



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: November 21, 2019

Time: 8:30 a.m.

Place: Van Nuys City Council Chamber
14419 Sylvan St., 2nd Floor
Van Nuys, CA 91401

Public Hearing: November 1, 2019

Appeal Status: Density Bonus / Affordable Housing Incentives Program not appealable to City Council. Conditional Use appealable to City Council, but limited due to the timeline set forth in Senate Bill 35.

Expiration Date: December 3, 2019

Multiple Approval: Yes

Case No.: CPC-2019-5295-DB-CU-SIP
CEQA No.: Exempt from CEQA per SB 35

Council No.: 2 –Krekorian
Plan Area: Van Nuys-North Sherman Oaks

Specific Plan: None
Certified NC: Van Nuys

GPLU: Medium Residential
Zone: [Q]R3-1

Applicant: Sierra Atilano; Confianza LP
Representative: Jessica Hencier; Craig Lawson & Co., LLC

PROJECT LOCATION: 14142-14154 W. Vanowen Street

PROPOSED PROJECT: The project involves the construction, use, and maintenance of a 3- and 4-story, 40- and 50-foot in height, 64 dwelling unit affordable housing development (100% affordable, exclusive of one market-rate manager's unit) consisting of five smaller buildings linked together via pedestrian bridges and 7,023 square feet of common open space areas. The project will provide six (6) parking spaces at grade level for employees of the supportive services, and will provide 52 long-term and 5 short-term bicycle parking spaces. The project will be 31,167 square feet in floor area with a Floor Area Ratio ("FAR") of 1.70:1 and contain approximately 3,393 square feet of ground floor residential supportive services. The site is currently vacant with six (6) non-protected trees on site and within the parkway, of which two (2) are proposed for removal and the rest are proposed to remain.

REQUESTED ACTION:

1. Pursuant to California Government Code ("Gov.") Section 65913.4, a ministerial review of a Streamlined Infill Project that satisfies all of the objective planning standards of Gov. Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Gov. Section 65913.4(b) and (c).
2. Pursuant to Gov. Section 65913.4 and Public Resources Code Section 21080(b)(1), determine based on the whole of the record, that the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.
3. Pursuant to Los Angeles Municipal Code ("LAMC") Section 12.22 A.25(g)(3), review of a Density Bonus Compliance Review, for a project totaling 64 dwelling units, including 63 studio units reserved for 18 Very Low Income and 45 Low Income Household occupancy for a period of 55 years and one (1) market-rate two-bedroom manager's unit, with the following four (3) Off-Menu Incentives and one (1) Waiver of Development Standards:
 - a. An Off-Menu Incentive to increase the allowable height from 35 feet to 50 feet otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B);

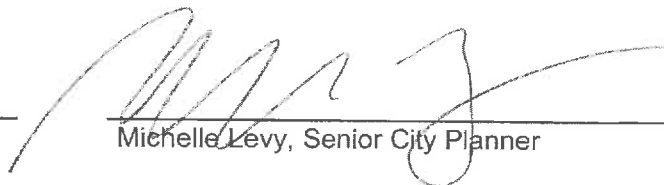
- b. An Off-Menu Incentive to encroach 7 feet on the required 20-foot building line per Ordinance No. 96,195;
 - c. An Off-Menu Incentive to allow variable space between buildings ranging from 7 feet 4-inches to 23 feet 1-inch in lieu of 24 feet otherwise required by LAMC Section 12.21 C.2(b); and,
 - d. A Waiver of Development Standard to allow a 12-foot 1-inch passageway in lieu of 14 feet otherwise required by LAMC Section 12.21 C.2(b).
4. Pursuant to Section LAMC 12.24 U.26, a ministerial review of a Conditional Use for a 195 percent increase in density over the project site, for 64 dwelling units in lieu of the otherwise permitted base density of 22 dwelling units per Ordinance No. 167,939.

RECOMMENDED ACTIONS:

1. **Determine**, pursuant to Government Code Section 65913.4, that the project is a Streamlined Infill Project that satisfies all of the objective zoning standards set forth in Government Code Section 65913.4(a) and is therefore subject to the Streamlined Ministerial Approval Process;
2. **Determine** that based on the whole of the administrative record, the project is Statutorily Exempt from CEQA as a ministerial project pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1);
3. **Approve**, pursuant to Government Code Section 65913.4 and Los Angeles Municipal Code (LAMC) Section 12.22 A.25(g)(3), a ministerial review of the Density Bonus/Affordable Housing Incentives Program to permit the following Off-Menu Incentives and Waiver of Development Standards for a Housing Development Project totaling 64 dwelling units, reserving 18 units for Very Low Income and 45 units for Low Income occupancy for a period of 55 years, and one market rate managers' unit:
 - a. An **Off-Menu Incentive** to increase the allowable height from 35 feet to 50 feet otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B);
 - b. An **Off-Menu Incentive** to encroach 7 feet on the required 20-foot building line per Ordinance No. 96,195;
 - c. An **Off-Menu Incentive** to allow variable space between buildings ranging from 7 feet 4-inches to 23 feet 1-inch in lieu of 24 feet otherwise required by LAMC Section 12.21 C.2(b); and,
 - d. A **Waiver of Development Standard** to allow a 12-foot 1-inch passageway in lieu of 14 feet otherwise required by LAMC Section 12.21 C.2(b).
4. **Approve**, pursuant to Government Code Section 65913.4 and LAMC Section 12.24 U.26, a ministerial review of a Conditional Use to permit a 195-percent Density Bonus for a Housing Development Project in which the density increase is greater than the maximum permitted in LAMC Section 12.22 A.25, allowing a total of 64 dwelling units in lieu of 22 base density units as otherwise permitted per Ordinance No. 167,939.

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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The proposed project includes the construction, use and maintenance of five interconnected three- and four-story residential building with at grade parking, consisting of 64 dwelling units including 18 permanent supportive housing units restricted to Very Low Income Households, 45 permanent supportive housing units restricted to Low Income Households, and one (1) market-rate manager's unit on an approximate 26,091-square-foot site (Exhibit "A"). The dwelling units will be comprised of 63 studios and one (1) two-bedroom units.

The ground floor of the center most building will have common areas for supportive services including a conference room, manager's office, two supportive services offices, two interview rooms, a staff break room, two bullpen spaces, two bathrooms, storage closets, and a lobby reception area. The first floor of all the individual buildings, around the center building, contains a total of 9 studio units, the two-bedroom managers' unit, and shared laundry room. The trash and recycle room is attached to the back side of the northeast building with access doors fronting the parking area, however, there are trash chutes on each level. Level 2 has the sundeck gathering area open to the sky connecting then center most building to the two eastern buildings. Levels 2 and 3 of each building will contain a total of 21 studio units and Level 4 will have a total of 12 studio units and a roof deck on the southeastern building closer to the elevator.

The proposed building will have a maximum building height of 50 feet along the frontage and 40 feet towards the rear of the building, with 31,168 square feet of floor area at a 1.70:1 Floor Area Ratio. The project will provide six (6) non-required automobile parking spaces and 52 long-term bicycle parking spaces and five (5) short-term bicycle parking spaces. Vehicular access to the parking area will be provided from a new driveway cut in the northeast corner of the site.

The project will provide a total of 7,023 square feet of usable open space, including a front garden, community room (tenant amenity space), rear courtyard, barbeque area, bike courtyard with long term bicycle lockers, sundeck, and roof deck.

Background

Site Description

The project site is a relatively flat, 26,291 square-foot, rectangular-shaped property that consists of one (1) lot, with a street frontage of approximately 190 feet on the south side of Vanowen Street with a uniform depth of approximately 138 feet. The site is currently vacant, but does contain mature trees around the perimeter. Two of the existing trees are to be removed to allow for the proposed driveway to the parking area along the east property line. The three other mature trees around the northwest portion of the property are proposed to be retained, along with an existing street tree.

Zoning and Land Use Designation

The project site is located within the Van Nuys-North Sherman Oaks Community Plan. The adopted Community Plan designates the subject property for Medium Density Residential land uses corresponding to the R3 Zone. The site is zoned [Q]R3-1 and is therefore consistent with the General Plan Land Use Designation.

The site is located within the Transit Oriented Communities (TOC) Tier 2, a Transit Priority Area (Senate Bill 743), and includes a 20-foot building line along the property frontage pursuant to Ordinance No. 96,195. The site is located approximately 470 feet south of Andres and Maria Cardenas Elementary School, and 7.03 kilometers from the Verdugo Fault line. The project site has not been identified as a historic resource by local, state or federal agencies and does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. The site was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. The site is not located within any specific plan, community design overlay, or interim control ordinance areas.

Surrounding Uses

The project site is located in an urbanized area surrounded by various built-up land uses. Adjoining properties to the east and west are zoned [Q]R3-1, designated for Medium Residential Land Uses and improved with one-story single-family residential buildings. Beyond the abutting lots are two-story multiple-family apartment buildings. Adjoining on the south side is a single-family neighborhood fronting Archwood Street in the Van Nuys Historical Preservation Overlay Zone (HPOZ) in the R1-1-HPOZ Zone. Across Vanowen Street to the north are two two- and three-story 17-unit multiple-family apartments in the [Q]R3-1 Zone. Commercial uses are located at the intersection of Hazeltine Avenue and Vanowen Street just a half block east of the site in the [Q]C2-1VL Zone.

Streets and Circulation

Vanowen Street to the north is an Avenue II and is dedicated to a variable right-of-way width between 84- and 85-feet at the project's street frontage, two lanes of travel in each direction and curbside parking in each direction, and is improved with a sidewalk, curb, gutter, and landscaped parkway.

Public Transit

The project is within a 2,000-foot radius of five transit lines, which is less than a half mile (2,640 feet). A block to the east and west of the property is Metro Local Line 165 which runs along Vanowen Street. Three additional lines, Metro Local Line 233, Metro Rapid 744 and Metro Rapid 788 are located just under 2,000 feet to the west of the project site along Van Nuys Boulevard which qualifies as a major transit stop or high-quality transit corridor as defined by California Public Resources Code ("PRC") Section 21155(b). LADOT DASH Panorama City/Van Nuys also serve the project vicinity.

Relevant Cases and Permits

Subject Property:

Building Permit Nos. 19010-10000-03873, -04157 & -04158: On October 2, 2019, the applicant filed for Building Permits for a 3- and 4-story new construction a 64-unit Permanent Supportive Housing development utilizing SB35 project for 25% Parallel Design-Permit Process (PDPP) for a new 100% affordable housing, Type V apartment. The building permits are pending and have not been issued at the time of the preparation of this report.

Case Nos. CPC-2018-3723-GPA-ZC-CDO-BL/ENV-2018-3724-EIR –On June 25, 2019 the Director of Planning initiated a General Plan Amendment, Zone Change, and EIR for

the Transit Neighborhood Plans for the Orange Line North Hollywood, Van Nuys, and Sepulveda Stations.

Case No. CPC-1986-784-GPA –On June 28, 1992 Ordinance No. 167,939 (Area 7, Subarea 168B) became effective which changed the zone for the subject site from R3-1 to [Q]R3-1 adding the following qualifying conditions:

- 1) Density shall be limited to one dwelling unit per 1,200 square feet of lot area.
- 2) The height of any residential building shall be limited to 35 feet in height except for roof structures.

Surrounding Properties:

Case No. CPC-2017-3892-CU –On April 3, 2019, the City Planning Commission approved pursuant to LAMC Section 12.24 U.12, a Conditional Use to permit the use and maintenance of a Congregate Living Health Facility with 18 beds in the R1 Zone, located at 6854 N. Tyrone Avenue.

Case No. CPC-2017-1961-CU –On August 15, 2109, the City Planning Commission approved, pursuant to LAMC Section 12.24 U.12, a Conditional Use to permit a 10-bed congregate living health facility in the R1 Zone located at 14011 W. Archwood Street.

Case No. DIR-2014-4342-DB –On April 27, 2015, the Director of Planning approved an on-menu Affordable Housing Incentive for the construction of 36 by-right residential units, with 28,911 square feet of floor area (35% FAR increase from 1.5:1 to 2.025:1), reserving at least 2 units as Very Low Income Restricted Affordable Units for a period of 55 years, and 335 square feet of commercial retail space, located at 6738 N. Hazeltine Avenue.

Requested Actions

Pursuant to SB 35, the project qualifies as a Streamlined Infill Project (“SIP”) that satisfies all of the objective planning standards of California Government Code Section 65913.4(a), and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65913.4(b). In accordance with Government Code Section 65913.4(c), the City Planning Commission may conduct public oversight of the development within ninety (90) days of submittal of the development to the local government, which shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application.

The project requests a 195 percent density increase above the 22 base density units to permit a total of 64 dwelling units. The project will set aside 63 units affordable to Low Income and Very Low Income Households for a period of 55 years, as follows: 18 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); and the remaining 45 units shall be reserved for Low Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). As such, the project is consistent with the State Density Bonus Law and the local Density Bonus Ordinance, which the Affordable Housing Incentives Guidelines implement. Furthermore, the project is required to record a Covenant and Agreement with the HCIDLA to make 63 units affordable per the Conditions of Approval.

Housing Replacement

With Assembly Bill (“AB”) 2222 and 2556 (Government Code Section 65915), applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated August 21, 2019 (see Exhibit “C”), there were no residential units built and/or demolished on the property which currently and has continued to be a vacant lot since August 14, 2009 within the last ten years, therefore, no AB 2556 replacement units are required. This is reflected in the Conditions of Approval. Refer to the Density Bonus Legislation Background section of this determination for additional information.

Streamlined Infill Project

California Senate Bill (“SB”) 35 became effective on January 1, 2018 as part of a 15-bill housing package aimed at addressing the state’s housing shortage and high housing costs. The intent of SB 35 is to provide reforms and incentives to facilitate and expedite the construction of affordable housing. The State Department of Housing and Community Development (“HCD”) issued the Streamlined Ministerial Approval Process Guidelines dated November 29, 2018 to provide additional guidance on procedures and implementation of SB 35 (SB 35 Guidelines) (Exhibit “G”). The law adds Section 65913.4 to the Government Code requiring that cities streamline the approval of qualified housing projects through a ministerial approval process, removing the requirement for CEQA analysis and altering parking requirements (Exhibit “G”). SB 35 streamlining remains in effect until January 1, 2026, and as of that date will be repealed per the provisions of the bill.

SB 35 applies in cities that are not meeting their state-mandated Regional Housing Need Allocation (“RHNA”) goals in certain categories. On February 1, 2018, HCD released maps showing which cities and counties in California are subject to SB 35. The information shows the City of Los Angeles has met its 2013-2021 RHNA goals for the “above market” income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories. Therefore, SB 35 will apply only to projects that include at least 50% of their units for lower income households (80% Area Median Income [AMI] or less).

Development Eligibility

To qualify to apply for the Streamlined Ministerial Approval Process and be considered a Streamlined Infill Project, the development must meet the Development Eligibility criteria set forth in SB 35 (Government Code Section 65913.4(a)), including housing type requirements, site requirements, affordability provisions, and labor provisions. In accordance with SB 35, the project qualifies as a Streamlined Infill Project that satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project’s eligibility is described under the Streamlined Infill Project Findings Section in this report.

Ministerial Review of Objective Zoning and Design Standards

Pursuant to SB 35, a local government must streamline the approval of a Streamlined Infill Project only based on objective zoning and design review standards and the locality’s process and

application requirements shall not in any way inhibit, chill or preclude the ministerial approval process. When determining consistency with objective zoning and design review standards, the local government can only use those standards that meet the following definition set forth in SB 35:

“standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances”

Design review standards that require subjective decision making cannot be applied as an objective standard unless the standards are defined in such a manner that is non-discretionary. In addition, a locality may not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis, about whether to impose that standard on similarly situated development proposals.

Conditional Use and Density Bonus Incentives in Relation to SB 35

As provided in SB 35, modifications to objective standards granted as part of a density bonus concession, incentive, parking reduction, or waiver of development standards pursuant to State Density Bonus Law (Government Code Section 65915) or a local density bonus ordinance, shall be considered consistent with objective standards. Per SB 35, project eligibility for a density bonus, concession, incentive, parking reduction or waiver of development standards shall be determined consistent with the State Density Bonus Law.

The State Density Bonus Law allows a maximum density bonus of up to 35 percent in exchange for setting aside the minimum percentage of affordable housing units required for the density bonus. The City adopted Ordinance No. 179,681 (Density Bonus Ordinance), codified in LAMC Section 12.22 A.25, to implement the State Density Bonus Law. The Density Bonus Ordinance allows a maximum density bonus of up to 35 percent over the base density permitted per the underlying zone in exchange for setting aside the minimum percentage of affordable housing units required for the density bonus. The Density Bonus Ordinance also allows applicants to seek waivers of development standards and up to three (3) incentives in accordance with the State Density Bonus Law.

In addition, the State Density Bonus Law (Government Code Section 65915(n)) states:

If permitted by local ordinance, nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by [State Density Bonus Law] for developments that do not meet the requirements of this section.

As such, the State Density Bonus Law allows the City to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26 (Conditional Use Section of LAMC), to permit a density increase greater than 35 percent in accordance with the State Density Bonus Law (Government Code Section 65915(n)). This Ordinance allows additional density beyond 35 percent in exchange for setting aside additional affordable housing units above the minimum percentage of affordable housing units required per the above-mentioned Density Bonus Ordinance.

The applicant requests a Density Bonus with three (3) Off-Menu Incentives for increased building height, decrease in front yard setback (building line encroachment), decrease in building separation; and one (1) Waiver of Development Standards for reduced passageways between buildings. In addition, a Conditional Use to increase the maximum density by 195 percent to permit 64 units in lieu of 22 base density units is being requested pursuant to the Value Capture Ordinance. As provided in the SB 35, the requested modifications to the height, yards, building separation, passageways and density requirements pursuant to State Density Bonus Law or a local density bonus ordinance are consistent with objective standards.

Section 301(a)(1) of the SB 35 Guidelines states that ministerial approval shall be non-discretionary and cannot require a conditional use permit or other discretionary local government review or approval. The Value Capture Ordinance, permitting a density bonus greater than 35 percent, is codified in the Conditional Use Section of the LAMC. A Conditional Use is normally a discretionary process. However, as the applicant seeks Streamlined Ministerial Approval of the proposed Streamlined Infill Project by invoking SB 35, the City is reviewing only the objective zoning and design standards in accordance with SB 35. Additionally, the Conditional Use process is the only mechanism in the City that allows applicants to increase the density by more than 35 percent. This process is consistent with the State Density Bonus Law (Government Code Section 65915(n)) that allows a density bonus greater than 35 percent. This process is also consistent with SB 35 that considers modifications to the zoning standards as part of a density bonus pursuant to the State Density Bonus Law consistent with objective standards. As such, the City's review and approval of the requested Conditional Use is considered ministerial and non-discretionary.

Public Oversight and Decision Making Body

The applicant requests multiple entitlements that are subject to review and approval by the City Planning Commission and requires a public hearing. While SB 35 requires a ministerial process for Streamlined Infill Projects, SB 35 (Government Code Section 65913.4(c)) allows public oversight to be conducted by a local government's planning commission by stating:

Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction.

As such, public oversight of the proposed development may be conducted by the City Planning Commission.

CEQA

The proposed Streamlined Infill Project that satisfies the objective planning standards set forth in SB 35 (Government Code Section 65913.4(a)) is subject to streamlined ministerial approval provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project is therefore a ministerial project that is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080(b)(1). The Notice of Exemption is attached as Exhibit D of this report.

Conditional Use

The City's Density Bonus Ordinance permits a maximum density increase of up to 35 percent in exchange for setting aside 20 percent of the base density units for Low Income Households in accordance with the State Density Bonus Law. As previously mentioned, the State Density Bonus Law (Government Code Section 65915(n)) also allows a city to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted the Value Capture Ordinance, codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent. The Ordinance requires the project to set aside one (1) additional percent of base density units above the 20 percent for Low Income Households for every additional 1.5 percent density increase above the 35 percent.

Below is a table showing the requisite percentage of affordable housing units for Low Income Households based on the percentage of density increase.

Percentage of Base Density to be Restricted to Low Income Households	Percentage of Density Increase Granted
120	185
121	186.5
122	188
123	189.5
124	191
125	192.5
126	194
127	195.5
128	197
129	198.5
130	200

The applicant requests a Conditional Use for a density increase in excess of 35 percent pursuant to LAMC Section 12.24 U.26, to allow a 195 percent increase in density for a total of 64 dwelling units in lieu of 22 dwelling units as otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B). The applicant is required to set aside at least 127 percent, or 28 units, of 22 base density units for the 195-percent density increase, as highlighted in the above table. The applicant proposes a project totaling 64 dwelling units, 45 of which will be restricted to Low Income Households for a period of 55 years, which is 205 percent of the 22 base density units. As such, the project satisfies the minimum percentage of base density to be restricted to Low Income Households. Additionally, the project has proposed 18 Very Low Income Household units for a total of 63 affordable units and one manager's unit.

Density Bonus/Affordable Housing Incentives Program

Pursuant to the State Density Bonus Law, the City must grant up to three (3) incentives for a project that includes 30 percent of the total (base density) units for Low Income Households. The State Density Bonus Law further stipulates that in no case may a city apply any development standard that will have the effect of physically precluding the construction of a development, and allows applicants to submit to a city a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development. The City implements the State Density Bonus Law through the Density Bonus Ordinance, which allows up to three (3) on- or off-menu incentives and waivers of development standards.

The applicant proposes a project totaling 64 dwelling units, 45 of which will be restricted to Low Income Households and 18 of which will be restricted to Very Low Income Households for a period of 55 years and one (1) which will be a market-rate manager's unit. As a result of setting aside 127 percent of the 22 by-right density units for Low Income Households, the applicant qualifies for three (3) incentives. The applicant seeks the following three (3) "Off-Menu" Incentives that are not listed on the Menu of Incentives set forth in the Density Bonus Ordinance:

- a. An Off-Menu Incentive to increase the allowable height to 50 feet from 35 feet otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B);
- b. An Off-Menu Incentive to encroach 7 feet into the required 20-foot building line per Ordinance No. 96,195;
- c. An Off-Menu Incentive to allow variable space between buildings ranging from 7 feet 4-inches to 23 feet 1-inch in lieu of 24 feet otherwise required by LAMC Section 12.21 C.2(b); and,

In addition to the one (1) Off-Menu Incentives, the applicant requests the following Waiver of Development Standard:

- a. A Waiver of Development Standards to allow a 12-foot 1-inch passageway in lieu of 14 feet otherwise required by LAMC Section 12.21 C.2(b).

Concerns

The following section includes a discussion of issues and considerations related to the project. These discussion points were identified in discussions with the applicant.

Project Design

The community feels that the design is out of context with the neighboring Van Nuys HPOZ. The community also voiced concerns about the perimeter wall height and barbeque enclosure being open on the south elevation adjacent to the single-family homes. The hearing officer noted that the pedestrian entrance to residential lobby is not predominant and the building massing is mostly solid volumes and does not have much fenestration.

The applicant has added a wall and fence design concept to the architectural package in Exhibit "A". It shown now that the barbeque accessory structure will be enclosed on three sides (east, south and west), a perimeter wall is being proposed at 8 feet in height except within the front yard setback, and differing materials for the front fences are suggested. The applicant's representative stated that the architects were working on incorporating some design elements into the building material that would be complementary to architecture styles in the HPOZ. The applicant has stated that the building form is not anticipated to change due to the associated costs of the proposed prefabricated studio units.

Use

During the public testimony community members stated that the use is a concern to them as they already deal with chronic homeless individuals in their neighborhood. Comments noted fears regarding safety, added trash, and broken down cars/trailers in the public rights-of-way taking up street parking, and possible mental health issues with future tenants.

In response, the applicant submitted a tentative Security Action Plan and draft Residential Rental Agreement to the record. Items in the Security Action Plan including providing adequate illumination in all areas of the building, keeping vegetation trimmed to provide good visibility,

controlled access into the building by locking exterior entrances, cameras to deter outsiders from criminal activity, and using security personnel to patrol the buildings, common areas and entryways. A standing guard will be in place from the time the office staff leaves at night and returns in the morning. The applicant has indicated that an additional evening coordinator could be considered as well.

Parking and Traffic

SB 35 mandates that “a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to Gov. Section 65913.4(d)(1)(A) if the development is located within one-half mile of public transit”. Therefore, as a Streamlined Infill Project that meets the provisions of Gov. Section 65913.4, the project is permitted to have zero (0) parking spaces for residential uses by the state.

The project has been designed with six (6) parking spaces generally located at grade level under the proposed building in the southeast area of the site. This parking is for the support staff during the day. It should be noted that tenants will not be offered an apartment in the development if they have a car or vehicle. The tenants are highly encouraged to take public transit, use the shuttle services that the support staff can make available, and bicycles.

Approval Timelines and Limited Appeals

The project entitlements are being applied for under the timelines and procedures of Senate Bill 35 (Gov. Code Sec. 65913.4), which requires the City to complete design review or public oversight, including final approval, for a project of this size within 90 calendar days of submittal of the application. The applicant submitted a complete application for the development on October 4, 2019. Consequently, all design review or public oversight, including final approval, shall be completed within 90 days from October 4, 2019, or by December 3, 2019, and shall not in any way inhibit, chill or preclude the ministerial approval provided by Government Code Section 65913.4

Conclusion

Based on the information submitted to the record, staff recommends that the City Planning Commission approve the requested Off-Menu Incentives for increase in height, an encroachment into the building line, and reduction in building separation; approve the requested Waiver of Development Standards for reduced of passageways; approve a Conditional Use to permit a 195 percent density increase to permit 64 units in lieu of 22 units in the [Q]R3-1 Zone; determine that the project is a Streamlined Infill Project that satisfied all of the objective planning standards of SB 35 (Government Code Section 65913.4(a)) and is therefore subject to the Streamlined Ministerial Approval Process; and determine that the project is statutorily exempt from CEQA as a ministerial project pursuant to SB 35 (Government Code Section 65913.4) and Public Resources Code Section 21080(b)(1).

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped Exhibit "A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 64 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 63 units shall be reserved as affordable units for a period of 55 years as follows: 18 units shall be reserved as affordable units for Very Low Income household occupancy and 45 units shall be reserved as affordable units for Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 18 units available to Very Low Income Households and 45 units available to Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Height (Incentive).** The project shall be limited to four (4) stories and 50 feet in height for the portion of the building fronting the public right-of-way and shall be limited to three (3) stories and 40 feet in height for the rear portion of the buildings, per Exhibit "A".
7. **Building Line Encroachment (Incentive).** The project shall observe a minimum front yard setback of 13 feet per Exhibit "A", in lieu of 20 feet as otherwise required per Ordinance No. 96,195.
8. **Building Separation (Incentive).** The project is permitted building separations ranging from 7 feet 4-inches to 23 feet 1-inch as indicated in Exhibit "A", in lieu of the 24 feet otherwise required by LAMC Section 12.21 C.2(a).
9. **Passageways (Waiver).** The project shall observe a 12-foot 1-inch passageway per Exhibit "A", in lieu of the 14 feet otherwise required on LAMC Section 12.21 C.2(b).
10. **Zoning.** The project shall comply with all other requirements of the R3 Zone.
11. **Senate Bill 35.** The project shall comply with all state requirements of Senate Bill 35 and California Government Code Section 65913.4. A minimum of 50 percent shall be reserved as affordable units to households making below 80 percent of the area median income.

12. **Automobile Parking.** Pursuant to California Government Code Section 65913.4(d)(1), no parking requirements shall apply for multifamily developments located within one-half mile of public transit. No residential parking spaces are required.
13. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
14. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16. Long-term bicycle parking shall be provided at a rate of one per dwelling unit for the first 25 dwelling units, and one per 1.5 dwelling units for every dwelling unit for the next 26 to 100 dwelling units. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units for the first 25 dwelling units, and one per 15 dwelling units for every dwelling unit for the next 26 to 100 dwelling units, with a minimum of two short-term bicycle parking spaces. Based upon the number of dwelling units, 51 long-term and 5 short-term bicycle parking spaces shall be provided onsite.
15. **Wall/Fence.** An 8-foot high block wall shall be constructed on the east, south, and west property lines, except within the required front yard setback. A minimum 6-foot high fence shall be constructed between the front three buildings and driveway as shown in Exhibit "A".
16. **Prevailing Wage Requirements.** In accordance with Gov. Section 65913.4(a)(8), the applicant shall confer with Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance, and shall provide the following to the Department of City Planning:
 - a. A signed Preconstruction Checklist Agreement between the Applicant and the Bureau of Contract Administration (maintained in the case file), prior to clearing any Building Permit, which covers the following:
 - i. All construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the California Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - ii. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - iii. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - iv. Except as provided in subclause (vi), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in Sections 1776 and 1812 of the Labor Code.
 - v. Except as provided in subclause (vi), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741

- of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
- vi. Subclauses (iv) and (v) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
 - vii. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.
- b. Bond. A Bond may be required to ensure compliance.

Administrative Conditions

17. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
18. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
19. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
20. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
21. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to

the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

23. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

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

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

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

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

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

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

FINDINGS

STREAMLINED INFILL PROJECT FINDINGS

In accordance with Senate Bill 35 (Government Code Section 65913.4(a)), an applicant may submit an application for a development that is subject to the streamlined, ministerial approval process if the development satisfies all of the objective planning standards of Government Code Section 65913.4(a) as follows:

1. The development is a multifamily housing development that contains two or more residential units.

The project is a multi-family housing development that contains 64 residential units and is 100% affordable, excluding the manager's unit.

2. The development is located on a site that satisfies all of the following:

- A. A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**
- B. A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.**
- C. A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.**

The Census Bureau¹ identifies two types of urban areas:

- Urbanized Areas of 50,000 or more people; and
- Urban Clusters of at least 2,500 and less than 50,000 people.

According to the U.S. Census Bureau, 2010 Census, Profile of General Population and Housing Characteristics, the City of Los Angeles population in 2010 was 3,792,621, thereby constituting an urbanized area. The project site consists of legal parcels located within the City of Los Angeles.

Section 102(z) of the SB 35 Guidelines define "urban uses" as any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses (Exhibit "G"). All adjoining parcels are developed with urban uses. Surrounding properties are developed with a combination of single-family and multi-family residential.

The project site is located within the Van Nuys-North Sherman Oaks Community Plan, which designates the subject property for Medium Residential land use with a corresponding zone of R3, which allow for multi-family residential use. The applicant proposes a permanent

¹ <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html> (Federal Register Vol. 76, No. 164, Pg. 53030)

supportive housing development with 64 dwelling units and supportive services. Per California Health and Safety Code Section 50675.14(b)(2), supportive services are accessory to the residential use. As such, the entire development will be designated for residential use.

- 3. If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:**
- A. Fifty-five years for units that are rented.**
 - B. Forty-five years for units that are owned.**

The SB 35 Guidelines defines “subsidized” as “units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code” (Exhibit “G”).

The project is a permanent supportive housing development containing 64 units (including 63 affordable units and one (1) market-rate manager’s unit). The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make at least 50 percent of the base 22 units affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

- 4. The development satisfies both of the following:**
- A. Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality’s share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department’s determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.**
 - B. The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:**
 - i. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.**
 - ii. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued**

building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.

- iii. **The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).**

On February 1, 2018, the California Department of Housing and Community Development (“HCD”) released maps showing which cities and counties in California are subject to streamlined housing development under SB 35. The information shows the City of Los Angeles has met its 2013-2021 Regional Housing Need Allocation (“RHNA”) goals for the “above market” income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories. Therefore, the City of Los Angeles is subject to SB 35.

Section 402(c) of the SB 35 Guidelines dated November 29, 2018 clarifies that “the percentage of units affordable to households making at or below 80 percent of the area median income... is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus”. Therefore, projects are required to provide 50 percent of the total (base density) for lower-income households to qualify under SB 35.

The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (“HCIDLA”) to make at least 50 percent of the base 22 units, that is 11 units, affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

The applicant is providing 18 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); the remaining 45 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). Therefore, the project meets the affordability requirements of SB 35.

5. **The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, “objective zoning standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative**

objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

- A. **A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.**
- B. **In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.**

The project site is located within the Van Nuys-North Sherman Oaks Community Plan area. The adopted Community Plan designates the subject property for Medium Density Residential land uses corresponding to the R3 Zone. The site is zoned [Q]R3-1 and therefore consistent with the General Plan Land Use Designation. The project site is permitted a base density of 22 dwelling units (after rounding) given that the [Q] Condition limits the density to one dwelling per 1,200 square feet of lot area. The applicant seeks a Conditional Use to increase the density by 195 percent to permit 64 dwelling units in lieu of 22 by-right units in accordance with the State Density Bonus Law. The applicant has requested three (3) Off-Menu Incentives and one (1) Waivers of Development Standard, as listed below:

- 1. An **Off-Menu Incentive** to increase the allowable height from 35 feet to 50 feet otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B);
- 2. An **Off-Menu Incentive** to encroach 7 feet on the required 20-foot building line per Ordinance No. 96,195;
- 3. An **Off-Menu Incentive** to allow variable space between buildings ranging from 7 feet 4-inches to 23 feet 1-inch in lieu of 24 feet otherwise required by LAMC Section 12.21 C.2(b); and,
- 4. A **Waiver of Development Standard** to allow a 12-foot 1-inch passageway in lieu of 14 feet otherwise required by LAMC Section 12.21 C.2(b).

No other concessions, incentives, or waivers of development standards are requested or granted as part of the subject determination. The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the State Density Bonus Law (Government Code Section 65915), is consistent with objective zoning and design review standards in effect at the time that the development was submitted to the City.

6. The development is not located on a site that is any of the following:

- A. **A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.**
- B. **Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.**
- C. **Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**

- D. **Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**
- E. **A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**
- F. **Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**
- G. **Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
- H. **Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**
- I. **Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**
- J. **Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).**
- K. **Lands under conservation easement.**

The site is currently vacant, however, it is within an urbanized area of the Van Nuys-North Sherman Oaks Community Plan area surrounded by urban land uses. The site is designated for Medium Residential land uses and zoned [Q]R3-1, which allows residential uses. As such, the site is not located within a coastal zone, farmland, agricultural land, or wetland. Per the City's Zone Information and Map Access System (ZIMAS), the site is not located in a Very High Fire Hazard Severity Zone. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. A review of EnviroStor did not identify any records of

hazardous waste facilities on the project site. The site is located approximately 7.03 kilometers from the Verdugo Fault and will be subject to Building Code requirements. According to the Federal Emergency Management Agency's Flood Map, the project site is located within Zone X, Area of Minimal Flood Hazard, and is not located within a floodway. The site is not identified for a conservation or habitat conservation plan or any other adopted natural resource protection plan. The site currently serves as surface parking, and is completely surrounded by urban land uses and therefore has no value as a habitat for protected species. Additionally, there is no conservation easement on site.

- 7. The development is not located on a site where any of the following apply:**
- A. The development would require the demolition of the following types of housing:**
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
 - iii. Housing that has been occupied by tenants within the past 10 years.**
 - B. The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.**
 - C. The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.**
 - D. The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.**

The site is currently vacant except for a few mature trees. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated August 21, 2019, HCIDLA determined that there were no residential units built and demolished on the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit "C"). The project site has not been identified as a historic resource by local, state or federal agencies. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. The site was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles.

- 8. The development proponent has done both of the following, as applicable:**
- A. Certified to the locality that either of the following is true, as applicable:**
 - i. The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.**
 - ii. If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for**

those portions of the development that are not a public work all of the following shall apply:

- I. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
- II. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.
- III. Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.
- IV. Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
- V. Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- VI. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

B.

