY	PHASE I ADDITIONAL FLOOR AREA (SF)	PHASE II ADDITIONAL FLOOR AREA (SF)
Studio City/Cahuenga Pass	728,351	797,185
Sherman Oaks	398,670	436,323
Encino	614,445	672,395
Tarzana	665,526	728,183
Woodland Hills	1,703,008	1,863,914
Subtotals:	4,110,000	4,498,000
Base Year Developed Floor Area	19,290,000	23,400,000
Cumulative Totals:	23,400,000	27,898,000

E. Project Limitations Based on Traffic Impact. When 4,110,000 square feet of additional Commercial Floor Area have been permitted in the entire Specific Plan area during Phase I and 12 of the intersections listed in Subsection F below are operating at the unacceptable Level of Service of E or F, as determined by the Department of Transportation, then each Project shall be limited to the Basic Development Rights as set forth in Subsection A of Section 6.

F. Critical Intersections: The following corridor intersections are critical intersections:

Studio City/ Cahuenga Pass

1. Barham Boulevard and Cahuenga Boulevard

2. 101 Ramps, Regal Place and Cahuenga Boulevard

3. Lankershim Boulevard and Ventura Boulevard

4. Vineland Avenue and Ventura Boulevard

5. Tujunga Avenue and Ventura Boulevard

6. Colfax Avenue and Ventura Boulevard

7. Laurel Canyon Boulevard and Ventura Boulevard

8. Coldwater Canyon Avenue and Ventura Boulevard

Sherman Oaks

9. Woodman Avenue and Ventura Boulevard

10. Beverly Glen Boulevard and Ventura Boulevard

11. Van Nuys Boulevard and Ventura Boulevard

12. Kester Boulevard (east and west jog) and Ventura Boulevard

13. Sepulveda Boulevard and Ventura Boulevard

Encino

14. 101/405 Ramps, Sherman Oaks Avenue and Ventura Boulevard

15. Hayvenhurst Avenue and Ventura Boulevard

16. Balboa Boulevard and Ventura Boulevard

17. White Oak Avenue and Ventura Boulevard

Tarzana

18. Lindley Avenue and Ventura Boulevard

19. Reseda Boulevard and Ventura Boulevard

20. Wilbur Avenue and Ventura Boulevard

21. Vanalden Avenue and Ventura Boulevard

22. Tampa Avenue and Ventura Boulevard

23. Corbin Avenue and Ventura Boulevard

Woodland Hills

24. Winnetka Avenue and Ventura Boulevard

25. Canoga Avenue and Ventura Boulevard

26. DeSoto Avenue and Ventura Boulevard

27. Topanga Canyon Boulevard and Ventura Boulevard

28. 101 Ramps near Shoup Avenue and Ventura Boulevard

29. Shoup Avenue and Ventura Boulevard

30. Fallbrook Avenue and Ventura Boulevard

31. 101 Ramps, Woodlake Avenue and Ventura Boulevard

G. General Requirement. The Department of City Planning shall establish, monitor, and maintain an official record of all Cumulative Permitted Floor Area, by Phase of Development, within the Specific Plan area. The Floor Area record shall be maintained at the parcel and Community level.

H. Certification of Compliance with the Phases of Development Requirements.

1. No Project Permit Compliance shall be granted for any Project which would cause the Cumulative Permitted Floor Area to be increased from Phase I to Phase II until the City Council has done one of the following: certified that all requirements of the current Phase of Development have been implemented or assured; or, adopted findings to justify the reasons why the requirements are not necessary to mitigate any significant environmental impacts; or, adopted appropriate Specific Plan amendments and accompanying findings.

2. Based upon a report and recommendations from the Department of City Planning, with the assistance of the Department of Transportation and the advice of the Plan Review Board, the City Planning Commission shall report to the City Council on whether all the requirements of Phase I have been implemented. The report shall also address any requirements that are unnecessary and should be deleted.

If the City Council determines that the requirements of Phase I are not necessary in order to mitigate significant environmental impacts, then it shall adopt findings to justify the reasons why the requirements are not necessary. If the Council determines that not all of the requirements of Phase I have been implemented or assured and that this Specific Plan should be amended or revised based on the review process, then it shall adopt findings accordingly and request staff to report on what appropriate amendments should be adopted.

Section 7. LAND USE REGULATIONS

A Project shall comply with the following land use regulations:

A. Yards and Setbacks. An entrance to the business shall provide

direct access from the sidewalk without crossing a parking lot or driveway.

1. **General.** Notwithstanding LAMC Sections 12.12.2, 12.13, 12.13.5, 12.14 and 12.16 to the contrary, the following requirements for yards and setbacks shall apply to all Projects which consist of construction of a new building or an addition of square footage to an existing building:

    a. If a lot has a coterminous lot line with Ventura or Cahuenga Boulevard, then for the purposes of this Specific Plan, the lot shall be deemed to front on Ventura or Cahuenga Boulevard. If a lot has a coterminous lot line with Sepulveda, Van Nuys, Reseda or Laurel Canyon Boulevards, but not with Ventura or Cahuenga Boulevards, then for the purposes of this Specific Plan, the lot shall be deemed to front on Sepulveda, Van Nuys, Reseda or Laurel Canyon Boulevards.

    b. The exceptions in LAMC Section 12.22 C 20 shall be applicable to yards and setbacks required pursuant to this Specific Plan.

    c. For purposes of this section, the term setback shall only refer to a setback of floors below the first 15 feet in height of a building.

    d. Owners of all lots which have a coterminous lot line with the Los Angeles County Flood Control District (the Los Angeles River), shall make provisions for public access from the bike path to the building on the lot or to the front lot line when the bike path and any public open space along the river is built. Owners shall also provide a landscaped area of ten feet in width for all rear yards adjacent to the river's edge. Landscaping shall be compatible with riparian plantings.

2. **Regional Commercial and Community Commercial Plan Designation Areas.**

    a. **Front Yards and Setbacks.** A maximum 10 foot Front Yard shall be permitted for lots in the Regional Commercial and Community Plan Designation areas. No parking area or driveway shall be placed directly in front of the building except where a driveway is located to provide direct access through the building to a parking area located in the building or to the rear of the building.

    No Project shall be built within 18 inches of the front lot line. This 18 inch setback shall be landscaped to the satisfaction of the Director of Planning.

    Alternatives:

1. Notwithstanding Paragraph (a) above, except for areas required for vehicular access to parking, a Front Yard of between 10 feet and 40 feet in depth for a maximum of 50 percent of the length of the front lot line or a maximum width of 50 feet, whichever is less, may be provided. If this Alternative is utilized, then the Project shall not be subject to the requirements in Subsection 7 E 1(f) and (g).

2. If at least 50 percent of the length of the building frontage is built less than 18 inches from the front lot line, then

    i. 25 percent of the length of the building frontage shall be setback ten feet; and

    ii. The remaining 25 percent of the length of the building frontage shall be setback between ten and twenty feet; and if this Alternative is utilized, then the Project shall not be subject to the requirements in Subsection 7 E 1 (f) and (g).

    iii. Lots may have a maximum 25 foot front setback for the Project's first 15 feet in height , so long as the entire setback area is used for outdoor dining with appropriate landscape and hardscape in accordance with the adopted community streetscape plan. Portions of a building over 15 feet need not be setback. If Alternative (iii) is utilized, then the requirements in Subsection B shall not apply.

b. **Side Yards.** No side yard shall be permitted at the Ground Floor, except that an accessway, which may include a maximum 20 foot wide driveway, a maximum 4 foot wide walkway and landscape buffers of 18 inches to 5 feet on either side of the accessway may be provided for vehicular access to parking and pedestrian access to the building, or as specified in Subsection D [Parking] below, or where the Project contains residential uses, in which case, LAMC Sections 12.07, 12.07.01, 12.07.1, 12.08, 12.08.1, 12.08.3, 12.08.5, 12.09, 12.09.1, 12.09.5, 12.10, 12.11 and 12.12 shall apply.

    For corner lots, the side of the lot facing the side street intersecting with Ventura or Cahuenga Boulevard shall require a minimum 18 inch and maximum 15 foot landscaped setback.

c. **Rear Yards.**

    1. Notwithstanding LAMC Section 12.21 C 1 (h), if the rear lot line of a lot is adjacent to a street, then there shall be a minimum 15-foot rear yard.

2. If the rear lot line of a lot is adjacent to a residential use , then the lot shall have a minimum 20-foot rear yard, unless more is required by LAMC Section 12.21.1 A 10.

3. If an alley separates a residential use from a commercial rear lot line, and the alley is at least 20 feet wide, then the 20 foot rear yard setback shall be measured from the midpoint of the abutting alley.

3. Neighborhood and General Commercial Plan Designation Areas.

a. Front Yards and Setbacks. No parking area or driveway shall be placed directly in front of the building except where a driveway is located to provide direct access through the building to a parking area located in the building or to the rear of the building.

1. For lots which are 100 or less feet in width:

i. No Project may be built within 18 inches of the front lot line. This 18 inch setback shall be landscaped.

ii. Each lot shall have a maximum yard or Front Yard setback of 60 feet, or an average Front Yard of all existing structures on the block in which the lot is located, whichever is less.

