



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: August 8, 2019
Time: after 8:30 a.m.
Place: Los Angeles City Hall
Council Chambers
200 North Spring Street, Room 340
Los Angeles, CA 90012

Public Hearing: July 18, 2019
Appeal Status: Density Bonus / Affordable Housing Incentives Program is not appealable to City Council. Conditional Use is appealable to City Council but limited due to the timeline set forth in Senate Bill 35.
Expiration Date: September 4, 2019
Multiple Approval: Yes

Case No.: CPC-2019-2592-DB-CU-SIP
CEQA No.: Exempt from CEQA per SB 35
Incidental Cases: None
Related Cases: None
Council No.: 8 – Harris-Dawson
Plan Area: South Los Angeles
Plan Overlay: South Los Angeles Alcohol Sales; South Los Angeles Community Plan Implementation Overlay Subarea General Corridor Empowerment Congress Central Area
Certified NC:
GPLU: Neighborhood Commercial
Zone: C2-1VL-CPIO
Applicant: Chesterfield Apartments, LP
Representative: Jessica Hencier, Craig Lawson & Co., LLC

PROJECT LOCATION: **4719-4721 South Normandie Avenue, 1409-1411 West 48th Street**
(legally described as Lots FR 5-6, Block 46, Vermont Avenue Square Tract)

PROPOSED PROJECT: The project is the construction, use, and maintenance of a 5-story, 67-foot tall residential building comprised of 43 dwelling units (100% affordable, exclusive of one market-rate manager's unit, including 5 Very Low Income and 37 Low Income units). The project will provide four (4) parking spaces at grade level, and will provide 38 long-term and 6 short-term bicycle parking spaces. The project will be 28,807 square feet in floor area with a Floor Area Ratio ("FAR") of 2.73:1. The site currently serves as surface parking, with no trees on the subject site or right-of-way. The project qualifies as a Streamlined Infill Project ("SIP") pursuant to Senate Bill ("SB") 35 and California Government Code Section 65913.4.

REQUESTED ACTION:

1. Pursuant to California Government Code Section 65913.4, a ministerial review of a Streamlined Infill Project for a development that satisfies all of the objective planning standards of Government Code Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65913.4(b) and (c).
2. Pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), determine based on the whole of the record, that the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.
3. Pursuant to Los Angeles Municipal Code ("LAMC") Section 12.22 A.25(g)(3), a ministerial review of a Density Bonus Compliance Review, for a project totaling 43 dwelling units, including 5 dwelling units for Very Low Income household occupancy and 37 dwelling units for Low Income household occupancy for a period of 55 years, with the following three (3) On- and Off-Menu Incentives:

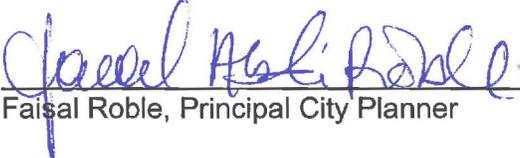
- a. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required by South Los Angeles Community Plan Implementation Overlay (“CPIO”) Section II-2.A.1(a);
 - b. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
 - c. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.
4. Pursuant to LAMC Section 12.22 A.25(g)(3), a ministerial review of the following four (4) Waivers of Development Standards:
 - a. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
 - b. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
 - c. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
 - d. A 30 percent reduction in required open space for 3,028 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.
 5. Pursuant to LAMC Section 12.24 U.26, a ministerial review of a Conditional Use for a 48 percent increase in density over the project site, for 43 dwelling units in lieu of the otherwise permitted base density of 29 dwelling units.

RECOMMENDED ACTIONS:

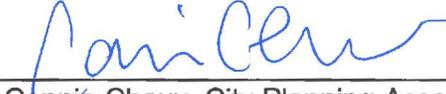
1. **Determine**, pursuant to California Government Code Section 65913.4, a ministerial review of a Streamlined Infill Project for a development that satisfies all of the objective planning standards of Government Code Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65913.4(b) and (c).
2. **Determine**, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), determine based on the whole of the record, that the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act (“CEQA”) as a ministerial project.
3. **Approve**, pursuant to Los Angeles Municipal Code (“LAMC”) Section 12.22 A.25(g)(3), a ministerial review of a Density Bonus Compliance Review, for a project totaling 43 dwelling units, including 5 dwelling units for Very Low Income household occupancy and 37 dwelling units for Low Income household occupancy for a period of 55 years, with the following three (3) On- and Off-Menu Incentives:
 - a. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required by CPIO Section II-2.A.1(a);
 - b. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and

- c. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.
4. **Approve**, pursuant to LAMC Section 12.22 A.25(g)(3), a ministerial review of the following four (4) Waivers of Development Standards:
- a. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
 - b. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
 - c. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
 - d. A 30 percent reduction in required open space for 3,028 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.
5. **Approve**, pursuant to LAMC Section 12.24 U.26, a ministerial review of a Conditional Use for a 48 percent increase in density over the project site, for 43 dwelling units in lieu of the otherwise permitted base density of 29 dwelling units.

VINCENT P. BERTONI, AICP
 Director of Planning


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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 273, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

PROJECT SUMMARY

The proposed project is the construction, use, and maintenance of a 5-story, 67-foot tall residential building comprised of 43 dwelling units. The project will be 100% affordable, exclusive of one market-rate manager's unit, and will provide 5 Very Low Income and 37 Low Income units. As provided in Exhibit A, the project will provide four (4) parking spaces at grade level, and will provide 38 long-term and 6 short-term bicycle parking spaces. The project will be 28,807 square feet in floor area with a Floor Area Ratio ("FAR") of 2.73:1.

The residential units are located on the 2nd through 5th floors, and will comprise of 42 studios and one 2-bedroom manager's unit. Residential amenities will be provided through an open-air recreation courtyard and enclosed community room at the ground floor facing 48th Street, and a roof terrace on the 5th floor. The project will also provide supportive services and related offices on the ground floor, to provide assistance to its residents.

The site currently serves as surface parking, with no trees on the subject site or right-of-way.

BACKGROUND

Subject Property

The project site is located at the northwestern corner of Normandie Avenue and 48th Street in the South Los Angeles Community Plan Area. The project site consists of two (2) contiguous lots totaling 10,548 square feet, with approximately 82 feet of frontage along the west side of Normandie Avenue and 114 feet of frontage along the north side of 48th Street, as provided in Exhibit B. The site is currently vacant and serves as a surface parking lot, with no trees on the subject site or the right-of-way, as provided in Exhibit C. There are no known designated historic resources or cultural monuments on the subject site.

Zoning and Land Use Designation

The project site is located in the South Los Angeles Community Plan, and is designated for Neighborhood Commercial land uses, with corresponding zones of CR, C1, C1.5, C2, C4, RAS3, and R3. The site is zoned C2-1VL-CPIO, and is consistent with the land use designation. Height District No. 1VL limits the site to a building height of 45 feet and FAR of 1.5:1. The site is located within the Western/Slauson Redevelopment Project area, Los Angeles State Enterprise Zone, Transit Priority Area, and South Los Angeles Alcohol Sales Specific Plan. The site is also located within the South Los Angeles Community Plan Implementation Overlay ("CPIO") District General Corridor Subarea C (Subarea No. 3805). The CPIO contains additional regulations for ground floor height, density, floor area, building disposition, building design, and parking.

Surrounding Uses

The surrounding area is developed with a combination of single-family and multi-family residential, commercial uses, churches, autobody, and parking. Several adjacent properties are also within the South Los Angeles CPIO. The remaining parcels on the block and further south across 48th Street fronting along Normandie Avenue are zoned C2-1VL-CPIO in the General Corridor Subarea and are improved with multi-family residential uses, churches, autobody use, café, salon, nursing home, and liquor store. Properties across Normandie Avenue to the east are zoned C2-1VL-CPIO in the General Corridor Subarea and are improved with a church, laundromat, auto

sales, office, and market. Properties across the alley to the west are zoned R1-1 and improved with single-family and multi-family residential buildings up to two stories in height. Properties further north of 47th Street are zoned RD1.5-1 and improved with single-family and multifamily uses.

Streets and Circulation

Normandie Avenue, abutting the property to the east, is a designated Avenue II, with a designated right-of-way width of 86 feet and roadway width of 56 feet, and is currently dedicated to a 80 foot right-of-way with a 60 foot roadway, with a curb, gutter, and sidewalk.

48th Street, abutting the property to the south, is a designated Avenue II, with a designated right-of-way width of 86 feet and roadway width of 56 feet, and is currently dedicated to a 80 foot right-of-way with a 56 foot roadway, with a curb, gutter, and sidewalk.

Alley, abutting the property to the west, is 15 feet in width.

Public Transit

The project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority (“Metro”) bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation (“LADOT”) DASH Leimert/Slauson Line.

Relevant Cases and Building Permits

Subject Site:

Building Permit No. 19010-10000-01161: On March 26, 2019, the applicant filed for a Building Permit for 5 story new construction of 43-units of permanent supportive housing for seniors with 2500 square feet of common spaces at grade and the roof deck. The common area services includes on site property management office, community room, resident service offices, community laundry facility, and courtyards with hardscape and landscape areas. The building is a five (5) stories Type IIIA construction (4-stories wood construction over 1-story concrete podium). There will be a total of (42) studios and (1) two-bedroom manager's unit. 4 voluntary parking spaces provided for staff only. The building permit is pending and has not been issued at the time of preparing this report.

Case No. PAR-2019-217-TOC: On January 11, 2019, the applicant filed for a preliminary review of affordable housing project under the Transit Oriented Communities (“TOC”) Guidelines. The review was completed by staff on February 21, 2019, and deemed “ready to submit”.

Surrounding Sites:

Case No. DIR-2018-5204-TOC: On December 5, 2018, the Director of Planning approved a Transit Oriented Communities Compliance Review for a project totaling 49 dwelling units, reserving 48 units for Low Income Household occupancy for a period of 55 years, in a 5-story, 56-foot tall building, located at 4604 South Western Avenue.

REQUESTED ACTIONS

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

The Applicant proposes to utilize Los Angeles Municipal Code (“LAMC”) Section 12.22 A.25 (Affordable Housing Incentives – Density Bonus) in conjunction with LAMC Section 12.24 U.26 (Conditional Use) to set aside over 17 percent of the base 29 dwelling units, or 5 dwelling units, for Very Low Income household occupancy for a period of 55 years. In exchange for the set-aside of over 17 percent for Very Low Income households, LAMC Section 12.24 U.26 grants a Density Bonus for a Housing Development Project in which the density increase is greater than the maximum 35 percent otherwise permitted in Section 12.22 A.25, in this case a density increase of 48 percent. In addition, the Density Bonus Ordinance grants various incentives to deviate from development standards in order to facilitate the provision of affordable housing at the site. Given the Applicant is providing over 17 percent of dwelling units to be affordable at Very Low Income household occupancy, the project is eligible for three (3) Density Bonus Incentives. The Applicant has requested five (5) additional deviations that are processed as Waivers of Development Standards, as permitted by LAMC Section 12.22 A.25(g)(3). The Applicant is providing an additional 37 Low Income units to qualify for streamlined ministerial processing in accordance with Senate Bill (“SB”) 35 and California Government Code Section 65913.4.

Streamlined Infill Project

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

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

Development Eligibility

To qualify to apply for the Streamlined Ministerial Approval Process and be considered a Streamlined Infill Project, the development must meet the Development Eligibility criteria set forth

in SB 35 (Government Code Section 65913.4(a)), including housing type requirements, site requirements, affordability provisions, and labor provisions. In accordance with SB 35, the project qualifies as a Streamlined Infill Project that satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project's eligibility is described under the Streamlined Infill Project Findings Section in this report.

Ministerial Review of Objective Zoning and Design Standards

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

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

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

Conditional Use and Density Bonus Incentives in Relation to SB 35

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

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

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

If permitted by local ordinance, nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting

a proportionately lower density bonus than what is required by [State Density Bonus Law] for developments that do not meet the requirements of this section.

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

The applicant requests a Density Bonus with three (3) On- and Off-Menu Incentives for decreased Ground Floor Height, increased FAR, and increased building height; four (4) Wavers of Development Standards for reduced rear and side yards and open space; and a Conditional Use to increase the maximum density by 48 percent to permit 43 units in lieu of 29 base density units per the Value Capture Ordinance. As provided in the SB 35, the requested modifications to the density, height, FAR, setback, and open space requirements pursuant to State Density Bonus Law or a local density bonus ordinance are consistent with objective standards.

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

Public Oversight and Decision Making Body

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

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

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

CEQA

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

Density Bonus / Affordable Housing Incentives Program

Pursuant to the State Density Bonus Law, the City must grant up to three (3) incentives for a project that includes 15 percent of the units (base density per SB 35 Guidelines Section 402(c) dated November 29, 2018) for Very Low Income Households. The State Density Bonus Law further stipulates that in no case may a city apply any development standard that will have the effect of physically precluding the construction of a development, and allows applicants to submit to a city a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development. The City implements the State Density Bonus Law through the Density Bonus Ordinance, which allows up to three (3) on- or off-menu incentives and waivers of development standards.

The applicant proposes a project totaling 43 dwelling units, 5 of which will be restricted to Very Low Income Households and 37 of which will be restricted to Low Income Households for a period of 55 years, and one (1) of which will be a market-rate manager's unit. As a result of setting aside 17 percent of the 29 by-right density units for Very Low Income Households, the applicant qualifies for three (3) incentives. The applicant seeks the following three (3) On- and Off-Menu Incentives as set forth in the Density Bonus Ordinance:

- a. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required by the South Los Angeles Community Plan Implementation Overlay ("CPIO") Section II-2.A.1(a);
- b. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
- c. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.

In addition to the three (3) On- and Off-Menu Incentives, the applicant requests the following four (4) Waivers of Development Standards:

- a. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- b. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- c. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
- d. A 30 percent reduction in required open space for 3,318 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.

Conditional Use - Density

The City's Density Bonus Ordinance permits a maximum density increase of up to 35 percent in exchange for setting aside 11 percent of the base density units for Very Low Income Households in accordance with the State Density Bonus Law. As previously mentioned, the State Density Bonus Law (Government Code Section 65915(n)) also allows a city to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted the Value Capture Ordinance, codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent. The Ordinance requires the project to set aside one (1) additional percent of base density units above the 11 percent for Very Low Income Households for every additional 2.5 percent density increase above the 35 percent.

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

Percentage of Base Density to be Restricted to Very Low Income Households	Percentage of Density Increase Granted
11	35
12	37.5
13	40
14	42.5
15	45
16	47.5
17	50

The applicant requests a Conditional Use for a density increase in excess of 35 percent pursuant to LAMC Section 12.24 U.26, to allow a 48 percent increase in density for a total of 43 dwelling units in lieu of 29 dwelling units as otherwise permitted by-right in the C2-1VL-CPIO Zone. The applicant is required to set aside at least 17 percent, or 5 units, of 29 by-right density units for the 48-percent density increase, as provided in the above table. The applicant proposes a project totaling 43 dwelling units, 5 of which will be restricted to Very Low Income Households for a period of 55 years, which is 17 percent of the 29 base density units. As such, the project satisfies the minimum percentage of base density to be restricted to Very Low Income Households.

ISSUES

The following section includes a discussion of issues and considerations related to the project. These discussion points were identified in the public hearing conducted on July 18, 2019, in public correspondence, and/or in discussions with the applicant.

Supportive Services and Residents

Comments were received inquiring about the function of the supportive services and the target residents. The project will provide supportive services to seniors over the age of 55 who suffer from chronic health conditions and are currently without shelter. As provided in the applicant's presentation at the hearing, the project will provide on-site case management with individual care plans, adult educational, health and wellness, and skill building classes, offer primary medical care and specialty care, prescription drug coverage, and adult day care.

Parking

Comments were received in opposition of the proposed vehicular parking, stating that the proposed four (4) parking spaces are not sufficient for the project. However, in accordance with Government Code Section 65913.4(d), SB 35 states that the local government “shall not impose parking standards for a streamlined development that was approved pursuant to this section” for projects “located within one-half mile of public transit”. The project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority (“Metro”) bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation (“LADOT”) DASH Leimert/Slauson Line. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project, and no parking spaces are required. However, the applicant is proposing four (4) parking spaces for the project, as provided in Exhibit “A”.

Retail

Comments were received requesting retail be provided at the ground floor to provide amenities to the neighborhood, and that the supportive service uses be tucked away so that retail can be provided along the street. However, the proposed supportive service and residential uses are permitted by the site’s zoning and the South Los Angeles Community Plan Implementation Overlay (“CPIO”). The project is not required to provide retail by the zone or the CPIO. The ground floor supportive service uses are designed to provide transparency at the ground floor in accordance with CPIO requirements.

APPROVAL TIMELINE AND LIMITED APPEALS

The project entitlements are being applied for under the timelines and procedures of Senate Bill 35 (Government Code Section 65913.4), which requires the City to complete design review or public oversight, including final approval, for a project of this size within 90 calendar days of submittal of the application. The applicant submitted a complete application for the development on June 6, 2019. Consequently, all design review or public oversight, including final approval, shall be completed within 90 days from June 6, 2019, or by September 4, 2019, and shall not in any way inhibit, chill or preclude the ministerial approval provided by Government Code Section 65913.4

CONCLUSION

Based on the information submitted to the record, staff recommends that the City Planning Commission approve the requested On- and Off-Menu Incentives for decreased Ground Floor Height, increased FAR, and increased building height; approve the requested Waivers of Development Standards for reduced yards and open space; approve a Conditional Use to permit a 48 percent density increase to permit 43 units in lieu of 29 units in the C2-1VL-CPIO Zone; determine that the project is a Streamlined Infill Project that satisfied all of the objective planning standards of SB 35 (Government Code Section 65913.4(a)) and is therefore subject to the Streamlined Ministerial Approval Process; and determine that the project is statutorily exempt from CEQA as a ministerial project pursuant to SB 35 (Government Code Section 65913.4) and Public Resources Code Section 21080(b)(1).

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 43 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 42 units shall be reserved as affordable units for a period of 55 years as follows: 5 units shall be reserved as affordable units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units shall be reserved for Low Income Household occupancy as defined in Section 50079.5 of the California Health and Safety Code as determined by HCD; and the remaining 27 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD").
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 5 units available to Very Low Income Households and 10 units available to Low Income Households as determined by HCD, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. The remaining 27 affordable units shall be reserved for Low Income Households as determined by HCD or HUD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Floor Area Ratio (FAR) (Incentive).** The project shall be limited to a maximum floor area ratio of 2.73:1 per Exhibit "A".
7. **Height (Incentive).**
 - a. The project shall provide a minimum 12-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above.
 - b. The project shall be limited to five (5) stories and 67 feet in height per Exhibit "A".
8. **Rear Yard Setback (Waiver).** The project shall observe a minimum 15-foot rear yard setback in lieu of the 17 feet otherwise required in the C2-1VL-CPIO zone.

9. **Side Yard Setbacks (Waiver).** The project shall observe a minimum 5-foot northerly and 0-foot southerly side yard setback in lieu of the eight (8) feet otherwise required in the C2-1VL-CPIO zone.
10. **Open Space (Waiver).** The project shall provide a minimum of 3,028 square feet of usable open space per Exhibit "A".
11. **Zoning.** The project shall comply with all other requirements of the C2-1VL-CPIO zone.
12. **Senate Bill 35.** The project shall comply with all state requirements of Senate Bill 35 and California Government Code Section 65913.4. A minimum of 50 percent of base dwelling units shall be reserved as affordable units to households making below 80 percent of the area median income.
13. **Automobile Parking.** Pursuant to California Government Code Section 65913.4(d)(1), no parking requirements shall apply for multifamily developments located within one-half mile of public transit. No residential parking spaces are required.
14. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.
15. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
16. **Community Plan Implementation Overlay.** Prior to the issuance of a building permit, the applicant shall demonstrate compliance with the South Los Angeles Community Plan Implementation Overlay ("CPIO") pursuant to Ordinance No. 185,927.
17. **Department of Building and Safety.** The project shall comply with all comments and corrections received from the Department of Building and Safety under Permit No. 19010-10000-01161.
18. **Prevailing Wage Requirements.** In accordance with Government Code Section 65913.4(a)(8), the applicant shall confer with Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance, and shall provide the following to the Department of City Planning:
 - a. A signed Preconstruction Checklist Agreement between the Applicant and the Bureau of Contract Administration (maintained in the case file), prior to clearing any Building Permit, which covers the following:
 - i. All construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the California Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - ii. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - iii. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except

- that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
- iv. Except as provided in subclause (vi), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in Sections 1776 and 1812 of the Labor Code.
 - v. Except as provided in subclause (vi), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
 - vi. Subclauses (iv) and (v) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
 - vii. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.
- b. Bond. A Bond may be required to ensure compliance.

Administrative Conditions

19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
20. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

22. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
23. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
25. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

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

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in

the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

STREAMLINED INFILL PROJECT FINDINGS

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

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

The project is a multi-family housing development that contains 43 residential units.

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

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

The Census Bureau¹ identifies two types of urban areas:

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

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

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

The project site is located within the South Los Angeles Community Plan, which designates the subject property for Neighborhood Commercial land uses corresponding to the CR, C1, C1.5, C2, C4, RAS3, and R3 Zones. Both the Neighborhood Commercial Land Use

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

Designation and C2-1VL-CPIO Zone allow for multi-family residential use. The applicant proposes a permanent supportive housing development with 43 dwelling units and supportive services. Per California Health and Safety Code Section 50675.14(b)(2), supportive services are accessory to the residential use. As such, the entire development will be designated for residential use.

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

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

The project is a permanent supportive housing development containing 43 units (including 42 affordable units and one (1) market-rate manager’s unit). The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make at least 50 percent of the base 29 units affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

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

- reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.**
- iii. **The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).**

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

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

The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (“HCIDLA”) to make at least 50 percent of the base 29 units, that is 15 units, affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

The applicant is providing 5 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development (“HCD”); 10 units reserved for Low Income Household occupancy as determined by HCD; and the remaining 27 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). Therefore, the project meets the affordability requirements of SB 35.

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

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

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

The project site is located within the South Los Angeles Community Plan area, designated for Neighborhood Commercial land uses, and zoned C2-1VL-CPIO. The project site is permitted a base density of 29 dwelling units. The applicant seeks a Conditional Use to increase the density by 48 percent to permit 43 dwelling units in lieu of 29 by-right units in accordance with the State Density Bonus Law. The applicant has requested three (3) On- and Off-Menu Incentives and four (4) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

- a. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required by the South Los Angeles Community Plan Implementation Overlay ("CPIO") Section II-2.A.1(a);
- b. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
- c. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.

Waivers of Development Standards:

- a. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- b. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- c. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
- d. A 30 percent reduction in required open space for 3,318 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.

No other concessions, incentives, or waivers of development standards are requested or granted as part of the subject determination. The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the State Density Bonus Law (Government Code Section 65915), is consistent

with objective zoning and design review standards in effect at the time that the development was submitted to the City. The site is also located within and therefore subject to the South Los Angeles Community Plan Implementation Overlay (“CPIO”) District and the project is subject to all regulations therein.

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

- A. A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.**
- B. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.**
- C. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**
- D. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**
- E. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**
- F. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**
- G. Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
- H. Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**
- I. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**

- J. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).**
- K. Lands under conservation easement.**

The site currently serves as surface parking in an urbanized area of the South Los Angeles Community Plan surrounded by urban land uses. The site is designated for Neighborhood Commercial land uses and zoned C2-1VL-CPIO, which allows residential uses. As such, the site is not located within a coastal zone, farmland, agricultural land, or wetland. Per the City's Zone Information and Map Access System (ZIMAS), the site is not located in a very high fire hazard severity zone. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. A review of EnviroStor did not identify any records of hazardous waste facilities on the project site. The site is located approximately 4.34 kilometers of the Newport - Inglewood Fault Zone (Onshore) and will be subject to Building Code requirements. According to the Federal Emergency Management Agency's Flood Map, the project site is located within Zone X, 0.2% Annual Chance Flood Hazard, and is not located within a floodway. The site is not identified for a conservation or habitat conservation plan or any other adopted natural resource protection plan. The site currently serves as surface parking, and is completely surrounded by urban land uses and therefore has no value as a habitat for protected species. Additionally, there is no conservation easement on site.

7. The development is not located on a site where any of the following apply:

- A. The development would require the demolition of the following types of housing:**
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
 - iii. Housing that has been occupied by tenants within the past 10 years.**
- B. The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.**
- C. The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.**
- D. The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.**

The site currently serves as surface parking. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated March 20, 2019, HCIDLA determined that there were no residential units built and demolished on the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit D). The project site has not been identified as a historic resource by local, state or federal agencies. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. The site

was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles.

8. The development proponent has done both of the following, as applicable:

A. Certified to the locality that either of the following is true, as applicable:

- i. The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.**
- ii. If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:**
 - I. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.**
 - II. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.**
 - III. Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.**
 - IV. Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.**
 - V. Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as**

set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

- VI. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

B.

- i. For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:
- I. On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - II. On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - III. On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - IV. On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - V. On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.
- ii. For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- iii. If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
- I. The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
 - II. Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
 - III. Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided

to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

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

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

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

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

10. The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park

Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

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

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

Additionally, Government Code Section 65913.4(d) states:

Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

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

The project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority (“Metro”) bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation (“LADOT”) DASH Leimert/Slauson Line. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project.

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

The applicant has requested three (3) On- and Off-Menu Incentives and four (4) Waivers of Development Standards, as listed below:

On- and Off-Menu Incentives

- d. A 12-foot Ground Floor Height in lieu of the 14-foot Ground Floor Height, as measured from the finished floor to the underside of the structural floor above as otherwise required

by the South Los Angeles Community Plan Implementation Overlay (“CPIO”) Section II-2.A.1(a);

- e. A 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR for the C2-1VL-CPIO Zone; and
- f. A building height of 67 feet and 5 stories, in lieu of the 45 feet and 3 stories otherwise permitted by the C2-1VL-CPIO Zone.

Waivers of Development Standards:

- e. A 15-foot rear yard in lieu of the 17 foot rear yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- f. A 5-foot northerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone;
- g. A 0-foot southerly side yard in lieu of the 8 foot side yard otherwise required for a 5-story building in the C2-1VL-CPIO Zone; and
- h. A 30 percent reduction in required open space for 3,318 square feet of open space in lieu of 4,325 square feet otherwise required by LAMC Section 12.21 G.