- i. For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:
 - I. On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

- II. On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
- III. On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
- IV. On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
- V. On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.
- ii. For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- iii. If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
 - I. The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
 - II. Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
 - III. Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

- IV. **Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, “project labor agreement” has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.**
- C. **Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:**
 - i. **The project includes 10 or fewer units.**
 - ii. **The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.**

The project is conditioned to meet the above requirements of Government Code Section 65913.4(a).

- 9. **The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless either of the following apply:**
 - A. **The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).**
 - B. **The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).**

There is no subdivision entitlement requested as part of the project.

- 10. **The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).**

The Mobilehome Residency Law and related regulations are not applicable to the site.

Therefore, as provided above, the development satisfies all of the objective planning standards of Government Code Section 65913.4(a), and is therefore subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c).

Additionally, Government Code Section 65913.4(d) states:

Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose

parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

- (A) The development is located within one-half mile of public transit.*
- (B) The development is located within an architecturally and historically significant historic district.*
- (C) When on-street parking permits are required but not offered to the occupants of the development.*
- (D) When there is a car share vehicle located within one block of the development.*

Section 102(r) of the SB 35 Guidelines defines “public transit” as “a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines” (Exhibit G).

The project is within 2,000 feet of five transit lines, which is less than a half mile (2,640 feet). A block to the east and west of the property is Metro Local Line 165 which runs along Vanowen Street. Three additional lines, Metro Local Line 233, Metro Rapid 744 and Metro Rapid 788 are located just under 2,000 feet to the west of the project site along Van Nuys Boulevard which qualifies as a major transit stop or high-quality transit corridor as defined by California Public Resources Code (“PRC”) Section 21155(b). LADOT DASH Panorama City/Van Nuys also serve the project vicinity. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project.

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

The applicant has requested three (3) Off-Menu Incentives and one (1) Waiver of Development Standards, as listed below:

1. An Off-Menu Incentive to increase the allowable height from 35 feet to 50 feet otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B);
2. An Off-Menu Incentive to encroach 7 feet on the required 20-foot building line per Ordinance No. 96,195;
3. An Off-Menu Incentive to allow variable space between buildings ranging from 7 feet 4-inches to 23 feet 1-inch in lieu of 24 feet otherwise required by LAMC Section 12.21 C.2(b); and,
4. A Waiver of Development Standard to allow a 12-foot 1-inch passageway in lieu of 14 feet otherwise required by LAMC Section 12.21 C.2(b).

Based on the set-aside of over 15 percent of base units for Very Low Income households, the applicant is entitled to three (3) Incentives under both the Government Code and LAMC. Therefore, the first On- and Off-Menu requests qualify as the proposed development’s Incentives. The remaining requests must be processed as a Waiver of Development Standard.

Following is a delineation of the findings related to the request for three (3) Off-Menu Incentives, pursuant to LAMC Section 12.22 A.25(g) and Government Code Section 65915.

11. **Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:**

- a. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.***

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

Requested Off-Menu Incentives:

A project that provides 15 percent of base units for Very Low Income Households qualifies for three (3) Incentives, and may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

Height Increase: The subject site is zoned [Q]R3-1, within Height District No. 1 which would normally permit a building that does not exceed three times the buildable area of the lot. The permanent [Q] qualifying condition limits the height to 35 feet except rooftop structures otherwise required of Ordinance No. 167,939. The applicant has requested an increase for 15 additional feet in height to allow for a 50-foot, four-story in height development through an Off-Menu Incentive. However, per Exhibit “A” the rear structures closer to the single family residences to the south shall be 40 feet and three-stories. The [Q] limitation on the height would remove two (2) stories from the front of the proposed building and one story from the rear, and will limit the ability to construct 64 residential dwelling units. As proposed, the additional height will allow for the construction of the affordable residential units. Having the additional height also allows for a greater landscape buffer around the property. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

Building Line Encroachment: The Project would be required to provide a 15-foot front yard setback, however, the existing Building Line Ordinance requires a 20-foot setback depth from the northern property line. The requested incentive allows the buildings to encroach 7 feet into the required 20-foot Building Line per Ordinance No. 96,195 which would result in a net 13-foot front yard setback. This requested reduction of the front yard setback allows for entire building massing to move toward the front property line and further away from the single-family residences to the south. It also allows for greater areas of outdoor useable open space for the future residences.

Building Separation: The design intent of the project was to develop modular units and then connect the building in a creative way. The buildings are then connected by elevated walkway/pathway to connect to each other. The buildings still have separation,

however, reduction in some areas make for a better design giving the building footprints space in between to create usable open spaces and community gathering room for services. Building separation will vary, ranging from 7 feet 4-inches to 23 feet 1-inch in lieu of 24 feet otherwise required by LAMC Section 12.21 C.2(b). In order to comply with all setback requirements, the project would need to space the buildings out more, thus reducing outdoor spaces and pushing the buildings closer to the property lines or alternatively connecting the buildings and losing the sense of place purposely designed.

The requested incentives would result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. The incentives support the applicant's decision to set aside 45 dwelling units for Low Income households and 18 dwelling units for Very Low Income households for a period of 55 years.

- b. The incentives will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety (Government Code Section 65915(d)(1)(B) and 65589.5(d)).**

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

The findings to deny an incentive under Density Bonus Law are not equivalent to the findings for determining the existence of a significant unavoidable impact under CEQA. As provided under CEQA Findings below, pursuant to Gov. Section 65913.4 and Public Resources Code Section 21080(b)(1), the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project. Based on all of the above, there is no basis to deny the requested incentive

- c. The incentives are contrary to state or federal law.**

There is no evidence in the record that the proposed incentives are contrary to state or federal law.

Following is a delineation of the findings related to the Waiver of Development Standard to reduce the minimum passageway to allow a 12-foot 1-inch passageway in lieu of 14 feet otherwise required by LAMC Section 12.21 C.2(b), pursuant to Government Code Section 65915.

- 12. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested Waiver of Development Standard unless the Commission finds that:**

a. *The waiver or reduction of development standard is contrary to state or federal law.*

There is no evidence in the record that the proposed waivers are contrary to state or federal law.

A project that provides 205 percent (45 units) of the 22 base density units for Low Income Households qualifies for three (3) incentives and may request other "waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)).

LAMC Section 12.21 C.2(b) states that *passageways* need to be a minimum of 14 feet from the street to the main entrance of the building. The main entrance door is proposed to have a passageway of 12-foot 1-inch from the main residential lobby to Vanowen Street. The main lobby area has a unique design which is formed after the main residential towers are constructed to connect the individuals and services in one central area. The lobby connects the internal and vertical circulation of the building extending to all individual units. Likewise, all units are connected back to the main lobby and hallways. The reduced passageway width will allow the construction larger and better connected service areas. Providing the 14-foot passageway would require a reduction in the service spaces on the first floor taking away from the future residences. By waiving this development standard, the developer will not be physically precluded from constructing the proposed development with 64 dwelling units including 63 affordable units.

There is no substantial evidence in the record that the proposed waiver is contrary to state or federal law.

b. *The waiver will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. Therefore, there is no substantial evidence that the proposed waivers of development standards will have a specific adverse impact on public health and safety.

HOUSING REPLACEMENT

Pursuant to Government Code Section 65915(c)(3) and Assembly Bills 2222 and 2556, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated August 21, 2019, HCIDLA determined that there were no residential units built and demolished in the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit "C"). Refer to the Density Bonus Legislation Background section of this determination for additional information.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section 65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill ("AB") 2222 went into effect January 1, 2015 and was amended by AB 2556 on August 19, 2016, stating that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for

individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

AB 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55-year covenant restrictions.

Under Government Code Sections 65915(a), 65915(d)(2)(C) and 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development ("HUD") note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

CONDITIONAL USE FINDINGS

The following is a delineation of the findings related to the request for a Conditional Use to allow a 195 percent Density Bonus to allow 64 dwelling units in lieu of 22 units as otherwise permitted by Ordinance No. 167,939 (Area 7, Subarea 168B).

As previously mentioned, the proposed project satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process as provided in SB 35. Pursuant to the SB 35 Guidelines Section 102(n), ministerial processing or approval means the following:

A process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the "objective zoning standards," "objective subdivision standards," and "objective design review standards" in effect at the time that the application is submitted to the local government, but uses no special discretion or judgment in reaching a decision.

In accordance with SB 35, a local government must streamline the approval of a Streamlined Infill Project only based on objective zoning and design review standards, and the locality's process and application requirements shall not in any way inhibit, chill or preclude the ministerial approval process. When determining consistency with objective zoning and design review standards, the local government can only use those standards that meet the following definition set forth in the Legislature:

Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion

available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

Several findings of the Conditional Use require the City to exercise subjective discretion that does not meet the definition of objective zoning and design review standard in Government Code Section 65913.4(a). These subjective discretionary findings conflict with the streamlined ministerial approval process as provided in SB35 and therefore are not applicable to the proposed Streamlined Infill Project pursuant to SB 35. Staff has responded to these discretionary findings as not applicable in accordance with SB 35. For the remaining objective findings of the Conditional Use, staff has provided a response below.

13. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. Therefore, this finding is not applicable to the proposed Streamlined Infill Project pursuant to SB 35.

14. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. Therefore, this finding is not applicable to the proposed Streamlined Infill Project pursuant to SB 35.

15. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The General Plan is a long-range document determining how a community will grow, reflecting community priorities and values while shaping the future. Policies and programs set forth in the General Plan are subjective in nature, as the General Plan serves as a constitution for development and foundation for land use decisions. As such, there are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with.

To the extent this finding requires further analysis, the project substantially conforms with the following purposes and objectives of the General Plan Elements: Framework Element, Housing Element, Mobility Element and the Land Use Element – North Hollywood-Valley Village Community Plan. The project site is not subject to any specific plans.

Framework Element

The Framework Element is a strategy for long-term growth which sets a citywide context to guide the update of the Community Plan and Citywide Elements. The Framework Element is a comprehensive, long range document containing purposes, policies and programs for the development of the City of Los Angeles. The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services.

The primary objectives of the policies in the Framework Element's Land Use Chapter are to support the viability of the City's residential neighborhoods and commercial districts, and when growth occurs, to encourage sustainable growth in a number of higher-intensity commercial and mixed-use districts, centers and boulevards and industrial districts particularly in proximity to transportation corridors and transit stations.

The proposed project involves the construction of a four and five-story, multi-family residential development containing 64 dwelling units on a site designated for Medium Density Residential land uses and zoned [Q]R3-1. The project site is located within the required half mile from bus stations. Additionally, the project site is located approximately one-third of a mile east of Van Nuys Boulevard, a Boulevard II per the Mobility Plan 2035, and one-third of a mile south of Sherman Way also a Boulevard II, which are major transit and commercial corridors. As such, the project is in conformance with the purpose of the Framework Element.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance. Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

The proposed project will replace an existing vacant lot with 64 residential dwelling units, which reserves 98 percent, that is 63 units, for Very Low Income and Low Income Households. The 63 units will be permanent supportive housing units serving low-wage workers and formerly homeless residents who are re-entering housing. The project will also provide supportive services on the ground floor and a social services office to provide assistance to its residents. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

Mobility Element

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. Among other objectives and policies, the Mobility Plan aims to support ways to reduce vehicle miles traveled (VMT) per capita by increasing the availability of affordable housing options with proximity to transit

stations and major bus stops and offering more non-vehicle alternatives, including transit, walking and bicycling.

The proposed residential building is a pedestrian-oriented development that provides 63 affordable units and one (1) market-rate unit in proximity to several transit options. As previously mentioned, the project site is located within 2,000 feet of five transit lines, which is less than a half mile (2,640 feet). A block to the east and west of the property is Metro Local Line 165 which runs along Vanowen Street. Three additional lines, Metro Local Line 233, Metro Rapid 744 and Metro Rapid 788 are located just under 2,000 feet to the west of the project site along Van Nuys Boulevard which qualifies as a major transit stop or high-quality transit corridor as defined by California Public Resources Code ("PRC") Section 21155(b). LADOT DASH Panorama City/Van Nuys also serve the project vicinity.

These transit stations provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. The proposed project will also allow for the reduction of vehicle trips by placing a high density residential development within proximity to public transit. The availability of many transit options along the commercial corridors creates a lesser need for the use of personal vehicles. Additionally, the project will provide a total of 62 bicycle parking stalls, including five (5) short-term and 52 long-term bicycle parking stalls on site. The 52 long-term bicycle parking are to be situated in lockers along the western property line and the five (5) short-term bicycle parking stalls will be located directly adjacent to the lobby entrance path area where they are easily accessible from the street. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

Land Use Element – Van Nuys-North Sherman Oaks Community Plan

The Van Nuys-North Sherman Oaks Community Plan was adopted by the City Council on September 9, 1998. The Community Plan's purpose is to promote an arrangement of land use, circulation, and services which all encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community. The Land Use Designations and corresponding zones in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code (LAMC) including applicable ordinances that are codified in the LAMC.

The Van Nuys-North Sherman Oaks Community Plan designates the site for Medium Density Residential land uses. The project site is zoned [Q]R3-1, which is consistent with the corresponding zone of R3 in the Community Plan. The R3 Zone permits a base density of 800 square feet of lot area per dwelling. However, the permanent [Q]Condition limits density to one dwelling unit per 1,200 square feet of lot area. The project site containing 26,291 square feet of buildable area is permitted a base density of 22 dwelling units. The project utilizes the State Density Bonus Law (California Government Code Section 65915) and the City's Ordinance No. 179,681 (Density Bonus Ordinance), codified in LAMC Section 12.22 A.25, and Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26 (Conditional Use Section of LAMC) to increase the maximum density from 22 to 64 dwelling units, 63 of which will be set aside for Very Low Income and Low Income Households. The project also proposes supportive services in an area that is close to various bus routes, connecting the project site to other regional and local destinations. The project will contribute to the Van Nuys area as a medium- to high-density residential development that provides housing and employment services. Furthermore, as found in the Streamlined Infill Development Projects Finding, the project is consistent with applicable objective zoning standards. As such, the project conforms to the purpose of the Van Nuys-North Sherman Oaks Community Plan.

16. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan;

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance. Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

The proposed project will replace a vacant lot with 64 residential dwelling units, which reserves 98 percent, that is 63 units, for Very Low Income and Low Income Households. The 63 units will be permanent supportive housing units serving low-wage workers and formerly homeless residents who are re-entering housing. The project will also provide supportive services on the ground floor of the center most building, which will have a conference room, manager's office, two supportive services offices, two interview rooms, a staff break room, two bullpen spaces, two bathrooms, storage closets, lobby reception and the elevator. The first floor also contains 9 studio units, the two-bedroom managers' unit, and a shared laundry room in each of the connecting buildings around the center building. The trash and recycle room is attached to the back side of the northeast building with access doors fronting the parking area, however, there are trash shoots on each level. Level 2 has a sundeck gathering area open to the sky connecting the centermost building to the two eastern buildings. Levels 2 and 3 will contain 21 studio units and Level 4 has 12 studio units and a roof deck on the southeastern building. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

17. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application, as follows:

- a. 11% Very Low Income Units for a 35% density increase; or
- b. 20% Low Income Units for a 35% density increase; or
- c. 40% Moderate Income Units for a 35% density increase in for-sale projects.

The project may then be granted additional density increases beyond 35% by providing additional affordable housing units in the following manner:

- a. For every additional 1% set aside of Very Low Income Units, the project is granted an additional 2.5% density increase; or
- b. For every additional 1% set aside of Low Income Units, the project is granted an additional 1.5% density increase; or
- c. For every additional 1% set aside of Moderate Income Units in for-sale projects, the project is granted an additional 1% density increase; or
- d. In calculating the density increase and Restricted Affordable Units, each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

The City's Density Bonus Ordinance permits a maximum density increase of up to 35 percent in exchange for setting aside 20 percent of the base density units for Low Income Households in accordance with the State Density Bonus Law. As previously mentioned, the State Density Bonus Law (Government Code Section 65915(n)) also allows a city to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted the Value Capture Ordinance, codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent. The Ordinance requires the project to set aside one (1) additional percent of base density units above the 20 percent for Low Income Households for every additional 1.5 percent density increase above the 35 percent.

Below is a table showing the requisite percentage of affordable housing units for Low Income Households based on the percentage of density increase.

Percentage of Base Density to be Restricted to Low Income Households	Percentage of Density Increase Granted
120	185
121	186.5
122	188
123	189.5
124	191
125	192.5
126	194
127	195.5
128	197
129	198.5
130	200

The applicant requests a Conditional Use for a density increase in excess of 35 percent pursuant to LAMC Section 12.24 U.26, to allow a 195 percent increase in density for a total of 64 dwelling units in lieu of 22 dwelling units as otherwise required by Ordinance No. 167,939 (Area 7, Subarea 168B). The applicant is required to set aside at least 127 percent, or 28 units for affordable households, of 22 by-right units for the 195-percent density increase, as highlighted in the above table. The applicant proposes a project totaling 64 dwelling units, 45 of which will be restricted to Low Income Households for a period of 55 years, which is 205 percent of the 22 base density units. As such, the project satisfies the minimum percentage of base density to be restricted to Low Income Households. Additionally, the project has proposed 18 Very Low Income Household units for a total of 63 affordable units and one manager's unit.

18. The project meets any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3);

On September 27, 2014, Governor Jerry Brown signed Assembly Bill (AB) 2222 as amended by AB 2556 on August 19, 2016, to amend sections of California's Density Bonus Law (Government Code Section 65915). Major changes to the law are applicable to new density bonus developments resulting in a loss in existing affordable units or rent-stabilized units. The law aims to replace units and ensure rental affordability periods for 55 years. Pursuant to the AB 2556 Determination Letter dated August 21, 2019, HCIDLA has determined that there were no residential units built and demolished on the property, which is currently been vacant for the last 10 years. Therefore, no AB 2556 replacement affordable

units are required. As such, the dwelling unit replacement requirements of Government Code Section 65915(c)(3) do not apply.

- 19. The project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the Los Angeles Municipal Code.**

Per the Conditions of Approval, the owner is required to execute a covenant to the satisfaction of HCIDLA to make 32 units available to Low Income Households for rental as determined to be affordable to such households by HCIDLA for a period of 55 years. The applicant is also required to make the remaining units affordable setting aside an additional 13 units for Low Income Households and 18 units for Very Low Income Households for rental as determined by HCD or HUD for a period of 55 years. The applicant is required to present a copy of the recorded covenant to the Department of City Planning and the proposed project shall comply with any monitoring requirements established by HCIDLA. Therefore, as conditioned, the project satisfies this finding in regards to subjected restricted affordable units to recorded affordability per HCIDLA.

- 20. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.**

The City Planning Commission approved the Affordable Housing Incentives Guidelines (CPC-2005-1101-CA) on June 9, 2005. These were subsequently approved by City Council (CF 05-1345) on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. The City of Los Angeles Housing and Community Investment Department (HCIDLA) utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. On April 9, 2010, the City Council adopted updates to the City's Density Bonus Ordinance (CF 05-1345-S1, Ordinance No. 181,142). However, at that time, the Affordable Housing Incentives Guidelines were not updated to reflect changes to the City's Density Bonus Ordinance or more recent changes in State Density Bonus Law located in the Government Code. Therefore, where there is a conflict between the Guidelines and current laws, the current law prevails. Additionally, many of the policies and standards contained in the Guidelines, including design and location of affordable units to be comparable to the market-rate units, equal distribution of amenities, monitoring requirements, and affordability levels, are covered by the State Density Bonus Laws.

The project requests a 195 percent density increase above the 22 base density units to permit a total of 64 dwelling units. The project will set aside 45 units for Low Income Households, which is 205 percent of the 22 base density units. As such, the project is consistent with the State Density Bonus Law and the local Density Bonus Ordinance, which the Affordable Housing Incentives Guidelines implement. Furthermore, the project is required to record a Covenant and Agreement with the HCIDLA to make 63 units affordable to Very Low Income Households and Low Income Households (100 percent affordable excluding a market-rate manager's unit) per the Conditions of Approval. Therefore, the project complies with the City Planning Commission's Affordable Housing Incentives Guidelines.

CEQA FINDINGS

Pursuant to Senate Bill ("SB") 35 and Government Code Section 65913.4, a project that satisfies all of the objective planning standards of Government Code Section 65913.4(a) is subject to the

streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c). Therefore, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.

PUBLIC HEARING AND COMMUNICATIONS

The public hearing was held on November 1, 2019 at approximately 1:00 p.m. at Marvin Braude San Fernando Valley Consistent Service Center, 6262 N. Van Nuys Boulevard, Room 1B, Los Angeles, CA 91401. The hearing was conducted by the Hearing Officer, Sarah Hounsell, on behalf of the City Planning Commission in taking testimony for Case No. CPC-2019-5295-DB-CU-SIP. All interested parties were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The purpose of the hearing was to obtain testimony from affected and/or interested parties regarding this application. Interested parties are also invited to submit written comments regarding the request prior to hearing. The hearing notice was mailed on October 8, 2019, published in the newspaper on October 9, 2019, and posted on-site on October 18, 2019, in accordance with LAMC noticing requirements.

The public hearing was attended by the applicant's representative (Jessica Hencier) and approximately five (5) other members from the applicant team, and approximately 40 members from the community. Twenty (20) speaker cards were submitted for the hearing, including 18 speaker cards in opposition of the project, one (1) in favor, and a representative from Council District No. 2.

Applicant Presentation. The applicant, their representative, and the architects described the developments they build, homeless statistics, project design, existing site conditions, requested entitlements, and community outreach and potential design changes. A PowerPoint was presented and submitted to the public record. Below is a transcription of the presentation.

- 7,738 homeless people live in the San Fernando Valley --of that 1,808 (25%) individuals are experiencing chronic homelessness.
- The project only rents to individuals 18 years and older.
- The program will have on site services with case managers, counseling, life skills training, therapy, etc. They have a blended approach.
- Other project they have developed are the Crest Apartments which was opened in 2015 with 64-units of supportive housing for Veterans about 1.2 miles from this site at 13604 Sherman Way and the Star Apartments opened in 2013 with 100-unit supportive housing located at 240 E. 6th Street - including prefabricated modular units like the units being proposed.
- The site has been vacant for years, so are proposing 64-units including one manager's unit with a total of 31,167 square feet (FAR 1.7:1), 40- to 50- feet in height within 6 parking spaces, 57 bike stalls, and 7,023 square feet of open space.
- The project has proposed a Conditional Use for a 195% increase in density, off-menu incentives and/or waivers regarding encroachment into the building line, height increase, and reduced space between buildings and passageways. The project is Exempt from CEQA.
- The architects described the massing of the project and idea behind the design. They also stated that they are looking into incorporating some design elements/materials from the abutting Van Nuys Historic Preservation Overlay Zone (HPOZ).

Comments in Opposition of the Project:

- The site was approved with a Q Condition which downgrades the properties to be in line with the surrounding development. 50 feet is too high and should be reduced to the 35-foot limit. 195% density increase is too many units. This project is not compatible with the neighborhood and will lower property values.
- This project is not fair.
- Trash is an issue in this neighborhood. Don't like the look, materials, or density. Reduce the number of people and reduce the height.

- The renters in the proposal are not mandated to see professional help and assistance, it is by choice. There are nine other facilities in this neighborhood already serving similar needs. Why do we need another one here?
- This is the second Skid Row Housing development in our community and people moved here by choice for the HPOZ, so why do we need another to destroy our neighborhood character.
- I live directly behind the site and have two toddlers which frequent my backyard. This development has proposed its courtyard, bbq area, open space directly behind me and it's going to impact my family negatively. I have concerns and worries about the mental illness and drug use issues that tenant could bring. How will disputes and disagreements be handled? You are proposing a very large commercial project in a small neighborhood. There should be no bridges and bbq pits due to lack of privacy.
- The same homeless woman has tried to break into our house –purchased in a Historical District—several times. I have called the police, she is removed, and then back again. This is a small residential neighborhood. I question the mental health of future tenants. Why are they asking for so many concessions? Reduce the number of units and reduce the number of incentives!
- The homeless in our neighborhood are not of sound mind and suffer from mental illness and substance abuse. There is an abandoned house in our neighborhood (14125 Archwood Street) that we continually report and then the squatters go right back in. There are resources that could be obtained and they choose not to get the help. Is the housing project going to help with these individuals or just take people outside our neighborhood and house them here compiling the issue?
- Why is there so much crime at the Crest Apartments? Run a police report.
- There is a school across the street –has anyone discussed this project with them and the safety concerns? Most of the homeless have been on the street a long time and there are several conflicts between individuals. Will there be conflict mediation? Are you compounding the issue by adding this facility here? Every day is a fight to keep this place safe and clean. You are imprisoning us in our homes if you bring this project here. This feels like a stab in the back.
- The building is designed poorly –it is really ugly. No parking? 3-4 cars are associated with each rental house, so on street sweeping day they just move them from one side to the other. There are bicycle drug dealers in our neighborhood, so providing more bicycle parking space could encourage more. I own several rental properties and we have to reduce rents on some units since they do not have enough for every unit as they were built many years ago. Not having parking on this site with going to increase the issue.
- If your housing models work, how is it that you have situated this project so close to the bars and liquor stores? I purchased in the historic neighborhood to restore my home and bring up property values. This project will bring them down.
- Sexual abuse history could be present in these tenants and I am concerned for the small children walking home from school.
- I worked 40-50 years to obtain my “corner of the world” and I don’t want to see it spoiled.
- My neighbors are my neighborhood as they make this place special. Even when we have small fences and gates in our front yards, people will still come behind and go through our trashes every night. I will not give people money.... I will feed them when I see them. The issues need to be discussed and a better solution needs to be found. We need to make sure the elected officials listen to us. Go into where the clusters are and figure out the resolve.
- There is not parking on the street. Some of these homeless have motor homes which are lined (up to 15 of them) as you go north along the public streets. You stated that 25% have mental issues.... would you want these individuals housed next door to you?

Comments in Support of the Project:

- I live two blocks away from here in permanent supportive housing. This project would give the opportunity for 60+ people to have a home. Please support this project.

Council Offices Comments:

- The councilman supports the project subject to the following requests:
 - modify the design with an influence from the adjacent HPOZ,
 - provide a clear and defined security plan with camera and onsite security guards,
 - provide the tenant lease policy,
 - setback the buildings as far as possible from the rear property line, and
 - provide a minimum 6-foot block wall with vegetative screening.

Applicant's Response to Public Comments:

- We have another facility near a Charter School and there have not been any issues with our tenants.
- All individuals are matched through our system first through extensive outreach; there are criminal background conducted, counseling, etc. If the individual is violent, they would not be housed at this type of facility. We have a 30-year model which has tracked our success. However, if an individual's situation changes, they work with a social worker to rehouse them. They will not just be turned out onto the street.
- Rent comes from Federal Funds (like Section 8 Housing voucher). If they lose their subsidy they could be rehoused.
- The architect stated they are 75% there with the design and would work on material cladding, texturing and landscaping, and designing the perimeter wall.
- The Housing Authority comes yearly to inspect each unit. We check often as well.
- This facility is for single individuals and we take those paired within the Service Area 2 of the San Fernando Valley.
- Permanent supportive housing has a low turnover rate of approximately 15% annually.
- The LA Christian Health Center provides medications as prescribed.
- None of our residents are permitted to have cars. If they have a car, then they will not be matched here. We assist them in using public transit which is within walking distance of the site in any direction. We also have vans that can take people to the grocery store and physical appointments.

WRITTEN CORRESPONDENCE

Several emails were received from the surrounding community stating similar concerns stated at the public hearing. The following is a summary:

- A minimum 8-foot wall should be considered along the east, west and south property lines.
- If budget cuts are done from the Federal Funding program, could individuals be cut from the program? As Van Nuys already has the Crest Apartments, these programs should also be developed in Sherman Oaks, Studio City, Encino, Tarzana, Woodland Hills, Porter Ranch or Granada Hills as they seemed to be immune from hosting low income housing and we are filled to the brim.
- The radius notification should be greater than 500 feet. We the people of the working class are being taken advantage of.
- There are better locations for this commercial development.
- I was not impressed with the applicant's outreach community meeting. Prop HHH and SB35 have taken away the voices of the homeowners, working families and schools with regards to these proposed developments. There are 11 facilities already in our neighbor at the following addresses: 13457 Vanowen Street, 6525 Tyrone Avenue, 14342 Kittridge Avenue, 14303 Sylmar Avenue, 14128 Calvert Street, 14419 Vanowen Street, 13604

Sherman Way, 14232 Gilmore Street, 6723-6725 Tyrone, Aetna/Tyrone (proposed homeless housing), 14142 Vanowen Street (proposed project).

- General opposition to no parking on site, ugly buildings at odd angles, too tall, and street parking is already overburdened. This would be better located on Van Nuys Boulevard between Vanowen Street and Kittridge Avenue in a commercial area.

Three emails were also received in support of the housing project.



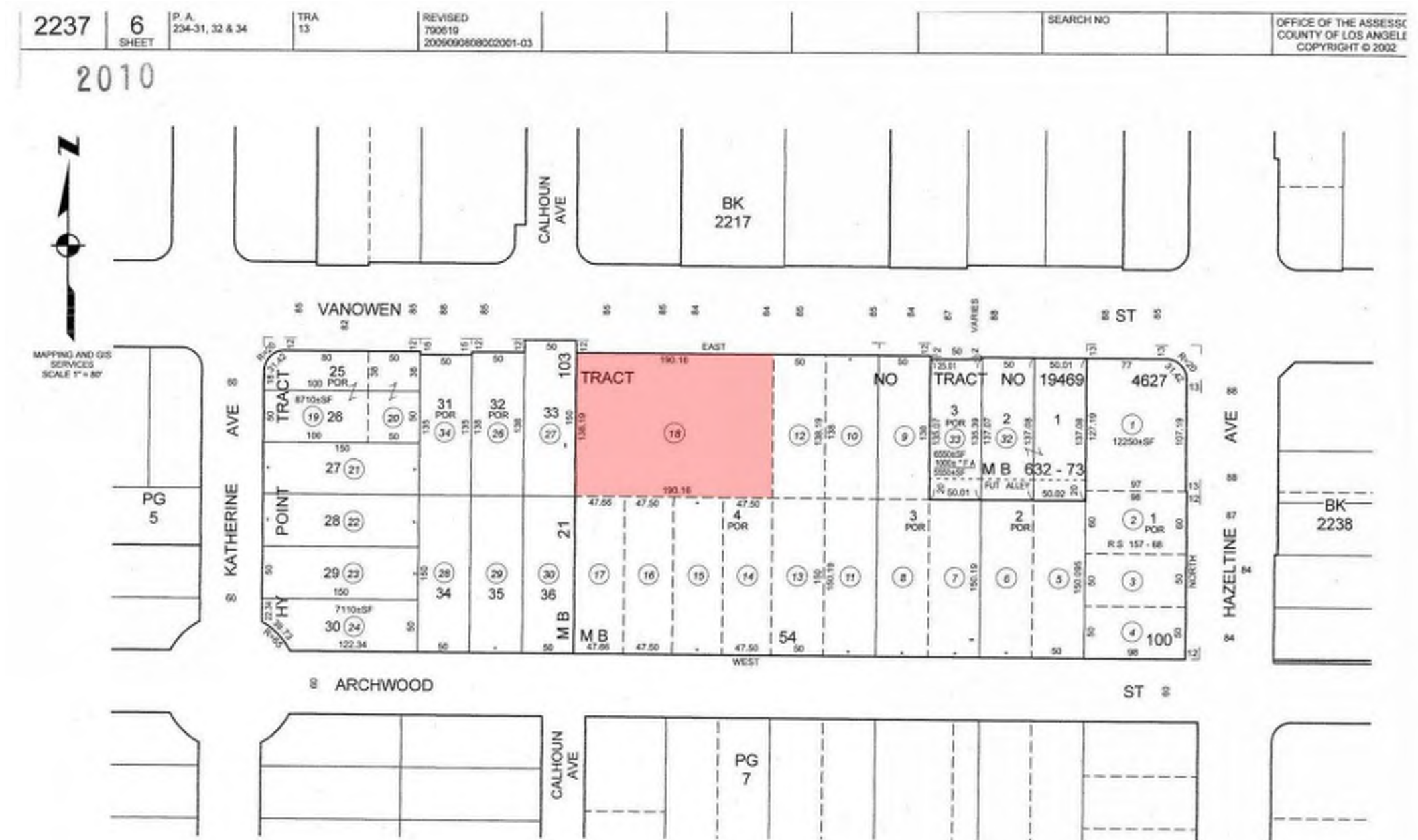
Skid Row Housing Trust

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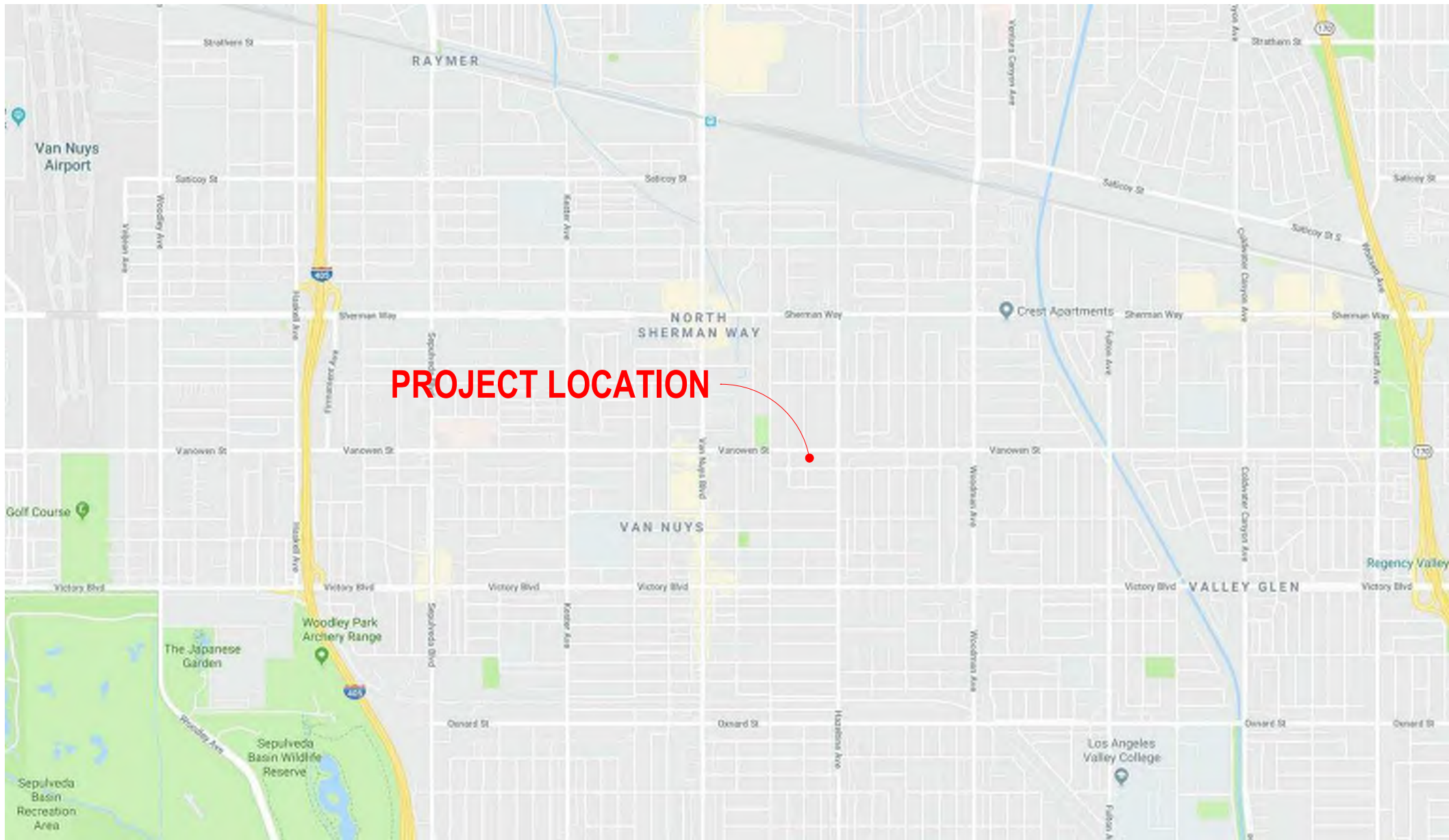
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Los Angeles, CA 91405

