

15 pgs.

POSTED

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

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

WHEREAS, during that time serious traffic and transportation problems have persisted; and

WHEREAS, mathematical errors in the calculation of the Project Impact Fees have been discovered; and

WHEREAS, the City Planning Commission instructed staffs from the City Planning Department and the Department of Transportation to draft the necessary amended ordinance; and

WHEREAS, the Commission further instructed staff to consider changing the unit of measure for the Project Impact Fee from trips to floor area; and

WHEREAS, the Planning and Land Use Committee of the City Council is currently holding a number of appeals to the trip fee bills originally mailed to property owners by the Department of Transportation until this matter is cleared up,

NOW THEREFORE,

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

Sec. 1. ESTABLISHMENT OF THE VENTURA/CAHUENGA BOULEVARD CORRIDOR SPECIFIC PLAN.

A. The Council hereby establishes the Ventura/Cahuenga Boulevard Corridor Specific Plan. The Corridor extends from Leonora Drive on the west to Woodrow Wilson Drive on the east as shown in Map 1. The Specific Plan is applicable to that area of the City of Los Angeles within the dashed, heavy black lines on Maps 2A through 2E.

B. As shown in Maps 2A through 2E, the Ventura/Cahuenga Boulevard Corridor Specific Plan is divided

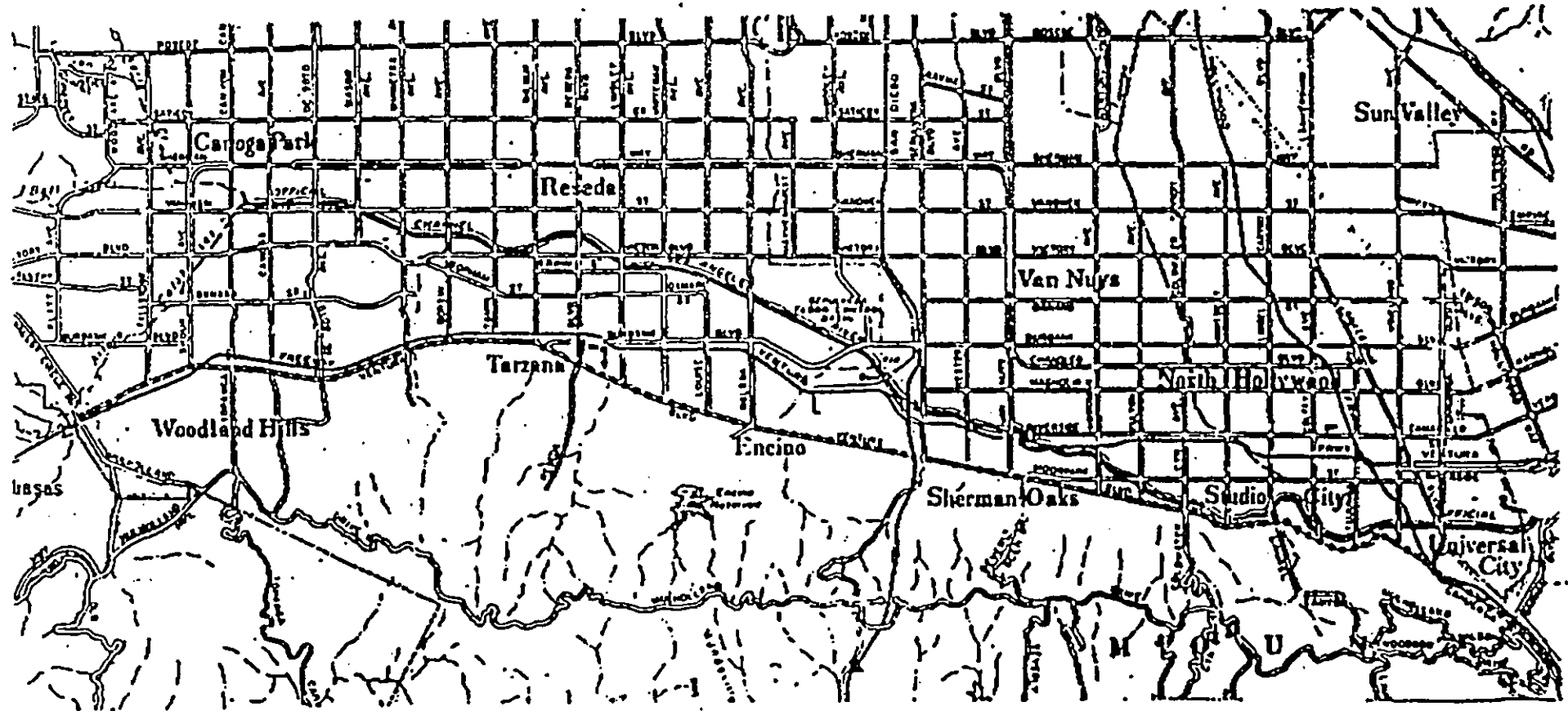
into five major communities: (1) the Studio City Community (west of Woodrow Wilson Drive to Fulton Avenue), (2) the Sherman Oaks Community (Fulton Avenue to the San Diego Freeway), (3) the Encino Community (San Diego Freeway to Lindley Avenue), (4) the Tarzana Community (Lindley Avenue to Corbin Avenue), and (5) the Woodland Hills Community (Corbin Avenue to Leonora Drive).

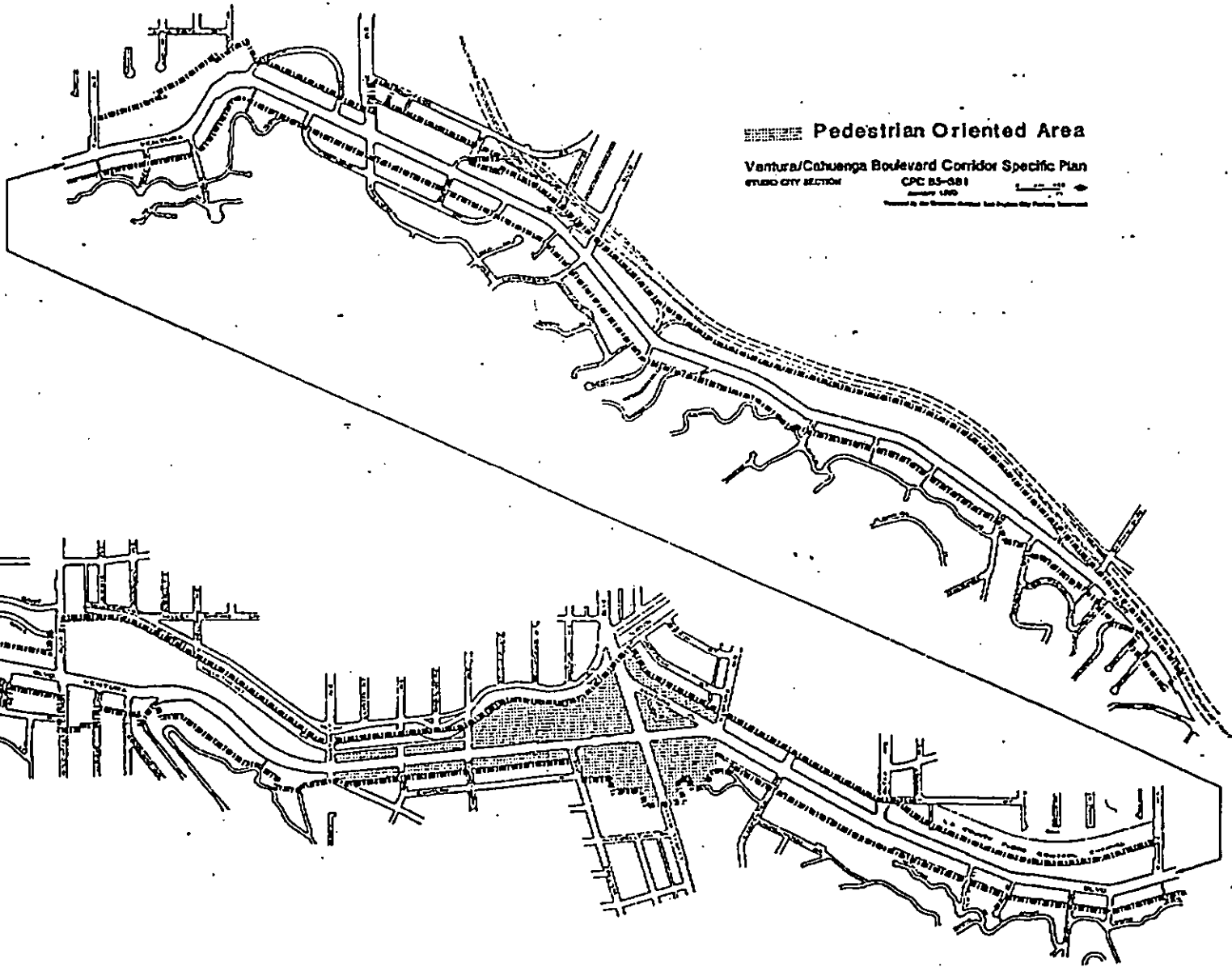
C. The Pedestrian Oriented Areas within each of the five major communities are indicated by grey shading on Maps 2A through 2E.

