

## FINDINGS

### DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES/WAIVERS FINDINGS (12.22 A.25)

1. **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 On-menu incentives are not necessary 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.

Based on the set-aside of 18 percent of base units (2 units) for Very Low Income households, the applicant is entitled to up to three (3) Incentives under both Government Code Section 65915 and LAMC 12.22 A 25. Therefore, three (3) On-Menu requests qualify as the proposed development's Incentives including the requests to: (a) permit a 20% decrease in the required north side yard setback to allow a side yard setback of 4 feet and 10 inches lieu of the 6 feet required for the residential levels in the C1 zone pursuant to LAMC 12.13. C.2.(c)., (b) permit a 20% decrease in the required south side yard setback to allow a side yard setback of 4 feet and 10 inches lieu of the 6 feet required for the residential levels in the C1 zone pursuant to LAMC 12.13. C.2.(c), and (c) permit a 9-foot increase in the allowable height to allow a building height of 39 feet in lieu of the 30-foot height limit required of Flat Roofs in the North Venice Subarea pursuant to the Venice Coastal Zone Specific Plan Section 10. F.3.a. The remaining requests are Waivers of Development Standards and include requests to: (d) permit an 8% increase in allowed floor area ratio to allow 13,210 square feet of floor area in lieu of the 12,247.95 square feet permitted pursuant to LAMC 12.21.1. A.1., (e) permit 6 compact parking stalls and 10 standard stalls in lieu of the 1 standard parking stall per dwelling unit minimum required pursuant to LAMC 12.21 A 5 c., (f) allow the provision of 0 off-street automobile parking spaces devoted to commercial uses in lieu of the 8 off-street automobile parking spaces required by the Venice Coastal Zone Specific Plan Section 13. D. and E.1., (g) Allow three (3) roof access structures in lieu of the single roof access structure permitted pursuant to the Venice Coastal Zone Specific Plan, and

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(h) allow roof access structures greater than 100 square feet, in lieu of the 100 square feet maximum exterior dimension permitted by the Venice Coastal Zone Specific Plan Section 9.C.1.D.

*Reduced Northerly Side Yard:* The subject site is comprised of two adjacent lots located in the C1-1 Zone. Typically, portions of structures erected and used for residential purposes in the C1-1 Zone are required to provide side yards equal to ten percent of the lot width (not to exceed five feet) plus one foot for each story above the second. The proposed project is a three-story building with commercial uses on the ground floor and two levels of residential apartment units on top on a site that is 55 feet wide. Based on the criteria provided in the LAMC, the project is required to provide 6-foot side yards at its residential levels. The project requests a 20% decrease to its northerly side yard to allow a yard of 4'-10" at the residential levels in lieu of the 6' required by LAMC 12.13. C.2.(c).

The proposed building provides 16 total residential apartment units, including two (2) units reserved for Very Low Income households, on two levels over one ground floor level of commercial uses. Overall, the project provides 11,132 square feet of floor area on its residential levels. The building includes a mix of studio and one-bedroom apartments with an average per-unit size of 514 square feet. By expanding the available building envelope, the project is able to provide 330 additional square feet of floor area across its residential levels. The additional square footage permitted by the reduction of the northerly side yard decreases the marginal costs of providing the units reserved for Very Low Income households. Each of the building's studio units, for instance, are 277 square feet. If the building were to adhere strictly to the 6-foot side yard required in the C1-1 Zone, it would be limited in the size and/or number of units it could provide, undermining the project's financial feasibility by increasing the marginal costs of providing the units reserved for Very Low Income households. The increased building envelope provided by the side yard reduction makes the project financially feasible. Therefore, the reduced northerly side yard would result in identifiable and actual cost reductions to provide for the project's affordable housing costs.

*Reduced Southerly Side Yard:* The subject site is comprised of two adjacent lots located in the C1-1 Zone. Typically, portions of structures erected and used for residential purposes in the C1-1 Zone are required to provide side yards equal to ten percent of the lot width (not to exceed five feet) plus one foot for each story above the second. The proposed project is a three-story building with commercial uses on the ground floor and two levels of residential apartment units on top on a site that is 55 feet wide. Based on the criteria provided in the LAMC, the project is required to provide 6-foot side yards at its residential levels. The project requests a 20% decrease to its southerly side yard to allow a yard of 4'-10" at the residential levels in lieu of the 6' required by LAMC 12.13. C.2.(c).

