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VENICE COASTAL SPECIFIC PLAN DIRECTOR OF PLANNING SPECIFIC PLAN INTERPRETATION

January 26, 2009

Initiated by:
Director of Planning

CASE NO. DIR-2008-4703-DI
SPECIFIC PLAN INTERPRETATION
CEQA: ENV 2004-2691-CE
Location: Venice Coastal Specific Plan
Council District: 11
Community Plan Area: Venice
Land Use: Various
Zone: Various
Appeal Period Ends: February 10, 2009

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7(H) and the Venice Coastal Specific Plan (Ordinance No. 175,693), as the designee of the Director of Planning, I hereby **approve**:

A **Specific Plan Interpretation** clarifying the relationship between Section 12.22 C. 27 of the LAMC, established by the Small Lot Subdivision Ordinance (No. 176,354), and the Venice Coastal Specific Plan. The subject text determines how the Small Lot Subdivision provisions shall be applied, given the unique limitations established by the Venice Coastal Specific Plan for the Venice Community.

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BACKGROUND

The Small Lot Subdivision Ordinance (No. 176,354) became effective on January 31, 2005, (namely as LAMC 12.22 C.27) in order to permit lots zoned R2, RD, R3, R4, R5, RAS, P, and C to be subdivided into smaller parcel sizes than would normally be permitted, as long as they comply with the density requirements established by both the zoning and the Los Angeles General Plan. The ordinance was expected to help generate creative housing solutions, such as modern versions of bungalow courts, courtyard housing and row houses—thereby reducing the cost of home ownership. Subdivisions resulting from the Small Lot Subdivision Ordinance are held to the same density as if the lot were to be developed with condominiums.

The Venice Coastal Specific Plan was established in 1999 (Ordinance 172,897) and substantially revised in 2004 (Ordinance 175,693). The primary objective of the Specific Plan is to protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and constructed resources. The Specific Plan regulates all development, including: use, height, density, setback, buffer zone, and other factors in order for new construction and modifications to existing buildings to be compatible in character with the community and provide for the consideration of aesthetics, scenic preservation and enhancement, and to protect environmentally sensitive areas.

Given that the Small Lot Subdivision Ordinance was adopted after the Specific Plan, this Interpretation is intended to find and illustrate a rational, structured, and practical approach to allow for small lot subdivisions, in a manner that is consistent with the intent and provisions of both the Venice Coastal Specific Plan and the Small Lot Subdivision Ordinance. The challenge of understanding the requirements and allowances for these land subdivisions is compounded by the fact that the Venice Coastal Specific Plan is especially complex; it is numerous and detailed in its provisions, which are unique to each of ten subareas, and each type of zone within.

The clarifications provided in this document comprise an Interpretation that is necessary to provide certainty to the Venice community, including residents and property developers, while ensuring accurate application of both ordinances and Department consistency of case processing. Implementation of the City's Small Lot Subdivision Ordinance poses unique complexities within the boundaries of the Venice Coastal Specific Plan because the Small Lot Subdivision Ordinance was drafted under the assumption that each zone maintained a uniform set of densities and standards; yet, the Specific Plan includes density and lot size requirements unique to defined subareas. These provisions at times differ from code requirements, being either more restrictive or more permissive. While the Small Lot Subdivision Ordinance applies citywide (where zoning permits) the language and format was written relevant to Los Angeles Municipal Code restrictions, not with regard to the language contained in Specific Plans. Individual Specific Plans often take different approaches to planning and land use objectives and use unique terms, measurements, thresholds, and calculations because they are intended to be tailored to certain geographic areas and circumstances. Furthermore, the Venice Coastal Specific Plan was written without anticipating the lot size and types that can result from small lot subdivisions. The subject Director's Interpretation reconciles the Small Lot Subdivision Ordinance (LAMC 12.22 C.27) with the Venice Coastal Specific Plan.

INTERPRETATION: GENERAL REGULATIONS AND PRINCIPLES

A summary of the Interpretation is as follows, comprised of language that applies generally to Venice Coastal Specific Plan.