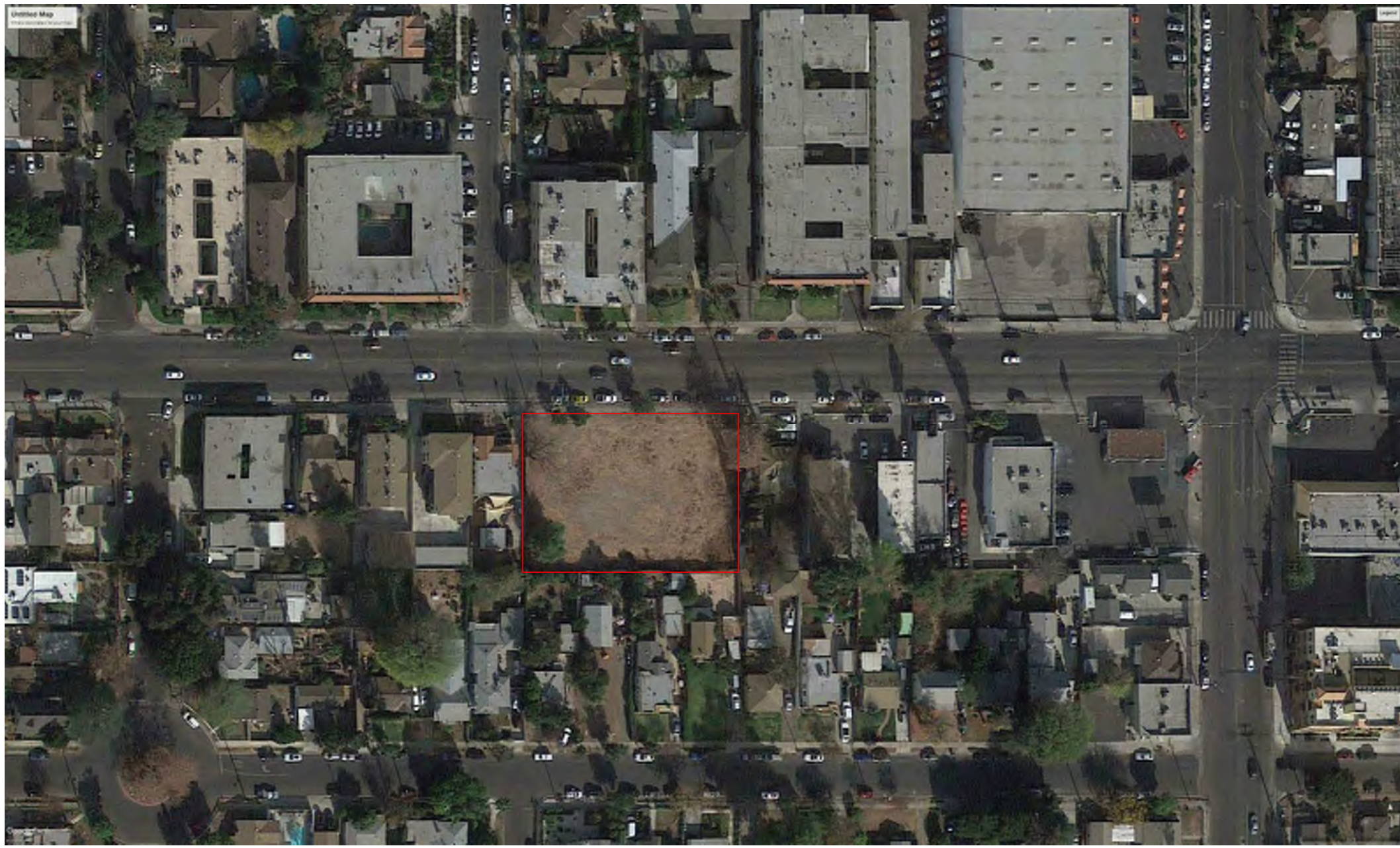
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ASSESSORS PARCEL MAP



VICINITY MAP



AERIAL VIEW OF SITE

LOT AREA

26,245 SF	Existing Lot Area
26,055 SF	Site Area Post Dedication
18,379 SF	Buildable Area (Based on a single-story building)

FAR CALCULATION

Level	Floor Area...	Uses
Roof	0 SF	Mechanical Equipment
Level 4	5,079 SF	Residential Dwelling Units
Level 3	8,913 SF	Residential Dwelling Units
Level 2	8,913 SF	Residential Dwelling Units
Level 1	8,262 SF	Residential Dwelling Units, Supportive Offices, Lobby, Common Area
	31,167 SF	TOTAL FAR

18,379 SF	Buildable Area (Based on a single-story building)
1.70 :1	Effective FAR

3.0:1 Allowable FAR (before any Density Bonus)

DENSITY CALCULATION

Base Density	26,245 SF Existing Lot Area
	1 / 1,200 SF Base Density per [Q] Condition
	22 Units Base Density (rounded up for a project w/ affordable housing)

Density Bonuses for Very Low Income Housing	30 Units w/ 35% Density Bonus for 11% of units set aside for Very Low Income ADDITIONAL BONUS: CUP process per LAMC 12.24.U.26 for 2.5% density increase for every additional 1% set aside for Very Low Income Units 35% Density Bonus for 11% of units set aside for Very Low Income PLUS: 2.5% Density Increase for remaining 89% of units as Very Low Income 35% + (89% units X 2.5% Density Bonus) = 257.5% Bonus on Base Density
	79 Units Density with 100% Very Low Income Units*

64 Units PROPOSED

BUILDING HEIGHT

35 feet	per [Q] Condition
46 feet	w/ 35% Density Bonus
50 feet	PROPOSED Maximum w/ CUP Request
40 feet	PROPOSED Maximum within 50 feet of R-1 zoned properties

SUMMARY OF PARKING REGULATIONS - per LAMC & State Law for Permanent Supportive Housing Projects

Residential Units	
Studio (Permanant Supportive Housing)	0.00 spaces/unit - No Parking Required for PSH Projects per SB35
2 Bedroom Unit (Manager's Unit)	0.00 spaces/unit - per AB744. (in lieu of CPIO Table II-4 or 12.22.A.25(d) #2)

Retail/Commerical Uses None No Retail or Commerical Uses provided

REQUIRED PARKING

Unit Type	Qty.	Ratio	Required Spaces
Studio (Permanant Supportive Housing)	63	0.00	0
2 Bedroom Unit (Restricted Affordable)	1	0.00	0
TOTAL UNITS:	64		
TOTAL REQUIRED PARKING STALLS	0		

PARKING PROVIDED

	H/C	Standard	Compact	TOTAL
Staff & Managemenet Parking (Ground...	1	3	2	6
	16.7%	50.0%	33.3%	100.0%

NOTE: No parking provided is required

REQUIRED BICYCLE PARKING - per 12.21 A.16(a)(1)(i)

Residential	Units	Ratio	Required Spaces
Short-Term Spaces	1 to 25	1 space / 10 units	3
	26 to 64	1 space / 15 units	3
	Residential Short-Term Required:		5
Long-Term Spaces	1 to 25	1 space / 1 unit	25
	26 to 64	1 space / 1.5 units	26
	Residential Long-Term Required:		51

PROVIDED BICYCLE PARKING

	Short Term
Short Term Bike Parking: (Located on Ground Floor, near Lobby)	5
	Long Term
Resident Bike Parking Lockers:	52
Total Long Term Bike Parking:	52

SHEET INDEX	
A0.00	COVER
A0.11	ZONING SUMMARY
A0.12	ZONING FLOOR AREA DIAGRAMS
A0.13	OPEN SPACE DIAGRAMS
A0.14	BUILDING FLOOR AREA DIAGRAMS
A0.15	EGRESS PLAN
A0.16	EXISTING SITE PHOTOS
A0.17	EXISTING SITE CONTEXT
A0.21	RENDERING
A0.22	RENDERING
C1.00	SITE SURVEY
A1.01	SITE PLAN
A2.01	FLOOR PLAN - LEVEL 1
A2.02	FLOOR PLAN - LEVEL 2
A2.03	FLOOR PLAN - LEVEL 3
A2.04	FLOOR PLAN - LEVEL 4
A2.05	FLOOR PLAN - ROOF
A2.11	UNIT PLANS
A3.01	BUILDING SECTIONS
A3.02	BUILDING SECTIONS
A4.01	BUILDING ELEVATIONS
A4.02	BUILDING ELEVATIONS
A4.03	EXTERIOR MATERIALS
L0.10	EXISTING TREE PROTECTION AND REMOVAL PLAN
L1.10	LANDSCAPE LEVEL 1 PLAN
L1.20	LANDSCAPE LEVEL 2 PLAN
Total:	26

UNIT SUMMARY

Unit Type	QTY	% Mix	Avg. Unit SF	Total NET SF	Note
Studio	63	98.4%	350		Permanent Supportive Housing Unit
2 Bedroom	1	1.6%	700		Manager's Unit
Totals	64	100.0%	22,750		

UNIT MATRIX

Unit #	Type	Mobility Unit	Sensory Unit
101	Studio		
102	Studio		
103	Studio	X	
104	Studio		
105	Studio		X
106	2 Bed		
113	Studio		
114	Studio		
115	Studio		
116	Studio		
201	Studio		
202	Studio		
203	Studio	X	
204	Studio		
205	Studio		X
206	Studio		
207	Studio		
208	Studio		
209	Studio		
210	Studio		
211	Studio	X	
212	Studio		
213	Studio		
214	Studio		
215	Studio		
216	Studio		
217	Studio		
218	Studio		
219	Studio		
220	Studio		
221	Studio		
301	Studio		
302	Studio	X	
303	Studio		
304	Studio		X
305	Studio		
306	Studio		
307	Studio		
308	Studio		
309	Studio		
310	Studio		
311	Studio	X	
312	Studio		
313	Studio		
314	Studio		
315	Studio		
316	Studio		
317	Studio		
318	Studio		
319	Studio		
320	Studio		
321	Studio		
401	Studio		
402	Studio	X	
403	Studio		
404	Studio		
409	Studio		
410	Studio		
411	Studio	X	
412	Studio		
413	Studio		
414	Studio		
415	Studio		
416	Studio		
64		7 11%	3 5%

Skid Row Housing Trust

14142-14154 Vanowen Street
Los Angeles, CA 91405

Gensler

500 South Figueroa Street
Los Angeles, California 90071
United States

Tel 213.327.3600
Fax 213.327.3601

Date	Description
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Seal / Signature

NOT FOR CONSTRUCTION

Project Name

Confianza

Project Number

005.2269.000

Description

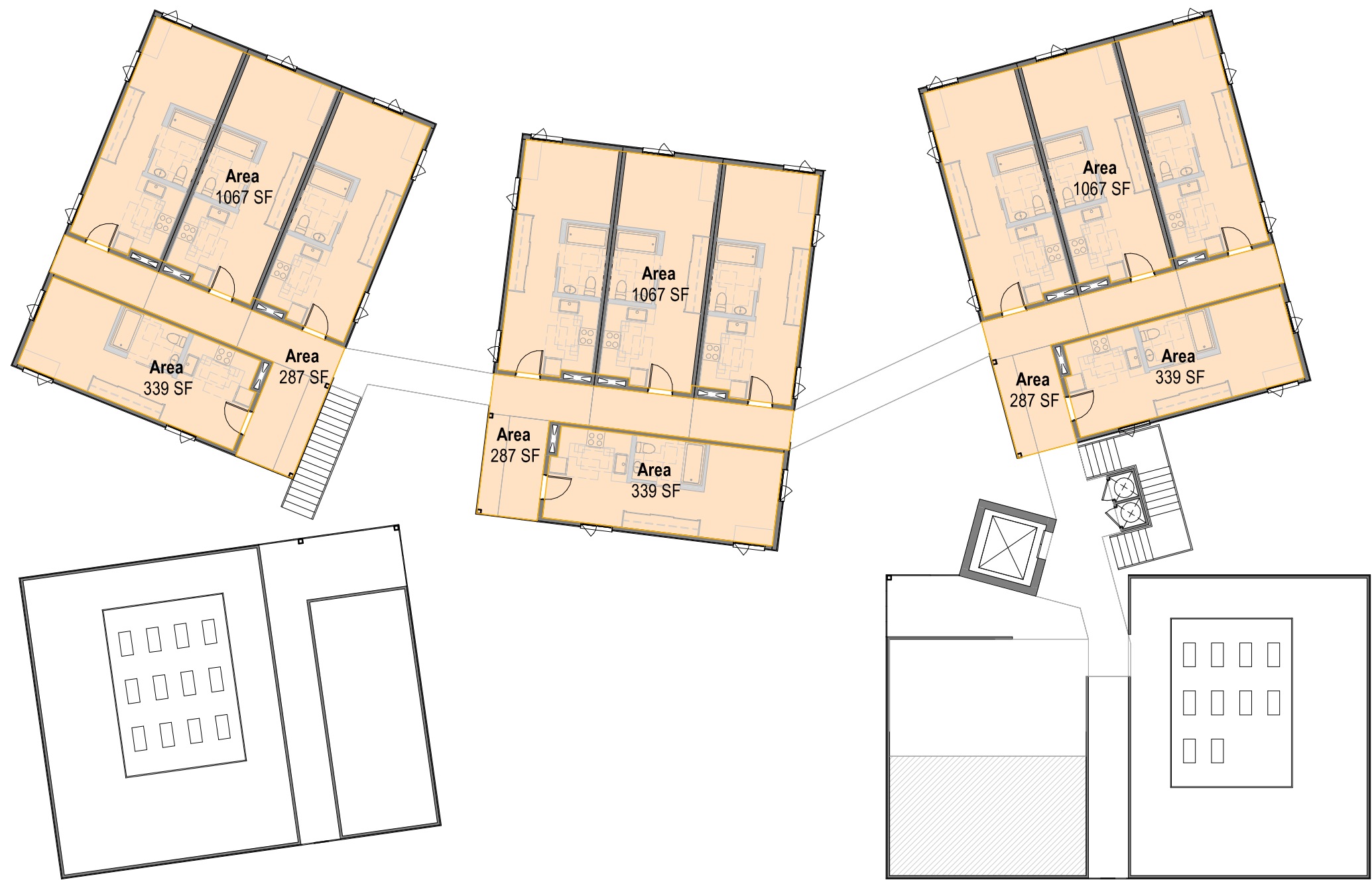
ZONING SUMMARY

Scale

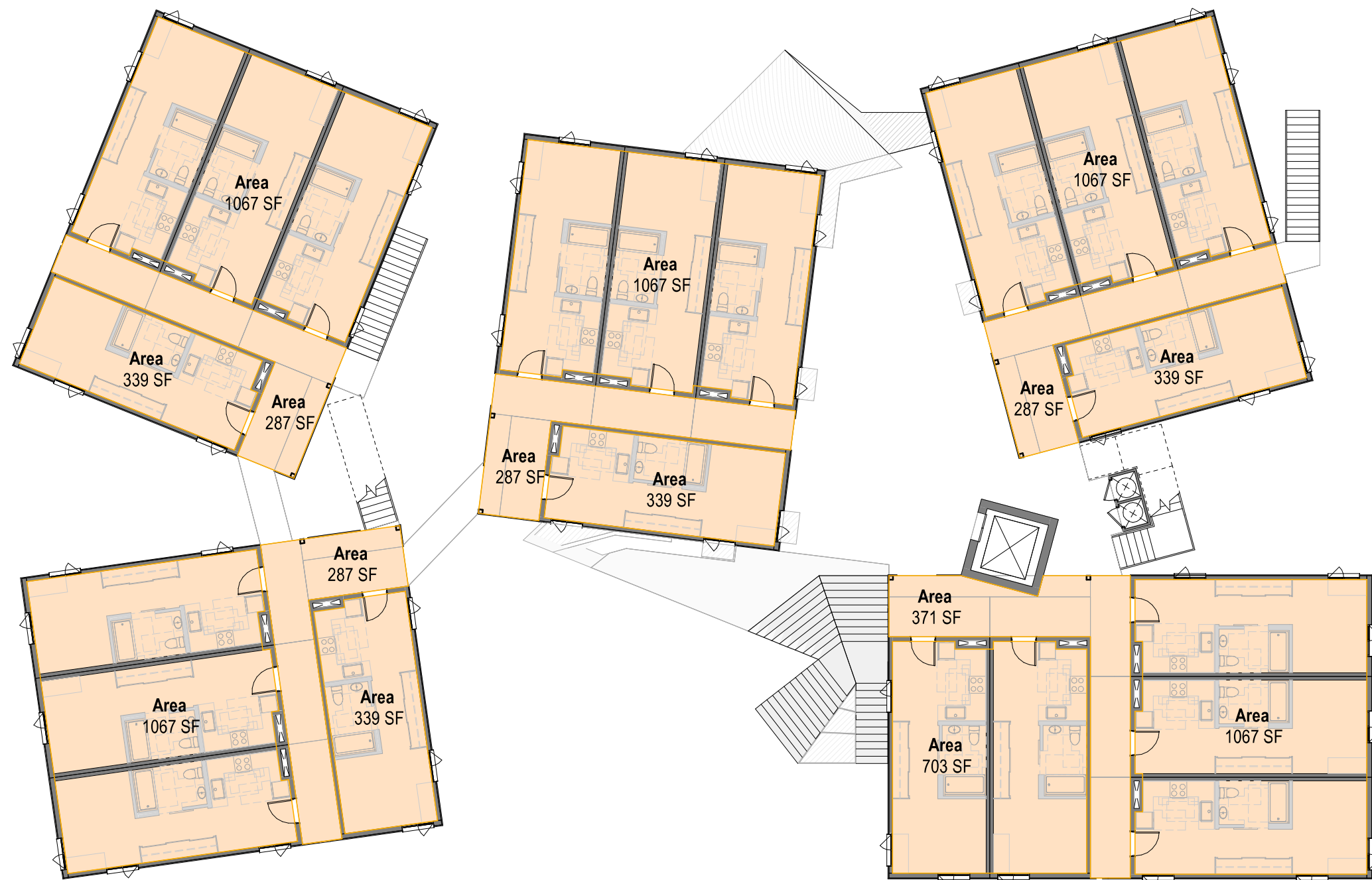
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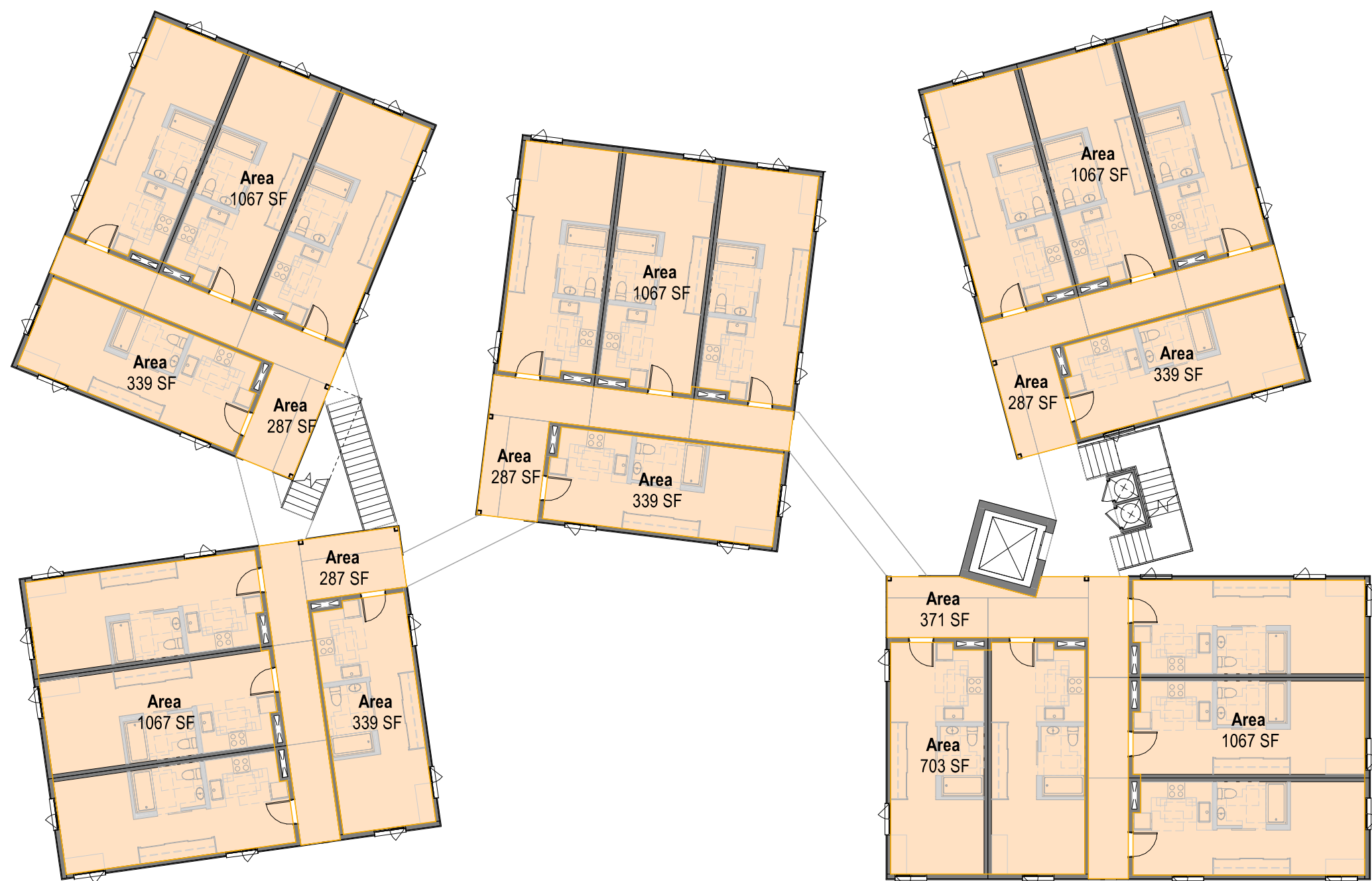
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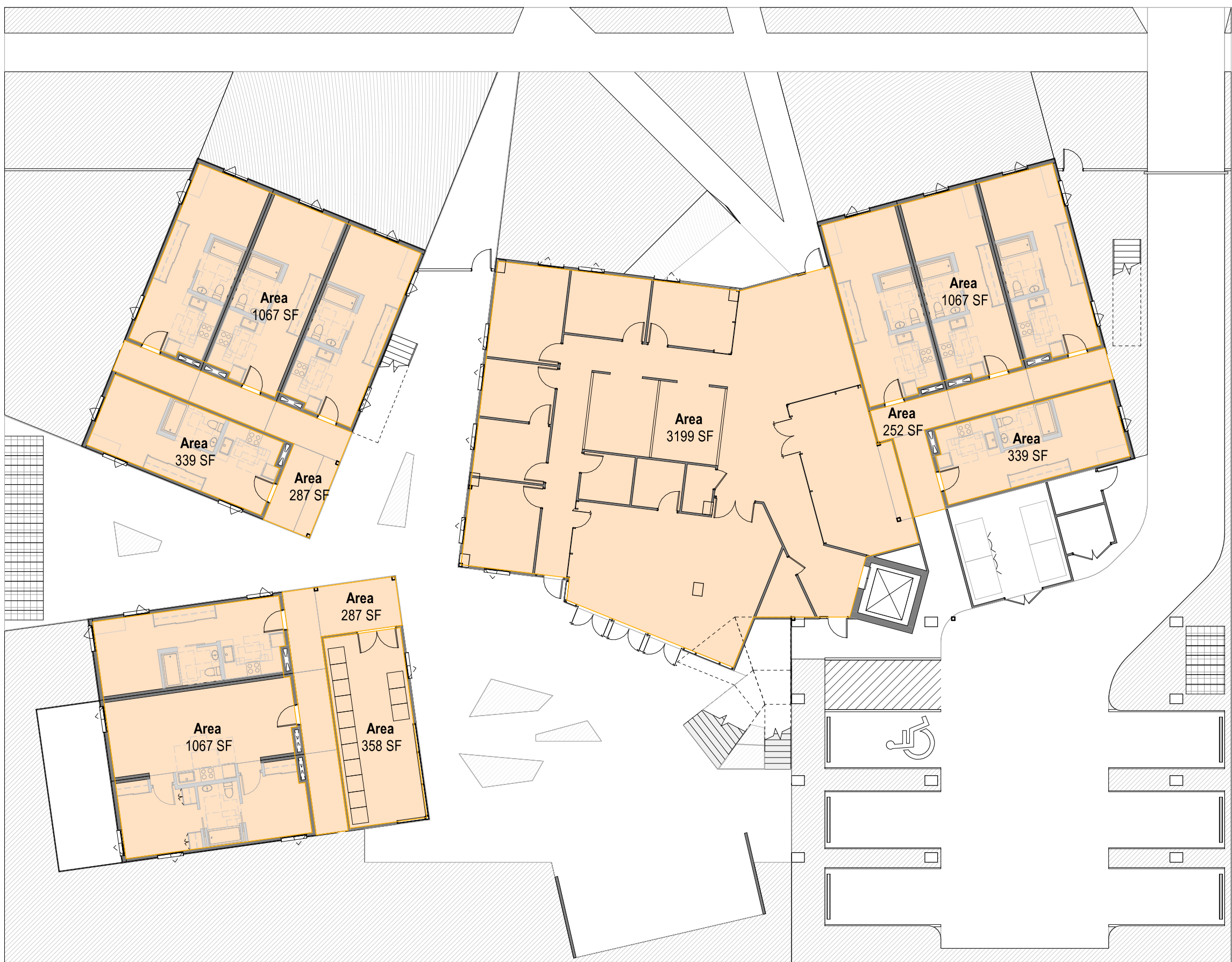
4 LEVEL 04
SCALE: 1/16" = 1'-0"



2 LEVEL 02
SCALE: 1/16" = 1'-0"



3 LEVEL 03
SCALE: 1/16" = 1'-0"



1 LEVEL 01
SCALE: 1/16" = 1'-0"

ZONING AREA		
Name	Level	Area

LEVEL 01		
Area	LEVEL 01	1,067 SF
Area	LEVEL 01	287 SF
Area	LEVEL 01	339 SF
Area	LEVEL 01	1,067 SF
Area	LEVEL 01	358 SF
Area	LEVEL 01	287 SF
Area	LEVEL 01	3,199 SF
Area	LEVEL 01	1,067 SF
Area	LEVEL 01	252 SF
Area	LEVEL 01	339 SF
		8,262 SF

LEVEL 02		
Area	LEVEL 02	1,067 SF
Area	LEVEL 02	339 SF
Area	LEVEL 02	287 SF
Area	LEVEL 02	1,067 SF
Area	LEVEL 02	339 SF
Area	LEVEL 02	287 SF
Area	LEVEL 02	339 SF
Area	LEVEL 02	287 SF
Area	LEVEL 02	1,067 SF
Area	LEVEL 02	1,067 SF
Area	LEVEL 02	287 SF
Area	LEVEL 02	339 SF
Area	LEVEL 02	1,067 SF
Area	LEVEL 02	703 SF
Area	LEVEL 02	371 SF
		8,913 SF

LEVEL 03		
Area	LEVEL 03	1,067 SF
Area	LEVEL 03	287 SF
Area	LEVEL 03	339 SF
Area	LEVEL 03	1,067 SF
Area	LEVEL 03	339 SF
Area	LEVEL 03	287 SF
Area	LEVEL 03	1,067 SF
Area	LEVEL 03	339 SF
Area	LEVEL 03	287 SF
Area	LEVEL 03	1,067 SF
Area	LEVEL 03	703 SF
Area	LEVEL 03	371 SF
Area	LEVEL 03	1,067 SF
Area	LEVEL 03	339 SF
Area	LEVEL 03	287 SF
		8,913 SF

LEVEL 04		
Area	LEVEL 04	1,067 SF
Area	LEVEL 04	339 SF
Area	LEVEL 04	287 SF
Area	LEVEL 04	1,067 SF
Area	LEVEL 04	339 SF
Area	LEVEL 04	287 SF
Area	LEVEL 04	1,067 SF
Area	LEVEL 04	287 SF
Area	LEVEL 04	339 SF
		5,079 SF
Grand total		31,168 SF

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Description
ZONING FLOOR AREA DIAGRAM

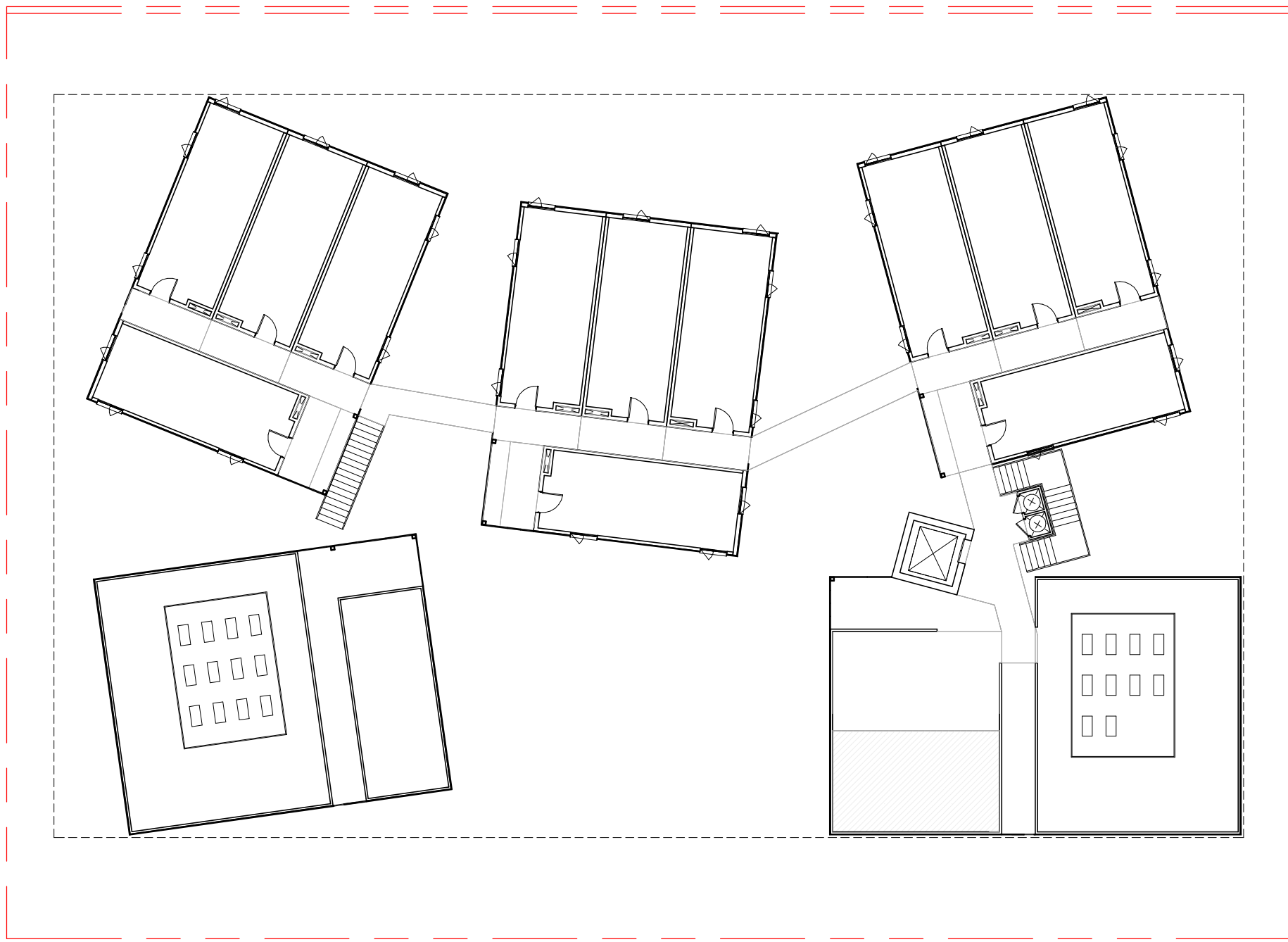
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A0.12

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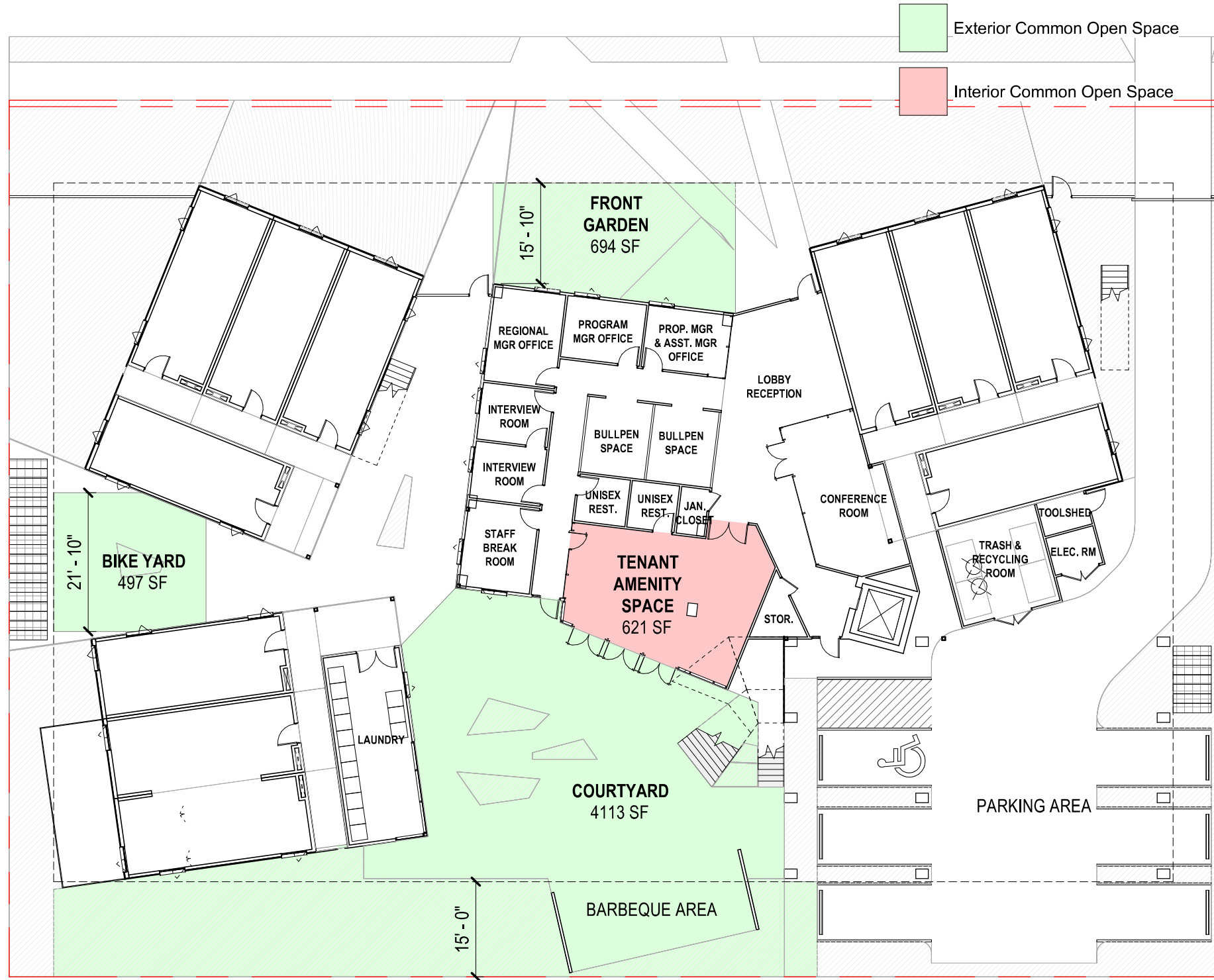
3 OPEN SPACE DIAGRAM - LEVEL 4