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

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

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

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

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

Ground Floor Height Reduction: The South Los Angeles Community Plan Implementation Overlay (“CPIO”) General Corridor Subarea Section II-2.A.1(a) requires a 14-foot Ground Floor height, as measured from the finished floor to the underside of the structural floor above. The applicant has requested an Off-Menu Incentive to provide a 12-foot Ground Floor height in lieu of the 14 feet otherwise required by the CPIO. The

reduction in 2 feet in Ground Floor Height will allow the developer to dedicate more area towards residential units at the upper levels, so that the additional units can be constructed and the overall space dedicated to residential uses is increased.

FAR Increase: The subject site is zoned C2-1VL-CPIO with a Height District No. 1VL that permits a maximum Floor Area Ratio ("FAR") of 1.5:1. LAMC Section 12.22 A.25 permits an FAR increase from 1.5:1 to 3:1 through an On-Menu Incentive for eligible projects within 1,500 feet of transit. The applicant has requested an On-Menu Incentive to allow a 2.73:1 FAR in lieu of the otherwise permitted 1.5:1 FAR. While the proposed project qualifies for a maximum 3:1 FAR, the proposed project is actually providing a maximum floor area of 28,807 square feet or a 2.73:1 FAR. The proposed 2.73:1 FAR creates 12,985 additional square feet. As proposed, the additional FAR will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

FAR by-right	Lot Area (sf)	Total Floor Area (sf)
1.5:1	10,548	10,548 x 1.5 = 15,822

FAR Requested	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
2.73:1	10,548	28,807	28,807- 15,822= 12,985

Height Increase: The subject site is zoned C2-1VL-CPIO, with a Height District No. 1VL that permits a maximum 45-foot building height. The applicant has requested an increase for 22 additional feet in height to allow for 67 feet and 7 stories through an Off-Menu Incentive. The limitation on the height would remove two (2) stories from the proposed building, and will limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. As proposed, the additional height will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

The requested incentives allow the developer to expand the building envelope so the additional and affordable units can be constructed, provide for design efficiencies, and allow the overall space dedicated to residential uses to be increased. These incentives support the applicant's decision to set aside the specified number of dwelling units for Low Income Households for 55 years.

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

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

c. *The incentive(s) are contrary to state or federal law.*

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

Following is a delineation of the findings related to the request for four (4) Waivers of Development Standards, pursuant to Government Code Section 65915.

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

a. *The waiver(s) or reduction(s) of development standard(s) are contrary to state or federal law.*

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

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

Therefore, the request for the following are recommended as a Waiver of Development Standards. Without the below Waivers, the existing development standards would preclude development of the proposed density bonus units and project amenities:

Rear and Side Yards: LAMC Section 12.14 C.2 requires rear and side yards to conform to the requirements of the R4 Zone for buildings erected and used for residential purposes. The R4 Zone requires rear yards of a minimum of 15 feet, and requires one additional foot in the width of the rear yard for each additional story above the 3rd story; and side yards of a minimum of 5 feet, and requires one additional foot in the width of the required side yards for each additional story above the 2nd story. The Project is a 5-story building containing a ground floor with grade-level parking, residential community center, and supportive service offices, and the upper Levels 2 through 5 are comprised of residential units. Given all levels of the project would be utilized in whole or in part by residential uses, the Project would therefore be required to provide a 17-foot rear yard setback and 8-foot side yard setbacks. The Applicant has requested three Waivers of Development Standards for reduced yards, and proposes a 15-foot rear yard setback in lieu of the 17 feet otherwise required, and 5-foot side yard setbacks in lieu of the 8 feet

otherwise required. Strict compliance with the yard requirements would reduce the buildable lot area by 2 feet for the rear yard and 11 feet for the side yards, thereby limiting the buildable area for new development and reducing the number and range of units that could be developed. The requested waivers allow the developer to reduce setback requirements so the affordable housing units can be constructed and the overall space dedicated to residential uses is increased. By waiving these development standards, the developer will not be physically precluded from constructing the proposed development with 43 dwelling units including 42 affordable units.

Open Space Reduction: LAMC Section 12.21 G requires 100 square feet of usable open space per dwelling unit with less than 3 habitable rooms, and 125 square feet of usable open space per dwelling unit with 3 habitable rooms. For the proposed project with 42 studio units and 1 two-bedroom unit, a total of 4,325 square feet of open space would be required. Strict compliance with the open space requirements would have the effect of physically precluding construction of the development proposing 43 dwelling units, 5 of which will be set aside for Very Low Income and 37 of which will be set aside for Low Income Households. The applicant has requested a 30 percent reduction to allow 3,028 square feet of open space through a Waiver of Development Standard. Without the waiver to reduce the minimum usable open space required to 3,028 square feet, the project would need to provide an additional 1,297 square feet of common or private open space on-site. The project currently proposes dwelling units that range in size from 465 square feet to 934 square feet. Compliance with the minimum usable open space provision would require the removal of floor area that could otherwise be dedicated to the number, configuration, and livability of affordable housing units. Specifically, the project would not only need to comply with the total amount of usable open space requirements, but also the design, dimension, and area requirements set forth in LAMC Section 12.21 G. Common open space would need to be at least 15 feet in width on all sides, have a minimum area of 400 square feet, and be open to sky. The project would lost floor area of the development in order to meet all of these additional requirements for common open space. By waiving this development standard, the developer will not be physically precluded from constructing the proposed development with 43 dwelling units including 42 affordable units.

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

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

HOUSING REPLACEMENT

Pursuant to Government Code Section 65915(c)(3) and Assembly Bills 2222 and 2556, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated March 20, 2019, HCIDLA determined that there were no residential units built and demolished in the property in the last 10 years, therefore no AB 2556 replacement affordable units are required (Exhibit D). Refer to the Density Bonus Legislation Background section of this determination for additional information.

DENSITY BONUS LEGISLATION BACKGROUND

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

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

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

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

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

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

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

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

CONDITIONAL USE FINDINGS

The following is a delineation of the findings related to the request for a Conditional Use to allow a 48 percent Density Bonus to allow 43 residential units in lieu of 29 dwelling units as otherwise permitted by-right in the C2-1VL-CPIO Zone.

As previously mentioned and as provided under Finding Nos. 11 through 18, the proposed project satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process as provided in SB 35. Pursuant to the SB 35 Guidelines Section 102(n), ministerial processing or approval means the following:

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

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

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

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

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

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

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

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

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

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

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

To the extent this finding requires further analysis, the project substantially conforms with the following purposes and objectives of the General Plan Elements: Framework Element, Housing Element, Mobility Element, and the Land Use Element (South Los Angeles

Community Plan). The site is also located within the South Los Angeles Alcohol Sales Specific Plan which regulates the sale of alcoholic beverages for off-site consumption.

Framework Element

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

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

The Framework Element's Long Range Land Use Diagram for the South Los Angeles area identifies the site as being within a Mixed Use Boulevard. A Mixed Use Boulevard is described as "connect[ing] the city's neighborhood districts and community, regional and Downtown centers. Mixed Use development is encouraged along these boulevards, with the scale, density and height of development compatible with the surrounding areas. Generally, different types of Mixed Use Boulevards will fall within a range of floor area ratios from 1.5:1 up to 4.0:1 and be generally characterized by 1- to 2-story commercial structures, up to 3- to 6-story mixed use buildings between centers and higher buildings within centers. Mixed Use Boulevards are served by a variety of transportation facilities".

The proposed project involves the construction of a 5-story, multi-family residential development containing 43 dwelling units on a site designated for Neighborhood Commercial land uses and zoned C2-1VL-CPIO. The project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority ("Metro") bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation ("LADOT") DASH Leimert/Slauson Line. As such, the project is in conformance with the purpose of the Framework Element.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. The Housing Element identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element aims to provide affordable housing and amenity-rich, sustainable neighborhoods for its residents, answering the variety of housing needs of its growing population. Specifically, the Housing Element encourages affordable units to accommodate all income groups that need assistance.

Additionally, the Housing Element indicates that permanent supportive housing and services must be provided to ensure the homeless population and persons who are at risk of being homeless remain housed and get the individualized help they may need.

The proposed project will replace an surface parking lot with 43 residential dwelling units, which reserves 100 percent (exclusive of a market-rate manager's unit) for affordable units. The 42 affordable units will be permanent supportive housing units serving seniors over the age of 55 who are currently without shelter. The project will also provide supportive services on the ground floor, including a community room and offices to provide assistance to its residents.

In addition, the site's Assessor Parcel Numbers (APN #4262009001 and 4262009002) have been identified in the 2013-2021 Housing Element's Inventory of Sites for Housing. The Inventory of Sites for Housing identifies parcels suitable for additional residential development without the need for any discretionary zoning action by the City. Therefore, the project is consistent with the Housing Element's vision of providing housing on these applicable sites. As such, the proposed project substantially conforms to the purpose of the Housing Element of the General Plan.

Mobility Element

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

The proposed residential building is a pedestrian-oriented development that provides 42 affordable units and one (1) market-rate unit in proximity to several transit options. As previously mentioned, the project site is directly adjacent to a bus stop located at the corner of Normandie Avenue and 48th Street that serves the Los Angeles County Metropolitan Transit Authority ("Metro") bus line 206. The site is within 1,500 feet from the intersection of Normandie Avenue and Vernon Avenue, which serves several bus lines including Metro bus lines 105 and 206, Metro Rapid bus line 705, and Los Angeles Department of Transportation ("LADOT") DASH Leimert/Slauson Line. These transit stations provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. The proposed project will also allow for the reduction of vehicle trips by placing a high density residential development within proximity to public transit. The availability of many transit options along the commercial corridors creates a lesser need for the use of personal vehicles. Additionally, the project will provide a total of 44 bicycle parking stalls, including 38 long-term and four (4) short-term bicycle parking stalls on site. There will be one (1) centralized enclosed long-term bicycle parking storage area adjacent to the ground-floor open-air courtyard along 48th Street, and the short-term bicycle parking stalls will be located directly adjacent to the lobby area where they are easily accessible from the street. As such, the project conforms to the purpose of the Mobility Element of the General Plan.

Land Use Element – South Los Angeles Community Plan

The South Los Angeles Community Plan was adopted by City Council in November 2017, with related zoning ordinances effective on December 29, 2018. The Community Plan's purpose is to promote an arrangement of land use, circulation, and services which all encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community. The Land Use Designations and corresponding zones in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code ("LAMC") including applicable ordinances that are codified in the LAMC.

The South Los Angeles Community Plan designates the site for Neighborhood Commercial land uses. The project site is zoned C2-1VL-CPIO, which is consistent with the corresponding zones of CR, C1, C1.5, C2, C4, RAS3, and R3 in the Community Plan. The C2 Zone allows R4 density at 400 square feet of lot area per dwelling. The project site containing 11,223 square feet (including half-alley) is permitted a base density of 29 dwelling units. The project utilizes the State Density Bonus Law (California Government Code Section 65915) and the City's Ordinance No. 179,681 (Density Bonus Ordinance), codified in LAMC Section 12.22 A.25, and Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26 (Conditional Use Section of LAMC) to increase the maximum density from 29 to 43 dwelling units, 42 of which will be set aside for Very Low Income and Low Income Households. The project also proposes supportive services in an area that is close to various bus routes, connecting the project site to other regional and local destinations. The project will contribute to the South Los Angeles area as a medium- to high-density residential development that provides housing and employment services. Furthermore, as found in the Streamlined Infill Development Projects Finding, the project is consistent with applicable objective zoning standards. As such, the project conforms to the purpose of the South Los Angeles Community Plan.

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

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

There are no objective zoning or design review standards relevant to this finding other than those objective standards, as defined by Government Code Section 65913.4(a), that the project has already been determined to be consistent with. To the extent this finding requires further analysis, the project is consistent with and implements the affordable housing provisions of the Housing Element as discussed below.

The proposed project will replace a surface parking lot with 43 residential dwelling units, which reserves 100 percent (exclusive of a market-rate manager's unit) for affordable units. The 42 affordable units will be permanent supportive housing units serving seniors over the age of 55 who are currently without shelter. The project will also provide supportive services on the ground floor, including a community room and offices to provide assistance to its residents.

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

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

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

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

The City's Density Bonus Ordinance permits a maximum density increase of up to 35 percent in exchange for setting aside 11 percent of the base density units for Very Low Income Households in accordance with the State Density Bonus Law. The State Density Bonus Law (Government Code Section 65915(n)) also allows a city to grant a density bonus greater than 35 percent for a development, if permitted by local ordinance. The City adopted Ordinance No. 185,373 (Value Capture Ordinance), codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent. The Ordinance requires the project to set aside one (1) additional percent of base density units above the 11 percent for Very Low Income Households for every additional 2.5 percent density increase above the 35 percent.

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

Percentage of Base Density to be Restricted to Very Low Income Households	Percentage of Density Increase Granted
11	35
12	37.5
13	40
14	42.5
15	45
16	47.5
17	50

The applicant requests a Conditional Use for a density increase in excess of 35 percent pursuant to LAMC Section 12.24 U.26, to allow a 48 percent increase in density for a total of 43 dwelling units in lieu of 29 dwelling units as otherwise permitted by-right in the C2-1VL-CPIO Zone. The applicant is required to set aside at least 17 percent, or 5 units, of 29 by-right density units, for Very Low Income Households, for the 48-percent density increase, as provided in the above table. The applicant proposes a project totaling 43 dwelling units, 5 of which will be restricted to Very Low Income Households for a period of 55 years, which is 17 percent of the 29 base density units. As such, the project satisfies the minimum percentage of base density to be restricted to Very Low Income Households.

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

On September 27, 2014, Governor Jerry Brown signed Assembly Bill (AB) 2222 as amended by AB 2556 on August 19, 2016, to amend sections of California's Density Bonus Law (Government Code Section 65915). Major changes to the law are applicable to new density bonus developments resulting in a loss in existing affordable units or rent-stabilized units. The law aims to replace units and ensure rental affordability periods for 55 years. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated March 20, 2019, there were no residential units built and demolished in the property in the last 10 years, therefore AB 2556 replacement affordable units are required (Exhibit D). As such, the dwelling unit replacement requirements of Government Code Section 65915(c)(3) do not apply.

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

Per the Conditions of Approval, the owner is required to execute a covenant to the satisfaction of HCIDLA to make 42 units for affordable units for a period of 55 years, as follows: 5 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units reserved for Low Income Household occupancy as determined by HCD; and the remaining 27 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD"). The applicant is required to present a copy of the recorded covenant to the Department of City Planning and the proposed project shall comply with any monitoring requirements established by HCIDLA. Therefore, as conditioned, the project satisfies this finding in regards to subjected restricted affordable units to recorded affordability per HCIDLA.

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

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

The project requests a 48 percent density increase above the 29 base density units to permit a total of 43 dwelling units. The project will set aside 42 units for affordable units for a period of 55 years, as follows: 5 units for Very Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); 10 units reserved for Low Income Household occupancy as determined by HCD; and the remaining 27 units shall be reserved

for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”). As such, the project is consistent with the State Density Bonus Law and the local Density Bonus Ordinance, which the Affordable Housing Incentives Guidelines implement. Furthermore, the project is required to record a Covenant and Agreement with the HCIDLA to make 42 units affordable per the Conditions of Approval. Therefore, the project complies with the City Planning Commission’s Affordable Housing Incentives Guidelines.

CEQA FINDINGS

Pursuant to Senate Bill (“SB”) 35 and Government Code Section 65913.4, a project that satisfies all of the objective planning standards of Government Code Section 65913.4(a) is subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c). Therefore, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act (“CEQA”) as a ministerial project.

PUBLIC HEARING AND COMMUNICATIONS

PUBLIC HEARING

The public hearing was held on July 18, 2019 at approximately 1:00 p.m. at Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles, CA 90012. The hearing was conducted by the Hearing Officer, Connie Chauv, on behalf of the City Planning Commission in taking testimony for Case No. CPC-2019-2952-DB-CU-SIP. All interested parties were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The purpose of the hearing was to obtain testimony from affected and/or interested parties regarding this application. Interested parties are also invited to submit written comments regarding the request prior to hearing. The environmental determination was among the matters considered at the hearing. The hearing notice was mailed on June 24, 2019, published in the newspaper on June 24, 2019, and posted on-site on July 5, 2019, in accordance with LAMC noticing requirements.

The public hearing was attended by the applicant's representative (Jim Ries) and approximately six (6) other members from the applicant team, and approximately five (5) members from the community. Three (3) speaker cards were submitted for the hearing, including one (1) speaker card in opposition of the project, and two (2) speaker cards with general comments.

Applicant Presentation. The applicant's representative described the site location, project description, requested entitlements, and community outreach.

- The site is currently a surface parking lot, and the project is proposing 100% affordable housing.
- The developer is Wakeland, a non-profit developer and owner/operator of affordable housing, established in 1998. Previous built projects in San Diego have shown high housing retention rates, tenant participation in on-site services, and transformative care, helping residents to stabilize their health, go back to school, and gain employment.
- The project will develop supportive housing for frail seniors over the age of 55 with chronic health conditions, and Program of All-Inclusive Care for the Elderly (PACE) will be offered to each resident.
- The project will provide on-site case management with individual care plans, adult educational, health and wellness, and skill building classes, offer primary medical care and specialty care, prescription drug coverage, and adult day care.
- The project site is located directly at a transit stop and adjacent to neighborhood amenities including churches, bakery, markets, fitness studio, and park
- The applicant has conducted outreach with the Council District 8 office and Empowerment Congress Central Area Neighborhood Council.
- The project was initially designed under the TOC Guidelines, but was converted to a Density Bonus due to a CPIO restriction on the Ground Floor Height. The 14-foot Ground Floor Height requirement of the CPIO would have required the height of the ground floor to be raised by 2 feet, which would have required the loss of units on upper levels.
- The architect designed the project to break down the building massing. Building materials include wood paneling, stucco, and glazing.

Comments in Opposition of the Project:

- Parking will be an issue. They should not get a waiver for parking.
- Bicycle parking doesn't make sense.

Comments in Support of the Project:

- The city and zoning is changing. The neighborhood is building up. We need more amenities.
- Project is a great idea. They are not striving for money for profit.

General Comments:

- The applicant should talk about who the project will be rented out to, how security will be handled, and what the management is like.
- The applicant should do a survey of the site to make sure the site can accommodate the project (i.e., weight and bedrock).
- There is a housing and homeless problem.
- There is not a market in this neighborhood. There is only a liquor store in the area.
- The project should have retail at the ground floor. Supportive services should be tucked away so that retail can be provided.
- Neighborhood has graffiti.
- His neighboring building has received no outreach.

Applicant's Response to Public Comments:

- The project will be for seniors over the age of 55 who are currently without shelter. There will be a case manager assigned to each resident and provide a triage of services.
- Management will be on-site 24-hours.
- Security will be done through key access cards that are located outside of the building. There may be opportunity for facial recognition system, but that is not confirmed at this time.
- Tenants are placed based on a county coordinated entry system. The project is in SPA 6.
- The project will be affordable units for seniors who make as low as 50% of the area median income. They do not have cars, and will not be driving, so the project will not result in traffic issues.
- SB 35 in state law does not require parking for this type of supportive service project. The supportive service function is considered residential, so no parking is required.
- Bicycle parking is required by the code. The project is meeting code bicycle parking requirements.
- The project meets the intent of the TOC Guidelines, with the exception of the Ground Floor Height restriction of the CPIO. The TOC Guidelines do not require parking for 100% affordable housing projects.
- The project is funded through Measures HHH and H which established tax incentives to build projects like this.
- A survey will be done to ensure the site is suitable for the project. This is part of standard building requirements.

WRITTEN CORRESPONDENCE

No letters or emails were received from the public. The applicant submitted a summary of community outreach efforts for the case file (Exhibit F), indicating they have met with the Council District 8 Office and the Empowerment Congress Central Area Neighborhood Development Council (ECCANDC).

Staff received email correspondence from the Council District 8 office indicating they are in support of the project (Exhibit F). They understand the applicant did considerable outreach, and appreciate the project design.

EXHIBIT A

PROJECT PLANS

CPC-2019-2592-DB-CU-SIP



CHESTERFIELD

4719 Normandie Ave.
Los Angeles, 90037

ARCHITECT



1149 S. Hill Street,
Suite 700
Los Angeles, CA 90015
Tel: 213.225.2822
fax: 213.225.2715

DEVELOPER



1230 Columbia Street
Suite 950
San Diego, CA 92101
Tel: 619.235.2296



The ideas and designs represented herein and this drawing, all prepared by Abode Communities are for the use solely with respect to this project and Abode Communities shall retain all common law, statutory and other reserved rights including copyright, and they shall not be used by others for any other purpose without written permission of Abode Communities.

ISSUE : DATE : REV :

ENTITLEMENT SET 05/21/2019

SHEET TITLE

COVER SHEET

DATE: 5/21/2019 SCALE: AS NOTED
SHEET NUMBER

G1.00

PROJECT DIRECTORY

PROJECT APPLICANT / OWNER

Chesterfield Apartments LP
1230 Columbia Street
Suite 950
San Diego, CA 92101
619.235.2296

ENTITLEMENT CONSULTANT

Jim Ries
Craig Lawson + Co., L.L.C.
3221 Hutchinson Avenue, Suite D
Los Angeles, CA 90034
310.838.2400

PROJECT ARCHITECT

Abode Communities Architecture
1149 S. Hill St, Suite 700
Los Angeles, CA 90015
213.629.2702

CIVIL ENGINEER

Coory Engineering
1718 N. Neville Street
Orange, CA 92865
714.202.8700

LANDSCAPE ARCHITECT

Tina Chee Landscape Studio
1800 S. Brand Blvd.
Glendale, CA 91204
232.691.6647

VICINITY MAP



PROJECT DESCRIPTION

The project consists of the new construction of a privately owned permanent supportive housing (PSH) development that will provide 43 affordable rental housing. The common area services will include on-site property management office ancillary office spaces, bicycle storage room, a residents community room (1), residents laundry facility (1) as well as outdoor landscaped areas including employee parking spaces.

The project will provide 43 restricted affordable units with (42) studios and (1) 2-bedroom managers unit and will consist of approximately 33,900 square feet with a maximum of 5 stories.

The project does not provide housing on behalf of any public institution but it is partially publicly funded and subject to UFAS requirements.

SITE INFORMATION

SITE ADDRESS:

4719 S. NORMANDIE AVENUE, LOS ANGELES, CA 90005

ACCESSOR PARCEL NUMBER:

5016-020-005 & 5016-020-006

LEGAL DESCRIPTION:

PARCEL 1:

LOT 5 IN BLOCK 46 OF VERMONT AVENUE SQUARE, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGES 46 AND 47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE EASTERLY 10 FEET CONDEMNED FOR THE WIDENING OF NORMANDIE AVENUE BY FINAL DECREE OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED OCTOBER 11, 1957 AS INSTRUMENT NO. 4376 IN BOOK 55831, PAGE 302, OFFICIAL RECORDS.

PARCEL 2:

LOT 6 IN BLOCK 46 OF VERMONT AVENUE SQUARE, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGES 46 AND 47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

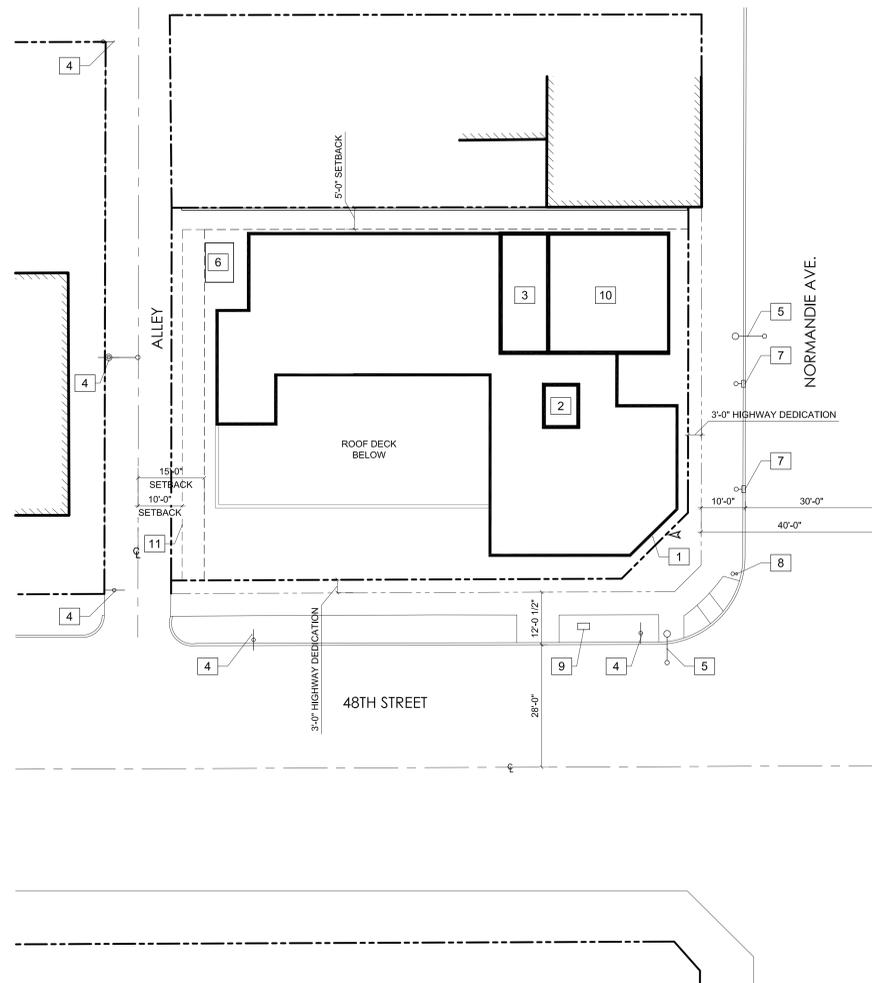
EXCEPT THE EASTERLY 10 FEET CONDEMNED FOR THE WIDENING OF NORMANDIE AVENUE BY FINAL DECREE OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED OCTOBER 11, 1957 AS INSTRUMENT NO. 4376 IN BOOK 55831, PAGE 302, OFFICIAL RECORDS.

ALSO ALL THAT PORTION OF SAID LOT BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID EASTERLY 10 FEET WITH THE SOUTHERLY LINE OF SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 6 FEET; THENCE NORTHEASTERLY IN A DIRECT LINE 8.51 FEET TO A POINT IN SAID WESTERLY LINE, SAID POINT BEING DISTANT NORTHERLY ALONG SAID WESTERLY LINE 6 FEET FROM THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID WESTERLY LINE 6 FEET TO THE POINT OF BEGINNING.