2. For lots which are more than 100 but no more than 200 feet in width:

i. No Projects may be built within 18 inches of the front lot line; however, floors above 15 feet may be built to the lot line. This 18 inch setback shall be landscaped.

ii. Each lot shall have a maximum Front Yard of 20 feet for a minimum of 33 percent of the length of the front lot line. The balance of the lot frontage may have a maximum Front Yard of 60 feet, or a Front Yard equal to the average of all existing structures on the block in which the lot is located, whichever is less.

3. For lots which are wider than 200 feet.

i. No Project may be built within 18 inches of the front lot line; however, floors above 15 feet may be built to the lot line. This 18 inch setback shall be landscaped.

ii. Each lot shall have a maximum Front Yard of 20 feet for a minimum of 50 percent of the length of the front lot line. The balance of the lot line may have a maximum Front Yard of 60 feet, or a Front Yard equal to the average of all existing structures on the block in which the lot is located, whichever is less.

b. **Side Yards.** A side yard of 10 feet may be permitted, except that an accessway, which may include a maximum 20 foot wide driveway, a maximum 4 foot wide walkway and landscape buffers of 18 inches to 5 feet on either side of the accessway, may be provided for vehicular access to parking and pedestrian access to the building, or as specified in Subsection F [Parking] below, or where the Project contains residential uses, in which case, LAMC Sections 12.07, 12.07.01, 12.07.1, 12.08, 12.08.1, 12.08.3, 12.08.5, 12.09, 12.09.1, 12.09.5, 12.10, 12.11, and 12.12 shall apply.

For corner lots, the side of the lot facing the side street intersecting with Ventura or Cahuenga Boulevard shall require a minimum 18 inch and maximum 15 foot landscaped setback.

c. **Rear Yards.**

1. Notwithstanding LAMC Section 12.21 C 1 (h), if the rear lot line of a lot is adjacent to a street, then there shall be a minimum 15 foot rear yard.

2. If the rear lot line of a lot is adjacent to a residential use, then the lot shall have a minimum 20 foot rear yard unless more is required by LAMC Section 12.21.1 A 10.

3. If an alley separates a residential use from a commercial rear lot line and the alley is at least 20 feet wide, then the 20 foot rear yard setback shall be measured from the midpoint of the abutting alley.

B. Lot Coverage.

1. Regional Commercial and Community Commercial Plan Designation Areas. Buildings and structures shall cover no more than 75 percent of the lot area.

2. Neighborhood and General Commercial Plan Designation Areas. Buildings and structures shall cover no more than 60 percent of the lot area.

C. Driveways. A Project review shall be required on any site with multiple driveways where the linear frontage of the lot is less than 250 feet.

D. Landscaping Requirements. These requirements shall apply to all Projects, including changes of use to existing buildings.

1. Parking Lots.

a. At least 15 percent of the total area of a surface parking lot shall be landscaped.

b. For surface parking lots, one tree shall be provided for every four parking spaces. The trees shall be shade producing trees of a minimum 30 inch box size, no less than ten feet in height at maturity with a minimum tree canopy of 50 percent of the height of the tree. These trees shall be evenly distributed throughout the parking lot so as to shade the surface parking area.

c. A ten foot landscaped buffer shall be provided around any surface parking lots adjacent to any street, alley, residentially zoned lot, existing residential use, or other parking lots. This shall qualify as part of the 15 percent landscape requirement. When surface parking lots are adjacent to other surface parking lots or parking structures, a ten foot landscaped buffer between the lots or structure shall be required. It shall incorporate walkways between the parking areas. When surface parking lots are adjacent to each other and are tied together to allow a common parking area to serve multiple businesses or multi-tenant shopping centers, landscaping buffer requirements for the coterminous lot line shall not be required.

d. **Exception:** If a Project involves an existing building that has no more than the minimum required number of parking spaces and the Project does not generate additional requirements for parking, only the landscaping and walkways that will not cause a reduction in the existing number of parking spaces are required.

e. For portions of parking lots not facing a street, alley, residentially zoned lot, existing residential use, or other parking lot or structure, a minimum buffer zone of 30 inches shall be provided.

2. Parking Structures.

a. Parking structures or that portion of a building which is used for parking shall be designed to substantially screen automobiles contained in the garage from view by pedestrians and from adjacent buildings, except as may be recommended by the Los Angeles Police Department for purposes of safety. The facade of any parking building shall be designed so that it is similar in color, material, and architectural detail with the building(s) for which it serves for parking.

b. Parking structures shall have a landscaped buffer of ten feet around the surface perimeter, except where immediately adjacent to another structure.

c. Parking structures shall be designed to include planting of trees, shrubs, flowers, or vines for a minimum total of 4 percent of the roof area, located principally around the perimeter of the roof level parking, in order to provide additional screening and exterior landscaping.

a. Parking structures installed with air circulation vents and/or fans shall not have the vents and fans adjacent to or facing a residential area in order to avoid any adverse noise impact.

3. Yards, Setbacks, and Building Frontages.

a. At least 60 percent of all Front Yards or front setbacks in excess of 18 inches, shall be landscaped and the remainder shall be finished to City standards for sidewalks, or finished with other paving materials, including concrete pavers, brick masonry pavers.

Alternative:

Notwithstanding Paragraph (a) above, where sidewalk dining or a water feature is provided, at least 30 percent of all Front Yards or front setbacks in excess of 18 inches, shall be landscaped and the remainder shall be finished to City standards for sidewalks, or finished with other paving materials, including concrete pavers, brick masonry pavers or tile or covered in gravel,

b. The Applicant shall install an automatic irrigation system to maintain all required landscaping.

4. Gas Stations Buffers. Ten percent of the exterior site area not covered by the footprint of any building shall be used as a landscape buffer adjacent to the street. Within the landscaped area there shall be one tree for every 250 square feet of landscaped area. Applicants for a Project involving a gas station shall provide the following landscaped buffers between the gas station and:

a. A lot on which there is a commercial use - a buffer of three feet in depth;

b. A lot on which there is a residential use - a buffer of seven feet in depth;

c. An alley - a buffer of five feet in depth; and

a. Streets - a buffer of five feet in depth.

5. **Auto Repair.** In addition to requirements set forth in LAMC Section 12.26 I and any conditions imposed pursuant to LAMC Section 12.24 C 44, auto repair uses, as defined in LAMC Section 12.03, shall be subject to the following requirements:

   a. **Buffers:** Buffers shall be required as set forth in Subsection 7 D 4 of this Section and shall include a wall, fence, berm or a combination of those elements, except across necessary driveways or walkways. Any wall or fence shall be planted with vines.

   b. **Outdoor Seating Area:** Any outdoor seating area provided as a customer waiting area shall be landscaped with a minimum of five percent of the outdoor waiting area.

6. **Vacant Lots.** If any lot becomes vacant with no Project, the owner shall maintain a solid, living, green ground cover of landscaping on the entire vacant lot. This requirement shall apply whether the lot is vacant by the owner's choice or because no Project is permitted by the Department of Building and Safety within 180 days of the issuance of a demolition permit.

E. Height Limit.

1. Notwithstanding Subdivisions 2 and 3 of LAMC Section 12.21.1 B, no building or structure shall exceed the following heights:

   a. **Studio City/Cahuenga Pass.**

      1. From the intersection of Woodrow Wilson Drive and Cahuenga Boulevard to the intersection of Carpenter Avenue and Ventura Boulevard:

         i. On the north sides of Cahuenga and Ventura Boulevards - 45 feet.

         ii. On the south sides of Cahuenga and Ventura Boulevards - 30 feet.

      2. From the intersection of Carpenter Avenue and Ventura Boulevard to the intersection of Laurel Canyon Boulevard and Ventura Boulevard: On both sides of Ventura Boulevard - 45 feet.

      3. From the intersection of Laurel Canyon Boulevard and Ventura Boulevard to the intersection of Whitsett Avenue and Ventura Boulevard:

         i. On the north side of Ventura Boulevard - 45 feet.

         ii. On the south side of Ventura Boulevard - 30 feet.

      4. From the intersection of Whitsett Avenue and Ventura Boulevard to the intersection of Fulton Avenue and

Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

b. **Sherman Oaks.**

1. From the intersection of Fulton Avenue and Ventura Boulevard to the intersection of Tyrone/Beverly Glen Boulevard and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

2. From the intersection of Van Nuys Boulevard and Moorpark Avenue to the intersection of the Ventura Freeway overpass at Van Nuys Boulevard: On both sides of Van Nuys Boulevard - 30 feet.

3. From the intersection of Tyrone/Beverly Glen Boulevard and Ventura Boulevard to the intersection of Columbus Avenue and Ventura Boulevard:

   i. On the north side of Ventura Boulevard to 135 feet west of Columbus Avenue - 30 feet.

   ii. On the south side of Ventura Boulevard - 30 feet.

4. In the area bounded by Dickens Street on the south to the San Diego Freeway and Specific Plan boundary on the west, the Specific Plan boundary on the north, Sepulveda Boulevard on the east to Moorpark Street and Moorpark Street on the north to 135 feet west of Columbus Avenue south to Ventura Boulevard, then east to the lot line which would be a continuation of Columbus - 75 feet.

5. In the area bounded by Dickens Street on the north, Greenleaf Street on the south, the San Diego Freeway on the west and the Specific Plan boundary on the east - 30 feet.

c. **Encino.**

1. From the intersection of the San Diego Freeway overpass and Ventura Boulevard to the intersection of Balboa Boulevard and Ventura Boulevard: On both sides of Ventura Boulevard - 45 feet.

