BOARD REPORT

DATE: August 20, 2020

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PARCEL MAP NO. AA-2020-0461-PMLA – RECOMMENDATION TO THE ADVISORY AGENCY FOR LAND DEDICATION OR IN-LIEU PARK FEE PAYMENT

AP Diaz  S. Piña-Cortez
H. Fujita  C. Santo Domingo
V. Israel  N. Williams

Approved X Disapproved Withdrawn

RECOMMENDATIONS

1. Recommend that the Advisory Agency require Parcel Map AA-2020-0461-PMLA (Project) to pay in-lieu fees to the City in order fulfill the Project’s requirements under provisions of Los Angeles Municipal Code Section 12.33; and,

2. Authorize the Department of Recreation and Parks’ (RAP) General Manager or designee to provide a Report to the Advisory Agency informing them of the Board of Recreation and Park Commissioners’ (Board) recommendation.

PARK FEE SUMMARY

Ordinance 184,505 (Parks Dedication and Fee Update Ordinance) became effective on January 11, 2017. Ordinance 184,505 requires most residential projects that create new dwelling units or joint living and work quarters to dedicate land or to pay a fee in-lieu (Park Fee) for the purpose of developing park and recreational facilities. Residential projects that propose one or more additional dwelling units are subject to these requirements unless they meet one of the exceptions listed in Los Angeles Municipal Code (LAMC) Section 12.33 C.3 (e.g. certain affordable housing units and secondary dwelling units may be exempt from any requirement to pay a fee).

LAMC Section 17.03 (Advisory Agency) states that “[t]he Advisory Agency is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of requiring the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities...”. The Director of the City Planning Department (City Planning) is designated as the
Advisory Agency for the City of Los Angeles and is authorized to act in such capacity through one or more deputies appointed by him or her for that purpose.

LAMC Section 17.04 (Subdivision Committee) states that RAP is to submit a Report to the Advisory Agency for each application for subdivision map approval and that report "shall contain recommendations, approved by the Board of Recreation and Park Commissioners, specifying the land to be dedicated, the payment of fees in lieu thereof, or a combination of both for the acquisition and development of park or recreational sites and facilities to serve the future inhabitants of such subdivision... ".

PROJECT SUMMARY

The proposed Project, located at 12444 West Chandler Boulevard in the Valley Village community of the City, consists of the merger and subdivision of one (1) ground lot and three (3) airspace lots. The ground lot contains the construction of a 69-unit apartment development, 9 of which are affordable, while the airspace lots are for commercial uses.

The proposed Project also includes approximately 6,935 square feet (SF) of common open space, including two decks, a ground floor recreation area, and two ground floor yards.

The Project, as submitted to City Planning, is not proposing to make a park land dedication to the City of Los Angeles either on-site or off-site of the Project location. The project is currently under construction.

Conceptual renderings of the Project are attached (Attachment 1).

EARLY CONSULTATION MEETING

Pursuant to LAMC Section 12.33 D.1, applicants of residential Subdivision projects with more than fifty (50) residential dwelling units are required to meet with RAP and City Planning prior to submitting a tract map application to City Planning. Per LAMC Section 12.33 D.1, "[t]he purpose of this early consultation is to discuss whether the City requires land dedication for the project and/or to discuss credits available to the applicant, if any."

RAP and City Planning staff held an Early Consultation meeting with Project representatives on July 31, 2020. The meeting included a discussion of the requirements of LAMC Section 12.33, the maximum land dedication that the Project could be required to provide, options and opportunities for on-site or off-site park land dedications, the calculation of Park Fees, and the various recreational credits available to the proposed Project.

ADVISORY AGENCY

The proposed Project filed a tract map application with City Planning on January 23, 2020. On March 2, 2020, the Advisory Agency sent RAP a notification requesting RAP provide its report and recommendations on the Project by a deadline identified as "Upon Receipt." The Advisory
Agency Filing Notification is attached (Attachment 2). If no written Report is provided to the Advisory Agency, the Advisory Agency will assume that RAP has no report to make.

REQUIRED LAND DEDICATION AND IN-LIEU FEE PAYMENT

Pursuant to LAMC Section 12.33 C, “All new residential dwelling units and joint living and work quarters shall be required to dedicate land, pay a fee, or provide a combination of land dedication and fee payment for the purpose of acquiring, expanding and improving park and recreational facilities for new residents.”

LAMC 12.33 D.2.b states “Any land dedication for park and recreation purposes shall not be deducted from a site’s gross lot area for the purposes of calculating project density, lot area, buildable area or floor area ratio.”

