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CITY PLANNING**

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March 30, 2023

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Representative

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Case No. ADM-2023-965-DB-HCA-ED1
Related Case: PAR-2023-205-AHRF-ED1
CEQA: none
Location: 12188 – 12200 North San
Fernando Road

Council District: 7 – Rodriguez
Neighborhood Council: Sylmar
Community Plan Area: Sylmar
Specific Plan: Sylmar CPIO
Land Use Designation: Community Commercial
Zone: C2-2D-CPIO
Legal Description: Fraction Lots 21, - 24, Tract
10143

LETTER OF COMPLIANCE – Ministerial Density Bonus Affordable Housing Incentive Program

Pursuant to the Los Angeles Municipal Code (“LAMC”) Section 12.22 A.25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Determine, based on the whole of the administrative record, that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) as a ministerial project, pursuant to Public Resources Code Section 21080(b)(1).

Determine, that the project qualifies as a ministerial review, pursuant to Resolution (CF 22-1545) relative to the Declaration of Local Emergency by the Mayor, dated December 12, 2022, concerning homelessness in the City of Los Angeles, pursuant to the provisions of the Los Angeles Administrative Code (LAAC) Section 8.27, adopted by the City Council on December 13, 2022 and Executive Directive 1 dated December 16, 2022.

Approve a ministerial review of Density Bonus Compliance, pursuant to LAMC, Section 12.22 A.25, a 151% Density Bonus (with 20% of the units set aside to HCD rent schedules (Schedule 6)) for a project totaling 121 dwelling units, reserving 95 units for Low Income Household occupancy and 25 units for Moderate Income Household occupancy for a period of 55 years, with the following Off Menu Incentives for a qualifying 100% affordable housing project:

Off-Menu Incentives

- a. **Yard/Setbacks.** A maximum 37.5% reduction in the required westerly side yard setback allowing 5 feet in lieu of 8 feet otherwise required in the C2-2D-CPIO Zone.
- b. **Yard/Setbacks.** A maximum 37.5% reduction in the required easterly side yard setback allowing 5 feet in lieu of 8 feet otherwise required in the C2-2D-CPIO Zone.
- c. **Open Space.** A maximum 54.5% reduction from the open space requirements allowing 5,928 square feet in lieu of the 12,100 otherwise required for residential development in the C2-2D-CPIO Zone.
- d. **Ground Floor Commercial Uses.** No ground floor commercial uses in lieu of the Sylmar CPIO Section II-1.A.1 requirement to provide ground-floor commercial uses along a Primary Frontage at a minimum depth of 25 feet or the entire depth of a building (whichever is less), for a minimum of 75% of the length of the Primary Frontage.

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 121 residential units, including Density Bonus units and one manager's unit.
3. **Affordable Units.** A minimum of 120 units of the 121 total units shall be reserved as affordable units for a period of 55 years as follows: 95 units shall be reserved to Low Income Households as defined in Section 50079.5 and 25 units shall be reserved for Moderate Income Households as defined in Section 50093 of the California Health and Safety Code. The Density Bonus Affordable Housing Incentive Program Guidelines also requires a Housing Development to meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Los Angeles Housing ("LAHD") prior to the issuance of any building permit. Replacement housing units required per this section may also count towards other On-Site Restricted Affordable Units requirements.
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25.
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the owner to reserve 95 units available to Low Income Households (HUD/TCAC) and 25 units available to Moderate Income Households (HCD/State) for sale or rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required set aside affordable units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's SB 8 Determination. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The Applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and any monitoring requirements established by the LAHD. Refer to the Density Affordable Housing Incentive Program Background and Housing Replacement (SB 8 Determination) Background sections of this determination.

Note: LAHD will confirm and determine the affordable housing units, income category and rent schedules. Per AB2334, up to 20% of the units may be moderate at HCD rent schedules.

6. **100% Affordable Housing Project (ED1).** If a project changes at any time in the review and construction process such that it no longer meets ED 1 eligibility criteria, the project becomes disqualified from ED1 streamlining and all prior determinations on the project

become inapplicable. For projects requiring a City Planning application, if a project changes at any point during the City Planning review or post-approval process such that the project would no longer qualify for ED 1, a new application for the revised project shall be required.