SHEET INDEX

G0.00	COVER SHEET
G1.01	PLOT PLAN & PROJECT INFORMATION
1 of 1	ALTA SURVEY
C-1	GRADING PLAN TITLE SHEET
C-2	CONCEPTUAL GRADING PLAN
L-1.01	STREET LEVEL PLANTING PLAN
L-1.05	FIFTH LEVEL PLANTING PLAN
A2.01	FIRST FLOOR PLAN
A2.02	SECOND FLOOR PLAN
A2.03	THIRD FLOOR PLAN
A2.04	FOURTH FLOOR PLAN
A2.05	FIFTH FLOOR PLAN
A2.06	ROOF PLAN
A3.01	ELEVATIONS
A3.02	ELEVATIONS
A4.01	SECTIONS
A5.01	ENLARGED UNIT PLANS



LEGEND

- OLD PROPERTY LINE
- HIGHWAY DEDICATION NEW PROPERTY LINE
- SETBACK LINE
- PEDESTRIAN ENTRANCE

KEYNOTES

- 1 FRONT ENTRANCE (BELOW)
- 2 ELEVATOR
- 3 STAIRS
- 4 EXISTING POWER POLE
- 5 EXISTING STREET LIGHT
- 6 TRANSFORMER
- 7 EXISTING SOLAR PANEL POLE
- 8 EXISTING TRAFFIC LIGHT SIGNAL
- 9 EXISTING TRAFFIC SIGNAL CABINET
- 10 MECH. PENTHOUSE
- 11 POTENTIAL ALLEY DEDICATION SETBACK

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

LOT AREA			
	Area (SF)	Acres	
Project Site Lot Area	10,548	0.24	
Site Lot Area plus 1/2 Alley	11,223	0.26	
DENSITY			
Permitted	Lot Area Per DU		Units
C2 Zone w/Affordable per CPIO	1 per	400	29
Proposed	Units	% Increase	
Total	43	48%	
FLOOR AREA			
Permitted	FAR	Floor Area	
Height District 1VL	1.5 :1	15,822	
Proposed			
Residential	2.65 :1	27,961	
Residential Supportive Services	0.08 :1	846	
Retail	0.00 :1	0	
New Construction	2.73 :1	28,807	
HEIGHT AND STORIES			
Permitted	Height (ft)	Stories	
Height District 1	45	3	
Proposed			
Total	67	5	
OPEN SPACE			
Required	SF per Unit	Units	Square feet
< 3 Habitable rooms	100	42	4,200
3 Habitable rooms	125	1	125
> 3 habitable rooms	175	0	0
Total			4,325
Proposed	Square Feet	%	
Outdoor			
1st Floor Common Exterior Space	622		
5th Floor Common Exterior Space	1,655		
Total	2,277	75%	
Indoor			
1st Floor Common Interior Space	751		
Total	751	25%	
Private			
Balconies	0		
Total	3,028		
Reduction Requested	30%		
Landscape Requirement	569	25% outdoor open space	
Tree Requirement	1 per 4 dwelling units	11 trees	
YARDS AND SETBACKS			
	Required	Proposed	
Front	0	0	
Side, Interior	8	5	
Side, 48th Street	8	0	
Rear	17	15	
AUTOMOBILE PARKING			
Required	Per Unit	Units	Residential Spaces
Residential (per PSH Unit - SB35)	0	42	0
Residential (per Manager's Unit - SB35)	0	1	0
Total Required			0
Proposed			
Residential			0
Employee			4
Total			4
BICYCLE PARKING			
Required	Ratio	Units	Parking Spaces
Short Term (Residential)			
1 - 25 Dwelling Units	1 per 10	25	2.5
26 - 100 Dwelling Units	1 per 15	20	1
Total			4
Long Term (Residential)			
1 - 25 Dwelling Units	1 per 1	25	25
26 - 100 Dwelling Units	1 per 1.5	17	12
Total			37
Overall Total			41
Proposed	Total		
Short Term	6		
Long Term	38		
Total	44		



CHESTERFIELD

4719 Normandie Ave.
Los Angeles, 90037

ARCHITECT



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ISSUE: DATE: REV:

ENTITLEMENT SET 05/21/2019
ENTITLEMENT SET 06/04/2019 01

TITLE SHEET AND PROJECT INFORMATION

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

G1.01

GRADING PLAN

NORMANDIE

GENERAL NOTES

- "GENERAL SPECIFICATIONS FOR ALL GRADING PLANS" – BUILDING AND SAFETY FORM B-164 IS HEREBY MADE A PART OF THESE PLANS BY REFERENCE.
- NO GRADING WHATSOEVER SHALL COMMENCE UNTIL THE CITY GRADING INSPECTOR HAS BEEN NOTIFIED.
- ALL WORK SHALL COMPLY WITH THE CITY OF LOS ANGELES GRADING REGULATIONS AND TO THE SOILS ENGINEERS RECOMMENDATIONS AND CONCLUSIONS CONTAINED IN THE GEOTECHNICAL INVESTIGATION PREPARED BY GEOCON WEST, INC. DATED AUGUST 09, 2016.
- ALL GRADING OPERATIONS SHALL BE CONDUCTED UNDER THE DIRECTION AND CONTINUOUS INSPECTION OF THE SOILS ENGINEER.
- ALL CUT SLOPES SHALL BE NO STEEPER THAN 2:1, AND ALL FILL SLOPES SHALL BE NO STEEPER THAN 2:1, UNLESS APPROVED OTHERWISE BY THE SOILS ENGINEER AND THE CITY OFFICIAL.
- THE SOILS ENGINEER IS TO APPROVE THE KEY OR BOTTOM AND LEAVE A CERTIFICATE ON THE SITE FOR THE GRADING INSPECTOR. THE GRADING INSPECTOR IS TO BE NOTIFIED BEFORE ANY GRADING BEGINS AND, FOR BOTTOM INSPECTION, BEFORE ANY FILLS ARE PLACED. FILL MAY NOT BE PLACED WITHOUT APPROVAL OF THE GRADING INSPECTOR.
- DUST SHALL BE CONTROLLED BY WATERING.
- NOTE: A WET WEATHER EROSION CONTROL PLAN (WWECP), UTILIZING SEDIMENT AND EROSION CONTROL BMPs, FOR PROJECTS THAT WILL LEAVE DISTURBED SOIL DURING THE RAINY SEASON (OCTOBER 1 TO APRIL 15) IS REQUIRED. THE WWECP MUST BE PREPARED, FOR PROJECTS THAT HAVE ALREADY BROKEN GROUND, NOT LESS THAN 30 DAYS PRIORS TO THE BEGINNING OF EACH RAINY SEASON DURING WHICH SOIL WILL BE DISTURBED, AND IMPLEMENTED THROUGHOUT THE ENTIRE RAINY SEASON. A COPY OF THE WWECP SHALL BE KEPT ON THE PROJECT SITE AT ALL TIMES BEGINNING 30 DAYS PRIOR TO THE START OF THE RAINY SEASON THROUGH THE END OF THE RAINY SEASON. FOR PROJECTS THAT WILL BEGIN CONSTRUCTION DURING THE RAINY SEASON, THE WWECP MUST BE AVAILABLE 30 DAYS BEFORE CONSTRUCTION COMMENCES. THE WWECP MUST BE SUBMITTED TO THE BUREAU OF ENGINEERING, PUBLIC WORKS FOR REVIEW AND APPROVAL. THE PLAN SHALL BE PREPARED BY A CIVIL ENGINEER.
- PRIOR TO PLACEMENT OF COMPACTED FILL, THE SITE SHALL BE CLEARED OF ALL VEGETATION, LOOSE TOPSOIL, EXISTING UNCERTIFIED FILL, DEBRIS, AND ANY OTHER DELETERIOUS MATERIALS PER APPROVAL OF THE CITY INSPECTOR.
- SURFACES RECEIVING FILL SOILS SHALL BE SCARIFIED, AERATED, OR MOISTENED TO MOISTURE CONTENT AND COMPACTED ACCEPTABLE TO THE SOILS ENGINEER.
- IF THE MOISTURE CONTENT OF THE FILL SOILS IS BELOW THE LIMITS SPECIFIED BY THE SOILS ENGINEER, WATER SHALL BE ADDED UNTIL THE MOISTURE CONTENT IS AS REQUIRED.
- IF THE MOISTURE CONTENT OF THE FILL SOILS IS ABOVE THE LIMITS SPECIFIED BY THE SOILS ENGINEER, THE FILL SOILS SHALL BE AERATED BY BLADING OR OTHER SATISFACTORY METHODS UNTIL THE MOISTURE CONTENT IS AS REQUIRED.
- NATURAL SLOPES STEEPER THAN 5 HORIZONTAL TO 1 VERTICAL SHALL BE BENCHED INTO COMPETENT BEDROCK PRIOR TO PLACEMENT OF FILL. THE TOE OF FILL SLOPES SHALL BE PROVIDED WITH A KEY HAVING A MINIMUM WIDTH OF 12 FEET OR EQUIPMENT WIDTH AND EXTENDING INTO COMPETENT MATERIAL A MINIMUM DEPTH OF 3 FEET ON THE DOWNSLOPE SIDE OF THE KEY.
- ALL FILL SOILS SHALL BE PLACED IN LOOSE LIFTS NOT EXCEEDING 8" IN THICKNESS, MOISTURE-CONDITIONED BETWEEN OPTIMUM-MOISTURE CONTENT AND A FEW PERCENT ABOVE THE OPTIMUM AND MECHANICALLY COMPACTED TO A MINIMUM OF 95 PERCENT RELATIVE COMPACTION, AS DETERMINED BY ASTM TEST METHOD D 1557-02EL.
- FIELD DENSITY TESTS SHALL BE MADE IN ACCORDANCE WITH A.S.T.M. D1556-00. FIELD DENSITY TESTS SHALL BE MADE EVERY 2 FOOT INTERVALS AND NOT LESS THAN ONE TEST SHALL BE PERFORMED PER 500 CUBIC YARDS OF FILL.
- IN ORDER TO PROVIDE A FIRM SUBGRADE TO SUPPORT THE AC PAVEMENT AND/OR FLOOR SLABS, THE TOP 6-12 INCHES OF SOIL SHALL BE REMOVED AND MECHANICALLY RE-COMPACTED TO A MINIMUM 90% OF THE MAXIMUM DRY DENSITY OF THE FILL MATERIAL PER THE LATEST VERSION OF ASTM D 1557. WHERE COHESIONLESS SOIL HAVING LESS THAN 15% FINER THAN 0.005 MILLIMETERS IS USED FOR FILL, IT SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION BASED ON MAXIMUM DRY DENSITY (D1556). PLACEMENT OF GRAVEL IN LIEU OF COMPACTED FILL IS ALLOWED ONLY IF COMPLYING WITH SECTION 91.7011.3 OF THE CODE. (7011.3)
- ROCKS LESS THAN 6 INCHES IN GREATEST DIMENSION MAY BE PLACED IN THE FILL, PROVIDED THAT: A. THEY ARE NOT SPACED IN CONCENTRATED POCKETS. B. THE FINE-GRAINED MATERIALS SURROUNDING THE ROCKS ARE SUFFICIENTLY COMPACTED.
- ROCKS LARGER THAN 6 INCHES IN GREATEST DIMENSION SHALL BE REMOVED FROM THE SITE OR PLACED IN ACCORDANCE WITH SPECIFIC RECOMMENDATIONS OF THE SOILS ENGINEER, ON A CASE-BY-CASE BASIS.
- NO FILL SOILS SHALL BE PLACED DURING UNFAVORABLE WEATHER CONDITIONS, WHEN WORK IS INTERRUPTED BY RAINS, FILL OPERATIONS SHALL NOT BE RESUMED UNTIL THE FIELD TESTS BY THE SOILS ENGINEER INDICATE THAT THE MOISTURE CONTENT AND DENSITY OF THE FILL ARE AS PREVIOUSLY SPECIFIED.
- THE SOILS ENGINEER SHALL BE NOTIFIED AT LEAST 2 DAYS IN ADVANCE OF THE START OF CONSTRUCTION. A JOINT MEETING BETWEEN THE ARCHITECT, CONTRACTOR, AND THE SOILS ENGINEER IS REQUIRED PRIOR TO THE START OF CONSTRUCTION TO DISCUSS SPECIFIC PROCEDURES AND SCHEDULING.
- ALL DRAINAGE IMPROVEMENTS SHOWN BEYOND THE PROJECT BOUNDARY ARE SUBJECT TO THE APPROVAL OF THE RESPECTIVE OFFSITE PROPERTY OWNERS.
- EARTHWORK QUANTITIES/EXCLUSIVE OF OVER-EXCAVATION GRADING

CUT:	c.y.
FILL:	c.y.
NET EXPORT OR IMPORT:	c.y. *
REMOVAL/RECOMPACTION:	c.y.

(*) THE SHRINKAGE FACTOR HAS NOT BEEN APPLIED. CONTRACTOR WILL BE RESPONSIBLE TO DETERMINE THE TOTAL EARTHWORK QUANTITIES.
- EXPANSIVE SOILS, COMPLY WITH PROVISIONS OF SECTION 91 – 2905 (d) UBC.
- SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE FROM BEGINNING TO COMPLETION OF GRADING OPERATIONS.
- ANY RECOMMENDATIONS PREPARED BY THE CONSULTING GEOLOGIST AND/OR THE SOILS ENGINEER FOR CORRECTION OF GEOLOGICAL HAZARDS OR ADVERSE SOIL CONDITIONS FOUND DURING GRADING SHALL BE SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS FOR APPROVAL PRIOR TO UTILIZATION IN THE FIELD.
- ANY GRADING INVOLVING MORE THAN 100 C.Y. OF EXCAVATION AND IN EXCESS OF 5 FEET IN VERTICAL DEPTH AT ANY POINT MUST BE DONE BY A STATE OF CALIFORNIA CONTRACTOR WHO IS LICENSED.
- NO EXCAVATION OR GRADING SHALL COMMENCE UNTIL 10 DAYS AFTER THE NOTICE REQUIRED BY SECTION 91.0106.4.6.1 OF THE LOS ANGELES CITY BUILDING CODE HAS BEEN POSTED ON THE SITE.

- A REGISTERED DEPUTY GRADING INSPECTOR IS REQUIRED ON ALL GRADING AND FOUNDATION EARTHWORK WHERE (SITE EXCEEDS 60,000 SQ. FT.) (CUT OR FILL SLOPES EXCEEDS 2:1) (CUT EXCEEDS 40 FEET IN HEIGHT AND WITHIN 20 FEET OF PROPERTY LINE) (FOUNDATION EXCAVATION EXTEND BELOW @ 1:1 PLANE FROM PROPERTY LINE) (PROJECTS INVOLVE UNUSUAL HAZARDOUS.) SEC. 91.1705.5.
- CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND IS NOT LIMITED TO NORMAL WORKING HOURS. CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, THE ARCHITECT, AND THE ENGINEER HARMLESS FROM ANY AND ALL PURPORTED LIABILITY, IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
- ALL EXCAVATIONS SHALL COMPLY WITH THE REQUIREMENT OF THE STATE OF CALIFORNIA DIVISION OF INDUSTRIAL SAFETY. NO TRENCHES OR EXCAVATIONS 5 FEET OR MORE IN DEPTH, INTO WHICH A PERSON IS REQUIRED TO DESCEND SHALL BE CONSTRUCTED WITHOUT THE NECESSARY PERMIT FROM THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY. TEMPORARY SHORING IS REQUIRED FOR EXCAVATIONS THAT REMOVE THE LATERAL SUPPORT FROM A PUBLIC RIGHT OF WAY OR EXISTING STRUCTURE. THE CONTRACTOR SHALL DESIGN, OBTAIN PERMIT, FURNISH AND INSTALL ALL THE REQUIRED TEMPORARY SHORING, UNDERPINNING AND BRACING TO SAFELY EXECUTE THE WORK AND PROTECT EXISTING IMPROVEMENTS.
- CONTRACTOR SHALL PROVIDE FOR SAFE PEDESTRIAN TRAFFIC ALONG WALL STREET, AND SEVENTH STREET, DURING ENTIRE CONSTRUCTION PERIOD.
- ALL EXISTING IMPROVEMENTS WITHIN CONSTRUCTION ZONE SHALL BE REMOVED UNLESS NOTED OTHERWISE.
- ALL GRATINGS FOR CATCH BASINS TO BE HEEL-PROOF AND IN ACCORDANCE WITH ADA REQUIREMENTS.
- CONTRACTOR SHALL CAREFULLY REVIEW ALL CONSTRUCTION DOCUMENTS INCLUDING THE GEOTECHNICAL ENGINEERING REPORTS, THE SPECIFICATIONS, PROJECT PLANS AND OTHER RELATED DOCUMENTS. INFORMATION REGARDING THE WORK IS DISPERSED THROUGHOUT AND SHOULD BE ACCURATELY DETERMINED FROM THE COMPLETE SET OF DOCUMENTS.

ADDITIONAL GENERAL NOTES

- NO FILL TO BE PLACED, UNTIL THE CITY GRADING INSPECTOR HAS INSPECTED AND APPROVED THE BOTTOM EXCAVATION.
- MAN-MADE FILL SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 90% MAX. DRY DENSITY WITHIN 40 FEET BELOW FINISH GRADE AND 93% OF MAX. DRY DENSITY DEEPER THAN 40 FEET BELOW FINISH GRADE, UNLESS A LOWER RELATIVE COMPACTION (NOT LESS THAN 90% OF MAX. DRY DENSITY) IS JUSTIFIED BY THE SOILS ENGINEER.
- TEMPORARY EROSION CONTROL TO BE INSTALLED BETWEEN OCTOBER 1 AND APRIL 15. OBTAIN GRADING INSPECTOR'S AND DEPARTMENT OF PUBLIC WORKS APPROVAL OF PROPOSED PROCEDURES. [>200C.Y.] (7007.1)

STORMWATER POLLUTION PREVENTION PLAN NOTES

THE CONTRACTOR SHALL PREPARE A "STORMWATER POLLUTION PREVENTION PLAN" (SWPPP) IN ACCORDANCE WITH THE SPECIFICATIONS AND THE REQUIREMENTS OF THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD. SAID PLAN SHALL INCLUDE THE FOLLOWING AS A MINIMUM:

IF THERE IS ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE SPECIFICATIONS, THE SPECIFICATIONS SHALL GOVERN FOR THE SWPPP.

ATTACHMENT A NOTES

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) WET WEATHER EROSION CONTROL (WWECP) GENERAL NOTES:

- THE CONTRACTOR SHALL IMPLEMENT STORM WATER AND URBAN RUNOFF POLLUTION PREVENTION CONTROLS, AND BEST MANAGEMENT PRACTICES (BMP'S) ON CONSTRUCTION SITES IN ACCORDANCE WITH CITY REQUIREMENTS. THE CONTRACTOR MAY ALSO BE REQUIRED TO FILE A NOTICE OF VIOLATION (NOI) WITH THE REGIONAL WATER QUALITY CONTROL BOARD AND PREPARE A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AS SPECIFIED IN THE STATE OF CALIFORNIA GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES IN ACCORDANCE WITH NPDES MANDATE TO PROTECT RECEIVING WATERS AND STORM DRAINS FROM CONSTRUCTION ACTIVITY RELATED EROSION AND POLLUTION.
- A STAND-BY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON (OCTOBER 1 TO APRIL 15). NECESSARY MATERIALS SHALL BE AVAILABLE ON-SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY DEVICES WHEN RAIN IS IMMINENT.
- EROSION CONTROL DEVICES SHOWN ON THIS PLAN MAY BE REMOVED WHEN APPROVED BY THE BUILDING OFFICIAL IF THE GRADING OPERATION HAS PROGRESSED TO THE POINT WHERE THEY ARE NO LONGER REQUIRED.
- GRADED AREAS ADJACENT TO FILL SLOPES LOCATED AT THE SITE PERIMETER MUST DRAIN AWAY FROM THE TOP OF SLOPE AT THE CONCLUSION OF EACH WORKING DAY. ALL LOOSE SOILS AND DEBRIS THAT MAY CREATE A POTENTIAL HAZARD TO OFF-SITE PROPERTY SHALL BE STABILIZED OR REMOVED FROM THE SITE ON A DAILY BASIS.
- ALL SILT AND DEBRIS SHALL BE REMOVED FROM ALL DEVICES WITHIN 24 HOURS AFTER EACH RAIN STORM AND BE DISPOSED OF PROPERLY.
- A GUARD SHALL BE POSTED ON SITE WHENEVER THE DEPTH OF WATER IN ANY DEVICES EXCEEDS TWO FEET. THE DEVICE SHALL BE DRAINED OR PUMPED DRY WITHIN 24 HOURS AFTER EACH RAINSTORM. PUMPING AND DRAINING OF ALL BASINS AND DRAINAGE DEVICES MUST COMPLY WITH THE APPROPRIATE BMP FOR DEWATERING OPERATIONS.
- THE PLACEMENT OF ADDITIONAL DEVICES TO REDUCE EROSION DAMAGE AND CONTAIN POLLUTANTS WITHIN THE SITE IS LEFT TO THE DISCRETION OF THE FIELD ENGINEER. ADDITIONAL DEVICES AS NEEDED SHALL BE INSTALLED TO RETAIN SEDIMENTS AND OTHER POLLUTANTS ON SITE.
- DESILTING BASINS MAY NOT BE REMOVED OR MADE INOPERABLE BETWEEN OCTOBER 1 AND APRIL 15 OF THE FOLLOWING YEAR WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL.

- STORM WATER POLLUTION AND EROSION CONTROL DEVICES ARE TO BE MODIFIED, AS NEEDED, AS THE PROJECT PROGRESSES, THE DESIGN AND PLACEMENT OF THESE DEVICES IS THE RESPONSIBILITY OF THE FIELD ENGINEER. PLANS REPRESENTING CHANGES MUST BE SUBMITTED FOR APPROVAL IF REQUESTED BY THE BUILDING OFFICIAL.
- EVERY EFFORT SHOULD BE MADE TO ELIMINATE THE DISCHARGE OF NONSTORM WATER FROM THE PROJECT SITES AT ALL TIMES.
- NON-STORM WATER RUNOFF FROM EQUIPMENT AND VEHICLE WASHING AND ANY OTHER ACTIVITY SHALL BE CONTAINED AT THE PROJECT SITE.
- ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON-SITE AND MAY NOT BE TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
- STOCKPILES OF EARTH AND OTHER CONSTRUCTION-RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.

- FUELS, OILS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOILS AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
- EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON-SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE OR RECYCLED.
- CONTRACTORS ARE RESPONSIBLE TO INSPECT AND ASSURE ALL EROSION CONTROL DEVICES AND BMP'S ARE INSTALLED AND FUNCTIONING PROPERLY BEFORE AND AFTER 0.25 INCHES OR GREATER PREDICTED OR ACTUAL PRECIPITATION. A CONSTRUCTION SITE INSPECTION CHECKLIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL (COPIES OF THE SELF-INSPECTION CHECK LIST AND INSPECTION LOGS ARE AVAILABLE UPON REQUEST).

- TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.

- SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEPED UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.

- ANY SLOPES WITH DISTURBED SOILS OR DENuded OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.

- EROSION CONTROL DEVICES MAY BE MODIFIED AS NEEDED AS THE PROJECT PROGRESSES, AT THE DIRECTION OF THE CITY.

- FUGITIVE DUST, REASONABLE AVAILABLE CONTROL MEASURES (AQMD RULE 403) – THE GRADING CONTRACTOR SHALL IMPLEMENT CONTROL AND HIGH WIND MEASURES TO MITIGATE THE SOURCES OF FUGITIVE DUST UNDER AQMD RULE 403. A LIST OF REASONABLE AVAILABLE FUGITIVE DUST CONTROL MEASURES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT.

- "AS THE ARCHITECT/ENGINEER OF RECORD, I HAVE SELECTED APPROPRIATE BMP'S TO EFFECTIVELY MINIMIZE THE NEGATIVE IMPACTS OF THIS PROJECT'S CONSTRUCTION ACTIVITIES ON STORM WATER QUALITY. THE PROJECT OWNER AND CONTRACTOR ARE AWARE THAT THE SELECTED BMP'S MUST BE INSTALLED, MONITORED, AND MAINTAINED TO ENSURE THEIR EFFECTIVENESS. THE BMP'S NOT SELECTED FOR IMPLEMENTATION ARE REDUNDANT OR DEEMED NOT APPLICABLE TO THE PROPOSED CONSTRUCTION ACTIVITY."

LEGAL DESCRIPTION:

PARCEL 1:

LOT 5 IN BLOCK 46 OF VERMONT AVENUE SQUARE, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGES 46 AND 47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THE EASTERLY 10 FEET CONDEMNED FOR THE WIDENING OF NORMANDIE AVENUE BY FINAL DECREE OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED OCTOBER 11, 1957 AS INSTRUMENT NO. 4376 IN BOOK 55831, PAGE 302, OFFICIAL RECORDS.

PARCEL 2:

LOT 6 IN BLOCK 46 OF VERMONT AVENUE SQUARE, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGES 46 AND 47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THE EASTERLY 10 FEET CONDEMNED FOR THE WIDENING OF NORMANDIE AVENUE BY FINAL DECREE OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED OCTOBER 11, 1957 AS INSTRUMENT NO. 4376 IN BOOK 55831, PAGE 302, OFFICIAL RECORDS.

ALSO ALL THAT PORTION OF SAID LOT BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID EASTERLY 10 FEET WITH THE SOUTHERLY LINE OF SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 6 FEET; THENCE NORTHEASTERLY IN A DIRECT LINE 8.5 FEET TO A POINT IN SAID WESTERLY LINE, SAID POINT BEING DISTANT NORTHERLY ALONG SAID WESTERLY LINE 6 FEET FROM THE POINT OF BEGINNING.