2. From the intersection of Balboa Boulevard and Ventura Boulevard to the intersection of Lindley Avenue and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

d. **Tarzana.**

1. From the intersection of Lindley Avenue and Ventura Boulevard to the intersection of Etiwanda Avenue and

Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

2. From the intersection of Etiwanda Avenue and Ventura Boulevard to the intersection of Wilbur Avenue and Ventura Boulevard:

   i. On the north side of Ventura Boulevard - 45 feet.

   ii. On the south side of Ventura Boulevard - 30 feet.

3. From the intersection of Wilbur Avenue and Ventura Boulevard to the intersection of Corbin Avenue and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

e. **Woodland Hills.**

1. From the intersection of Corbin Avenue and Ventura Boulevard to the intersection of Winnetka Avenue and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

2. From the intersection of Winnetka Avenue and Ventura Boulevard to the intersection of De Soto Avenue and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

3. From the intersection of De Soto Avenue and Ventura Boulevard to the intersection of the Ventura Freeway overpass and Ventura Boulevard: On both sides of Ventura Boulevard - 45 feet.

4. From the intersection of Ventura Boulevard and the Ventura Freeway overpass to the western end of Leonora Drive:

   i. On the north sides of Ventura Boulevard and Leonora Drive - 30 feet.

   ii. On the south side of Ventura Boulevard and Leonora Drive - 45 feet.

f. In addition, in the Community Commercial and Neighborhood and General Commercial Plan Designation Areas, buildings abutting a major or secondary highway may only exceed 30 feet in height, if, for each 15 foot increment, or portion of that increment, above 25 feet, at least a ten foot setback from the roof perimeter is provided.

g. In addition, in the Regional Commercial Plan Designation area, buildings abutting a major or secondary highway may exceed 45 feet in height, if, for each 10 foot increment above

45 feet, at least a ten foot setback from the roof perimeter is provided.

2. Exemptions For Mixed-Use Projects In The Regional Commercial Plan Designation Area East Of The San Diego Freeway.

a. If at least 25 percent of the floor area of a Mixed-Use Project in the Regional Commercial Plan Designation area east of the San Diego Freeway is devoted to non-hotel residential uses, then the Applicant may request a Project Permit Adjustment to exceed the height limitation in the underlying height district regulations and in this Specific Plan. However, in no case, shall the height of a Mixed-Use Project in the Regional Commercial Plan Designation area east of the San Diego Freeway exceed 82 feet. The procedures for granting relief from the height limitations shall be as set forth in LAMC Section 11.5.7 E. Any Project Permit Adjustment application to exceed the height should be filed at the same time as an application for a Project Permit Compliance. The filing fee for a Project Permit Adjustment is as set forth in LAMC Section 19.01 J.

b. In order to grant relief from the height limitation, the Director or the Area Planning Commission, depending on who has jurisdiction, shall make the following findings in addition to those required by LAMC Section 11.5.7:

1. The proposed Project is consistent with the scale and character of the existing neighborhood in terms of height, location, and orientation of buildings to adjacent residentially zoned parcels and rear yard setbacks.

2. The proposed Project will not have a substantial adverse impact on any residence which is within 600 feet from the site of the proposed Project.

F. Parking. Notwithstanding any less restrictive provisions of LAMC Section 12.21 A 4(c) to the contrary, the following parking provisions shall apply in the Specific Plan area:

1. Parking Requirements.

a. For commercial uses, other than offices, at least one parking space for each 250 square feet of floor area.

b. For general offices, at least one parking space for each 300 square feet of floor area.

i. For real estate and/or insurance uses approved pursuant to Section 5 C 1(a)(1), at least one parking space for every 200 square feet of floor area.

c. For restaurants, take-out food establishments, banquet rooms and related uses, at least one parking space for each 100 square feet of floor area.

d. For hotels and motels, at least one parking space for each guest room plus one additional employee parking space for every ten guest rooms.

e. For hospitals, at least 2.5 parking spaces for each bed.

f. For auditoriums, convention facilities, theaters, churches, general auditorium, stadiums, or other similar places of assembly, at least one parking space for every two seats. Where there are no fixed seats, there shall be at least one parking space for each 21 square feet of floor area, exclusive of the stage.

g. For child care facilities, preschool, and all other elementary and secondary schools, at least one parking space for each 300 square feet of floor area.

h. In addition to the requirements of LAMC Section 12.23 C 2, if a Project consists of a change of use or an addition to an existing building or structure, then the parking requirements of this paragraph shall apply only to:

1. The square footage of floor area devoted to the change of use;

2. The square footage of floor area contained within the addition to the existing building or structure; and

3. The square footage of any remodeling if cumulatively over a five year period, it involves an area in excess of 50% of the building area.

i. Where a commercial Project consists of a combination of uses, parking requirements shall be calculated for each individual use.

2. Public Parking Facilities. If there is a municipal off-street parking facility within 1500 feet of a Project or within a Pedestrian Oriented Area which can be shown by the Applicant as providing parking for a Project, then the Applicant may apply to the City for relief from the parking requirements in Paragraph 1 above. The application will be reviewed by the Departments of City Planning and Transportation to determine if the Project is eligible pursuant to the requirements of LAMC Section 12.26 E 5 for a reduction of the required number of parking spaces.

If a reduction in the number of parking spaces is approved for the Project, then the Applicant shall pay a one-time fee equal to $14,000 per parking space reduced, sufficient to pay for the new construction of parking spaces in a comparable municipal parking

facility in the Specific Plan area. This fee shall be calculated and adjusted annually by the Department of Transportation to reflect the cost of providing replacement parking. The fees shall be added to the Community's Revenue Fund.

No more than one-third of the municipal off-street parking facility or lot shall be used for the cumulative relief from the parking requirements in Paragraph 1 above unless shared parking is approved pursuant to Section 7 F 4 of this Specific Plan.

Alternative For Parking. For Projects where a change-of-use or a new addition of less than 1,000 square feet require additional parking requirements of up to ten parking spaces that cannot be met on-site or through existing public parking facilities, the Applicant shall enter into a covenant and agreement with the Department of Transportation to pay one hundred dollars per month, per deficient parking space, into the Community's Parking Revenue Fund for as long as the Project parking deficiency continues to exist.

3. **Off-Site Parking.** If an Applicant wishes to utilize off-site parking to meet the parking requirements of LAMC Section 12.21 A and/or this subsection, then the Applicant shall meet the requirements of LAMC Sections 12.21 A 4(g) and 12.26 E 1(b). If the Applicant meets those requirements, then the Director may approve the off-site parking as part of a Project Permit Compliance.

   Prior to Department of City Planning's approval of off-site parking, the off-site parking plan, including the accompanying map, shall be recorded as a covenant and agreement. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning and then recorded with the County Recorder and a certified copy delivered to the Departments of City Planning, Building and Safety, and Transportation prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit. Off-site parking lots shall comply with all applicable LAMC provisions.

4. **Shared Parking Agreements.** The Director may permit shared parking as part of a Project Permit Compliance determination so long as he or she finds that the application meets all of the requirements of LAMC Section 12.24 X 20 (a).

Section 8. SIGN REGULATIONS

The Department of Building and Safety shall not issue a permit for a sign unless the sign complies with this section. All signs shall comply with the provisions of LAMC Chapter II, Article 8, Section 28.00, et seq.; Chapter VI, Article 7, Section 67.00, et seq.; and Chapter IX, Article 1, Division 62.

A. Prohibited Signs. In addition to the signs otherwise prohibited in the LAMC, the following signs are prohibited:

1. Portable Signs and sandwich signs, other than sidewalk valet signs approved and permitted by the Department of Public Works not to exceed two feet by three feet. For purposes of this section, a sandwich sign is a Portable Sign consisting of two sign faces connected at the top and extending outward at the bottom.

2. Signs on free-standing walls, except directional signs for parking and signs required pursuant to the Americans with Disabilities Act.

3. Off-site commercial signs (*i.e.*, Billboards), except that existing legally erected off-site commercial signs may be replaced on the same site at the option of the property owner by a sign that is neither larger in area or greater in total height, provided that the location and sign otherwise meet all current requirements of Section 91.6220 (Off-site Signs) of Division 62 of the LAMC.

4. Window signs, except store names, store hours, security signs, logos, and holiday paintings, *(*provided they are not placed in the window more than 30 business days before a holiday and are removed within ten business days after the holiday). Identified exceptions may not, in aggregate, occupy more than ten percent of any window in area.

5. Pole signs in the Regional and Community Commercial Plan Designation areas and on any corner lot in the Neighborhood and General Commercial Plan Designation area.

6. Windblown devices, such as pennants, flags, banners (that are not temporary signs) and balloons/inflatables.

7. Signs located in the public-right -of-way, except for signs contained on or within bus benches or bus shelters approved by the City Council and the Board of Public Works.

8. Stretchers.

9. Signs having flashing, mechanical, strobe or blinking lights or moving parts.

10. Supergraphic Displays.

B. Additional Sign Regulations.

1. Regional and Community Commercial Areas.

a. **Wall Signs.**

1. **Number of Signs.** A maximum of one wall sign per tenant is permitted on a building's street frontage.

In addition to the above, a maximum of one wall sign is permitted on that portion of a building facing an alley or street other than the primary building frontage, or facing a parking lot.

2. **Area.** Notwithstanding LAMC Section 91.6209 (a)(1),(2) and (4) to the contrary, the sign area of any wall sign on the building frontage, alone or in combination with any projecting sign, shall not exceed two square feet for each one foot of lot frontage.