The proposed building provides 16 total residential apartment units, including two (2) units reserved for Very Low Income households, on two levels over one ground floor level of commercial uses. Overall, the project provides 11,132 square feet of floor area on its residential levels. The building includes a mix of studio and one-bedroom

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apartments with an average per-unit size of 514 square feet. By expanding the available building envelope, the project is able to provide 330 additional square feet of floor area across its residential levels. The additional square footage permitted by the reduction of the southerly side yard decreases the marginal costs of providing the units reserved for Very Low Income households. Each of the building's studio units, for instance, are 277 square feet. If the building were to adhere strictly to the 6-foot side yard required in the C1-1 Zone, it would be limited in the size and/or number of units it could provide, undermining the project's financial feasibility by increasing the marginal costs of providing the units reserved for Very Low Income households. The increased building envelope provided by the side yard reduction makes the project financially feasible. Therefore, the reduced southerly side yard would result in identifiable and actual cost reductions to provide for the project's affordable housing costs.

*Height Increase:* The subject site is on a parcel located in the North Venice Subarea of the Venice Coastal Zone Specific Plan. Typically, structures with flat roofs in the North Venice Subarea are limited to a height of 30 feet. The proposed project is a three-story building with commercial uses on the ground floor and two levels of residential apartment units, including two units reserved for Very Low Income households, on top. The project requests a 9-foot height increase in height to allow 39 feet in lieu of the 30 feet allowed pursuant to the Venice Coastal Zone Specific Plan Section 10. F.3.a.

The proposed building provides 16 total residential apartment units, including two (2) units reserved for Very Low Income households, on two levels over one ground floor level of commercial uses. The building's first story reaches a height of 15 feet and 4 inches from grade (the centerline of Ocean Front Walk), a typical height for ground floor commercial levels in the Venice neighborhood. The residential second story and its ceiling building materials reach 11 feet and 6 inches above the commercial floor and the third story reaches another 11 feet and 6 inches above that. The eight inch parapet wall completes the building for a total height of 39 feet. The additional height provided by the requested increase allows the project to provide eight of its 16 affordable units, including one of two units reserved for Very Low Income households. The square footage provided by the residential third level decreases the marginal costs of providing the units reserved for Very Low Income households. If the building were to adhere to the 30-foot height limit imposed on structures in North Venice Subarea of the Venice Coastal Zone Specific Plan, it would be limited to only half of the units it proposes, undermining the project's financial feasibility by increasing the marginal costs of providing the units reserved for Very Low Income households. The increased number of units provided by the height increase makes the project financially feasible. Therefore, the nine feet of increased height would result in identifiable and actual cost reductions to provide for the project's affordable housing costs.

- b. The Incentive 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 (Government Code Section 65915(d)(1)(B) and 65589.5(d)).**

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

**c. The concession or incentive would be 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 five (5) Waivers of Development Standards, pursuant to Government Code Section 65915.

**2. 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 construction of the project would be physically precluded without the waiver(s) or reduction(s) of development standard(s)**

A project that provides 18 percent of its 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 requests below are recommended as a Waivers of Development Standards. Without the below Waivers, the existing development standards would preclude development of the proposed density bonus units including the units reserved for Very Low Income Households:

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*FAR Increase:* The proposed project is planned for the C1-1 Zone of the Venice Community Plan Area. Properties located in the C1-1 Zone are typically allowed a floor area ratio (FAR) equal to 1.5 square feet of building floor area to each (1) square foot of buildable lot area pursuant to LAMC 12.21.1. A.1. The applicant requests an On-menu waiver of development standard to increase the allowable floor area ratio by 8 percent to 1.62:1 in lieu of the 1.5:1 allowed in the C1-1 Zone.

Were the project to adhere to the allowable FAR in the C1-1 zone, its total square footage would be limited to 12,247.95 square feet. Since the project is providing 10 additional units beyond the 6 allowed by its base density – including 2 units reserved for Very Low Income households – the building requires additional space to accommodate these units. Each unit has an average floor area of 514 square feet. The increased FAR makes possible the provision of an additional 962 square feet of floor area or approximately 1.9 units. The increased floor area is necessary for the building to its ten bonus units, including the two units reserved for Very Low Income Households. The increased building envelope makes the project physically feasible. Therefore, denial of the requested waiver of development standard would physically preclude construction of the project at the proposed density of 16 residential dwelling units including 2 units reserved for Very Low Income households.