ACCESSOR PARCEL NUMBER(S): 5016-020-005 & 5016-020-006

ZONING: C2-1 VL - CPIO

BMP'S:

EROSION CONTROL

- EC1 – SCHEDULING
- EC2 – PRESERVATION OF EXISTING VEGETATION
- EC3 – HYDRAULIC MULCH
- EC4 – HYDROSEEDING
- EC5 – SOIL BINDERS
- EC6 – STRAW MULCH
- EC7 – GEOTEXTILES & MATS
- EC8 – WOOD MULCHING
- EC9 – EARTH DIKES AND DRAINAGE SWALES
- EC10 – VELOCITY DISSIPATION DEVICES
- EC11 – SLOPE DRAINS
- EC12 – STREAMBANK STABILIZATION
- EC13 – POLYACRYLAMIDE

TEMPORARY SEDIMENT CONTROL

- SE1 – SILT FENCE
- SE2 – SEDIMENT BASIN
- SE3 – SEDIMENT TRAP
- SE4 – CHECK DAM
- SE5 – FIBER ROLLS
- SE6 – GRAVEL BAG BERM
- SE7 – STREET SWEEPING AND VACUUMING
- SE8 – SANDBAG BARRIER
- SE9 – STRAW BALE INLET PROTECTION
- SE10 – STORM DRAIN INLET PROTECTION

WE1 – WIND EROSION CONTROL

EQUIPMENT TRACKING CONTROL

- TC1 – STABILIZED CONSTRUCTION ENTRANCE EXIT
- TC2 – STABILIZED CONSTRUCTION ROADWAY
- TC3 – ENTRANCE/OUTLET TIRE WASH

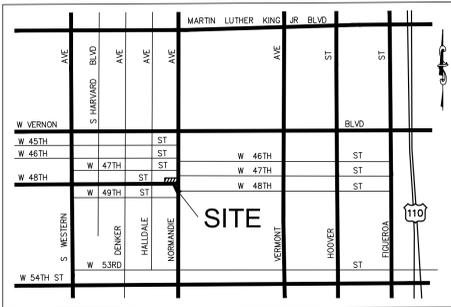
NON-STORMWATER MANAGEMENT

- NS1 – WATER CONSERVATION PRACTICES
- NS2 – DEWATERING OPERATIONS
- NS3 – PAVING AND GRINDING OPERATIONS
- NS4 – TEMPORARY STREAM CROSSING
- NS5 – CLEAR WATER DIVERSION
- NS6 – ILLICIT CONNECTION/DISCHARGE
- NS7 – POTABLE WATER/IRRIGATION
- NS8 – VEHICLE AND EQUIPMENT CLEANING
- NS9 – VEHICLE AND EQUIPMENT FUELING
- NS10 – VEHICLE AND EQUIPMENT MAINTENANCE
- NS11 – PILE DRIVING OPERATIONS
- NS12 – CONCRETE CURING
- NS13 – CONCRETE FINISHING
- NS14 – MATERIAL AND EQUIPMENT USE
- NS15 – DEMOLITION ADJACENT TO WATER
- NS16 – TEMPORARY BATCH PLANTS

- WM1 – MATERIAL DELIVERY AND STORAGE
- WM2 – MATERIAL USE
- WM3 – STOCKPILE MANAGEMENT
- WM4 – SPILL PREVENTION AND CONTROL
- WM5 – SOLID WASTE MANAGEMENT
- WM6 – HAZARDOUS WASTE MANAGEMENT
- WM7 – CONTAMINATION/ SOIL MANAGEMENT
- WM9 – SANITARY/SEPTIC WASTE MANAGEMENT
- WM10 – LIQUID WASTE MANAGEMENT

SHEET INDEX

- C1 GRADING PLAN - TITLE SHEET
- C2 CONCEPTUAL GRADING PLAN



VICINITY MAP
NOT TO SCALE

ABBREVIATIONS

AB = AGGREGATE BASE	POC = POINT OF CONNECTION
AC = ASPHALTIC CONCRETE	POCC = POINT OF COMPOUND CURVE
ACD = ALUMINUM CEMENT DUCT	PP = POWER POLE
BC = BEGINNING CURVE	PS = PEDESTRIAN SIGNAL
BFP = BACKFLOW PREVENTER	PC = POINT ON CURVE
BLDG = BUILDING	R = RIDGE
BLK = BLOCK	RCE = REGISTERED CIVIL ENGINEER
BM = BENCH MARK	RCP = REINFORCED CONCRETE PIPE
BS = BUS STOP	RCV = REMOTE CONTROL VALVE
BW = BACK OF WALK	RFB = ROOF DRAIN
CAB = CRUSHED AGGREGATE BASE	SB = SPLASH BOX
CB = CATCH BASIN	SDMH = STORM DRAIN MANHOLE
CC = CONCRETE CURB	SL = STREET LIGHT
CF = CURB & GUTTER	SMH = SEWER MANHOLE
C&G = CAST IRON	

CMB = CRUSHED MISCELLANEOUS BASE	ST, LT. = STREET LIGHT
CML = CEMENT LINED	STA. = STATION
ACD = ALUMINUM CEMENT DUCT	STC = SEPTIC TANK COVER
COL = COLUMN	STD = STANDARD
CONC = CONCRETE	SBM = SIDEWALK
CNCP = CONTROL POINT	T = TREE
DC = CONCRETE PIPE	TBM = TEMPORARY BENCH MARK
DCL = DUCTILE CEMENT LINED	TC = TOP OF CURB
DI = DUCTILE IRON	TCB = TOP OF CATCH BASIN
DWM = DOMESTIC WATER METER	TELE = TELEPHONE
EC = ELECTRICAL	TFH = TOP OF FIRE HYDRANT
EG = EDGE OF GUTTER	TG = TOP OF GRATE ELEVATION
EM = ELECTRIC METER	TMH = TELEPHONE MANHOLE
EMH = ELECTRICAL MANHOLE	TPOB = TRUE POINT OF BEGINNING
E/O = EAST OF	TRW = TAPERED RETAINING WALL
EP = EDGE OF PAVEMENT	TSIG = TRAFFIC SIGN
EV = ELECTRICAL VAULT	TSBP = TRAFFIC SIGNAL PULL BOX
F&PB = FIRE ALARM PULL BOX	TW = TOP OF WALL
Fd = FOUND	TWL = TREE WELL
FF = FINISH FLOOR	VB = VENTILATION BOX
FG = FINISH GROUND	VCP = VITRIFIED CLAY PIPE
PH = FIRE HYDRANT	WCR = WHEEL CHAIR RAMP
FL = FLOW LINE	WI = WROUGHT IRON
FS = FINISH SURFACE	WL = WARNING LIGHT
GB = GRADE BREAK	WM = WATER METER
GM = GAS METER	WMH = WATER MAN HOLE
G, SPK. = GEAR SPIKE	WO = WEST OF
GV = GAS VALVE	WS = WHEEL STOP
HB = HOSE BIBB	WV = WATER VALVE
HC = HIGH	YO = YARD LIGHT
HP = HIGH POINT	YD, LT. = EXISTING ELEVATION
HVPB = HIGH VOLTAGE PANEL BOX	(000.00) = PROPOSED ELEVATION
ICV = IRRIGATION CONTROL VALVE	---000--- = PROPOSED CONTOUR
INV = INVERT ELEVATION	---E--- = ELECTRICAL
IP = IRON PIPE	---FW--- = FIRE LINE "WATER"
IWM = IRRIGATION WATER METER	---G--- = GAS
LP = LOW POINT	---GB--- = GRADE BREAK
LT, STD. = LIGHT STANDARD	---R--- = RIDGE
L&T = LEAD AND TAG	---RW--- = RECLAIMED WATER
MN = MAIN	---S--- = SEWER
MO = MOBIL OIL	---SD--- = STORM DRAIN
MP = METER POST	---T--- = TELEPHONE
NG = NATURAL GROUND ELEVATION	---W--- = WATER
N/O = NORTH OF	---DRAINAGE FLOW
N.T.S. = NOT TO SCALE	---N.T.S.--- = CHAIN LINK FENCE
O/S = OFFSET	---X--- = FIRE HYDRANT
P = POST	---R/W--- = CHAIN LINK FENCE
PUB. BOX = PUBLIC BOX	---R/W--- = RIGHT-OF-WAY
PCC = PORTLAND CEMENT CONCRETE	---I--- = INTERIOR LOT LINE
PIV = PRESSURE INJECTION VALVE	---C--- = CENTER LINE
PL = PROPERTY LINE	---O--- = REDWOOD HEADER
PM = PARKING METER POST	---W--- = WALL
POB = POINT OF BEGINNING	---R--- = RETAINING WALL

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BENCH MARK #1
BM # 18-08891 **CITY OF LOS ANGELES**

WIRE SPIKE IN E CURB NORMANDIE AVE; 4FT N/O BC RET N/O 48TH ST; S END CB.

NAVD 1988 - 2000 ADJUSTMENT **ELEV = 148.952'**

BENCH MARK #2
BM # 18-08900 **CITY OF LOS ANGELES**

SPIKE W CURB NORMANDIE AVE 4FT S/O BCR S/O 46TH ST.

NAVD 1988 - 2000 ADJUSTMENT **ELEV = 150.443'**

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING N 00°05'30" E OF THE CENTER LINE OF NORMANDIE AVENUE AS SHOWN ON VERMONT AVENUE SQUARE, AS PER MAP RECORDED IN MAP BOOK 15, PAGES 46 AND 47 OF MAPS, RECORDS OF LOS ANGELES COUNTY.



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SAMIR M. KHOURI R.C.E. 30567, EXPIRES 3-31-2020

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ISSUE: DATE: REV:
HACLA 12/05/2018
ENTIREMENT PKG 01/29/2019

SHEET TITLE

GRADING PLAN TITLE SHEET

DATE: 1/29/2019 SCALE: AS NOTED
DRAWN BY: DCT CHECKED BY: SAK
SHEET NUMBER:

C1



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HACLA 12/05/2018

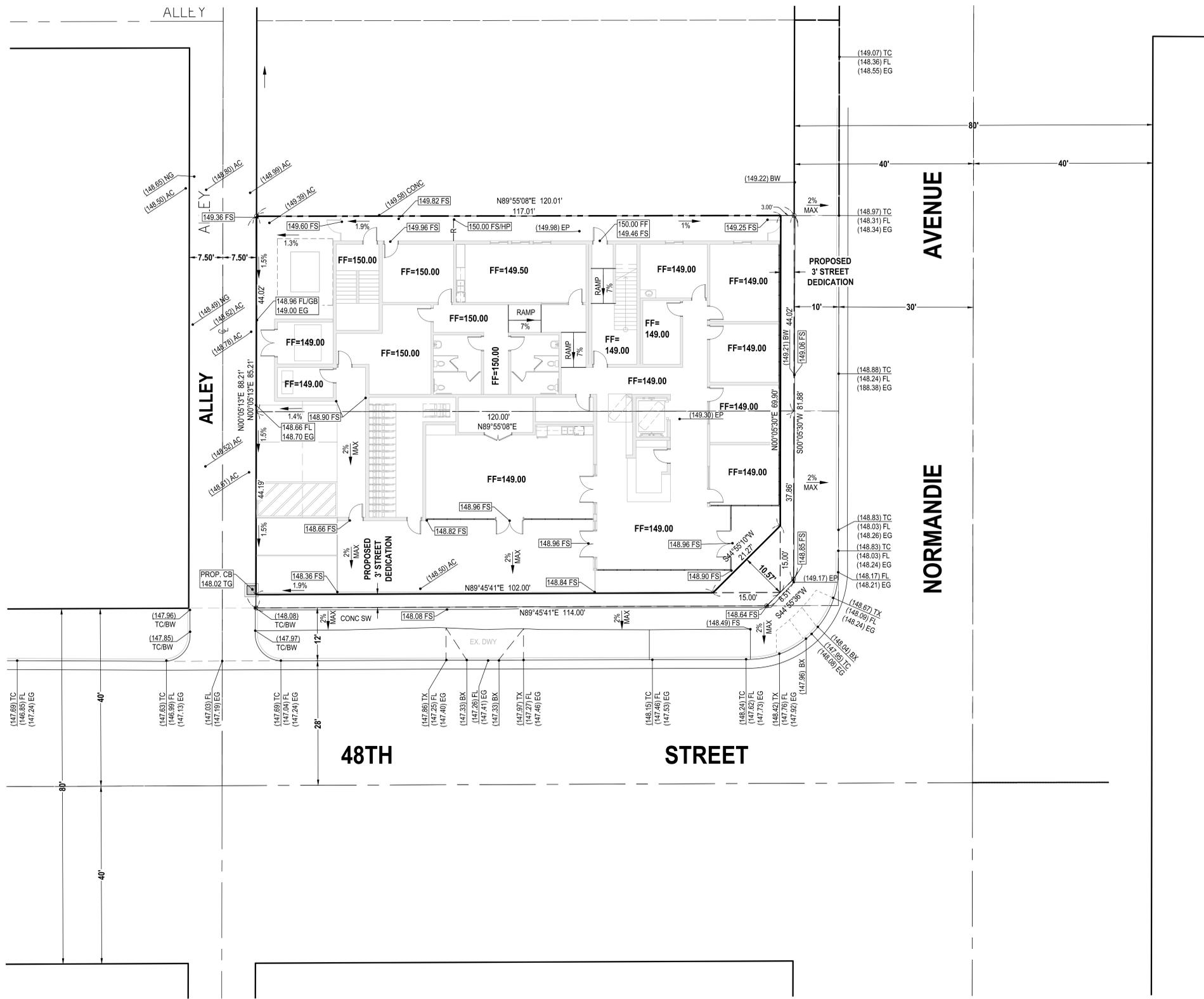
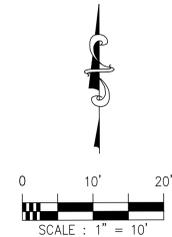
ENTIREMENT PKG 01/29/2019

SHEET TITLE

CONCEPTUAL GRADING PLAN

DATE: 1/29/2019 SCALE: AS NOTED
DRAWN BY: DCT CHECKED BY: SWK
SHEET NUMBER

C-2



ABBREVIATIONS

- AC = ASPHALTIC CONCRETE
- BW = BACK OF WALK
- BX = BOTTOM OF "X"
- CB = CATCH BASIN
- CLF = CENTER LINE
- CLF = CHAIN LINK FENCE
- CONC = CONCRETE
- DWY = DRIVEWAY
- EG = EDGE OF GUTTER
- FL = FLOWLINE
- FG = FINISHED GROUND
- FH = FIRE HYDRANT
- PCC = PORTLAND CEMENT CONCRETE
- PB = PULL BOX
- P = PROPERTY LINE
- PP = POWER POLE
- PPA = POWER POLE ANCHOR
- RCP = REINFORCED CONCRETE PIPE
- R/W = RIGHT-OF-WAY
- SDMH = STORM DRAIN MANHOLE
- SMH = SEWER MANHOLE
- SQ. FT. = SQUARE FEET
- SS = SEWER
- ST LT = STREET LIGHT
- SW = SIDEWALK
- TC = TOP OF CURB
- TMH = TELEPHONE MANHOLE
- TW = TREE WELL
- TX = TOP OF "X"
- VCP = VITRIFIED CLAY PIPE
- WV = WATER VALVE
- (XXXXXX) = EXISTING ELEVATION

LEGEND

- = CENTER LINE
- = PROPERTY LINE
- = LOT LINE
- = PROPERTY LINE DEDICATED
- = EASEMENT
- = EXISTING MAJOR CONTOUR
- = EXISTING MINOR CONTOUR
- = WIRE MESH FENCE
- = STREET LIGHT
- = AC PAVEMENT

BENCH MARK #1	CITY OF LOS ANGELES
BM # 18-08891	
WIRE SPIKE IN E CURB NORMANDIE AVE; 4FT N/O BC RET N/O 48TH ST; S END CB.	
NAVD 1988 - 2000 ADJUSTMENT	ELEV = 148.952'
BENCH MARK #2	CITY OF LOS ANGELES
BM # 18-08900	
SPIKE W CURB NORMANDIE AVE 4FT S/O BCR S/O 46TH ST.	
NAVD 1988 - 2000 ADJUSTMENT	ELEV = 150.443'

**CITY OF LOS ANGELES LANDSCAPE ORDINANCE
GUIDELINES 'AA' WATER MANAGEMENT POINT SYSTEM**

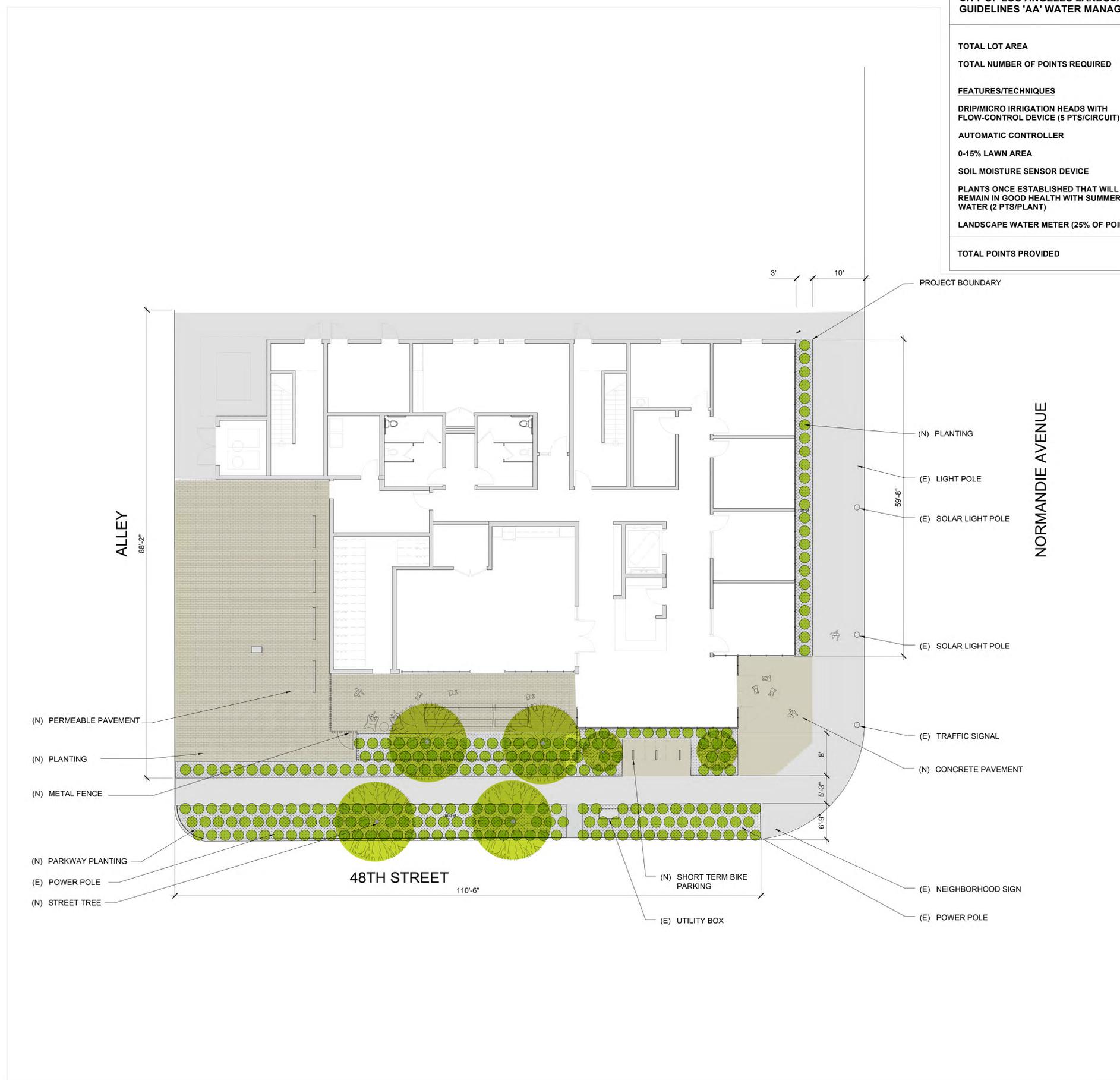
TOTAL LOT AREA	10,561 SF
TOTAL NUMBER OF POINTS REQUIRED	200
FEATURES/TECHNIQUES	POINTS PROVIDED
DRIP/MICRO IRRIGATION HEADS WITH FLOW-CONTROL DEVICE (5 PTS/CIRCUIT)	25
AUTOMATIC CONTROLLER	5
0-15% LAWN AREA	10
SOIL MOISTURE SENSOR DEVICE	2
PLANTS ONCE ESTABLISHED THAT WILL REMAIN IN GOOD HEALTH WITH SUMMER WATER (2 PTS/PLANT)	108
LANDSCAPE WATER METER (25% OF POINTS)	50
TOTAL POINTS PROVIDED	200

**CITY OF LOS ANGELES LANDSCAPE ORDINANCE
GUIDELINES 'O' LANDSCAPE POINTS**

TOTAL LOT AREA	10,561 SF
TOTAL NUMBER OF POINTS REQUIRED	15
FEATURES/TECHNIQUE	POINTS CLAIMED
PARKWAY PLANTING 3 POINTS PER 50 SF	690 SF / 50SF = 14 X 3 POINTS = 42 POINTS
TOTAL POINTS PROVIDED	42

OPEN SPACE			
Required	SF per Unit	Units	Square feet
< 3 Habitable rooms	100	42	4,200
3 Habitable rooms	125	1	125
> 3 Habitable rooms	175	0	0
Total			4,325
Proposed			
	Square Feet	%	
Outdoor			
1st Floor Common Exterior Space	822		
5th Floor Common Exterior Space	1,655		
Total	2,277	76%	
Indoor			
1st Floor Common Interior Space	51		
Total	731	24%	
Private Balconies	0		
Total	3,008	30%	
Reduction Requested			
Landscape Requirement	569		25% outdoor open space
Tree Requirement	1 per 4 dwelling units		11 trees

PLANTING LEGEND						
IMAGE REFERENCE	SYMBOL	BOTANICAL NAME	COMMON NAME	DROUGHT TOLERANT	WUCOLS	
GRASSES						
	(FM)	FESTUCA MAIREI	ATLAS FESCUE GREENLEES FORM	YES	LOW	
	(MD)	MUHLENBERGIA DUBIA	PINE MUHLY	YES	LOW	
	(MU)	MUHLENBERGIA LINDHEIMERI	PINE MUHLY	YES	LOW	
	(BG)	BOUTELOUA GRACILIS	GAMMA GRASS BLONDE AMBITION	YES	LOW	
	(PSM)	PENNESETUM SPATHOLATUM	SLENDER VELD GRASS	YES	LOW	
	(MCW)	MUHLENBERGIA CAPILLARIS	WHITE CLOUD MUHLY	YES	LOW	
	(CT)	CAREX TUMICOLA	FOOTHILL SEDGE	YES	LOW	
PERENNIALS/SHRUBS						
	(EP)	ERIOGONUM PARVIFLORUM	CLIFF BUCKWHEAT	YES	LOW	
	(AM)	ACHILLEA MILLEFOLIUM	CA YARROW	YES	LOW	
	(PP)	PENSTEMON PALMERI	PALMERS PENSTEMON	YES	LOW	
	(PS)	PENSTEMON SPECTABILIS	SHOWY PENSTEMON	YES	LOW	
	(AP)	ABUTILON PALMERI	INDIAN MALLOW	YES	LOW	
	(AF)	ASCLEPIAS FASCICULARIS	NARROW LEAF MILKWEED	YES	LOW	
VINES						
	(MGW)	MANDEVILLA SUN PARASOL GIANT WHITE	GIANT WHITE MANDEVILLA	NO	MED	
	(TADR)	THUNBERGIA ALATA ARIZONA DARK RED	ARIZONA DARK RED THUNBERGIA	NO	MED	
	(PV)	PYROSTEGIA VENUSTA	FLAME VINE	NO	MED	
	(CA)	CISSUS ANTARCTICA	KANGAROO VINE	NO	MED	
	(MM)	MASCAGNIA MACROPTERA	YELLOW ORCHID VINE	NO	MED	
HEDGE						
	(RC)	RHAMNUS CALIFORNICA	COFFEE BERRY HEDGE	YES	LOW	
TREE						
	(Symbol)	STREET TREES PER URBAN FORESTRY SUGGESTED: GEJERVA PARVIFLORA	AUSTRALIAN WILLOW	YES	LOW	



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 32'



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ISSUE: DATE: REV:
ABODE 01/07/2019

SHEET TITLE

LANDSCAPE FIRST FLOOR

DATE: 01.29.19 SCALE: AS NOTED
SHEET NUMBER

L1.01



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ISSUE : DATE : REV :
ABODE 01/07/2019

SHEET TITLE

FIFTH FLOOR PLAN

DATE: 01.29.19 SCALE: AS NOTED
SHEET NUMBER

L1.05



FIFTH FLOOR PLAN
SCALE: 1/8" = 1'-0"



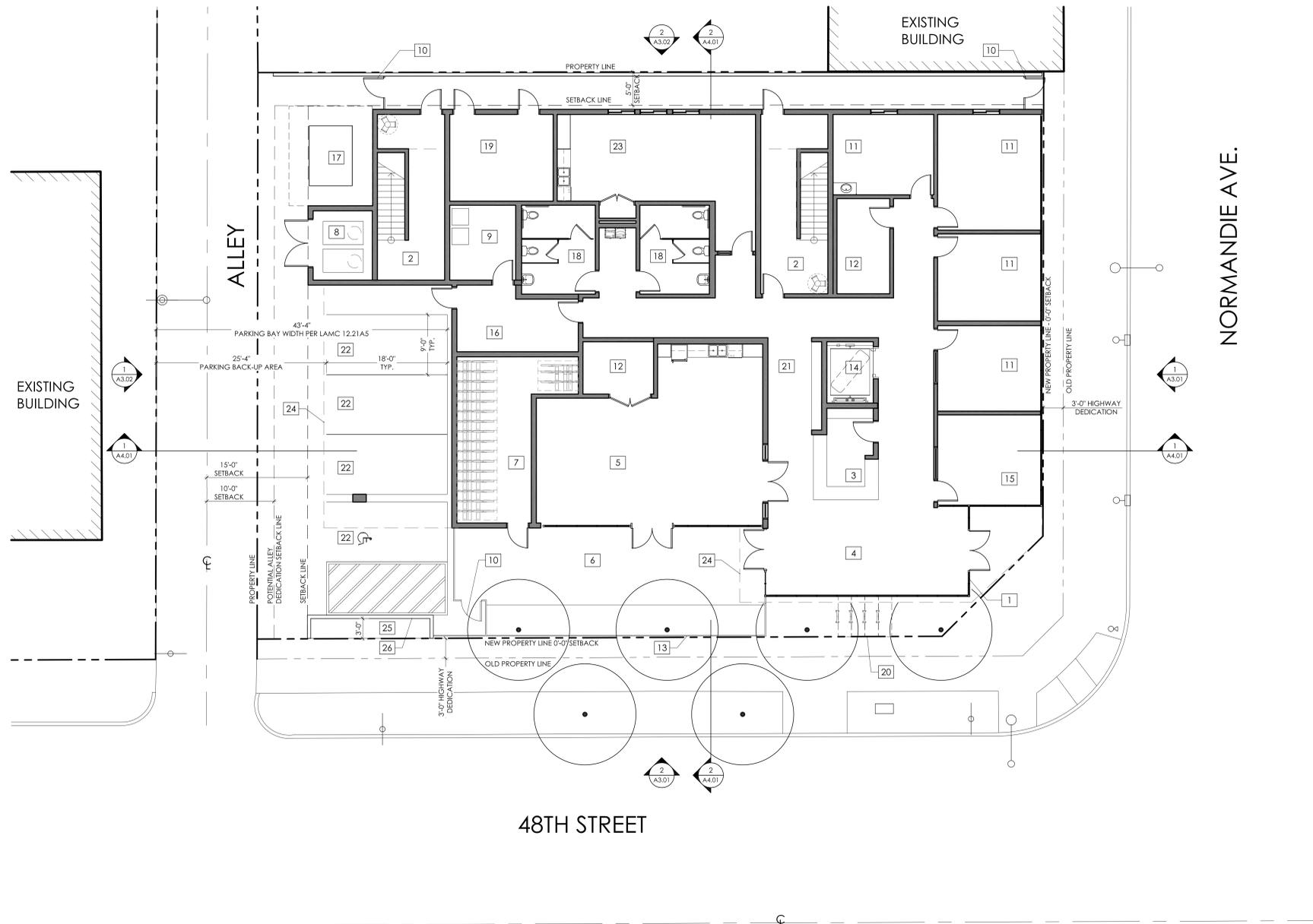
1

LEGEND

- NEW PROPERTY LINE
- OLD PROPERTY LINE
- SETBACK
- T TRANSFORMER
- ▨ STRIPING AREA FOR ACCESS AISLE
- ♿ ACCESSIBLE PARKING STALL