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

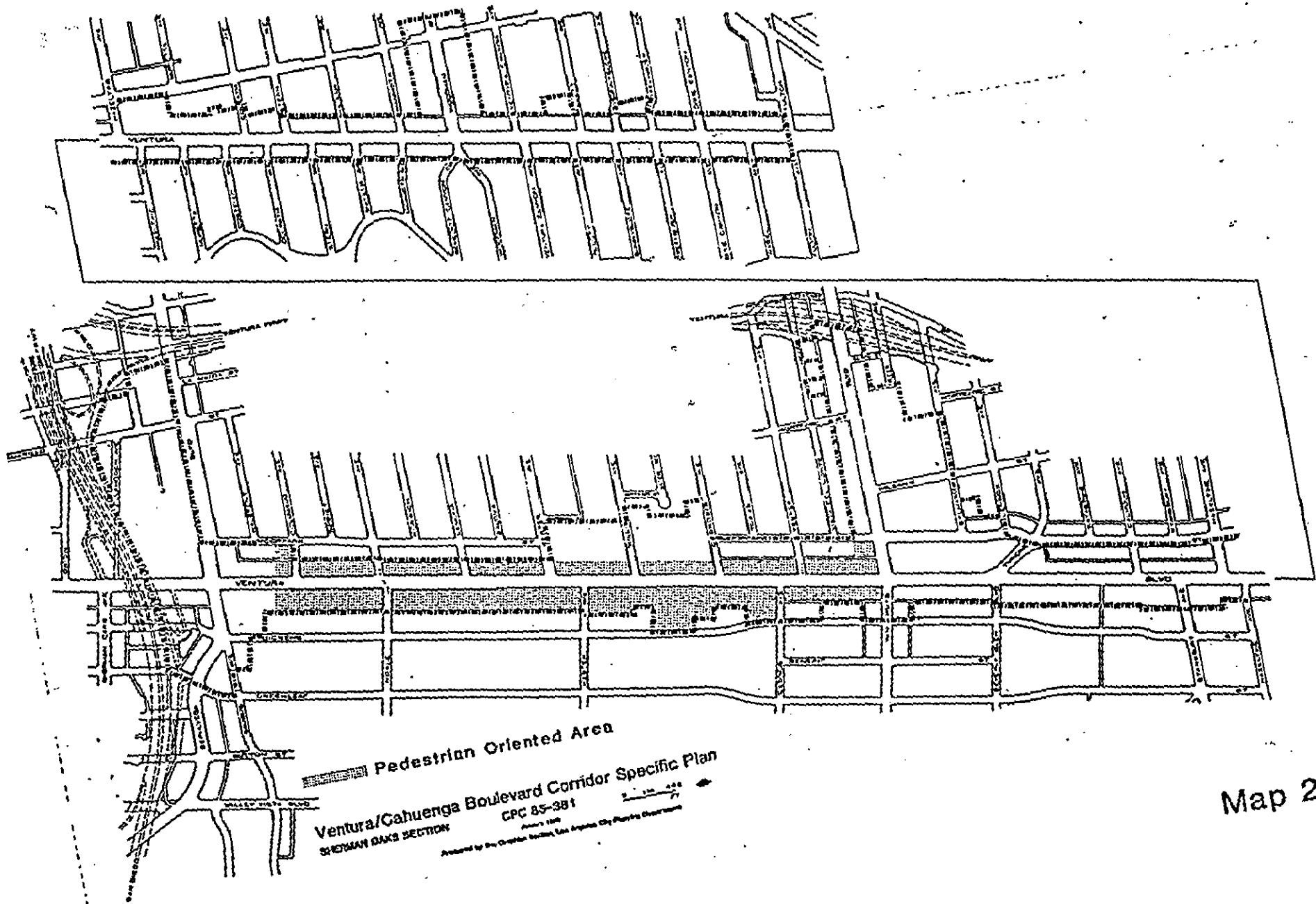
MAP 1

VENTURA/CAHUENGA BOULEVARD CORRIDOR SPECIFIC PLAN





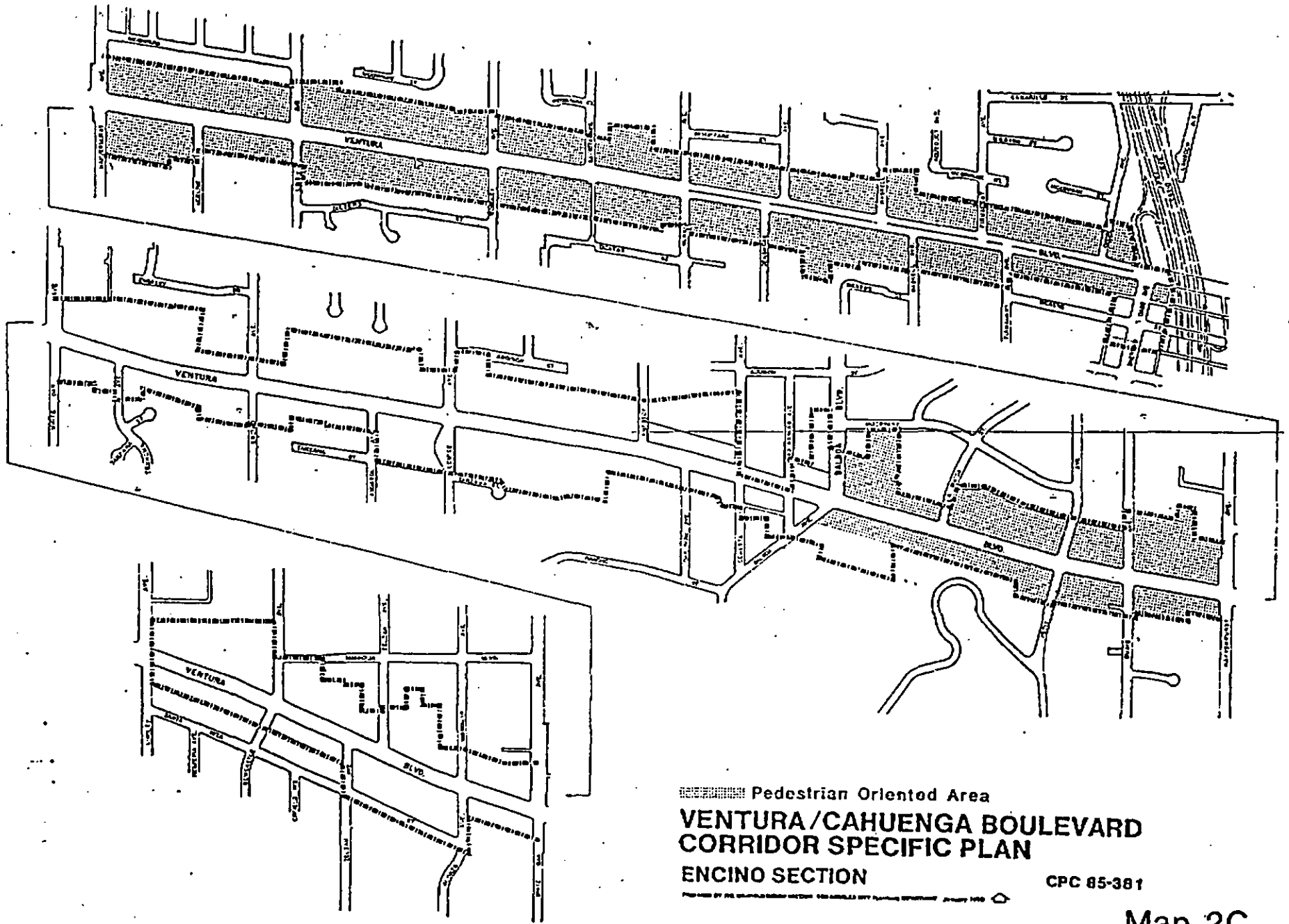
Map 2A



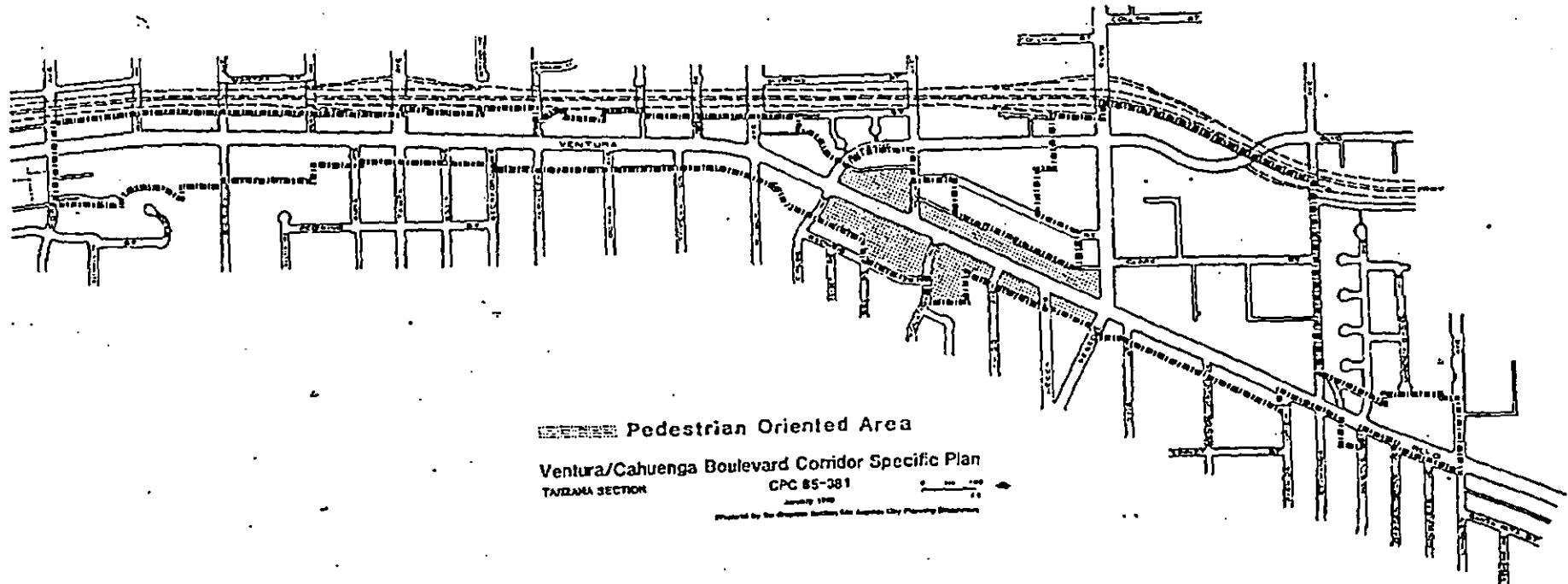
Pedestrian Oriented Area
 Ventura/Cahuenga Boulevard Corridor Specific Plan
 CPC 85-381
 SHEWAN OAKS SECTION
 Prepared by the City of Los Angeles, Los Angeles City Planning Department

Map 2B

9



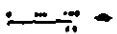
Map 2C



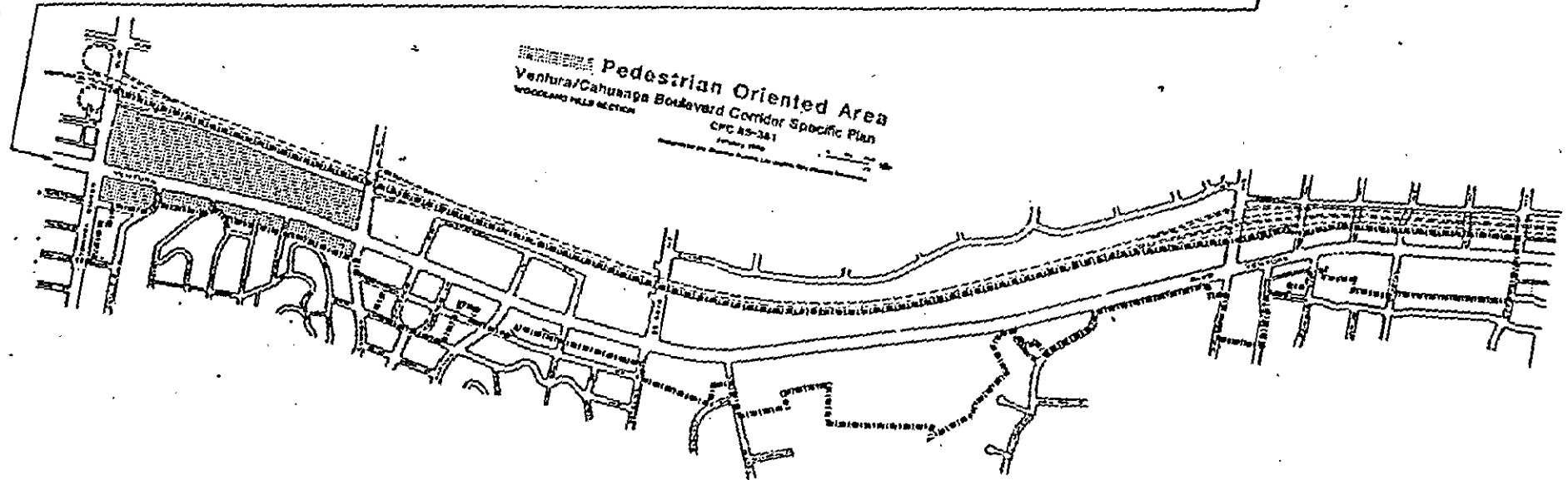
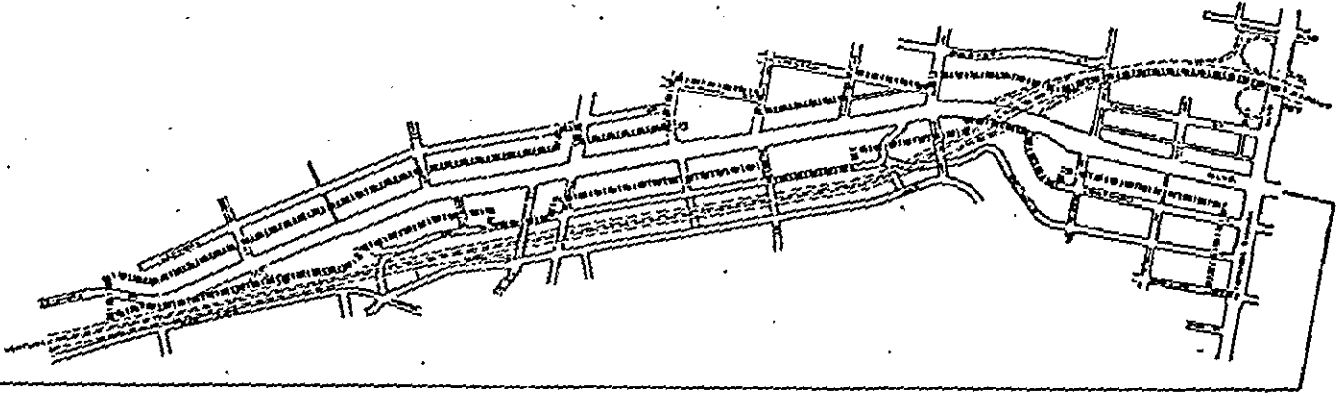
 Pedestrian Oriented Area