1. Where provisions are silent in the Venice Coastal Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. **PARKING**: Required parking for subdivision projects shall be based on the parking requirements pursuant to the Venice Coastal Specific Plan, 2 or 3 spaces. Each new lot resulting from a small lot subdivision that contains one unit will fall under the “single family dwelling” category in the Specific Plan. For the purposes of parking calculations, small lot subdivisions shall be considered “less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.” Where new lots resulting from a small lot subdivision include multiple units on a lot, they shall provide two parking spaces for each dwelling unit.
3. **DRIVEWAYS**: Pursuant to the Venice Coastal Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street.
4. **SETBACKS**: Front, rear, and side yard setbacks abutting an area outside of the subdivision shall be consistent with the Specific Plan, where it sets limitations. This includes locations where new lots abut a lot that is not created pursuant to the Small Lot Subdivision Ordinance and not part of the project, or where the lots abut a waterway or street.
5. **MULTIPLE LOTS**: Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for “lot area per dwelling unit” established for each residential zone in the LAMC, pursuant to the Small Lot Subdivision Ordinance. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one measuring 1800 square feet and one measuring 1700 square feet, given that the average lot size is 1500 square feet.
6. **MULTIPLE UNITS**: Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be limited to one unit per resultant lot, unless the lot size is large enough to permit additional units based on the “lot area per dwelling unit” calculation established for each residential zone. In no case may a newly resulting lot contain more than three units. Generally, the combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision. For Subareas that restrict density by limiting the number of units on a lot by a defined number, the resulting density from multiple lots may increase the originally permitted density on one original lot. Unit restrictions prescribed for Subareas shall still apply to individual resulting lots, but not over the entire pre-subdivided area; for instance subarea “(C) Silver Strand,” limits density to one unit per lot in the RD1.5 zones, and subarea “(D) Marina Peninsula” limits R3 lots to two dwelling units per lot.) As a general example, for Subareas in which numbers of units per lot are not defined and restricted, a 4,500 square foot parcel in the RD1.5 zone may be subdivided into two small lots with one comprised of a single-family home and the other comprised of two residential units. This is possible since each unit averages 1,500 square feet of lot area. Resulting small lots cannot be further subdivided in the future, and cannot add future additional units.

7. AFFORDABLE REPLACEMENT UNITS: Projects in subarea “(F) North Venice,” and subarea “(G) Oakwood, Milwood, Southeast Venice,” that include demolition of Affordable Units (as determined by Los Angeles Housing Department—LAHD) are required to provide “Replacement Affordable Unit(s)” as defined in Section 5(T) of the Specific Plan when there are any units in excess of two units on newly resulting single lots. Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be permitted a density based on the “lot area per dwelling unit” calculation established for each residential zone. Affordable replacement unit requirements apply to multiple units on a single lot, and are not required if the density is spread over newly resulting lots so that no lot has an excess of two units. The requirement to replace an affordable unit will increase the number of units that would otherwise be permitted under the Small Lot Subdivision Ordinance only when the development includes three units on a lot. Mello Act requirements to replace affordable units still apply in all circumstances.
8. DENSITY: Density shall not exceed the density permitted by zoning of the original lot, which is the “lot area per dwelling unit” restriction for each zone as determined by the Los Angeles Municipal Code or the Venice Coastal Specific Plan.

INTERPRETATION: INDIVIDUAL SPECIFIC PLAN REGULATIONS AND ZONING, BY SUBAREA

Further clarification is provided below for each geographic subarea in Section 10 of the Specific Plan, (Land Use and Development Regulations for Subareas). The outline format below corresponds to the Specific Plan Subsections. The zoning for each Subarea is listed, and the relevant subsections of the text from the Specific Plan are repeated (in italics), followed by a detailed explanatory interpretation based on the General Principals described above. The language is often duplicative because each portion can be referenced separately, as needed by users (without need for cross-referencing).

A. BALLONA LAGOON WEST BANK

Zoning: RW1, RW2, OS, A1-1-XL

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW, OS, or A1 zoned properties.

