



# Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE

PO Box 550, Venice, CA 90294 | [www.VeniceNC.org](http://www.VeniceNC.org)

Email: [Chair-LUPC@VeniceNC.org](mailto:Chair-LUPC@VeniceNC.org)



## LAND USE AND PLANNING COMMITTEE REGULAR MEETING AGENDA

Topic: VNC LUPC Meeting  
Time: Jan 18, 2024 0 | 7:00 PM Pacific Time (US and Canada)

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*Translation Services: Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte [Secretary@VeniceNC.org](mailto:Secretary@VeniceNC.org) para avisar al Concejo Vecinal.*

IN CONFORMITY WITH THE OCTOBER 8, 2023, ENACTMENT OF CALIFORNIA SENATE BILL 411 (PORTANTINO) AND BY RESOLUTION OF THE VENICE NEIGHBORHOOD COUNCIL, THIS VENICE NEIGHBORHOOD COUNCIL LAND USE AND PLANNING COMMITTEE MEETING WILL BE CONDUCTED ENTIRELY WITH A CALL-IN OPTION OR INTERNET-BASED SERVICE OPTION.

Every person wishing to address the Board must dial telephone number listed above, and enter the above Meeting Id number and then press # to join the meeting. When prompted by the presiding officer, to provide public input at the Neighborhood Council meeting the public will be requested to dial \*9 or use the Raise Hand option, to address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Board's jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Board meeting. Public comment is limited to 30 seconds per speaker, unless adjusted by the presiding officer of the Board.

**1. CALL TO ORDER**

Meeting called to order at \_\_\_\_\_ p.m.

**2. ROLL CALL**

<input type="checkbox"/> Corinne Baginski	<input type="checkbox"/> Todd Lorber	<input type="checkbox"/> Mark Mack
<input type="checkbox"/> Andreas Ramani	<input type="checkbox"/> Robin Rudisill	<input type="checkbox"/> Gabriel Smith
<input type="checkbox"/> Richard Stanger	<input type="checkbox"/> Michael Jensen (Chair)	<input type="checkbox"/> Steven Williams

**3. CHAIR ANNOUNCEMENTS**

Announcements by LUPC Chair:

**4. APPROVAL OF MINUTES**

**A. Minutes from 10/5/2023**

Draft Minutes:

<https://www.venicenc.org/assets/documents/5/meeting65404a6cde2b9.pdf>

Motion: Approve minutes from 10/5/2023 LUPC Regular Meeting

Maker / 2nd:

Vote: Yea: \_\_\_\_ / Nay: \_\_\_\_ / Abstain: \_\_\_\_ / Recuse: \_\_\_\_ / Ineligible: \_\_\_\_ / Absent \_\_\_\_

**5. DECLARATION OF CONFLICTS OF INTEREST OR EX PARTE COMMUNICATIONS**

LUPC members to declare any conflicts of interest or *ex-parte* communications relating to items on this meeting’s agenda. For more information, please see Fair Political Practices Commission Overview of Conflicts of Interest, available at <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Campaign%20Documents/Conflicts%20Guide%202022.pdf>.

<b>Board Officer</b>	<b>Conflict</b>	<b>Ex Parte</b>	<b>Details</b>
Corinne Baginsky	<input type="checkbox"/>	<input type="checkbox"/>	
Todd Lorber	<input type="checkbox"/>	<input type="checkbox"/>	
Mark Mack	<input type="checkbox"/>	<input type="checkbox"/>	
Andreas Ramani	<input type="checkbox"/>	<input type="checkbox"/>	
Robin Rudisill	<input type="checkbox"/>	<input type="checkbox"/>	
Gabriel Smith	<input type="checkbox"/>	<input type="checkbox"/>	
Richard Stanger	<input type="checkbox"/>	<input type="checkbox"/>	
Steven Williams	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Jensen	<input type="checkbox"/>	<input type="checkbox"/>	

**6. GENERAL PUBLIC COMMENT (LIMITED TO ITEMS NOT ON AGENDA)**

Public comment is limited to one (1) minute per speaker with a total comment time not to exceed ten (10) minutes, unless adjusted by the Chair. No comment on items appearing on the Agenda are permitted. No committee member announcements are permitted.