Ventura/Cahuenga Boulevard Corridor Specific Plan
TAVAZANA SECTION
CPC 85-381

January 1989
Prepared by the Strategic Studies for Los Angeles City Planning Department



Map 2D



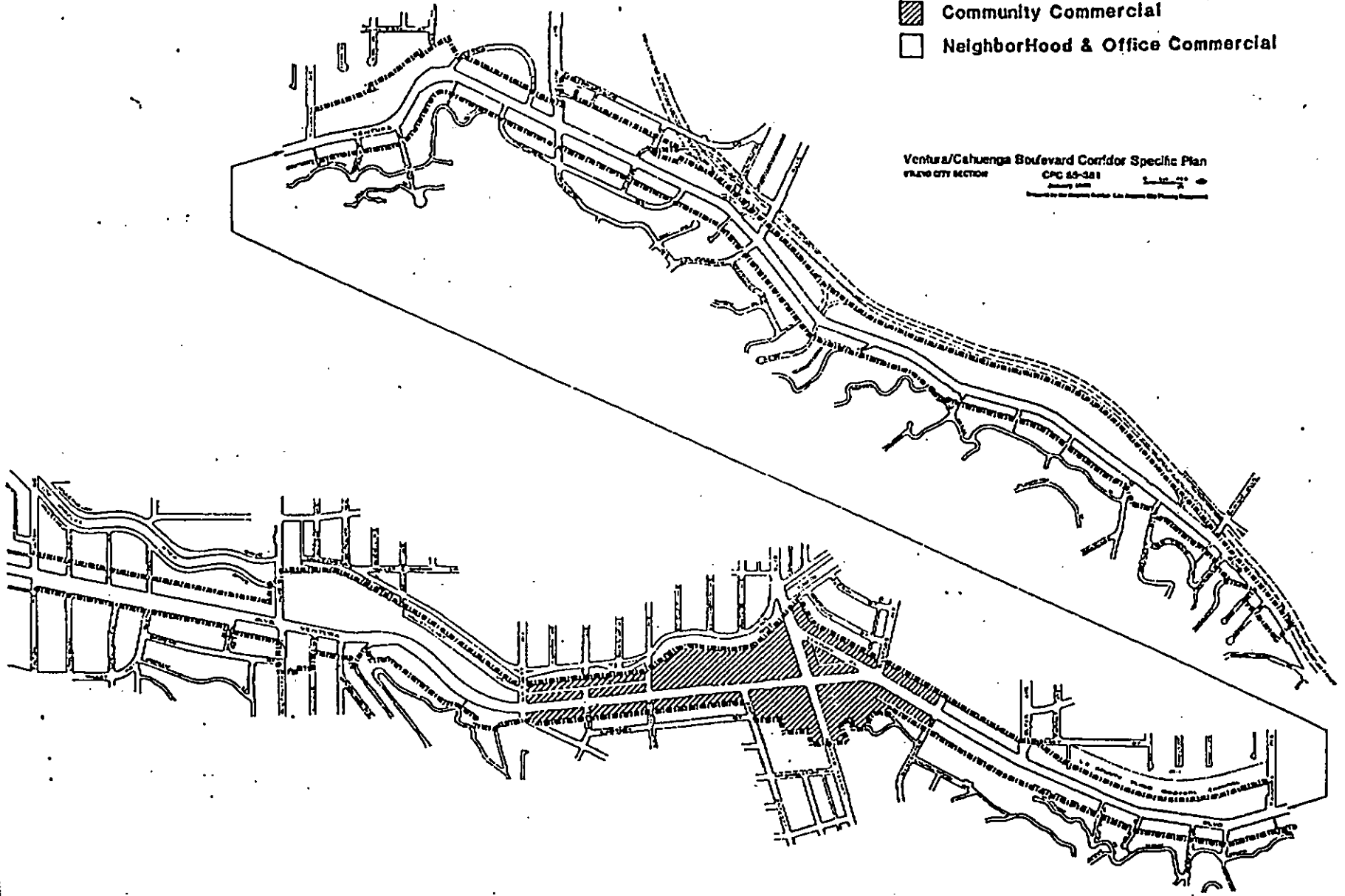
Pedestrian Oriented Area
Ventura/Cahuenga Boulevard Corridor Specific Plan
CPC AS-351
January 1999
Prepared for the Board of Supervisors, Los Angeles County, California

Map 2E

PLAN DESIGNATIONS

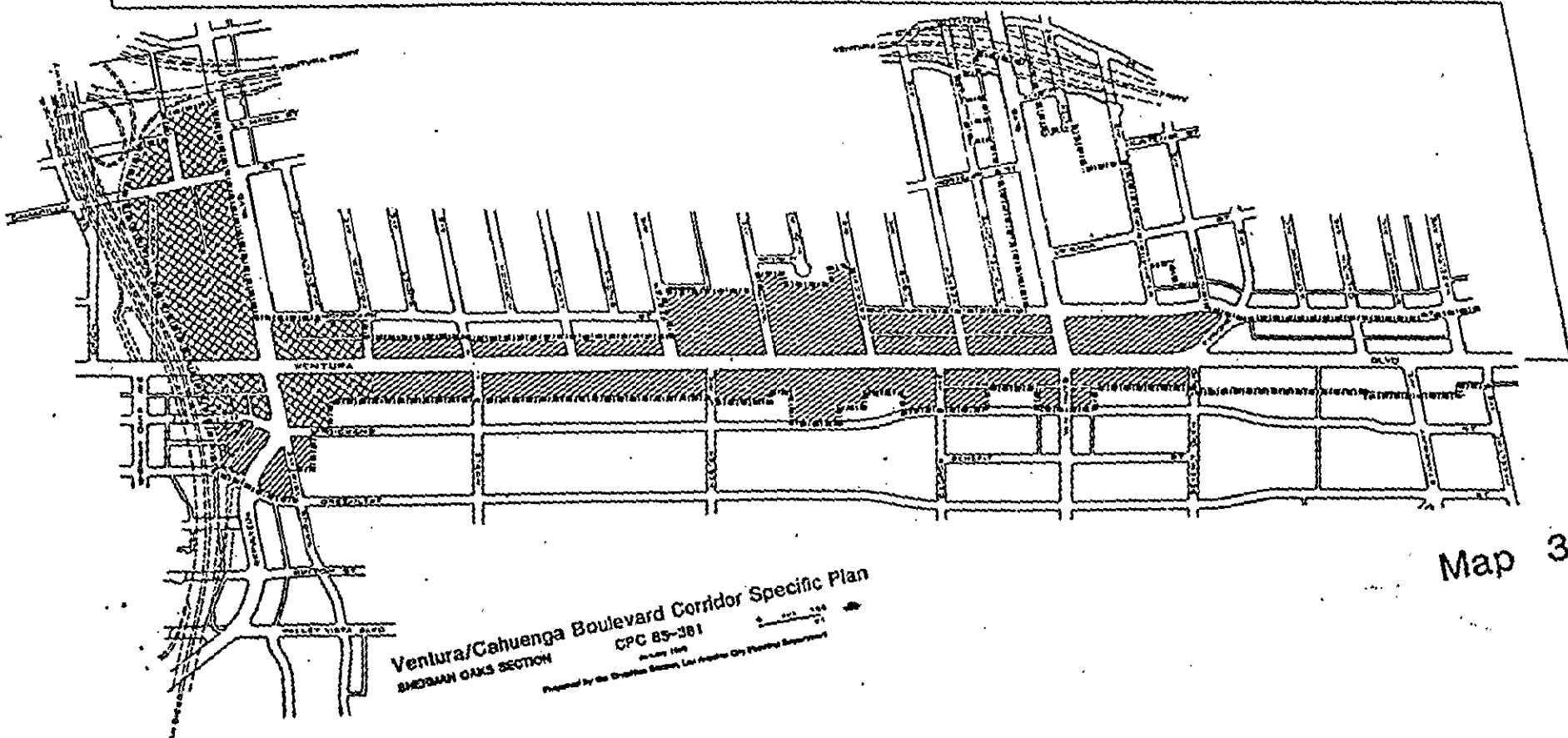
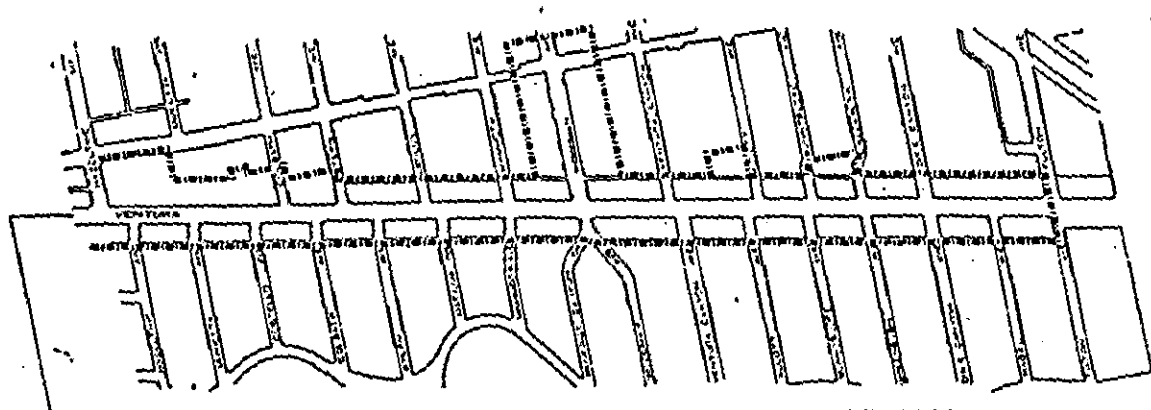
-  Community Commercial
-  NeighborHood & Office Commercial