B. BALLONA LAGOON (GRAND CANAL) EAST BANK

Zoning: C2, C4, RW2, OS-1-XL

*1. **Density.** Residential uses in commercial zones shall not exceed R3 Density.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or OS zoned properties.

*3. **(b) Setback/Yards.** An open Permeable yard with an area of at least 15 times the lot width and a minimum of 450 square feet shall be maintained between the property line which faces the water and the front of any structure.*

Interpretation:

This requirement pertains to all lots that abut the east bank of the Grand Canal.

*3. **(d) Setback/Yards.** The sideyard shall be consistent with LAMC requirements, but shall not be less than 3-1/2 feet.*

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, sideyards shall measure 5 feet where a lot abuts a lot that is not created as part of the small lot subdivision. Pursuant to the Small Lot Subdivision Ordinance, no front, side, or rear yard shall be required between lots within an approved small lot subdivision.

C. SILVER STRAND

Zoning: R1, [T][Q]RD1.5, R3

1. **Density.** *In the R1 and [Q]RD1.5 Zones, all Venice Coastal Development Projects shall be limited to a maximum density of one dwelling unit per lot.*

Interpretation:

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on R1 zoned properties.

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. Maximum density permitted is one unit per newly resulting lot.

In the R3 zone, small lot subdivisions are only permitted where the resulting lots are 800 square feet or more on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

D. MARINA PENINSULA

Zoning: C1, C4, [Q]C2, R3, RW2, [Q]PF 1-XL

1. **(a) Density.** *On commercially-zoned lots, no residential or commercial/residential mixed-use Venice Coastal Development Project shall exceed a density greater than the density permitted in the R3 zone.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to the Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

1. **(b) Density.** *On R3 zoned lots, a maximum of two dwelling units per lot shall be permitted, and the lot area per dwelling unit shall not be less than 1200 square feet.*

Interpretation:

In the R3 zone, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or PF zoned properties.

Example:

In the R3 zone, a 4,800 square foot lot is permitted 4 units. Therefore, based on the density permitted by the zone, the parcel may be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit.

3. **(a) Access.** *Driveways and vehicular access to Venice Coastal Development Projects on lots adjacent to Ocean Front Walk shall be provided from Speedway, only....*

Interpretation:

Driveways and vehicular access to each resulting lot shall be from Speedway.

3. **(b) Access.** *Vehicular access to Venice Coastal Development Projects on lots located adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue...*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Pacific Avenue.

3. **(c) Access.** *Vehicular access to Venice Coastal Development Projects on lots located adjacent to Walk Streets shall be from streets or alleys other than Walk Streets.*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

E. VENICE CANALS

Zoning: OS-1-XL, OS-1-XL-0, RW1, RD1.5, RD3, R3, C2

(Silent on density)

Interpretation:

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average. In the RD3 zone, small lot subdivisions are only permitted where the resulting lots are 3,000 or more square feet on average. In the R3 and C2 zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average. For all above listed zones, any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on RW or OS zoned properties.

F. NORTH VENICE

Zoning: OS, OS-1-XL-O, P, PF-1-XL, RD1.5, R3, [Q]R3, C1, [T](Q)C1, C2, C1-CA, (Q)C1-CA, C2-CA, [T][Q]C1.5-CA, (Q)C2, [T][Q]C2-CA, C4, (Q)C4, CM, [T][Q]CM-1, M1

2. (a) Density—Residential Zone. *A maximum of two dwelling units per lot shall be permitted for all Venice Coastal Development Projects on multiple-family residentially-zoned lots. However, the lot area per dwelling unit shall not be less than 1,500 square feet on RD1.5 zoned lots and 1,200 square feet on R3 zoned lots;*

Interpretation:

On existing lots 4,000 square feet or less, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average for R3 zoned lots, and 1,500 or more square feet on average for RD1.5 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the “minimum lot area per dwelling unit” (1,200, 1,500) average requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Example:

In the R3 zone, a 4,000 square foot lot is permitted 3 units. Therefore, based on the density permitted by the zone, the parcel may be divided into three lots each with one unit; or two lots, one with two units and one with one unit. A single lot with three units would not be permitted.