*Compact Parking Increase:* LAMC 12.21 A.5.(c) permits stalls in a parking area or garage devoted to parking for dwelling uses to design parking stalls in excess of one [standard] parking stall per dwelling unit as compact stalls to accommodate compact cars. LAMC 12.21 A.5. (a)(1-2) requires standard parking stalls to have dimensions of at least 8.5 feet in width and 18 feet in length. The same section permits compact parking stalls provided for dwelling units to have dimensions of 7.5 feet in width and 15 feet in length. As shown on Sheet A2.10 of the project plans, the project proposes 16 parking stalls (with 12 of them in “stacked” positions), ten stalls with standard parking dimensions and six stalls with compact parking dimensions. This allows the project to provide standard parking, including an ADA parking stall, for ten units with additional parking provided for six vehicles in the form of compact stalls. Parking for the six non-ADA stalls along the southern wall of the garage are stacked using Park Plus brand double stacker car lift units. Each car stacker unit can fit two vehicles at a time – one on the bottom and one on the top - where only one vehicle can fit in a non-lifted parking space. Compact car stacker units are only equipped to be compatible with compact vehicles (i.e. a compact car lifter unit cannot expand to accommodate a standard car). As such, the project is designed so that the width of eight vehicle stalls are dimensioned from the front of the garage to the back of the garage (six of these stalls will be equipped with vehicle stacker units so there is actually room for eight vehicles along the southern wall) with two additional parking spaces in the garage’s northwest corner. (See Plan Sheet A2.10)

Conformity with the existing development standards requiring the provision of at least 1 standard parking stall for each dwelling unit would require the development to build its parking facilities beyond the legal boundaries of the property line or use floor area currently dedicated to the provision of residential units to accommodate its vehicle parking requirement, precluding development of the proposed base units, density bonus

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units and community-facing commercial units including its 2 Very Low Income dwelling units because the project cannot accommodate 16 automobile parking spaces with the standard dimensions required by strict compliance with the LAMC. By designing three parking stalls (six when stacked) of the proposed ten parking stalls (16 when stacked) as compact stalls, the project is able to offer a greater number of total parking spaces while devoting the floor area necessary to provide structural elements and required project amenities, including the stairwells, elevator shaft, recycling room, trash area, and 24 long-term bicycle parking spaces. Therefore, denial of the requested waiver of development standard would physically preclude construction of the project at the proposed density of 16 residential dwelling units including 2 units reserved for Very Low Income households.

*Commercial Parking Decrease:* Section 13.D of the Venice Coastal Zone Specific Plan requires one parking space for each 225 square feet of floor area for general retail uses. The proposed mixed-use project includes 1,350 square feet of floor area across two ground floor commercial units. Compliance with the commercial parking requirement would require an additional 6 parking spaces in conjunction with the 16 planned for the residential units. As the project is already providing the maximum number of stacked parking possible, any additional parking spaces would have to be provided in space currently devoted to residential uses. Due to the physical constraints of the site and limited space at grade level, the project is not physically able to provide additional floor area for parking facilities. Conformity with the existing development standards requiring the provision of 1 parking stall for each 225 square feet of floor area would preclude development of the proposed base units, density bonus units, structural elements, and required project amenities including 2 Very Low Income dwelling units because the project cannot physically accommodate an additional 6 automobile parking spaces, which would occupy approximately 918 square feet of floor area, or the equivalent of about two units. Therefore, denial of the requested waiver of development standard would physically preclude construction of the project at the proposed density of 16 residential dwelling units including 2 units reserved for Very Low Income households.

*Increased Number of Roof Access Structures:* The Venice Coastal Zone Specific Plan limits developments to one roof access structure per building. The proposed project includes a 1,000 square foot common roof deck which, in conjunction with the private balconies provided for each dwelling unit, completes the provision of 1,800 square feet of usable open space. Common open space for this project must be provided on the roof top in order to preserve adequate ground floor space for the retail and parking uses and to preserve internal building area for the provision of its residential dwelling units, including two units reserved for Very Low Income households. The applicant requests an Off-menu Waiver to increase the number of allowable roof access structures for the proposed project from one (1) to three (3), two (2) roof access structures for the stairs and one (1) roof access structure for the elevator.