SCALE: 1" = 20'-0"



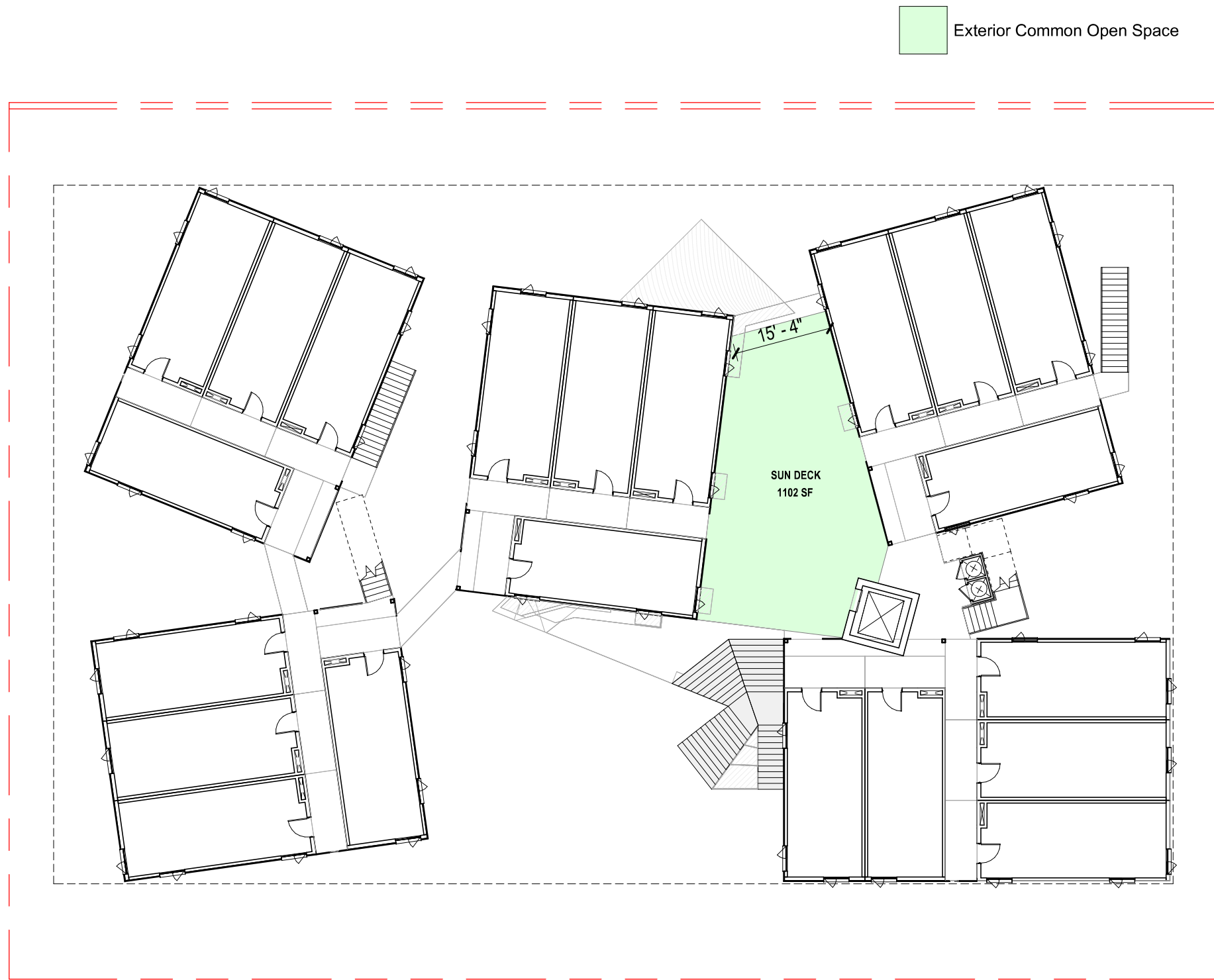
1 OPEN SPACE DIAGRAM - LEVEL 1

SCALE: 1" = 20'-0"



2 OPEN SPACE DIAGRAM - LEVEL 2

SCALE: 1" = 20'-0"



SUMMARY OF OPEN SPACE REQUIREMENTS (per LAMC 12.21.G)

Residential Uses		
Studios	100 sf / unit	(dwelling unit <3 habitable rooms)
2 Bedroom Units	125 sf / unit	(dwelling unit =3 habitable rooms)

REQUIRED OPEN SPACE

Unit Type	Qty.	SF/Unit	Area
Studio	63	100	6,300 SF
2 Bedroom	1	125	125 SF
Required Open Space Before Reductions:			6,425 SF
20% Open Space Reduction for Density Bonus Project			-1,285 SF
TOTAL REQUIRED OPEN SPACE			5,140 SF

Maximums and Minimums of Various Open Space Areas based on Required Open Space	
Maximum Private Open Space at 50sf/unit (all units w/ balconies):	3,200 sf
Minimum Common Open Space Required 50%:	2,570 sf
Maximum 25% of Open Space Provided as Indoor Common Space:	1,285 sf
Minimum 25% of Common Open Space to be planted with ground cover:	1,285 sf

PRIVATE OPEN SPACE PROVIDED

Units w/ Balconies	Min. Balcony Area	Total Area Provided
Private Open Space (Balconies)	0	50 sf
		0 SF

COMMON AREA OPEN SPACE PROVIDED

Floor	Open Space Area	Indoor	Outdoor
Leve l 4	--	0 SF	0 SF
Level 3	--	0 SF	0 SF
Level 2	Outdoor Deck	0 SF	1,102 SF
Level 1	Indoor Amenity Space	621 SF	0 SF
	Central Courtyard	0 SF	4,109 SF
	Smaller Courtyards (>15' wide)	0 SF	1,191 SF
Sub-Total Open Space:		621 SF	6,402 SF
TOTAL INDOOR & OUTDOOR COMMON OPEN SPACE:		7,023 SF	

TOTAL OF PRIVATE & COMMON OPEN SPACE:	7,023 SF
---------------------------------------	----------

Surplus of Open Space: 1,883 SF

Maxium Allowed Indoor Amenity Space (25% of Open Space) :	1,756 SF
Total Indoor Amenity Space Provided:	621 SF
*Meets Requirement	

Planted Area Required based on Common Open Space:	Common Open Space (25% Planted Area) x 25%	7,023 SF
Total Planted Area Req'd:		1,756 SF

Level 2 Outdoor Deck	400 SF
Level 1 Bermmed Areas	450 SF
Level 1 Courtyard	1,700 SF
TOTAL AREA OF DEEP LANDSCAPE PLANTERS	2,550 SF
*Meets Requirement	

TREES REQUIRED

One 24" box for every 4 units: 64 units / 4 = 16 Trees Required

Level 2 Outdoor Deck	2
Level 1 (At -Grade)	11
Street Trees in R.O.W.	3

TOTAL TREES PROVIDED: 16

*total does not include (4) existing trees to remain *Meets Requirement

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OPEN SPACE DIAGRAMS

Scale

1" = 20'-0"

A0.13

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Description
BUILDING FLOOR AREA DIAGRAMS

Scale
1/16" = 1'-0"

A0.14

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BUILDING AREA				
Name	Level	Occupancy	Area	Type of Construction
B				
Offices	LEVEL 01	B	2,265 SF	2B
BBQ Area	LEVEL 01	B	395 SF	5B
Tenant Amenity	LEVEL 01	B	604 SF	2B
Conference	LEVEL 01	B	351 SF	2B
			3,615 SF	
B			3,615 SF	
R-2				
Units	LEVEL 01	R-2	1,729 SF	5A
Units	LEVEL 01	R-2	1,796 SF	5A
Units	LEVEL 01	R-2	1,731 SF	5A
Elec. & Tool	LEVEL 01	R-2	97 SF	5B
			5,354 SF	
Units	LEVEL 02	R-2	1,729 SF	5A
Units	LEVEL 02	R-2	1,729 SF	5A
Units	LEVEL 02	R-2	1,729 SF	5A
Units	LEVEL 02	R-2	1,729 SF	5A
Units	LEVEL 02	R-2	2,186 SF	5A
			9,102 SF	
Units	LEVEL 03	R-2	1,729 SF	5A
Units	LEVEL 03	R-2	1,729 SF	5A
Units	LEVEL 03	R-2	1,729 SF	5A
Units	LEVEL 03	R-2	2,186 SF	5A
Units	LEVEL 03	R-2	1,729 SF	5A
			9,102 SF	
Units	LEVEL 04	R-2	1,067 SF	5A
Units	LEVEL 04	R-2	1,067 SF	5A
Units	LEVEL 04	R-2	1,067 SF	5A
Units	LEVEL 04	R-2	339 SF	5A
Units	LEVEL 04	R-2	339 SF	5A
Units	LEVEL 04	R-2	339 SF	5A
			4,218 SF	
R-2			27,775 SF	
S-2				
Trash	LEVEL 01	S-2	259 SF	5A
Bike	LEVEL 01	S-2	171 SF	5B
Bike	LEVEL 01	S-2	63 SF	5B
			493 SF	
S-2			493 SF	
S-2 (Parking)				
Parking	LEVEL 01	S-2 (Parking)	2,292 SF	2B
			2,292 SF	
S-2 (Parking)			2,292 SF	
			34,175 SF	

OCCUPANCY	
B	
R-2	
S-2	
S-2 (Parking)	

NOTE:

TENANT AMENITY SPACE, CONFERENCE ROOM AND BBQ AREA ARE GROUP A-3 OCCUPANCY, LESS THAN 750 SF, PER 303.1.2.2, CLASSIFIED AS GROUP B.

ELEC. ROOM AND TOOL SHED ARE GROUP S-2 OCCUPANCY, LESS THAN 100 SF, PER 311.1.1, CLASSIFIED AS GROUP R-2.

TRASH ROOM, BIKE PARKING, ARE GROUP S-2 OCCUPANCY, TOTAL AREA LESS THAN 10% OF AREA OF LEVEL 1, PER 508.2, CAN BE CONSIDERED AS GROUP R-2 FOR HEIGHT AND AREA PURPOSES.

4 LEVEL 04 GROSS FLOOR AREA
SCALE: 1/16" = 1'-0"

2 LEVEL 02 GROSS FLOOR AREA
SCALE: 1/16" = 1'-0"

3 LEVEL 03 GROSS FLOOR AREA
SCALE: 1/16" = 1'-0"

1 LEVEL 01 GROSS FLOOR AREA
SCALE: 1/16" = 1'-0"

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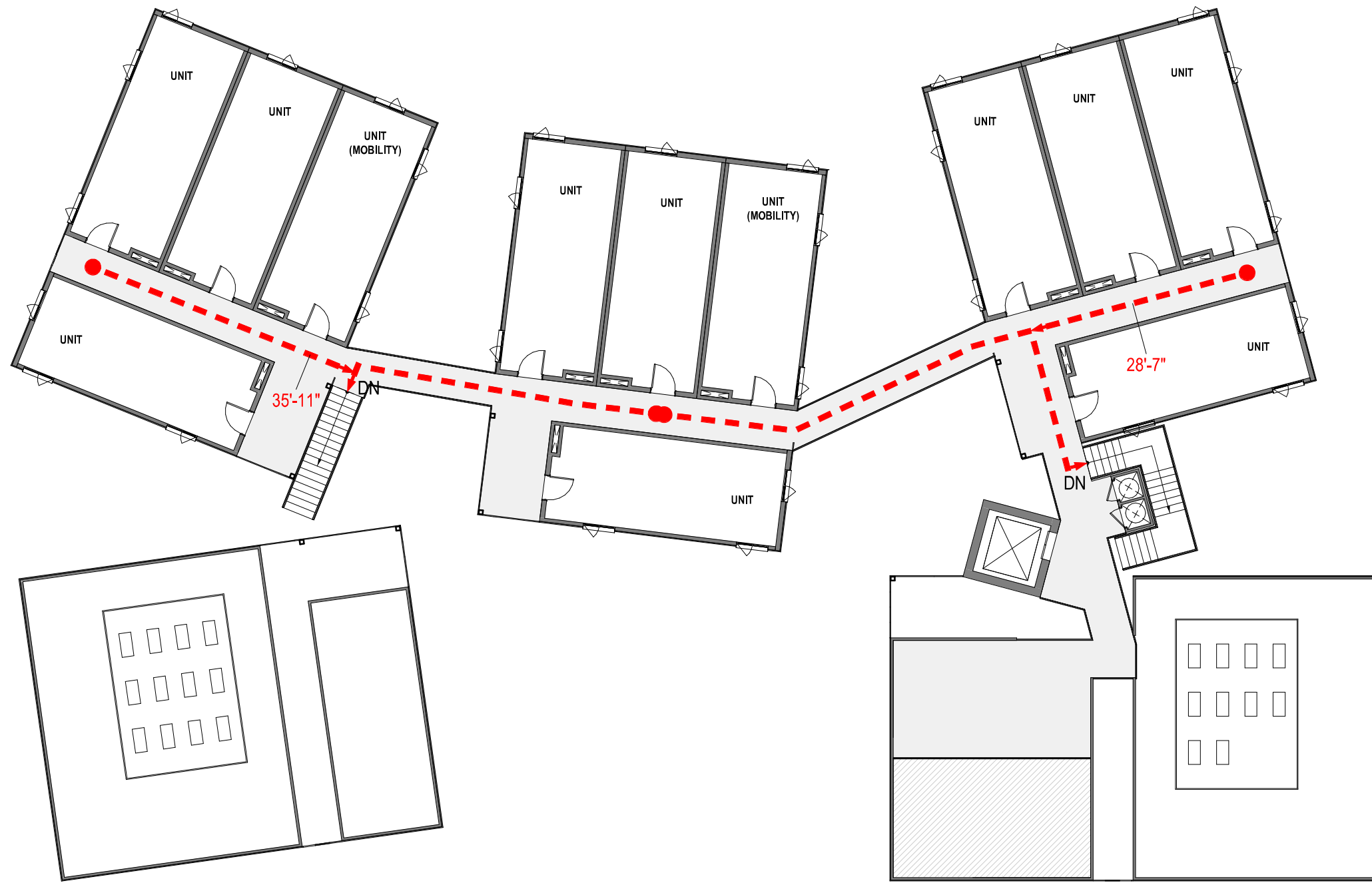
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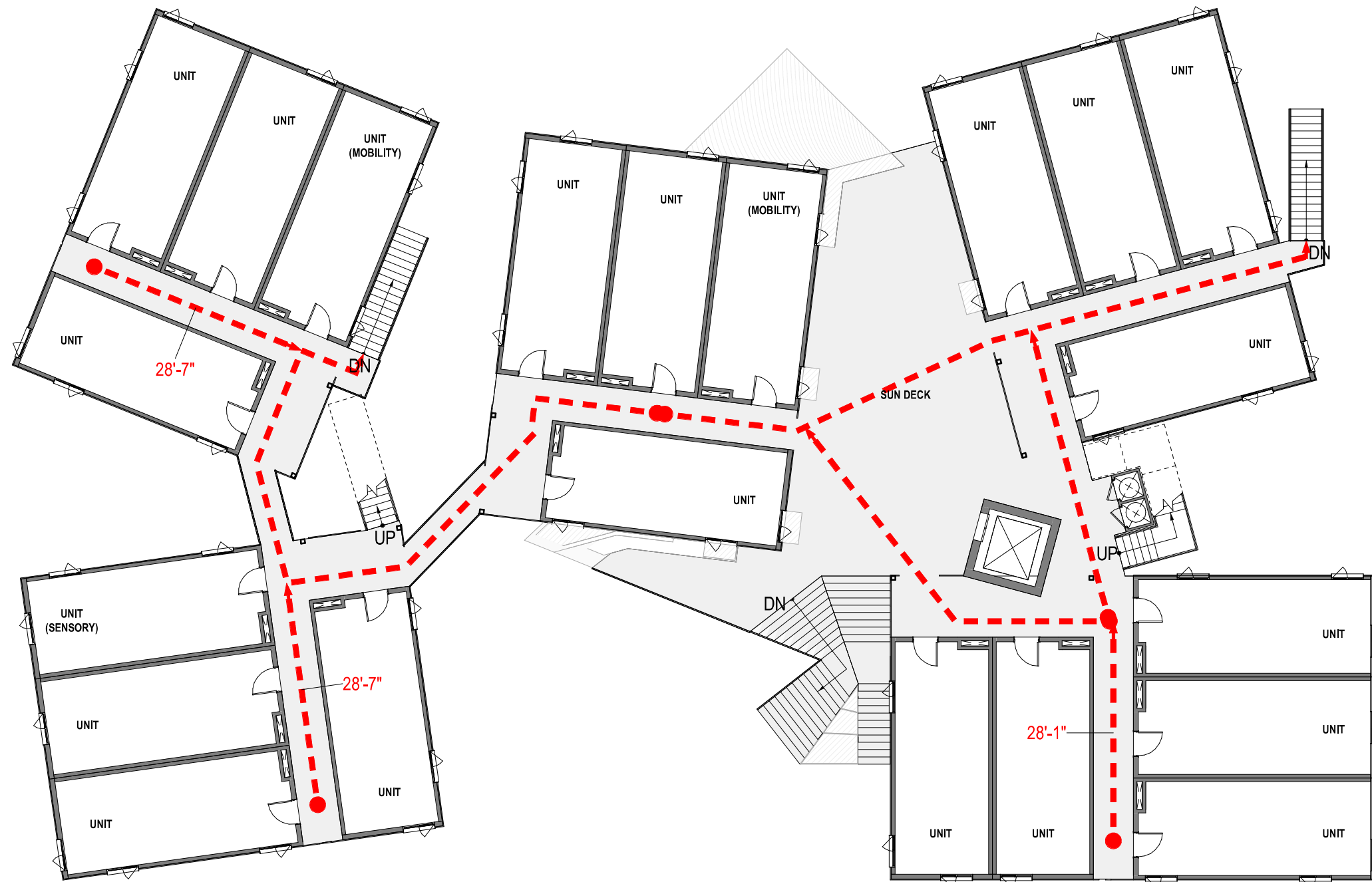
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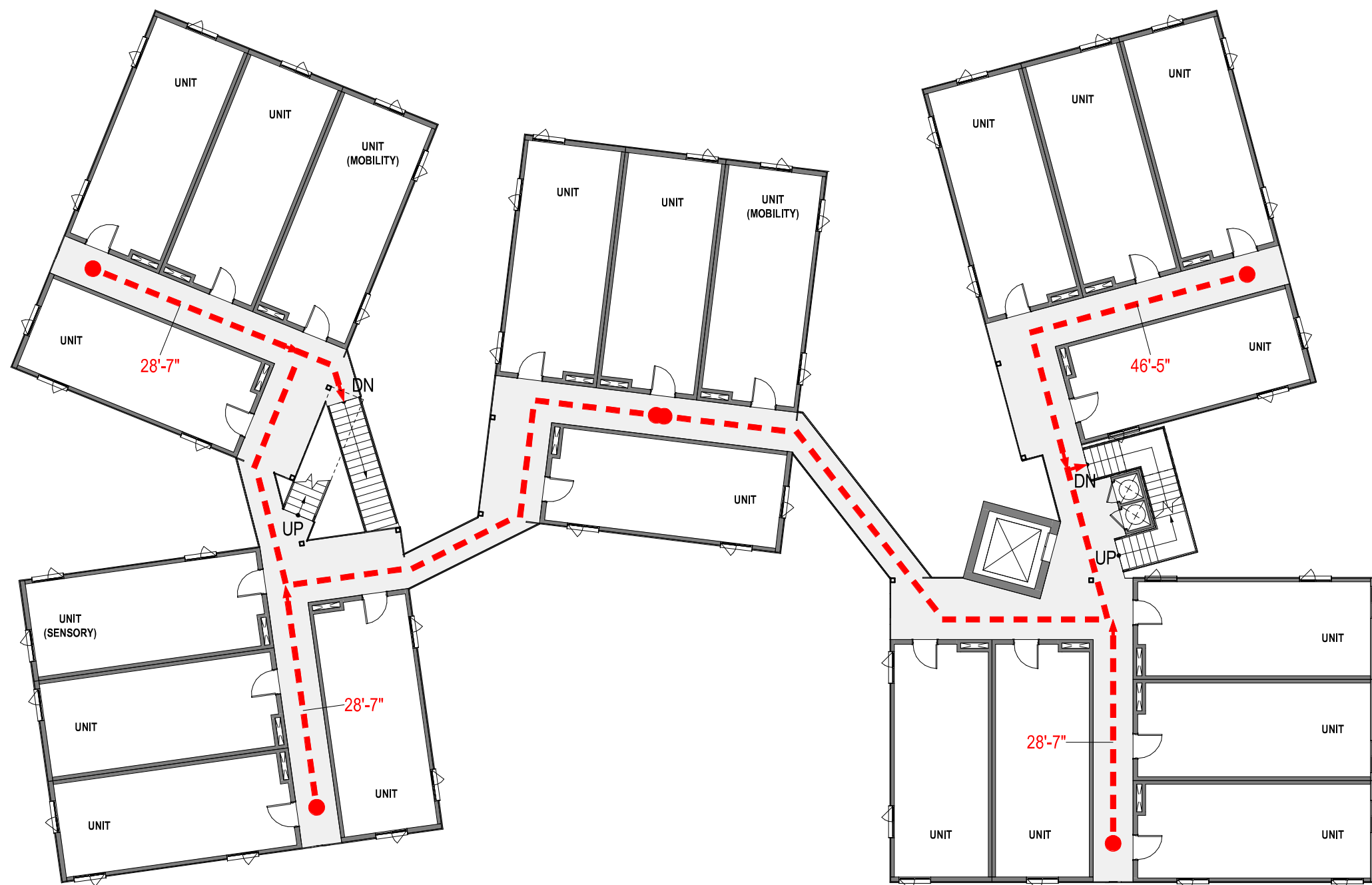
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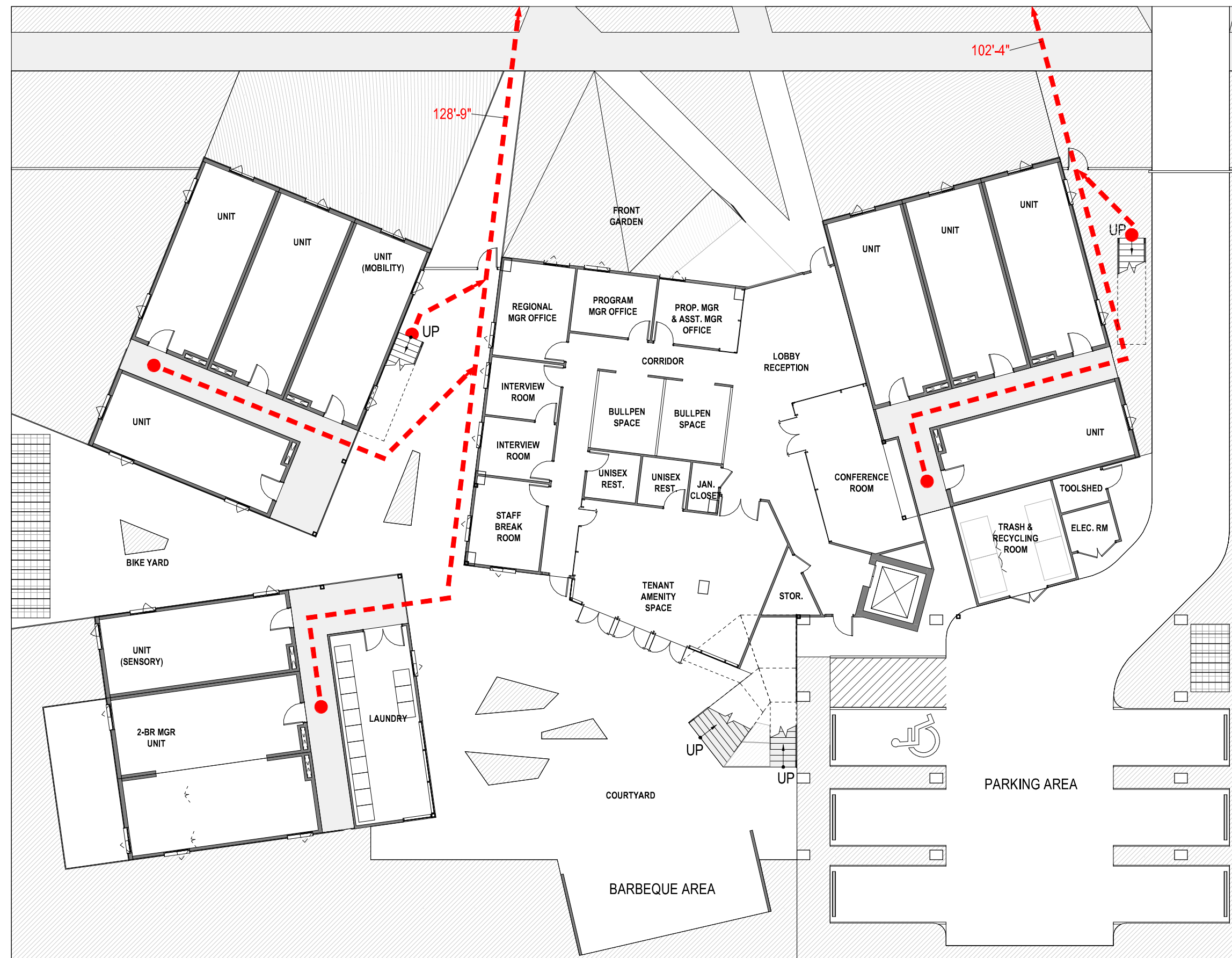
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SCALE: 1/16" = 1'-0"



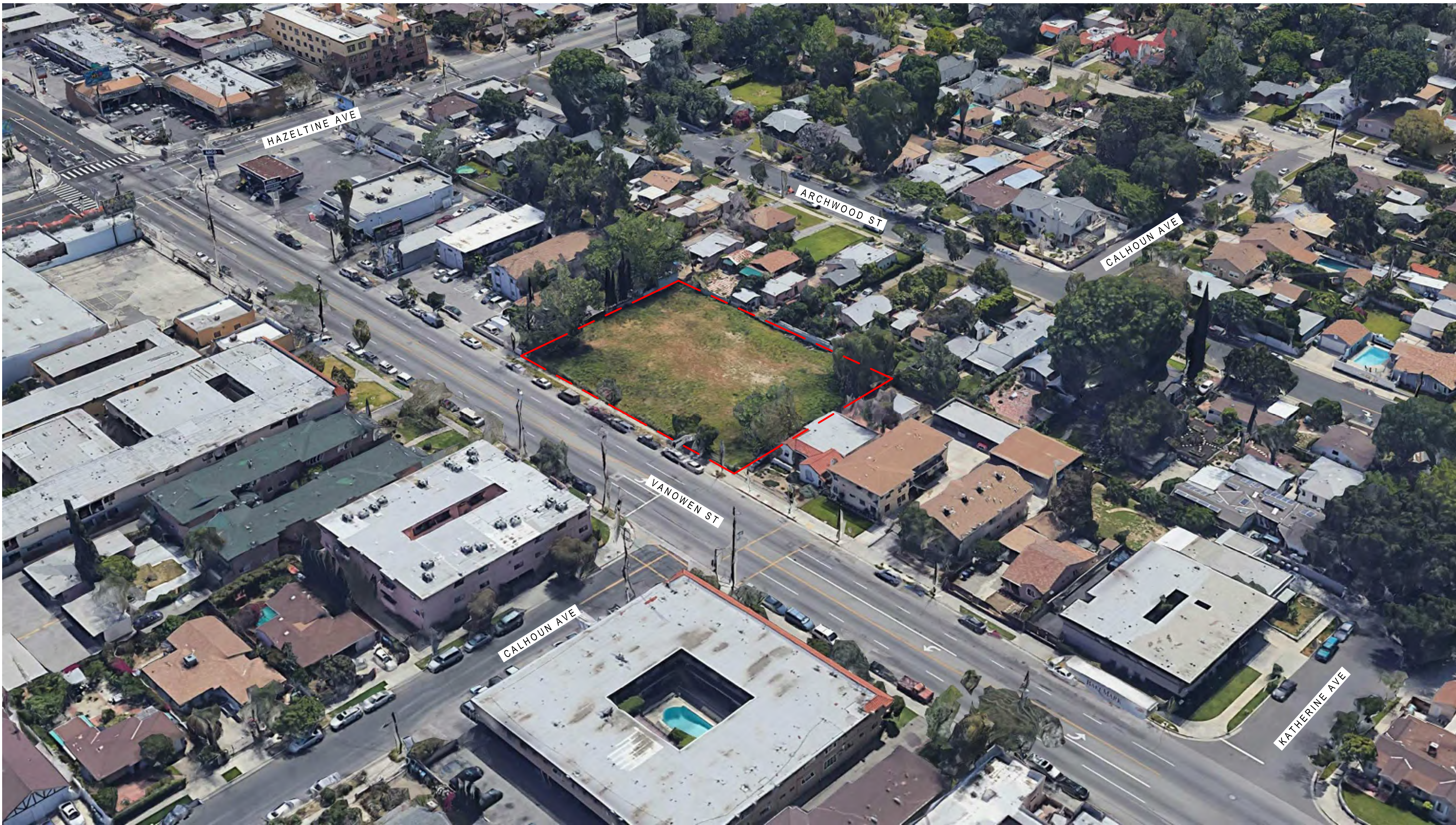
2 EGRESS PLAN - LEVEL 2
SCALE: 1/16" = 1'-0"



3 EGRESS PLAN - LEVEL 3
SCALE: 1/16" = 1'-0"



1 EGRESS PLAN - LEVEL 1
SCALE: 1/16" = 1'-0"



EXISTING SITE AERIAL - FROM NORTHWEST



VANOWEN ST, LOOKING WEST



VANOWEN ST, LOOKING EAST



KEY PLAN

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Description

EXISTING SITE PHOTOS

Scale

NOT TO SCALE

A0.16



ROUNDBOUT AT ARCHWOOD AND KATHERINE



NORTH SIDE OF VANOWEN



VIEW LOOKING WEST ON ARCHWOOD AT CALHOUN



RESIDENCES ON ARCHWOOD

NEIGHBORHOOD CONTEXT



SITE PLANNING OUT OF SYNC WITH CONTEXT

SITE PLANNING IN HARMONY WITH CONTEXT

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Description

EXISTING SITE CONTEXT

Scale

A0.17



RENDERED VIEW LOOKING WEST ON VANOWEN



RENDERED VIEW LOOKING EAST ON VANOWEN

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RENDERING

Scale

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RENDERED VIEW - AERIAL FROM NORTH



RENDERED VIEW - AERIAL FROM SOUTH



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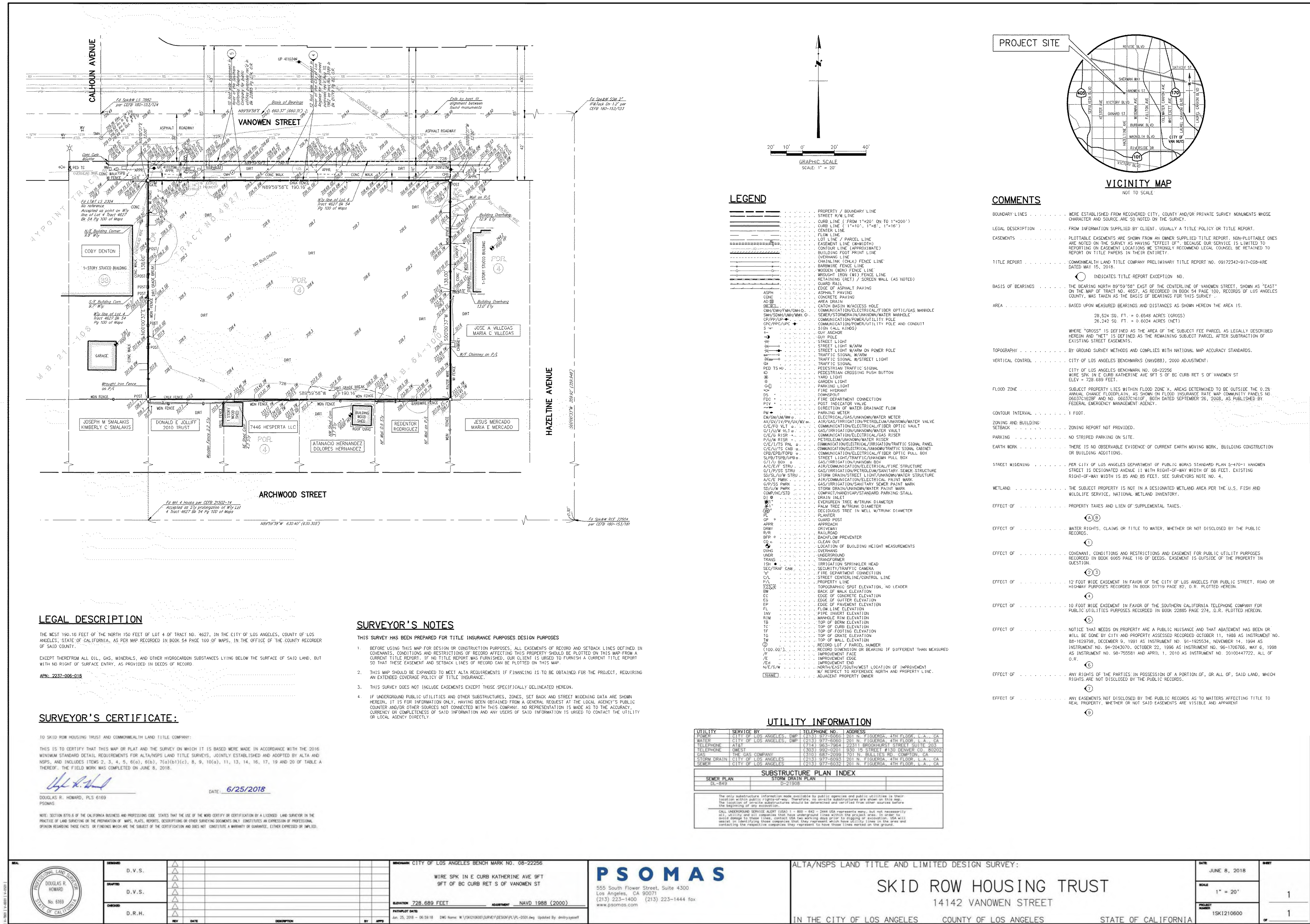
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RENDERING