Land Dedication

LAMC Section 12.33 D states that residential Subdivision projects with more than fifty (50) residential dwelling units can be required by the City to dedicate land to the City for park and recreation purposes. The maximum amount of land that the Advisory Agency could require a project to dedicate to the City is calculated based on the formula detailed in LAMC Section 12.33 D.2:

- \[ \text{LD} = (\text{DU} \times P) \times F \]
  - \(\text{LD}\) = Land to be dedicated in acres.
  - \(\text{DU}\) = Total number of new market-rate dwelling units.
  - \(P\) = Average number of people per occupied dwelling unit as determined by the most recent version of the U.S. Census for the City of Los Angeles.
    - \(P = 2.88\)
  - \(F\) = Park Service factor, as indicated by the Department of Recreation and Parks rate and fee schedule.
    - \(F = 0.00251 \text{ (2.51 acres of park land per 1,000 residents)}\)

The maximum required land dedication for the Project’s proposed 69 units would be:

\[ 0.50 \text{ Acres} = (69 \times 2.88) \times 0.00251 \]

As currently proposed, the Project has nine (9) dwelling units in the Project that would likely qualify for an exemption per LAMC Section 12.33 C.3. If those dwelling units are ultimately determined to be exempt, the maximum required land dedication for the Project would be:

\[ 0.43 \text{ Acres} = (60 \times 2.88) \times 0.00251 \]
The amount of land that is required to be dedicated is subject to change depending on the Park Service factor in effect at the time the Project is required to dedicate the land; the number of exempt dwelling units (e.g. affordable housing units, existing dwelling units to be replaced on site, etc.) included as part of the Project; any Dwelling Unit Construction Tax previously paid by the Project; and, any credits granted by RAP to the Project for improvements to dedicated park land or for eligible privately owned recreational facilities and amenities.

Per LAMC Section 12.33 D.3, land dedications may be made on-site or off-site of the project location. Any off-site land dedication shall be located within a certain radius of the project site, as specified below:

a) Neighborhood Park: within a 2-mile radius
b) Community Park: within a 5-mile radius
c) Regional Park: within a 10-mile radius

While the Advisory Agency has the authority to require the Project to dedicate land to the City for park purposes, the Board would need to approve any proposed park land dedication before that land can be acquired and accepted by the City. Therefore, if the Advisory Agency requires the Project to dedicate land to the City, RAP staff would need to prepare a subsequent report to the Board regarding the proposed land dedication. That report would detail the amount and location of the land being dedicated, and the improvements, if any, proposed to be developed on the dedicated property. Additionally, if it is determined that the Project will provide a combination of land dedication and fee payment, the report would also identify the amount of in-lieu fees that would be owed to the City after RAP credits the Project for the amount of land being dedicated.

Per Section 66477 (7) of the California Government Code, “Only the payment of fees may be required in subdivisions containing 50 parcels or less, except that when a condominium project, stock cooperative or community apartment project, as those terms are defined in Sections 4105, 4125, and 4190 of the Civil Code, exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.”

In-Lieu Fee Payment

Pursuant to LAMC Section 12.33, the Park Fee amount is determined by the type of residential development project (Subdivision or Non-Subdivision) being developed. RAP shall collect these fees pursuant to LAMC Section 19.17 and the Park Fees Section of RAP’s Rate and Fee Schedule. As of July 1, 2020, Residential Subdivision projects that are subject to the Subdivision fee shall pay:

\[
\text{\$13,609.00} \times \text{number of new non-exempt dwelling units}
\]

The maximum Park Fees payment for the Project’s proposed 69 units would be:

\[
\text{\$939,021.00} = \text{\$13,609.00} \times 69 \text{ dwelling units}
\]
As currently proposed, the Project has nine (9) dwelling units in the Project that would likely qualify for an exemption per LAMC Section 12.33 C.3. If those dwelling units are ultimately determined to be exempt, the maximum required Park Fee payment for the Project would be:

\[
\text{\$816,540.00} = 13,609.00 \times 60 \text{ dwelling units}
\]

The amount of Park Fees that are required to be paid is subject to change depending on the Park Fee schedule in effect in the year of payment; the number of exempt dwelling units (e.g. affordable housing units, existing dwelling units to be replaced on site, etc.) included as part of the Project; any Dwelling Unit Construction Tax previously paid by the Project; and, any credits granted by RAP to the Project for improvements to dedicated park land or for eligible privately owned recreational facilities and amenities.