KEYNOTES

- 1 MAIN ENTRANCE
- 2 STAIR
- 3 RECEPTION
- 4 LOBBY
- 5 COMMUNITY ROOM
- 6 OPEN SPACE
- 7 BICYCLE STORAGE AREA (37 SPACES)
- 8 TRASH AREA
- 9 TRASH / RECYCLING ROOM
- 10 GATE
- 11 OFFICE
- 12 STORAGE
- 13 6'-0" HIGH DECORATIVE METAL FENCE
- 14 ELEVATOR
- 15 MANAGER'S OFFICE
- 16 MAINTENANCE ROOM / STORAGE
- 17 TRANSFORMER
- 18 RESTROOM
- 19 ELECTRICAL ROOM
- 20 SHORT TERM BICYCLE PARKING (4 SPACES)
- 21 MAIL
- 22 STAFF PARKING (TUCK UNDER)
- 23 BREAK ROOM
- 24 LINE OF BUILDING ABOVE
- 25 3'-0" WIDE LANDSCAPE BUFFER
- 26 3'-6" HIGH DECORATIVE FENCE



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



1



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ENTITLEMENT SET 05/21/2019

ENTITLEMENT SET 06/04/2019 01

SHEET TITLE

FIRST FLOOR PLAN

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

A2.01

LEGEND

- NEW PROPERTY LINE
- OLD PROPERTY LINE
- SETBACK
- T TRANSFORMER
- ▨ STRIPING AREA FOR ACCESS AISLE
- ♿ ACCESSIBLE PARKING STALL

KEYNOTES

- 1 STAIR
- 2 ELEVATOR
- 3 TRASH ROOM
- 4 LV CLOSET
- 5 42" MIN. RAILING



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ENTITLEMENT SET 06/04/2019 01

SHEET TITLE

SECOND FLOOR PLAN

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

A2.02



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



1

LEGEND

- NEW PROPERTY LINE
- OLD PROPERTY LINE
- SETBACK
- T TRANSFORMER
- ▨ STRIPING AREA FOR ACCESS AISLE
- ♿ ACCESSIBLE PARKING STALL

KEYNOTES

- 1 STAIR
- 2 ELEVATOR
- 3 TRASH ROOM
- 4 LV CLOSET
- 5 42" MIN. RAILING



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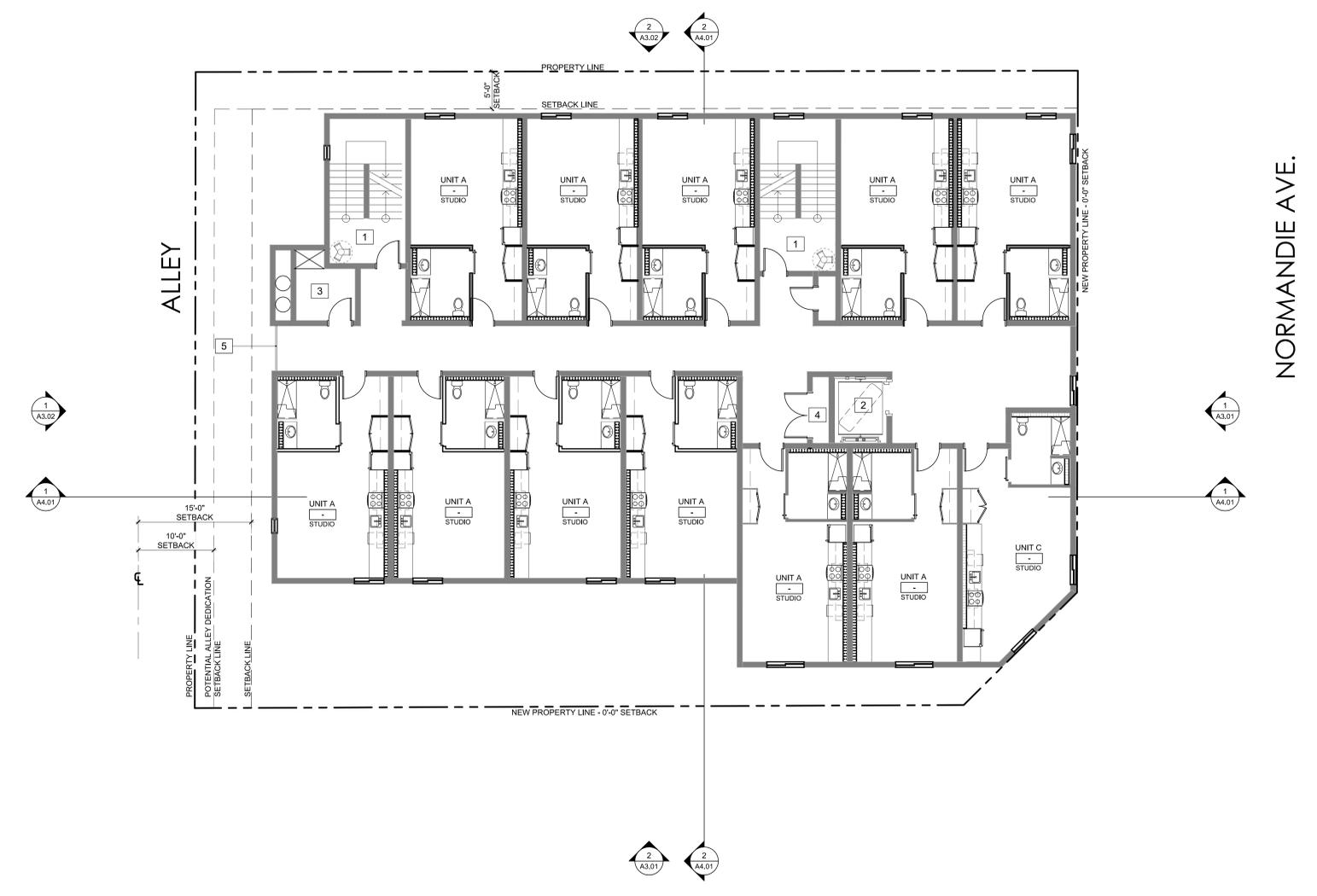
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SHEET TITLE

THIRD FLOOR PLAN

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

A2.03



THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



1

KEYNOTES

- 1 STAIR
- 2 ELEVATOR
- 3 TRASH ROOM
- 4 LV CLOSET
- 5 42" MIN. RAILING
- 6 STORAGE



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SHEET TITLE

FOURTH FLOOR PLAN

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

A2.04



FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

LEGEND

- NEW PROPERTY LINE
- - - OLD PROPERTY LINE
- - - SETBACK
- T TRANSFORMER
- ▨ STRIPING AREA FOR ACCESS AISLE
- ♿ ACCESSIBLE PARKING STALL

KEYNOTES

- 1 STAIR
- 2 ELEVATOR
- 3 TRASH ROOM
- 4 LV CLOSET
- 5 OPEN SPACE (REFER TO LANDSCAPE) - 1,670 S.F.
- 6 LAUNDRY ROOM
- 7 42" MIN. RAILING
- 8 LINE OF BUILDING ABOVE
- 9 STORAGE



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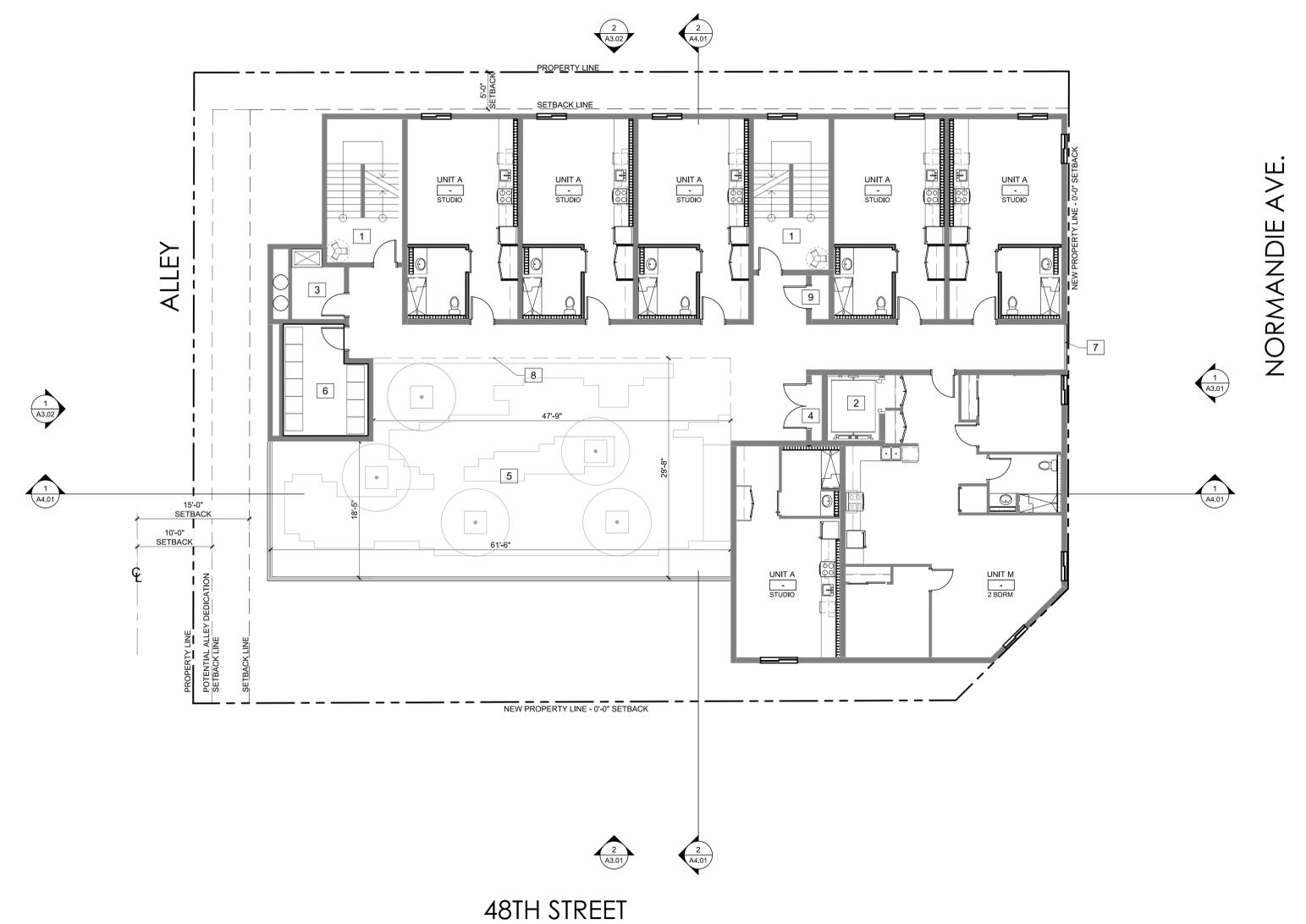
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SHEET TITLE

FIFTH FLOOR PLAN

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

A2.05



FIFTH FLOOR PLAN
SCALE: 1/8" = 1'-0"



1

LEGEND

- NEW PROPERTY LINE
- OLD PROPERTY LINE
- SETBACK

KEYNOTES

- 1 STAIR
- 2 ELEVATOR
- 3 ROOF PARAPET
- 4 MECHANICAL ROOF EQUIPMENT
- 5 ROOF DECK BELOW (OPEN TO SKY)
- 6 42" MIN RAILING
- 7 MECHANICAL PENTHOUSE - OPEN TO SKY



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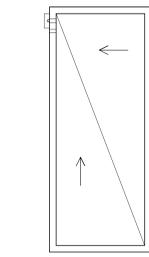
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ENTITLEMENT SET	05/21/2019	
ENTITLEMENT SET	06/04/2019	01

SHEET TITLE

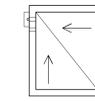
ROOF PLAN

DATE	SCALE
6/4/2019	AS NOTED

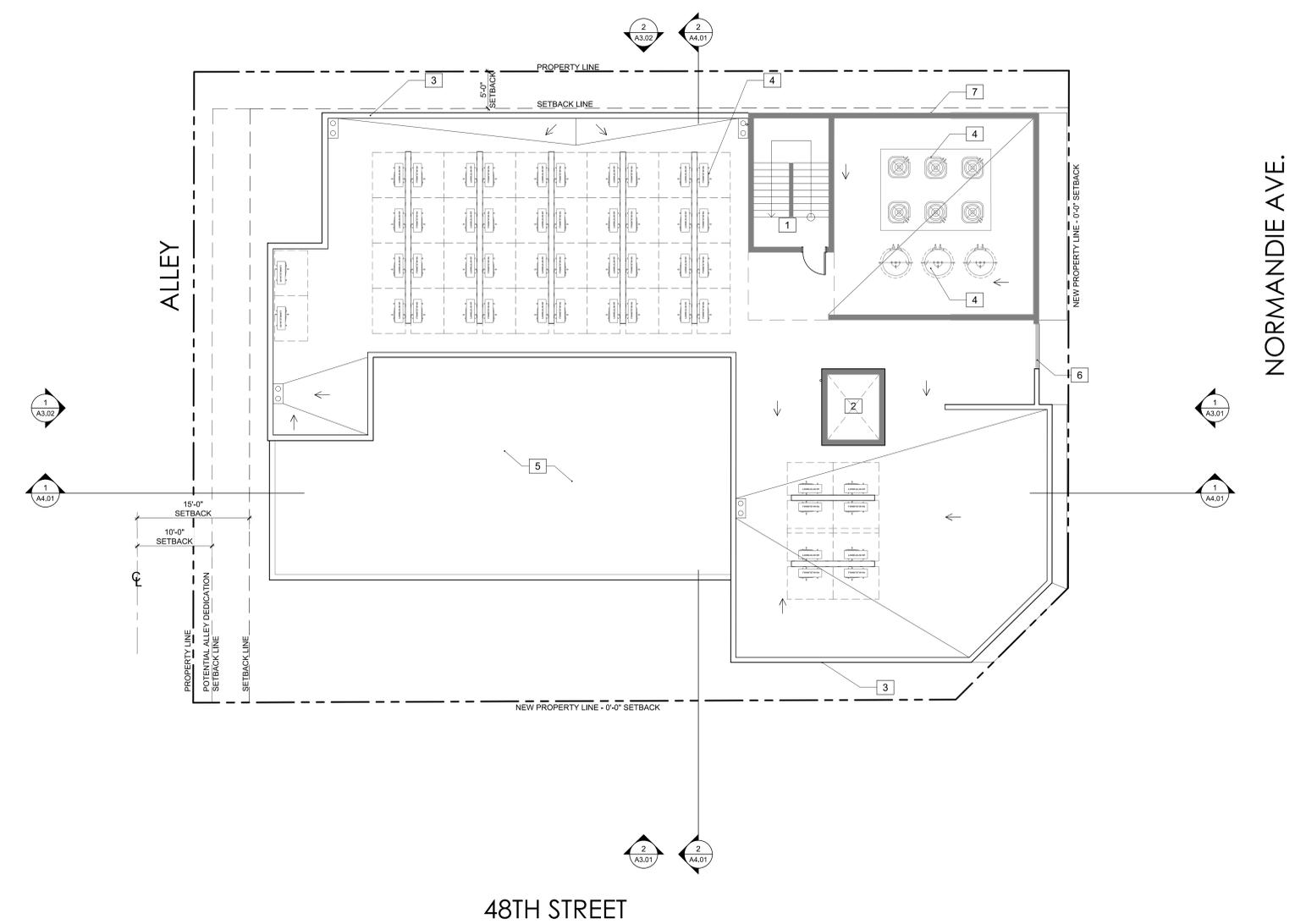
A2.06



ROOF AT STAIRS
SCALE: 1/8" = 1'-0" 3



ROOF AT ELEVATOR
SCALE: 1/8" = 1'-0" 2



ROOF PLAN

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



1



SOUTH ELEVATION

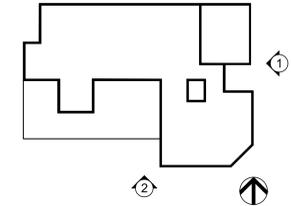
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

FLOOR LEVEL	ELEVATION AREA (SF)	GAZING REQUIRED AREA S.F. (%)	GLAZING PROPOSED AREA S.F. (%)
5TH	396	59 S.F. (15%)	72 S.F. (18%)
4TH	1048	157 S.F. (15%)	184 S.F. (17%)
3RD	953	143 S.F. (15%)	184 S.F. (19%)
2ND	1143	172 S.F. (15%)	184 S.F. (16%)
1ST	846	211.5 S.F. (25%)	478 S.F. (56%)

KEYMAP



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KEYNOTES

- 1 RECESSED CORNER MAIN ENTRANCE
- 2 FINISH GRADE
- 3a STUCCO EXTERIOR FINISH - COLOR A
- 3b STUCCO EXTERIOR FINISH - COLOR B
- 3c STUCCO EXTERIOR FINISH - COLOR C
- 4 2" RECESSED DOUBLE PANE WINDOWS
- 5 STAIR TOWER W/ STUCCO FINISH BEYOND
- 6 ELEVATOR TOWER W/ STUCCO FINISH BEYOND
- 7 MECHANICAL PENTHOUSE
- 8 CONTROL JOINT
- 9 METAL FASCIA
- 10 DECORATIVE METAL GUARDRAIL
- 11 IG STOREFRONT W/ MTL. FRAMING SYSTEM
- 12 SLOPED ELEVATION
- 13 FIBER CEMENT BOARD AND BATTEN SIDING -COLOR D
- 14 DECORATIVE FINISH CMU WALL AT PROPERTY LINE
- 15 EXTERIOR TRASH ROOM W/ STUCCO FINISH
- 16 SIDE YARD BEYOND
- 17 METAL REVEAL
- 18 ARCHITECTURAL PROJECTION / AWNING
- 19 DECORATIVE METAL FENCE

NOTES

1. ALL WINDOWS TO BE RECESSED 0"-2".

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ENTITLEMENT SET 06/04/2019 01

SHEET TITLE

EXTERIOR ELEVATIONS

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER



EAST ELEVATION

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



EAST ELEVATION

FLOOR LEVEL	ELEVATION AREA (SF)	GAZING REQUIRED AREA S.F. (%)	GLAZING PROPOSED AREA S.F. (%)
5TH	645	97 S.F. (15%)	104 S.F. (16%)
4TH	748	112 S.F. (15%)	152 S.F. (20%)
3RD	782	117 S.F. (15%)	141 S.F. (18%)
2ND	880	132 S.F. (15%)	151 S.F. (18%)
1ST	788	197 S.F. (25%)	702 S.F. (89%)

A3.01



NORTH ELEVATION

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



2



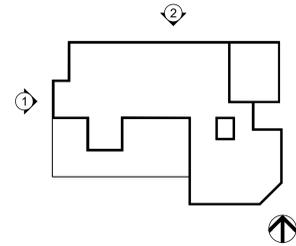
WEST ELEVATION

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



1

KEYMAP



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KEYNOTES

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- 2 FINISH GRADE
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- 3b STUCCO EXTERIOR FINISH - COLOR B
- 3c STUCCO EXTERIOR FINISH - COLOR C
- 4 2" RECESSED DOUBLE PANE WINDOWS
- 5 STAIR TOWER W/ STUCCO FINISH BEYOND
- 6 ELEVATOR TOWER W/ STUCCO FINISH BEYOND
- 7 MECHANICAL PENTHOUSE
- 8 CONTROL JOINT
- 9 METAL FASCIA
- 10 DECORATIVE METAL GUARDRAIL
- 11 IG STOREFRONT W/ MTL. FRAMING SYSTEM
- 12 SLOPED ELEVATION
- 13 FIBER CEMENT BOARD AND BATTEN SIDING -COLOR D
- 14 DECORATIVE FINISH CMU WALL AT PROPERTY LINE
- 15 EXTERIOR TRASH ROOM W/ STUCCO FINISH
- 16 SIDE YARD BEYOND
- 17 METAL REVEAL
- 18 ARCHITECTURAL PROJECTION / AWNING
- 19 DECORATIVE METAL FENCE

NOTES

- 1. ALL WINDOWS TO BE RECESSED 0"-2".

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ISSUE : DATE : REV :

ENTITLEMENT SET 05/21/2019
ENTITLEMENT SET 06/04/2019 01

SHEET TITLE

EXTERIOR ELEVATIONS

DATE: 6/4/2019 SCALE: AS NOTED
SHEET NUMBER

A3.02



CHESTERFIELD

4719 Normandie Ave.
Los Angeles, 90037

ARCHITECT

1149 S. Hill Street,
Suite 700
Los Angeles, CA 90015
Tel. 213.225.2822
Fax 213.225.2715

DEVELOPER

WAKELAND
HOUSING & DEVELOPMENT CORPORATION
1230 Columbia Street
Suite 950
San Diego, CA 92101
Tel. 619-235-2296



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ISSUE: DATE: REV:

ENTITLEMENT SET 05/21/2019

ENTITLEMENT SET 06/04/2019 01

SHEET TITLE

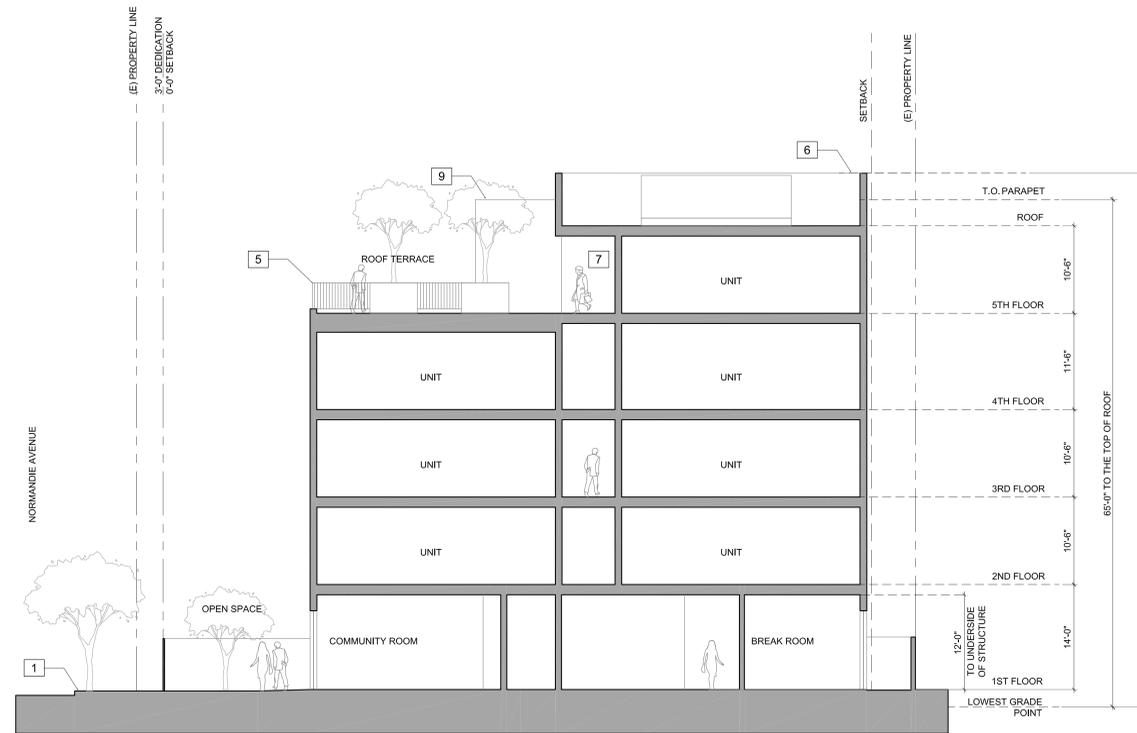
BUILDING SECTIONS

DATE: 6/10/2019 SCALE: AS NOTED
SHEET NUMBER

A4.01

KEYNOTES

- 1 FINISH GRADE
- 2 ELEVATOR TOWER
- 3 STAIR TOWER
- 4 NOT USED
- 5 42" MIN. RAILING
- 6 PARAPET
- 7 EXTERIOR BUILDING CORRIDOR
- 8 MECHANICAL PENTHOUSE
- 9 BUILDING BEYOND