Roof access structures are intended to allow ingress to and egress from a building's rooftop for maintenance, safety, and recreational purposes. The proposed project includes 16 residential dwelling units who share common open space available on the rooftop. At

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this level of occupancy, the Fire Department requires at least two (2) roof access stairways for emergency egress from the roof. Furthermore, the Americans with Disabilities Act Accessibility Guidelines require any multifamily building with accessible roof features to provide roof access via an elevator so that all residents, regardless of their physical ability level, have equal access to the roof, its amenities, and its emergency egress provisions. Compliance with the typical limit on the number of roof access structures would require the project to reduce the occupancy level of the building and to eliminate the planned rooftop open space in order to observe the Fire Department and Americans with Disabilities Act Access regulations. Therefore, the requested Waiver is necessary in order to include adequate open space facilities as well as the bonus and affordable dwelling units, including two units reserved for Very Low Income households.

*Increased Area of Roof Access Structures:* Section 9.C.1.D. of the Venice Coastal Zone Specific Plan limits the size of roof access structures to 100 square feet as measured from outside walls. The proposed project includes a 1,000 square foot common roof deck which, in conjunction with the private balconies provided for each dwelling unit, completes the provision of 1,800 square feet of usable open space. Common open space for this project must be provided on the roof top in order to preserve adequate ground floor space for the retail and parking uses and to preserve internal building area for the provision of its residential dwelling units, including two units reserved for Very Low Income households. The applicant requests an Off-menu Waiver to increase the allowable size of its roof access structures to two (2) 200-square foot structures for the stairs and one (1) 130-square foot structure for the elevator in lieu of the 100 square foot limit imposed in the Venice Coastal Zone Specific Plan.

Roof access structures are intended to allow ingress to and egress from a building's rooftop for maintenance, safety, and recreational purposes. The proposed project includes 16 residential dwelling units who share common open space available on the rooftop. At this level of occupancy, the Fire Department requires the size of roof access stairways to be 200 square feet to support safe rooftop egress for the building's residents, guests, and maintenance workers. Furthermore, the Americans with Disabilities Act Accessibility Guidelines require any multifamily building with accessible roof features to provide roof access via an elevator that can support a stretcher so that all residents, regardless of their physical ability level, have equal access to the roof, its amenities, and its emergency egress provisions. At 130 square feet, the roof access structure for the elevator meets this requirement. Compliance with the typical limit on the size of roof access structures would require the project to reduce the occupancy level of the building and to eliminate the planned rooftop open space in order to observe the Fire Department and Americans with Disabilities Act Access regulations. Therefore, the requested Waiver is necessary in order to include adequate open space facilities as well as the bonus and affordable dwelling units, including two units reserved for Very Low Income households.

- 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 waivers(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.

### **CONDITIONAL USE FINDINGS (LAMC 12.24 E)**

- 1. 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.**

The project will provide an essential service to the community, city and region through the provision of mixed-income housing units, including 2 new covenanted affordable units. The Density Bonus Ordinance permits a density bonus of up to 35 percent in exchange for setting aside 11 percent of the 11 base density units for Very Low Income Households. The State Density Bonus Law (Government Code Section 65915(n)) allows a city to grant a density bonus greater than 35 percent for a development, if permitted by a local ordinance. The City adopted the Value Capture Ordinance (Ordinance No. 185,373), codified in LAMC Section 12.24 U.26, to permit a density increase greater than 35 percent with the approval of a Conditional Use. In exchange for the increased density, the Value Capture Ordinance requires projects 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. The proposed project sets aside 18 percent of its base units for Very Low Income Households. Therefore, the project satisfies the minimum percentage of base density to be restricted to Very Low Income Households to be eligible for a density increase of 52.2 percent.

According to the most recent Regional Housing Needs Assessment (RHNA) which helped inform the Housing Element of the City of Los Angeles, the Plan to House LA adopted by the City Council in November 2021, the City needs to add at least 456,643



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housing units by the year 2030. Of those new housing units, 40 percent or 184,721 of them need to be accessible to Lower Income Households (0-80 percent of area median income). Specifically, 115,978 new units are needed for households in the Very Low Income category. Additionally, the Housing Element's Assessment of Fair Housing reports that 158,645 of the current renters in the City have incomes qualifying as Very Low Income. The City has determined that the shortage of affordable housing is an ongoing crisis in the City of Los Angeles.