2. (a) Density—Residential Zone. *(continued) ;except that Venice Coastal Development Projects on lots greater than 4,000 square feet are permitted one unit for each 1,500 square feet on RD1.5 zoned lots or one unit for each 1,200 square feet on R3 zoned lots, provided that all units beyond the first two are Replacement Affordable units.*

Interpretation: On existing lots greater than 4,000 square feet, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, for R3 zoned lots, and 1,500 or more square feet on average for RD1.5 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance.

The total number of units resulting from the small lot subdivision is dependent on the “minimum lot area per dwelling unit” (1,200, 1,500) average requirement. On newly resulting lots, three units may be constructed on a lot, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 1,200 or 1,500 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the “minimum lot area per dwelling unit” calculation. Mello Act requirements to replace affordable units still apply.

Examples: In the R3 zone, a 4,800 square foot lot with two existing Affordable Units (as defined in Specific Plan), is permitted up to 4 units if two of the units are Replacement Affordable. Therefore, based on the density permitted by the zone, the parcel may contain one lot with three units (if one of the units is Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum); or be divided into

four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. In the R3 zone, a 4,800 square foot lot with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan) is permitted two units. Therefore, based on the density permitted by the zone, the parcel may be divided into four small lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. A single lot with more than two units would not be permitted.

2. (b) Commercial Zones. *No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed the density permitted in the R3 Zone.*

Interpretation:

In commercial zones small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on OS, PF, M1 zoned properties.

4. (a) Setback. *The front yard setback for all residential Venice Coastal Development Projects shall be consistent with LAMC requirements, but shall not be less than five feet. Ground level patios, decks, landscaping and railings, wall and fences that do not exceed six feet in height may encroach into this setback, provided they observe a setback of one foot.*

Interpretation:

Front yard setbacks shall not be less than five feet. Ground level patios, decks, landscaping, railings, walls, and fences may only encroach into setbacks, if they are six feet or less and height and observe a one-foot setback.

5. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleys...*

Interpretation:

Driveways and vehicular access to each resulting lot shall be from alleys, where present.

5. (b) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Pacific Avenue shall be provided from streets other than Pacific Avenue...*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Pacific Avenue.

5. (c) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be from streets or alleys other than Walk Streets.*

Interpretation:

Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

G. OAKWOOD, MILWOOD, SOUTHEAST VENICE

Zoning (Oakwood): OS, P, PF, [Q]PF-1-XL, RD1.5, RD2, R3, C2, [Q]C2, C4, CM, [T][Q]CM, M1

Zoning (Milwood): PF, R2, RD1.5, RD3, R3, C2

Zoning (Southeast Venice): OS, OS-1-XL, [Q]PF-1-XL, R1, R2, R3, RD1.5, RD6, C2, C4, (Q)C4, M1

2. (a)(1) Density—Residential Zones. R2 Zone. *A maximum of two dwelling units per lot shall be permitted on lots less than 5,000 square feet in area. For lots greater than 5,000 square feet in area, one additional dwelling unit shall be permitted for each additional 2,000 square feet of lot area, provided that the dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the R2 zone, small lot subdivisions are only permitted on existing lots 4,000 square feet or greater, where the original lot is adjoining a commercial or industrial zone, and if the small lot subdivision does not extend more than 65 feet from the commercial or industrial zone pursuant to the Small Lot Subdivision Ordinance (LAMC 12.22 C.27 and LAMC 12.09 A.3). The resulting lots shall measure (pursuant to the Specific Plan) 2,000 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 2,000 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Furthermore, on existing R2 lots greater than 5,000 square feet, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 2,000 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the “minimum lot area per dwelling unit” calculation. Mello Act requirements to replace affordable units still apply.

Examples: In the R2 zone, a 4,000 square foot lot next to a commercial or industrial zone may be developed as one lot with two units, or be divided into two lots each with one unit. An 8,600 square foot lot with two existing Affordable Units (as defined in Specific Plan), that is next to a commercial or industrial zone may be developed with three units on the one lot (if two of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum), or be divided into four small lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit.