7. **Off-Menu Incentives.**

- a. **Yards/Setbacks (Two Incentives)** The easterly and westerly side yard setbacks shall be 5 feet per Exhibit "A".
- b. **Open Space (Incentive)**. The project shall provide a minimum of 5,928 square feet of open space. The common open space shall meet the requirements of LAMC 12.21 G per the satisfaction of the Department of Building and Safety.
- c. **Ground Floor Commercial (Incentive)**. The project has received a waiver from the Sylmar CPIO requirement to provide ground-floor commercial uses along 75% of the Primary Frontage.

8. **Parking.**

- a. **Automobile Parking**. The project proposes no automobile parking spaces pursuant to AB2345 and AB2097.
 - b. **Adjustment of Parking**. In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be recalculated by the Department of Building and Safety, based upon the ratios set forth in the Density Bonus Affordable Housing Incentive Program Guidelines.
9. **Street Trees**. Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Section 12.21 G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units).
10. **Required Trees per 12.21 G.2**. As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit "A". There shall be a minimum of seven (7) 24-inch box, or larger, trees on site pursuant to LAMC Section 12.21 G.2. Any required trees pursuant to LAMC Section 12.21 G.2 shown in the public-right-of-way in Exhibit "A" shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public-right-of-way is proven to be infeasible due to City determined physical constraints.
11. **Landscape Plan**. Revised landscape plans shall be submitted to show the size and location of all plants. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance "Guidelines O". All open areas not used for buildings, driveways, parking areas,

recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plan, Exhibit "A," and shall incorporate any modifications required as a result of this grant.

Administrative Conditions

12. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
13. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
14. **Approval, Verification and Submittals.** Copies of any approvals guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
15. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
16. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
17. **Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.

18. Indemnification and Reimbursement of Litigation Costs. Applicant shall do all of the following:

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

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

PROJECT BACKGROUND

Subject Property

The project site is located in the Sylmar Community Plan Area within the Sylmar Community Plan Implementation Overlay and is comprised of four through lots with a total area of approximately 18,812 square feet or approximately 0.432 acres in the C2-2D-CPIO Zone. The site has a frontage of approximately 200 feet along the north side of San Fernando Road Southwest Roadway, and approximately 201 feet along the south side of Truman Avenue, with a variable lot depth between approximately 85 feet and 101 feet. The project site is located within a Liquefaction Area, and is approximately 0.54 kilometers (0.34 miles) from the Sierra Madre Fault Zone and is located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area, very high fire hazard severity zone, flood zone, landslide, or tsunami inundation zone.

The project site is currently developed with one commercial structure (a coffee shop), built in 1952, and surface parking. Neither the structure nor the site is designated as a historic resource. The existing structure will be demolished.

Project Description

The project is for the construction of a new five-story, 52 feet and 5 inches tall, residential development with 121 one-bedroom residential dwelling units (including 95 units for Low Income Households occupancy, 25 units Moderate Income Households occupancy, and one manager's unit). The project will have a proposed Floor Area Ratio ("FAR") of approximately 2.90:1 with approximately 54,590 square feet of floor area, which complies with Sylmar CPIO Section 2.A.1. and "D" Development Limitations of Ordinance 184,269 for up to a 3.0:1 FAR. As a 100% affordable housing project, exclusive of a manager's unit, no residential parking is required, and as such, no automobile parking is provided. The project will provide bicycle parking in accordance with LAMC Section 12.21 A.16. The tree disclosure statement dated November 20, 2022 stated that there are no protected tree or shrub species on the site or adjacent to the site. There are three existing street trees to be retained in consultation with the Urban Forestry Division.

Ministerial Review

Executive Directive 1 (ED-1) went into effect on December 16, 2022 to facilitate the expeditious processing of shelters and 100% affordable housing projects to address the homelessness crisis in the City of Los Angeles. A 100% Affordable Housing Project is defined as "A project with at least 5 units that has at least two-thirds residential square footage, with all units affordable at 80% of Area Median Income (HUD) levels, OR affordable at mixed income with up to 20% of units at 120% AMI (HCD rents) and the balance at 80% AMI or lower (HUD rents) as technically described here: A housing development project defined in Government Code Section 65589.5 that includes 100% restricted affordable units (excluding any manager's units) for which rental or mortgage amounts are limited so as to be affordable to and occupied by Lower Income households 1, as defined by CA Health and Safety Code 50079.5, or that meets the definition of a 100% affordable housing development in CA Gov. Code 65925(b)(1)(G)2, as determined by the Los Angeles Housing Department (LAHD)". For 100% affordable housing projects and shelters, the review shall be complete within 60 days after the application is complete.