Scale

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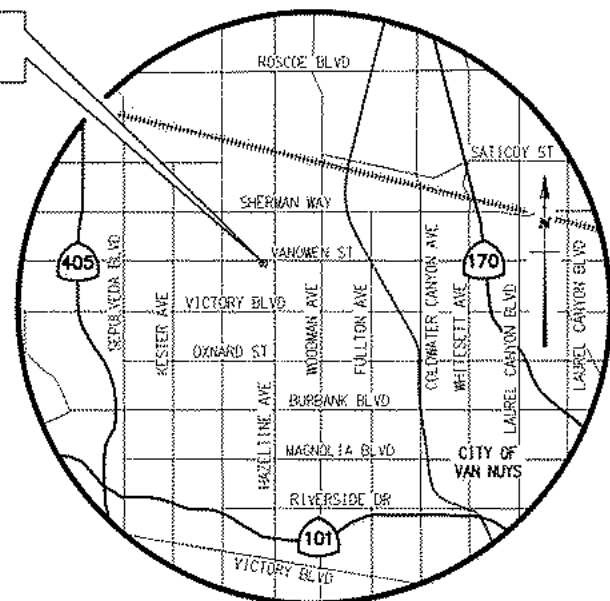
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VICINITY MAP
NOT TO SCALE

Date	Description
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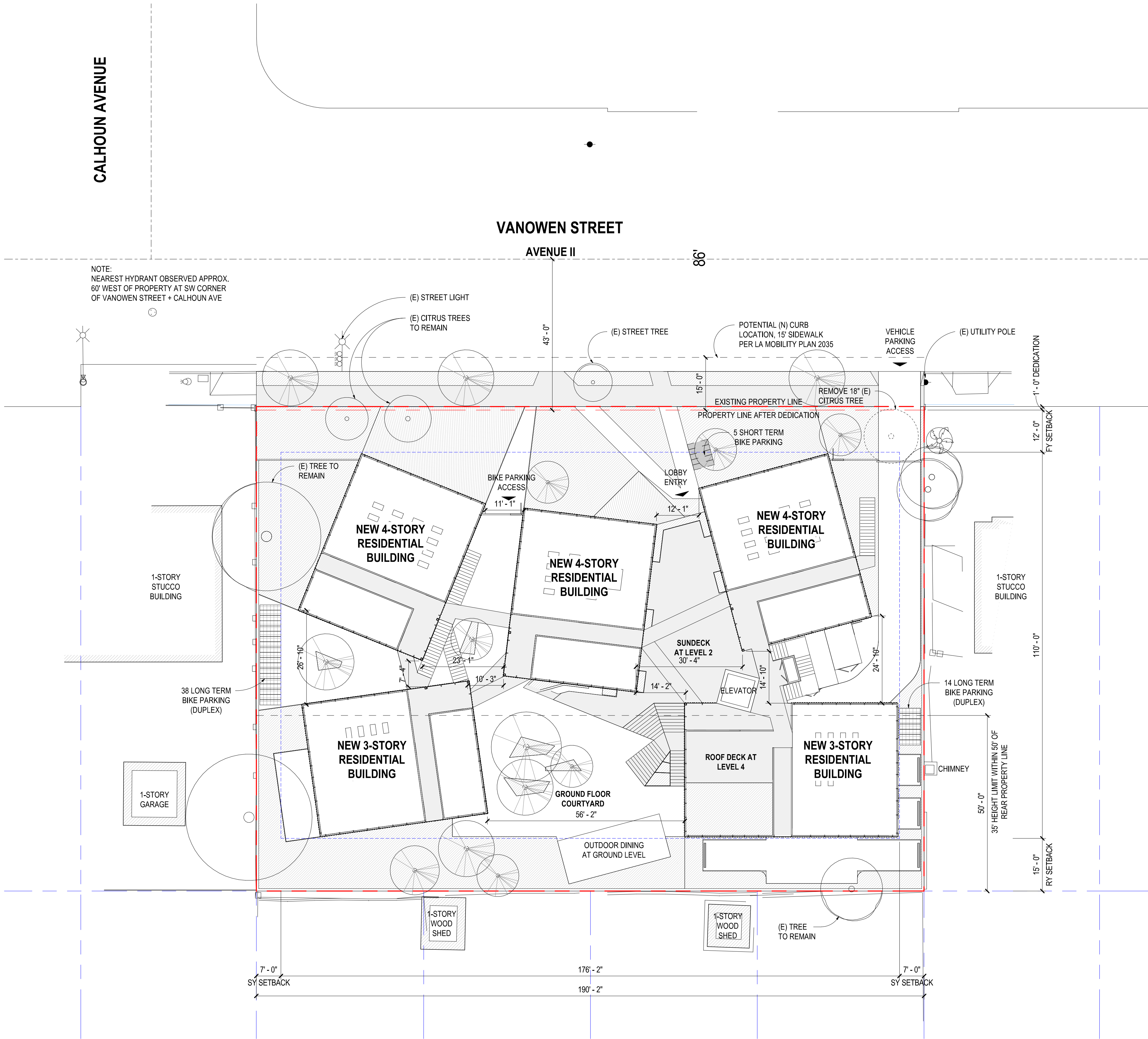
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Description
SITE SURVEY

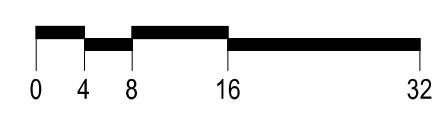
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C1.00

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1 SITE PLAN
SCALE: 1/16" = 1'-0"



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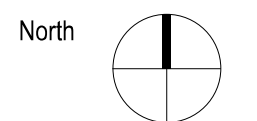
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Description

SITE PLAN

Scale

1/16" = 1'-0"



A1.01

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Description

FLOOR PLAN - LEVEL 1

Scale

1/8" = 1'-0"

North

A2.01

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1 FLOOR PLAN - LEVEL 1

SCALE: 1/8" = 1'-0"

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Description

FLOOR PLAN - LEVEL 2

Scale

1/8" = 1'-0"

North

A2.02

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A4.02

A3.01

A4.01

A3.01

A4.01

A4.02

A2.11

1 FLOOR PLAN - LEVEL 2

SCALE: 1/8" = 1'-0"

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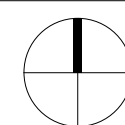
Description

FLOOR PLAN - LEVEL 3

Scale

1/8" = 1'-0"

North



A2.03

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1 FLOOR PLAN - LEVEL 3

SCALE: 1/8" = 1'-0"

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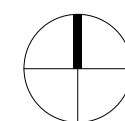
Description

FLOOR PLAN - LEVEL 4

Scale

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North



A2.04

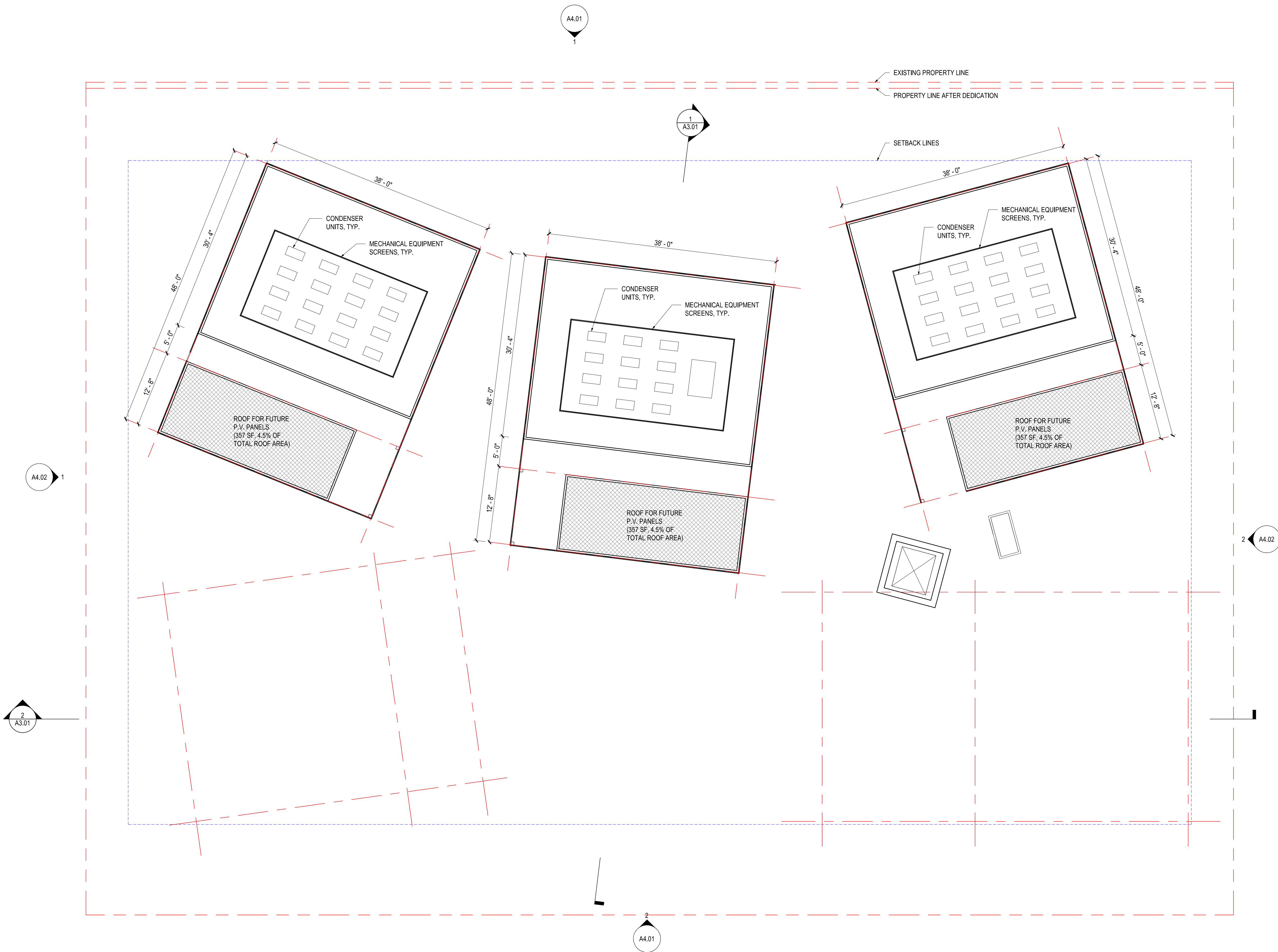
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1 FLOOR PLAN - LEVEL 4

SCALE: 1/8" = 1'-0"

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1 FLOOR PLAN - ROOF

SCALE: 1/8" = 1'-0"

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Description

FLOOR PLAN - ROOF

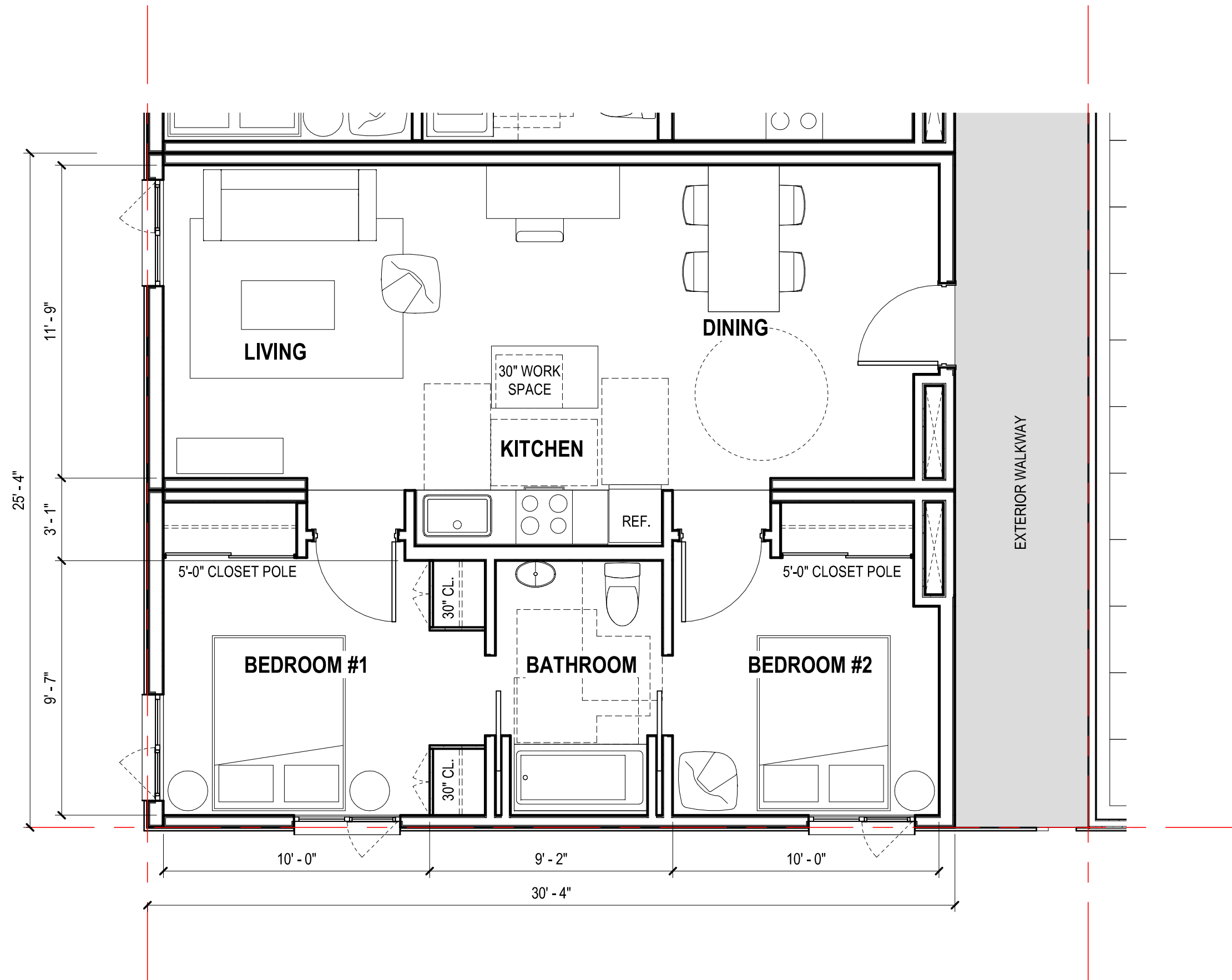
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North

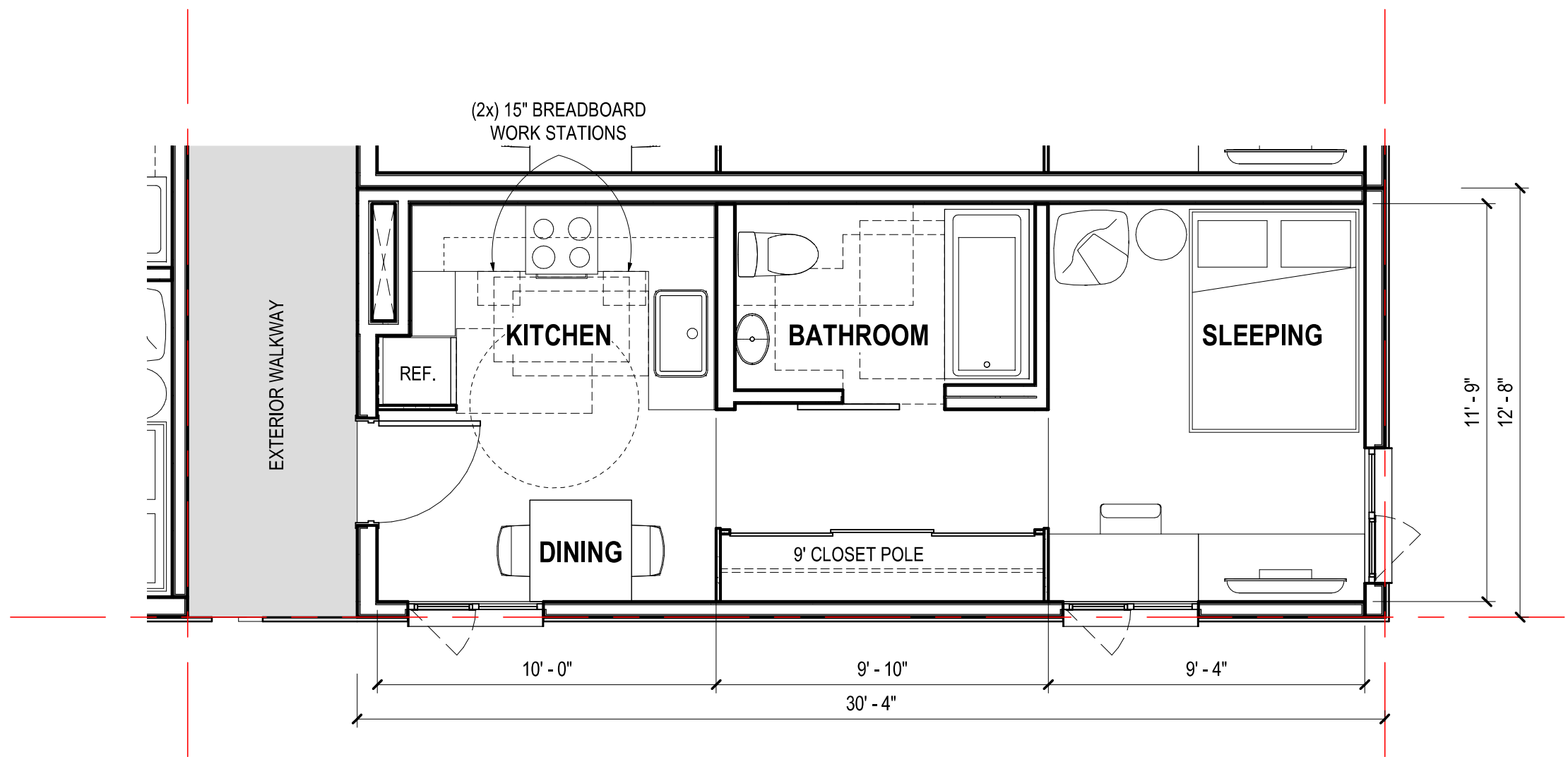
A2.05

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2 2-BEDROOM UNIT

SCALE: 1/4" = 1'-0"



1 TYPICAL STUDIO UNIT PLAN

SCALE: 1/4" = 1'-0"

NOTE:

MANAGERS UNIT WILL BE ADAPTABLE FOR FUTURE INSTALLATION OF MOBILITY FEATURES PER CBC 1134A.2 AND WILL BE EQUIPPED WITH COMMUNICATION FEATURES TO SATISFY SENSORY UNIT REQUIREMENTS.

UNITS 103, 203, 211, 303, 311, 403 AND 411 WILL BE PROVIDED WITH MOBILITY FEATURES BUT UTILIZE SAME LAYOUT AS TYPICAL STUDIO UNIT.

UNITS 105, 205 AND 305 WILL BE PROVIDED WITH COMMUNICATION FEATURES TO SATISFY SENSORY UNIT REQUIREMENTS.

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Description

UNIT PLANS

Scale

1/4" = 1'-0"

A2.11

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Description

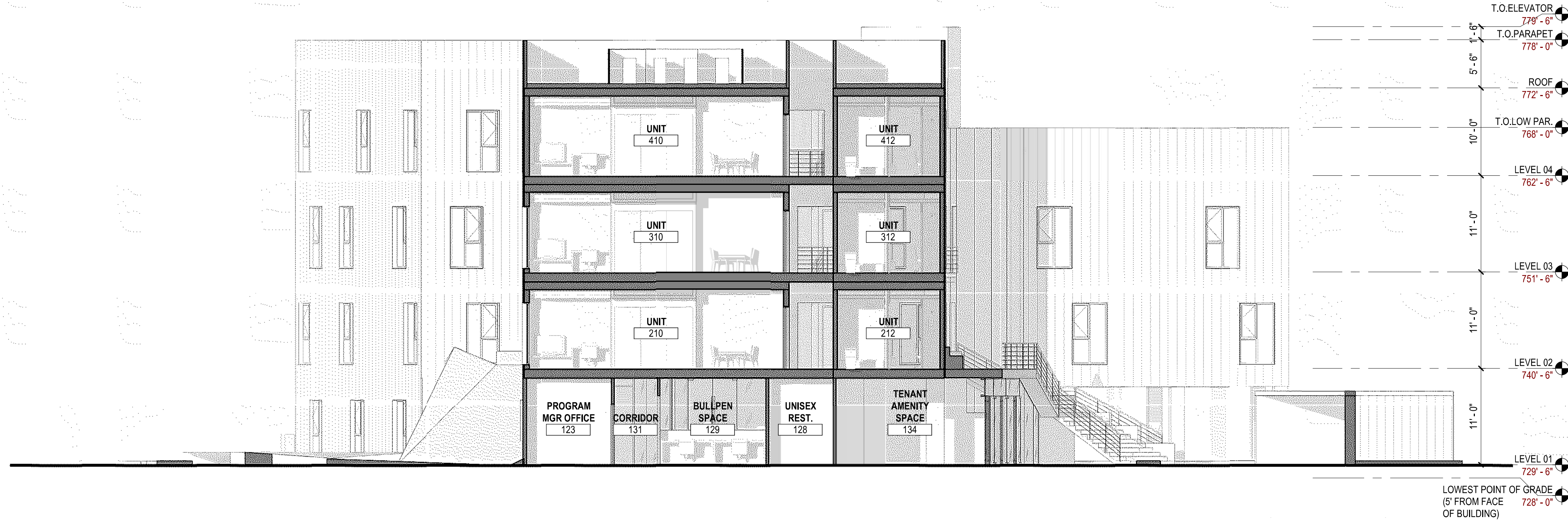
BUILDING SECTIONS

Scale

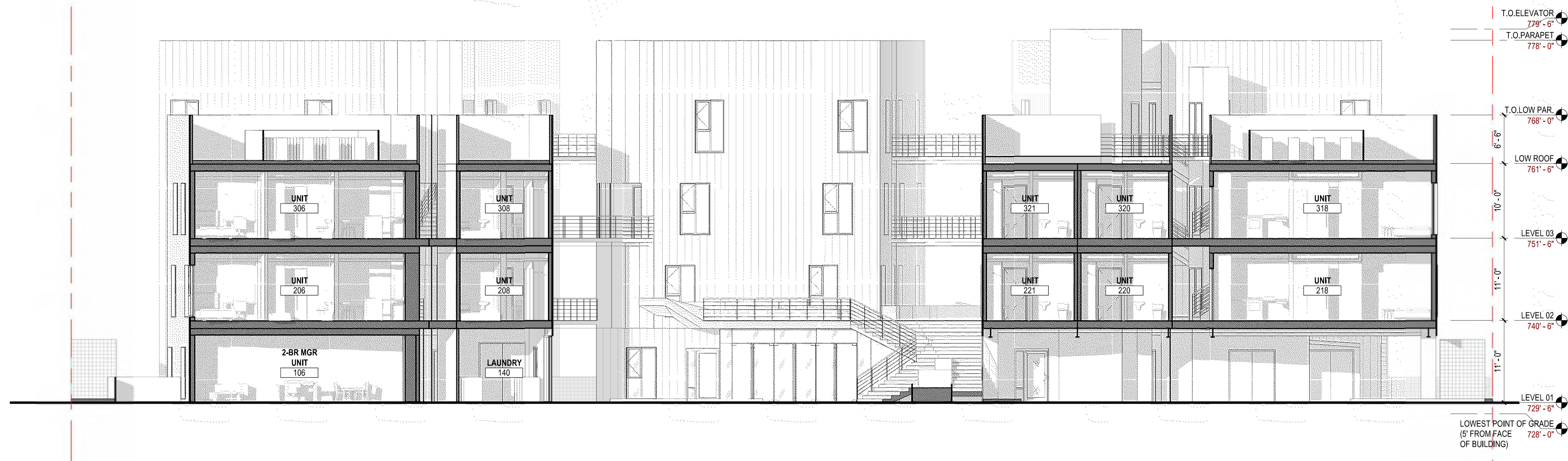
1/8" = 1'-0"

A3.01

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1 BUILDING SECTION A-A
SCALE: 1/8" = 1'-0"

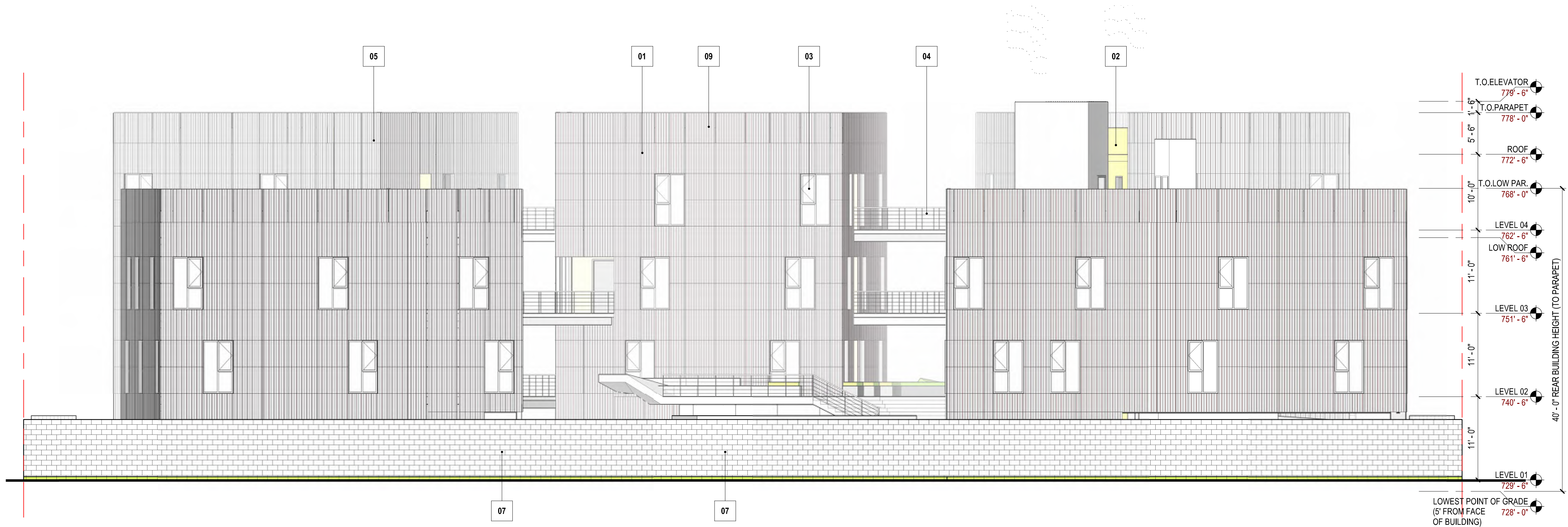


2 BUILDING SECTION B-B
SCALE: 1/8" = 1'-0"

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1 BUILDING ELEVATION - NORTH
SCALE: 1/8" = 1'-0"



2 BUILDING ELEVATION - SOUTH
SCALE: 1/8" = 1'-0"

MATERIALS LEGEND

- 01. CORRUGATED EXTERIOR CLADDING
- 02. PAINTED STUCCO
- 03. OPERABLE WINDOWS - LOW E
- 04. CABLE MESH GUARDRAIL
- 05. CORRUGATED PERFORATED EXTERIOR SCREENING ELEMENTS
- 06. DECORATIVE CONCRETE
- 07. OPERABLE PATIO DOORS
- 08. PLANTED GREEN BERMS
- 09. MECHANICAL EQUIPMENT SCREEN

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Los Angeles, CA 91405

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500 South Figueroa Street
Los Angeles, California 90071
United States

Tel 213.327.3600
Fax 213.327.3601

Date Description

Seal / Signature

NOT FOR
CONSTRUCTION

Project Name

Confianza

Project Number

005.2269.000

Description

BUILDING ELEVATIONS

Scale

1/8" = 1'-0"

A4.01

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1 BUILDING ELEVATION - EAST
SCALE: 1/8" = 1'-0"



2 BUILDING ELEVATION - WEST
SCALE: 1/8" = 1'-0"

MATERIALS LEGEND

- 01. CORRUGATED EXTERIOR CLADDING
- 02. PAINTED STUCCO
- 03. OPERABLE WINDOWS - LOW E
- 04. CABLE MESH GUARDRAIL
- 05. CORRUGATED PERFORATED EXTERIOR SCREENING ELEMENTS
- 06. DECORATIVE CONCRETE
- 07. OPERABLE PATIO DOORS
- 08. PLANTED GREEN BERMS
- 09. MECHANICAL EQUIPMENT SCREEN

Skid Row Housing Trust

14142-14154 Vanowen Street
Los Angeles, CA 91405

Gensler

500 South Figueroa Street
Los Angeles, California 90071
United States

Tel 213.327.3600
Fax 213.327.3601

Date	Description
------	-------------

Seal / Signature

NOT FOR
CONSTRUCTION

Project Name

Confianza

Project Number

005.2269.000

Description

BUILDING ELEVATIONS

Scale

1/8" = 1'-0"

A4.02



MATERIAL TEXTURES IN THE NEIGHBORHOOD



01. CORRUGATED EXTERIOR CLADDING



02. PAINTED STUCCO



03. OPERABLE WINDOWS - LOW E



04. CABLE MESH GUARDRAIL



05. CORRUGATED PERFORATED EXTERIOR SCREENING ELEMENTS



06. DECORATIVE CONCRETE



07. OPERABLE PATIO DOORS



08. PLANTED GREEN BERMS

PROPOSED EXTERIOR MATERIAL PALETTE

Skid Row Housing Trust

14142-14154 Vanowen Street
Los Angeles, CA 91405

Gensler

500 South Figueroa Street
Los Angeles, California 90071
United States

Tel 213.327.3600
Fax 213.327.3601

△ Date Description

Seal / Signature

NOT FOR
CONSTRUCTION

Project Name

Confianza

Project Number

005.2269.000

Description

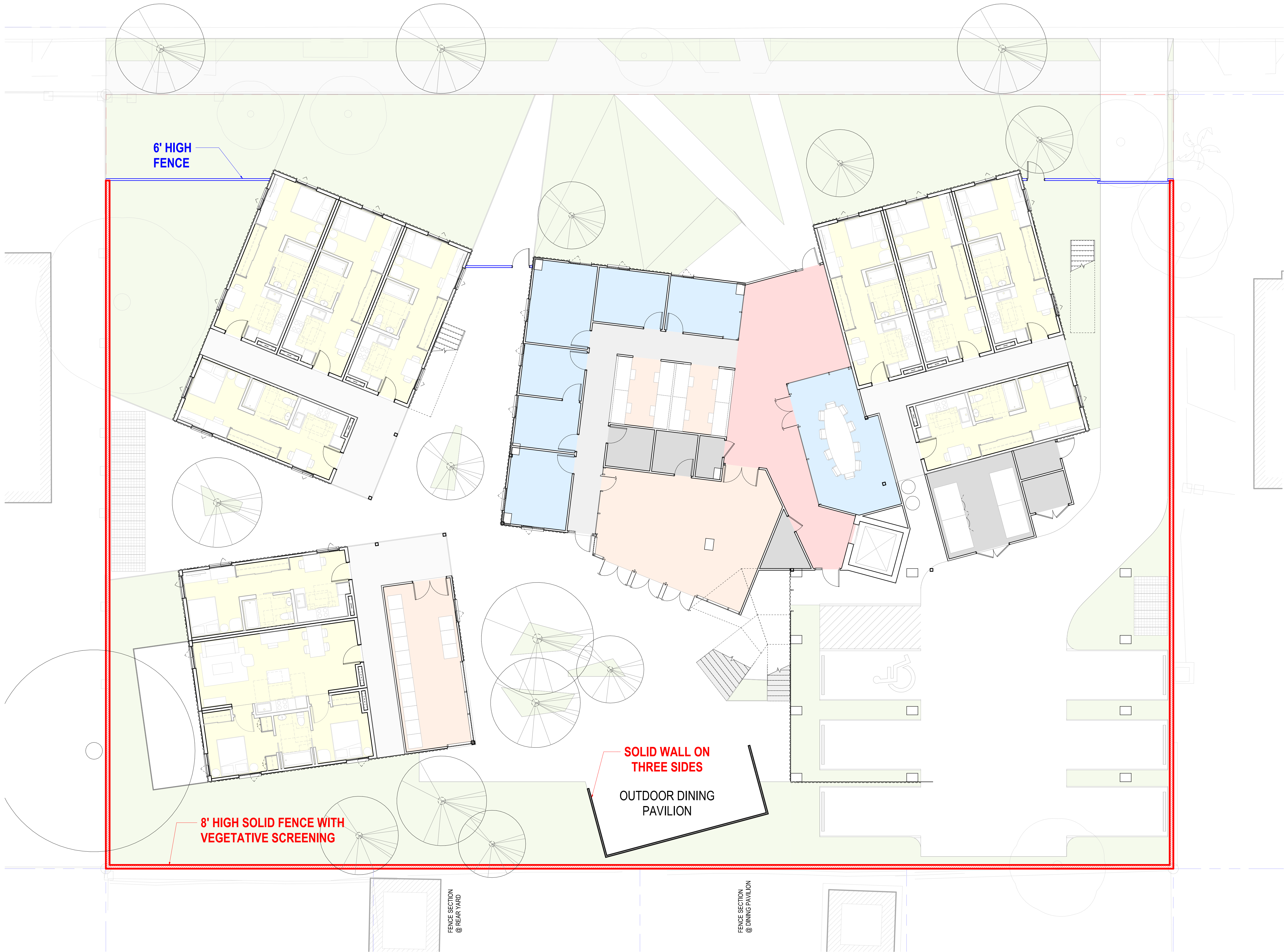
EXTERIOR MATERIALS

Scale

NOT TO SCALE

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FENCE LOCATION DIAGRAM

Skid Row Housing Trust

14142-14154 Vanowen Street
Los Angeles, CA 91405

Gensler

500 South Figueroa Street
Los Angeles, California 90071
United States

Tel 213.327.3600
Fax 213.327.3601

Date	Description
------	-------------

Seal / Signature

**NOT FOR
CONSTRUCTION**

Project Name

Confianza

Project Number

005.2269.000

Description

FENCE LOCATION DIAGRAM

Scale

NOT TO SCALE

A4.04

△	Date	Description
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Seal / Signature