The proposed building is designed with extensive glass elements, generous landscaping, and parking well-screened by visitor-facing commercial uses. The high degree of transparency, ample planter boxes visible from the street, and residential balconies on three sides contribute to the project's neighborhood-level scale and enhance the exiting unique character of the surrounding area. The 30 bicycle parking spaces that the project provides (Architectural Plan Sheet A0.00) coalesce with the existing bicycle and pedestrian facilities along Ocean Front Walk, Main Street, Abbot Kinney Blvd, and Venice Blvd.

The proposed increase in density beyond the 35 percent permitted by the Density Bonus Ordinance will allow for 2 Very Low Income units as well as a much-needed range of well-priced rental opportunities within the "bonus" market rate units. The additional density will provide essential residential opportunities in close proximity to community-facing commercial, employment, educational, and transportation resources.

**2. 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.**

The proposed project is the construction of a 3-story, 39-foot tall mixed-use building comprised of 16 dwelling units, including 2 Very Low Income units, and 2 units of ground floor commercial uses. The project will be 13,210 square feet in floor area with a Floor Area Ratio ("FAR") of 1.62:1. The project will provide 16 parking spaces in one at-grade parking level, in addition to 24 long-term and 6 short-term bicycle parking spaces. The residential units are located on all floors except the first-floor commercial level and will be comprised of four studios and twelve one-bedroom units. The building frontage is located along Ocean Front Walk, with two pedestrian entrances along its frontage, one dedicated to each commercial unit, and one pedestrian entrance along the southern wall dedicated to the residential uses. Vehicular access to the project's 16 residential parking spaces is proposed from Speedway Alley at the rear of the building and is completely concealed from the front (Ocean Front Walk and the sides (Park Avenue) by building materials and public facing retail uses. The subject site is currently vacant.

The proposed project site is located in an urbanized area. All adjacent properties are zoned for commercial and multifamily residential development and developed with a mix of older and newer two- and three-story mixed use, commercial, and multifamily residential structures. The area immediately surrounding the project site is characterized

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by low- and medium-density urban infill multifamily development combined with a mix of community-facing commercial and office uses lining the main thoroughfare.

The property directly to the south of the subject site (across Park Avenue) is developed with a two-story commercial building with a height of 30 feet. The parcel to the east of the subject site (across Speedway Alley), abutting it in the rear, is developed with a two-story, 9-unit multifamily residential building about 35 feet in height and a smaller two-story duplex, both with a total floor area ratio of 1.86:1. On the same street, approximately 90 feet from the subject site is a 16-unit multifamily residential building topping out at over 50 feet in height (16 E Thornton). To the north of the subject site is a mixed-use building with ground floor commercial and two residential units that reaches approximately 35 feet in height. The proposed project is consistent with the surrounding existing uses and similar in size, height, operations.

The proposed market rate dwelling units range in size from 277 square-foot studios to 673 square-foot one-bedroom units and make the most of the available floor area, offering a range of sizes and prices for effective inclusive, mixed income living with attractive amenities, including a common access roof deck. The building is designed to be visually appealing, combining glass fiber reinforced concrete (GFRC) panels and wood siding and ribbed concrete with the glass in the commercial and residential units' windows and doors. Ample transparency and sliding glass doors invite abundant sunlight into each unit (Architectural Plan Sheet A3.40-3.60). The proposed project also includes balconies and large window boxes on three sides for a natural green, human-scale character.

The mixed-use development is permitted at this location on the subject site as an allowable use by the underlying C1-1 Zone. As provided in the findings above, the project's density increase and corresponding height, FAR, yards, parking, and roof access structures are allowed by the underlying zone in combination with Density Bonus law. The high-quality residential uses in the planned development will bring much-needed market rate and affordable living space. The proposed Density Bonus project reflects the City's stated development goal of encouraging new multi-family housing, particularly Affordable and mixed-income housing, in Higher Opportunity Areas near transit, jobs, and community-facing commercial resources.

Given the project's location in the C1-1 Zone with proximity to public-facing amenities and resources, and the surrounding urbanized residential and commercial uses, the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

### **3. 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

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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 guiding communities' growth and development while reflecting their priorities and values. The General Plan serves as a constitution for development and a foundation for land use decisions.