Ventura/Cahuenga Boulevard Corridor Specific Plan
VLA20 CITY SECTION CPC 65-341
Adopted 1998
Prepared by the Planning Section, Los Angeles City Planning Department



Map 3A

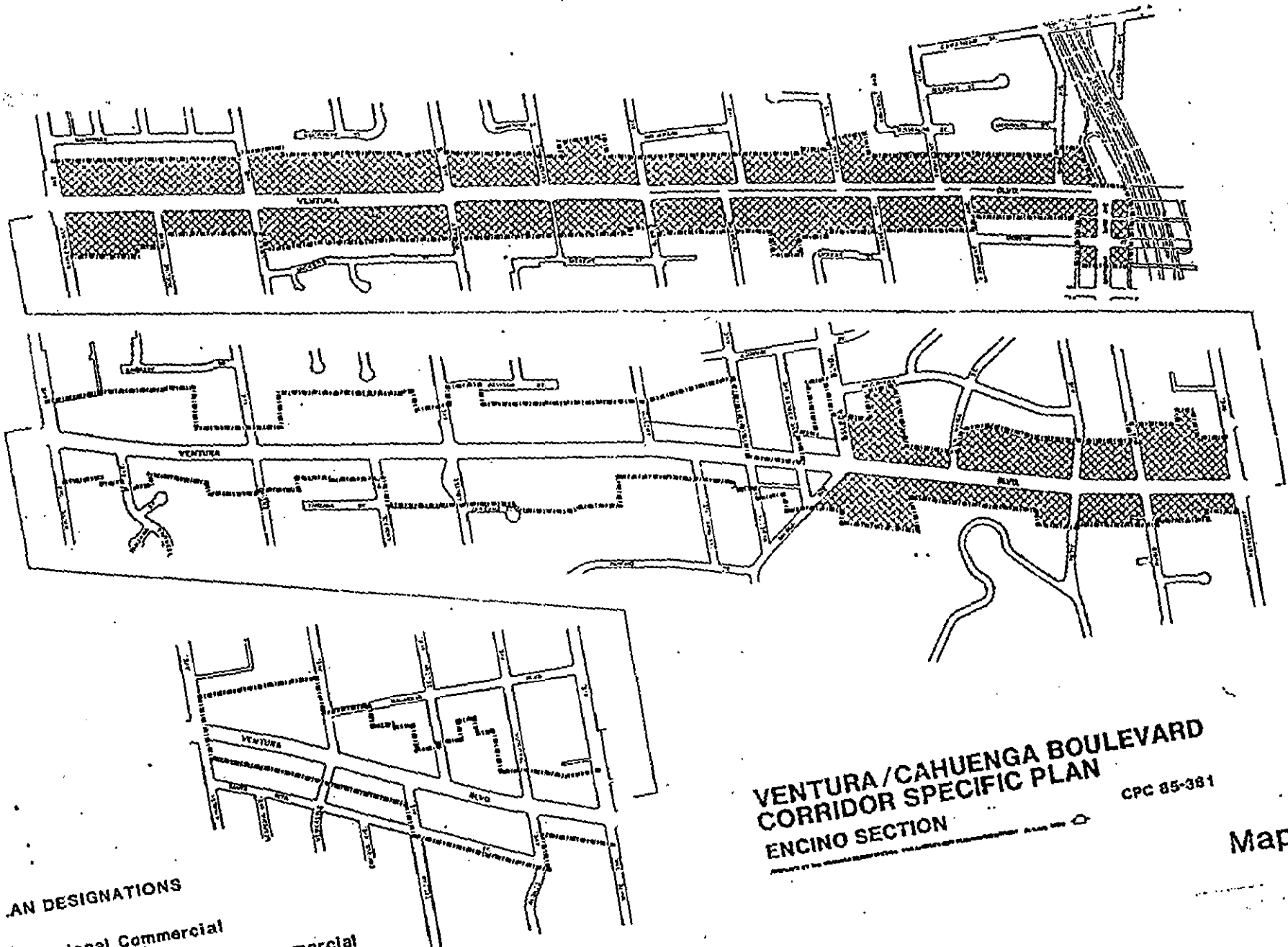
PLAN DESIGNATIONS
 [Diagonal lines] Community Commercial
 [Cross-hatch] Regional Commercial
 [Empty box] Neighborhood & Office Commercial



Ventura/Cahuenga Boulevard Corridor Specific Plan
 CPC 85-381
 July 1984
 Prepared by the Planning Section, Los Angeles City Planning Department

Map 3B

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LAND DESIGNATIONS
 | Regional Commercial
 | Neighborhood & Office Commercial

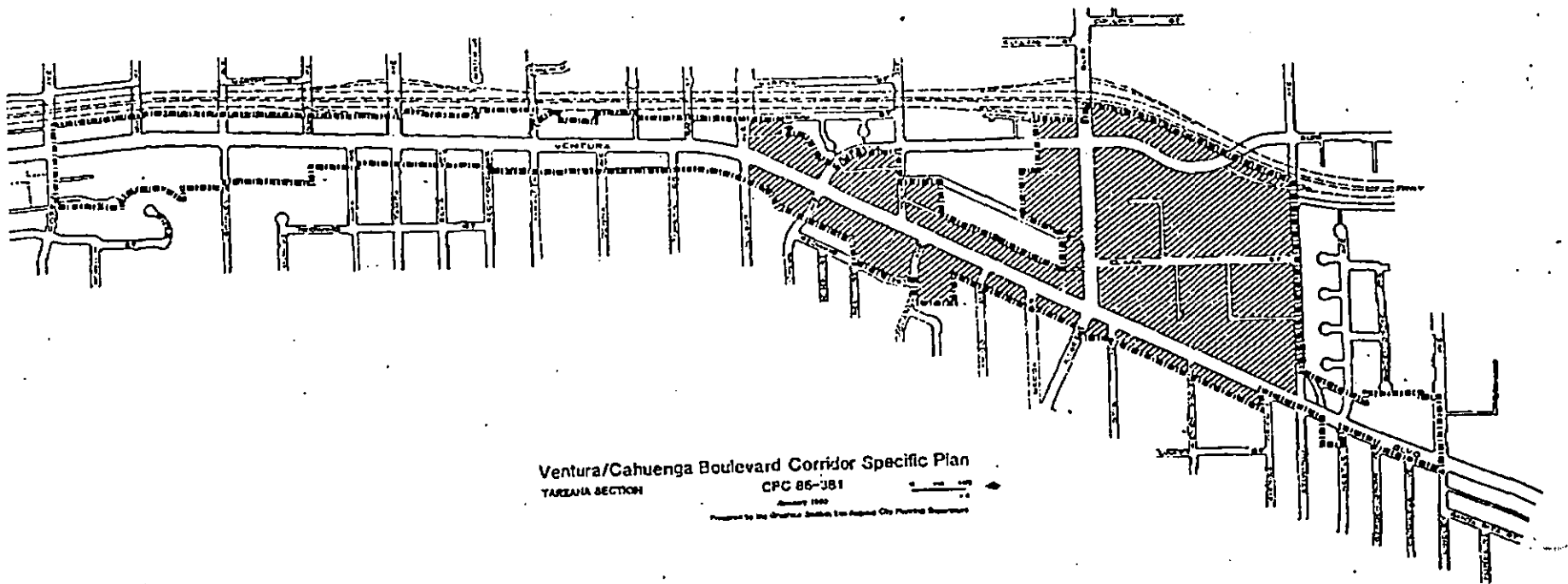
VENTURA/CAHUENGA BOULEVARD
 CORRIDOR SPECIFIC PLAN
 ENCINO SECTION

CPC 85-381

Map 3C

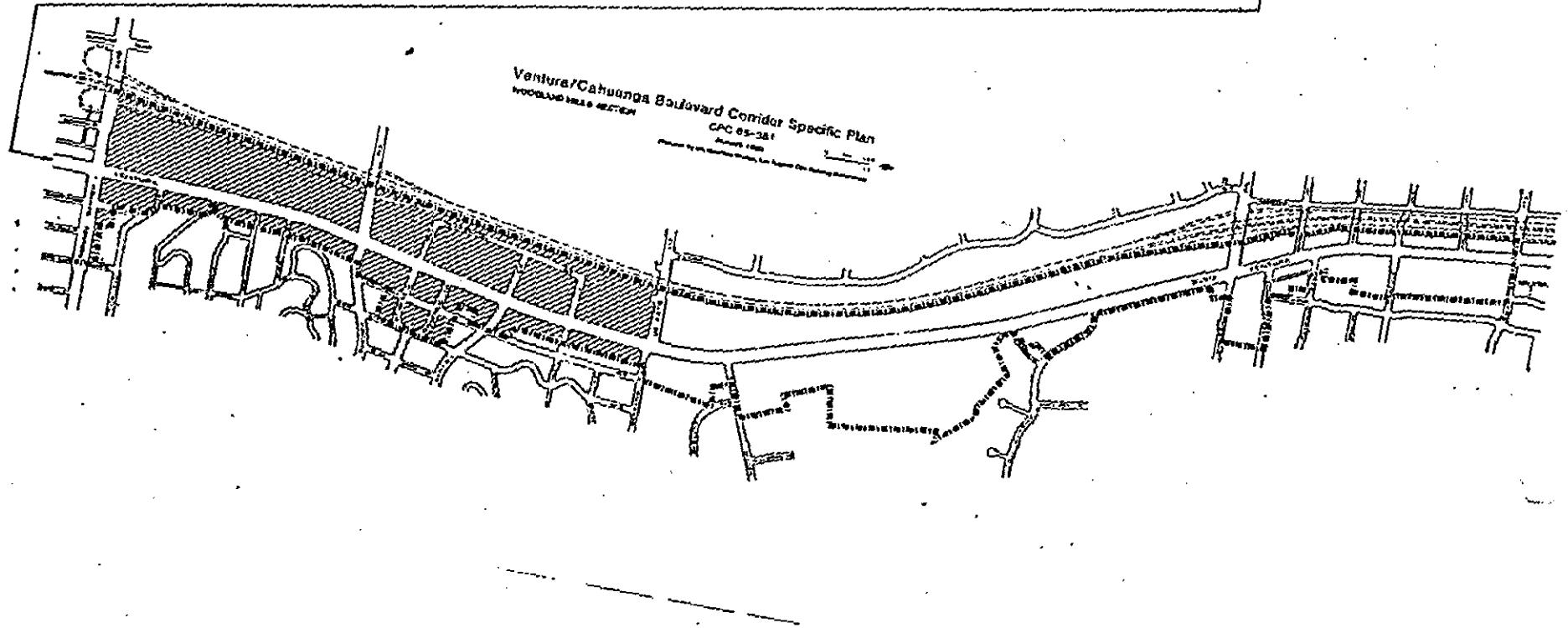
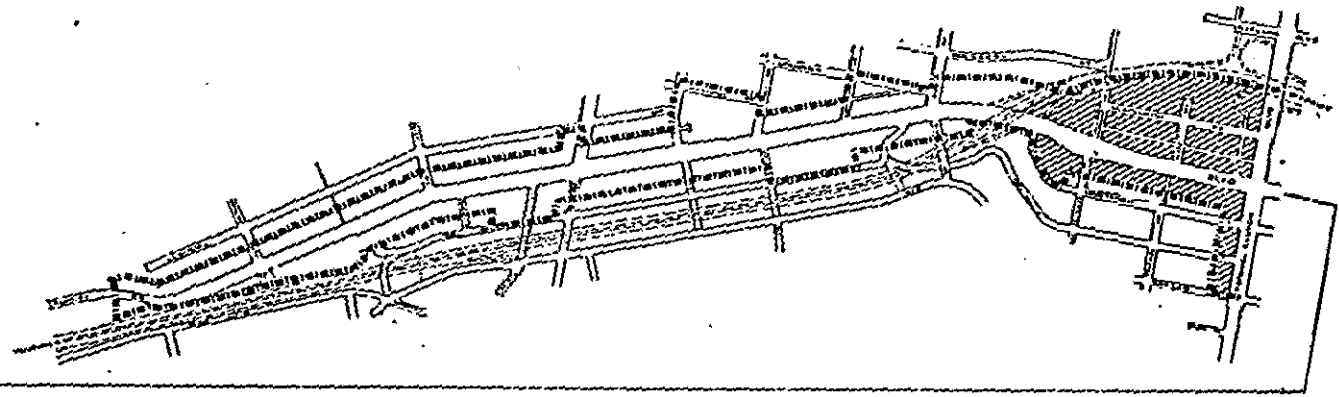
PLAN DESIGNATIONS

-  Community Commercial
-  Neighborhood & Office Commercial



PLAN DESIGNATIONS
Community Commercial
Neighborhood & Office Commercial

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Map 3E

Sec. 2. PURPOSES. The purposes of this Specific Plan are as follows:

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

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

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

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

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

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

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

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

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

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

Plan area.