NOT FOR
CONSTRUCTION

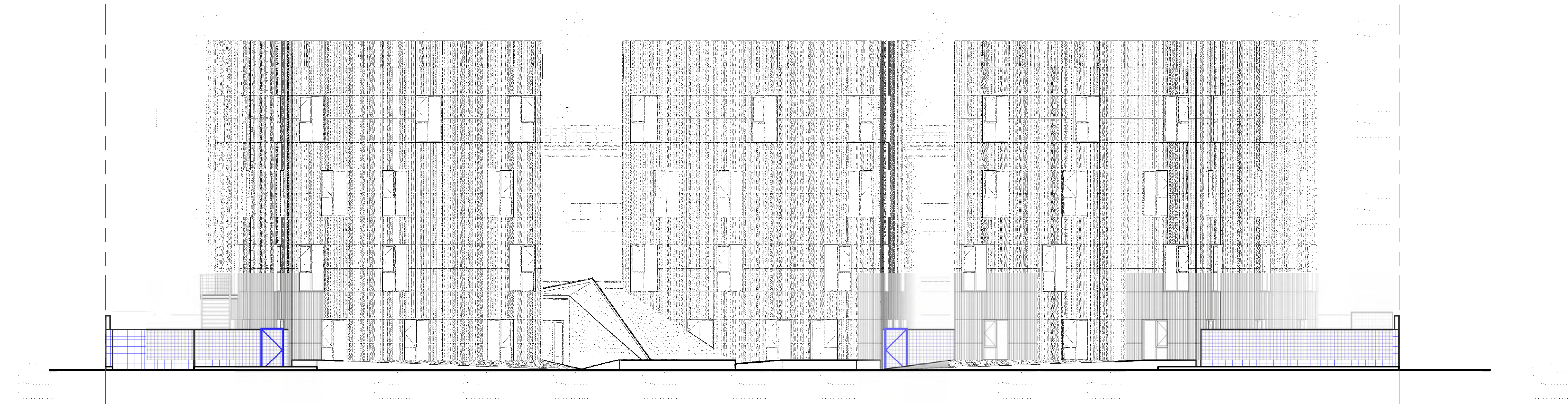
Project Name
Confianza

Project Number
005.2269.000

Description
FENCE MATERIALS

Scale
NOT TO SCALE

A4.05

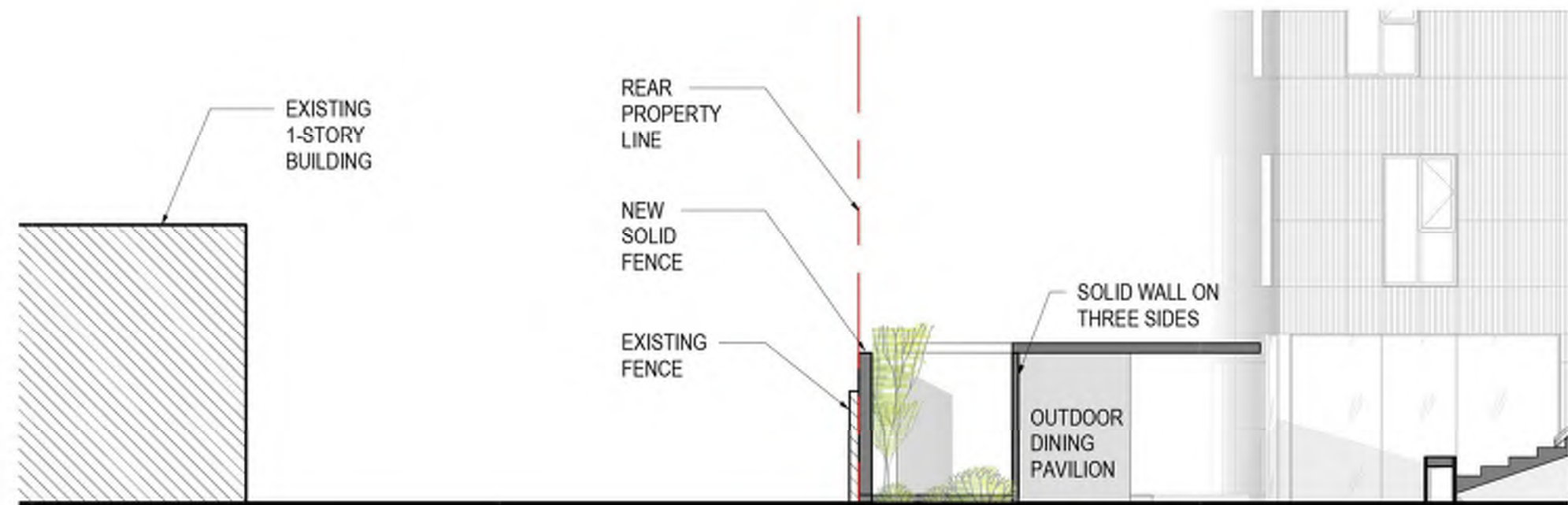


BUILDING ELEVATION - NORTH

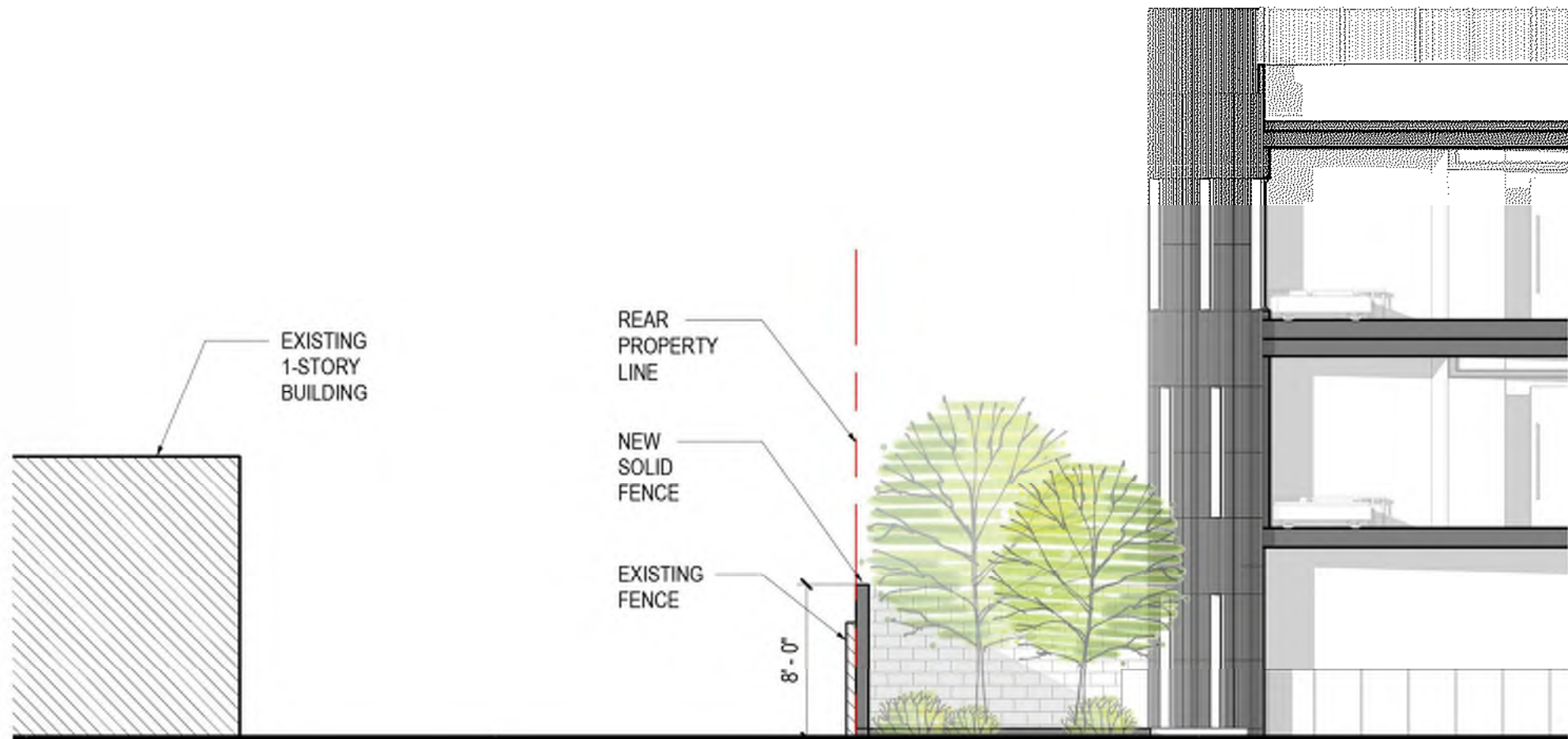


FRONT FENCE MATERIAL IDEAS

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FENCE SECTION @ DINING PAVILION



FENCE SECTION @ REAR YARD



REAR & SIDE FENCE MATERIAL IDEAS

Skid Row Housing Trust

14142-14154 Vanowen Street
Los Angeles, CA 91405

Gensler

500 South Figueroa Street
Los Angeles, California 90071
United States

Tel 213.327.3600
Fax 213.327.3601

△ Date Description

Seal / Signature

NOT FOR
CONSTRUCTION

Project Name

Confianza

Project Number

005.2269.000

Description

FENCE MATERIALS

Scale

NOT TO SCALE

A4.06

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TABLE OF AREAS	
TOTAL LOT AREA	<u>26,278 SF</u>
TOTAL BUILDING SITE FOOTPRINT AREA	9,699 SF
TOTAL PLANTED AREA - LEVEL 1	5,440 SF
TOTAL TREES REQUIRED FOR 64 UNITS (1 TREE PER 4 UNITS)	16 TREES
<u>TOTAL TREES PROVIDED</u>	<u>16 TREES</u>
OPEN SPACE PROVIDED - LEVEL 1	<u>4,160 SF</u>
OPEN SPACE PROVIDED - LEVEL 2	<u>1,440 SF</u>

///XX-CHEE SALETTE/TINA CHEE - license #16mp3jg



©TCLS, inc.



VANOWEN STREET

The site plan illustrates a residential development along Vanowen Street. The plan includes several building footprints, each containing detailed floor plans of individual units. Key features include:

- COURTYARD 4**: A central courtyard measuring 1,440 SF, featuring a circular planter with a wooden bench and a screen box.
- LANDSCAPING**: Various planters and green spaces are shown, including a "SLOPED PLANTED BERM FROM LEVEL 1 TO LEVEL 2", a "GUARDRAIL", a "PLANTER SCREEN BOX", a "PLANTER WITH WOOD BENCH", a "STEPPED PLANTER", and a "PLANTED ROOF".
- STAIRS**: Multiple staircases are indicated with "UP" and "DN" (down) labels, showing the vertical circulation within the development.
- DIMENSIONS**: Numerous dimensions are provided for building footprints, courtyards, and landscaping elements, such as 138'-0" for the overall site width and 190'-1" for the street width.

PLANTING LEGEND						
IMAGE REFERENCE	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	LOCATION
GRASSES						
		MUHLENBERGIA DUBIA	PINE MUHLY	5G	(292)	LEVEL 1+2+3 SLOPED AREAS
		MUHLENBERGIA CAPILLARIS	WHITE CLOUD MUHLY	5G	(13)	LEVEL 01
PERENNIALS/SHRUBS						
		ERIOGONUM PARVIFLORUM	CLIFF BUCKWHEAT	1G	(15)	LEVEL 01
		ERIOPHYLLUM NEVINII	WOOLLY SUNFLOWER	1G	(16)	LEVEL 01
		ACHILLEA MILLEFOLIUM	CA YARROW	1G	(19)	LEVEL 01
		PENSTEMON SPECTABILIS	SHOWY PENSTEMON	1G	(15)	LEVEL 01
		AGAVE DESMETTIANA	SMOOTH AGAVE	5G	(36)	LEVEL 01 + LEVEL 02
		ROSEMARY OFFICINALIS	ROSEMARY	5G	(21)	LEVEL 02
VINES						
		FICUS PUMILA	CREeping FIG	1G	(35)	LEVEL 01
SHRUB/HEDGES						
		RHAMNUS CALIFORNICA	COFFEE BERRY HEDGE	5G	(38)	LEVEL 01
TREES						
		ARBUTUS MARINA	STRAWBERRY TREE	36" BOX	(1)	LEVEL 02
		MELALEUCA QUINQUENERVIA	PAPERBARK TREE	36" BOX	(5)	LEVEL 01
		ACACIA STENOPHYLLA	SHOESTRING ACACIA	48" BOX	(8)	LEVEL 01
		STREET TREES PER URBAN FORESTRY SUGGESTED: GEIJERA PARVIFLORA	AUSTRALIAN WILLOW	24" BOX	(3)	LEVEL 01

LANDSCAPE ARCHITECT - lic #6159
1800 SOUTH BRAND BOULEVARD, STUDIO 212
GLENDALE, CALIFORNIA 91204
TEL: 323-691-6647
EMAIL: tchee@tclstudio.net

REGULATORY APPROVALS

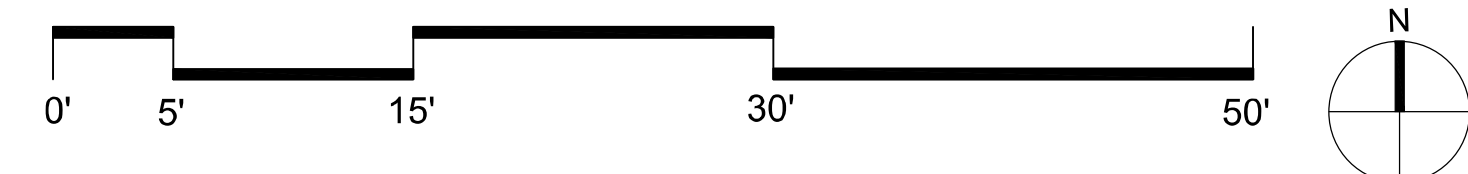
[illegible]

PROJECT NAME

APN : 2237-006-018

LANDSCAPE LEVEL 2 PLAN

©TCLS, inc.



A

B

532

EXHIBIT B

ENADIA

GAULT

VOSE

STANSBURY

MURIETTA

COSTELLO

COLBATH

RANCHITO

HART

5

VAN NUYS

LENNOX

TYRONE

KATHERINE

CALHOUN

HAZELTINE

VANOWEN

HARTLAND

CANTALOUPE

ARCHWOOD

PROJECT SITE

LEMAY

SYLMAR

KITTRIDGE

HAYNES

HAMLIN

GILMORE

VICTORY

MATILIA

MAMMOTH

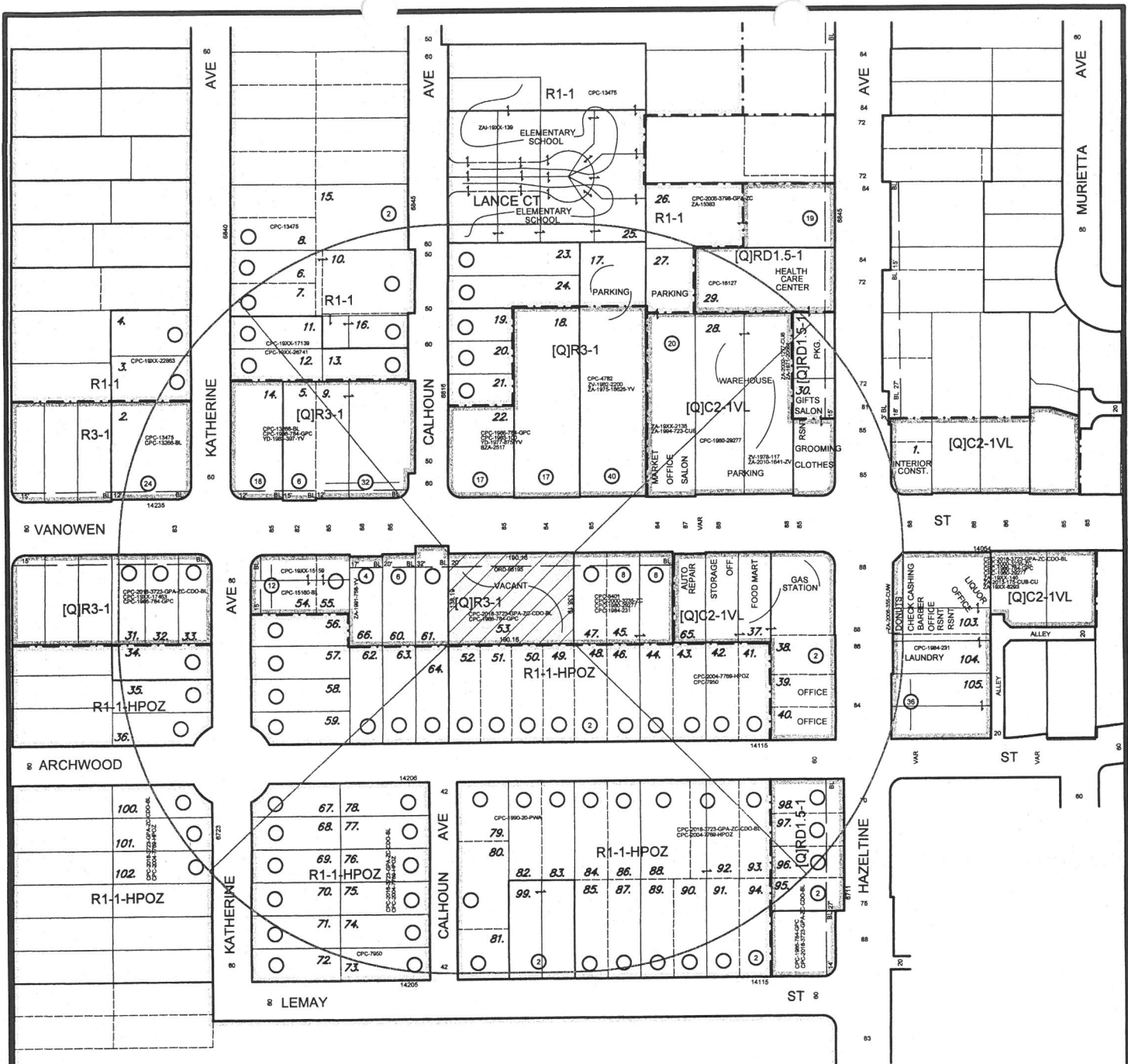
©1994 Thomas Bros. Maps

CPC-2019-5295

VICINITY MAP

SITE : 14142 VANOWEN STREET

GC MAPPING SERVICE, INC.3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803(626) 441-1080, FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM



CPC-2019-5295

LEGAL: PORTION OF LOT 4, TRACT NO. 4627(SEE APPLICATION).

SITE PLAN REVIEW **CONDITIONAL USE PERMIT FOR DENSITY BONUS**

C.D. 2
C.T. 1281.02
P.A. VAN NUYS-
NORTH SHERMAN OAKS

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850

SITE: 14142 VANOWEN ST.

CASE NO.
DATE: 08-19-2019
SCALE: 1" = 100'
USES FIELD
D.M. 180 B 153
T.B. PAGE: 532 GRID: B-6

1.15 NET AC.



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: August 21, 2019

TO: CONFIANZA, LP, a California limited partnership, Owner

FROM: Marites Cunanan, Senior Management Analyst I *[Signature]*
Los Angeles Housing and Community Investment Department

SUBJECT: **AB 2556/SB 35 (DB) Determination for
14142-14154 West Vanowen Street, Los Angeles, CA 91405**

Based on the Affordable Unit Determination Application submitted by Confianza, LP, a California limited partnership (Owner), the Los Angeles Housing and Community Investment Department (HCIDLA) has determined that no units are subject to replacement under AB 2556 (formerly AB 2222) and the properties are in compliance with the provisions of SB 35.

SITE REQUIREMENTS:

Pursuant to Section 401(c) of the Streamlined Ministerial Approval Process Guidelines (Guidelines) published by the California Department of Housing and Community Development (November 29, 2018) the development proponent shall demonstrate that, as of the date of the application under the Streamlined Ministerial Approval Process (Application) is submitted, the development is not located on a site where any of the following apply:

- (1) The development would require the demolition of the following types of housing:
 - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - (B) Housing that is subject to any form of rent or price control through a locality's valid exercise of its police power.
 - (C) Housing that has been occupied by tenants, as defined by Section 102(y) of the Guidelines, within the past ten years.
- (2) The site was previously used for housing that was occupied by tenants that was demolished within ten years before the development proponent submits an Application.
 - (A) When property with a building that was demolished in the past ten years has been zoned for exclusively residential use, there is a presumption that it was occupied by tenants, unless the development proponent can provide verifiable documentary evidence from a government or independent third party source to rebut the presumption for each of the ten years prior to the application date.
 - (B) When property with a building that was demolished in the past ten years has been zoned to allow residential use in addition to other uses, the developer proponent shall include in its application a description of the previous use and verification it was not occupied by residential tenants.
- (3) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.

(4) The property contains housing units that are occupied by tenants and the development would require a subdivision.

REVIEW OF DOCUMENTS:

Confianza, LP, a California limited partnership (Owner), submitted the Application for the property located at and commonly known as 14142-14154 West Vanowen Street, Los Angeles, CA 91405 (APN # 2237-006-018) (Property), on August 14, 2019. In order to comply with the ten year look back period required, the Los Angeles Housing and Community Investment Department (HCID) collected and reviewed data from August 2009 to August 2019.

Pursuant to the Owner's Grant Deed, the Property was acquired on October 4, 2018.

The most recent Certificate of Occupancy for the Property indicate that it consists of a single family dwelling.

Google Earth, Google Street View, and an internet search on the Property all show vacant land within the last 10 years.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and Code, Compliance, and Rent Information System (CRIS) database indicate a use code of "010V – Residential – Single Family Residence – Vacant Land".

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for a new Building Permit or a Demolition Permit.

Per the statement received by HCIDLA on August 14, 2019, the Owner plans to construct a three (3) and four (4) story permanent supportive housing development for the previously homeless, containing sixty-four (64) units on the Property pursuant to SB 35 and Density Bonus (DB) guidelines.

DETERMINATION:

The proposed development meets the site requirements for the Streamlined Ministerial Approval Process. HCIDLA has determined that since August 14, 2009, the Property is and has continued to be a vacant lot. The proposed development does not: (1) require the demolition of the prohibited types of housing, (2) was not previously used for tenant occupied housing demolished within the past ten years, (3) does not require the demolition of a historic structure and (4) does not contain housing units occupied by tenants requiring a subdivision.

AB 2556 does not apply to land which has been vacant within the last 10 years, therefore no AB 2556 replacement affordable units are required.

Please note that this AB 2556 determination will also apply if the proposed project is TOC.

If you have any questions about this Determination, please contact Jacob Comer of the Los Angeles Housing Community and Investment Department at (213) 808-8563, or Jacob.comer@lacity.org.

NOTE: This determination is provisional and is subject to verification by HCIDLA's Rent Division.

cc: Los Angeles Housing and Community Investment Department File
CONFIANZA, LP, a California limited partnership, Owner
Ulises Gonzalez, Case Management Section, City Planning Department

MAC:jc

REFERRAL FORMS:

AFFORDABLE HOUSING REFERRAL FORM LOS ANGELES CITY PLANNING DEPARTMENT



This form is to serve as a referral to the Department of City Planning Development Services for case filing purposes (in addition to the required Department of City Planning Application, supporting documentation) and as a referral to HCIDLA, CRA, LA County, or other City agency for project review and need purposes. This form shall be completed by the applicant and reviewed and signed by Department of City Planning staff prior to case filing. Any modifications to the content(s) of this form after its authorization by the Department of City Planning staff is prohibited.

CITY STAFF USE ONLY

Referral To:

☒ Planning DSC - Filing ☐ HCIDLA Funding ☐ CRA ☐ LA County ☐ Other: Confianza - REVISION

NOTES: Requesting SB 35 Streamlining

Planning Staff Name and Title

Maidel Werano, Planning Assoc

Planning Staff Signature

Maidel Werano

Date

9/25/2019

(The Department of City Planning reserves the right to require an updated AHRF for the project if more than 180 days have transpired since the above date, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.)

I. PROPOSED PROJECT

1. PROJECT LOCATION/ ZONING

Project Address: 14142 Vanowen Street, Van Nuys, CA 91405

Project Name: Confianza

Applicant Name and Phone/Email: Skid Row Housing Trust, paige.dow@skidrow.org, 213.683.0522

Assessor Parcel Number(s): 2237-006-018

Community Plan: Van Nuys - North Sherman Oaks Number of Lots: 1 Lot Size: 28,542 s.f.

Existing Zone: [Q]R3-1 Land Use Designation: Medium Residential

☐ Specific Plan ☐ HPOZ ☐ DRB ☐ Enterprise Zone ☐ CRA

☒ Q-condition/ D-limitation/ T-classification (please specify): 1 DU/1200 SF lot area, 35 ft height limit

☐ Other pertinent zoning information (please specify): _____

☐ Location of Major Transportation Stop or Intersection (please specify):¹ _____

2. DESCRIPTION OF PROPOSED PROJECT

Construction of a 3- and 4-story multifamily supportive housing project consisting of 64 dwelling units (63 restricted affordable units and 1 manager's unit).

¹ Per AB 744, A Major Transit Stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. Per Sec 12.22.A.25(b) of LAMC, the definition of Transit Stop/Major Employment Center includes: (1) a station stop for a fixed transit guideway or fixed rail system, (2) a Metro Rapid Bus stop or route, (3) the boundaries of three major economic activity areas, and (4) the boundaries of a college or university campus with an enrollment exceeding 10,000 students.

3. EXISTING USE

A. Describe Existing Development: vacant lot

Characteristic of existing use Dwelling Unit (DU), Commercial/ Industrial, or Other	Existing		To Be Demolished	Proposed ²	
	No. of DU or Guest Rooms	Approximate sq. ft./ea.		No. of DU or Guest Rooms	Approximate sq. ft./ea.
Guest Rooms	0				
Studio	0			63	350
One Bedroom	0				
Two Bedrooms	0			1	700
Three Bedrooms	0				
_____ Bedroom	0				
Commercial / Industrial	0				
Other:	0				

B. Previous Cases Filed

	(1)	(2)	(3)
Case Number(s):	_____	_____	_____
Date Filed:	_____	_____	_____
Date Approved:	_____	_____	_____
End of Appeal Period:	_____	_____	_____
Environmental No.	_____	_____	_____

4. TYPE OF APPLICATION

- ☐ Density Bonus (per LAMC Sec. 12.22.A.25) with **no** incentives filed in conjunction with a discretionary approval. If no entitlement case is requested, please contact the Los Angeles Department of Building and Safety (LADBS) at ladbs.org or call 3-1-1 within the City of Los Angeles or (213) 473-3231 outside of the City of Los Angeles.
- ☐ Density Bonus per LAMC Sec. 12.22.A.25 **with incentives on the menu** (please specify): _____
- ☒ Density Bonus per LAMC Sec. 12.22.A.25 **with incentives off menu** (please specify): 15-foot height increase.
7-foot encroachment into the required 20-foot building line on Vanowen Street
- ☐ Density Bonus per LAMC Sec. 12.22.A.25 **with on and off menu incentives** (please specify): _____
- ☐ Greater Downtown Housing Incentive Area per LAMC Sec. 12.22.A.29, Ordinance 179,076 (Sections 7 and 9 through 11 of this form do not apply)
- ☐ Public Benefit Project per LAMC Sec. 14.00.A.2
- ☐ Unapproved Dwelling Unit per LAMC Sec. 14.00.A.10
- ☐ Agreement for Partnered Housing Between Commercial and Housing Developer:
 - ☐ 30% or more of total units provided for low income housing
 - ☐ 15% or more of total units provided for very low income housing
- ☐ General Plan Amendment per LAMC Sec. 11.5.6. Request: _____
- ☐ Zone/Height District Change per LAMC Sec. 12.32. Request: _____
- ☒ Conditional Use per LAMC Sec. 12.22.U.26
- ☐ Site Plan Review per LAMC Sec. 16.05
- ☐ Specific Plan Project Permit Compliance per LAMC Sec. 11.5.7.C
- ☐ Community Design Overlay per LAMC Sec. 13.08
- ☐ Coastal Development Permit per LAMC Sec. 12.20.2 or 12.20.2.1
- ☐ Tract or Parcel Map per LAMC Sec. 17.00 or 17.50
- ☐ Other discretionary incentives requested (please specify): _____

² Replacement units, per AB 2556, shall be equivalent to the number of units, size, and number of bedrooms of the existing development.

5. ENVIRONMENTAL REVIEW

- ☒ Environmental Review Not Required – Project is Ministerial.³ Please explain: SB35 Streamlined Infill Processing
- ☐ Not filed (please contact the Department of City Planning Development Services Center for more information)
- ☐ Filed (indicate case number): _____

6. HOUSING DEVELOPMENT PROJECT TYPE (please check all that apply):

- | | | |
|---|---|---|
| <input type="checkbox"/> For Sale | <input type="checkbox"/> Moderate Income | <input type="checkbox"/> Transitional Foster Youth |
| <input checked="" type="checkbox"/> For Rent | <input checked="" type="checkbox"/> Market Rate | <input type="checkbox"/> Disabled Veteran |
| <input type="checkbox"/> Extremely Low Income | <input type="checkbox"/> Mixed Use Project | <input type="checkbox"/> Homeless |
| <input type="checkbox"/> Very Low Income | <input type="checkbox"/> Senior | <input type="checkbox"/> Special Needs (please describe): _____ |
| <input type="checkbox"/> Low Income | <input type="checkbox"/> Residential Hotel | |

7. DENSITY CALCULATION

A. Base Density: Maximum density allowable per zoning

Lot size	<u>26.242</u>	s.f. (a)
Density allowable by zone	<u>1200</u>	units/s.f. of lot area (b)
Units allowed by right (Base Density)	<u>22</u>	units (c) [$c = a/b$, Including fraction and round up to the next whole number]

B. Maximum Allowable Density Bonus: 30 units (d) [$d = c \times 1.35$, include fraction and round up to whole number]

C. Proposed Project: Please indicate total number of Units requested as well as breakdown by levels of affordability set by each category (HCD or HUD). For information on HCD and HUD levels of affordability please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org.⁴

	<u>Total</u>	<u>HCD (State)</u>	<u>HUD (TCAC)</u>
Market Rate		N/A	N/A
Managers Unit(s) - Market Rate	<u>1</u>	N/A	N/A
Extremely Low Income			
Very Low Income	<u>18</u>	<u>18</u>	
Low Income	<u>45</u>		<u>45</u>
Moderate Income			N/A
Seniors- Market Rate		N/A	N/A
Seniors- Very Low Income			
Seniors- Low Income			
Seniors – Moderate Income			
Transitional Foster Youth–Very Low Income*			
Disabled Veterans – Very Low Income*			
Homeless – Very Low Income*			
Total # of Units per Category		(e)	(f)
Percent of Affordable Units by Category		(g)	(h)
[g = e/c or e/i, whichever is less, c or i] [h = f/c or f/i, whichever is less, c or i]			
TOTAL # of Units Proposed	<u>64</u> (i)		
Number of Density Bonus Units	<u>43</u> (j) [If $i > c$, then $j = i - c$; if $i < c$, then $j = 0$]		
Percent Density Bonus Requested	<u>195%</u> (k) [$k = j/c$]		
Percent of Affordable Set Aside	<u>98%</u> (c) x % of affordable housing units provided		

* Per AB 2442, a 10% setaside with Very Low Income units at 20% Density Bonus.

³ Ministerial Projects (aka, "By-Right") do not require any discretionary Planning approvals. Developers of such housing file building plans with the Department of Building & Safety. Plans are checked for compliance with the Building Code and, when in compliance, permits are issued to begin construction.

⁴ HCD (State) = Published affordability levels per California Department of Housing and Community Development. HUD (TCAC) = Published affordability levels per the United States Department of Housing and Urban Development.

- 8. SITE PLAN REVIEW CALCULATION** An application for Site Plan Review may be required for projects that meet any of the Site Plan Review thresholds as outlined in LAMC Section 16.05.C. unless otherwise exempted per Section 16.05.D. For Density Bonus projects involving bonus units, please use the formula provided below to determine if the project meets the Site Plan Review threshold for unit count. If project meets the threshold(s) but qualifies under the exemption criteria per Section 16.05.D please confirm exemption with Department of City Planning's DSC Housing Unit.

21 units allowed by right (permitted by LAMC) – 0 existing units = 21 units

- ☐ YES, Site Plan Review is required, if Proposed Base Density units minus existing units is equal to or greater than 50⁵
- ☒ NO, Site Plan Review is not required, if Base Density units minus existing units is less than 50
- ☐ NO, Site Plan Review is not required if Proposed Project is not utilizing a Density Bonus and total Project is less than 50
- ☐ Exempt (please specify): _____

II. DENSITY BONUS (LAMC Sec.12.22.A.25, Ordinance 179,681)

9. DENSITY BONUS OPTIONS (Please check all that apply)

- ☐ Land Donation
- ☐ Child Care
- ☒ Restricted Affordable Units Located Near Transit Stop/ Major Employment Center
- ☐ Common Interest Development with Low or Very Low Income Restricted Affordable Units for Rent
- ☐ Condominium Conversion

☒ **Parking (Please choose only one of the following options):** Parking will be provided per SB35

- ☐ **Parking Option 1:** Based on # of bedrooms, inclusive of Handicapped and Guest parking. Fractional numbers are rounded down.

	# of Units	Spaces/Unit	Parking Required	Parking Provided
0-1 Bedroom		1		
2-3 Bedrooms		2		
4 or more Bedrooms		2.5		
TOTALS				

- ☐ **Parking Option 2:** Reduced only for Restricted Affordable Units: up to 40% of required parking for Restricted Affordable Units may be compact stalls. Fractional numbers are rounded down.

	# of Units	Spaces/Unit	Parking Required	Parking Provided
Market Rate (Including Senior Market Rate)		Per code		
Restricted Affordable		1		
Very Low/ Low Income Senior or Disabled		.5		
Restricted Affordable in Residential Hotel		.25		
TOTALS				

- ☐ **Parking Option 3:** AB 744 - Applies to two types of projects: (A) 100% affordable developments consisting solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families; or (B) mixed-income developments consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively.

⁵ Site Plan Review may also be required if other characteristics of the project exceeds the thresholds listed in Sec. 16.05 of the LAMC.

☐ **A) 100% Affordable Rental Projects**

	# of Units	Spaces/Unit	Parking Required	Parking Provided
Located within ½ mile of major transit stop		0.5		
Senior having either paratransit service or unobstructed access within ½ mile to fixed bus route service that operates at least 8 times/day		0.5		
Special needs having either paratransit service or unobstructed access within ½ mile to fixed bus route service that operates at least 8 times/day		0.3		

☐ **B) Mixed Income Projects consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively**

	# of Bedrooms	Spaces/Bedroom	Parking Required	Parking Provided
Located within ½ mile of major transit stop with unobstructed access to project		0.5		

APPLICABLE TO PARKING OPTION 3 – AB744 ONLY: (1) **Major transit stop** means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. (2) The maximum ½ mile distance to a major transit stop is measured in a straight line ("as the crow flies"). (3) Tandem or uncovered parking is permitted. (4) Fractional numbers are rounded up.

10. INCENTIVES

- ☐ Please check if you are requesting an incentive from AB 2501 "Development Bonuses From a Mixed Use Development".

A. Project Zoning Compliance & Incentives (Please check all that apply)

	<u>Required/ Allowable</u>	<u>Proposed</u>	<u>ON Menu</u>	<u>OFF Menu</u>
<input type="checkbox"/> (1) Yard/Setback (each yard counts as 1 incentive)				
<input type="checkbox"/> Front			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Rear			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Side(s)			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (2) Lot Coverage			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (3) Lot Width			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (4) Floor Area Ratio ⁶			<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> (5) Height/ # of Stories ⁷ 35 feet		50 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> (6) Open Space			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (7) Density Calculation			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> (8) Averaging (all count as 1 incentive)			<input type="checkbox"/>	<input type="checkbox"/>
FAR			—	—
Density			—	—
Parking			—	—
OS			—	—
Vehicular Access			—	—
<input checked="" type="checkbox"/> Other (please specify): Building Line		7 feet encroachment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> 24-ft building separation		7'4"-23'1" separation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> 14-ft passageway		12'1" passageway	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

TOTAL # of Incentives Requested:

24

⁶ If applicable, provide vicinity map showing 50% of commercially zoned parcel is within 1,500 feet from Transit Stop or Major Employment Center.

⁷ See Sec. 12.22.A.25(f) 5 for additional requirements.

B. Qualification for Incentives On the Menu: (Please check only one)

Incentives	% Very Low Income	% Low Income	% Moderate Income
One	<input type="checkbox"/> 5% to <10%	<input type="checkbox"/> 10% to <20%	<input type="checkbox"/> 10% to <20%
Two	<input type="checkbox"/> 10% to <15%	<input type="checkbox"/> 20% to <30%	<input type="checkbox"/> 20% to <30%
Three	<input checked="" type="checkbox"/> 15% or greater	<input type="checkbox"/> 30% or greater	<input type="checkbox"/> 30% or greater
3+	<input type="checkbox"/> (Specify):	<input type="checkbox"/> (Specify):	<input type="checkbox"/> (Specify):

11. COVENANT:

All Density Bonus projects are required to prepare and record an Affordability Covenant to the satisfaction of the Los Angeles Housing Department's Occupancy Monitoring Unit **before** a building permit can be issued. Please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org

12. REPLACEMENT UNITS:

AB 2222 requires that density bonus eligible projects replace any pre-existing affordable housing units on the project site. Replacement units include the following: (Answer the following with yes or no.)