2. (a)(2) Density—Residential Zones. RD1.5 and RD2 Zones. *A maximum of two dwelling units per lot shall be permitted for all lots; provided, however, that where a lot has a lot area in excess of 4,000 square feet, one additional dwelling unit shall be permitted for each additional 1,500 square feet of lot area in the RD1.5 Zone, and one*

additional dwelling unit shall be permitted for each additional 2,000 square feet in the RD2 Zone, provided the additional dwelling unit is a Replacement Affordable Unit.

Interpretation:

In the RD1.5 zone, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. On RD1.5 and RD2 zoned lots, small lot subdivisions are only permitted where the resulting lots are 1,500 or more square feet on average for RD1.5 zoned lots, and 2,000 or more square feet on average for RD2 zoned lots, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. A maximum of two units may be constructed on newly resulting lots, where the existing lot size is 4,000 square feet or less, and only if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Furthermore, on existing RD1.5 and RD2 lots greater than 4,000 square feet, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 2,000 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the “minimum lot area per dwelling unit” calculation. Mello Act requirements to replace affordable units still apply.

Example: In the RD1.5 zone, a 4,100 square foot lot is permitted 2 units. Therefore, based on the density permitted by the zone, the site may be developed as one lot with two units or be divided into two lots each with one unit. In the RD1.5 zone, 7,200 square foot lot with two existing Affordable Units (as defined in Specific Plan), may be developed with three units on the one lot (if one of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum), or be divided into four lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit. However, a 7,200 square foot lot in the RD1.5 zone with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan), may be divided into four small lots each with one unit; two lots, each with two units; three lots one with two units and two with one unit. A single lot with more than two units would not be permitted.

2. (a)(3)(i) Density—Residential Zones. R3 Zone. *Lots located...(in certain locations).....shall be developed as permitted by the R3 Zone.*

Interpretation:

In the R3 zone in these defined locations, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The total number of units resulting from the small lot subdivision is dependent on the 800 square feet per lot average requirement. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the net density will be the same.

The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

2. (a)(3)(ii) Density—Residential Zones. R3 Zone. *All other lots. A maximum of two dwelling units per lot shall be permitted. The lot area per dwelling unit shall not be less than 1,200 square feet. One additional dwelling unit shall be permitted for each additional 1,200 square feet of lot area if the dwelling unit is a Replacement Affordable Unit.*

Interpretation:

In the R3 zone generally, small lot subdivisions are only permitted where the resulting lots are 1,200 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. Up to two units may be constructed on newly resulting lots. The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet per lot average requirement, even if the resulting subdivision includes lots that contain two units.

Furthermore, on R3 lots, three units may be constructed on newly resulting lots, provided that the third unit is an Affordable unit, as defined in subsection (T) under Section 5 of the Specific Plan, (Definitions); the third unit, to be permitted, must be replacing an existing unit as determined by the Los Angeles Housing Department (LAHD). Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the combined maximum density is the same: a minimum of 1,200 square feet per unit. In no case shall the density of the resulting lots and units be greater than the square foot per lot average requirement. Providing Replacement Affordable units permits a greater number of units on individual lots (three rather than two), but does not grant density above the “minimum lot area per dwelling unit” calculation. Mello Act requirements to replace affordable units still apply.

The total number of units resulting from the small lot subdivision is dependent on the 1,200 square feet average per lot requirement. A maximum of two dwelling units is permitted on each newly resulting lot if the lot size permits. Whether the resulting subdivision creates lots that contain single units or lots with multiple units, the maximum net density is the same.