3. **Projections.** Notwithstanding LAMC Section 91.6209(d)(2) to the contrary, no wall sign may project from a building face more than 12 inches, or above the lowest elevation of the roof eave visible from the street.

4. New or remodeled parapet walls to be used for signage above the roofline shall be limited to no more than 50 percent of the height of the first floor.

b. **Monument Signs.**

1. **Number of Signs.** Notwithstanding LAMC Section 91.6207 (b) to the contrary, no more than one monument sign shall be permitted per 200 feet of lot frontage.

2. **Landscaping.** Monument signs shall be located in maintained landscaped areas which are equal to or greater in area than the dimensions of the face of the sign.

3. **Height.** Notwithstanding LAMC Section 91.6207 (c) to the contrary, no monument sign may exceed six feet in height measured from grade.

4. **Total Area.** The total area of each side of the monument structure shall not exceed 60 square feet.

c. **Projecting Signs.**

1. **Number of Signs.** No more than one projecting sign shall be permitted for each building.

2. **Area.** Notwithstanding LAMC Section 91.6208(b)(1) to the contrary, the sign area of a projecting sign shall be limited to 16 square feet.

3. **Location.** Projecting signs may only be placed at a public entrance to a building where the entrance fronts on a public street, private walkway, plaza, or alley.

4. **Height.** No projecting sign shall extend above the lowest point of the roof eave visible from the street.

5. **Projections.** Notwithstanding LAMC Section 91.6208 to the contrary, no projecting sign shall project more than 48 inches from the building face or a distance from the building face equal to one-half of the width of the adjacent public sidewalk or walkway, whichever is less.

d. **Temporary Signs.**

1. **Construction Signs.**

i. **Number of Signs.** No more than one non-illuminated construction sign (*i.e.*, a temporary sign announcing and identifying a future use or Project under construction) shall be permitted for each lot frontage for which a building permit has been issued for a Project on the lot. Construction signs are permitted on a temporary basis only and notwithstanding LAMC Section 91.6215 to the contrary, shall be removed prior to the issuance of a certificate of occupancy or within 30 days of completion of the Project, whichever is sooner.

ii. **Area and Height.** Construction signs shall not exceed 25 square feet in sign area and 15 feet in height.

4. **Holiday Decorations.** Holiday decorations or signs shall be permitted, provided they are not erected more than 30 days preceding the holiday and are removed within ten days following the holiday.

5. **Real Estate Signs.**

i. **Limitation.** Real Estate Signs shall be limited to temporary non-illuminated signs which pertain to rent, lease, or sale of property only.

ii. **Area.** Real estate signs shall not exceed five square feet in sign area.

iii. **Height.** Real Estate signs shall not exceed a height of six feet above the ground level or adjacent sidewalk.

iv. **Location.** On vacant lots, real estate signs shall be located not less than five feet from the front property line.

4. **Banners.** A maximum of one banner of no more than 100 square feet shall be permitted to announce special events associated with seasonal holidays, provided they are not erected more than 30 days preceding the holiday and are removed ten days following the holiday. No more than two banners per year per site shall be permitted.

5. **Store Hours Signs.** Store hours signs shall be permitted so long as they are placed in the front door or window closest to the front door and do not exceed three square feet in area.

e. **Time and Temperature Signs.** Any time and temperature sign which is not placed on a building roof, shall be permitted, provided it has no blinking lights, includes no advertising, the face of the sign is no larger than 16 square feet in area, and the sign conforms to the requirements for projecting signs.

2. Neighborhood and General Commercial Plan Designation Areas.

a. The regulations in Subsection C 1 above are applicable in Neighborhood and General Commercial Plan Designation areas. However, pole signs shall be permitted as described below.

b. **Pole Signs.**

1. **Number of Signs.** No more than one pole sign for each lot shall be permitted. For Shopping Centers, only one pole sign per lot frontage shall be permitted, regardless of the number of individual lots in the Shopping Center.

2. **Area.** Notwithstanding LAMC Section 91.6211(b)(1) or (2) to the contrary, no pole sign shall exceed 35 square feet in sign area, for each face of the sign.

3. **Location.** No pole sign shall be permitted on corner lots.

4. **Height.** Notwithstanding LAMC Section 91.6211(d) (1),(2) or (3) to the contrary, no pole sign shall be greater than 20 feet in height.

5. **Landscaping.** Pole signs shall be located in maintained landscaped areas which are equal to or greater in square footage than the total surface area of the face(s) of the sign.

C. Multiple Tenant Shopping Centers. In addition to Subsections A and B above, the provisions in this subsection apply to multiple tenant shopping centers, for which the Applicant has requested a sign permit.

The type of sign (*e.g.*, channel, cabinet, illuminated), the sign's overall design, and the color of the sign or signs, shall be consistent with other signage on the building(s) within the shopping center, as determined by the Director of Planning.

D. Exceptions. The provisions of this Section shall not apply to any sign required by law or by a governmental agency.

E. Amortization of Signs.

1. All signs rendered nonconforming by this Section shall be completely removed from the Specific Plan area within five years from the effective date of this Specific Plan; provided, however, that a funding source is established for the purpose of paying just compensation to the owner of the sign. This provision shall not apply to a sign which qualifies as an "advertising display" as defined in Section 5202 of the State of California Business and Professions Code.

2. If a nonconforming sign has been damaged or partially destroyed by fire, flood, earthquake or other natural disaster, to the extent of more than 50 percent of its replacement value at the time of the damage or destruction, the damage or destruction is other than facial copy replacement, and the sign cannot be repaired within 30 days of the date of the damage or destruction, then the sign shall be totally removed within 45 days of the date of the damage or destruction.

3. Ninety days after the cessation of a business activity, service, or product, whose sign was lawfully erected, any related signs shall be removed, or the face of the sign shall be removed and replaced with blank panels or shall be painted out. This provision shall not apply to a sign which qualifies as an "advertising display" as defined in Section 5202 of the State of California Business and Professions Code.

4. Existing, non-conforming pole signs serving current businesses may be refaced or remodeled provided they are no greater in height, nor of greater area than the original pole sign, the sign remains in the same location, and the refacing or remodeling is compatible with the Ventura/Cahuenga Boulevard Corridor Specific Plan Procedures Manual and done pursuant to a sign permit.

Section 9. PROJECT PERMIT COMPLIANCE

No building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit for a Project shall be issued until the Project

has received a Project Permit Compliance pursuant to this Section and LAMC Section 11.5.7 C.

A. Project Permit Compliance Process. In accordance with the application procedures set forth in LAMC Section 11.5.7 B 2, Applicants shall submit a Project Permit Compliance application to the Department of City Planning for a Director determination as to whether a proposed Project meets the approved Community Streetscape Plan Design Guidelines and complies with all applicable regulations of this Specific Plan. As part of the Project Permit Compliance review process, the Department of Transportation shall advise the Director in writing whether the Project is in compliance with the applicable transportation requirements of the Specific Plan.

1. Application. An application for a Project Permit Compliance shall be submitted with applicable fees to the Department of City Planning for the Director's review and determination. This can be filed jointly with any discretionary request; or as a separate request. Applications shall be deemed complete only if all the following are included with the applications:

a. Plot Plans.

b. Landscape and irrigation drawings which show the placement and size of all trees, shrubs, and ground cover and the botanical and common names of all plants.

c. Building elevations shall be provided (at a scale of 1/8" = 1') showing building height, architectural forms and detailing, type of exterior materials, and general color scheme. The elevations shall also include an illustration of shadow impacts on December 22.

d. A site plan shall be provided for each sign (at a scale of 1/4" = 1') showing materials, colors, placements, size, lettering styles, and lighting methods of the proposed sign(s). Photographs depicting the size and location of all existing signs on site and on properties directly abutting the site shall also be provided.

e. Samples of exterior building materials and/or sign construction materials, photographic renderings, view analysis, three dimensional models and other information shall be provided as required by the Director.

f. An environmental clearance shall be required for all Projects requiring a Project Permit Compliance.

g. Other supporting documents as may be required by the application instructions for Project Permit Compliance review.

h. In addition to requirements (a) through (g) of this subsection, the following is also required for multiple tenant

shopping centers with one or more tenants where an Applicant has requested a sign permit:

1. Plot plan of entire shopping center;

2. Proportional allocation of signage for the entire shopping center; and

3. Plans clearly identifying the design of proposed and existing signage including letter fonts, size and color scheme for the entire shopping center.

2. Director Decision. The Director shall review each application for a Project Permit Compliance, and shall approve, disapprove, or approve the Project with conditions pursuant to LAMC Section 11.5.7 C. The Director shall impose conditions to comply with mitigation measures required in the environmental clearance process in accordance with LAMC Section 11.5.7 C 2.

a. The time limit in which the Director must act shall be in accordance with LAMC Section 11.5.7 C 4. The Director shall transmit a copy of the written decision with findings and conditions in accordance with LAMC Section 11.5.7 C 4(b).

b. The Department of City Planning shall imprint on the final Project plans any conditions of the Project and stamp and sign the plans prior to permit issuance by the Department of Building and Safety. The Applicant shall provide proof to the Department of Building and Safety of payment of all required Project Impact Assessment (PIA) fees and execution and recordation of all required covenants and agreements prior to issuance of any permit.

c. Any modification to architectural plans must be resubmitted to the Planning Department for review and approval pursuant to LAMC Section 11.5.7 D.