K. To ensure sufficient financing to implement improvements called for in the Specific Plan.

L. To promote a high level of pedestrian activity in the Regional Commercial and Community Commercial areas by regulating the placement of buildings and structures to accommodate outdoor dining and other ground level retail activity, as well as provide for attractive landscaping.

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

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

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

A. Relation To Los Angeles Municipal Code.

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

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

B. Exceptions To A Geographic Specific Plan. The procedures for the granting of exceptions to the requirements of this Specific Plan are set forth in LAMC Section 11.5.7 D. In approving an exception to this Specific Plan, pursuant to Section 11.5.7 D, the City Planning Commission, and the City Council on appeal, may simultaneously approve any conditional use under their

jurisdiction. Only one fee shall be required for joint applications.

Sec. 4. DEFINITIONS. The following words or phrases, whenever used in this Specific Plan, shall be construed as defined in this Section. Words and phrases not defined herein shall be construed as defined in LAMC Sections 12.03, 91.0402 through 91.0423 and 91.6203.

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

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

BUILDABLE AREA: Notwithstanding LAMC Section 12.03, all of the area of a lot located within the proper zone for the proposed main building, including those portions of the lot which must be reserved for yard spaces, building line setback space, or which may only be used for accessory buildings or uses.

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

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

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

DIRECTOR: The Director of Planning or his or her designee.

DISTRICT PLAN(S): The adopted Plans for the Sherman Oaks-Studio City-Toluca Lake District Plan area, Encino-Tarzana District Plan area, and Canoga Park-Winnetka-Woodland Hills District Plan area. They are all parts of the General Plan of the City of Los Angeles.

DRIVE-THROUGH CONVENIENCE PREMIUM: The fixed component of the PIA Fee charged when drive-through facilities are included in retail sales/service, restaurant, and bank use regardless of the number of ATM, teller, and service windows; and for gasoline stations regardless of the number of fueling positions. Convenience markets are always charged this drive-through/convenience premium.

FLOOR AREA RATIO: A multiplier applied to the Buildable Area of a commercially or residentially zoned lot in order to determine the maximum allowable floor area of all buildings on a lot.

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

IN-LIEU CREDIT: A credit toward payment of the Transportation Impact Assessment Fee, pursuant to the provisions of Section 11 of this specific plan.

LEVEL OF SERVICE (LOS): An indicator, designated "A" through "F", of the degree of traffic saturation of a lane segment or intersection. For purposes of this Ordinance, "LOS" shall pertain to intersectional level of service which is determined by the ratio of critical lane volume "V" to the intersection's capacity "C" or "V/C" ratio.

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

PEAK HOUR: The one hour period of a weekday with the greatest average on-street traffic volume.

PEDESTRIAN ORIENTED AREA: One of the five areas within the Specific Plan area, as shown in black shading on the maps in Section 1 of this Specific Plan, in which greater pedestrian activity is encouraged.

PEDESTRIAN SERVING USES: Book stores; cafes; coffee houses; ice cream parlors; restaurants without drive-through facilities; theaters; and specialty stores which primarily sell records, electronic tapes, compact discs, and audio cassettes.

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

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

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

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

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

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

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

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

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

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

SIGNIFICANT TRANSPORTATION IMPACT: The transportation impact, measured either as an increase in volume to capacity (V/C) ratio at an intersection, or an increase in the number of average daily vehicle trips (ADT) on a local residential street, which equals or exceeds the following significant thresholds, as determined by the Department of Transportation.

1. At an intersection:

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

2. On a residential street:

<u>If Final ADT is</u>	<u>Significance Threshold</u>
1,000 or greater	12.5% of Final ADT

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

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

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

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

TRIP: An arrival at or a departure from a Project during the A.M. or P.M. Peak Hour by a motor vehicle as calculated by the Department of Transportation using the Trip generation formulas and/or table provided in technical references published by the Institute of Transportation Engineers (ITE) and other transportation and traffic engineering industry sources.

Sec. 5. PROHIBITIONS, VIOLATIONS AND EXEMPTIONS.

A. Prohibitions.

1. Violations and Penalties. Any violation of this Ordinance shall be subject to the provisions of Section 11.00 (m) of the LAMC.

2. Specific Plan Compliance Required For, Building, Excavation, Foundation, Grading and Sign Permits. Notwithstanding any provision of the LAMC to the contrary, no building, excavation, foundation, grading or sign permit shall be issued for a Project, unless the Applicant complies with all sections of this Specific Plan. No sign permits shall be issued unless the sign conforms to the requirements of Sections 8 and 13 of this Specific Plan. In general, a Project shall be subject to a Department of Transportation mitigation approval described in Section 10 and a Department of City Planning Project Approval described in Section 8.

3. Use Limitations In Pedestrian Oriented Areas.

a. In addition to the prohibition in Subdivision 2 above, in the Pedestrian Oriented Areas identified on Maps 2A-E in Section 1 of this Specific Plan, no demolition permit, building permit, excavation permit, foundation permit, grading permit, or sign permit shall be issued for any Project unless the Project includes a Ground Floor which is restricted in its entirety to retail uses or any Pedestrian Serving Use. The Applicant shall guarantee the continued restriction to retail or Pedestrian Serving Uses by executing and recording a covenant and agreement. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning, recorded with the County Recorder, and a certified copy delivered to the Departments of City Planning and Transportation prior to the issuance of any demolition permit, building permit, excavation permit, foundation permit, grading permit, or sign permit.

b. Subdivision 3 above shall not apply to a Project which consists of construction, erection, addition to or structural alteration of a hospital located in the Pedestrian Oriented Area identified

on Map 2 C of Section 1 C, so long as the Project does not exceed 160,000 square feet of Floor Area and any new uses in the Project within 100 feet of Ventura Boulevard are retail or Pedestrian Serving Uses.

B. Total Exemptions From Specific Plan Provisions.

Any Project for which a demolition permit, building permit, excavation permit, foundation permit, grading permit, or sign permit is required in order to comply with an order issued by the Department of Building and Safety to repair an unsafe or substandard condition shall be exempt from the provisions of this Specific Plan. This exemption shall not apply to a change of use or an addition of floor area.

Sec. 6. BUILDING LIMITATIONS.

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

B. Floor Area Ratio Limitations.

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

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

b. However, an additional Floor Area Ratio of 0.25:1 may be granted by the Department of City Planning during the Project Approval process for a Mixed-Use Project, pursuant to Section 8.

2. The following Floor Area Ratio shall apply to Projects within the Neighborhood/Office Commercial Plan designation:

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

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

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

C. Cumulative Permitted Commercial Floor Area And Existing Floor Area.

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

Phase I - 23,400,000 square feet;

Phase II - 27,900,000 square feet.

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

1. Studio City - 728,000 square feet of additional Commercial Floor Area;

2. Sherman Oaks - 399,000 square feet of additional Commercial Floor Area;

3. Encino - 614,000 square feet of additional Commercial Floor Area;

4. Tarzana - 666,000 square feet of additional Commercial Floor Area; and

5. Woodland Hills - 1,703,000 square feet of additional Commercial Floor Area.

E. Project Limitations Based On Commercial Floor Area For Phase II.

1. Studio City - 797,000 square feet of additional Commercial Floor Area;
2. Sherman Oaks - 436,000 square feet of additional Commercial Floor Area;
3. Encino - 672,000 square feet of additional Commercial Floor Area;
4. Tarzana - 728,000 square feet of additional Commercial Floor Area; and
5. Woodland Hills - 1,864,000 square feet of additional Commercial Floor Area.

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

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

Studio City

1. Barham Boulevard and Cahuenga Boulevard
2. 101 Ramps, Regal Place and Cahuenga Boulevard
3. Lankershim Boulevard and Ventura Boulevard
4. Vineland Avenue and Ventura Boulevard
5. Tujunga Avenue and Ventura Boulevard
6. Colfax Avenue and Ventura Boulevard
7. Laurel Canyon Boulevard and Ventura Boulevard
8. Coldwater Canyon Avenue and Ventura

Boulevard

Sherman Oaks

9. Woodman Avenue and Ventura Boulevard
10. Beverly Glen Boulevard and Ventura Boulevard
11. Van Nuys Boulevard and Ventura Boulevard
12. Kester Boulevard (east and west jog) and Ventura Boulevard
13. Sepulveda Boulevard and Ventura Boulevard

Encino

14. 101/405 Ramps, Sherman Oaks Avenue and Ventura Boulevard
15. Hayvenhurst Avenue and Ventura Boulevard
16. Balboa Boulevard and Ventura Boulevard
17. White Oak Avenue and Ventura Boulevard

Tarzana

18. Lindley Avenue and Ventura Boulevard
19. Reseda Boulevard and Ventura Boulevard
20. Wilbur Avenue and Ventura Boulevard
21. Vanalden Avenue and Ventura Boulevard
22. Tampa Avenue and Ventura Boulevard
23. Corbin Avenue and Ventura Boulevard

Woodland Hills

24. Winnetka Avenue and Ventura Boulevard
25. Canoga Avenue and Ventura Boulevard

26. DeSoto Avenue and Ventura Boulevard
27. Topanga Canyon Boulevard and Ventura Boulevard
28. 101 Ramps near Shoup Avenue and Ventura Boulevard
29. Shoup Avenue and Ventura Boulevard
30. Fallbrook Avenue and Ventura Boulevard
31. 101 Ramps, Woodlake Avenue and Ventura Boulevard

H. Exemptions From The Limitations In Subsections B, C And D.

1. The provisions of Subsections B, C and D above shall not apply to any Project which is subject to a (Q) Qualified Zone Classification adopted after November 9, 1985, and before the effective date of this ordinance, provided, the (Q) Qualified Zone Classification includes specific limitations on building height, Floor Area Ratio and Trips. Projects described in Ordinance No. 164,115 and Ordinance No. 164,219 are the only cases subject to this partial exemption.