Per LAMC Section 12.33 E.3, any Park Fees collected by the City shall be expended within a certain radius from the project site, as specified below:

a) Neighborhood Park: within a 2-mile radius
b) Community Park: within a 5-mile radius
c) Regional Park: within a 10-mile radius

STAFF ANALYSIS AND RECOMMENDATION

In order for RAP staff to determine which mechanism, land dedication or payment of Park Fees, to recommend for the Board’s review and approval, RAP staff analyzes each proposed development project, including its location, new population, surrounding parks, any nearby active or proposed park acquisition or park development project, existing park service radius gaps, etc. RAP staff also analyzes any parks, open spaces, or recreational areas anticipated to be provided by each proposed development project in order to determine if those facilities reduce the need for new public recreation and park facilities to serve the project residents.

One of the most critical factors that RAP staff uses to analyze proposed developments is existing park service radius gaps. According to the Trust for Public Land 2020 Park Score Index, approximately 62% of residents in the City of Los Angeles live within a 10-minute walk from a public park or open space. The Mayor’s Office of Sustainability pLAN sets a goal of increasing the percentage of Angelenos living within a one-half mile from a park to at least 65% by 2025; 75% by 2035; and 100% by 2050. RAP has employed a variety of strategies, such as the 50 Parks Initiative, that are intended to increase park access and meet these park access goals.

Site Analysis

The proposed Project is located within the Valley Village community of the City and within the North Hollywood – Valley Village Community Plan Area. The Project is currently under construction. The proposed Project is surrounded by residential and commercial uses.
An aerial view of the Project site is attached hereto (Attachment 3). A map showing the generalized zoning of the Project site is also attached (Attachment 4).

The proposed Project is located in a high-density area of the City. Below is analysis of the density of the area within walking distance of the Project site and a comparison to both citywide density and local community density:

- Half-mile (½) walking distance of the Project site (EPADSS): 6,829 persons (12,885 persons per square mile)
- North Hollywood – Valley Village Community Plan Area (2017 American Community Survey): 13,150 persons per square mile

Project Open Space and Recreational Areas

As previously discussed, the proposed Project also includes approximately 6,935 square feet (SF) of common open space, including two decks, a ground floor recreation area, and two ground floor yards.

The amount of common open space being provided by the proposed Project does not appear to significantly exceed the amount of open space the proposed Project would otherwise be required to provide per LAMC Section 12.21 (or other planning documents, specific plans, etc.). Additionally, it does not appear that these open spaces will include the type and variety of active and passive recreational facilities and amenities that are typically found in the City’s Neighborhood and Community Parks and that are needed to meet the needs of residents of all ages and abilities.

As currently proposed, these proposed recreational amenities would likely not significantly reduce the proposed Project’s impact on existing public recreational and park facilities nor would they likely significantly reduce the need for new or expanded public recreational and park facilities to serve the proposed Project’s residents.

Public Park Access

There are no RAP-operated public parks within a half (½) mile walking distance from the Project site. A map showing the project location and nearby public parks is attached hereto (Attachment 5).

As previously noted in this Report, a land dedication for a new public park could be located either on-site or off-site of the Project location. If a new public park was provided at the Project location the park would serve the new residents of the Project and would serve approximately 6,629 new, previously unserved, residents within a half-mile walking distance (Attachment 6). If a new public park was provided off-site of the Project location the park would serve the new residents of the Project as well as an unknown number of new, previously unserved, residents within a half-mile walking distance. If the proposed Project does elect to make some or all of its
required land dedication off-site, staff would work with the Project to identify a site that would serve project residents, help close an existing park service area gap, and maximize, to the extent feasible, the number of new residents who would be within a half-mile walking distance of a public park.

Nearby Public Park Projects

There are no public parks currently in development within a two (2) mile radius of the Project site:

There are two (2) park renovation projects currently in development within a two (2) mile radius of the Project site.

- Valley Plaza Park, located at 7000 North Whitsett Avenue, is a 30.62-acre facility that features multipurpose fields, basketball and tennis courts, children’s play areas, a recreation center, and a swimming pool. The scope of work for the Valley Plaza Park – Whitsett Sports Field Improvements Phase II (PRJ21057) Project is the conversion of three existing soccer fields at Whitsett Fields Park to synthetic turf fields with LED lighting, the addition of a park entrance and parking area along Whitsett Avenue, the construction of a small office and restroom building, and related landscape and hardscape improvements. The Valley Plaza Park – Whitsett Sports Field Improvements Phase II (PRJ21057) Project is fully funded at this time.

- Studio City Recreation Center, located at 12621 West Rye Street, is an 8.46-acre facility that features an auditorium/small gymnasium, lighted baseball diamond, basketball and tennis courts, children’s play area, and outdoor fitness equipment. The scope of work for the Studio City Recreation Center – New Gymnasium (PRJ20404) Project includes the demolition of the existing gymnasium and the construction of a new gymnasium and community center. The Studio City Recreation Center – New Gymnasium (PRJ20404) Project has not yet started construction and is not fully funded at this time.