3. Appeals. The Applicant may appeal the decision of the Director as well as the determination of the Department of Transportation as set forth in LAMC Section 11.5.7. C 6.

B. Design Guidelines. Until the Area Planning Commission adopts a resolution containing permanent design guidelines for the Ventura/Cahuenga Boulevard Corridor Specific Plan area, City staff shall utilize the design guidelines in the Envicom Corporation's August 1989 report entitled, "Ventura-Cahuenga Boulevard Corridor Specific Plan Study: Urban Design Recommendations," for Project Permit Compliance contained in the Specific Plan Procedures Manual.

Any permanent design guidelines adopted by the Area Planning Commission shall address the following design categories:

1. Compatibility between the proposed Project, the adopted Community Streetscape Plan and existing development in the area.

2. Flexibility in implementing guidelines to avoid excessive architectural uniformity.

3. Detail and Ornamentation.

4. Decorative Roofs.

5. Compatibility of Colors.

6. Compatibility of Materials.

7. Application of Glass.

8. Walls.

9. Landscaping.

10. Signs.

11. Compatibility with Streetscape.

C. Fees. The filing fees for a Project Permit Compliance, Modification of a Project Permit Compliance, Project Permit Adjustment, Specific Plan Exception, Specific Plan Amendment, and Specific Plan Interpretation shall be in accordance with LAMC Section 19.01 J.

Section 10. TRANSPORTATION MITIGATION STANDARDS AND PROCEDURES

A. Limitations and Exemptions.

1. **Limitations.** Unless the environmental review concludes that the mitigation measures proposed by the Applicant are sufficient to reduce the traffic impacts to a level of insignificance, no building permit, demolition permit, excavation permit, foundation permit or grading permit shall be issued for:

   a. Any Project with a Floor Area of 10,000 square feet or more; or

   b. Any Project which includes a Convenience Market, fast food restaurant or gas station; or

   c. Any Project which includes a retail or service establishment which has a Drive-Through or external automatic teller machine (ATM) facility.

   If the Department of Transportation, as part of the environmental review process, determines that the Project's proposed mitigation measures are not adequate to reduce the impacts to a level of

insignificance, then the Department may recommend an increase in mitigation measures and/or a reduction in size of the Project and/or a limitation on the proposed land uses to the Applicant.

2. **Exemptions.** The following Projects are exempted from the requirements of this Section:

   a. Single-family dwelling Projects.

   b. Interior remodeling or tenant improvement within a Shopping Center provided that no Drive-Through or ATM addition is involved.

B. Project Trip Calculation. The Department of Transportation shall establish the number of Trips for a Project. Project Trips shall be calculated based on Trip Generation Formulas and/or Table provided in technical references published by the Institute of Transportation Engineers (ITE) and other transportation and traffic engineering industry sources. Where a Project has more than one use, the Trips shall be calculated by adding together the Trips generated by each use. When a Project includes a use that is not in the Trip generation publications defined above, the Department shall use reasonable methods to establish the appropriate number of Trips for that use.

C. Review of The Transportation Impacts. DOT shall issue a Preliminary Traffic Assessment for each Project which either has a floor area of 10,000 square feet or more; or is a Convenience Market, fast food restaurant or gas station; or is a retail or service establishment use which has a Drive-Through or external automatic teller machine (ATM) facility. Prior to the issuance of a building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit for a Project, the Applicant shall comply with the following requirements to the satisfaction of the Department of Transportation.

1. **Project Application Fee.** Applicant shall submit an application including Project plans to the Department of Transportation for its review of the number of Trips to be generated by the Project and pay the application fee to cover the cost for review of the Project according to the following fee schedule:

   a. For Projects with 42 or fewer Trips where a Traffic Assessment is not required and where no street dedications or improvements or PIA Fee is required, the fee for review shall be $200.

   b. 42 or Fewer Trips. For Projects with 42 or fewer Trips where a Traffic Assessment is not required and where street dedications or improvements or a PIA Fee are required, the application fee shall be $400.

   c. 43 or More Trips. For Projects with 43 or more Trips where a Traffic Assessment is required and where street

dedications or improvements or a PIA Fee may be required, the application fee shall be $500.

d. 43 or More Trips and Traffic Study. For Projects with 43 or more Trips and where the required Traffic Assessment indicates significant transportation impacts and where review of mitigation measure designs is required and where street dedications or improvements or PIA Fee may be required, the Applicant shall pay for a review of the Traffic Study to the Department of Transportation. This fee shall be $2,100 plus $50 for each 1,000 square feet of floor area, with the fee not to exceed $25,000. Payment of the fee in Paragraph (c) above shall be credited to the fee required in this subdivision. For purposes of this regulation, significant transportation impacts means the transportation impact, measured either as an increase in volume to capacity (V/C) ratio at an intersection, or an increase in the number of average daily vehicle trips (ADT) on a local residential street, which equals or exceeds the following significant thresholds, as determined by the Department of Transportation.

1. At an intersection:

If Final V/C is	*Significance Threshold*
0.701 - 0.800	0.04
0.0801 - 0.900	0.02
0.901 or greater	0.01

2. On a residential street:

If Final ADT is	*Significance Threshold*
1,000 or greater	12.5% of Final ADT

2. Highway Dedication and Improvement. The Applicant shall make street and highway dedications and improvements as identified in the Appendix, to the satisfaction of the Department of Transportation and the Bureau of Engineering if the Project is located within 370 feet, as measured from the lot line, after dedications, of any intersection identified in the Appendix . For the purposes of this paragraph, the procedures in LAMC Section 12.37 shall be followed. Notwithstanding LAMC Section 12.37 H, the street improvement standards contained in the Appendix, shall be utilized, to the extent feasible, for any improvements of streets listed in that Appendix. The appeal procedure described in LAMC Section 12.37 I may also be used for review of improvements required pursuant to this section on the basis of claims that the requirements pose an unreasonable hardship or violate any person's constitutional rights.

3. Traffic Study. The Applicant shall submit a Traffic Study for the Project, if so required by the Department of Transportation based upon its Traffic Assessment of the Project, according to current Department of Transportation Traffic Study guidelines.

D. Mitigation of Project-Related Traffic Impacts. Prior to the issuance of a building permit, foundation permit, excavation permit or grading permit for a Project with significant traffic impacts as determined by the Department of Transportation, the Applicant, at his, her or its own expense, shall comply with the following regulations:

1. Physical Transportation Improvements. The Applicant shall implement or otherwise establish suitable guarantees to implement traffic and parking mitigation measures at adjacent intersections and streets, as determined by the Departments of Transportation and City Planning, including those street dedications as may be required.

2. Transportation Demand Management Program. The Applicant shall implement or otherwise establish suitable guarantees to implement a Transportation Demand Management (TDM) Program to reduce Project Trips as determined by the Departments of Transportation and City Planning according to the following requirements:

a. **Preliminary TDM Plan.** Prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit, the Applicant shall submit a preliminary TDM Plan to the Department of Transportation. This Plan shall address the Project's unique characteristics and provide detailed measures to achieve and maintain an Average Vehicle Ridership (AVR) goal of at least 1.5, for all uses, except Shopping Centers and retail businesses, as defined in SCAQMD's Regulations within five years of the issuance of any temporary or permanent certificate of occupancy. The preliminary TDM Plan shall include the following elements:

1. Building and site design to facilitate trip reduction such as convenient loading/unloading for high occupancy vehicles (HOV), on-site transit stops and bicycle rider facilities and preferential parking for car/vanpoolers.

2. Consideration of establishment and participation in a Transportation Management Organization (TMO) that shall develop and implement ridesharing and Transportation Demand Management related activities within the Specific Plan area.

3. Establish a rideshare coordinator and develop methods to provide ridesharing information and services to employees.

4. Trip reduction incentives.

5. Measures to enforce TDM on tenants, such as lease terms and conditions.

6. Cooperative TDM plan among tenants as alternative to individual tenant TDM plans.

7. Parking cash-out option.

8. TDM Plan monitoring reports.

b. Final TDM Plan. At least 60 days prior to the issuance of any certificate of occupancy, the Applicant shall submit a final TDM Plan to the Department of Transportation for its approval. The final TDM Plan shall include:

1. Changes requested by the Departments of Transportation and Planning;

2. Changes, if any, in incentives proposed by Applicant;

3. Tenant TDM Plans; and

4. Cooperative TDM Plan among tenants, if any, with letters of commitment.

c. **TDM Plan Enforcement.** The Applicant or successor in interest must submit an annual TDM status report for at least five years. The reports and any TDM Plan revisions shall be submitted within 30 days of due date. Failure to do so shall constitute non-compliance which will subject the Applicant to sanctions, after due notice and hearing, by the City Council acting upon the recommendation of the Department of Transportation. The sanctions may include, but not be limited to, revocation of any credits allowed based on the TDM Plan and drawing on the letter of credit established to guarantee the TDM Plan to fund or reimburse the City's cost of implementing alternative mitigation measures in lieu of the TDM Plan.

3. Guarantee of Mitigation Measures. Prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit, the Applicant shall guarantee completion of the required transportation mitigation measures to the satisfaction of the Departments of Transportation and City Planning. The guarantees may consist of one or more of the following:

a. Bonded construction B-Permits for improvements on City rights-of-way.

b. Encroachment Permits for improvements on State rights-of-way.

c. Cash payments for Automated Traffic Surveillance and Control (ATSAC) system improvements.

d. Irrevocable letter of credit for transit and TDM Plans.