Example:

In the R3 zone, a 4,800 square foot lot is permitted 4 units. Therefore, in the R3 zone, a 4,800 square foot lot with two existing Affordable Units (as defined in Specific Plan), is permitted up to 4 units if two of the units are Replacement Affordable. Based on the density permitted by the zone, the parcel may contain three units (if one of the units are Replacement Affordable—and pursuant to Small Lot Subdivision, three units per lot is maximum); or be divided into four lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit. In the R3 zone, a 4,800 square foot lot with no existing units or with units not meeting the definition of Affordable Units (as defined in the Specific Plan) is permitted 2 units. Therefore, based on the density permitted by the zone, the parcel may be divided into four small lots each with one unit; or two lots, each with two units; or three lots one with two units and two with one unit.

2. (b) Density—Commercial Zones. R3 Zone. *No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed a density of that allowed in the R3 zone.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

4. (a) Access. *Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleyways...*

Interpretation:

Driveways and vehicular access to each resulting lot shall be from alleys, where present.

4. (b) Access. *Vehicular access to Venice Coastal Development Projects located adjacent to Walk Streets shall be provided from streets or alleys other than Walk Streets.*

Interpretation: Driveways and vehicular access to each resulting lot shall not be from Walk Streets.

H. OXFORD TRIANGLE

Zoning: R1, C2, C4(OX), [Q]PF-1-XL

1. Density. *Commercial Zones. No residential Venice Coastal Development Project shall exceed a density that is allowed in the R3 Zone, except as permitted by the Oxford Triangle Specific Plan.*

Interpretation:

In commercial zones, small lot subdivisions are only permitted where the resulting lots are 800 or more square feet on average, and any individual lot area shall be 600 or more square feet, pursuant to Small Lot Subdivision Ordinance. The “minimum lot area per dwelling unit” restriction is 800 square feet, based on the R3 zone. The combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision.

Pursuant to the Small Lot Subdivision Ordinance, a small lot subdivision may not be utilized on R1 or PF zoned properties.

(The Oxford Triangle Specific Plan permits additional density when housing developments provide low and/or moderate income housing and/or housing for the elderly. The decision-making body in such instances would be the Area Planning Commission or City Planning Commission on Appeal.)

DISCUSSION

Section 11.5.7 F.3 of the Los Angeles Municipal Code authorizes "Interpretations of Specific Plans." The Director of Planning has the authority to interpret specific plans when there is a lack of clarity in the meaning of their regulations. With regard to the Small Lot Subdivision Ordinance, which was adopted after the adoption of Venice Coastal Specific Plan, the subject interpretation clarifies the maximum number of permitted units, number of subdivided lots, number of required parking spaces, location of driveways, and minimum setback requirements relative to each zone and each subarea within the Specific Plan. The process for a Director's Interpretation requires the Decision be drafted and transmitted as done for Project Permit Compliance Decisions. The subject document, upon being published, will be reviewed by the community, including the Venice Neighborhood Council. The City Planning Commission shall hear appeals on Director's Interpretations which affect an entire specific plan area, as the subject Interpretation does.

This Interpretation is comprised of clarifications of specific provisions tailored to the particular conditions and circumstances of Venice Coastal Specific Plan. Whenever provisions of the Specific Plan differ from provision contained in the Los Angeles Municipal Code, including those covered by the Small Lot Subdivision Ordinance, the Specific Plan supersedes those other regulations, including density (in terms of number of units on a lot), lot area (lot consolidation limitations), setbacks, and parking. However, where provisions are silent in the Venice Coastal Specific Plan, regulations of the Los Angeles Municipal Code (LAMC), including 12.22 C.27 apply. For example, where the Specific Plan further reduces the "minimum lot area per dwelling unit" restriction, this square foot minimum is honored, but because the Specific Plan restricts quantities of units and not quantities of lots, lot subdivisions pursuant to the Small Lot Subdivision are permitted. Parking, setbacks, and access all follow the Venice Coastal Specific Plan requirements, which are more restrictive than the LAMC.