2. The provisions of Subsections B, C and D above shall not apply to the Project located at 17421 Ventura Boulevard which was the subject of City actions under Ordinance No. 158,865, BZA 4157 and ZA 89-0811 (ZV) (YV), so long as the Project will be no larger than 107,000 square feet in floor area and will not change the footprint of the existing building.

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

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

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

2. The City Planning Commission, based upon a report and recommendations from the Department of City Planning, with the assistance of the Department of Transportation and the advice of the Plan Review Board shall report to the City Council whether all the requirements of Phase I have been implemented. The report shall also address any requirements that have not proven to be unnecessary.

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

Sec. 7. LAND USE REGULATIONS. A Project shall comply with the following land use regulations:

A. Yards and Setbacks.

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

a. If a lot has a coterminous lot line with Ventura or Cahuenga Boulevard, then for the

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

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

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

2. Regional Commercial and Community Commercial Areas.

a. **Front Yards and Setbacks.** A maximum 10 foot front yard shall be permitted for lots in the Regional Commercial and Community plan designation areas.

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

Alternatives:

(i) Notwithstanding Paragraph a above, except for areas required for vehicular access to parking, a front yard of up to 40 feet in depth for a maximum of 50 percent of the length of the front lot line or a maximum width of 50 feet, whichever is less, may be provided. If this alternative No. 1 is utilized, then the Project shall not be subject to the requirements in Subsection 7 D 1 f and g.

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

(a) 25 percent of the length of the building frontage shall be setback up to a maximum of ten feet with a minimum 18 inch setback; and

(b) The remaining 25 percent of the length of the building frontage shall be setback up to a maximum of twenty feet with a minimum 18 inch setback; and if this alternative No. 2 is utilized, then the Project shall not be subject to the requirements in Subsection 7 D 1 f and g.

(iii) Lots may have a maximum 25 foot front setback for the Project's first 15 feet in height, so long as the entire setback area is used for outdoor dining. Portions of a building over 15 feet need not be setback. If this alternative No. 3 is utilized, then the requirements in Subsection B shall not apply.

b. Side Yards. No side yard shall be permitted at the Ground Floor, except where a maximum 20 foot wide driveway is necessary for access to parking, for other required exits or where the Projects contains residential uses, in which case, LAMC Sections 12.07, 12.07.01, 12.07.1, 12.08, 12.08.1, 12.08.3, 12.08.5, 12.09, 12.09.1, 12.09.5, 12.10, 12.11 and 12.12 shall apply.

c. Rear Yards.

(i) Notwithstanding LAMC Section 12.21 C 1 (h), if the rear lot line of a lot is adjacent to a street, then there shall be a minimum 25-foot rear yard.

(ii) If the rear lot line of a lot is adjacent to a residentially zoned lot, then the lot shall have a minimum 20-foot rear yard, unless more is required by LAMC Section 12.21.1 A 10.

If an alley abuts a rear lot line and the alley is at least 20 feet wide, then the yard shall be measured from the midpoint of the abutting alley.

3. Neighborhood/Office Commercial Areas.

a. Front Yards and Setbacks.

(i) For lots which are 100 or fewer feet in width:

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

(b) Each lot shall have a maximum front yard or front yard setback of 60 feet, or an average front yard of all existing structures on the block in which the lot is located, whichever is less. The average depth of the front yards on the block shall include all of the developed lots which have front yards that vary in depth by not more than ten feet and which comprise 40 percent or more of the frontage on the block.

(ii) For lots which are more than 100 but no more than 200 feet in width:

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

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

the front yards on the block shall include all of the developed lots which have front yards that vary in depth by not more than ten feet and which comprise 40 percent or more of the frontage on the block.

(iii) For lots which are wider than 200 feet.

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

(b) Each lot shall have a maximum front yard of 20 feet for a minimum of 50 percent of the length of the front lot line. The balance of the lot line may have a maximum front yard of 60 feet, or a front yard equal to the average of all existing structures on the block in which the lot is located, whichever is less. The average depth of the front yards on the block shall include all of the developed lots which have front yards that vary in depth by not more than ten feet and which comprise 40 percent or more of the frontage on the block.

b. Side Yards. A side yard of 10 feet may be permitted, except where a maximum 20 feet wide driveway is provided for vehicular access to parking, for required exits or as specified in Subsection E below, or where the Project contains residential uses, in which case, LAMC Sections 12.07, 12.07.01, 12.07.1, 12.08, 12.08.1, 12.08.3, 12.08.5, 12.09, 12.09.1, 12.09.5, 12.10, 12.11, and 12.12 shall apply.

c. Rear Yards.

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

minimum 25-foot rear yard.

(ii) If the rear lot line of a lot is adjacent to a residentially zoned lot, then the lot shall have a minimum 20 foot rear yard unless more is required by LAMC Section 12.12.1 A 10.

If an alley abuts a rear lot line and the alley is at least 20 feet wide, then the rear yard shall be measured from the midpoint of the abutting alley.

B. Lot Coverage.

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

2. **Neighborhood/Office Commercial Areas.** Buildings and structures shall cover no more than 60 percent of the lot area.

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

1. **Parking Lots.**

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

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

c. In addition to the requirements of Subparagraph b above, a ten foot landscaped buffer shall be provided around any surface parking lots or parking structure. When surface parking lots or parking structures are adjacent to other surface parking lots or parking structures, a ten foot landscaped buffer between the lots or

structure shall be required. It shall incorporate walkways between the parking areas.

2. Parking Structures.

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

b. Parking structures shall be designed to include planting of trees, shrubs, flowers, or vines on the roof, facade, and setbacks in order to provide additional screening and exterior landscaping.

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

3. Yards, Setbacks, and Building Frontages.

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

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

4. Gas Stations. Gas stations shall be landscaped to the satisfaction of the Director based on guidelines developed by the Director.

D. Height Limit.

1. Notwithstanding LAMC Section 12.21.1 B 2 and B 3, no building or structure shall exceed the

following heights:

a. Studio City.

(i) From the intersection of Woodrow Wilson Drive and Cahuenga Boulevard to the intersection of Carpenter Avenue and Ventura Boulevard:

(a) On the north sides of Cahuenga and Ventura Boulevards - 45 feet.

(b) On the south sides of Cahuenga and Ventura Boulevards - 30 feet.

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

(iii) From the intersection of Laurel Canyon Boulevard and Ventura Boulevard to the intersection of Whitsett Avenue and Ventura Boulevard:

(a) On the north side of Ventura Boulevard - 45 feet.

(b) On the south side of Ventura Boulevard - 30 feet.

(iv) From the intersection of Whitsett Avenue and Ventura Boulevard to the intersection of Fulton Avenue and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

b. Sherman Oaks.

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

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

(iii) From the intersection of Tyrone/Beverly Glen Boulevard and Ventura Boulevard to the intersection of Columbus Avenue and Ventura Boulevard:

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

(b) On the south side of Ventura Boulevard - 30 feet.

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

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

c. Encino.

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

(ii) From the intersection of Balboa Boulevard and Ventura Boulevard to the intersection of Lindley Avenue and Ventura Boulevard: On both sides of Ventura

Boulevard - 30 feet.

d. Tarzana.

(i) From the intersection of Lindley Avenue and Ventura Boulevard to the intersection of Etiwanda Avenue and Ventura Boulevard: On both sides of Ventura Boulevard - 30 feet.

(ii) From the intersection of Etiwanda Avenue and Ventura Boulevard to the intersection of Wilbur Avenue and Ventura Boulevard:

(a) On the north side of Ventura Boulevard - 45 feet.

(b) On the south side of Ventura Boulevard - 30 feet.

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

e. Woodland Hills.

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

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

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

(iv) From the intersection of Ventura Boulevard and the Ventura Freeway overpass to the western end of Leonora Drive:

(a) On the north sides of Ventura Boulevard and Leonora Drive - 30 feet.

(b) On the south side of Ventura Boulevard and Leonora Drive - 45 feet.

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

g. In addition, in the Regional Commercial area, buildings abutting a major or secondary highway may exceed 45 feet in height, if, for each 10 foot increment above 45 feet, at least a ten foot setback from the roof perimeter is provided.

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

a. If at least 25 percent of the floor area of a Mixed-Use Project in the Regional Commercial plan designation area east of the San Diego Freeway is devoted to non-hotel residential uses, then the Applicant may request permission to exceed the height limitation in the underlying height district regulations and in this Specific Plan. However, in no case, shall the height of a Mixed-Use Project in the Regional Commercial plan designation area east of the San Diego Freeway exceed 87 feet. This application for relief from the height limitation or any appeal from their determination on the application shall be in accordance with the procedures and time limits set forth in Section 8 of this Specific Plan. The application shall be filed at the same time as an application for a Project Approval. The filing fee for a Mixed-Use Project application for relief from the height restrictions shall be the same as

the fee for a conditional use application as set forth in LAMC Section 19.01 (C).

b. In order to grant relief from the height limitation, the City Planning Commission shall make the following findings:

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

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

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

1. Parking Requirements.

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

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

c. For restaurants, at least one parking space for each 100 square feet of floor area.

d. For hotels and motels, at least one parking space for each guest room.

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

f. For auditoriums, convention facilities, theaters, churches, general auditorium, stadiums, or other similar places of assembly, at least one parking space for every two seats. Where there are no fixed seats, there shall be at least one

parking space for each 21 square feet of floor area, exclusive of the stage.

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

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

(i) The square footage of floor area devoted to the change of use;

(ii) The square footage of floor area contained within the addition to the existing building or structure; and

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

2. Public Parking Facilities. If there is a municipal off-street parking facility within 1500 feet of a Project or within a Pedestrian Oriented Area which can be shown by the Applicant as providing parking for a Project, then the Applicant may apply to the City for relief from the parking requirements in Paragraph 1 above. Such an application will be reviewed in conjunction with the Departments of City Planning and Transportation to determine if the Project is eligible for a reduction of the required number of parking spaces. Prior to any approval of this reduction, the Department of Building and Safety shall require covenants in conformance with LAMC Section 12.26 E 5. The Departments may only grant a reduction of up to one-third of the required number of parking spaces. If a reduction in the number of parking spaces is approved for the Project by the General Manager of the Department of Transportation and the Director of Planning, then the Applicant shall pay a one-time fee equal to \$14,000 per parking space reduced, sufficient

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

3. Off-Site Valet Parking. If an Applicant wishes to utilize valet parking to meet the parking requirements of LAMC Section 12.21 A and/or this subsection, then the Applicant shall submit an application to the Department of City Planning for approval of valet parking under the Specific Plan's Project Approval Process set forth in Section 8 of this Ordinance. The application shall include a map of where vehicles will be parked off-site. Prior to Department of City Planning's approval of valet parking, the valet parking plan, including the accompanying map, shall be recorded as a Covenant and Agreement. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning and then recorded with the County Recorder and a certified copy delivered to the Departments of City Planning, Building and Safety, and Transportation prior to the issuance of any demolition permit, building permit, excavation permit, foundation permit, grading permit, or sign permit. Valet parking lots shall comply with all applicable LAMC provisions.

Sec. 8. PROJECT APPROVAL. No demolition permit, building permit, excavation permit, foundation permit, grading permit, or sign permit for a Project shall be issued until the Project has received a Project Approval pursuant to this Section.

A. Project Approval Process. Applicants shall submit an application to the Director of Planning for Project Approval for a determination that the proposed Project meets Design Guidelines and requirements of Sections 5, 6, 7, and 10 and that the Department of Transportation has determined in writing that the Project is in compliance with the applicable requirements of Sections 9, 10, 11 and 12 of this Specific Plan.