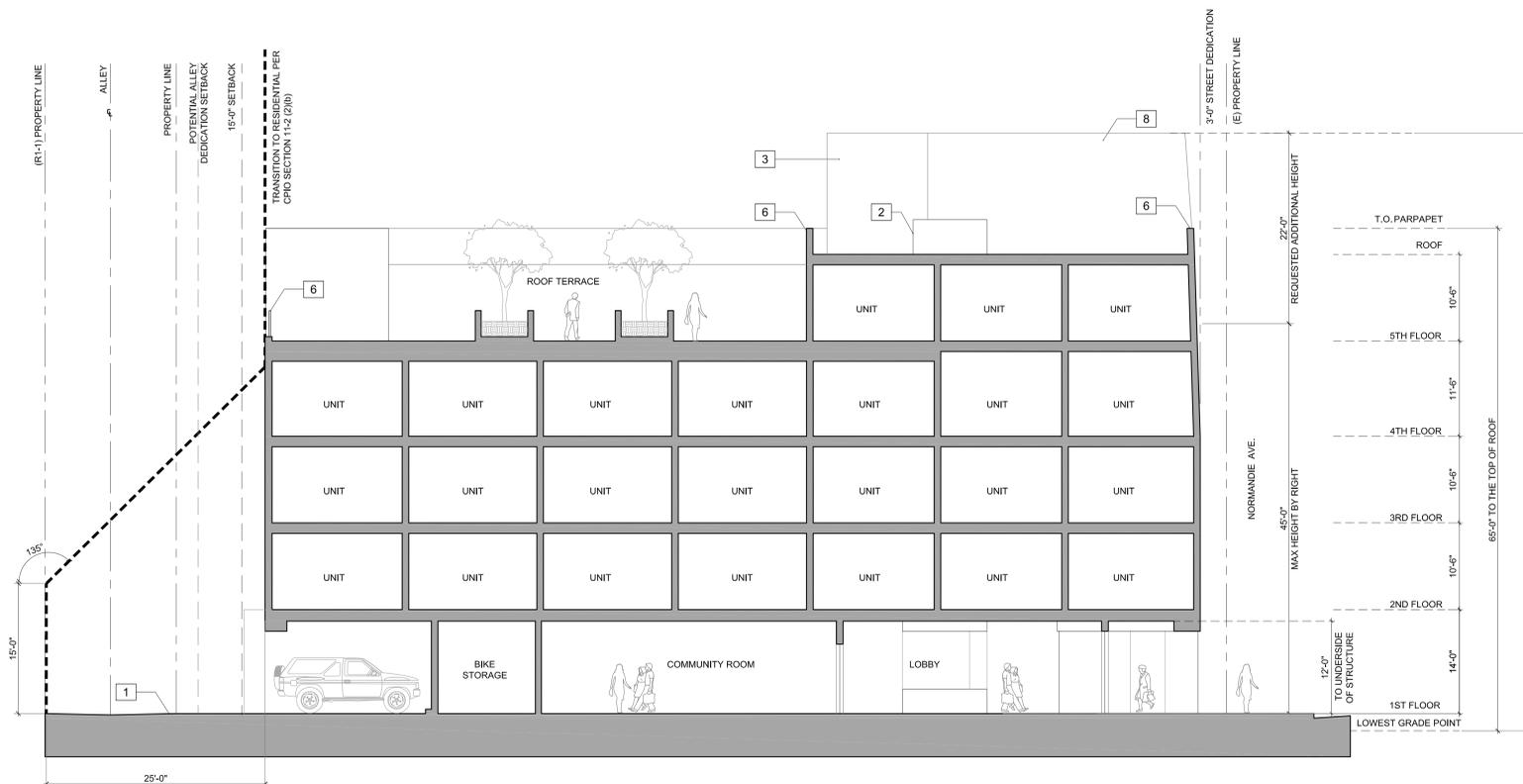


BUILDING SECTION - NORTH TO SOUTH

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



2



BUILDING SECTION - EAST TO WEST

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



1



CHESTERFIELD

4719 Normandie Ave.
Los Angeles, 90037

ARCHITECT



1149 S. Hill Street,
Suite 700
Los Angeles, CA 90015
Tel. 213.225.2822
Fax 213.225.2715

DEVELOPER



1230 Columbia Street
Suite 950
San Diego, CA 92101
Tel. 619-235-2276



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ISSUE: _____ DATE: _____ REV: _____

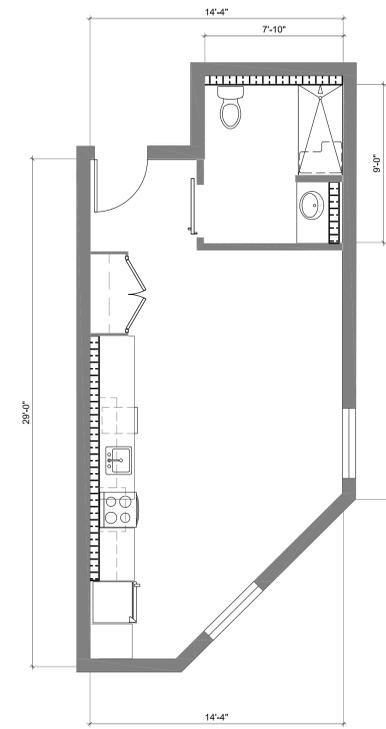
ENTITLEMENT SET 05/21/2019

SHEET TITLE

ENLARGED UNIT PLANS

DATE: 5/21/2019 SCALE: AS NOTED
SHEET NUMBER

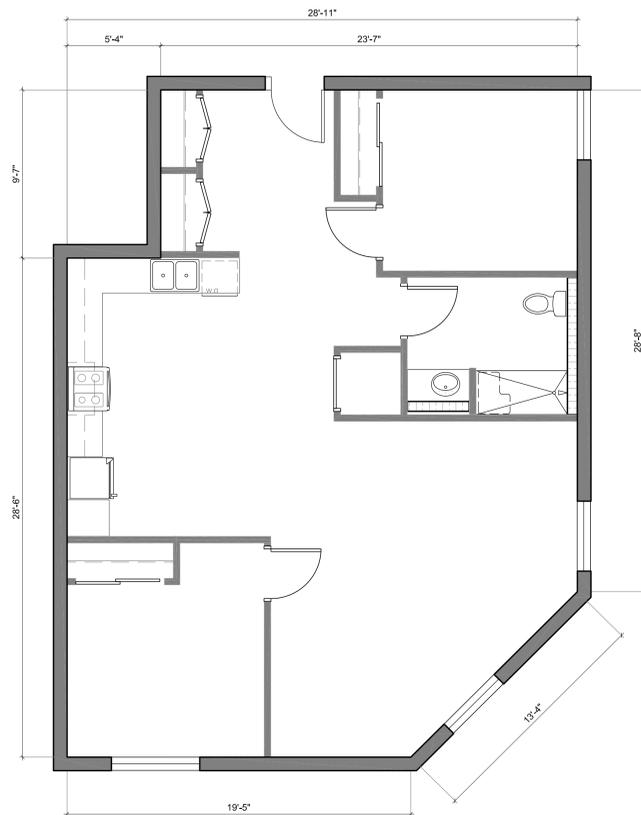
A5.01



UNIT AREA CALCULATION
GROSS 479 S.F.

UNIT C (CORNER UNIT)
SCALE: 1/4" = 1'-0"

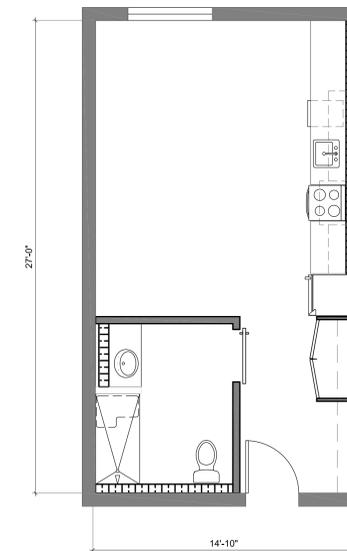
1



UNIT AREA CALCULATION
GROSS 934 S.F.

UNIT M (2 BEDROOM - MANAGER'S UNIT)
SCALE: 1/4" = 1'-0"

1



UNIT AREA CALCULATION
GROSS 465 S.F.

UNIT A (STUDIO)
SCALE: 1/4" = 1'-0"

1

EXHIBIT B

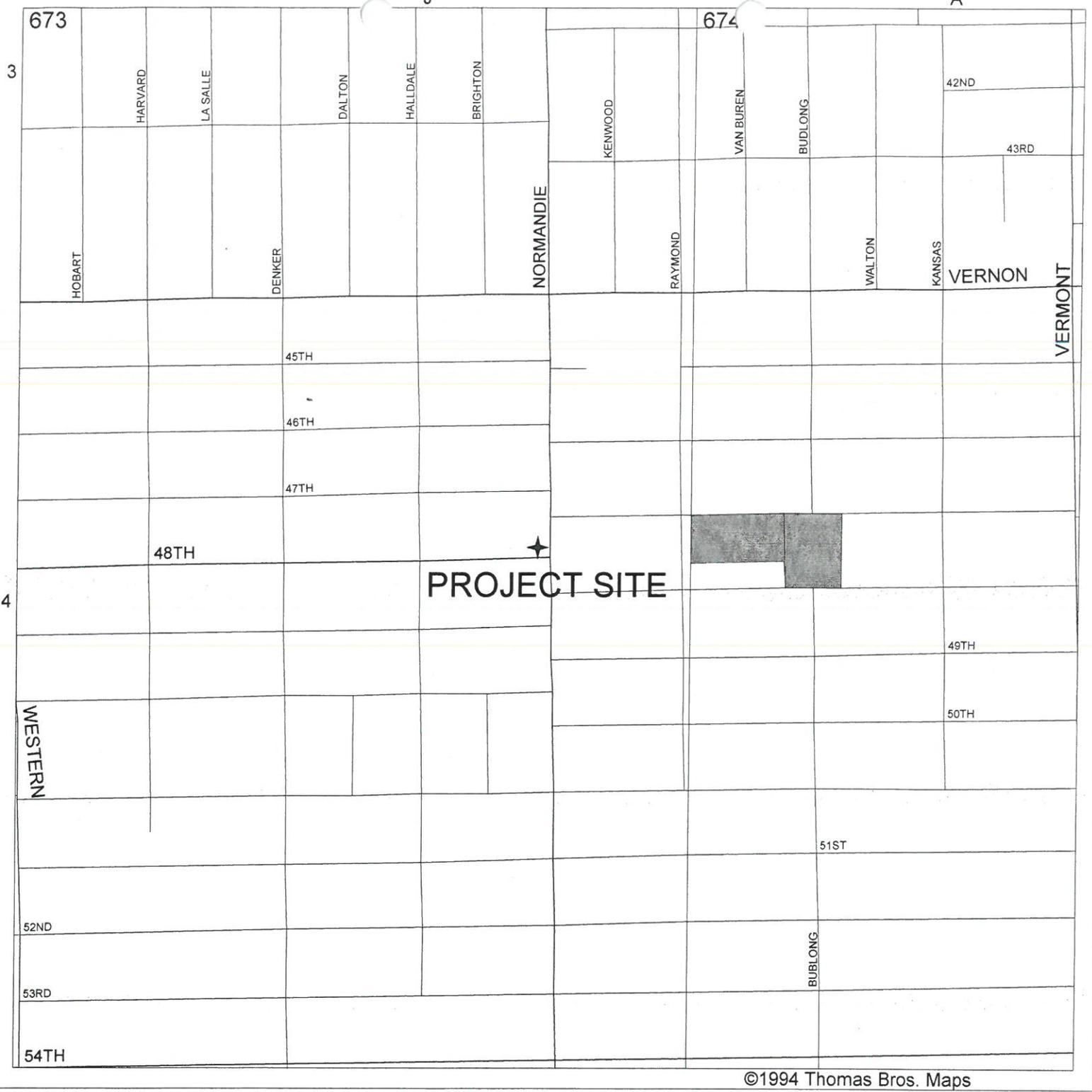
MAPS

B1 – Vicinity Map

B2 – Radius Map

B3 – ZIMAS Parcel Profile Report

B4 – Aerial Map



©1994 Thomas Bros. Maps

VICINITY MAP

SITE : 4719-4721 S. NORMANDIE AVENUE

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



LEGAL: LOTS 5 AND 6, BLOCK 46, VERMONT AVENUE SQUARE, M.B. 15-46-47

DENSITY BONUS CONDITIONAL USE PERMIT

C.D. 8
C.T. 2322.00
P.A. SOUTH LOS ANGELES



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

CASE NO.
DATE: 04-18-2019
SCALE: 1" = 100'
USES FIELD
D.M. 111 B 193
T.B. PAGE: 673 GRID: J-4

0.24 NET AC.



City of Los Angeles Department of City Planning

7/24/2019 PARCEL PROFILE REPORT

PROPERTY ADDRESSES

4719 S NORMANDIE AVE

ZIP CODES

90037

RECENT ACTIVITY

PAR-2019-217-TOC

CASE NUMBERS

CPC-2019-2592-DB-CU-SIP

CPC-2010-2278-GPA

CPC-2008-1552-CPU

CPC-2007-3827-ICO

CPC-2004-2391-ICO

CPC-1990-346-CA

CPC-1986-603-GPC

CPC-1986-447-GPC

CPC-1983-506

ORD-94304

ORD-185926-SA3805

ORD-180103

ORD-176589

ORD-171682

ORD-171681

ORD-167121-SA2780

ORD-162128

ZA-1982-214

ENV-2010-2279-CE

ENV-2008-1781-EIR

ENV-2004-2409-CE-ICO

Address/Legal Information

PIN Number	111B193 758
Lot/Parcel Area (Calculated)	5,282.5 (sq ft)
Thomas Brothers Grid	PAGE 673 - GRID J4
Assessor Parcel No. (APN)	5016020005
Tract	VERMONT AVENUE SQUARE
Map Reference	M B 15-46/47 (SHT 3)
Block	46
Lot	FR 5
Arb (Lot Cut Reference)	None
Map Sheet	111B193

Jurisdictional Information

Community Plan Area	South Los Angeles
Area Planning Commission	South Los Angeles
Neighborhood Council	Empowerment Congress Central Area
Council District	CD 8 - Marqueece Harris-Dawson
Census Tract #	2322.00
LADBS District Office	Los Angeles Metro

Planning and Zoning Information

Special Notes	ZI-2477 South Los Angeles Community Plan Adoption
Zoning	C2-1VL-CPIO
Zoning Information (ZI)	ZI-2477 South Los Angeles Community Plan Adoption
	ZI-2452 Transit Priority Area in the City of Los Angeles
	ZI-1231 South Los Angeles Alcohol Sales
	ZI-2173 Western / Slauson Redevelopment Project
	ZI-2374 LOS ANGELES STATE ENTERPRISE ZONE
	ZI-2484 South Los Angeles Community Plan Implementation Overlay (CPIO)
General Plan Land Use	Neighborhood Commercial
General Plan Note(s)	Yes
Hillside Area (Zoning Code)	No
Specific Plan Area	South Los Angeles Alcohol Sales
Subarea	None
Special Land Use / Zoning	None
Design Review Board	No
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	South Los Angeles
Subarea	General Corridor
CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No
POD: Pedestrian Oriented Districts	None
RFA: Residential Floor Area District	None

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 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

RIO: River Implementation Overlay	No
SN: Sign District	No
Streetscape	No
Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	Low
Non-Residential Market Area	Low
Transit Oriented Communities (TOC)	Tier 2
CRA - Community Redevelopment Agency	Western / Slauson Redevelopment Project
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No
Assessor Information	
Assessor Parcel No. (APN)	5016020005
Ownership (Assessor)	
Owner1	VILLEDA,JULIO E AND MARLEN Y TRS C/O C/O WAKELAND HOUSING DEV CORP
Address	1230 COLUMBIA ST STE 950 SAN DIEGO CA 92101
Ownership (Bureau of Engineering, Land Records)	
Owner	CHESTERFIELD APARTMENTS LP
Address	1230 COLUMBIA ST STE 950 SAN DIEGO CA 92101
APN Area (Co. Public Works)*	0.121 (ac)
Use Code	2700 - Commercial - Parking Lot (Commercial Use Property) - Lots - Patron or Employee - One Story
Assessed Land Val.	\$222,876
Assessed Improvement Val.	\$1,342
Last Owner Change	11/03/2015
Last Sale Amount	\$1,850,018
Tax Rate Area	204
Deed Ref No. (City Clerk)	92752 852819 463851 1791168 1348509 0114529
Building 1	
Year Built	0
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	5,280.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Additional Information	
Airport Hazard	None
Coastal Zone	None
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No

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Fire District No. 1	No
Flood Zone	None
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	None
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	No
Wells	None

Seismic Hazards

Active Fault Near-Source Zone

Nearest Fault (Distance in km)	4.346448
Nearest Fault (Name)	Newport - Inglewood Fault Zone (Onshore)
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000
Slip Geometry	Right Lateral - Strike Slip
Slip Type	Poorly Constrained
Down Dip Width (km)	13.00000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	90.00000000
Maximum Magnitude	7.10000000
Alquist-Priolo Fault Zone	No
Landslide	No
Liquefaction	Yes
Preliminary Fault Rupture Study Area	No
Tsunami Inundation Zone	No

Economic Development Areas

Business Improvement District	None
Hubzone	Qualified
Opportunity Zone	No
Promise Zone	None
State Enterprise Zone	LOS ANGELES STATE ENTERPRISE ZONE

Housing

Direct all Inquiries to	Housing+Community Investment Department
Telephone	(866) 557-7368
Website	http://hcidla.lacity.org
Rent Stabilization Ordinance (RSO)	No
Ellis Act Property	No

Public Safety

Police Information

Bureau	South
Division / Station	77th Street
Reporting District	1204

Fire Information

Bureau	South
Batallion	13
District / Fire Station	46
Red Flag Restricted Parking	No

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2019-2592-DB-CU-SIP
Required Action(s):	CU-CONDITIONAL USE SIP-STREAMLINED INFILL PROCESS (SB35) DB-DENSITY BONUS
Project Descriptions(s):	PURSUANT TO 12.22 A.25 AND 12.24 U.26 AND SB 35, AN OFF-MENU DENSITY BONUS FOR THE CONSTRUCTION OF A 5-STORY 100% AFFORDABLE HOUSING DEVELOPMENT WITH 43 UNITS.
Case Number:	CPC-2010-2278-GPA
Required Action(s):	GPA-GENERAL PLAN AMENDMENT
Project Descriptions(s):	GENERAL PLAN AMENDMENT FOR EXISTING FAST FOOD INTERIM CONTROL ORDINANCE (ICO) TO CREATE A GENERAL PLANT FOOTNOTE FOR THE PROHIBITION OF CERTAIN PROJECTS.
Case Number:	CPC-2008-1552-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	SOUTH LOS ANGELES NEW COMMUNITY PLAN PROGRAM
Case Number:	CPC-2007-3827-ICO
Required Action(s):	ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	ESTABLISHMENT OF AN ICO TO TEMPORARILY PROHIBIT THE ISSUANCE OF ALL PERMITS RELATED TO THE ESTABLISHMENT OF NEW FAST-FOOD RESTAURANTS LOCATED IN WHOLE OR IN PART WITHIN THE PROPOSED ICO BOUNDARY.
Case Number:	CPC-2004-2391-ICO
Required Action(s):	ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	INTERIM CONTROL ORDINANCE/ AUTOMOTIVE RELATED USES
Case Number:	CPC-1990-346-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	AMENDMENT TO THE L.A.M.C. TO - DRAFT AN ORDINANCE TO PROHIBIT THE GRANTING OF A CONDITIONAL USE PERMIT FOR THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES (LOURDES GREEN/KAREN HOO)\
Case Number:	CPC-1986-603-GPC
Required Action(s):	GPC-GENERAL PLAN/ZONING CONSISTENCY (AB283)
Project Descriptions(s):	GENERAL PLAN/ZONING CONSISTENCY PROGRAM
Case Number:	CPC-1986-447-GPC
Required Action(s):	GPC-GENERAL PLAN/ZONING CONSISTENCY (AB283)
Project Descriptions(s):	PLAN AND ZONE CONSISTENCY - SOUTH CENTRAL LOS ANGELES (HERB GLASCOW)
Case Number:	CPC-1983-506
Required Action(s):	Data Not Available
Project Descriptions(s):	SPECIFIC PLN ORD FOR INTERIM CONDITIONAL USE APPRVL FOR ESTABLISHMENTS FOR THE SALE OF ALCOHOL WHICH ARE GENERALLY LOCATED INTHE SOUTH CENTRAL AREA OF THE CITY
Case Number:	ZA-1982-214
Required Action(s):	Data Not Available
Project Descriptions(s):	
Case Number:	ENV-2010-2279-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	GENERAL PLAN AMENDMENT FOR EXISTING FAST FOOD INTERIM CONTROL ORDINANCE (ICO) TO CREATE A GENERAL PLANT FOOTNOTE FOR THE PROHIBITION OF CERTAIN PROJECTS.
Case Number:	ENV-2008-1781-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Descriptions(s):	SOUTH LOS ANGELES NEW COMMUNITY PLAN PROGRAM
Case Number:	ENV-2004-2409-CE-ICO
Required Action(s):	CE-CATEGORICAL EXEMPTION ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	INTERIM CONTROL ORDINANCE/ AUTOMOTIVE RELATED USES

DATA NOT AVAILABLE

ORD-94304

ORD-185926-SA3805

ORD-180103

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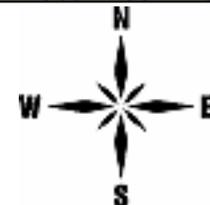
ORD-176589
ORD-171682
ORD-171681
ORD-167121-SA2780
ORD-162128



Address: 4719 S NORMANDIE AVE
 APN: 5016020005
 PIN #: 111B193 758

Tract: VERMONT AVENUE SQUARE
 Block: 46
 Lot: FR 5
 Arb: None

Zoning: C2-1VL-CPIO
 General Plan: Neighborhood Commercial



0.02 Miles
80 Feet

LEGEND

GENERALIZED ZONING

-  OS, GW
-  A, RA
-  RE, RS, R1, RU, RZ, RW1
-  R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
-  CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP
-  CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL
-  P, PB
-  PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

-  Minimum Residential
-  Very Low / Very Low I Residential
-  Very Low II Residential
-  Low / Low I Residential
-  Low II Residential
-  Low Medium / Low Medium I Residential
-  Low Medium II Residential
-  Medium Residential
-  High Medium Residential
-  High Density Residential
-  Very High Medium Residential

COMMERCIAL

-  Limited Commercial
-  Limited Commercial - Mixed Medium Residential
-  Highway Oriented Commercial
-  Highway Oriented and Limited Commercial
-  Highway Oriented Commercial - Mixed Medium Residential
-  Neighborhood Office Commercial
-  Community Commercial
-  Community Commercial - Mixed High Residential
-  Regional Center Commercial

FRAMEWORK

COMMERCIAL

-  Neighborhood Commercial
-  General Commercial
-  Community Commercial
-  Regional Mixed Commercial

INDUSTRIAL

-  Commercial Manufacturing
-  Limited Manufacturing
-  Light Manufacturing
-  Heavy Manufacturing
-  Hybrid Industrial

PARKING

-  Parking Buffer

PORT OF LOS ANGELES

-  General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
-  General / Bulk Cargo - Hazard
-  Commercial Fishing
-  Recreation and Commercial
-  Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

-  Airport Landside / Airport Landside Support
-  Airport Airside
-  LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

-  Open Space
-  Public / Open Space
-  Public / Quasi-Public Open Space
-  Other Public Open Space
-  Public Facilities

INDUSTRIAL

-  Limited Industrial
-  Light Industrial

CIRCULATION

STREET

-  Arterial Mountain Road
-  Collector Scenic Street
-  Collector Street
-  Collector Street (Hillside)
-  Collector Street (Modified)
-  Collector Street (Proposed)
-  Country Road
-  Divided Major Highway II
-  Divided Secondary Scenic Highway
-  Local Scenic Road
-  Local Street
-  Major Highway (Modified)
-  Major Highway I
-  Major Highway II
-  Major Highway II (Modified)

-  Major Scenic Highway
-  Major Scenic Highway (Modified)
-  Major Scenic Highway II
-  Mountain Collector Street
-  Park Road
-  Parkway
-  Principal Major Highway
-  Private Street
-  Scenic Divided Major Highway II
-  Scenic Park
-  Scenic Parkway
-  Secondary Highway
-  Secondary Highway (Modified)
-  Secondary Scenic Highway
-  Special Collector Street
-  Super Major Highway

FREEWAYS

-  Freeway
-  Interchange
-  On-Ramp / Off- Ramp
-  Railroad
-  Scenic Freeway Highway

MISC. LINES

-  Airport Boundary
-  Bus Line
-  Coastal Zone Boundary
-  Coastline Boundary
-  Collector Scenic Street (Proposed)
-  Commercial Areas
-  Commercial Center
-  Community Redevelopment Project Area
-  Country Road
-  DWP Power Lines
-  Desirable Open Space
-  Detached Single Family House
-  Endangered Ridgeline
-  Equestrian and/or Hiking Trail
-  Hiking Trail
-  Historical Preservation
-  Horsekeeping Area
-  Local Street
-  MSA Desirable Open Space
-  Major Scenic Controls
-  Multi-Purpose Trail
-  Natural Resource Reserve
-  Park Road
-  Park Road (Proposed)
-  Quasi-Public
-  Rapid Transit Line
-  Residential Planned Development
-  Scenic Highway (Obsolete)
-  Secondary Scenic Controls
-  Secondary Scenic Highway (Proposed)
-  Site Boundary
-  Southern California Edison Power
-  Special Study Area
-  Specific Plan Area
-  Stagecoach Line
-  Wildlife Corridor

POINTS OF INTEREST

 Alternative Youth Hostel (Proposed)	 Horticultural Center	 Public Elementary School
 Animal Shelter	 Hospital	 Public Elementary School (Proposed)
 Area Library	 Hospital (Proposed)	 Public Golf Course
 Area Library (Proposed)	HW House of Worship	 Public Golf Course (Proposed)
 Bridge	e Important Ecological Area	 Public Housing
 Campground	 Important Ecological Area (Proposed)	 Public Housing (Proposed Expansion)
 Campground (Proposed)	 Interpretive Center (Proposed)	 Public Junior High School
 Cemetery	 Junior College	 Public Junior High School (Proposed)
HW Church	 MTA / Metrolink Station	 Public Middle School
 City Hall	 MTA Station	 Public Senior High School
 Community Center	 MTA Stop	 Public Senior High School (Proposed)
 Community Library	MWD MWD Headquarters	 Pumping Station
 Community Library (Proposed Expansion)	 Maintenance Yard	 Pumping Station (Proposed)
 Community Library (Proposed)	 Municipal Office Building	 Refuse Collection Center
 Community Park	P Municipal Parking lot	 Regional Library
 Community Park (Proposed Expansion)	 Neighborhood Park	 Regional Library (Proposed Expansion)
 Community Park (Proposed)	 Neighborhood Park (Proposed Expansion)	 Regional Library (Proposed)
 Community Transit Center	 Neighborhood Park (Proposed)	 Regional Park
 Convalescent Hospital	 Oil Collection Center	 Regional Park (Proposed)
 Correctional Facility	 Parking Enforcement	RPD Residential Plan Development
 Cultural / Historic Site (Proposed)	 Police Headquarters	 Scenic View Site
 Cultural / Historical Site	 Police Station	 Scenic View Site (Proposed)
 Cultural Arts Center	 Police Station (Proposed Expansion)	 School District Headquarters
DMV DMV Office	 Police Station (Proposed)	 School Unspecified Loc/Type (Proposed)
DWP DWP	 Police Training site	 Skill Center
 DWP Pumping Station	PO Post Office	 Social Services
 Equestrian Center	 Power Distribution Station	 Special Feature
 Fire Department Headquarters	 Power Distribution Station (Proposed)	 Special Recreation (a)
 Fire Station	 Power Receiving Station	 Special School Facility
 Fire Station (Proposed Expansion)	 Power Receiving Station (Proposed)	 Special School Facility (Proposed)
 Fire Station (Proposed)	C Private College	 Steam Plant
 Fire Supply & Maintenance	E Private Elementary School	 Surface Mining
 Fire Training Site	 Private Golf Course	 Trail & Assembly Area
 Fireboat Station	 Private Golf Course (Proposed)	 Trail & Assembly Area (Proposed)
 Health Center / Medical Facility	JH Private Junior High School	UTL Utility Yard
 Helistop	PS Private Pre-School	 Water Tank Reservoir
 Historic Monument	 Private Recreation & Cultural Facility	 Wildlife Migration Corridor
 Historical / Cultural Monument	SH Private Senior High School	 Wildlife Preserve Gate
 Horsekeeping Area	SF Private Special School	
 Horsekeeping Area (Proposed)	 Public Elementary (Proposed Expansion)	