The proposed project complies with all applicable provisions of the General Plan, the Venice Community Plan, and the Venice Coastal Zone specific plan by satisfying the growing demand for affordable and market-rate housing and by providing transportation and public-facing retail opportunities that coalesce with higher-level GHG emissions reduction goals on the state and local levels.

### *General Plan – 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 Element responds to State and Federal mandates to plan for the City of Los Angeles' future. The General Plan Framework Element is based on a planning horizon for population and employment growth, including the projection that the City's population could increase by approximately 820,000 residents and employment by approximately 390,000 jobs. Its purpose is to establish policies to best accommodate this growth when and if it should occur by supporting the viability of the City's residential neighborhoods and commercial districts and encouraging sustainable growth in proximity to transportation and economic resources.

The proposed project involves the construction of a three-story, for-rent residential development containing 16 dwelling units atop two ground floor commercial units on a site designated for Community Commercial and zoned C1. The project site is located in close proximity to many employment and commercial opportunities. It is also located near a well-established network of bicycle-supportive infrastructure that connects with public transportation lines including Big Blue Bus line 1, Metro Bus Line 33, and Metro Rail E (Expo) Line. Project plans include two parking spaces dedicated to car share available to all residential tenant households. As such, the project is in conformance with the purpose of the Framework Element.

### *General Plan – Housing Element*

It is the overall housing vision of the City of Los Angeles to create housing opportunities that enhance affordability, equity, livability, and sustainability by remedying discriminatory housing practices and creating a city with a range of housing types, sizes, and costs in close proximity to jobs, transit, amenities, and services. In line with its vision, the goals, policies and objectives are intended to further certain Citywide Housing Priorities, including addressing the housing shortage by increasing the production of new housing, particularly affordable housing. Furthermore, The Fair Share Housing Report released by the Department of City Planning in May 2021 that summarizes citywide distribution of affordable housing states that relatively little affordable housing has been

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developed in higher opportunity areas like the one surrounding the project site. “Higher Opportunity Areas” have a dense concentration of place-based characteristics linked to critical life outcomes, such as educational attainment, earnings from employment, health and life expectancy, and economic mobility. In the last decade, only 14% of the City’s permitted affordable units were located in high opportunity areas, compared with 62% located in low resource areas.

The proposed project, which is in an area identified as a high opportunity area in Planning’s Fair Share Housing Report, would help to implement a number of key objectives identified in the City’s General Plan Housing Element by providing 2 Very Low Income household units.

*Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.*

*Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.*

*Policy: 1.2.1: Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.*

*Policy 1.2.9: Allow for zoning flexibility for Affordable Housing at the project review and planning levels when broader Citywide Priorities are being advanced.*

*Objective 1.3: Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on increasing Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities.*

*Policy 1.3.1: Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.*

*Policy 1.3.2: Prioritize the development of new Affordable Housing in all communities, particularly those that currently have fewer Affordable units.*

*Goal 3: A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.*

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*Objective 3.2: Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options*

*Policy 3.2.1: Promote the integration of housing with other compatible land uses at both the building and neighborhood level.*

*Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.*

### *General Plan – Mobility Element*

The project site is located in the Venice Community Plan area, fronting Ocean Front Walk and approximately half a mile from Venice Boulevard – a street identified in the City of LA’s Mobility Plan 2035 as a Comprehensive Transit Enhanced Street. Comprehensive Transit Enhanced streets outlined in the Plan strive for “reliable and frequent transit service that is convenient and safe; increasing transit mode share; reducing single-occupancy vehicle trips; and integrating transit infrastructure investments with the identity of the surrounding street.” According to the Plan, Comprehensive Transit Enhanced Streets “may receive a number of enhancements to improve line performance and/or the overall user experience for people who walk and take transit.” They include design features that make the street easier to navigate by pedestrians, cyclists, people who take public transportation and other vulnerable road users less dependent on individual, personal car ownership for daily travel. In Mobility Plan 2035, Venice Boulevard is designed to include a Tier 1 protected bicycle lane that stretches from its coastal terminus to downtown Los Angeles