- A. Units subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income? 0
- B. Units occupied by lower or very low income households below 80% AMI per California Department of Housing and Community Development Department levels not already listed above? 0
- C. Units subject to the Rent Stabilization Ordinance not already listed above? 0
- D. Units that have been vacated or demolished in the last 5 years? 0
- E. Per AB 2556, are the number of replacement units, size and number of bedrooms equivalent to that being demolished (as shown on Existing Development Table on page 2 above)? n/a

III. GREATER DOWNTOWN HOUSING INCENTIVE AREA (GDHIA)

13. GREATER DOWNTOWN HOUSING INCENTIVE AREA (LAMC SEC. 12.22.A.29, Ordinance 179,076)

A. ELIGIBILITY FOR FLOOR AREA BONUS

NOTE: Published affordability levels per the United States Department of Housing and Urban Development (HUD/TCAC). Please consult with Los Angeles Housing Department's Occupancy Monitoring Unit for additional information.

- ☐ (1) 5% of the total number of dwelling units provided for Very Low Income households; and
- ☐ (2) One of the following shall be provided:
 - ☐ 10% of the total number of dwelling units for Low Income households; or
 - ☐ 15% of the total number of dwelling units for Moderate Income households; or
 - ☐ 20% of the total number of dwelling units for Workforce Income households; and
- ☐ (3) Any dwelling unit or guest room occupied by a household earning less than 50% of the Area Median Income that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan Area in which it is located.

B. INCENTIVES (Please check all that apply)

NOTE: Must meet all 3 eligibility requirements from above and provide a Covenant & Agreement (#11).

- ☐ (1) A 35% increase in total floor area.
- ☐ (2) Open Space requirement pursuant to Section 12.21.G reduced by one-half, provided fee is paid.
- ☐ (3) No parking required for units for households earning less than 50% AMI.
- ☐ (4) No more than one parking space required for each dwelling unit.

C. ADDITIONAL INCENTIVES TO PRODUCE HOUSING IN THE GREATER DOWNTOWN HOUSING INCENTIVE AREA

- ☐ (a) No yard requirements except as required by the Urban Design Standards and Guidelines
- ☐ (b) Buildable area shall be the same as the lot area (for the purpose of calculating buildable area for residential and mixed-use)
- ☐ (c) Maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions as long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units.
- ☐ (d) No prescribed percentage of the required open space that must be provided as either common open space or private open space.

CALIFORNIA ENVIRONMENTAL QUALITY ACT**NOTICE OF EXEMPTION**

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

CPC-2019-5295-DB-CU-SIP

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

N/A

PROJECT TITLE

Confianza

COUNCIL DISTRICT

2 –Paul Krekorian

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

☐ Map attached.**14142-14154 W. Vanowen Street (between Katherine Ave. and Hazeltine Ave.)**

PROJECT DESCRIPTION: The project involves the construction, use, and maintenance of a 3- and 4-story, 40- and 50-foot in height, 64 dwelling unit affordable housing development (100% affordable, exclusive of one market-rate manager's unit) consisting of five smaller buildings linked together via pedestrian bridges and 7,023 square feet of common open space areas. The project will provide six (6) parking spaces at grade level for employees of the supportive services, and will provide 52 long-term and 5 short-term bicycle parking spaces. The project will be 31,167 square feet in floor area with a Floor Area Ratio ("FAR") of 1.70:1 and contain approximately 3,393 square feet of ground floor residential supportive services. The site is currently vacant with six (6) non-protected trees on site and within the parkway, of which two (2) are proposed for removal and the rest are proposed to remain.

NAME OF APPLICANT / OWNER:

Sierra Atilano; Confianza LP

CONTACT PERSON (If different from Applicant/Owner above)

Jessica Hencier; Craig Lawson & Co., LLC

(AREA CODE) TELEPHONE NUMBER

EXT.

(310) 838-2424

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☒ STATUTORY EXEMPTION(S)Public Resources Code Section(s) 21080(b)(1) and Government Code Section 65913.4☐ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) _____

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☐ Additional page(s) attached

The proposed project is a Streamlined Infill Project that satisfies the objective planning standards set forth in Senate Bill ("SB") 35 (Government Code Section 65913.4(a)) and is subject to streamlined ministerial approval provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project is therefore a ministerial project that is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080(b)(1).

☐ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Sarah Hounsell

STAFF TITLE

City Planner

ENTITLEMENTS APPROVED

Density Bonus, Conditional Use, Streamlined Infill Project

FEE:

N/A

RECEIPT NO.

N/A

REC'D. BY (DCP DSC STAFF NAME)

N/A

Los Angeles Unified School District

Office of Environmental Health and Safety

AUSTIN BEUTNER
Superintendent of Schools

CARLOS A. TORRES
Director, Environmental Health and Safety

JENNIFER FLORES
Deputy Director, Environmental Health and Safety

November 1, 2019

Sarah Hounsell
Los Angeles Department of City Planning
6262 Van Nuys Boulevard, Room 1B
Van Nuys, CA 91401

SUBJECT: PROJECT LOCATION: 14142 Vanowen St.

Presented below are comments submitted on behalf of the Los Angeles Unified School District (LAUSD) regarding the project located at 14142 Vanowen St.

Based on the extent/location of the proposed development, it is our opinion that environmental impacts on the surrounding community (pedestrian safety, traffic) may occur; due to the fact that traffic from the new development will be dispersed onto Vanowen St. which is close to Andres Maria Cardenas Elementary School (ES). Since the project may have an environmental impact on LAUSD schools, recommended conditions designed to help reduce or eliminate potential impacts are included in this response.

Pedestrian Safety

Construction activities that include street closures, the presence of heavy equipment and increased truck trips to haul materials on and off the project site can lead to safety hazards for people walking in the vicinity of the construction site. To ensure that effective conditions are employed to reduce construction and operation related pedestrian safety impacts on District sites, we ask that the following language be included in the recommended conditions for pedestrian safety impacts:

- Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian routes to school may be impacted.
- Contractors must maintain safe and convenient pedestrian routes to all nearby schools. The District will provide School Pedestrian Route Maps upon your request.
- Contractors must install and maintain appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- Haul routes are not to pass by any school, except when school is not in session.
- No staging or parking of construction-related vehicles, including worker-transport vehicles, will occur on or adjacent to a school property.
- Funding for crossing guards at the contractor's expense is required when safety of children may be compromised by construction-related activities at impacted school crossings.

- Barriers and/or fencing must be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- Contractors are required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.

Traffic/Transportation

LAUSD's Transportation Branch **must be contacted** at (213) 580-2950 regarding the potential impact upon existing school bus routes. The Project Manager or designee will have to notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic within nearby school areas. To ensure that effective mitigations are employed to reduce construction and operation related transportation impacts on District sites, we ask that the following language be included in the mitigation measures for traffic impacts:

- During the construction phase, truck traffic and construction vehicles may not cause traffic delays for our transported students.
- During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may not affect school buses' on-time performance and passenger safety.
- Construction trucks and other vehicles are required to stop when encountering school buses using red-flashing-lights must-stop-indicators per the California Vehicle Code.
- Contractors must install and maintain appropriate traffic controls (signs and signals) to ensure vehicular safety.
- Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing vehicle routes to school may be impacted.

The District's charge is to protect the health and safety of students and staff, and the integrity of the learning environment. The comments presented above identify potential environmental impacts related to the proposed project that must be addressed to ensure the welfare of the students attending Andres Maria Cardenas ES their teachers and the staff, as well as to assuage the concerns of the parents of these students. Therefore, the recommended conditions set forth in these comments should be adopted as conditions of project approval to offset environmental impacts on the affected school students and staff.

Thank you for your attention to this matter. If you need additional information, please contact me at (213) 241-4210.

Regards,



Alex Campbell
Assistant CEQA Project Manager



EXHIBIT F

Sarah Hounsell <sarah.hounsell@lacity.org>

Photos from Coby Denton

1 message

Carol MacRae <carolmacrae@att.net>

Tue, Nov 5, 2019 at 2:37 PM

To: sarah.hounsell@lacity.org

Cc: Coby Denton <cobyd@att.net>

Hi Sarah,

>

> My husband, Coby Denton, asked me to forward you these pictures. We live at 14202 Vanowen St, next door to the proposed Skid Row Housing Trust project at 14142 Vanowen St.

>

> He mentioned to you the 8 ft wall built around the property at 14827 Victory Bl. These are the photos he took.

>

> It really is important to us that Skidrow Housing Trust build the same height wall around their proposed complex. Otherwise, their residents will be able to look directly into our windows.

>

> I know Penny Meyer has expressed several concerns with which we are in agreement.

>

> It was so nice to meet you, and share photos of our dogs.

>

> Best,

>

> Carol MacRae

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6 attachments

IMG_2992.jpg
32K



IMG_2997.jpg
34K



IMG_2998.jpg
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IMG_2994.jpg
34K



IMG_2995.jpg
66K

IMG_2996.jpg
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11/5/2019

City of Los Angeles Mail - Photos from Coby Denton





Sarah Hounsell <sarah.hounsell@lacity.org>

Case No CPC-2019-5295-DB-CU-SIP follow up question

1 message

Mario Zavala <marzav77@gmail.com>

Sat, Nov 2, 2019 at 12:56 AM

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Hi Sarah,

I just occurred to me that I forgot to ask this question.

What guarantees do we have that funding to sustain this proposed housing unit will not in any way be cut due to any cut-backs?

Call me a pessimist but the city's long history of cut-backs on housing project funds have lead to urban decline throughout the South Central, Watts, Southgate etc. I know this for a fact having spent time visiting relatives and friends in this communities and seeing what their those communities Turing into.

We will not allow that happening to our community.

Mario Zavala.



Sarah Hounsell <sarah.hounsell@lacity.org>

Case No CPC-2019-5295-DB-CU-SIP

1 message

Mario Zavala <marzav77@gmail.com>

Sat, Nov 2, 2019 at 12:19 AM

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Hello Sarah,

I am writing in my opposition to the the Skid Row Housing Trust project, my wife and I have spent a lot of time and money fixing our home only to have a housing project go up in our neighborhood. Our neighborhood is very close knit, there are generations of family friends that make our community home. Anything with the branding of "Skid Row" will hurt our property value and it's a stigma to our neighborhood.

This is a problem of society, and as I see it Van Nuys is already doing it's share with the Crest Apartments on Sherman Way. I see no reason why communities like Sherman Oaks, Studio City, Encino, Tarzana, Woodland Hills, Porter Ranch, or Granada Hills can't host this housing development. Those communities seem to be immune from hosting low income housing, and Van Nuys seems to be filled to the brim with low income housing and shelters.

I've witnessed first hand the spike in homelessness in the San Fernando Valley over the past ten years, a majority of it due to the homeless population migrating up from L.A. and Hollywood via the Redline and the Metro Orange Lines. I worked in North Hollywood prior to the opening of the Orange Line and I saw a steady stream of homeless community make it's way across the valley and in the past years I've seen them set up tents in the center of the valley, however you don't see people in tents in Encino, Sherman Oaks, Studio City or Tarzana. The communities there fight to move the homeless population north and concentrate them here in Van Nuys, compounding the issue in my community. It's high time that those communities share the responsibility, put this project in their communities.

I am aware that CEQA protections have been nullified due to SB-35, does this mean that areas of the city like Encino, specifically dirt Mullholland will be districted for Skid Row housing? Or the huge empty hillside behind Villa Teresa in Woodland Hills will also be turned into Skid Row Housing? I literally can spend hours finding vacant property lots in the more affluent parts of the valley that have not seen development in decades. It's time that these communities step up and do their share.

- 1) I would like to what the impact of this development will have on the surrounding residential property values?
- 2) I'd like to hear what our rights are due to any reduction in property values due to this proposed project?

Thanks again for your attention in this matter.

Mario Zavala.



Sarah Hounsell <sarah.hounsell@lacity.org>

Email in support of homeless transitional project

1 message

Dondo Veeb <dondoveeb@yahoo.com>

Fri, Nov 1, 2019 at 9:18 PM

To: sarah.hounsell@lacity.org

Hi Sarah,

I'm writing in support of the proposed homeless transitional facility.

Thank you for working to help those less fortunate.

Don Webb



Sarah Hounsell <sarah.hounsell@lacity.org>

Possible Skid Row House Trust - W 14142 -14154 W. Vanowen Street

1 message

Eric Rodriguez <erod006@mac.com>
To: Sarah.hounsell@lacity.org
Cc: Eric Rodriguez <erod006@mac.com>

Fri, Nov 1, 2019 at 11:35 AM

Hello Sarah.

My name is Eric Rodriguez and I am a resident and home owner in Van Nuys, I wanted to voice my opposition to the Skid Row Housing complex being considered on Vanowen St just west of Hazeltine. While I do not oppose helping those less fortunate than myself I do oppose putting this kind of development in a residential area. Since purchasing my house in 2013 I have seen a rise in homeless population in the surrounding area. Tents now line our freeway underpasses, tents are popped up on city side walks in front of local businesses. Introducing a housing complex for homeless to my neighborhood is not something I wish to see. There has got to be better locations that will limit the burden placed on home/property owners in this area.

Thank you for your time.

Eric Rodriguez
eRod006@mac.com



Sarah Hounsell <sarah.hounsell@lacity.org>

Housing on vanowen

1 message

Marisela Ruan <mruan93@yahoo.com>

Fri, Nov 1, 2019 at 1:48 PM

To: sarah.hounsell@lacity.org

I am unable to attend the meeting today but I disagree with the location of the possible housing on vanowen and hazeltine. It is extremely close to my child's school and my home. I don't understand why this huge building needs to be so close to homes.



Sarah Hounsell <sarah.hounsell@lacity.org>

housing

1 message

janet york marquez <outlook_F6103FE739237BD7@outlook.com>

Fri, Nov 1, 2019 at 1:44 PM

To: "Sarah.hounsell@lacity.org" <Sarah.hounsell@lacity.org>

Dear Sarah, Hello. We won't be attending the meeting. I have had homeless relatives. It's distressing & painful. The relatives helping them are stressed too. Hope all goes well. Sincerely

Sent from [Mail](#) for Windows 10



Sarah Hounsell <sarah.hounsell@lacity.org>

FW: CPC-2019-5295-DB-CU-SIP -DEEP CONCERNS

1 message

Barry Kibrick <barrykibrick@gmail.com>

Fri, Nov 1, 2019 at 12:49 PM

To: sarah.hounsell@lacity.org

Dear Ms. Hounsell:

I, like hopefully all Los Angeles Residents, want to help the homeless. I was planning on attending this afternoon's meeting but came down with a bout of Bronchitis. My concern is about the proposed property being built on Vanowen Street near Hazeltine.

We are a very small, local, and older community that has taken great pride in keeping our neighborhood safe and secure. We already have numerous houses in our pocket between Victory and Vanowen and Hazeltine and Woodman that cater to rehabilitation centers. There is also a property one main cross street away, on Sherman Way, called Crestwood Apartments. In fact, I know for certain they had to call the LAPD many times due to disturbances.

Also, what is most disturbing is that only people living within a 500 foot radius was notified about this new housing project that will hold up to 64 people with no parking and possibly being a 4 story structure. There are no 4 story structures in the area and that would be completely unacceptable.

Plus, to my understanding, Skid Row Housing is not providing enough support services for these residents. Also, to the best of my knowledge we already have over 15 Homeless services within a few miles of this proposed apartment **AND MOST DISTURBING OF ALL, THIS WILL BE THE FIRST HOMELESS HOUSING PROJECT IN A RESIDENTIAL NEIGHBORHOOD.**

I would love to see you attempt this in Sherman Oaks, Encino, or any of the more upper priced homes in the area.

Once again, it is WE THE PEOPLE, the working class people of the community being taken advantage of without even having the proper notification.

I will be attending all future meetings and want to be notified if there is any recourse we have to stop this outrageous situation.

A very, very concerned voter and resident,
Barry Kibrick
6725 Colbath Avenue
Valley Glen, CA 91405
(818) 989-1147



Sarah Hounsell <sarah.hounsell@lacity.org>

Proposed Skidrow Trust Housing on 14142 Vanowen Street

1 message

Melissa Casillas <mcasillas@merlonegeier.com>

Fri, Nov 1, 2019 at 10:01 AM

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Hello Sarah,

I wanted to let you know that I live right behind Vanowen Street where Skidrow Housing Trust is proposing to build homeless apartments that will house those with mental illness and substance abuse issues. I am deeply alarmed that this non-profit has proposed to build 3 & 4 story 64 unit transitional homeless apartments within 500 feet of my home. I am one of the residents most impacted by this. I have small children that play in their back yard and walk the neighborhood. To have mentally ill and drug addicted homeless pulled off the street and living right on top of my home is absolutely troubling. The most concerning fact is that mentally ill and substance abusers have no accountability to get better. There is no mandated treatment, it's all voluntary?! All they are doing is providing shelter with the philosophy this may help them recover???

I was able to attend their community meeting last week. After the meeting was over, we had a chance to see the comings and goings of those that live there. Cigarette smoking, marijuana use and loud music were just some of the things we witnessed in just a short time. I can't imagine what they are doing in the neighborhoods? I was not impressed by the Skidrow Housing community meeting nor the building or its residents. In fact, a lot of information that was given by presenters were skewed or not truthful.

As a mother, I worry about the impact of these units being built so close to my family and in my neighborhood. Buildings such as the Crest Apartments have brought more dysfunction into our neighborhoods as a result of shuffling mentally ill and drug addicted people off the street into apartments next to hard working, middle class families and preschool/elementary schools. Knowing the statistics on the excessive amounts of calls to these apartments is alarming. If you have a non-emergency issue, it takes 3 hours to get someone to answer the LADP help desk bot to mention another several hours before a unit shows up, I know this first hand because I tried to call for a loud noise disturbance on several occasions.

Prop HHH and SB35 have taken away the voices of home owners, working families and schools with regards to these proposed developments. It is unjust that nonprofits and politicians have a say on when and where these developments are put. There are no long term studies that show the effects of these revolving door supportive homeless apartments in our neighborhoods

Our community wants a peaceful quiet neighborhood. No one wants to live next to the dysfunction of drug addicts and mentally ill and the offensive behaviors associated with those types of mental imbalances. We already have multiple locations that offer housing and support for the homeless in our neighborhood, when does the building/allocating of transitional homeless housing and services end in our city? WE ARE SUFFOCATED BY THESE HOMES AND SERVICES. They keep drawing the homeless to our streets and near our homes. When will neighboring cities be held accountable???

Here is a list of supportive homeless housing/services

- 1) [13457 Vanowen 15 unit apt](#)- Mentally ill housing

- 2) Hope of the Valley Homeless services 6415 Tyrone Ave.
- 3) 14342 Kittridge Ave- Mentally ill housing
- 4) 14303 Sylmar Ave- Mentally ill housing
- 5) 14128 Calvert St- Mentally ill housing
- 6) 14419 Vanowen Street- Mentally ill housing
- 7) 13604 Sherman Way- 64 unit of Homeless housing
- 8) 14232 Gilmore Street- Mentally ill Housing
- 9) 6723-6725 Tyrone each bedroom housing families
- 10) Aetna/Tyrone- Proposed Homeless housing
- 11) 14142 Vanowen Street- Proposed Homeless housing

Van Nuys HPOZ is not Downtown Los Angeles. Our HPOZ neighborhood is a tiny Jem in Van Nuys and the City is trashing it with homeless housing/services. Whether they are on the streets or in an apartment; old habits die hard. It will take a long time for these people to recover from long standing mental health/drug issues and their harden lifestyle habits- if they truly ever do. I am OPPOSED to SkidRow Trusts Development of a 64 unit 3&4 story apartment building looming over my neighborhood. I urge you to walk down Archwood Street to see what I am talking about. Our entire neighborhood will be swallowed by these buildings. Forget our 100-year-old homes, this building and it residents will be the forefront of our neighborhood.

I urge City Planning to take a hard look at what these homeless projects are doing to the community. Shame on these Politicians who are basically passing the buck onto homeowners and communities that have to deal with the aftermath of this housing.

Sincerely,

Melissa Casillas

Property Manager

11/1/2019

City of Los Angeles Mail - Proposed Skidrow Trust Housing on 14142 Vanowen Street

MerloneGeier
Partners

6180 Laurel Canyon Boulevard

Suite 170

North Hollywood, CA 91606

Tel: 818 / 643 / 3707

Fax: 818 / 824 / 6246

www.MerloneGeier.com

CALBRE #01911085



Sarah Hounsell <sarah.hounsell@lacity.org>

Housing for the homeless

1 message

Matthew Brashear <matthewbrashear@yahoo.com>

Fri, Nov 1, 2019 at 10:55 AM

Reply-To: Matthew Brashear <matthewbrashear@yahoo.com>

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

I just wanted to show my support for the housing going in on [14142 Vanowen](#). It is greatly needed and i support your efforts.

Khob khun mark,

Matthew Doc Brashear

"Cold hearted orb that rules the night
Removes the colors from our sight
Red is grey and yellow white
But we decide which is right
And which is an illusion?" Moody Blues

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Sarah Hounsell <sarah.hounsell@lacity.org>

Proposed Vanowen St. Buildings

1 message

kauaikarl@mindspring.com <kauaikarl@mindspring.com>
Reply-To: kauaikarl@mindspring.com
To: sarah.hounsell@lacity.org

Fri, Nov 1, 2019 at 10:46 AM

Dear Sarah,

First let me say I do not want those proposed buildings for the homeless to be built on Vanowen near Hazeltine and Katherine Ave.

I live on Katherine near the proposed sight and have lived here since 1987. We already now have too many buildings and houses in our local area that are being used to help the homeless and lawless and unfortunate souls who live in our area.

The new proposed building complex on Vanowen will further burden our neighborhood to the point of breaking.

Why do I feel this way?

1. No parking at the site
2. Sterile ugly buildings at odd angles to the street that are also TOO TALL for the neighborhood. They will be a constant reminder of the insult to our neighborhood provided by those who allow this eyesore to be built. A monument to greed.
3. The street parking within 2 or 3 blocks of this proposed building is already overburdened and scarce. With this building it will only get worse. The parking near my house around Katherine and Archwood is impossible and getting worse. A couple of hte houses on Katherine have 7 and 10 vehicles each, and several of those are large diesel tow trucks. If I didn't have a driveway I would never find a parking place. Anyone who comes to visit me has a hard time finding parking within 2 blocks of my house.
4. There is going to be parking for 57 bicycles at this proposed building complex. I suppose that will only be the source of more problems.
5. There are better places to build this housing. How about the buildings along Van Nuys between Vanowen and Kittridge? There are many more possibilities as well.
6. There are many more reasons but I don't have the time to list them all and you probably are tired of reading this email by now anyway.

Do the right thing and do not allow this eyesore to be built. This empty lot used to be the center of the citrus farm that existed here. Please find another place to build this proposed housing.

Thank-you,
Karl J. Florine
[6723 Katherine Ave.](#)



Sarah Hounsell <sarah.hounsell@lacity.org>

Fwd: 14142 Vanowen Street Van Nuys

1 message

PENELOPE MEYER <penelopemeyer@sbcglobal.net>
To: sarah.hounsell@lacity.org

Thu, Oct 31, 2019 at 1:45 PM

Sent from my iPad

Begin forwarded message:

From: PENELOPE MEYER <penelopemeyer@sbcglobal.net>
Date: October 31, 2019 at 1:26:20 PM PDT

Subject: Fwd: **14142 Vanowen Street Van Nuys CPC-2019-5295-DB-CU-SIP**

Sent from my iPad

Date: October 31, 2019 at 1:23:

Sent from my iPad

I am a longtime hard working community member of Van Nuys, and I have a single family home within the five hundred foot radius of this project. I feel that this project is much too big, and towers over the backyards of the neighbors on all three sides. These are all single family residences surrounding this project. There will be no privacy afforded these homeowners. A density bonus should not be approved given the nature of this project.

This project allows the most chronically homeless who suffer from mental illness and substance abuse to be housed in a residential neighborhood surrounded by single family homes and many apartments with young families. The Skid Row Housing Trust does not mandate that any of their residents seek help for their issues. So the mentally ill and drug dependent will roam freely half a block from Van Nuys Recreation Center, half a block from Cardenas Elementary School and four blocks from Van Nuys Elementary School. This is a recipe for disaster and an unfair burden on this residential neighborhood which currently has MANY homeless services within the neighborhood, causing some rather troubling issues. We have a homeless drop in center, four blocks from this proposed site which sees about a hundred clients a day during the summer and two hundred during the winter. There has been an officer involved shooting at the drop in center which resulted in the loss of life, the staff threatened, and an indecent exposure on the campus of Van Nuys Elementary School and many daily calls for service from the LAPD.

This project will house sixty four chronically homeless individuals with six parking spaces again negatively impacting this residential neighborhood with parking issues.

We have four BRIDGE HOUSES housing about thirty individuals around the small corner from this proposed project on Tyrone and Archwood which have also been problematic and at times a safety issue. We are in the true sense overburdened with social services serving the homeless. We have more than done our part, and honestly been very welcoming but this new project only burdens us with more problems. The problems have been very serious and troubling and as we see with the Crest Apartments a huge burden on LAPD.

The Skid Row Housing Trust currently runs the Crest Apartments at Woodman and Sherman Way. This also houses about the same amount of residents as the Vanowen project, but has

had an enormous amount of calls to LAPD WHICH I ALONG WITH MY NEIGHBORS FIND VERY TROUBLING.

My neighborhood included the Bridge Housing residents in our Halloween party, our beautification project with the Boy Scouts, and we chose two families that we had grown close to to make sure they had a memorable Christmas. They were in tears with our generosity and said it was the most wonderful Christmas they had ever experienced. We all donate food and clothing to Hope of The Valley along with feeding the homeless during lunch. So this is not about us not wanting to extend a kind hand but overburdening us with too many drug addicted and mentally ill individuals.

I feel their approach just warehouses these folks and does not give them any hope of ever moving forward. Sixty four tenants is much too many especially when we consider another one of these is proposed for Aetna and Tyrone. A mile away.

This problem needs to be shared city wide and not thrown at the same neighborhood time after time. The concentration is too much for one poor neighborhood to absorb.

In closing, I ask that you fairly consider the needs of the homeowners surrounding this project. We too have become victims and deserve a voice in this. We desperately need to be treated with respect and dignity and be heard. This will become a quality of life issue in the surrounding area. I beg you to be considerate of our concerns when making this determination.

Sincerely,
Penny Meyer.



Sarah Hounsell <sarah.hounsell@lacity.org>

Case File CPC-2019-5295-DB-CU-SIP

1 message

Megan Macmanus <macmanusmegan@hotmail.com>
To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Thu, Oct 31, 2019 at 2:38 PM

Hi-

I am a resident that lives in the neighborhood at the corner of Vanowen and Hazeltine, and I have grave concerns over CPC-2019-5295-DB-CU-SIP, the proposed development right near my neighborhood. While I understand that we need more housing for the homeless, we already have nine separate facilities in this small area of the city. This new development does not appear to have any mandates for sober living or mental health services, which means it will simply become another dumping ground without the means or motivation for residents to move on to more stable housing. It is an unfair and undue burden on the local community to continue to suffer the consequences in crime, harassment, and decreased property values, when other (wealthier) communities nearby have no such facilities at all. The park at the Van Nuys Recreation Center is already so overrun with homeless and drug paraphernalia that it is virtually unusable, and the constant fears of encountering drunk, high, or mentally unstable locals have already made our neighborhood virtually unwalkable. Please reconsider the location of this housing unit to more evenly spread the distribution of facilities among ALL of Los Angeles, not just concentrated in the communities that can ill-afford the high-priced lawyers and protests.

Thank you,
Megan Hyndman



Sarah Hounsell <sarah.hounsell@lacity.org>

Vanowen Street Project

1 message

Rich & Lynn Yoshizumi <ryly63@att.net>

Wed, Oct 30, 2019 at 5:13 PM

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Why is it called Skid Row Housing Project? What an unappealing name!!! Nobody would want to live in a place named that. The name should be changed!

The project sounds like a good idea with so much low cost housing but with that degrading name, no one will want to live there.

Lynn Yoshizumi
North Hollywood



Sarah Hounsell <sarah.hounsell@lacity.org>

CPC2019-5295 DB cu sip

1 message

Helena Mera <helenamera100@yahoo.com>

Wed, Oct 30, 2019 at 12:01 PM

To: sarah.hounsell@lacity.org

Dear Sarah,

I am writing you regarding the proposed 64 unit homeless housing complex to be built on Vanowen Street in Van Nuys. I attended the meeting presented by the Skid Row Housing Trust and I have some concerns that many of those in the neighborhood also expressed:

1. The presenters kept saying that the facility was for the homeless in our "neighborhood". I believe they are not being transparent and believe they are using the word "neighborhood" quite loosely. Please specifically ask them from where will they be getting their residents. Please specifically ask them what is their "service planning area" or the SPA. They could be getting people from panorama city or Canoga Park or Reseda or Sun Valley for all we know. They need to be transparent. They implied that the surrounding streets (victory and Vanowen) of our neighborhood would be cleaned from the homeless because of their facility which I believe is not true. They said the residents will be coming from an 8 year waiting list from our from our Neighborhood. I find it unlikely that the homeless that we see on nearby streets such as victory Boulevard are on that waiting list.

2. Also, that area of Vanowen Street does not allow four-story buildings, and I don't think that giving them a conditional use to build higher is fair to the people who live near those buildings.

3. As has already been expressed to you, there are many services in Van Nuys for the homeless. Please have an area that is not residential take on this responsibility of a 64 unit four-story multi building permanent housing for the homeless on Vanowen. Thank you.

Helena

Property owner



Sarah Hounsell <sarah.hounsell@lacity.org>

Re:CPC-2019 5295 DB-CU-SIP

1 message

Cammy Klein <cammyk@na.org>

Wed, Oct 30, 2019 at 2:17 PM

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Hello Ms. Hounsell.

I live between Victory and Vanowen

I work every day, so, unable to attend the meeting regarding the housing for homeless.

For me, my experience is this...

We, people in general, feel badly for the homeless. I know there are those that are very judgmental of them. In our little corner of the universe in our neighborhood, there are strong feelings about this new place on Vanowen.

First, we are already dealing with a lot of **thefts**, people **urinating** in our drive ways, **exposing themselves and property damage**.

Some neighbors **children have been followed home or been exposed to a man masturbating in public**.

Although there is a piece of property that the LA City planning committee thinks will be great for this endeavor, they are not on the front lines.

Many people in this neighborhood will bring up property values going down, I bring up just being able to feel safe in our homes. Coming home at night and not feeling comfortable getting out of our cars to get into our homes.

I lived in an apartment South of Victory a number of years ago and I never felt threatened. I slept with my windows open. Now I live in a home in a lovely "pocket" of Valley Glen (Van Nuys) and there is story after story pretty much each day that talks about the things I mentioned above.

Now, let's move on to parking. There is **no** parking for this place on Vanowen.

On our **neighborhood** streets we have people driving at excessive speeds, 45-60 miles per hour, that is not an exaggeration.

Now, on Vanowen, there is that and more. I have had numerous near misses with people coming out from side streets on to Vanowen without stopping at their red light.

We have frequent accidents both at Victory and Vanowen due to speed and an entitlement issue.

What does this have to do with the new homeless place. **MORE PEOPLE!!! NO PARKING!** More crimes.

We had a woman on our Nextdoor group who spoke about a homeless man who on a fairly regular basis urinated in her driveway and masturbated there.

She took this to the police and was told they would look at it...nothing has been done. What recourse do we have for any "unfortunate" happenings from the building of this place?

I will end with this, I know firsthand about addiction, drugs, homelessness and mental illness.

10/30/2019

City of Los Angeles Mail - Re:CPC-2019 5295 DB-CU-SIP

We have turned a blind eye to this problem for far too long. Hell, a person can't even rent a place for a decent amount of money.

This new endeavor is NOT the answer.

I say no to this new building.

PLEASE hear us.

Thank you for your time, and being the brave soul who is taking in all these emails.

Camille Klein

Cammy Klein

NAWS Staff

[19737 Nordhoff Place](#)

[Chatsworth, CA 91311](#)

818-773-9999 ex.0

Cammyk@na.org

This email was checked by Barracuda Spam Filter



Sarah Hounsell <sarah.hounsell@lacity.org>

CPC-2019-5295-DB-CU-SIP - My concerns

1 message

Wendy Elgin- Silva <welgin@modernhr.com>

Wed, Oct 30, 2019 at 9:06 AM

To: "sarah.hounsell@lacity.org" <sarah.hounsell@lacity.org>

Hi Sarah –

I have attended the Skid Row Housing Trust presentation, and left feeling mislead and concerned. We all want to help the homeless, but it is my understanding that their Sister property located less than a mile away on Sherman Way (Crestwood Apartments), has had a SIGNIFICANT amount of police calls and visits in less than a year. But yet, they intentionally did not tell us the truth. Please review the police statistics yourself. Additionally, Skid Row Housing is not making supportive services mandatory for their clients. This means that that this property will become a "crack house". Additionally they are not providing enough parking with only 6 parking spaces, this will overwhelm an already crowded street.

It is my understanding that this will be the very first homeless housing in a Residential neighborhood, we have 18 Homeless services in a 2mile radius – so much so other communities are busing the homeless into this neighborhood . I think all communities should share in this responsibility, not just ours.

Thank you –

Wendy Elgin

Property Owner

Wendy Elgin- Silva
Business Relations Manager & Nonprofit Specialist

7590 N Glenoaks Blvd., Suite 200, Burbank, CA 91504
Phone: (818) 827-0330 | Mobile (310) 990-4340 | Fax: (310) 601-3287
e-mail: welgin@modernhr.com | website: www.modernhr.com





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LOS ANGELES BUSINESS JOURNAL
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Sarah Hounsell <sarah.hounsell@lacity.org>

re:CPC-2019-5295-DB-CU-SIP

1 message

Ed & Don <dejelm2@att.net>

Sat, Oct 26, 2019 at 10:55 AM

To: Sarah Hounsell <sarah.hounsell@lacity.org>

Cc: Paul Krekorian <councilmember.Krekorian@lacity.org>

Dear Ms. Hounsell

The back of our property at [14155 Archwood St.](#) directly borders on the back of the proposed site referenced above. We have lived here since 1974. We realize the need for affordable housing. This project is workable if a few common sense items are observed.

There should be a sufficiently tall wall separating the rear of the project from the adjoining properties to give privacy and security to all persons.

The back of the proposed units should have a minimum of windows facing the back of the adjoining properties. Again for privacy and security.

The proposed height of 50 feet seems excessive and could obstruct natural air circulation.

Since no parking is proposed for the project it is essential that Archwood St. between Hazeltine and Tyrone be designated as "permit only parking" Adding 64 or more cars to a residential street will result in essentially no parking for the residents of Archwood St. and potentially miserable traffic.

We don't want to indulge in NIMBYism and would like to see this work to everyone's benefit.

Thank you

Edward Mehlenbacher

Donald Jolliff

Streamlined Ministerial Approval Process (Chapter 366, Statutes of 2017) Guidelines



**State of California
Governor Edmund G. Brown Jr.**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Ben Metcalf, Director
Department of Housing and Community Development
Zachary Olmstead, Deputy Director
Division of Housing Policy Development**

**Division of Housing Policy Development
2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833**

November 29, 2018

The matters set forth herein are regulatory mandates, and are adopted in accordance with the authorities set forth below:

Quasi-legislative regulations ... have the dignity of statutes ... [and]... delegation of legislative authority includes the power to elaborate the meaning of key statutory terms...