1. Application. All applications for a Project Approval shall be submitted with applicable fees to the Director for review and a determination. Applications shall be deemed complete only if all the following are included with the applications:

a. Plot Plans.

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

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

d. A sign plan shall be provided for each sign (at a scale of 1/4" = 1') showing materials, colors, placements, size, lettering styles, and lighting methods of the proposed sign(s).

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

2. Action of the Director. Upon application for a Project Approval, the Director shall approve, disapprove, or approve the Project with modifications. The Director may require an increase in mitigation measures and/or limitations on size or uses if he or she determines based on the recommendation of the Department of Transportation, that the Project's proposed mitigation measures are not adequate to reduce the Project's impacts to a level of insignificance.

a. The Director shall forward a copy of the determination with findings to the Department of Building and Safety within 30 working days following receipt of the application or within such additional time as mutually agreed upon in writing between the Applicant and the Director.

b. The final Project Approval and any related conditions shall be noted with a stamp and signature on the Applicant's corrected plans and a sign-off on the permit application.

3. **Appeals.** The Applicant may appeal the decision of the Director as well as the determination of the Department of Transportation to the City Planning Commission. This appeal shall be in writing upon forms provided by the City Planning Department. The appeal shall set forth specifically the basis of the appeal and the reasons why the determination should be reversed or modified. The appeal shall be filed within 15 days from the date of mailing of the Director's determination. The time limits for the Commission's determination and the procedures and time limits for any appeal to the City Council from the Commission's determination shall be the same as the provisions set forth in LAMC Section 11.5.7 D 2 through 7. The fee for filing an appeal shall be \$1,020.

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

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

1. Compatibility between the proposed Project, the current streetscape plan, and existing development in the area.
2. Flexibility in implementing guidelines to avoid excessive architectural uniformity.
3. Detail and Ornamentation.
4. Decorative Roofs.
5. Compatibility of Colors.

6. Compatibility of Materials.
7. Application of Glass.
8. Walls.
9. Landscaping.
10. Signs.
11. Compatibility with Streetscape.

C. Fees.

1. The filing fee for Project Approval determinations shall be the same as the fee for "Application For Specific Plan Design Review Board Approval" as set forth in LAMC Section 19.01 Q.

2. The fees for appeals shall be the same as the fees in LAMC Section 19.01 J.

Sec. 9 PROJECT IMPACT ASSESSMENT FEE.

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

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

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

B. Fee Payment Procedures. Except as provided for ICO

Projects in this Ordinance, the Applicant shall pay the PIA Fee to the Department of Transportation based on the following options:

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

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

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

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

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

the City Council for the month preceding the date of issuance of the building permit. The interest rate shall be adjusted annually and shall be the effective yield on the City's investment pool as reported for the month preceding the anniversary date of the building permit issuance date.

C. Calculation of the PIA Fee.

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

$$\text{PIA FEE} = (\text{FA} \times \text{FR}) + \text{P}$$

Where FA = Floor Area in square feet
 FR = Community PIA Fee Rate per PIA Fee Table
 P = Drive-Through Convenience Premium, if applicable

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

PIA FEE TABLE

LAND USE CATEGORY (Check with DOT for land uses not listed)	COMMUNITY PIA FEE RATE (\$ Per Square Foot of Floor Area)					DRIVE-THROUGH CONVENIENCE PREMIUM*
	WOOD- LAND HILLS	TARZANA	ENCINO	SHERMAN OAKS	STUDIO CITY	
CATEGORY A College Hospital Industrial Institutional Manufacturing R & D Lab School Sound Studio Storage Rental Warehouse	\$0.57	\$1.02	\$0.99	\$1.34	\$0.73	\$0.00
CATEGORY B Business Park Hotel Motel Office	\$1.07	\$1.92	\$1.86	\$2.51	\$1.38	\$0.00
CATEGORY C Bank Car Wash Cinema Convenience Mkt. Credit Union Gas Station Retail Savings & Loan Service Shopping Center Supermarket Theater	\$1.97	\$3.51	\$3.40	\$4.60	\$2.53	As specified: \$20,000 \$15,000 -- \$12,000 \$20,000 \$15,000 -- \$20,000 -- -- -- --
CATEGORY D Cafe Clinic Gym Health Club Medical Office Restaurant	\$2.21	\$3.95	\$3.83	\$5.18	\$2.85	As Specified: -- -- -- -- -- \$20,000

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

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

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

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

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

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

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

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

2. The PIA Fee For Pedestrian Serving Uses. The PIA Fee for Pedestrian Serving Uses shall be calculated by multiplying the total floor area devoted to Pedestrian Serving Uses placed at the ground floor in Pedestrian Oriented Areas by 50% of the rate as set forth in the formula in Section 9 C above. Any application for this adjustment shall be accompanied by a covenant and agreement/equitable servitude which runs with the land guaranteeing that the ground floor shall be restricted to Pedestrian Serving Uses. The covenant and agreement shall run with the land. It shall be binding on future owners, successors, heirs, or assignees of the owners. It shall be executed by all fee owners of the property, approved by the Department of City Planning and then recorded with the County Recorder. The applicant shall deliver a certified copy to the Departments of City Planning, Building and Safety and Transportation prior to the issuance of any building permit. Upon a change of use from pedestrian serving uses to a use or uses which are not so designated in this Specific Plan, the property shall no longer qualify for the prior fee adjustment. The Department of City Planning shall terminate the covenant and agreement upon payment of the PIA Fee as recalculated by DOT for non-pedestrian serving use or uses.

E. In Lieu Credits. The PIA Fee may be further reduced through an In Lieu credit for Specific Plan improvements and services completed or guaranteed by the Applicant. However, In Lieu credit for a particular item of improvement or service as listed in Section 11 shall not exceed that item's percentage allocation in relation to the PIA Fee, as established in the Specific Plan Trust Fund Ordinance.

1. The Department of Transportation shall calculate In Lieu credits for all or a portion of the cost of transportation improvements guaranteed or completed by the Applicant, if these improvements are included in the cost analysis for the PIA Fee. The proposed improvements are listed in Section 11. The amount of In Lieu credit shall be credited at the time the building permit is issued.

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

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

4. Restrictions on Use of In Lieu Credit.

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

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

F. Appeals of the PIA Fee.

1. The City Council may hear appeals from decisions by the Departments of Transportation, or the Director of Planning relative to the PIA Fees assessed for the following Projects: those for which

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

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

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

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

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

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

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

Sec. 10. TRANSPORTATION MITIGATION STANDARDS AND PROCEDURES.

A. Limitations and Exemptions.

1. Limitations. Unless the Department of Transportation has determined in writing that the mitigation measures proposed by the applicant are sufficient to reduce the traffic impacts to a level of insignificance, no building permit, grading permit, excavation permit or foundation permit shall be issued for:

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

(b) Any Project which includes a convenience market, fast food restaurant or gas station; or

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

If the Department of Transportation determines that the Project's proposed mitigation measures are not adequate to reduce the impacts to a level of insignificance, then the Department may recommend an increase in mitigation measures and/or a reduction in size and/or a limitation on the proposed land uses to the Director of Planning. The Director may require such limitations on size or uses in the Project Approval Process.

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

a. Single-family dwelling Projects.

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

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

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

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

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

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

c. 43 or More Trips. For Projects with 43 or more Trips where a Traffic Assessment is required and where street dedications or improvements or a PIA Fee may be required, the application fee shall be \$500.

d. 43 or More Trips and Traffic Study. For Projects with 43 or more Trips and where the required Traffic Assessment indicates significant transportation impacts and where review of mitigation measure designs is required and where street dedications or improvements or PIA Fee may be required, the Applicant shall pay a review with the traffic study to the Department of Transportation. This fee shall be \$2,100 plus \$50 for each 1,000 square feet of floor area, with the fee not to exceed \$25,000. Payment of the fee in Paragraph (c) above shall be credited to the fee required in this subdivision.

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

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

guidelines.

D. Mitigation of Project-Related Traffic Impacts.

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

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

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

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

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

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

(iii) Establish a rideshare coordinator and develop methods to provide ridesharing information and services to employees.

(iv) Trip reduction incentives.

(v) Measures to enforce TDM on tenants such as lease terms and conditions.

(vi) Cooperative TDM plan among tenants as alternative to individual tenant TDM plans.

(vii) Parking cash-out option.

(viii) TDM Plan monitoring reports.

b. Final TDM Plan. At least 60 days prior to the issuance of any certificate of occupancy, The Applicant shall submit a final TDM Plan to the Departments of Transportation and City Planning for their review and approval. The final TDM Plan shall include:

(i) Changes requested by the Departments;

(ii) Changes, if any, in incentives proposed by Applicant;

(iii) Tenant TDM Plans; and

(iv) Cooperative TDM Plan among tenants, if any, with letters of commitment.

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

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

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

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

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

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

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

4. Projects with More than 500 Trips. In addition to the above requirements applying to all

Projects, the Departments of Transportation and City Planning may require an Applicant to submit a Phasing Program for Projects which generate more than 500 Trips. The Departments of Transportation and City Planning may require the Applicant, upon receipt and review of the proposed Phasing Program, to implement the recommendations of that proposed program. The Department of Transportation shall not approve any subsequent phase of a Project until the Department, with the concurrence of the Department of City Planning, is satisfied that the transportation impacts of the prior phase have been adequately mitigated.

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

Sec. 11. PIA Fee-Funded Improvements and Services.

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

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

1. The improvement or service to be funded will mitigate the cumulative, adverse impacts of new development within the Plan area;

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

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

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

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

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

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

3. **Intersection Improvements** - Right-of-way acquisition, intersection flaring and signal improvements, at nineteen intersections as listed below:

Studio City

(1) Lankershim Boulevard and Ventura Boulevard

(2) Tujunga Avenue and Ventura Boulevard

Sherman Oaks

(3) Woodman Avenue and Ventura Boulevard

(4) Beverly Glen Boulevard and Ventura Boulevard

(5) Kester Boulevard (West Jog) and Ventura Boulevard

Encino

(6) 101/405 Ramps, Sherman Oaks Avenue and Ventura Boulevard

(7) Balboa Boulevard and Ventura Boulevard

(8) White Oak Avenue and Ventura Boulevard

Tarzana

(9) Lindley Avenue and Ventura Boulevard

(10) Reseda Boulevard and Ventura Boulevard

(11) Vanalden Avenue and Ventura Boulevard

(12) Tampa Avenue and Ventura Boulevard

Woodland Hills

(13) Winnetka Avenue and Ventura Boulevard

(14) Canoga Avenue and Ventura Boulevard

(15) DeSoto Avenue and Ventura Boulevard

(16) Topanga Canyon Boulevard and Ventura Boulevard

(17) 101 Ramps near Shoup Avenue and Ventura Boulevard

(18) Shoup Avenue and Ventura Boulevard

(19) Fallbrook Avenue and Ventura Boulevard

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

Sec. 12 PRIOR PROJECTS PERMITTED.

A. Designation of Prior Projects.

1. "Interim Control Ordinance" Projects.

Projects for which a covenant and agreement was recorded pursuant to the Ventura/Cahuenga Boulevard Interim Control Ordinance or preceding ordinances (Ordinance Nos. 165,290, 162,907, 160,406, 160,506 and 166,313) are hereby designated ICO Projects.

