

Venice Neighborhood
Council

Post Office Box 550

Venice, CALIFORNIA 90294



Land Use and Planning
Committee
MINUTES
January 28, 2009



SMALL LOT SUBDIVISION ORDINANCE VENICE EFFECT DISCUSSION BEGINS on Page 2, I.7

1 **1. CALL TO ORDER AND ROLL CALL**

2

3 Challis Macpherson called the meeting to order at 6:38 pm. Committee

4 members present: Challis Macpherson, Kelli Li, Jim Murez, Jed Pauker, and

5 John Reed. Robert Aronson, Ruthie Seroussi and Arnold Springer arrived

6 later.

7 **2. APPROVAL OF THIS AGENDA AS PRESENTED OR AMENDED**

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9 There being no objection, the Agenda was approved.

10

11 **3. APPROVAL OF OUTSTANDING MINUTES**

12

13 Postponed.

14

15 **4. ANNOUNCEMENTS**

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17 Jim Murez reported that the pool at Venice High School will have a re-
18 opening event on Saturday February 7, 2009, and that programs at the pool
19 have resumed.

20

21 **5. PUBLIC COMMENT**

22

23 None noted.

24

25 **6. CONSENT CALENDAR:**

26

1 1715 Pacific—Kelli Li has agreed to research this project; 733 East Nowita—Jed
2 Pauker will up on this project. These two items were removed from the Consent
3 Calendar.

4
5 **7. NEW BUSINESS**

6
7 **A. Explanation of how the Small Lot Subdivision Ordinance relates to Venice**
8 **Coastal Zone Specific Plan (VCZSP).**

9
10 The Small Lot Subdivision Interpretation, which will be released on
11 Monday, January 26, 2009 1. Small Lot Subdivision (Town Home)
12 Ordinance Summary: A new ordinance (2005) permitting small lot, fee-
13 simple ownership opportunities in commercial and multi-family
14 neighborhoods has recently been adopted. The new law provides an
15 entirely new housing option which allows people to purchase a house and
16 the lot it sits on, just like they do in a single family neighborhood, rather
17 than a unit in a condominium. 2. Properties zoned for multi-family
18 residential use may be subdivided into much smaller lots than is required
19 today, while complying with the density requirements established by both
20 the zoning and the General Plan. It is anticipated that the ordinance will
21 reduce the cost of home ownership and generate creative housing
22 solutions, such as modern versions of bungalow courts, courtyard housing
23 and row houses. Documents posted to LUPC section of VNC website:
24 The Small Lot Subdivision Ordinance; Small Lot Subdivision Design
25 Guidelines, FYI; The Small Lot Subdivision Advisory Policy from 2006,
26 FYI; Venice Community Profile Population, Housing, Employment
27 Projections Plan Population and Dwelling Unit Capacity. 3. Detailed
28 comparison between Small Lot Subdivision Ordinance and the Venice
29 Coastal Specific Plan is contained in the Director's Interpretation, to be
30 released on Monday. The Small Lot Subdivision Ordinance, was adopted
31 after the adoption of Venice Coastal Specific Plan and the subject
32 interpretation clarifies the maximum number of permitted units, number of
33 subdivided lots, number of required parking spaces, location of driveways,
34 and minimum setback requirements relative to each zone and each
35 subarea within the Specific Plan. 5. Section 11.5.7 F.3 of the Los
36 Angeles Municipal Code authorizes "Interpretations of Specific Plans." The
37 Director of Planning has the authority to interpret specific plans when
38 there is a lack of clarity in the meaning of their regulations. This Director's
39 Determination is called a "Director's Interpretation" and is the formal way
40 to publicly clarify a point of confusion (or differing interpretations). The
41 process for a Director's Interpretation requires the Decision be drafted and
42 transmitted as done for Project Permit Compliance Decisions. The subject
43 document, upon being published, will be reviewed by the community,
44 including the Venice Neighborhood Council. The City Planning