The project’s high density, mixed-income design, unbundled parking strategy, inclusion of car share dedicated parking stalls, and abundant supply of bicycle parking support the goals of the Mobility Plan in designating the street for these enhancements. Furthermore, the project is proximal to a wide variety of neighborhood-facing amenities including grocery stores, a general retail opportunities, restaurants, and recreation and education amenities. By prioritizing the provision of affordable and market rate coupled with ground floor community-facing uses, the proposed mixed-income housing project would help to implement a number of key goals, objectives, and policies identified in the City’s Mobility Plan 2035 including:

### *Goal 3: Access for All Angelenos*

*Objective: Increase the percentage of 0/1 car ownership (car-light) households from 50% currently to 75% by 2035.*

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*Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

*Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*

*Objective: Reduce the average share of household income spent on transportation costs to 10 % by 2035 through the provision of more transportation options*

*Goal 5: Clean Environments & Healthy Communities*

*Objective: Decrease VMT per capita by 5% every five years, to 20% by 2035.*

*Policy 5.2: Support ways to reduce vehicle miles traveled (VMT) per capita.*

*General Plan – Land Use Element (Venice Community Plan)*

The Venice Community Plan encourages development of new housing coupled with adequate services and infrastructure to meet the diverse economic and physical needs of the existing residents and projected population. The proposed mixed-income, mixed-use project includes 16 new for-rent residential units that will provide housing opportunities for a diverse sector of the community. The project site is located within an existing community highly concentrated with economic and recreational opportunities amid bicycle and public transportation infrastructure supporting non-vehicular modes. Planned project components complement existing and upcoming public infrastructure design including the improvement of a continuous, protected bicycle travel lane in both directions along Venice Boulevard and improvements to Venice Boulevard's bus line, Metro Bus Line 33 which connects Downtown LA to the Venice Community.

Accordingly, the proposed mixed-use project which includes 16 units, two of which will be reserved for Very Low Income households, advances a number of specific goals and objectives of the Community Plan as follows:

*Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.*

*Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area.*

*Policy 1-1.1: Provide for adequate multi-family residential development*

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*Policy 1-1.2: Protect the quality of residential environment and the appearance of communities with attention to site and building design.*

*Objective 1-2: To reduce vehicular trips and congestion by developing new housing in proximity to services and facilities*

*Policy 1-2.1: Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.*

*Objective 1-4: To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.*

*Goal 2: A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving the historic, commercial and cultural character of the community.*

*Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.*

*Policy 2-1.1: New commercial uses shall be located in existing established commercial areas or shopping centers.*

*Policy 2-1.5: Require that commercial projects be designed and developed to achieve a high level of quality, distinctive character and compatibility with surrounding uses and development.*

*Objective 2-2: To enhance the identity of distinctive commercial districts and to identify pedestrian-oriented districts.*

*Policy 2-2.1: Encourage pedestrian-oriented uses and mixed-use in designated areas.*

*Policy 2-2.2: New development in designated areas should focus on pedestrian street activity.*

*Policy 2-2.3: Require that mixed-use projects and development in pedestrian-oriented areas are developed according to specific design guidelines to achieve a distinctive character and compatibility with surrounding uses.*

*Objective 2-3: To enhance the appearance of commercial districts.*

*Policy 2-3.1: Require that new development be designed to enhance and be compatible with adjacent development.*

*Policy 2-3.2: Preserve community character, scale, and architectural diversity.*

## **Additional Findings required per 12.24.U26 (Density Bonus over 35 percent)**

### **1. The project consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.**

The City faces a well-documented housing shortage whose severity has continued to grow since the adoption of the last Housing Element (2013-2021). Adopted on November 24, 2021, the City's Housing Element for 2021-2029 is its blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, evaluates the City's ability to meet its Regional Housing Needs Assessment (RHNA), establishes the goals, objectives, and policies that are the foundation of the City's housing strategy, and provides an array of programs to create sustainable, mixed-income neighborhoods across the City. According to the City's most recent RHNA allocation, Los Angeles needs to produce 456,643 residential housing units by 2029 in order to meet the projected regional needs, of which about 58,000 need to be affordable to Very Low Income households. The proposed Project would be in conformance with the following goals of the Housing Element as described below:

*Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.*

*Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.*

*Policy 1.2.1: Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.*

*Policy 1.2.4: Strengthen the capacity of housing providers to build Affordable Housing.*

*Objective 1.3: Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on increasing*



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*Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities.*

*Policy 1.3.1: Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.*

*Policy 1.3.2: Prioritize the development of new Affordable Housing in all communities, particularly those that currently have fewer Affordable units.*

