

## FINDINGS

### General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed Zone Change Ordinance is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

In accordance with City Charter Section 253, the proposed Zone Change Ordinance contains an Urgency Clause for the immediate protection of the public peace, health, and safety. Delaying the implementation of this Ordinance would allow the irreversible impact to single-family neighborhoods in Studio City from new developments that demolish smaller single-family homes and rebuild new out-of-scale homes in its place. The proliferation of this trend has created a severe adverse impact to the quality of life of existing residents in Studio City. The Urgency Clause is intended to ensure that the existing residential neighborhood is protected from new large out- of-scale developments that will harm the unique character and charm of the area.

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change Ordinance to those parcels lying within the Studio City RFA SUD boundaries, bounded within the proposed Ordinance Map.

### General Plan Framework/ Community Plan Consistency

The proposed Zone Change Ordinance for the Studio City Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in the Community Plan that make up the Land Use Element of the General Plan

### General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

- |                      |   |
|----------------------|---|
| <b>Goal 3B</b>       | Preservation of the City's stable single-family residential neighborhoods.  |
| <b>Objective 3.5</b> | Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development. |
| <b>Policy 3.5.2</b>  | Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.  |

The Zone Change proposal, if approved, would maintain the single-family residential zoning for the area and the land use density of one single-family dwelling. In Studio City, approximately 98% of the single-family non-hillside residential properties are located on R1 zoned lots and the remaining 2% on RE11 and RE20 lots. The updated Single Family Regulations would better

support the protection of the R1 zones in this neighborhood by employing a maximum floor area of 0.45:1 that is lower than the current RFA SUD maximum of 0.49:1 or 0.53:1 depending on lot size and incorporating into projects a set of design standards that mitigate neighborhood impacts rather than incentivizing these features through bonuses.

The range of maximum square footage that would be permitted if the zone change were approved would encourage new homes or home additions that would conserve and complement the existing scale and character of Studio City's one and two story quaint residential neighborhood. This would be consistent with the intent of the Studio City RFA SUD which was to better complement the neighborhood's existing range of homes averaging 2,200 SF and a floor area ratio of 0.33:1.

The proposed Zone Change Ordinance to rescind the Studio City RFA SUD is recommended in order to better preserve and maintain the character defining features, such as scale, proportion, and building mass that make the existing single-family neighborhood in Studio City unique. The current RFA SUD regulations for the Studio City Community are made of a complex set of floor area bonuses that incentivize desirable design and environmental strategies but do not necessarily address the impact of developing large homes that can potentially limit light and air and impact privacy of adjacent neighbors. The updated Single Family R1 Regulations would require design standards such as the encroachment plane, sidewall articulation and rooftop deck setback that would help to mitigate potential impacts of new homes and provide neighbors with better protections.

With regard to character and scale, the proposed Zone Change Ordinance, if adopted, would have better control of building mass in the R1 zone. The RFA SUD currently offers floor area bonuses for the inclusion of a second story proportional reduction and general articulation option which encourage a proportional and articulated building envelope, however, the existing RFA SUD development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The general articulation option only requires a minimum of 20% of the façade to be articulated at a minimum depth of 9 inches which doesn't add a great level of articulation when compared to the sidewall articulation requirement in the R1 zone. The new building envelope after the proposed Zone Change Ordinance is adopted would employ an encroachment plane in the R1 zone starting at 20 feet in height, with an invisible inclined plane sloping inward at a 45 degree angle, where a building may not intersect. In addition, the new regulations require a side wall articulation beyond 45 feet in length and 14 feet in height, a plane break at a depth of 5 feet with a minimum length of 10 feet. The combination of the encroachment plane and the side wall articulation would curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the development and increased light and air for adjacent properties. If the proposed Ordinance is adopted, the new regulations would mandate the preferred building envelope, instead of providing more floor area to incorporate the bonus options.

The updated Single Family Regulations better balance a homeowner's ability to build a home that best suits their needs while still protecting the adjacent neighbors and the existing R1 housing stock of Studio City.

### **General Plan Housing Element**

The Zone Change Ordinance if approved would be consistent with the following objectives and policies of the City's Housing Element located in the Safe, Livable and Sustainable Neighborhoods Section.

**Objective 2.4** Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.

**Policy 2.4.1** Promote preservation of neighborhood character in balance with facilitating new development.

**Policy 2.4.2** Develop and implement design standards that promote quality residential development.

As previously mentioned, the Zone Change Ordinance will further promote and support the unique residential character of Studio City by protecting its existing smaller scale housing stock from the impacts of out-of-scale new single-family homes. The Ordinance will also facilitate the development of new homes that will be more complimentary to the existing single-family residential neighborhood. The Ordinance supports the policy of promoting quality residential with design standards by employing the encroachment plane and sidewall articulation to address the building envelope to ensure good design standards. These design requirements along with the reduced maximum floor area of 0.45:1 and the elimination of bonuses and exemptions will promote better scale and massing that is more consistent with the unique characteristics of the Studio City neighborhood.