2. "Prior Specific Plan" Projects. Projects permitted during the period from February 16, 1991 to the effective date of this latest plan amendment amending the Ventura/Cahuenga Boulevard Corridor Specific Plan are hereby designated PSP Projects.

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

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

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

C. ICO Project Payment Options. If a person received an approval for a Project between November 9, 1985, and February 15, 1991, pursuant to the procedures

set forth in Ordinance Nos. 165,290, 162,907, 160,406, or 160,506 and signed a covenant and agreement promising to pay the PIA Fee, then that person or any successor in interest shall pay this amount according to one of the following payment plans, at their option:

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

2. Pay in accordance with the 20% down payment plus the four equal installments payment schedule established in Section 9.

3. The Applicant may request temporary relief from the payment schedule provided in this Section based on the vacancy rate in the Applicant's Project in the same manner as described in Section 10.

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

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

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

3. **Refund Recipient.** Refunds will be paid only to the person(s) or entity named in the official

receipt issued for payment of the PIA Fee, regardless of who filed the claim for refund, unless otherwise ordered to do so by a court of competent jurisdiction.

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

F. Appeals for Prior Permitted Projects. An appeal for a Prior Permitted Project shall be the same as established in Section 9 F of this Ordinance.

Sec. 13. SIGN REGULATIONS. The Department of Building and Safety shall not issue a permit for a sign unless the sign complies with this section. All signs shall comply with the provisions of LAMC Chapter II, Article 8, Section 28.00, et seq.; Chapter VI, Article 7, Section 67.00, et seq.; and Chapter IX, Article 1, Division 62.

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

1. Portable Signs.
2. Signs on free-standing walls, except directional signs for parking.
3. Off-site commercial signs, except that existing legally erected off-site commercial signs may be replaced on the same or a new site provided that the location and sign otherwise meet all current requirements of Section 91.6220 (Off-site Signs) of Division 62 of the LAMC.
4. Window signs, except store names, store hours, security signs, logos, and holiday paintings, provided they are not placed in the window more than 30 business days before a holiday and are removed within ten business days after the holiday.

5. Pole signs in the Regional and Community Commercial plan designation areas and on any corner lot in the Neighborhood/Office Commercial plan designation area.

B. Number of Signs.

1. A maximum of one sign is permitted on that portion of a building fronting on Ventura Boulevard or Cahuenga Boulevard, provided the sign conforms to the provisions of Subsection D below. This limitation shall not apply to wall signs.

2. A maximum of one sign is permitted on that portion of a building facing an alley or street other than Ventura or Cahuenga Boulevards, or facing a parking lot, provided the sign conforms to the provisions of Subsection D below.

C. Further Sign Regulations.

1. Regional and Community Commercial Areas.

a. Wall Signs.

(i) **Area.** Notwithstanding LAMC Section 91.6209(a)(1), (2) and (4) to the contrary, the sign area of any wall sign shall not exceed two square feet for each one foot of lot frontage.

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

b. Monument Signs.

(i) **Number of Signs.** Notwithstanding LAMC Section 91.6207 (b) to the contrary, no more than one monument sign shall be permitted for each lot.

(ii) **Landscaping.** Monument signs shall be located in landscaped areas which are equal to or greater in area than the

dimensions of the face of the sign.

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

c. Projecting Sign.

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

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

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

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

(v) **Projections.** Notwithstanding LAMC Section 91.6208 to the contrary, no projecting sign shall project more than 18 inches from the building face or a distance from the building face equal to one-half of the width of the adjacent public sidewalk or walkway, whichever is less.

d. Temporary Signs.

(i) **Construction Signs.**

(a) **Number of Signs.** No more than one non-illuminated construction sign (i.e., a temporary sign announcing and identifying a future use or Project under construction) shall be permitted for each lot frontage for which a building permit

has been issued for a Project on the lot. Construction signs are permitted on a temporary basis only and notwithstanding LAMC Section 91.6215 to the contrary, shall be removed prior to the issuance of a certificate of occupancy or within 30 days of completion of the Project, whichever is sooner.

(b) Area and Height.

Construction signs shall not exceed 25 square feet in sign area and 15 feet in height.

(ii) Holiday Decorations. Holiday decorations or signs shall be permitted, provided they are not posted more than 30 days preceding the holiday and are removed within ten days following the holiday.

(iii) Real Estate Signs.

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

(b) Area. Real estate signs shall not exceed five square feet in sign area.

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

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

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

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

2. Neighborhood/Office Commercial Plan Designation Areas.

a. The regulations in Subsection C 1 above are applicable in Neighborhood/Office Commercial plan designation areas. However, pole signs shall be permitted as described below.

b. Pole Signs.

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

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

(iii) Location. No pole sign shall be permitted on corner lots.

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

(v) Landscaping. Pole signs shall be located in landscaped areas which are equal to or greater in area than the dimensions of the face of the sign.

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

E. Amortization of Signs.

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

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

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

Sec. 14. PUBLIC RIGHT-OF-WAY-IMPROVEMENTS.

A. Interim Streetscape Plan.

1. Until such time as a revised streetscape plan for the Specific Plan area is adopted, the Envicom Corporation's August 1989 report entitled, "Ventura-Cahuenga Boulevard Corridor Specific Plan Study: Urban Design Recommendations," shall be the interim streetscape plan for the Specific Plan area.

2. In granting a Specific Plan Exception, zone change, height district change, variance, or

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

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

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

B. Revised Streetscape Plan. Within five years after the adoption of this ordinance, the Department of City Planning, after consultation with the Plan Review Board, and with the approval of the Board of Public Works and Board of Cultural Affairs, shall prepare a detailed streetscape plan for each Specific Plan community. These streetscape plans shall be effective when approved by resolutions of the City Planning Commission, Board of Public Works, and Board of Cultural Affairs.

The revised streetscape plans shall have the same purposes as the interim streetscape plan. The permanent streetscape plans shall also identify responsible parties, implementation processes, schedules, and funding mechanisms, and citizen participation mechanisms.

To the extent feasible, the revised streetscape plans shall incorporate the following provisions:

1. **Street Trees.**

a. Street trees shall be of at least a 36 inch box size at the time of planting. All street trees shall be approved by the Street Tree Division of the Bureau of Street Maintenance. In selecting types of trees and standards for spacing between trees, such factors as the appearance, shade producing quality, smog tolerance, irrigation requirements, and ability to withstand high winds shall be considered. The streetscape scheme for each community will include a detailed public landscaping plan, including a list of recommended trees.

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

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

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

3. **Sidewalks.** Sidewalks, crosswalks, and related pedestrian elements shall comply with Title 24 of the State of California Code of Regulations and the standards of the Department of Public Works, Bureau of Engineering and the

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

4. Street Furniture and Implementation Program.

The streetscape plan required to be prepared for each community in order to create an attractive pedestrian environment shall include programming and funding mechanisms, and include provisions for the following elements: benches, graffiti control, hanging planters, lighting, news racks, trash receptacles, as well as the funding of off-site sign amortization.

Sec. 15. PLAN REVIEW.

A. Ventura Boulevard Plan Review Board. Upon adoption of this ordinance, the City Council and Mayor shall appoint members of a Ventura/Cahuenga Boulevard Corridor Plan Review Board as set forth in Paragraphs 2 and 4 below.

1. Authorities and Duties of the Plan Review Board.

a. Make recommendations to the Director and the General Manager of the Department of Transportation concerning the development and implementation of the Specific Plan. To assist in this process, the Plan Review Board will meet with City staff for presentation and review of the staff's annual Specific Plan report.

b. Make recommendations to the Director and the General Manager of the Department of Transportation regarding the priorities and timing of intersection improvements in the Specific Plan area.

c. Make recommendations to the Director on the development of revised design guidelines and a revised streetscape plan for each community to encourage pedestrian activity as set forth in Section 15 B of this Specific Plan.

d. Make recommendations to the Director at the Director's request on Specific Plan related items.

e. When an application is made for a Specific Plan Exception or any proposal to amend the Specific Plan is introduced in City Council, the Specific Plan Review Board shall receive a copy of the proposed amendment or application and shall have 24 days running simultaneously with the review process in which to review the matter. The Plan Review Board, at its option, may provide the City Planning Commission with written recommendations and comments regarding the matter under discussion.

2. Composition of the Plan Review Board. Two members shall be appointed by each of the Councilpersons of the Council Districts in which the Specific Plan area is located. In the case of communities located in more than one Council District, each Councilmember shall select a Plan Review Board member from each community. In addition, one member shall be appointed at-large by the Mayor.

3. Quorum/Action. The presence of one-half plus one of the total voting members shall constitute a quorum. An approval of any Board action shall require a majority of those present after a quorum has been declared.

4. Terms. Members of the Plan Review Board shall be appointed for terms of three years, with only one three year extension permitted, if the

Councilmember, or the Mayor for the at-large members, so choose.

5. Vacancies. In the event a vacancy occurs during the term of a member of the Board, the appointing Councilmember, or the Mayor for the at-large member, shall make an interim appointment of a person to fill out the unexpired term of the member.

6. Meeting Schedule. The Plan Review Board meeting schedule shall be set by the Departments of City Planning and Transportation.

B. Periodic Review of the Specific Plan.

1. Annual Review of the Specific Plan. The Department of City Planning and Department of Transportation shall jointly prepare an annual review of the Specific Plan addressing issues of plan implementation, including the transit program and plan financing. This annual report shall be prepared with consideration of any recommendations made by the Plan Review Board and submitted to the City Planning Commission and the City Council.

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

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

circulation or access; (3) The alley is not needed for non-motorized transportation facilities; and (4) The proposed alley vacation is consistent with the general plan.

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

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

Sec. 19. Any Specific Plan Exception granted prior to the effective date of this Ordinance excepting a Project from any provisions of Ordinance No. 166,560 shall be deemed to be an exception from the relevant provisions of this Ordinance.

(11471)

Sec. 20. The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, by a vote of **not less than two-thirds** of all of its members, at its meeting of

AUG 06 1996

ELIAS MARTINEZ, City Clerk

By *Diana M. Tiller*
Deputy

Approved AUG 14 1996

By *[Signature]*
Mayor *82*

Approved as to form and legality

Pursuant to Sec. 97.8 of the City Charter, disapproved of this ordinance recommended for the City Planning Commission.....

AUGUST 2, 1996

8/2/96
JAMES K. HAHN, City Attorney

See attached report

[Signature]
Director of Planning

By *Claudia Culling*
CLAUDIA CULLING
Deputy City Attorney

File No. C.F. No. 91-0779-S14/
96-0521

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 171240, entitled: Amended Ventura/Cahuenga Blvd Corridor Specific Plan - CPC 85-382, a copy of which is hereto attached, was finally adopted by the Council of the City of Los Angeles on August 6, 1996, & under direction of said Council & said City Clerk, pursuant to Section 31 of the Charter of the City of Los Angeles, on August 16, 1996. I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: one copy on the bulletin board at the Main Street entrance to City Hall of said City, one copy on the bulletin board on the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in said City, & one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles in said City.

The copies of said ordinance posted as aforesaid were kept posted continuously & conspicuously for ten days, or more, beginning 8-16-96 to and including 9-25-96.

I declare under penalty of perjury that the foregoing is true & correct.

Signed this 16th day of August, 1996 at Los Angeles, California.



Deputy City Clerk

Effective Date: September 25, 1996
(Rev. 2/95)

C.F. 96-0521 & 91-0779-S14