Density Bonus Incentives or Concessions

State Density Bonus Law (Government Code Section 65915), adopted on January 1, 2017, outlines the types of relief that minimize restrictions on the size of the project. The requested incentives allow the developer to expand the building envelope so the additional and affordable units can be constructed, provide for design efficiencies, and allow the overall space dedicated to residential uses to be increased. These incentives support the Applicant's decision to set aside the specified number of dwelling units for Affordable Income Households for 55 years.

The Applicant proposes to utilize Los Angeles Municipal Code ("LAMC") Section 12.22 A.25 (Affordable Housing Incentives – Density Bonus), which implements Government Code Section 65915, to set aside 95 dwelling units for Low Income household (HUD/TCAC) occupancy and 25 dwelling units for Moderate Income household (HCD/State) occupancy for a period of 55 years. It is to be noted that LAHD will confirm and determine the affordable housing units, income category and rent schedules with 20% of the units set aside to HCD rent schedules (Schedule 6)). Per AB2334, up to 20% of the units may be moderate at HCD rent schedules. In exchange for providing affordable units, the Density Bonus Ordinance grants various incentives/concessions to deviate from development standards in order to facilitate the provision of affordable housing at the site. Because the Applicant is providing 100% of the dwelling units (exclusive of the manager's unit) as affordable, the project is eligible for 4 Off-Menu Density Bonus Incentives: reduced easterly and westerly side yard setback to 5 feet from 8 feet (two incentives); 54.3% reduction in open space requirements; and a relief from the Sylmar CPIO requirement to provide ground-floor commercial uses along a Primary Frontage for a minimum of 75% of the length of the Primary Frontage. As the project is not providing ground-floor commercial uses, a waiver of the development standards for the Sylmar CPIO requirement to provide that the primary frontage of any building that has non-residential uses on the ground floor consist of at least 50% transparent doors and windows, is not necessary.

The subject property is located less than one-half mile from the Sylmar/San Fernando Metrolink Station on the Antelope Valley Line light rail. Pursuant to State Density Bonus Law under Government Code Section 65915 (AB 1763 and AB 2345), a project located within one-half mile of a Major Transit Stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, qualifies for unlimited density and the project is proposing is a 151% density bonus. In addition, there is no minimum parking requirement for projects that meet these criteria. As such, the project qualifies as an Eligible Housing Development that consists of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit., with unlimited density and zero parking spaces. Therefore, the project is eligible for Density Bonus Base and Additional Incentives, as indicated on the Affordable Housing Referral Form dated January 25, 2022.

The project is eligible for the following Density Bonus and parking option, which are granted by-right for eligible Density Bonus projects:

- a. **Density.** An unlimited increase in permitted density.

The site is zoned C2-2D-CPIO which allows for a base residential density of one dwelling unit per 400 square feet of lot area. The lot area with the C2-2D-CPIO Zone is approximately 18,812 square feet, for a by-right density of 47 units using the area standards of the C2 Zone and CPIO. Site Plan Review is not required as the base density is less than 50 dwelling units. Pursuant to AB 2345, the maximum permitted density for a 100% affordable project within one-half mile of a major transit stop is unlimited. The project

is proposing 121 one-bedroom units, which is consistent with the allowable density under the Density Bonus regulations.

- b. **Parking.** Pursuant to AB 2345, Eligible Housing Development consisting of 100% On-site restricted Affordable Units, exclusive of a manager's unit, and is within one-half mile of a major transit stop, no automobile parking is required for all residential units.

The project is not proposing any automobile parking spaces, as an Eligible Housing Development consisting of 100% On-site Restricted Affordable Units, exclusive of a manager's unit, and is within one-half mile of a major transit stop.

Pursuant to LAMC 12.22 A.25, the project is eligible for, and has been granted, the following Density Bonus Off-Menu Incentives:

- a. **Yard/Setbacks.** The proposed project is a five-story multiple-family residential development located in the C2-2D-CPIO Zone. The C2 Zone requires a minimum 5-foot side yard setback with one-foot added for each story over the second story. As such, the project is required to provide a 8-foot side yard setbacks. The applicant has requested a 37.5% reduction in the required easterly and westerly side yards, allowing 5 feet in lieu of 8 feet otherwise required in the C2 Zone, which is consistent with the Density Bonus Guidelines. All other yards are consistent with the zone.