Generally, under the Subject Interpretation, the combined density of the newly resulting lots does not exceed the permitted density of the original lot, pre-subdivision. That is, small lot subdivisions result in the same number of units that would otherwise be permitted for condominiums to be built on the properties in most cases. The only exception to this is the Affordable Replacement units, and circumstances in which the number of units on individual lots is limited. The interpretation makes a distinction between multiple unit lots, (e.g. additional units permitted when Affordable Replacement units are provided) and the ability to subdivide the land with individual lots and individual units. As clarified in the subject Interpretation, newly resulting lots may not contain more than three units. This approach, pursuant to the Small Lot Subdivision Ordinance, is more restrictive than the Venice Coastal Specific Plan in some Subareas and some zones. It offsets the fact that in Subareas which restrict density by limiting the number of units on a lot by a defined number, the combined density of the newly resulting lots may exceed the permitted density of the original lot, pre-subdivision (but not more than by one unit per newly resulting lot).

Another option would have been to outright limit the number of subdivisions that can occur (or newly resulting lots) to be consistent with the number of units per lot limitation as expressed per zone in Subareas. If this were the case, unit restrictions prescribed for Subareas would apply over the entire area (the lot as pre-subdivided), even once it is subdivided. Yet, this is not consistent with the intent of the Venice Coastal Specific Plan which does not restrict quantities of lots (subdivisions), and which limits number of units on lots not to restrict density per se, but to limit the scale and massing of larger buildings that would result if a greater number of units were to be permitted on single lots. Furthermore, how the Small Lot Subdivision Ordinance addresses R2 lots was examined for reference, since it is the only instance (besides RW zones, in which Small Lot Subdivisions are not permitted) where the Los Angeles Municipal Code places a numerical limit (2) on the number of units per lot (similar to some Subareas of the Specific Plan).

The Small Lot Subdivision Ordinance doesn't limit the newly resulting lots in R2 zones to two lots; the number of resulting lots is instead based on a "lot area per dwelling unit" number. This approach is maintained in the subject Interpretation. This Director's Interpretation is actually more restrictive than the Small Lot Subdivision Ordinance as it pertains to R2 lots; generally (outside of the Venice Coastal Specific Plan), lots are permitted to be divided based on the "lot area per dwelling unit and guest room regulations of the R3 zone," not limited to 2,000 square feet averaged (as in the Venice Coastal Specific Plan) and as clarified above. The Interpretation allows for lot size averaging since it is expressly permitted in the Small Lot Subdivision Ordinance, and silent in the Specific Plan.

Small lot subdivisions, when permitted as outlined in this Interpretation, meet the density requirements established by zoning through the Venice Coastal Specific Plan and the Los Angeles Municipal Code. The Small Lot Subdivision Ordinance was created with the objectives of reducing the cost of home ownership and generating creative housing solutions, such as modern versions of bungalow courts, courtyard housing and row houses. These are objectives shared by the Venice community and consistent with the intent of the Specific Plan. Small lot subdivisions are expected to create individual buildings that are less bulky and large, as compared to single structures containing multiple units. For this reason, new construction pursuant to the Small Lot Subdivision Ordinance is likely to produce results consistent with traditional development patterns for Venice.

APPEAL PERIOD – EFFECTIVE DATE

This matter will become final and effective 15 days after the date of this published Interpretation, the day after the appeal period ends, as indicated on this document's first page, unless an appeal therefrom is filed with the Department of City Planning. In order to be accepted, any appeal must be filed on the prescribed forms, be accompanied by the required fee and a copy of this letter, and be received and receipted on or before the appeal period end date (see the first page of this document) at one of the following Department of City Planning Public Offices:

Figueroa Plaza
210 N. Figueroa Street, Fourth Floor
Los Angeles, CA 90012-2601
Phone: (213) 482-7077

Braude Municipal Building
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
Phone: (213) 374-5050

It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections and/or incompleteness may be corrected before the appeal period expires. As per Section 11.5.7(H)(3) of the Los Angeles Municipal Code, the City Planning Commission shall hear appeals on Director Interpretations that are applicable to the entire Plan Boundary.

APPROVED BY:

Signature on File

Betsy Weisman
Division Manager

PREPARED BY:

Shana Bonstin
City Planner
(213) 978-1207

c: **Councilmember Bill Rosendahl, 11th District**
Department of Building and Safety
Coastal Commission
Venice Neighborhood Council
Interested Parties