**7. STAFF ASSIGNMENTS**

**A. Staff Update on Assigned Cases**

Address	Case No.	Description	Staff
601-601½ Ocean Front Walk	DIR-2023-3897 -CDP-SPP	Demolition of existing surface parking lot and new construction of a new, 1-story 9,235 SF retail commercial structure with parking	GS/RR
726 Rose Ave.	CPC-2022-8746-DB-CDP-SPP-MEL-VHCA-PHP	Demo of the existing structure for the construction of a 4-story (46'-8" feet), 10-unit, mixed-use development located in the Venice Coastal Zone Specific Plan zoned C2-1	CB/SW
10 E Washington Blvd	APCW-2022-792-SPE-CDP-CUB-ZV-SPP	Addition of a 623 SF uncovered outdoor dining area to existing restaurant located in the Venice coastal zone zoned C4-1	TL/AR

**B. Case Assignments**

Address	Case No.	Description	Staff
621 E. California Ave	ZA-2022-2418	Wall hedge variance for existing 6'-6" tall fence and 8' tall hedge in front yard.	MM
567 Rialto Avenue	ZA-2023-6876-CDP-ZAA-MEL-HCA	demolish (e) 1150 sf SFD & build (n) 1940 sf SFD, renovate carport, storage, driveway and landscape [note: seeking ZAA for prevailing front yard setback in lieu of 15 feet)	RS
2478 Lincoln Blvd.	ZA-2023-8371-CUB	CUB to allow the sale of beer and wine for off-site consumption with a proposed specialty wine store with operating hours from 8:00am to 11:00pm, daily.	CB
1648 S. Abbot Kinney	APCW-2024-275-SPE-SPP-CDP-WDI	Construction of a new commercial building in single jurisdiction coastal zone	RR

**8. POSSIBLE MOTION AND DISCUSSION ITEMS**

**A. Development Subsidies for Low Income Housing – Stakeholder Motion by Frank Murphy**

Background

This motion seeks support for government subsidies to be granted equally to smaller community builders who develop housing in our community.

Government subsidized and grant-driven projects historically and currently have proven to be incapable of providing housing. Large corporate subsidized and for-profit builders of 50 or more unit building types account for 13.1% of the housing in Venice and 13.6% in all of the City of Los Angeles. In contrast, housing produced by “mom & pop” community builders of two to 24 unit building types account for 46.6% of housing units in Venice and 36.9% of units within the City of Los Angeles.

Large government subsidized and grant driven projects historically and currently have provided housing that is massively over and above any reasonable character and scale that any residential

community should be required to accommodate. Smaller apartment buildings are more in line with the community's characteristics and provide more opportunity to engage with neighbors and the community. Large projects in Venice have frequently ignored VNC concerns, instead relying on political connections to obtain approvals.

Finally, large government subsidized and grant driven projects cost vastly more per square than smaller projects.

### Motion

WHEREAS, the VNC supports small businesses made up of smaller community builders who create low income housing in multi-unit apartment buildings that conform to the VCZSP;

WHEREAS, the VNC supports smaller scale apartment buildings dispersed throughout the community;

NOW, THEREFORE, the VNC recommends that the City of Los Angeles provide the same opportunities for subsidies, grants, and subsidized loans to local, community builders providing low income units that it provides to larger, "non-profit" corporate developers.

## **B. Application of Relevant State Law and Court Decisions to LUPC Procedures**

### Background

- [LAMC Section 11.5.7 - Specific Plan Procedures](#)
- [LAMC Section 12.20.2 Coastal Development Permits \(Prior to Certification of the Local Coastal Program\)](#)
- Public Resources Code 30600.5(a)
  - Prior to the certification of a local coastal program and notwithstanding the provisions of subdivision (a) of Section 30519, after the effective date of this section, the authority for issuance of coastal development permits provided for in Chapter 7 (commencing with Section 30600) shall be delegated to local governments pursuant to the provisions of this section.
- Public Resources Code 30600.5(c)
  - Notwithstanding any other provision of this division, after delegation of authority to issue coastal development permits pursuant to subdivision (b), a coastal development permit shall be issued by the respective local government or the commission on appeal, if that local government or the commission on appeal finds that the proposed development is in conformity with the certified land use plan.
- [Venice Coalition to Preserve Unique Community Character and Community v. City of Los Angeles \(2019\) 31 Cal.App.5th 42](#)
  - Moreover, in 2003, the City Planning Commission previously determined that the amended specific plan complies with the LUP. The amended Venice specific plan was developed in response to the City Council's direction to the planning staff to update the specific plan to ensure consistency with development standards in the LUP, including lot consolidation, roof structures, maximum height, yard setback, and parking.
  - Accordingly, we agree with the City that VSO projects that are consistent with specific plan standards are necessarily consistent with LUP policies.
- [Ruling on Motion for Summary Judgment, Venice Coalition to Preserve Unique Community Character and Community v. City of Los Angeles, Case No. BC611549, July 25, 2017](#)
  - City has long considered VSO projects consistent with the Specific Plan development standards as necessarily consistent with general LUP policies.
  - The amended Venice Specific Plan, enacted in 2003, implements the goals, policies, and objectives of the General Plan, the Venice Community Plan, and the Venice Land Use Plan.