Staff Recommendation

RAP staff recommends that the appropriate mitigation measure for this proposed Project is the payment of in-lieu fees to the City.

Per the Project applicant, the proposed Project is not a condominium project, stock cooperative or community apartment project, as defined in Sections 4105, 4125, and 4190 of the Civil Code.

There are two (2) park renovation projects currently in development within a two (2) mile radius of the Project site. The Studio City Recreation Center – New Gymnasium (PRJ20404) Project is not fully funded at this time.
FISCAL IMPACT

As it is not known at this time if the Advisory Agency will recommend the proposed Project dedicate park land to the City or to pay Park Fees, the potential Fiscal Impact to the RAP’s General Fund is unknown.

STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP’s Strategic Plan by supporting:

Goal No. 3: Create & Maintain World Class Parks and Facilities
Outcome No. 3: Increased park maintenance, with a focus on cleanliness.

Result: Collected fees will fund capital improvements of existing parks in the Project area.

This Report was prepared by Ligaya Khennavong, Management Assistant, Planning, Maintenance and Construction Branch.

LIST OF ATTACHMENTS

1) Conceptual Project Renderings
2) Advisory Agency Filing Notice
3) Aerial View of Project Site
4) Generalized Zoning
5) Project Location and Surrounding Parks
6) EPADSS Report
Updated Filing Notification and Distribution Form

Parcel Map No.: AA-2020-461-PMLA  
Site Address(es): 12438 & 12444 W. Chandler Blvd. & 5353 N Wilkinson Ave.  
Community Plan: North Hollywood - Valley Village

Filing Date: 01/23/2020  
No Deemed Complete Date: N/A  
Distribution Date: 03/02/2020

☐ COUNCIL DISTRICT NO. 2  
☐ Bureau of Engineering  
☐ Dept. of Building and Safety – Grading  
☐ Dept. of Building and Safety – Zoning  
☐ Dept. of Transportation, CWPC Section  
☐ DWP Real Estate  
☐ DWP Water Engineering & Distribution  
☐ Dept. of Fire, Engineering and Hydrant Unit  
☐ Bureau of Street Lighting  
☐ Animal Regulation (hillside or grading)

Hillside ☐ Yes ☒ No  
☐ MODIFICATION/REVISION REQUEST

Thomas Guide: 562 - GRID F2  
D.M.: 171-B-165

☐ Community Plan Revision Division  
☒ Housing Department (no P.S.)  
☒ Department of Recreation and Parks  
☒ Bureau of Sanitation  
☒ Urban Forestry Division  
☒ GIS  
☒ Board Of Education (no P.S.)  
☒ County Health Department (no P.S.)

DATE DUE: UPON RECEIPT

Please send your reports to the following NEW e-mail address: planning.valleysubdivisions@lacity.org. Thank you.

Pursuant to Sections 17.50 through 17.60 of the Los Angeles Municipal Code, the attached preliminary parcel map is submitted for your consideration. The Advisory Agency will await your report and recommendation regarding the above matter for 39 days. If we have not received a written report from you after 40 days from the date of filing, we will assume that you have no report to make.

Mary K. Crowell  
Senior Administrative Clerk
Scenario Information

Scenario Name: AA-2020-0461-PMLA

Description:
4 lot subdivision with 3 commercial lots and 1 residential lot

Scenario Type:
New Park

Park Class:
Improved

Baseline Dataset*:
All Parks (RAP and Non-RAP)

*The baseline dataset is the existing parks dataset whose service areas are used to calculate the currently non-served metrics given below in blue. These residents and households, which would be served by the proposed park, are not currently served by any existing park in the baseline dataset.

Population and Age Breakdown

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<tr>
<th>Residents Served by Age</th>
<th>Total Residents Served</th>
<th>Currently Non-Served Residents Served</th>
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<tbody>
<tr>
<td>Under Age 5:</td>
<td>489</td>
<td>356</td>
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<tr>
<td>Age 5 to 9:</td>
<td>404</td>
<td>276</td>
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<td>Age 10 to 14:</td>
<td>402</td>
<td>292</td>
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<tr>
<td>Age 15 to 17:</td>
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<td>Age 18 to 64:</td>
<td>5,994</td>
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<td>Age 65 and Over:</td>
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<td>772</td>
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Household and Income Breakdown

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<th>Total Households Served</th>
<th>Currently Non-Served Households Served</th>
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<tr>
<td>Under $25,000:</td>
<td>919</td>
<td>782</td>
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<td>$25,000 to $34,999:</td>
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<td>$50,000 to $74,999:</td>
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<td>$75,000 and Over:</td>
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Source: Census/ACS 2010