Ramirez v. Yosemite Water Co., 20 Cal. 4th 785, 800 (1999)

The Department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

Government Code section 65913.4, subdivision (j)

Government Code section 65913.4 relates to the resolution of a statewide concern and is narrowly tailored to limit any incursion into any legitimate municipal interests, and therefore the provisions of Government Code section 65913.4, as supplemented and clarified by these Guidelines, are constitutional in all respects and preempt any and all inconsistent laws, ordinances, regulations, policies or other legal requirements imposed by any locality.

Streamlined Ministerial Approval Process Development Approval Process

Program Guidelines

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INTRODUCTION

Chapter 366, Statutes of 2017 (SB 35, Wiener) was part of a 15 bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, it requires the availability of a Streamlined Ministerial Approval Process for developments in localities that have not yet made sufficient progress towards their allocation of the regional housing need. Eligible developments must include a specified level of affordability, be on an infill site, comply with existing residential and mixed use general plan or zoning provisions, and comply with other requirements such as locational and demolition restrictions. The intent of the legislation is to facilitate and expedite the construction of housing. In addition, as part of the legislation, the Legislature found ensuring access to affordable housing is a matter of statewide concern and declared that the provisions of SB 35 would apply to all cities and counties, including a charter city, a charter county, or a charter city and county. Please note, the Department of Housing and Community Development (Department) may take action in cases where these guidelines are not adhered to under its existing accountability and enforcement authority.

Guidelines for the Streamlined Ministerial Approval Process are organized into five Articles, as follows:

Article I. General Provisions: This article includes information on the purpose of the guidelines, applicability, and definitions used throughout the document.

Article II. Determination Methodology: This article describes the methodology for which the Department shall determine which localities are subject to the Streamlined Ministerial Approval Process.

Article III. Approval Process: This article describes the parameters of the approval process, including local government responsibilities, approval processes, and general provisions.

- 1) Local Government Responsibility – This section specifies the types of requirements localities can require a development to adhere to in order to determine consistency with general plan and zoning standards, including objective standards, controlling planning documents, and parking.
- 2) Development Review and Approval – This section details the types of hearings and review allowed under the Streamlined Ministerial Approval Process, timing provisions for processing and approving an application, denial requirements, and timeframes related to the longevity of the approval.

Article IV. Development Eligibility: This article describes the requirements for developments in order to apply for streamlining including type of housing, site requirements, affordability provisions, and labor provisions.

Article V. Reporting: This article describes reporting requirements specific to the Streamlined Ministerial Approval Process in the locality's annual progress report on the general plan.

ARTICLE I. GENERAL PROVISIONS

Section 100. Purpose and Scope

- (a) These Guidelines (hereinafter “Guidelines”) implement, interpret, and make specific the Chapter 366, Statutes of 2017 (SB 35, Wiener), and subsequent amendments (hereinafter “Streamlined Ministerial Approval Process”) as authorized by Government Code section 65913.4.
- (b) These Guidelines establish terms, conditions and procedures for a development proponent to submit an application for a development to a locality that is subject to the Streamlined Ministerial Approval Process provided by Government Code section 65913.4.
- (c) It is the intent of the Legislature to provide reforms and incentives to facilitate and expedite the construction of affordable housing. Therefore these Guidelines shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of increasing housing supply.
- (d) These Guidelines shall remain in effect until January 1, 2026, and as of that date are repealed.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65582.1 and 65913.4(l) and (m).

Section 101. Applicability

- (a) The provisions of Government Code section 65913.4 are effective as of January 1, 2018.
- (b) These Guidelines are applicable to applications submitted on or after January 1, 2019. Nothing in these Guidelines may be used to invalidate or require a modification to a development approved through the Streamlined Ministerial Approval Process prior to the effective date.
- (c) These Guidelines are applicable to both general law and charter cities, including a charter city and county.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(i)(6).

Section 102. Definitions

All terms not defined below shall, unless their context suggests otherwise, be interpreted in accordance with the meaning of terms described in Government Code section 65913.4

- (a) “Annual Progress Report (APR)” means the housing element annual progress report required by Government Code section 65400 and due to the Department April 1 of each year reporting on the prior calendar year’s permitting activities and implementation of the programs in a local government’s housing element.

- (b) "Application" means a submission containing such information necessary for the locality to determine whether the development complies with the criteria outlined in Article IV of these Guidelines. This may include a checklist or other application documents generated by the local government pursuant to Section 300(a) that specifies in detail the information required to be included in an application, provided that the information is only that required to determine compliance with objective standards and criteria outlined in article IV of these Guidelines.
- (c) "Area Median Income (AMI)" means the median family income of a geographic area of the state, as published annually by the Department within the State Income Limits:
<http://www.hcd.ca.gov/grants-funding/income-limits/index.shtml>.
- (d) "Car share vehicle" is an automobile rental model where people rent cars from a car-sharing network for roundtrip or one-way where vehicles are returned to a dedicated or reserved parking location. An example of such a service is Zipcar.
- (e) "Density Bonus" means the same as Government Code section 65915.
- (f) "Department" means the Department of Housing and Community Development.
- (g) "Determination" means the published identification, periodically updated, by the Department of those local governments that are required to make the Streamlined Ministerial Approval Process available per these Guidelines.
- (h) "Development proponent or applicant" means the owner of the property, or person or entity with the written authority of the owner, that submits an application for streamlined approval..
- (i) "Fifth housing element planning period" means the five- or eight-year time period between the due date for the fifth revision of the housing element and the due date for the sixth revision of the housing element pursuant to Government Code section 65588(f)..
- (j) "Infill" means at least 75 percent of the linear measurement of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this definition, parcels that are only separated by a street or highway shall be considered to be adjoined.
- (k) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.
- (l) "Low-Income" means households earning 50 to 80 percent of AMI.
- (m) "Lower-income" means households earning 80 percent or less of AMI pursuant to Health and Safety Code section 50079.5.
- (n) "Ministerial processing or approval" means a process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the "objective zoning standards," "objective subdivision standards," and "objective

design review standards" in effect at the time that the application is submitted to the local government, but uses no special discretion or judgment in reaching a decision.

- (o) "Multifamily" means a housing development with two or more attached residential units. The definition does not include accessory dwelling units unless the project is for new construction of a single-family home with an attached accessory dwelling units in a zone that allows for multifamily. Please note, accessory dwelling units have a separate permitting process pursuant to Government Code section 65852.2
- (p) "Objective zoning standard", "objective subdivision standard", and "objective design review standard" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. "Objective design review standards" means only objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, which are broadly applicable to development within the jurisdiction.
- (q) "Project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- (r) "Public transit" means a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines.
- (s) "Public works project" means developments which meet the criteria of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (t) "Regional housing need" means the local government's share of the regional housing need allocation as determined by Article 10.6 of the Government Code.
- (u) "Related facilities" means any manager's units and any and all common area spaces that are included within the physical boundaries of the housing development, including, but not limited to, common area space, walkways, balconies, patios, clubhouse space, meeting rooms, laundry facilities, and parking areas that are exclusively available to residential users, except any portions of the overall development that are specifically commercial space.
- (v) "Reporting period" means the timeframe for which APRs are utilized to create the determination for which a locality is subject to the Streamlined Ministerial Approval Process. The timeframes are calculated in relationship to the planning period of the housing element pursuant to Government Code section 65588 and are cumulative through the most recent calendar year.
- (w) "Skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

- (x) “Subsidized” means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code. For the purposes of these Guidelines, the word “permanently” has the same meaning described in Section 402(b).
- (y) “Tenant” means a person who occupies land or property rented or leased for use as a residence.
- (z) “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.
- (aa) “Very low-income” means households earning less than 50 percent or less of AMI pursuant to Health and Safety Code section 50105.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4.

ARTICLE II. STREAMLINED MINISTERIAL APPROVAL PROCESS DETERMINATION

Section 200. Methodology

- (a) The Department will calculate the determination, as defined in Section 102(g), based on permit data received through APRs at the mid-point of the housing element planning period pursuant to Government Code section 65488 and at the end point of the planning period.
 - (1) APRs, as defined in Section 102(a), report on calendar years, while housing element planning periods may begin and end at various times throughout the year. When a planning period begins after July, the APR for that year is attributed to the prior housing element planning period. When the planning period ends before July 1, the APR for that year will be attributed to the following housing element planning period.
- (b) The determination is based on permitting progress toward a pro-rata share of the regional housing need for the reporting period.
 - (1) Determinations calculated at the mid-point of the planning period are based upon permitting progress toward a pro-rata share of half (50 percent), of the regional housing need, while determinations calculated at the end of the planning period are based upon permitting progress towards the entirety (100 percent) of the regional housing need.
 - (2) For localities, as defined in Section 102(k), on a 5-year planning period, the mid-point determination is based upon a pro-rata share of the regional housing need for the first three years in the planning period, and 60 percent of the regional housing need.

- (3) The determination applies to all localities beginning January 1, 2018, regardless of whether a locality has reached the mid-point of the fifth housing element planning period. For those local governments that have achieved the mid-point of the fifth housing element planning period, the reporting period includes the start of the planning period until the mid-point, and the next determination reporting period includes the start of the planning period until the end point of the planning period. In the interim period between the effective date of the Streamlined Ministerial Approval Process, until a locality reaches the mid-point in the fifth housing element planning period, the Department will calculate the determination yearly. This formula is based upon the permitting progress towards a pro-rata share of the regional housing need, dependent on how far the locality is in the planning period, until the mid-point of the fifth housing element planning period is reached. See example below.

Example Calculation
For a locality two years into the reporting period, the determination is calculated at two out of eight years of the planning period and will be based upon a pro-rata share of two-eighths, or 25 percent, of the regional housing need, and the following year, for the same locality, the determination will be calculated at three out of eight years of the planning period based upon a pro-rata share of three-eighths, or 37.5 percent, of the regional housing need, and the following year for the same locality the determination will be calculated at four out of eight years of the planning period based upon a pro-rata share of four-eighths, or 50 percent, of the regional housing need. At that point, the locality will reach its mid-point of the planning period and the determination, the pro-rata share, and the permitting progress toward the pro-rata share will hold until the locality reaches the end-point of the planning period.

- (c) To determine if a locality is subject to the Streamlined Ministerial Approval Process for developments with 10 percent of units affordable to lower-income households, the Department shall compare the permit data received through the APR to the pro-rata share of their above-moderate income regional housing need for the current housing element planning period. If a local government has permitted less than the pro-rata share of their above-moderate income regional housing need, then the jurisdiction will be subject to the Streamlined Ministerial Approval Process for developments with 10 percent affordability.
- (d) Local governments that do not submit their latest required APR prior to the Department's determination are subject to the Streamlined Ministerial Approval Process for developments with 10 percent of units affordable to lower-income households.
- (e) To determine if a locality is subject to the Streamlined Ministerial Approval Process for developments with 50 percent of units affordable to lower-income households, the Department shall compare the permit data received through the APR to the pro-rata share of their independent very-low and low-income regional housing need for the current housing element planning period. If a local government has permitted the pro-rata share of their above-moderate income regional housing need, and submitted their latest required APR, but has permitted less than the pro-rata share of their very-low and lower income regional housing need, they will be subject to the Streamlined Ministerial Approval

Process for developments with 50 percent affordability. For purposes of these Guidelines, as the definition of lower-income is inclusive of very low-income units. Very low-income units permitted in excess of the very low-income need can be applied to demonstrate progress towards the lower-income need. However, as the definition of very low-income units does not include low-income units. Low-income units permitted in excess of the low-income need cannot be applied to demonstrate progress towards the very low-income need.

- (f) To determine if a locality is not subject to the Streamlined Ministerial Approval Process, the permit data from the APR shall demonstrate that the locality has permitted the entirety of the pro-rata share of units for the above moderate-, low-, and very low- income categories of the regional housing need for the relevant reporting period, and has submitted the latest APR.
- (g) The Department's determination will be in effect until the Department calculates the determination for the next reporting period unless updated pursuant to Section 201. A locality's status on the date the application is submitted determines whether an application is subject to the Streamlined Ministerial Approval Process, and also determines which level of affordability (10 or 50 percent) an applicant must provide to be eligible for streamlined ministerial permitting.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a)(4).

Section 201. Timing and Publication Requirements

The Department shall publish the determination by June 30 of each year, accounting for the APR due April 1 of each year, though this determination may be updated more frequently based on the availability of data, data corrections, or the receipt of new information. The Department shall publish the determination on the Department's website.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a)(4).

ARTICLE III. APPROVAL PROCESS

Section 300. Local Government Responsibility

- (a) A local government that has been designated as subject to the Streamlined Ministerial Approval Process by the Department shall provide information, in a manner readily accessible to the general public, about the locality's process for applying and receiving ministerial approval, materials required for an application as defined in Section 102(b), and relevant objective standards to be used to evaluate the application. The information provided may include reference documents and lists of other information needed to enable the local government to determine if the application is consistent with objective standards, consistent with Section 102(b). This can be through the use of checklists, maps, diagrams, flow charts, or other formats. The locality's process and application requirements shall not in any way inhibit, chill, or preclude the ministerial approval

process, which must be strictly focused on assessing compliance with the criteria required for streamlined projects in Article IV of these guidelines.

(b) Determination of consistency

- (1) When determining consistency with objective zoning, subdivision, or design review standards, the local government can only use those standards that meet the definition referenced in Section 102(p). For example, design review standards that require subjective decision-making, such as consistency with “neighborhood character”, cannot be applied as an objective standard unless “neighborhood character” is defined in such a manner that is non-discretionary.

Example Design Review
Objective design review could include use of specific materials or styles, such as Spanish-style tile roofs or roof pitches with a slope of 1:5. Architectural design requirements such as “craftsman style architecture” could be used so long as the elements of “craftsman style architecture” are clearly defined (e.g., “porches with thick round or square columns and low-pitched roofs with wide eaves), ideally with illustrations.

- (2) General plan or zoning ordinance requirements for a specific plan or another discretionary permit do not necessarily constitute objective zoning standard. A locality may not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis, about whether to impose that standard on similarly situated development proposals.
- (3) Modifications to objective standards granted as part of a density bonus concession, incentive, parking reduction, or waiver of development standards pursuant to Density Bonus Law Government Code section 65915,¹ or a local density bonus ordinance, shall be considered consistent with objective standards.
- (4) Project eligibility for a density bonus concession, incentive, parking reduction, or waiver of development standards shall be determined consistent with Density Bonus Law.
- (5) Objective standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, the general plan, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.
- (6) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective standards pursuant to Section 400(c) of these Guidelines if the development is consistent with the standards set forth in the general plan.

¹ Amended 1/9/19 -Grammatical correction

- (7) Developments are only subject to objective zoning standards, objective subdivision standards, and objective design review standards enacted and in effect at the time that the application is submitted to the local government.
- (8) Determination of consistency with objective standards shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply. For example, design review standards or other objective standards that serve to inhibit, chill, or preclude the development of housing under the Streamlined Ministerial Approval Process are inconsistent with the application of state law.

(c) Density calculation

- (1) When determining consistency with density requirements, a development that is compliant with up to the maximum density allowed within the land use element designation of the parcel in the general plan is considered consistent with objective standards. For example, a development on a parcel that has a multifamily land use designation allowing up to 45 units per acre is allowed up to 45 units per acre regardless of the density allowed pursuant to the zoning code. In addition, the development may request a density of greater than 45 units per acre if eligible for a density bonus under Density Bonus Law.
- (2) Growth, unit, or other caps that restrict the number of units allowed in the proposed development or that expressly restricts the timing of development can be applied only to the extent that those caps do not inhibit the development's ability to achieve the maximum density allowed by the land use designation and any density bonus the project is eligible for and do not restrict the issuance of building permits for the project.
- (3) Additional density, floor area, or units granted as density bonus shall be considered consistent with maximum allowable densities.
- (4) Development applications are only subject to the density standards in effect at the time that the development is submitted to the local government.

(d) Parking requirements

- (1) Automobile parking standards shall not be imposed on a development that meets any of the following criteria:
 - (A) The development is located where any part of the parcel or parcels on which the development is located is within one-half mile of public transit, as defined by Section 102(r) of these Guidelines.
 - (B) The development is located within a district designated as architecturally or historically significant under local, state, or federal standards.
 - (C) When on-street parking permits are required, but not made available to the occupants of the development.
 - (D) When there is a car share vehicle, (i.e. a designated location to pick up or drop off a car share vehicle as defined by Section 102(d),) within one block of the

development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

- (2) For all other developments, the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.
- (e) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive streamlined processing.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a),(d), and (l).

Section 301. Development Review and Approval

- (a) Ministerial processing
 - (1) Ministerial approval, as defined in Section 102(n), of a project that complies with Article IV of these guidelines shall be non-discretionary and cannot require a conditional use permit or other discretionary local government review or approval.
 - (2) Any ministerial design review or public oversight of the application may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate.
 - (A) Design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local government before submission of the development application, and shall be broadly applicable to development within the locality.
 - (B) Design review or public oversight shall not in any way inhibit, chill, stall, delay, or preclude the ministerial approval provided by these Guidelines or its effect.
 - (3) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards, it shall provide the development proponent, as defined in Section 102(h), written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, within the timeframe specified in Section 301(b)(2) below. The local government may elect to allow the development proponent to correct any deficiencies within the timeframes for project approval specified in Section 301(b)(3) below.
 - (4) The denial of an application for streamlined processing does not preclude the development proponent from correcting any deficiencies and resubmitting an application for streamline review, or from applying for the project under other local

government processes. If the application is denied and the development proponent elects to resubmit an application for streamlined review, the timeframes specified in Section 301(b) below shall commence on the date of resubmittal.

- (5) Approval of ministerial processing does not preclude imposed standard conditions of approval as long as those conditions are objective and broadly applicable to development within the locality regardless of streamline approval. This includes any objective process requirements related to the issuance of a building permit. However, any further approvals, such as demolition, grading and building period or, if required, final map, on a ministerial basis is subject to the objective standards.

- (A) Notwithstanding Paragraph (5), standard conditions that specifically implement the provisions of these Guidelines such as commitment for recording covenant and restrictions and provision of prevailing wage can be included in the conditions of approval.

- (6) The California Environmental Quality Act (Division 13 (commencing with section 21000) of the Public Resources Code) does not apply to the following in connection with projects qualifying for the Streamlined Ministerial Approval Process :

- (A) Actions taken by a state agency or local government to lease, convey, or encumber land or to facilitate the lease, conveyance, or encumbrance of land owned by the local government.

- (B) Actions taken by a state agency or local government to provide financial assistance to a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income.

- (C) The determination of whether an application for a development is subject to the Streamlined Ministerial Approval Process.

- (b) Upon a receipt of application, the local government shall adhere to the following:

- (1) An application submitted hereunder shall be reviewed by the agency whether or not it contains all materials required by the agency for the proposed project, and it is not a basis to deny the project if either:

- (A) The application contains sufficient information for a reasonable person to determine whether the development is consistent, compliant, or in conformity with the requisite objective standards (outlined in Article IV of these Guidelines); or

- (B) The application contains all documents and other information required by the local government as referenced in section 300(a) of these Guidelines.

- (2) Local governments shall make a determination of consistency, as described in Section 301(a)(3), as follows:

- (A) Within 60 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.
 - (B) Within 90 calendar days of submittal of the application to the local government pursuant to this section if the development contains more than 150 housing units.
 - (C) Documentation of inconsistencies with objective standards must be provided to the development proponent within these timeframes. If the local government fails to provide the required documentation determining consistency within these timeframes, the development shall be deemed to satisfy the objective planning standards.
- (3) Any design review or public oversight, as described in Section 301(a)(2), including resulting final approval shall be completed as follows:
- (A) Within 90 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.
 - (B) Within 180 calendar days of submittal of the application to the local government pursuant to this section if the development contains more than 150 housing units.
 - (C) Although design review may occur in parallel with or as part of the consistency determination set forth in paragraphs (1) and (2) above, failure to meet subjective design review standards or obtain design review approval from the oversight board shall not itself prevent or otherwise preclude a project from being approved for development pursuant to this Section if objective design review standards are met.
- (c) Modifications to the development subsequent to the approval of the ministerial review but prior to issuance of a building permit can be granted in the following circumstances:
- 1) For modification initiated by the development proponent.
 - A) Following approval of an application under the Streamlined Ministerial Review Process, but prior to issuance of a building permit for the development, an applicant may submit written request to modify the development. The modification must conform with the following:
 - i. The change is consistent with the Streamlined Ministerial Approval Process Guidelines.
 - ii. The change will not modify the project's consistency with objective development standards considered as part of the project's review.
 - iii. The change will not conflict with a plan, ordinance or policy addressing community health and safety.
 - iv. The change will not result in modifications to the concessions, incentives or waivers to development standards approved pursuant to density bonus law.

- B) Upon receipt of the request, the local agency shall determine if the requested modification is consistent with the local agency's objective development standards in effect when the development was approved. Approval of the modification request must be completed within 60 days of submittal of the modification or 90 days if design review is required.
- 2) For modification initiated by the local agency
- A) Following approval of an application under the Streamlined Ministerial Review Process, but prior to issuance of a building permit for the development, a local agency may require one-time changes to the development that are necessary to comply with the local agency's objective uniform construction codes (including, without limitation building, plumbing, electrical, fire, and grading codes), to comply with federal or state laws, or to mitigate a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without modifying the development. A "specific, adverse impact" has the meaning defined in Government Code section 65589.5(d)(2).
 - B) A determination that a change is required is a ministerial action. If a revised application is required to address these modifications, the application shall be reviewed as a ministerial approval within 60 days of re-submittal of the application.
- (d) If a local government approves a development under the Streamlined Ministerial Approval Process, notwithstanding any other law, the following expiration of approval timeframes apply:
- (1) If the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the AMI, then that approval shall not expire.
 - (2) If the project does not include public investment in housing affordability (including local, state, or federal government assistance), beyond tax credits and at least 50 percent of the units are not affordable to households making at or below 80 percent of the AMI, that approval shall automatically expire after three years.
 - (A) That development may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.
 - (B) Approval shall remain valid for a development so long as vertical construction of the development has begun and is in progress.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a),(b), (c), (e), (h), and (k).

ARTICLE IV. DEVELOPMENT ELIGIBILITY

Section 400. Housing Type Requirements

To qualify to apply for the Streamlined Ministerial Approval Process, the development proponent shall demonstrate the development meets the following criteria:

- (a) Is a multifamily housing development. The development can offer units for rental or for-sale.
- (b) At least two-thirds of the square footage of the development shall be designated for residential use:
 - (1) For purposes of these Guidelines, the two-thirds calculation is based upon the proportion of gross square footage of residential space and related facilities as defined in Section 102(u), to gross development building square footage for an unrelated use such as commercial. Structures utilized by both residential and non-residential uses shall be credited proportionally to intended use. Additional density, floor area, or units granted pursuant to Density Bonus Law are excluded from this calculation.
 - (2) Both residential and non-residential components of a qualified mixed-use development are eligible for the Streamlined Ministerial Approval Process. Additional permitting requirements pertaining to the individual business located in the commercial component (e.g. alcohol use permit or adult business permit) are subject to local government processes.
 - (3) When the commercial component is not part of a vertical mixed-use structure, construction of the residential component of a mixed-use development shall be completed prior to, or concurrent with, the commercial component. .
- (c) The development is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time of the development application submittal per Section 300 of these Guidelines, provided that any modifications to density or other concessions, incentives, or waivers granted pursuant to the Density Bonus Law shall be considered consistent with such objective zoning standards, objective subdivision standards, and objective design review standards.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a).

Section 401. Site Requirements

- (a) The development proponent shall demonstrate in the application that, as of the date the application is submitted, the proposed development is located on a site that meets the following criteria:
 - (1) The site is a legal parcel, or parcels, located in either:

- (A) A city where the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or
 - (B) An unincorporated area where the area boundaries are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.
- (2) The site meets the definition of infill as defined by Section 102(j) of these Guidelines.
 - (3) The site must be zoned for residential use or residential mixed-use development, or have a general plan designation that allows residential use or a mix of residential and nonresidential uses.
 - (A) To qualify for the Streamlined Ministerial Approval Process, the site's zoning designation, applicable specific plan or master plan designation, or general plan designation must permit residential or a mix of residential and nonresidential uses by right or with a use permit.
- (b) The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a legal parcel(s) that is any of the following:
 - (1) Within a coastal zone, as defined in Division 20 (commencing with section 30000) of the Public Resources Code.
 - (2) Prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that locality.
 - (3) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (4) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Public Resources Code section 4202.
 - (A) This restriction does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to Government Code section 51179(b), or sites that are subject to adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

- (B) This restriction does not apply to sites that have been locally identified as fire hazard areas, but are not identified by the Department of Forestry and Fire Protection pursuant to Government Code section 51178 or Public Resources Code section 4202.
- (5) A hazardous waste site that is currently listed pursuant to Government Code section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code section 25356.
- (A) This restriction does not apply to sites the Department of Toxic Substances Control has cleared for residential use or residential mixed uses.
- (6) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist.
- (A) This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- (7) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
- (A) This restriction does not apply if the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local government.
 - (B) This restriction does not apply if the development proponent can demonstrate that they will be able to meet the minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
 - i. If the development proponent demonstrates that the development satisfies either subsection (A) or (B) above and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for the development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to special floor hazard areas.
 - ii. If the development proponent is seeking a floodplain development permit from the local government, the development proponent must describe in detail in the application for the Streamlined Ministerial Approval Process how the development will satisfy the applicable federal qualifying criteria

necessary to obtain the floodplain development permit. Construction plans demonstrating these details shall be provided to the locality before the time of building permit issuance, however construction plans shall not be required for the local jurisdiction to take action on the application under the Streamlined Ministerial Approval Process.

- (8) Within a regulatory floodway, as determined by the Federal Emergency Management Agency, in any official maps published by the Federal Emergency Management Agency.
 - (A) This restriction does not apply if the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
 - (B) If the development proponent demonstrates that the development satisfies subsection (A) above and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to regulatory floodways.
- (9) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), a habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or another adopted natural resource protection plan.
- (10) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - (A) The identification of habitat for protected species discussed above may be based upon information identified in underlying environmental review documents for the general plan, zoning ordinance, specific plan, or other planning documents associated with that parcel that require environmental review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- (11) Lands under conservation easement.
- (12) An existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13

of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

- (c) The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a site where any of the following apply:
 - (1) The development would require the demolition of the following types of housing:
 - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - (B) Housing that is subject to any form of rent or price control through a locality's valid exercise of its police power.
 - (C) Housing that has been occupied by tenants, as defined by Section 102(y), within the past ten years.
 - (2) The site was previously used for housing that was occupied by tenants that was demolished within ten years before the development proponent submits an application under the Streamlined Ministerial Approval Process.
 - (A) When property with a building that was demolished in the past ten years has been zoned for exclusively residential use, there is a presumption that it was occupied by tenants, unless the development proponent can provide verifiable documentary evidence from a government or independent third party source to rebut the presumption for each of the ten years prior to the application date.
 - (B) When property with a building that was demolished in the past ten years has been zoned to allow residential use in addition to other uses, the developer proponent shall include in its application a description of the previous use and verification it was not occupied by residential tenants.
 - (3) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.
 - (4) The property contains housing units that are occupied by tenants and the development would require a subdivision.
- (d) A development that involves a subdivision of a parcel that is, or, notwithstanding the Streamlined Ministerial Approval Process, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land is not eligible for the Streamlined Ministerial Approval Process.
 - (1) Subdivision (d) does not apply if the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

- (A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to Section 403 of these Guidelines.
 - (B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used.
- (2) An application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) for a development that meets the provisions in (1) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). Such an application shall be subject to a ministerial process as part of the Streamlined Ministerial Approval Process.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a) and (c).

Section 402. Affordability Provisions

- (a) A development shall be subject to a requirement mandating a minimum percentage of units be affordable to households making at or below 80 percent AMI, based on one of the following categories:
 - (1) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (c), the development shall dedicate a minimum of 10 percent of the total number of units prior to calculating any density bonus to housing affordable to households making at or below 80 percent of the area median income.
 - (A) Developments of ten units or less are not subject to the 10 percent affordability provision.
 - (B) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the AMI, that local affordable housing requirement applies.
 - (2) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (e), the development shall dedicate a minimum of 50 percent of the total number of units prior to calculating any density bonus to housing affordable to households making at or below 80 percent of the AMI.
 - (A) If the locality has adopted a local ordinance that requires greater than 50 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the AMI, that local affordable housing requirement applies.

- (3) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (d), the development shall dedicate a minimum of 10 percent of the total number of units to housing affordable to households making at or below 80 percent of the AMI.
- (A) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the AMI, that local affordable housing requirement applies.
- (b) A covenant or restriction shall be recorded against the development dedicating the minimum percentage of units to housing affordable to households making at or below 80 percent of the AMI pursuant to Section 402 (a)(1-3).
- (1) The recorded covenant or restriction shall remain an encumbrance on the development for a minimum of either:
- (A) 55 years for rental developments or
- (B) 45 years for owner-occupied properties
- (2) The development proponent shall commit to record a covenant or restriction dedicating the required minimum percentage of units to below market housing prior to the issuance of the first building permit.
- (c) The percentage of units affordable to households making at or below 80 percent of the area median income per this section is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus.
- (d) The percentage of units affordable to households making at or below 80 percent of the area median income per this section shall be built on-site as part of the development.
- (e) If the locality has adopted an inclusionary ordinance, the objective standards contained in that ordinance apply to the development under the Streamlined Ministerial Approval Process. For example, if the locality's adopted ordinance requires a certain percentage of the units in the development to be affordable to very low-income units, the development would need to provide that percentage of very low-income units to be eligible to use the Streamlined Ministerial Approval Process.
- (f) All affordability calculations resulting in fractional units shall be rounded up to the next whole number. Affordable units shall be distributed throughout the development and shall be of comparable size, both in terms of the square footage and the number of bedrooms, and quality to the market rate units with access to the same common areas and amenities.
- (g) Affordability of units to households at or below² 80 percent of the area median income per the section is calculated based on the following:

² Amended 1/19/19 – Grammatical Correction

- 1) For owner-occupied units, affordable housing cost is calculated pursuant to Health and Safety Code Section 50052.5.
- 2) For rental units, affordable rent is calculated pursuant to Health and Safety Code Section 50053.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a).

Section 403. Labor Provisions

The Labor Provisions in the Streamlined Ministerial Approval Process, located in paragraph (8) of subdivision (a) of Government Code section 65913.4, contain requirements regarding payment of prevailing wages and use of a skilled and trained workforce in the construction of the development.

The development proponent shall certify both of the following to the locality to which the development application is submitted:

- (a) The entirety of the development is a public work project, as defined in Section 102(s) above, or if the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
 - (1) The Department of Industrial Relations posts on its website letters and decisions on administrative appeal issued by the Department in response to requests to determine whether a specific project or type of work is a “public work” covered under the state’s Prevailing Wage Laws. These coverage determinations, which are advisory only, are indexed by date and project and available at:
<https://www.dir.ca.gov/OPRL/pwdecision.asp>
 - (2) The general prevailing rate is determined by the Department of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code. General prevailing wage rate determinations are posted on the Department of Industrial Relations’ website at:
<https://www.dir.ca.gov/oprl/DPreWageDetermination.htm>.
 - (3) Apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. To find out if an apprentice is registered in an approved program, please consult the Division of Apprenticeship Standards’ “Apprenticeship Status and Safety Training Certification” database at
<https://www.dir.ca.gov/das/appcertpw/appcertsearch.asp>.
 - (4) To find the apprentice prevailing wage rates, please visit the Department of Industrial Relations’ website at:
<https://www.dir.ca.gov/OPRL/PWAppWage/PWAppWageStart.asp>. If you are interested in requesting an apprentice, a list of approved programs is available at:
<https://www.dir.ca.gov/databases/das/aigstart.asp>. General information regarding the state’s Prevailing Wage Laws is available in the Department of Industrial Relations’ Public Works website (<https://www.dir.ca.gov/Public->

[Works/PublicWorks.html](#)) and the Division of Labor Standards Enforcement Public Works Manual (<https://www.dir.ca.gov/dlse/PWManualCombined.pdf>).

- (5) For those portions of the development that are not a public work, all of the following shall apply:
- (A) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - (B) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.
 - (C) All contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.
 - i. The obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
 - ii. The payroll record and Labor Commissioner enforcement provisions in (C) and (C)(i), above, shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement, as defined in Section 102(q) above, that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure.
 - (D) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Sections 511 or 514 of the Labor Code.

- (b) For developments for which any of the following conditions in the charts below apply, that a skilled and trained workforce, as defined in Section 102(w) above, shall be used to complete the development if the application is approved.

Developments Located in Coastal or Bay Counties

Date	Population of Locality to which Development Submitted pursuant to the last Centennial Census	Number of Housing Units in Development
January 1, 2018, until December 31, 2021	225,000 or more	75 or more
January 1, 2022, until December 31, 2025	225,000 or more	50 or more

Developments Located in Non-Coastal or Non-Bay Counties

Date	Population of Locality to which Development Submitted pursuant to the last Centennial Census	Number of Housing Units in Development
January 1, 2018, until December 31, 2019	Fewer than 550,000	75 or more
January 1, 2020, until December 31, 2021	Fewer than 550,000	More than 50
January 1, 2022, until December 31, 2025	Fewer than 550,000	More than 25

- (1) Coastal and Bay Counties include: Alameda, Contra Costa, Del Norte, Humboldt, Los Angeles, Marin, Mendocino, Monterey, Napa, Orange, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma and Ventura.
- (2) Non-Coastal and Non-Bay Counties include: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba.
- (3) The skilled and trained workforce requirement in this subparagraph is not applicable to developments with a residential component that is 100 percent subsidized affordable housing.
- (4) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

- (A) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
- (B) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
- (C) The applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
 - i. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided.
 - ii. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.
 - iii. The requirements in (C), (C)(i), and (C)(ii), above, do not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure.
- (c) Notwithstanding subsections (a) and (b) A development is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
 - (1) The project includes ten or fewer housing units.
 - (2) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (d) Offsite fabrication is not subject to this Section if it takes place at a permanent, offsite manufacturing facility and the location and existence of that facility is determined wholly without regard to the particular development. However, offsite fabrication performed at a temporary facility that is dedicated to the development is subject to Section 403.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a), Subdivision (d) of Section 2601 of the Public Contract Code, *Sheet Metal Workers' International Association, Local 104, v. John C. Duncan* (2014) 229 Cal.App.4th 192 [176 Cal.Rptr.3d 634].

Section 404. Additional Provisions

- (a) A local government subject to the Streamlined Ministerial Approval Process shall allow for a development proponent's use of this process. However, the ability for a development proponent to apply for the Streamlined Ministerial Approval Process shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including, but not limited to, the use by right provisions of housing element law Government Code section 65583.2(i), local overlays, or ministerial provisions associated with specific housing types.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(g).

ARTICLE V. REPORTING

Section 500. Reporting Requirements

As part of the APR due April 1 of each year, local governments shall include the following information. This information shall be reported on the forms provided by the Department. For forms and more specific information on how to report the following, please refer to the Department's Annual Progress Report Guidelines.

- (a) Number of applications submitted under the Streamlined Ministerial Approval Process.
- (b) Location and number of developments approved using the Streamlined Ministerial Approval Process.
- (c) Total number of building permits issued using the Streamlined Ministerial Approval Process.
- (d) Total number of units constructed using the Streamlined Ministerial Approval Process by tenure (renter and owner) and income category.

NOTE: Authority cited: Government Code section 65400(a)(2)(B). Reference cited: Government Code section 65400(a)(2)(E).