- The amended Specific Plan reflects the City Council's action from March 28, 2001 which directed planning staff to update the Venice Specific Plan consistent with the existing LUP.
- Section 8A applies to smaller Venice Coastal Development Projects such as construction and demolition of four-unit or smaller residential projects as long as they are not located on Walk Streets. The Planning Department has interpreted its authority to review projects mentioned in Section SA as “ministerial” such that if a project meets the objective criteria of the Specific Plan, the Planning Department is obligated to issue a VSO approval.

Public Comment:

Maker / 2nd: \_\_\_\_\_ / \_\_\_\_\_

Vote: Yea: \_\_\_\_ / Nay: \_\_\_\_ / Abstain: \_\_\_\_ / Recuse: \_\_\_\_ / Ineligible: \_\_\_\_ / Absent \_\_\_\_

**C. New FEMA Flood Guidelines**

Background

New flood management and insurance guidelines require that new construction in certain flood prone areas be elevated above grade. However, LUPC has encountered at least one project where the VCZSP prohibited a development standard required by federal law. To resolve the inconsistent standards, the project required a variance to construct stairs and a landing above what was otherwise permitted under the VCZSP.

In updating the Local Coastal Program and Community Plan, the Planning Department will need to evaluate how these new flood zone requirements implicate development standards, especially in lower lying areas of Venice.

Examples of Potential Areas of Conflict

**Section 9.A.2.b**

Residential buildings shall provide habitable space on the Ground Floor, a ground level entrance, and landscaping and windows fronting the street.

**Section 10.E.3.b**

No Fill nor building extensions, including stairs and balconies, shall be placed in or over the required Permeable front yard area except fences up to 42 inches in height or Permeable decks at grade level not more than 18 inches high.

**Section 11.B.1.a**

The required Street Wall at the Ground Floor shall have a minimum height of 13 feet.

**Section 11.C. GROUND FLOOR INDUSTRIAL DEVELOPMENT.**

In addition to the applicable regulations in Sections 9, 10, 12, 13 and 14 of this Specific Plan, at least 65 percent of the total width for the first 12 feet of elevation of any new building or addition that is parallel to and facing the street, shall be devoted to entrances, eye-level displays, a contrast in wall treatment, an offset wall line or other decorative features. Outdoor seating and/or landscaping shall be used to enhance visual interest and pedestrian vitality.

Motion

WHEREAS, one of the conditions of new federal sea level rise rules is that floor and elevation plans shall indicate the Base Flood Elevation (**BFE**) and minimum Lowest Finished Floor Elevation (**LFFE**) determined from the Highest Adjacent Grade (**HAG**), to the improvement from the provided survey, plus the flood depth. The minimum **LFFE** will be the **BFE** plus one foot for freeboard (factor of safety) per City Ordinance No. 186952;

WHEREAS, the new federal flood zone requirements conflict with provisions of the Venice Coastal Zone Specific Plan (“*VCZSP*”);

NOW, THEREFORE, the VNC recommends that the Planning Department resolve this conflict by [\_\_\_\_\_].

Public Comment:

Maker / 2nd: \_\_\_\_\_ / \_\_\_\_\_

Vote: Yea: \_\_\_\_ / Nay: \_\_\_\_ / Abstain: \_\_\_\_ / Recuse: \_\_\_\_ / Ineligible: \_\_\_\_ / Absent \_\_\_\_

**9. MEETING ADJOURNED**

Meeting adjourned at \_\_\_\_ p.m.

### **ADA Access**

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three (3) business days (72 hours) prior to the meeting by contacting the Department of Neighborhood Empowerment by calling (213) 978-1551 or email: [NCsupport@lacity.org](mailto:NCsupport@lacity.org).

### **Public Posting of Agendas**

Neighborhood Council agendas are posted for public review as follows:

- Beyond Baroque, 681 Venice Blvd., Venice, CA 90291
- [www.VeniceNC.com](http://www.VeniceNC.com)
- You can also receive our agendas via email by subscribing to L.A. City's Early Notification System (ENS) at <https://lacity.gov/government/subscribe-agendas/neighborhood-councils>.

### **Notice to Paid Representatives**

If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code Section 48.01, *et seq.* More information is available at [www.ethics.lacity.org/lobbying](http://www.ethics.lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org).

### **Public Access of Records**

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at our website: [www.VeniceNC.org](http://www.VeniceNC.org) or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact, [Secretary@VeniceNC.org](mailto:Secretary@VeniceNC.org). Reconsideration and Grievance Process - For information on the NC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the NC Bylaws. The Bylaws are available at our Board meetings and our website [www.VeniceNC.org](http://www.VeniceNC.org).

### **Reconsideration and Grievance Process**

For information on the NC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the NC Bylaws. The Bylaws are available at our Board meetings and our website [www.VeniceNC.org](http://www.VeniceNC.org).