*Goal 2: A City that preserves and enhances the quality of housing and provides greater housing stability for households of all income levels.*

*Policy 2.1.1: Incentivize and/or require the preservation and replacement of affordable housing, so demolitions and conversions do not result in the net loss of the City's stock of accessible, safe, healthy and affordable housing.*

The proposed project would introduce 16 new housing units, including two units subject to a 55-year covenant to be provided exclusively for qualifying Very Low Income households. Consistent with Goal 1 of the Housing Element, the project facilitates the production of affordable housing and expands rental housing options for people of various income levels, focusing on those with the greatest need. Approval of the proposed project along with its requested conditional use permit for a density bonus greater than 35 percent and the requested incentives and waivers of development standards strengthens the capacity of the provider to build affordable housing.

Based on the City Planning's *Fair Share Report*, a study and summary of the geographic distribution of affordable housing released on May 21, 2021, the project site is located in an area of High Opportunity that has seen relatively little approval and production of affordable housing. Only 14 percent of the affordable units permitted in the City have been developed in areas of the City identified as "High Opportunity." The proposed project is planned for a currently vacant parcel that was previously developed with commercial office uses. The new project would provide two units of affordable housing and, therefore, would not result in a net loss of affordable housing, consistent with Policy 2.1.1 of Goal 2 of the Housing Element.

- 2. 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 project site is zoned C1-1 which allows a base density of 11 dwelling units. Per the Density Bonus Ordinance, the project is permitted a 35 percent density increase in exchange for setting aside 11 percent of the 8 base density units for Very Low Income Households. The project is permitted additional density increase beyond 35 percent by setting 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.

<b>Percentage of Base Density to be Restricted to Very Low Income Households</b>	<b>Percentage of Density Increase Granted</b>
11	35%
12	37.5%
13	40%
14	42.5%
15	45%
16	47.5%
17	50%
18	52.5%

A 35 percent by-right density bonus would allow for 15 units (equal to an increase of 4 units beyond the 11 units permitted by the underlying zone) to be constructed on the project site. The applicant is planning to include 18 percent of the base allowable density as units affordable to Very Low Income households, making the project eligible for a 52.2 percent density bonus through a Conditional Use to be eligible for a total of up to 17 dwelling units. The applicant is planning to provide 2 Very Low Income units for a 52.5 percent bonus, representing an increase of 2 units beyond what would otherwise be permitted through the by-right 35 percent density bonus. Therefore, 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 (the base density).

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

On October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (SB 330), later amended by SB 8 on September 16, 2021. SB 330 created new state laws regarding the production, preservation and planning for housing, and establishes a statewide housing emergency until January 1, 2025, extended until January 1, 2030 by SB 8. During the duration of the statewide housing emergency, SB 8, among other things, creates new housing replacement requirements for Housing Development Projects by prohibiting the approval of any proposed housing development project on a site that will require the demolition of existing dwelling units or occupied or vacant “Protected Units” unless the proposed housing development project replaces those units. The proposed project is planned for a currently vacant parcel that was previously developed with commercial office uses. The new project would provide two units of affordable housing and 14 units of market rate housing, therefore, providing greater than one-to-one replacement of all protected Low Income and market rate units and providing an additional 14 market rate units.

**4. 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 LAMC.**

The proposed project will be conditioned to record a covenant for affordability restriction of the two Very Low Income units of a period of 55 years from the issuance of the Certificate of Occupancy to the satisfaction of the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the LAMC.

**5. 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 (under Case No. CPC-2005-1101-CA) on June 9, 2005. The Guidelines were subsequently approved by the City Council 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. LAHD utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. The Guidelines prescribe that the design and location of affordable units be comparable to the market rate units, the equal distribution of amenities, LAHD monitoring requirements, affordability levels, and procedures for obtaining LAHD sign-offs for building permits.

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The project will result in 16 new dwelling units, of which two will be reserved for Very Low Income Household occupancy and the remainder will be offered as market rate units. All residents of the proposed project will have access to all common amenities within the building. The restricted units will comply with affordability requirements in the Guidelines set forth by LAHD in conformance with US Department of Housing and Urban Development (HUD). Additionally, as part of the building permit process, the applicant will execute a covenant to the satisfaction of LAHD who will ensure compliance with the Guidelines. Therefore, the project will address the policies and standards contained in the Guidelines.