Prior to the issuance of any certificate of occupancy, the Applicant shall have completed all required transportation mitigation, including the construction of street and highway improvements.

4. **Projects with More than 500 Trips.** In addition to the above requirements applying to all Projects, as part of the Project Permit Compliance process, the Departments of Transportation and City Planning may require an Applicant to submit a Phasing Program for Projects which generate more than 500 Trips. The Phasing Program must include a proposed construction schedule and identify the specific methods and agents responsible for implementation of the required mitigation measures, as well as all required public agency decisions and decision-makers needed for this implementation. The Departments of Transportation and City Planning may require the Applicant, upon receipt and review of the proposed Phasing Program, to implement the recommendations of that proposed program. The Department of Transportation General Manager shall not approve any subsequent phase of a Project until the General Manager, with the concurrence of the Department of City Planning, is satisfied that the transportation impacts of the prior Phase have been adequately mitigated.

5. **Inadequate Mitigation.** If the Department of Transportation, as part of the environmental review, determines that the Applicant's proposed mitigation measures are not adequate to reduce the impacts to a level of insignificance, then the Department may recommend an increase in mitigation measures and/or a reduction in size or limitation on the proposed land use to the Applicant.

Section 11. PROJECT IMPACT ASSESSMENT FEE

A. **Establishment of the Project Impact Assessment (PIA) Fee.** Prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit or grading permit for a Project or each Phase of a multi-Phased Project, an Applicant shall pay or guarantee a Project Impact Assessment (PIA) Fee.

1. **Purpose of the PIA Fee.** The PIA Fee is hereby established for the purpose of funding the Specific Plan improvements and services listed in Section 12, as well as pedestrian improvements, which are intended to mitigate the cumulative impacts of new development within the Specific Plan area.

2. **Projects Subject to the PIA Fee.** All Projects, except as exempted by this Specific Plan must pay or otherwise guarantee to pay the Project Impact Assessment (PIA) Fee prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit or grading permit.

B. Fee Payment Procedures. Except as provided for ICO Projects in this Specific Plan, the Applicant shall pay the PIA Fee to the Department of Transportation based on the following options:

4. **Single Payment.** Pay the PIA Fee in one lump sum cash payment prior to the issuance of the building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit.

2. **Installment Option.** Pay a deposit equal to 20 percent of the PIA Fee prior to the issuance of the building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit. The Applicant shall pay the balance of the PIA Fee including accrued interest, within four years after the date on which the cash deposit was due. Those payments shall be made in four equal annual installments.

   If the Applicant uses a covenant/equitable servitude as security, then the Applicant shall record that instrument in the County Recorders Office. The recorded covenant/equitable servitude may be terminated and removed by the Department of Transportation so long as all PIA Fee payments have been received.

   If the Applicant chooses the deferred payment plan in option (2) above, the Applicant shall, in conjunction with that choice, provide security for payment of the balance due to the City in the form of either a bond, a letter of credit, or an executed covenant/equitable servitude which runs with the land, to the satisfaction of the Department of Transportation. Payment of the balance of the PIA Fee, including interest due, shall be made according to the schedule above. However, if an Applicant chooses the deferred payment plan and decides to prepay in advance of the schedule, then the only interest due shall be that which has accrued at the time of payment of the balance.

   If the Applicant chooses to pay under option (2) above, interest shall begin to accrue on the cash deposit due date, and shall be compounded annually beginning on the anniversary of the date the first payment is due. The initial interest rate shall be the effective yield that the Los Angeles City Treasurer is obtaining on the City's investment pool as reported to the City Council for the month preceding the date of issuance of the building permit. The interest rate shall be adjusted annually and shall be the effective yield on the City's investment pool as reported for the month preceding the anniversary date of the building permit issuance date.

C. Calculation of the PIA Fee.

1. **PIA Fee Formula.** The PIA Fee shall be calculated based on the following formula:

   PIA FEE = (FA x FR) + P
   Where FA = Floor Area in square feet

FR = Community PIA Fee Rate per PIA FeeTable
P = Drive-Through Convenience Premium, if applicable

2. Fee Rates and Premiums. The fee rates and Use Premiums listed in the following PIA Fee Table shall be used in the calculation of the PIA Fee. The City Council may revise the PIA Fee Table based upon the recommendation of the Department of Transportation.

PIA FEE TABLE

LAND USE CATEGORY (Check with DOT for land uses not listed)	COMMUNITY PIA FEE RATE ($ Per Square Foot of Floor Area)					DRIVE-THROUGH CONVENIENCE PREMIUM*
	WOOD-LAND HILLS	TARZANA	ENCINO	SHERMAN OAKS	STUDIO CITY/ CAHUENGA PASS	
CATEGORY A College Hospital Industrial Institutional Manufacturing R & D Lab School Sound Studio Storage Rental Warehouse	$0.56	$1.00	$0.97	$1.32	$0.72	$0.00
CATEGORY B Business Park Hotel Motel Office	$1.05	$1.89	$1.83	$2.47	$1.36	$0.00
CATEGORY C Bank Car Wash Cinema Conven. Mkt. Credit Union Gas Station Retail Savings & Loan Service Shopping Center Supermarket Theater	$1.94	$3.45	$3.34	$4.52	$2.49	As specified: $20,000 $15,000 -- $12,000 $20,000 $15,000 -- $20,000 -- -- -- --
CATEGORY D Café Clinic Gym Health Club Medical Office Restaurant	$2.17	$3.88	$3.77	$5.09	$2.80	As Specified: -- -- -- -- -- $20,000

* NOTE: The Drive-Through Convenience Premium is a fixed amount charged per business, regardless of size. It is added only when a Drive-Through Establishment or external ATM is included in a restaurant or a Category C land use. Car washes, Convenience Markets and gas stations are always charged this premium.

3. **Annual Indexing.** In order that the Project Impact Assessment Fee levied pursuant to this Specific Plan keep pace with the cost of the improvements and services, including land acquisition and transportation mitigation the fee rates listed in the PIA Fee Table shall be periodically increased (or decreased) as follows.

   The PIA fee rates listed in the PIA Fee Table shall be increased (or decreased) as of July 1 of each year by the amount of the percent increase (or decrease) in the City Building Cost Index as determined by the Department of Transportation. To reflect the revised fee rates, a new PIA Fee Table shall be published by the Department of Transportation in a newspaper before July 1 of each year.

   If the Department of Transportation determines that the City Building Cost Index does not adequately reflect the actual increase in costs, then the Department shall recommend to the City Council, based on a written report, that the City Council adopt different cost figures. Upon receipt of the report, and after public hearing, the City Council may, by resolution, adopt these different cost figures to be used for adjustment of the PIA fee rates.

4. **Potential Adjustments of Fee Rates.** The PIA fee rates may be adjusted by the City Council independent of the annual indexing mandate based on whether or not an Assessment District is established by the City Council for a Community or a portion of a Community to fully or partially fund the Specific Plan improvements and services. The PIA Fee shall be reduced for those Projects within the Assessment District to the extent that the assessment generates funds.

5. **Responsible Agency.** The City agency responsible for calculating, receiving, recording and depositing the PIA Fee is the Department of Transportation.

D. **Adjustments to the PIA Fee.** The PIA Fee, as calculated above, shall be modified for any of the following:

1. **Existing Use Credit.** The Department of Transportation shall reduce the PIA Fee based on a credit for existing land uses on the same lot. For the purpose of this credit, “existing” shall be defined as any legally-permitted occupancy on the same lot for a minimum of one year between November 9, 1985 and the date of review by the Department of Transportation. The amount of this credit is calculated by applying the PIA Fee Formula to the existing use. Existing Use Credit cannot be transferred to any other lot.

2. **The PIA Fee For Pedestrian Serving Uses Tier I and Tier II.** The PIA Fee for Pedestrian Serving Uses - Tier I shall be calculated by multiplying the total floor area devoted to Pedestrian Serving Uses placed at the Ground Floor in Pedestrian Oriented Areas by 50% of the rate as set forth in the formula in Section 11 C above. Any application for this

adjustment shall be accompanied by a covenant and agreement/equitable servitude which runs with the land guaranteeing that at least 75 percent of the frontage of the building shall be restricted to retail or Pedestrian Serving Uses. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning and then recorded with the County Recorder. The Applicant shall deliver a certified copy to the Departments of City Planning, Building and Safety and Transportation prior to the issuance of any building permit. Upon a change of use from Pedestrian Serving Uses to a use or uses which are not so designated in this Specific Plan, the property shall no longer qualify for the prior fee adjustment. The Department of City Planning shall terminate the covenant and agreement upon payment of the PIA Fee as recalculated by DOT for non-Pedestrian Serving Use or Uses.

The PIA Fee rates for Pedestrian Serving Uses - Tier II, shall be as set forth in the PIA Fee Table. No reduction in the PIA Fee shall be permitted for those uses.

E. In Lieu Credits. The PIA Fee may be further reduced through an In Lieu Credit for Specific Plan improvements and services completed or guaranteed by the Applicant. However, In Lieu Credit for a particular item of improvement or service as listed in Section 12 shall not exceed that item's percentage allocation in relation to the PIA Fee, as established in the Specific Plan Trust Fund Ordinance.

1. The Department of Transportation shall calculate In Lieu Credits for all or a portion of the cost of transportation improvements guaranteed or completed by the Applicant, if these improvements are included in the cost analysis for the PIA Fee. The proposed improvements are listed in Section 12. The amount of In Lieu Credit shall be credited at the time the building permit is issued.