Sylmar CPIO Section II-2.B.1 requires that Projects in Commercial Subarea F. Transit-Oriented Development (TOD) with a Primary Lot Line on San Fernando Road be setback between 18 inches and 15 feet from the front property line. San Fernando Road shall be considered the Primary Lot Lone as the project abuts both San Fernando Road and Truman Avenue. The project proposes a front yard setback of 3 feet 2-inches in addition to the 10-foot dedication required, for a total of 13 feet 2-inches (prior to dedication). This setback area shall be improved with landscaping, Pedestrian Amenities, or a combination thereof, to the satisfaction of the Bureau of Engineering. The project proposes an 18-inch setback along Truman Avenue which is consistent with the yards required by the zone and CPIO standard.

- b. **Open Space.** Pursuant to LAMC 12 21 G, multiple-family developments with six or more residential units are required to provide 100 square feet of open space for each unit having less than three habitable rooms. The proposed 121 unit project would be required to provide 12,100 square feet of open space. The applicant has requested a 56.6% reduction to allow the provision of 5,928 square feet of open space in lieu of 12,100 square feet otherwise required.
- c. **CPIO Ground Floor Commercial Requirement.** Sylmar CPIO Section II-1.A.1 requires projects in Commercial Subarea F. Transit-Oriented Development (TOD) to provide ground-floor commercial uses along a Primary Frontage. In these subareas, dwelling units are limited to upper floors above non-residential uses, or behind non-residential uses that are at least 25 feet in depth. The applicant has requested a waiver from this requirement as the project does not propose any non-residential uses. As the project is not providing any commercial uses, the glazing requirement of Sylmar CPIO Section II-2.C.2 which requires that the primary frontage of any building that has non-residential uses on the ground floor shall consist of at least 50% transparent doors and windows is not applicable.

Incentives	Otherwise Allowed/Required	Density Bonus Guidelines	Proposed
Density	47 units	Unlimited	121 units
Parking Spaces	121	0 (AB 2345)	0
Open Space	12,100 square feet	9,680 square feet	5,255 square feet
Ground Floor Commercial Requirement (CPIO requirement)	Ground-Floor Commercial, 75% of Frontage	Off-Menu	None

Yard Incentives	LAMC/CPIO Required	Density Bonus Guidelines	Proposed
Front (San Fernando)	18 inches – 15 feet*	N/A	3 feet 2 inches
Rear (Truman Ave)	18 inches – 15 feet*	N/A	18 inches
North Side	8 feet	6 feet 4.8 inches	5 feet
South Side	8 feet	6 feet 4.8 inches	5 feet

*CPIO Requirement

Housing Replacement (SB 8 Determination)

On October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (SB 330). SB 330 creates a new state laws regarding the production, preservation, and planning for housing, and establishes a statewide housing emergency until January 1, 2025. This was subsequently amended by SB 8 on September 16, 2021. During the duration of the statewide housing emergency, SB 330, among other things, create 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 residential dwelling units or occupied or vacant "Protected Units" unless the proposed housing development project replaces those units. The Los Angeles Housing Department (LAHD) has determined, per the Housing Crisis Act of 2019 (SB 8) Replacement Unit Determination, dated January 6, 2023, that no units are subject to replacement pursuant to the requirements of the Housing Crisis Act of 2019 (SB 8).

CONCLUSION

As a Density Bonus Project that satisfies all the objective planning standards of Density Bonus consistent with LAMC 12.22 A.25 and a 100% affordable housing project consistent with ED1 streamlined approval, the project qualifies as a ministerial project.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Letter of Compliance shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within three years after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

The Applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the Applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

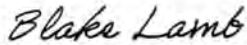
Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either through the Department of City Planning website at <http://planning.lacity.org> or by calling (213) 482-7052 or (818) 374-5050. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Effective Date/Appeals: The decision of this Letter of Compliance is final and effective upon the mailing of this letter and is not appealable.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:



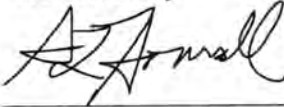
Blake Lamb
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Senior City Planner

Reviewed by:



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