SCHOOLS/PARKS WITH 500 FT. BUFFER

 Existing School/Park Site	 Planned School/Park Site	 Inside 500 Ft. Buffer
 Aquatic Facilities	 Other Facilities	 Opportunity School
 Beaches	 Park / Recreation Centers	 Charter School
 Child Care Centers	 Parks	 Elementary School
 Dog Parks	 Performing / Visual Arts Centers	 Span School
 Golf Course	 Recreation Centers	 Special Education School
 Historic Sites	 Senior Citizen Centers	 High School
 Horticulture/Gardens		 Middle School
 Skate Parks		 Early Education Center

COASTAL ZONE

 Coastal Zone Commission Authority
 Calvo Exclusion Area
 Not in Coastal Zone
 Dual Jurisdictional Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

 Tier 1	 Tier 3
 Tier 2	 Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

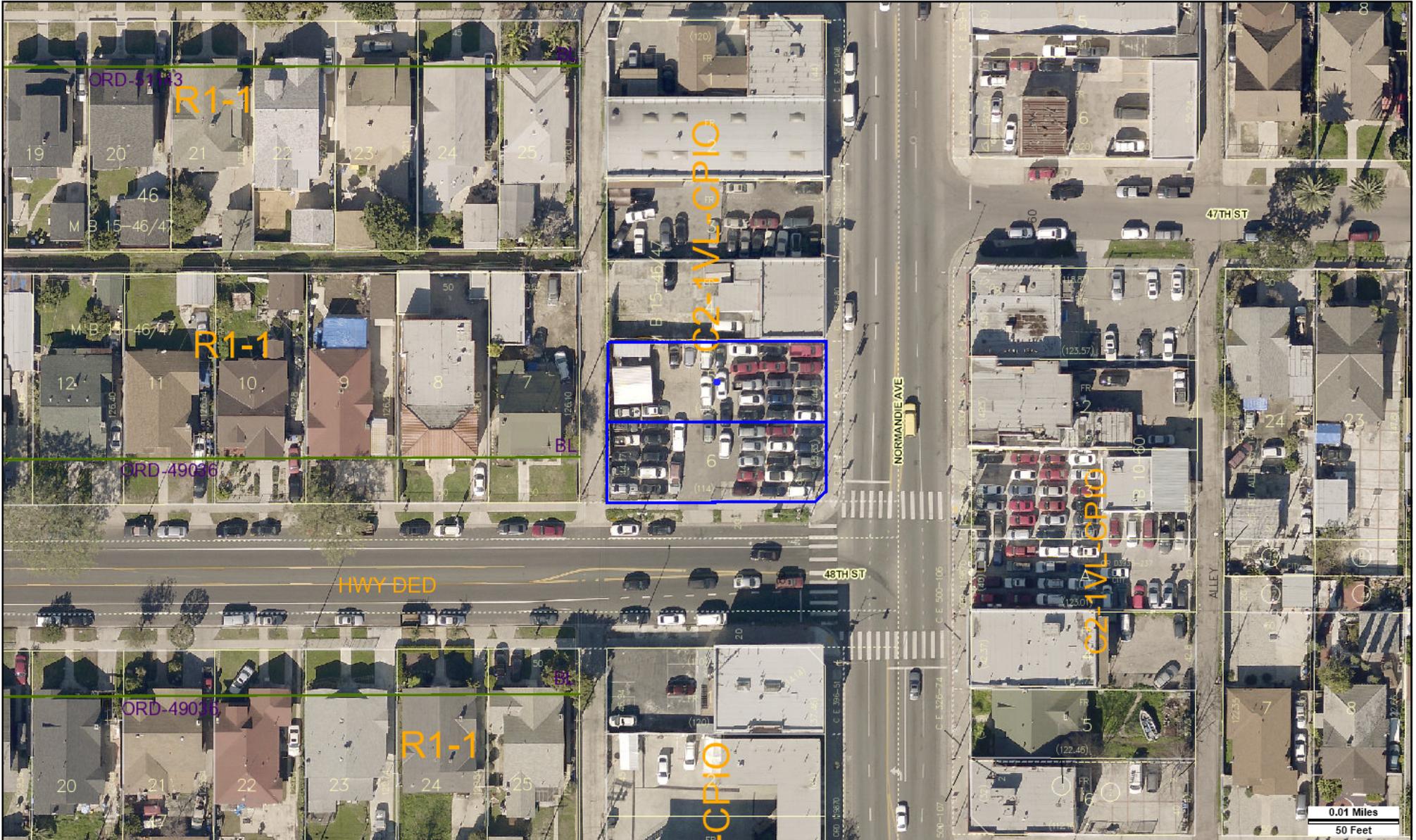
 Public Work Approval (PWA)
 Waiver of Dedication or Improvement (WDI)

LAMC SECTION 85.02 (VEHICLE DWELLING)

 No vehicle dwelling anytime
 No vehicle dwelling overnight between 9:00 PM - 6:00 AM. Must comply with all posted parking restrictions
 Vehicle dwelling allowed. Must comply with all posted parking restrictions

OTHER SYMBOLS

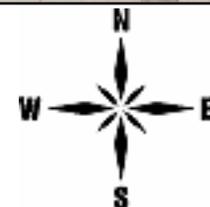
 Lot Line	 Airport Hazard Zone	 Flood Zone
 Tract Line	 Census Tract	 Hazardous Waste
 Lot Cut	 Coastal Zone	 High Wind Zone
 Easement	 Council District	 Hillside Grading
 Zone Boundary	 LADBS District Office	 Historic Preservation Overlay Zone
 Building Line	 Downtown Parking	 Specific Plan Area
 Lot Split	 Fault Zone	 Very High Fire Hazard Severity Zone
 Community Driveway	 Fire District No. 1	 Wells
 Building Outlines 2014	 Tract Map	
 Building Outlines 2008	 Parcel Map	

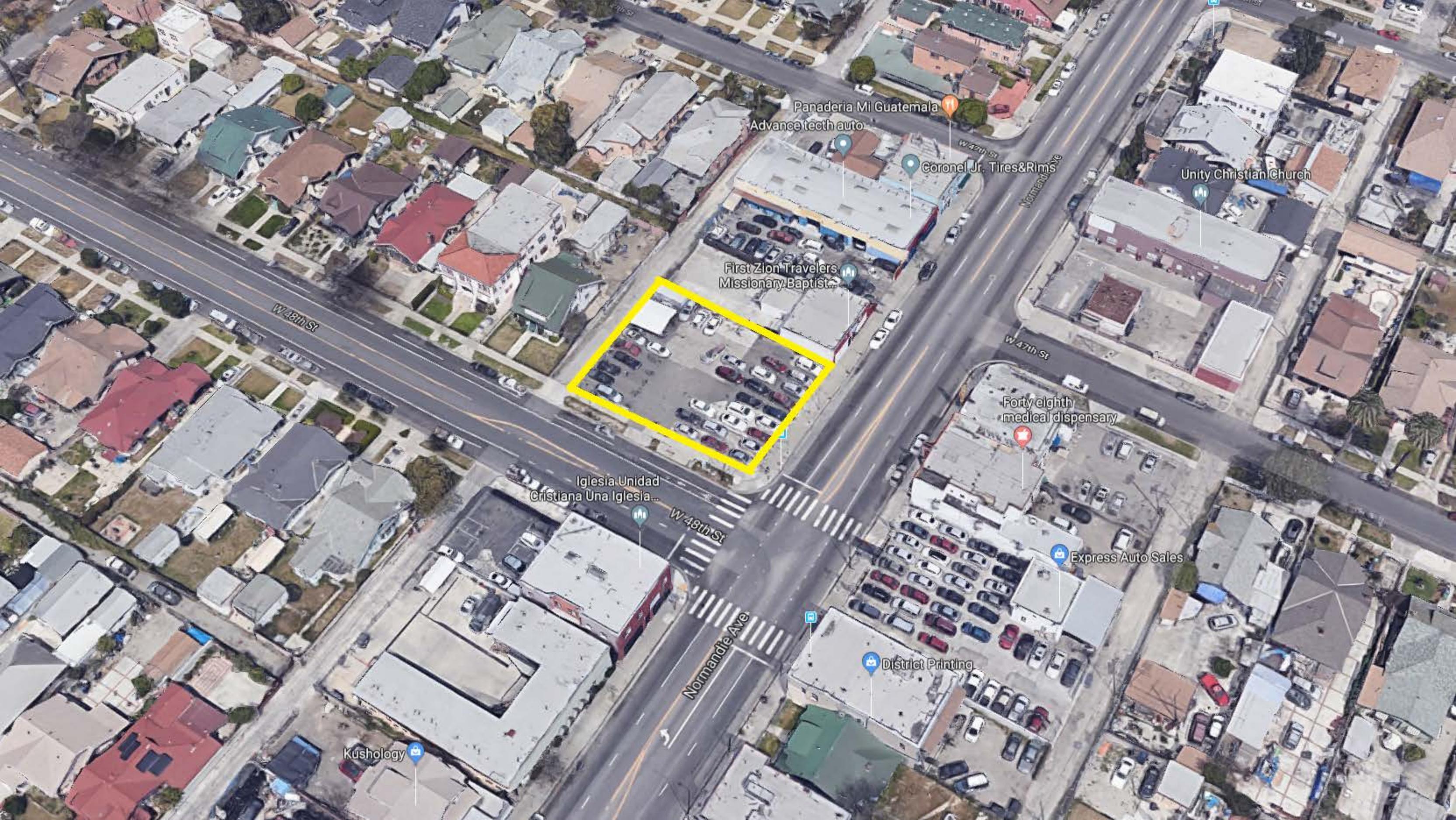


Address: 4719 S NORMANDIE AVE
 APN: 5016020005
 PIN #: 111B193 758

Tract: VERMONT AVENUE SQUARE
 Block: 46
 Lot: FR 5
 Arb: None

Zoning: C2-1VL-CPIO
 General Plan: Neighborhood Commercial





Panaderia Mi Guatemala
Advance tecth auto

Coronel Jr. Tires&Rims

Unity Christian Church

First Zion Travelers
Missionary Baptist...

Iglesia Unidad
Cristiana Una Iglesia...

Forty eighth
medical dispensary

Express Auto Sales

District Printing

Kushology

W 48th St

W 48th St

W 47th St

Normandie Ave

EXHIBIT C
SITE PHOTOS

SITE PHOTO EXHIBIT
Applicant: Chesterfield Apartments LP
Site Address: 4719-4721 S. Normandie Avenue



Aerial view of Project Site

SITE PHOTO EXHIBIT
Applicant: Chesterfield Apartments LP
Site Address: 4719-4721 S. Normandie Avenue



1. Subject Site, facing northwest on Normandie Ave.



2. Neighboring properties, facing southeast on Normandie Ave.

SITE PHOTO EXHIBIT
Applicant: Chesterfield Apartments LP
Site Address: 4719-4721 S. Normandie Avenue



3. Neighboring properties, facing northeast on Normandie Ave.



4. Neighboring properties, facing southwest on Normandie Ave.

SITE PHOTO EXHIBIT
Applicant: Chesterfield Apartments LP
Site Address: 4719-4721 S. Normandie Avenue



5. Neighboring properties, facing northwest on 48th Street.



6. Subject Site, facing northeast on 48th St.

SITE PHOTO EXHIBIT
Applicant: Chesterfield Apartments LP
Site Address: 4719-4721 S. Normandie Avenue



7. View of abutting alley, facing north from 48th St.

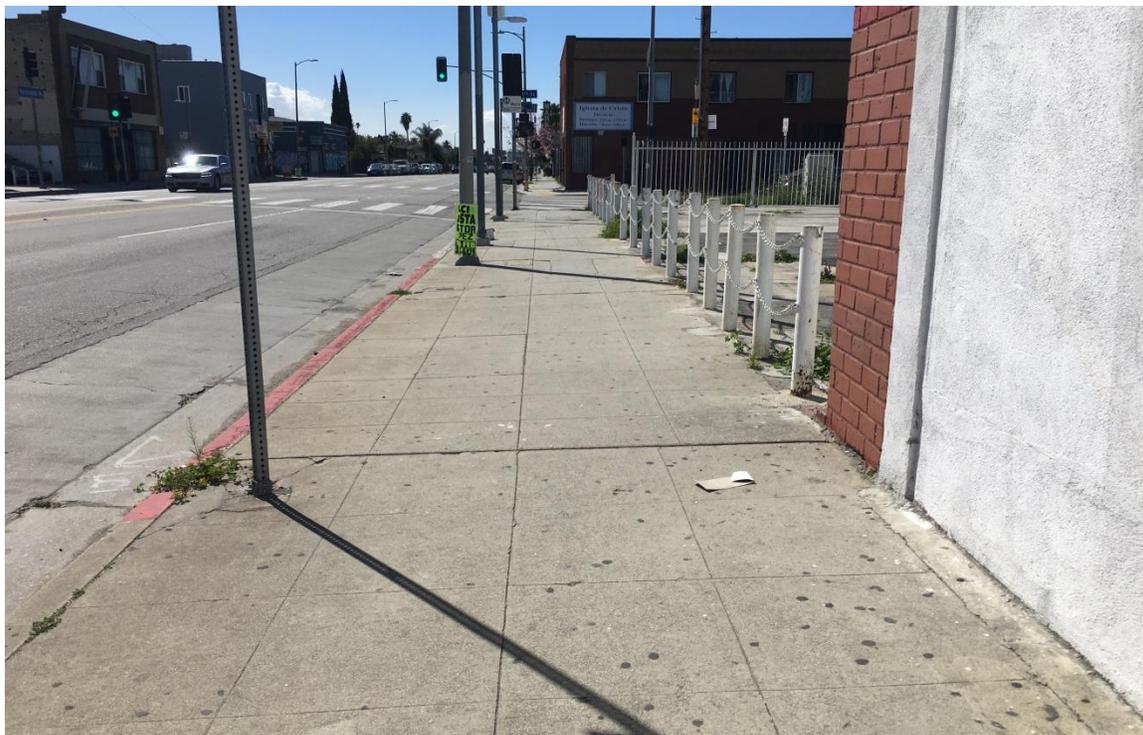


8. Neighboring properties, facing southwest on 48th Street.

SITE PHOTO EXHIBIT
Applicant: Chesterfield Apartments LP
Site Address: 4719-4721 S. Normandie Avenue



9. View of abutting sidewalk, facing west on 48th St.



10. View of abutting sidewalk, facing south on Normandie Ave.

EXHIBIT D

HCIDLA AB 2556 & SB 35

DETERMINATION



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: March 20, 2019

TO: Chesterfield Apartments LP, a California limited partnership, Owner

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

SUBJECT: **SB 35 Determination for:**
4719 – 4721 S. Normandie Ave., Los Angeles, CA 90037
1409 – 1411 W. 48th St., Los Angeles, CA 90062

SITE REQUIREMENTS:

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

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

REVIEW OF DOCUMENTS:

Owner representative, Jim Ries submitted the Application of Chesterfield Apartments LP, a California limited partnership, owner of the property located at and commonly known as 4719-4721 S. Normandie Ave. and 1409-1411 W. 48th St., Los Angeles, CA (APN: 5016-020-005 and -006) (Property) on February 14, 2019. In order to comply with the ten year look back period required, the Los Angeles Housing and Community Investment Department (HCID) collected and reviewed data from February 2009 to February 2019.

Pursuant to Owner's Grant Deed, it acquired the Property on February 7, 2019.

The Certificate of Occupancy for the Property indicates that it consisted of a restaurant.

Google Earth images show a parking lot.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, Code, Compliance, and Rent Information System (CRIS) database, internet search, and information from HCIDLA's Rent Stabilization Unit, indicates a use code of: "2700 – Parking Lot/Patron or Employee" for 4719 S. Normandie Ave. (APN: -005, Lot FR 5) and "2700 – Parking Lot/Patron or Employee" for 4721 S. Normandie Ave. and 1409-1411 W. 48th St. (APN: -006, Lot FR 6).

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for a new Building Permit or a Demolition Permit. The Los Angeles Department of Building and Safety database indicates Building Permit 12010-20000-01708, for an auto repair shop and office, was applied for in 2012, but was never issued. The Los Angeles Department of Building and Safety database indicates New Non-Building Permit 10020-10000-00486 has a Work Description of "USE OF LAND FOR OPEN PARKING LOT," corrections issued March 9, 2010. The Los Angeles Department of Building and Safety database indicates New Non-Building Permit 11020-10000-02629 has a Work Description of "USE OF LAND FOR PARKING LOT AND AUTOMOBILE STORAGE AREA," corrections issued December 21, 2011. The Los Angeles Department of Building and Safety database indicates New Non-Building Permit 12020-20000-01539 has a Work Description of "Use of Land: _x_ used auto sales display area <Office area provided under 12010-20000-01708," permit not issued.

Owner's Application states that it plans to construct a 100% affordable housing development consisting of forty-three (43) residential dwelling units, pursuant to SB 35 and Transit Oriented Communities (TOC) guidelines.

DETERMINATION:

The proposed development meets the site requirements for the Streamlined Ministerial Approval Process. HCID has determined, per the Demolition Permit 01019-70000-00756, finalized July 7, 2003, that the brick building on the Property was demolished. Per the Code Enforcement Information on the Department of Building and Safety Permit & Inspection Report, the Property was converted to another use as a parking lot and used car lot on or before January 4, 2010. Per the Code Violation Information on the Department of Building and Safety Permit & Inspection Report the Property was still being used as a parking lot and used car lot in November 29, 2018.

The proposed development does not: (1) require the demolition of the prohibited types of housing, (2) was not previously used for tenant occupied housing demolished within the past ten years, (3) does not require the demolition of a historic structure and (4) does not contain housing units occupied by tenants requiring a subdivision.

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

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

MAC:mz

SB 35 Determination
4719-4721 S. Normandie Ave. and 1409-1411 W. 48th St.
HIMS #19-125861

EXHIBIT E
NOTICE OF EXEMPTION

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

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

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

CPC-2019-2592-DB-CU-SIP

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

N/A

PROJECT TITLE

Chesterfield Apartments

COUNCIL DISTRICT

8 - Harris-Dawson

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

4719-4721 South Normandie Avenue, 1409-1411 West 48th Street, Los Angeles, CA 90037

Map attached.

PROJECT DESCRIPTION:

The project is the construction, use, and maintenance of a 5-story, 67-foot tall residential building comprised of 43 dwelling units (100% affordable, exclusive of one market-rate manager's unit, including 5 Very Low Income and 37 Low Income units). The project will provide four (4) parking spaces at grade level, and will provide 38 long-term and 6 short-term bicycle parking spaces. The project will be 28,807 square feet in floor area with a Floor Area Ratio ("FAR") of 2.73:1. The site currently serves as surface parking, with no trees on the subject site or right-of-way. The project qualifies as a Streamlined Infill Project ("SIP") pursuant to Senate Bill ("SB") 35 and California Government Code Section 65913.4.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Chesterfield Apartments, LP / Craig Lawson & Co., LLC

CONTACT PERSON (If different from Applicant/Owner above)

Connie Chauv

(AREA CODE) TELEPHONE NUMBER

213-978-0016

EXT.

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

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) 21080(b)(1) and Government Code Section 65913.4

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es)

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

JUSTIFICATION FOR PROJECT EXEMPTION:

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

Additional page(s) attached

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

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

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

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Connie Chauv

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Conditional Use, Density Bonus, Streamlined Infill Project

FEE:

N/A

RECEIPT NO.

N/A

REC'D. BY (DCP DSC STAFF NAME)

N/A

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

EXHIBIT F
PUBLIC CORRESPONDENCE



Connie Chauv <connie.chauv@lacity.org>

4719 Normandie

Luciralia Ibarra <luciralia.ibarra@lacity.org>
To: Connie Chauv <connie.chauv@lacity.org>

Thu, Jul 18, 2019 at 12:50 PM

Hi Connie,

I wanted to check in and let you know that we are supportive of the project you will be considering this afternoon. We understand the applicant did considerable outreach and we appreciate the design of the project.

Please let me know if you have any questions.

- Luci

--

Luciralia Ibarra

Chief Deputy - Planning and Land Use Policy

Councilmember Marqueece Harris-Dawson



City Hall Office | 213-473-7008 | 200 N. Spring St. Room 450, Los Angeles, CA 90012

West Adams Office | 213-485-7616 | 1968 W. Adams Blvd., Los Angeles, CA 90018

Visit us on social:   

June 6, 2019

Community Outreach Summary for Case No. CPC-2019-2592-DB-CU-SIP, 4719 S. Normandie Avenue

- October 25, 2018: Applicant met with Lynell Washington from Councilmember Marqueece Harris-Dawson's office to discuss the project. Mr. Washington recommended that we take the project to the Empowerment Congress Central Area Neighborhood Development Council (ECCANDC) for their review.
- November 26, 2018: Applicant presented the project to the ECCANDC. The Council meeting had some timing issues, so the presentation was very brief with limited opportunity for community comment. The applicant offered to come back when there would be more time. In the brief time that the item was being discussed however the community response was very positive – there was general agreement that these types of projects are needed in the area.
- January 28, 2018: The Applicant returned to the ECCANDC to present the project. This time, there was time for questions and discussion, and again the neighborhood response was very favorable, with the Neighborhood Council voting to issue a letter of support for the project.
- April 15, 2019: The Applicant met with Rachel Brashier, Deputy Chief of Staff for Councilmember Harris-Dawson to review the project with her as Mr. Washington had moved to another department.

CITY OF LOS ANGELES

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Since March 23, 2002



EXECUTIVE COMMITTEE OFFICERS

AARON M. MARTIN, II
CHAIRPERSON

LEONARD DELPIT
SECRETARY

LORRIANE CURRY
TREASURER

BOARD MEMBERS

Algie Lee, Area 1 Rep.
Robert D. Campbell, Area 1 Rep.
Nina Adams, Area 2 Rep.
Ellen Pace, Area 3 Rep.
James Hadley, Area 3 Rep.
Breon Hollie, Youth Rep.
Richard Cabada, At-Large Mem.
Marian Thomas, At-Large Mem.
Nitisha Francis, At-Large Mem.

8475 S. VERMONT AVENUE
LOS ANGELES, CA 90044

TELEPHONE: (323) 789-1449
E-mail: secretary@eccandc.org

EMPOWERMENT CONGRESS CENTRAL AREA NEIGHBORHOOD DEVELOPMENT COUNCIL

Regular Board Meeting

Monday November 26, 2018 – 6:30 pm – 8:30 pm

Western Avenue Elementary (Auditorium)

1724 W. 53rd Street, Los Angeles CA 90062

The public is requested to fill out a “**Speaker Card**” to address the Board on any agenda item before the Board takes an action. Public comment is limited to 2 minutes per speaker, but the Board has the discretion to modify the amount of time for any speaker.

The public may comment on a specific item listed on this agenda when the Board considers that item. When the Board considers the agenda item entitled “Public Comments,” the public has the right to comment on any matter that is within the Board’s jurisdiction. In addition, the members of the public may request and receive copies without undue delay of any documents that are distributed to the Board, unless there is a specific exemption under the Public Records Act that prevents the disclosure of the record. (Govt. Code § 54957.5)

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting can be viewed at our website by visiting the following link eccandc.org, and at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact secretary@eccandc.org.

The Empowerment Congress Central Area Neighborhood Development Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Empowerment Congress Central Area Neighborhood Development Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure the availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the Neighborhood Council Secretary at (323) 789-1449, or please send an e-mail that states the accommodations that you are requesting to secretary@eccandc.org.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 días de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA AYUDA CON ESTA AGENDA, POR FAVOR LLAME A NUESTRA OFICINA AL (213) 555-5555.