2. The Applicant shall be required to prepare preliminary plans and a detailed cost of the qualifying transportation improvements to the satisfaction of the Department of Transportation and City Engineer. The Department of Transportation shall approve credit for the B-Permit construction costs, including an additional 15 percent for design and contingency costs as approved by the City Engineer.

3. The total PIA Fee, after deducting any applicable In Lieu Credits, shall be paid pursuant to the procedures in Subsection B.

4. Restrictions on Use of In Lieu Credit.

a. **Maximum Amount Usable.** The total amount of In Lieu Credit that may be applied toward the PIA Fee shall not exceed the net PIA Fee payable after deducting the Project's existing use credit and fee exemption.

b. **Validity Period.** Any amount of In Lieu Credit in excess of the net PIA Fee payable may be applied toward any subsequent PIA Fee assessment on the same parcel of real property, so long as the subsequent PIA Fee is being assessed for a Project that will be permitted within five years of the original grant of In Lieu Credit.

F. Appeals of the PIA Fee.

1. The City Council may hear appeals from decisions by the Departments of Transportation, or the Director of Planning relative to the PIA Fees assessed for the following Projects: those for which a covenant and agreement was recorded pursuant to the Ventura/Cahuenga Boulevard Interim Control Ordinance or preceding ordinances (Ordinance Nos. 165,290, 162,907, 160,406, 160,514, and 166,313) regarding the Project being subject to the Ventura/Cahuenga Boulevard Corridor Specific Plan's PIA Fee. If a person subject to a PIA Fee believes an error was made, then he or she may appeal the Department decision to the City Council. The Director of Planning with the assistance of the General Manager of DOT or their designees shall prepare and present to Council a report detailing the basis for the Department action and recommendations.

2. The appeal shall be in writing upon forms provided by DOT and shall be accompanied by the appeal fee established by LAMC Section 19.01 B and payable to the Department of Transportation. The appeal shall set forth specifically the basis of the appeal and the reasons why the determination should be reversed or modified. The appeal shall be filed within 30 days from the date of mailing (by certified mail) of the payment notice sent by the Department of Transportation after the effective date of this amendment.

3. The procedures and time limits for an appeal shall be the same as those set forth in LAMC Section 12.24 B 3.

4. Appeal Findings. An appeal of the PIA Fee may be granted if one or more of the following findings is made:

a. That the assessed PIA Fee is based on an incorrect interpretation of land use;

b. That the assessed PIA Fee is based on an incorrect calculation of the PIA Fee;

c. That the Department or Departments erred in interpreting or applying the provisions of the Specific Plan.

Section 12. PIA FEE-FUNDED IMPROVEMENTS AND SERVICES

A. Exclusivity. The funds collected as Project Impact Assessment (PIA) Fees shall be used exclusively for the improvements and services listed in this Section, or as amended by the City Council upon

recommendation by the Director of Planning and the General Manager of the Department of Transportation.

B. Findings For Use of Fund. The funds collected as Project Impact Assessment Fees can be used for Community-wide or Corridor-wide improvements or services, listed in this section so long as the Director of Planning and the General Manager of the Department of Transportation jointly make the following findings:

1. The improvement or service to be funded will mitigate the cumulative adverse impacts of new development within the Plan area and the PRB has had review and its input was taken into consideration regarding the extent of the improvement and;

2. The improvement or service to be funded does not involve maintenance of existing facilities; and

3. The street improvement or service to be funded is made only to public streets and highways, not to private streets or alleys or state freeways.

4. The funding of transit programs includes only capital expenditures and not operating and maintenance expenditures.

C. Phase I Improvements and Services. The following are the Community-Wide and Corridor-Wide Improvements and Services proposed under Phase I of the Specific Plan program:

1. Transit/TDM/TMO - Local public transit, TDM programs, and TMO programs;

2. Off street Parking - Peripheral parking lots or structures to serve each of the five communities; and

3. Intersection Improvements - Right-of-way acquisition, intersection flaring and signal improvements at nineteen intersections as listed below. The Department of Transportation shall review intersection improvements on a case by case basis, and may do so with the assistance of the PRB:

Studio City /Cahuenga Pass

a. Lankershim Boulevard and Ventura Boulevard

b. Tujunga Avenue and Ventura Boulevard

Sherman Oaks

c. Woodman Avenue and Ventura Boulevard

d. Beverly Glen Boulevard and Ventura Boulevard

e. Kester Boulevard (West Jog) and Ventura Boulevard

Encino

f. 101/405 Ramps, Sherman Oaks Avenue and Ventura Boulevard

g. Balboa Boulevard and Ventura Boulevard

h. White Oak Avenue and Ventura Boulevard

Tarzana

i. Lindley Avenue and Ventura Boulevard

j. Reseda Boulevard and Ventura Boulevard

k. Vanalden Avenue and Ventura Boulevard

l. Tampa Avenue and Ventura Boulevard

Woodland Hills

m. Winnetka Avenue and Ventura Boulevard

n. Canoga Avenue and Ventura Boulevard

o. DeSoto Avenue and Ventura Boulevard

p. Topanga Canyon Boulevard and Ventura Boulevard

q. 101 Ramps near Shoup Avenue and Ventura Boulevard

r. Shoup Avenue and Ventura Boulevard

s. Fallbrook Avenue and Ventura Boulevard

4. Plan Administration. Up to 10% of PIA Fee revenues collected each year may be used for administering the Ventura/Cahuenga Boulevard Corridor Specific Plan, including but not limited to Project review, program implementation, monitoring, analysis, evaluation and reporting on the performance of the Specific Plan.

Section 13. PRIOR PROJECTS PERMITTED.

A. Prior Projects Subject to the PIA Fee. Both ICO and PSP Projects shall be subject to the Ventura/Cahuenga Boulevard Corridor Specific Plan's PIA Fee.

1. PIA Fee Calculation. The Department of Transportation shall calculate the amount that each ICO or PSP Project Applicant or successor in interest shall be charged on the basis of provisions of Section 9, including any fee adjustments applicable to the Project.

2. **Collection of PIA Fees.** The Department of Transportation shall collect all PIA Fees assessed and outstanding on ICO Projects, and draw the amount equal to the PIA Fee upon any outstanding letters of credit or bonds established by PSP Projects to guarantee payment of the PIA Fee.

B. ICO Project Payment Options. If a person received an approval for a Project between November 9, 1985, and February 15, 1991, pursuant to the procedures set forth in Ordinance Nos. 166,313, 165,290, 162,907, 160,406, or 160,514 and signed a covenant and agreement promising to pay the PIA Fee, then that person or any successor in interest shall pay this amount according to one of the following payment plans, at their option:

1. Pay the PIA Fee in one lump sum cash payment no later than 90 days after the date the Department of Transportation mailed, by certified mail, the notice to pay the PIA Fee or, if an appeal was filed within the time limits set forth in this Specific Plan, no later than 30 days after the date the determination on the appeal becomes final. The Applicant who chooses to pay under this option shall be obligated to pay only 95 percent of the PIA Fee assessed.

2. Pay in accordance with the 20% down payment plus the four equal installments payment schedule established in Section 11.

C. Refund of Overpayments. ICO Project Applicants or successors in interest who have paid PIA Fees based on trips and PSP Project Applicants will be refunded the amount paid in excess of the corresponding PIA Fee based on square feet of floor area, as set forth in the PIA Fee Table of this Specific Plan, and the recalculation made by DOT.

1. **Refund Amount.** The Department of Transportation shall determine the amount that will be refunded for each ICO and PSP Project.

2. **Claims for Refund.** Any person may file a claim for refund of PIA Fees paid in excess of current PIA Fees on forms and according to procedures to be provided by the Department of Transportation. Each claimant must present proof of the PIA Fee amount paid and a copy of the current PIA Fee notice.

3. **Refund Recipient.** Refunds will be paid only to the person(s) or entity named in the official receipt issued for payment of the PIA Fee, regardless of who filed the claim for refund, unless otherwise ordered to do so by a court of competent jurisdiction.

D. PIA Fees Already Paid or Guaranteed. An ICO Project for which the PIA Fee has been fully or partially paid, or a PSP Project for which the PIA Fee has been fully paid or guaranteed through a letter of credit will not be reassessed a current PIA Fee based on floor area if that current fee is greater than the PIA Fee. The PIA Fee as previously assessed will be the current PIA Fee for that Project.

E. Appeals for Prior Permitted Projects. An appeal for a Prior Permitted Project shall be the same as established in Section 11 F of this Specific Plan.

Section 14. PUBLIC RIGHT-OF-WAY-IMPROVEMENTS

A. Interim Streetscape Plan.

4. Until the City Planning Commission adopts revised community streetscape plans for the Specific Plan area, the Envicom Corporation's August 1989 report entitled, "Ventura-Cahuenga Boulevard Corridor Specific Plan Study: Urban Design Recommendations," shall be the interim streetscape plan for the Specific Plan area.

2. In granting a Specific Plan Exception, zone change, height district change, variance, or conditional use permit within the Specific Plan area, the City may, to the extent otherwise permitted by law, include requirements to encourage pedestrian alternatives to automobile driving. These requirements may include a program of urban design improvements based on the interim streetscape plan described above or the adopted community streetscape plan. These improvements are intended to differentiate each of the five communities in the Specific Plan area, and within each community, the different commercial land use designations shown on each Community Plan map.