1 Commission shall hear appeals on Director's Interpretations which affect
2 an entire specific plan area, as the subject Interpretation does. I do not
3 have the authority to change this process. I wish there were a way to
4 present to you our interpretation first, get your specific feedback, and then
5 issue the determination. The Section of the LAMC authorizing Director's
6 Interpretations is copied here: H. Interpretations of Specific Plans. The
7 Director shall have authority to interpret specific plans when there is a lack
8 of clarity in the meaning of their regulations. 1. Application Procedure. To
9 request a specific plan interpretation, an applicant shall file an application
10 with the Department of City Planning pursuant to the application
11 procedure set forth in Paragraph (a) of Subdivision 2 of Subsection B of
12 this section. The application shall include a reference to the specific plan
13 regulation(s) for which clarification is requested and a narrative description
14 of why a clarification is necessary for the project or subject property
15 involved. 2. Director's Decision. Upon receipt of a deemed complete
16 application, the Director's written interpretation shall be subject to the
17 same time limit to act, transmittal requirement and effective date of
18 decision as set forth in Paragraphs (a) through (c) of Subdivision 4 of
19 Subsection C. 3. Appeals. The City Planning Commission shall hear
20 appeals on Director interpretations which affect an entire specific plan
21 area or any of its subareas, and the Area Planning Commission shall hear
22 appeals on Director interpretations which are applicable only on a site
23 specific basis. The procedures for filing and processing appeals of
24 Director interpretations shall otherwise be the same as those set forth in
25 Subdivision 6 of Subsection C of this section. LAMC Section 11.5.7 in its
26 entirety is posted. Section H is at the bottom of page 7.

27
28 Shana Bonstin gave a brief summary of the Venice Coastal Zone Specific
29 Plan and the Small Lot Subdivision Ordinance, noting the Ordinance's
30 intent to permit fee simple ownership as an alternative to condominiums
31 and referred to confusion with regard to areas subject to Specific Plans, as
32 is Venice. Ms. Bonstin referred to the Director's interpretation method as
33 the most clear way to resolve Small Lot Subdivision issues that arise in
34 areas subject to Specific Plans, but stated that this method does not allow
35 for public hearings or meetings prior to the interpretation being issued by
36 the Planning Department and also pointed out that this is not intended to
37 be a mechanism to create new policy.

38
39 Responding to Edwin Wolf's question, Shana Bonstin stated that the
40 Director's interpretation can be considered as an addendum to the
41 Specific Plan. Jim Murez asked for the end date for the appeal period and
42 was told February 10 is the last date to accept an appeal from the public.
43 Challis Macpherson asked if a request for more time could be submitted
44 as an appeal. Robert Aronson asked for clarification of why public

1 hearings are not allowed in the issuance of a Director's interpretation. Mr.
2 Aronson stated that the process as defined is unfair and appears
3 inappropriate. Ms. Bonstin described controlling factors with regard to
4 parking. There was discussion about the interpretation. Ms. Bonstin then
5 described controlling factors regarding driveways, front, rear and side yard
6 setbacks. There was discussion about the interpretation. Ms. Bonstin
7 then described controlling factors regarding multiple lots and lot area
8 requirements per zone. There was discussion about the interpretation and
9 provision for replacement of affordable units. Jim Murez referred to
10 calculation of lot square footage. Ms. Bonstin described controlling factors
11 regarding density. Ms. Seroussi questioned density calculation and lot
12 size. Challis Macpherson referred to a multifamily project reviewed by
13 LUPC and was told that if the project had been condominiums, it would
14 have been approved. Arnold Springer discussed at great length his
15 contention that the Venice Coastal Zone Specific Plan should be revised.

16
17 David Ray referred to a multifamily project he designed and clarified the
18 intention to abide by the Venice Coastal Zone Specific Plan. Mr. Ray also
19 shared his thoughts about affordable housing in Venice, and stated that
20 the Venice Coastal Zone Specific Plan has restricted affordable housing in
21 Venice. Mr. Ray agreed that the Venice Coastal Zone Specific Plan
22 should be revised. Frank Murphy asked for clarification of changed
23 interpretation and stated that the affordable unit interpretation would be a
24 problem. Ms. Bonstin responded to Arnold Springer's question by
25 identifying areas that have lots that are larger.

26
27 Challis Macpherson moved to send this issue on to the Venice Board of
28 Governors for discussion; seconded by Jed Pauker.

29
30 Challis Macpherson withdrew her motion; Jed Pauker withdrew his second.

31
32 **John Reed moved to recommend that the Venice Neighborhood Council**
33 **Board of Governors disagree with the Director's Interpretation of the Small**
34 **Lot Subdivision Ordinance as it applies to the Venice Coastal Zone Specific**
35 **Plan and ask that the Planning Department reconsider a prior LUPC motion**
36 **dated ... ; seconded by Jim Murez.**

37
38 **VOTE: Unanimous in favor. The motion passed.**

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40 B. Draft of proposed LUPC motion to recommend to VNC Board regarding
41 Marina del Rey development:

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43 **Whereas** Los Angeles County is redeveloping the unincorporated area of
44 Marina del Rey (the "Project").