1. Welcome and Board of Directors called to order. (Chairperson) [Start Time 6:30pm - 6:35pm]
Chairperson Report (Aaron M. Martin, II)
2. Pledge of Allegiance (Youth Representative) [6:35pm - 6:40pm]
3. Roll Call (Secretary) Quorum Present Yes/No [6:40pm - 6:45pm]
4. (Action Items) Meeting Minutes (Secretary) [6:45pm – 6:50pm]
 - a. Discuss possible action to approve meeting minutes held on July 23, 2018
 - b. a. Discuss possible action to approve meeting minutes held on August 27, 2018
 Motion By:_____ 2nd By:_____ Yes Votes: () No Votes: () Abstentions: ()
 Motion Carries: (Yes) or (No)
5. (Action Item) Treasure Report (Treasure) [6:50pm – 7:00pm]June19)
 - a. Discuss and possible action to approve Monthly Expenditure Report for August 27, 2018
 - b. Discuss and possible action to approve Monthly Expenditure Report for July 23, 2018
 - d. Discuss and possible action to approve up to \$15,000 to relocate our front office for one year.
 - c. Discuss and possible action to approve pending invoice for City Publishing Services \$3,377
 - d. Discuss and possible action to approve all outstanding Neighborhood Purpose Grants
 1. Just Tech, 2. Good Orderly Direction, 3. Mt. Tabor Outreach, 4. Much 61 Helping Hands, 4.Ultimate Restoration, 5. American Veterans, 6. Vermont Slauson Economic, 7. My Safe LA)
 Motion By:_____ 2nd By:_____ Yes Votes: () No Votes: () Abstentions: ()
 Motion Carries: (Yes) or (No)
6. Elected Officials (Reports to Community) [7:00pm – 7:15pm]
 - United States House of Representative, Congresswoman Karen Bass (37th Congressional District)
 - California State Senate Holly Mitchell Office (30th Senate District)
 - California State Assembly, Assemblyperson Sydney Kamlager (54th Assembly District)
 - California State Assembly, Assemblyperson Reggie Sawyer (59th Assembly District)
 - County of Los Angeles, Supervisor Mark Ridley-Thomas (2nd County District)
 - City Los Angeles, Mayor Eric Garcetti Office,
 - City of Los Angeles, City Attorney Mike Feuer Office
 - City of Los Angeles, Councilman Marqueece Harris-Dawson Office (8th Council District)
7. Public Officials (Reports to Community) [7:15pm -7:30pm]
 - California Highway Patrol, (CHP)
 - Los Angeles County Sheriff Department
 - Los Angeles Police Department, (Southwest and 77th)
 - Los Angeles Unified School Police Department (Horace Mann and Obama Prep.)
 - Los Angeles Fire Department, (Station No. 66)
 - City Departments & Bureaus, Boards & Commissions, City Council Committees Certified
 - Neighborhood Councils in Region 10

8. Presentations Speaker time limit is 10 minutes.] [7:30pm – 7:45pm]
 - a. CD8, 4719 S. Normandie Project, Presenter come forward
 - b. Wakeland Housing and Development Corporation
 - c. LA City Planner, Steven Katigbak, Slauson Corridor Transit Neighborhood Plan
 - d. Lisa Desmond, Verison Wireless Site located at 1716 W. 41st Street
 - e. Melisa Keith, Sprint Wireless Tower Project, located at 4367 S. Van Ness
 - f. Gregory Horowitz, LAPD Training Simulators
9. Public Comments – Comments from the public on non-agenda items within the Board’s subject matter jurisdiction. [Speaker time limit is 2 minutes.] [7:45pm – 7:50pm]
10. Area Reports [8:00pm – 8:15pm]
 - a. Area 1, Area 2, Area 3 Reports
 - b. At-Large Member Report
 - b. Youth ReportReport to the board on any activities in your area within last 25 days
Remember to Invite your stakeholders to this meeting each month
11. Standing Committee Reports consideration by the Board of the reports and recommendations from its committees, including possible action in adopting, rejecting, or modifying any report or recommendation, possible action by the Board implementing the report or recommendation, or possible determination by the Board of the Neighborhood Council’s position on a report or recommendation, and recommendation regarding communication of the position to the appropriate governmental
 - Announcements
None submitted to Secretary
12. Chairperson Closing Comments [8:15pm -8:25pm]
Adjournment motion by the Chairperson and 2nd by the Secretary [8:25pm – 8:30pm]

Next Scheduled Regular Meeting will be on January 22 , 2019

CITY OF LOS ANGELES

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CHAIRPERSON

LEONARD F. DELPIT.
SECRETARY

LORRAINE CURRY
TREASURE



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Ellen Pace, Area 3, Rep.
James Hadley, Area 3, Rep.
Richard Cabada, At-Large Rep.
Natisha Francis, At-Large Rep.
Marian Thomas, At-Large Rep.
Breon Hollie, Youth Rep.

8475 S. Vermont Avenue
Los Angeles, California 90044
TELEPHONE: (323) 789-1449
E-mail: secretary@eccandc.org

EMPOWERMENT CONGRESS CENTRAL AREA NEIGHBORHOOD DEVELOPMENT COUNCIL

Regular Board Meeting

Monday January 28 – 6:30 pm – 8:30 pm

Western Avenue Elementary (Auditorium)

1724 W. 53rd Street, Los Angeles CA 90062

The public is requested to fill out a “**Speaker Card**” to address the Board on any agenda item before the Board takes an action. Public comment is limited to 2 minutes per speaker, but the Board has the discretion to modify the amount of time for any speaker.

The public may comment on a specific item listed on this agenda when the Board considers that item. When the Board considers the agenda item entitled “Public Comments,” the public has the right to comment on any matter that is within the Board’s jurisdiction. In addition, the members of the public may request and receive copies without undue delay of any documents that are distributed to the Board, unless there is a specific exemption under the Public Records Act that prevents the disclosure of the record. (Govt. Code § 54957.5)

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting can be viewed at our website by visiting the following link eccandc.org, and at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact secretary@eccandc.org.

The Empowerment Congress Central Area Neighborhood Development Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Empowerment Congress Central Area Neighborhood Development Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure the availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the Neighborhood Council Secretary at (323) 789-1449, or please send an e-mail that states the accommodations that you are requesting to secretary@eccandc.org.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 días de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA AYUDA CON ESTA AGENDA, POR FAVOR LLAME A NUESTRA OFICINA AL (323) 789-1489.

EMPOWERMENT CONGRESS CENTRAL AREA
NEIGHBORHOOD DEVELOPMENT COUNCIL
Regular Board Meeting Agenda was prepared by, Secretary Leonard F. Delpit

1. Welcome and Board of Directors called to order. [Start Time 6:30pm - 6:35pm]
Chairperson Report (Aaron M. Martin, II)
 - Elections: Refer all interest candidates and board members to election committee. (M. Thomas)
Registration Period Begins: March 2, 2019
Election Date: June 10, 2019

2. Pledge of Allegiance (Youth Representative) [6:35pm - 6:40pm]

3. Roll Call (Secretary) Quorum Present Yes/No [6:40pm - 6:45pm]

4. (Action Items) Meeting Minutes (Secretary) [6:45pm – 6:50pm]
 - a. Discuss possible action to approve meeting minutes held on November 16, 2018
Motion By:_____ 2nd By:_____ Yes Votes: () No Votes: () Abstentions: ()
Motion Carries: (Yes) or (No)

5. (Action Item) Treasure Report (Treasure) [6:50pm – 7:00pm]June19)
 - a. Discuss and possible action to approve Monthly Expenditure Report for November 16, 2018
 - b. Discuss and possible action to approve Monthly Expenditure Report for December 31, 2018
 - c. Discuss and possible action to approve board members public safety body cams and public safety vest for all board meetings, events, and sponsored events not to exceed \$3,500
 - d. Discuss and approve remainder of (2018-219) calendar of events schedule
 - e. Discuss and possible action to approve new office location at located 1709 W. Vernon Avenue Los Angeles, the old City of Los Angeles Fire Station now called The Los Angeles City Stentorians
 - f. Discuss and possible action to approve new up to \$1,100 for new office monthly lease payment.
 - g. Discuss and possible action to approve all outstanding Neighborhood Purpose Grants
 1. American Veterans
 2. Ultimate Restoration
 3. Mt. Tabor Outreach
 4. Much 61 Helping Hands
 5. Just Tech,
 6. Good Orderly Direction
 7. Vermont Slauson Economic
 8. My Safe LA

Motion By:___2nd By:___ Yes Votes: () No Votes: () Abstentions: ()
Motion Carries: (Yes) or (No)

6. Elected Officials (Reports to Community) [7:00pm – 7:15pm]

United States House of Representative, Congressperson Karen Bass, (37th Congressional District)
California State Senator, Holly Mitchell Office, (30th Senate District)
California State Assembly, Assemblyperson Sydney Kamlager, (54th Assembly District)
California State Assembly, Assemblyperson Reggie Sawyer, (59th Assembly District)
County of Los Angeles, Supervisor Mark Ridley-Thomas, (2nd County District)
City Los Angeles, Mayor Eric Garcetti Office, Field Deputy
City of Los Angeles, City Attorney Mike Feuer Office, Neighborhood Prosecutors
City of Los Angeles, Councilperson Marqueece Harris-Dawson Office (8th Council District)

7. Public Officials (Reports to Community) [7:15pm -7:30pm]
 - California Highway Patrol, (CHP)
 - Los Angeles County Sheriff Department
 - Los Angeles Police Department, (Southwest and 77th)
 - Los Angeles Unified School Police Department (Horace Mann and Obama Prep.)
 - Los Angeles Fire Department, (Station No. 66)
 - City Departments & Bureaus, Boards & Commissions, City Council Committees Certified Neighborhood Councils in Region 10
8. Presentations Speaker time limit is 10 minutes.] [7:30pm – 7:45pm]
 - a. Dennis Lee, Ph.D., and Moon Hee Lee, New Car Wash Development Project located at 5815 South Normandie Avenue, Los Angeles, California 90044, (Area #2)
 - b. Wakeland Housing and Development Corporation, 4719 S. Normandie Avenue (Area #2)
 - c. Barbara Gates, Neighborhood Purpose Grant Request
 - d. Lisa Desmond, Verizon Wireless Site located at 1716 W. 41st Street
 - e. Melisa Keith, Sprint Wireless Tower Development Project, located at 4367 S. Van Ness Avenue
9. Public Comments – Comments from the public on non-agenda items within the Board’s subject matter jurisdiction. [Speaker time limit is 2 minutes.] [7:45pm – 7:50pm]
10. Discuss and possible action to approve and issue letters of support for the following:
 - a. New Car Wash Development
 - b. Sprint Wireless Tower Development Project
 - c. Wakeland Housing Development Project
11. Area Reports [8:00pm – 8:15pm]
 - a. Area 1, Area 2, Area 3 Reports
 - b. At-Large Member Report
 - b. Youth Report

Report to the board on any activities in your area within last 25 days
Remember to invite your stakeholders to this meeting each month
12. Standing Committee Reports Consideration

by the Board of the reports and recommendations from its committees, including possible action in adopting, rejecting, or modifying any report or recommendation, possible action by the Board implementing the report or recommendation, or possible determination by the Board of the

Neighborhood Council's position on a report or recommendation, and recommendation regarding communication of the position to the appropriate governmental

- Announcements

13. Chairperson Closing Comments [8:15pm -8:25pm]

Adjournment motion by the Chairperson and 2nd by the Secretary [8:25pm – 8:30pm]

Next Scheduled Regular Meeting will be on February 25, 2019

PAGE 2

PAGE 3

EXHIBIT G

SENATE BILL 35

BILL TEXT AND

STATE HCD GUIDELINES

Senate Bill No. 35

CHAPTER 366

An act to amend Sections 65400 and 65582.1 of, and to add and repeal Section 65913.4 of, the Government Code, relating to housing.

[Approved by Governor September 29, 2017. Filed with Secretary of State September 29, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 35, Wiener. Planning and zoning: affordable housing: streamlined approval process.

(1) The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. The Planning and Zoning Law requires a planning agency, after a legislative body has adopted all or part of a general plan, to provide an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development on the status of the general plan and progress in meeting the community's share of regional housing needs. Existing law requires the housing element portion of the annual report to be prepared through the use of forms and definitions adopted by the department pursuant to the Administrative Procedure Act.

This bill would require the housing element portion of the annual report to be prepared through the use of standards, forms, and definitions adopted by the department. The bill would eliminate the requirement that the forms and definitions be adopted by the department pursuant to the Administrative Procedure Act and would instead authorize the department to review, adopt, amend, and repeal the standards, forms, or definitions, as provided. The bill would also require the planning agency to include in its annual report specified information regarding units of net new housing, including rental housing and for-sale housing that have been issued a completed entitlement, building permit, or certificate of occupancy. The bill would also require the Department of Housing and Community Development to post an annual report submitted pursuant to the requirement described above on its Internet Web site, as provided.

(2) Existing law requires an attached housing development to be a permitted use, not subject to a conditional use permit, on any parcel zoned for multifamily housing if at least certain percentages of the units are available at affordable housing costs to very low income, lower income, and moderate-income households for at least 30 years and if the project meets specified conditions relating to location and being subject to a discretionary decision other than a conditional use permit. Existing law provides for various incentives intended to facilitate and expedite the construction of affordable housing.

This bill would authorize a development proponent to submit an application for a multifamily housing development, which satisfies specified planning objective standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. The bill would require a local government to notify the development proponent in writing if the local government determines that the development conflicts with any of those objective standards by a specified time; otherwise, the development is deemed to comply with those standards. The bill would limit the authority of a local government to impose parking standards or requirements on a streamlined development approved pursuant to these provisions, as provided. The bill would provide that if a local government approves a project pursuant to that process, that approval will not expire if that project includes investment in housing affordability, and would otherwise provide that the approval of a project expire automatically after 3 years, unless that project qualifies for a one-time, one-year extension of that approval. The bill would provide that approval pursuant to its provisions would remain valid for three years and remain valid thereafter so long as vertical construction of the development has begun and is in progress, and would authorize a discretionary one-year extension, as provided. The bill would prohibit a local government from adopting any requirement that applies to a project solely or partially on the basis that the project receives ministerial or streamlined approval pursuant to these provisions. The bill would repeal these provisions as of January 1, 2026.

(3) The bill would make findings that ensuring access to affordable housing is a matter of statewide concern and declare that its provisions would apply to all cities and counties, including a charter city, a charter county, or a charter city and county.

(4) By imposing new duties upon local agencies with respect to the streamlined approval process and reporting requirement described above, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(5) This bill would incorporate additional changes to Section 65400 of the Government Code proposed by AB 879 to be operative only if this bill and AB 879 are enacted and this bill is enacted last.

This bill would incorporate additional changes to Section 65582.1 of the Government Code proposed by AB 73 to be operative only if this bill and AB 73 are enacted and this bill is enacted last.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 65400 of the Government Code is amended to read:

65400. (a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of standards, forms, and definitions adopted by the Department of Housing and Community Development. The department may review, adopt, amend, and repeal the standards, forms, or definitions, to implement this article. Any standards, forms, or definitions adopted to implement this article shall not be subject to Chapter 3.5 (commencing with Section 11340) or Part 1 of Division 3 of Title 2. Before and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

The report may include the number of units that have been substantially rehabilitated, converted from nonaffordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

(D) The number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, and the income category, by area median income category, that each unit of housing, including both rental housing and housing designated for home ownership, satisfies. That production report shall, for each income category described in this subparagraph, distinguish between the number of rental housing units and the

number of for-sale housing units that satisfy each income category. The production report shall include, for each entitlement, building permit, or certificate of occupancy, a unique site identifier, which must include an assessor's parcel number, but may also include street address or other identifiers.

(E) The number of applications submitted pursuant to subdivision (a) of Section 65913.4, the location and the total number of developments approved pursuant to subdivision (b) of Section 65913.4, the total number of building permits issued pursuant to subdivision (b) of Section 65913.4, the total number of units including both rental housing and for-sale housing by area median income category constructed using the process provided for in subdivision (b) of Section 65913.4.

(F) The Department of Housing and Community Development shall post a report submitted pursuant to this paragraph on its Internet Web site within a reasonable time of receiving the report.

(b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

SEC. 1.5. Section 65400 of the Government Code is amended to read:

65400. (a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of standards, forms, and definitions adopted by the Department of Housing and Community Development. The department may review, adopt, amend, and repeal the standards, forms, or definitions, to implement this article. Any standards, forms, or definitions adopted to implement this article shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. Before and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

The report may include the number of units that have been substantially rehabilitated, converted from nonaffordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The number of housing development applications received in the prior year.

(D) The number of units included in all development applications in the prior year.

- (E) The number of units approved and disapproved in the prior year.
- (F) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.
- (G) A listing of sites rezoned to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory required by paragraph (1) of subdivision (c) of Sections 65583 and 65584.09. The listing of sites shall also include any additional sites that may have been required to be identified by Section 65863.
- (H) The number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, and the income category, by area median income category, that each unit of housing satisfies. That production report shall, for each income category described in this subparagraph, distinguish between the number of rental housing units and the number of for-sale units that satisfy each income category. The production report shall include, for each entitlement, building permit, or certificate of occupancy, a unique site identifier which must include the assessor's parcel number, but may include street address, or other identifiers.
- (I) The number of applications submitted pursuant to subdivision (a) of Section 65913.4, the location and the total number of developments approved pursuant to subdivision (b) of Section 65913.4, the total number of building permits issued pursuant to subdivision (b) of Section 65913.4, the total number of units including both rental housing and for-sale housing by area median income category constructed using the process provided for in subdivision (b) of Section 65913.4.
- (J) The Department of Housing and Community Development shall post a report submitted pursuant to this paragraph on its Internet Web site within a reasonable time of receiving the report.
- (b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

SEC. 2. Section 65582.1 of the Government Code is amended to read:

65582.1. The Legislature finds and declares that it has provided reforms and incentives to facilitate and expedite the approval and construction of affordable housing. Those reforms and incentives can be found in the following provisions:

- (a) Housing element law (Article 10.6 (commencing with Section 65580) of Chapter 3).
- (b) Extension of statute of limitations in actions challenging the housing element and brought in support of affordable housing (subdivision (d) of Section 65009).
- (c) Restrictions on disapproval of housing developments (Section 65589.5).
- (d) Priority for affordable housing in the allocation of water and sewer hookups (Section 65589.7).
- (e) Least cost zoning law (Section 65913.1).
- (f) Density bonus law (Section 65915).
- (g) Accessory dwelling units (Sections 65852.150 and 65852.2).
- (h) By-right housing, in which certain multifamily housing are designated a permitted use (Section 65589.4).
- (i) No-net-loss-in zoning density law limiting downzonings and density reductions (Section 65863).

- (j) Requiring persons who sue to halt affordable housing to pay attorney fees (Section 65914) or post a bond (Section 529.2 of the Code of Civil Procedure).
- (k) Reduced time for action on affordable housing applications under the approval of development permits process (Article 5 (commencing with Section 65950) of Chapter 4.5).
- (l) Limiting moratoriums on multifamily housing (Section 65858).
- (m) Prohibiting discrimination against affordable housing (Section 65008).
- (n) California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3).
- (o) Community redevelopment law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and in particular Sections 33334.2 and 33413).
- (p) Streamlining housing approvals during a housing shortage (Section 65913.4).

SEC. 2.5. Section 65582.1 of the Government Code is amended to read:

65582.1. The Legislature finds and declares that it has provided reforms and incentives to facilitate and expedite the construction of affordable housing. Those reforms and incentives can be found in the following provisions:

- (a) Housing element law (Article 10.6 (commencing with Section 65580) of Chapter 3).
- (b) Extension of statute of limitations in actions challenging the housing element and brought in support of affordable housing (subdivision (d) of Section 65009).
- (c) Restrictions on disapproval of housing developments (Section 65589.5).
- (d) Priority for affordable housing in the allocation of water and sewer hookups (Section 65589.7).
- (e) Least cost zoning law (Section 65913.1).
- (f) Density bonus law (Section 65915).
- (g) Accessory dwelling units (Sections 65852.150 and 65852.2).
- (h) By-right housing, in which certain multifamily housing are designated a permitted use (Section 65589.4).
- (i) No-net-loss-in zoning density law limiting downzonings and density reductions (Section 65863).
- (j) Requiring persons who sue to halt affordable housing to pay attorney fees (Section 65914) or post a bond (Section 529.2 of the Code of Civil Procedure).
- (k) Reduced time for action on affordable housing applications under the approval of development permits process (Article 5 (commencing with Section 65950) of Chapter 4.5).
- (l) Limiting moratoriums on multifamily housing (Section 65858).
- (m) Prohibiting discrimination against affordable housing (Section 65008).
- (n) California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3).
- (o) Community redevelopment law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and in particular Sections 33334.2 and 33413).
- (p) Streamlining housing approvals during a housing shortage (Section 65913.4).
- (q) Housing sustainability districts (Chapter 11 (commencing with Section 66200)).

SEC. 3. Section 65913.4 is added to the Government Code, to read:

65913.4. (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

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

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

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

(3) If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:

(A) Fifty-five years for units that are rented.

(B) Forty-five years for units that are owned.

(4) The development satisfies both of the following:

(A) Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(i) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.

(ii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.

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

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning

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

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

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

(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(G) Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(H) Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section

2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(K) Lands under conservation easement.

(7) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(8) The development proponent has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that

obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(B) (i) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.

(ii) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(iii) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(C) Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(i) The project includes 10 or fewer units.

(ii) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(9) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

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

(b) (1) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(c) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(1) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(2) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(e) (1) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making below 80 percent of the area median income.

(2) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making below 80 percent of the area median income, that approval shall automatically expire after three years except that a project may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(3) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.

(f) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(g) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of subdivision (i) of Section 65583.2.

(h) For purposes of this section:

(1) "Department" means the Department of Housing and Community Development.

(2) "Development proponent" means the developer who submits an application for streamlined approval pursuant to this section.

(3) "Completed entitlements" means a housing development which has received all the required land use approvals or entitlements necessary for the issuance of building permit.

(4) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(5) "Production report" means the information reported pursuant to subparagraph (D) of paragraph (2) of subdivision (a) of Section 65400.

(6) "Subsidized" means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(7) "Reporting period" means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(8) "Urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

(i) The department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms

adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 4. The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern, and not a municipal affair. Therefore, the changes made by this act are applicable to a charter city, a charter county, and a charter city and county.

SEC. 5. Each provision of this measure is a material and integral part of this measure, and the provisions of this measure are not severable. If any provision of this measure or its application is held invalid, this entire measure shall be null and void.

SEC. 6. (a) Section 1.5 of this bill incorporates amendments to Section 65400 of the Government Code proposed by both this bill and Assembly Bill 879. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 65400 of the Government Code, and (3) this bill is enacted after Assembly Bill 879, in which case Section 1 of this bill shall not become operative.

(b) Section 2.5 of this bill incorporates amendments to Section 65582.1 of the Government Code proposed by both this bill and Assembly Bill 73. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 65582.1 of the Government Code, and (3) this bill is enacted after Assembly Bill 73, in which case Section 2 of this bill shall not become operative.

SEC. 7. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

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



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

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

**Ben Metcalf, Director
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November 29, 2018

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

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

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

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

Government Code section 65913.4, subdivision (j)

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

**Streamlined Ministerial Approval Process
Development Approval Process**

Program Guidelines

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INTRODUCTION

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

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

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

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

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

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

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

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

ARTICLE I. GENERAL PROVISIONS

Section 100. Purpose and Scope

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

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

Section 101. Applicability

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

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

Section 102. Definitions

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

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

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

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

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

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

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

ARTICLE II. STREAMLINED MINISTERIAL APPROVAL PROCESS DETERMINATION

Section 200. Methodology

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

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

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

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

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

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

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

Section 201. Timing and Publication Requirements

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

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

ARTICLE III. APPROVAL PROCESS

Section 300. Local Government Responsibility

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

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

(b) Determination of consistency

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

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

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

- (8) Determination of consistency with objective standards shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply. For example, design review standards or other objective standards that serve to inhibit, chill, or preclude the development of housing under the Streamlined Ministerial Approval Process are inconsistent with the application of state law.

(c) Density calculation

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

(d) Parking requirements

- (1) Automobile parking standards shall not be imposed on a development that meets any of the following criteria:
 - (A) The development is located where any part of the parcel or parcels on which the development is located is within one-half mile of public transit, as defined by Section 102(r) of these Guidelines.
 - (B) The development is located within a district designated as architecturally or historically significant under local, state, or federal standards.
 - (C) When on-street parking permits are required, but not made available to the occupants of the development.
 - (D) When there is a car share vehicle, (i.e. a designated location to pick up or drop off a car share vehicle as defined by Section 102(d),) within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

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

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

Section 301. Development Review and Approval

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

- (5) Approval of ministerial processing does not preclude imposed standard conditions of approval as long as those conditions are objective and broadly applicable to development within the locality regardless of streamline approval. This includes any objective process requirements related to the issuance of a building permit. However, any further approvals, such as demolition, grading and building period or, if required, final map, on a ministerial basis is subject to the objective standards.
 - (A) Notwithstanding Paragraph (5), standard conditions that specifically implement the provisions of these Guidelines such as commitment for recording covenant and restrictions and provision of prevailing wage can be included in the conditions of approval.
- (6) The California Environmental Quality Act (Division 13 (commencing with section 21000) of the Public Resources Code) does not apply to the following in connection with projects qualifying for the Streamlined Ministerial Approval Process :
 - (A) Actions taken by a state agency or local government to lease, convey, or encumber land or to facilitate the lease, conveyance, or encumbrance of land owned by the local government.
 - (B) Actions taken by a state agency or local government to provide financial assistance to a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income.
 - (C) The determination of whether an application for a development is subject to the Streamlined Ministerial Approval Process.
- (b) Upon a receipt of application, the local government shall adhere to the following:
 - (1) An application submitted hereunder shall be reviewed by the agency whether or not it contains all materials required by the agency for the proposed project, and it is not a basis to deny the project if either:
 - (A) The application contains sufficient information for a reasonable person to determine whether the development is consistent, compliant, or in conformity with the requisite objective standards (outlined in Article IV of these Guidelines); or
 - (B) The application contains all documents and other information required by the local government as referenced in section 300(a) of these Guidelines.
 - (2) Local governments shall make a determination of consistency, as described in Section 301(a)(3), as follows:
 - (A) Within 60 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.

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

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

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

ARTICLE IV. DEVELOPMENT ELIGIBILITY

Section 400. Housing Type Requirements

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

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

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

Section 401. Site Requirements

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

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

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

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

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

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

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

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

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

Section 402. Affordability Provisions

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

- (3) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (d), the development shall dedicate a minimum of 10 percent of the total number of units to housing affordable to households making at or below 80 percent of the AMI.
 - (A) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the AMI, that local affordable housing requirement applies.
- (b) A covenant or restriction shall be recorded against the development dedicating the minimum percentage of units to housing affordable to households making at or below 80 percent of the AMI pursuant to Section 402 (a)(1-3).
 - (1) The recorded covenant or restriction shall remain an encumbrance on the development for a minimum of either:
 - (A) 55 years for rental developments or
 - (B) 45 years for owner-occupied properties
 - (2) The development proponent shall commit to record a covenant or restriction dedicating the required minimum percentage of units to below market housing prior to the issuance of the first building permit.
- (c) The percentage of units affordable to households making at or below 80 percent of the area median income per this section is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus.
- (d) The percentage of units affordable to households making at or below 80 percent of the area median income per this section shall be built on-site as part of the development.
- (e) If the locality has adopted an inclusionary ordinance, the objective standards contained in that ordinance apply to the development under the Streamlined Ministerial Approval Process. For example, if the locality's adopted ordinance requires a certain percentage of the units in the development to be affordable to very low-income units, the development would need to provide that percentage of very low-income units to be eligible to use the Streamlined Ministerial Approval Process.
- (f) All affordability calculations resulting in fractional units shall be rounded up to the next whole number. Affordable units shall be distributed throughout the development and shall be of comparable size, both in terms of the square footage and the number of bedrooms, and quality to the market rate units with access to the same common areas and amenities.
- (g) Affordability of units to households at or above 80 percent of the area median income per the section is calculated based on the following:
 - 1) For owner-occupied units, affordable housing cost is calculated pursuant to Health and Safety Code Section 50052.5.

- 2) For rental units, affordable rent is calculated pursuant to Health and Safety Code Section 50053.

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

Section 403. Labor Provisions

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

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

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

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

Developments Located in Coastal or Bay Counties

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

Developments Located in Non-Coastal or Non-Bay Counties

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

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

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

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

Section 404. Additional Provisions

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

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

ARTICLE V. REPORTING

Section 500. Reporting Requirements

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

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

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