3. This interim streetscape plan shall be used by the Department of City Planning to review the design of private Projects and to the extent permitted by law, by all agencies of the City when reviewing public improvements in the Specific Plan area.

4. The interim streetscape plan shall include the preservation of the existing palm trees on Ventura Boulevard in Studio City between Carpenter Avenue and Whitsett Avenue.

B. Community Streetscape Plan. Upon approval by the City Planning Commission, Board of Public Works, and Cultural Affairs Commission, each community streetscape plan shall provide guidelines for all streetscape improvements.

C. General Provisions. To the extent feasible, the following provisions shall apply until the City Planning Commission adopts community streetscape plans for Sherman Oaks, Encino, and Studio City:

1. Street Trees.

a. Street trees shall be of at least a 36 inch box size at the time of planting. All street trees shall be approved by the Street Tree Division of the Bureau of Street Maintenance. In selecting types of trees and standards for spacing between trees, factors as the appearance, shade producing quality, smog tolerance, irrigation requirements, and ability to withstand high winds shall be considered. The

streetscape scheme for each community will include a detailed public landscaping plan, including a list of recommended trees.

b. Clusters of accent trees for architectural treatment shall be provided at key entries, intersections, or activity centers to identify these as special places in the Specific Plan area when to do so will not obstruct corner visibility.

c. Palm Trees. The existing palm trees in Studio City have created a distinctive image for the community and shall be preserved. The community streetscape plan shall incorporate the existing palm trees along with additional plantings on Ventura Boulevard in Studio City between Carpenter Avenue and Whitsett Avenue into a comprehensive program to enhance the character and environment of this community.

2. **Planter Boxes.** Planter boxes and other landscaping shall be installed along the sidewalks and plazas where there is sufficient width to maintain and encourage the flow, as well as safety of pedestrians. Placement of these planter boxes shall be subject to the approval of the appropriate City agencies. Planter boxes shall be built in a sturdy manner and utilize common materials and colors. Sand blasted or textured concrete with tile or color accents may be considered.

3. **Sidewalks.** Sidewalks, crosswalks, and related pedestrian elements shall comply with Title 24 of the State of California Code of Regulations and the standards of the Department of Public Works, Bureau of Engineering and the Department of Transportation regarding design and width. They should be paved to create a distinction between each of the five communities in the Specific Plan area. Their design shall incorporate the use of texture, pattern, and may incorporate color. Aggregate, sandblasted, or scored concrete and brick pavers are examples of materials which may be used. The design may vary patterns to emphasize key locations (i.e., transit stops and approaches to street crossings). Materials shall be slip resistant and shall not constrain use by the visually impaired or person using wheelchairs. At intersections, crosswalks shall be paved to provide pedestrian continuity linking the sidewalks. The selected sidewalk materials and design shall be continued in the crosswalks, subject to the approval of the City Engineer.

4. **Street Furniture.** Each community streetscape plan shall include, but not be limited to, provisions for the following elements: benches, lighting, news racks, and trash receptacles pursuant to LAMC Section 42.00 and community streetscape plan requirements.

Section 15. PLAN REVIEW.

A. **Ventura Boulevard Plan Review Board.** Upon adoption of this Specific Plan, the City Council and Mayor shall appoint members of a

Ventura/Cahuenga Boulevard Corridor Plan Review Board as set forth in Paragraphs 2 and 4 below.

1. Authorities and Duties of the Plan Review Board.

a. **Specific Plan Development and Implementation.** Make recommendations to the Councilmembers of the Districts in which the Specific Plan is located and to the Mayor concerning the development and implementation of the Specific Plan. These recommendations shall include programming and funding mechanisms. To assist in this process, the Director of Planning and the General Manager of the Department of Transportation, or their designees, shall meet with the Plan Review Board. If the Director determines it would be of assistance to the Board, the Department of Cultural Affairs and the Bureaus of Street Lighting and Street Trees shall meet with the Board.

b. **Annual Specific Plan Report.** Prior to the completion of the annual report, the Plan Review Board will meet with the appointing authorities for presentation and review of the staff's proposed annual Specific Plan report.

c. **Traffic Mitigation and Intersection Improvements.** Make recommendations to the appointing authorities regarding the priorities and timing of intersection improvements and traffic mitigations in the Specific Plan area. To assist in this process, the Director of Planning and the General Manager of the Department of Transportation, or their designees, shall meet with the Plan Review Board.

d. **Community Streetscape Plans - Design Guidelines.** Make recommendations to the appointing authorities on the implementation and amendment of community design guidelines and community streetscape plans for each community to encourage pedestrian activity.

e. **Exceptions or Amendments to the Specific Plan.** When an application is made for a Specific Plan Exception or when any proposal to amend the Specific Plan is initiated, the Department of City Planning shall send the Plan Review Board Chair a copy of the proposed amendment or application within seven calendar days of the Department's receipt, and the PRB shall have 30 calendar days running concurrently with the City review process in which to review the matter. The Plan Review Board, at its option, may provide the appointing authorities with written recommendations and comments regarding the matter under discussion.

2. Number of Members and Composition of Membership .

a. **Appointment of Members.** Two members shall be appointed by each of the Councilmembers of the Council Districts in which the Specific Plan area is located. One

member shall be appointed at large by the Mayor. The Councilmembers of the Districts in which the Specific Plan is located and the Mayor shall be considered appointing authorities for purposes of this Section.

b. **Composition of Membership.** The composition of the PRB should include individuals who represent the varied interests of the immediate community (*e.g.*, business, residential, environmental, *etc.*). In the case of more than one Council District located in one community, each Councilmember shall select a Plan Review Board member from that community. In addition, one member shall be appointed at large by the Mayor.

3. **Quorum/Action.** The presence of one-half plus one of the total voting members shall constitute a quorum. An approval of any Board action shall require a majority of those present after a quorum has been declared. No member may vote by proxy.

4. **Terms.** Members of the Plan Review Board shall be appointed for terms of four years, with only one four year extension permitted, if the Councilmember, or the Mayor for the at-large member, so choose.

5. **Expiration of Term.** Upon expiration of the term of any member of the Plan Review Board, the appointment for the next succeeding term shall be made by the appointing authority. No member of the Board shall serve more than two consecutive four year terms. Members of the Board whose terms have expired shall remain members until their replacements have been appointed.

6. **Vacancies.** In the event a vacancy occurs during the term of a member of the Board, the appointing Councilmember, or the Mayor for the at large member, shall make an appointment of a person to serve the unexpired term of that member.

7. **Meeting Schedule.** The Plan Review Board meetings shall be set by the Plan Review Board in consultation with participating City Departments. The meeting schedule should include definite dates and times for the meetings, with a minimum of one meeting per month.

8. **Elections.** The Plan Review Board shall elect a chair and a first and second vice-chair at the December meeting to take office on January 1 of each year. The chair and two vice-chairs shall serve no longer than two consecutive one-year terms.

B. Periodic Review of the Specific Plan.

1. **Annual Review of the Specific Plan.** The Department of City Planning and Department of Transportation shall jointly prepare an annual review of the Specific Plan addressing issues of plan implementation, including the transit program and plan financing.

2. **Specific Plan Restudy.** When Phase I as described in this Specific Plan has been reached, a restudy of all aspects of the Specific Plan shall be jointly undertaken by the Departments of City Planning and Transportation. The costs of administering and implementing the infrastructure improvements of the Specific Plan, as well as a recalculation of the remaining commercial square footage which can be absorbed by the Boulevard with extensive mitigation, shall be included in the restudy.

Section 16. **ALLEY VACATIONS.** Vacation of any alley within the Specific Plan area shall be in accordance with LAMC Section 15.00. A public hearing before either the City Planning Commission or the City Council shall be provided prior to any City Council action to vacate an alley. The Departments of City Planning and Transportation shall make recommendations to the City Planning Commission and the City Council as to any proposed alley vacations. In recommending an approval, the Departments shall find that: (1) The alley is not necessary for present or prospective public use; (2) The alley is not needed for vehicular circulation or access; (3) The alley is not needed for non-motorized transportation facilities; and (4) The proposed alley vacation is consistent with the general plan.

Section 17. **OWNER'S ACKNOWLEDGMENT OF LIMITATIONS.** The Department of Building and Safety shall not issue any building, demolition, excavation, foundation, sign, or grading permit for construction upon any property within the Specific Plan area until the owners of the property have executed and recorded a covenant and agreement acknowledging the contents and limitations of this Specific Plan. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning, and then recorded with the County Recorder, with a certified copy delivered to the Departments of City Planning, Building and Safety, and Transportation prior to the issuance of any building permit, demolition permit, excavation permit, foundation permit, grading permit, or sign permit.

Section 18. **SEVERABILITY.** If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect other Specific Plan provisions, clauses or applications which can be implemented without the invalid provisions, clause or application, and, to this end, the provisions and clauses of this Specific Plan are declared to be severable.

Section 19. **PREVIOUSLY APPROVED SPECIFIC PLAN EXCEPTIONS.** Any Specific Plan Exception granted prior to the effective date of this Specific Plan excepting a Project from any provisions of Ordinance No. 166,560 shall be deemed to be an exception from the relevant provisions of this Specific Plan.

Section 20. **REPEAL OF EXISTING VENTURA/CORRIDOR SPECIFIC PLAN.** Ordinance No. 171,240 is repealed.

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