### **Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan**

The proposed Zone Change Ordinance is consistent with applicable objectives and policies of the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, including the following:

**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 to the year 2010.

**Policy 1-1.2** Protect existing single family residential neighborhoods from new, out-of-scale development.

The proposed Zone Change Ordinance will promote the objectives, policies and goals of the Sherman Oaks - Studio City - Toluca Lake - Cahuenga Pass Community Plan by continuing to protect the character of the existing single-family neighborhood in the Studio City area. The Community Plan calls for the preservation of low density, single-family neighborhoods and to preserve and enhance the distinct residential character and integrity. By instituting more restrictive development regulations in the R1 zones, the proposed regulations require new development to be compatible with neighborhood character in a more direct way specifically by requiring certain design features to protect adjacent neighbors. As new houses are developed in conformance with the updated Single Family Regulations, and are built with the updated floor area maximums and required design standards, the overall existing character of the Studio City community is preserved.

The intent of the RFA SUD was to address mansionization by reducing the maximum floor area from the citywide standard at the time of 0.60:1 (0.50:1 + 20% bonus) and address impacts of new large single-family developments in the Studio City area through its menu of bonus options. However, the RFA SUD has not been as effective as anticipated at addressing mansionization and its neighborhood impacts. The exchange of bonus options for increased floor area has continued to encourage large out-of-scale homes in the Studio City area. Thus the updated Single Family Regulations, consistent with the intent of the RFA SUD, better limits the adverse impact of out-of-scale developments that are incompatible with unique neighborhoods like Studio City by reducing the maximum floor area from a possible 0.49:1 or 0.53:1 to a maximum floor area of 0.45:1 in the R1 zone, eliminating bonuses and modifying exemptions. In addition, rather than giving a property owner the option of utilizing up to four of bonus options to help manage mass and bulk, the new regulations would require design strategies to better control the building envelope to address neighborhood impacts.

Although, the Zone Change Ordinance would also increase the maximum floor area in the RE zones from a maximum of 0.37:1 or 0.41:1 depending on lot size to a possible maximum floor area of 0.42:1 or 0.48:1, the sheer size of these lots help to mitigate the impacts to adjacent property owners created by large single-family homes. In the last decade in Studio City, new homes built in the RE11 and RE20 zones have an average floor area ratio of 0.33:1 - 0.36:1. For the most part, these homes have not built out to the maximum floor area allowed prior to or after the adoption of the RFA SUD. The floor area of these new homes is relatively consistent with the total average floor area of 0.33:1 in the RE properties in the Studio City RFA SUD area. Therefore, the new developments proposed on RE lots do not have the anticipated impacts to light, air and character in comparison to the R1 zones. Furthermore, these regulations enhance the residential character by promoting stable and proportional neighborhood development in relation to the zone and lot size providing more housing options for various sizes and types of families.

### **Public Necessity, Convenience, General Welfare, and Good Zoning**

Los Angeles City Charter Section 558 and LAMC Section 12.32(C)(7) require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change Ordinance conforms to public necessity, convenience, general welfare, and good zoning practice because its measures regulate single family residential development in order to avoid the further degrading effects of out of scale structures and their continuing negative impacts to the single-family neighborhoods in Studio City.

The proposed Zone Change Ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the RFA SUD which is currently higher than the citywide standard. In addition, under the existing regulations, new developments may not address the impacts to adjacent neighbors or community character since only four bonus options are allowed and not all of them address scale or mass such as the Cal Green Option or the LEED Gold Option.

In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties especially in R1 lots. Good zoning practice requires new development standards for single-family residential zones to

further maintain and control the preservation of neighborhood character. This proposed Zone Change Ordinance accomplishes this requirement.

In the R1 zone in the Studio City RFA SUD, the maximum allowable residential floor area is 0.49:1 or 0.53:1 depending on lot size which exceeds the citywide maximum floor area of 0.45:1 by 0.04:1 - 0.08:1. The purpose of the RFA SUD district for Studio City was to protect the neighborhood from losing its unique character from the development of disproportionately large homes. Allowing new homes to build to its maximum allowable residential floor area in the R1 zone without the requirement of design mitigations could jeopardize the unique character and charm of the Studio City area since those lots are smaller and the impacts of large homes are greater. Applying the updated Single Family R1 Regulations (BMO) would better protect existing single-family residential homes from new out-of-scale developments.

Replacing the RFA SUD with the updated Single Family R1 Regulations (BMO) would also fulfill the need for a variety of housing options because it protects existing smaller homes in the area but also still allows for new larger homes that could accommodate various family types. The Single Family R1 Regulations (BMO) would also improve the physical environment of the single-family residential neighborhoods and as a result improve the quality of life for this community by providing better articulated homes where adjacent property owners are less impacted by the building mass of these new larger homes.

The proposed Zone Change Ordinance to remove the RFA SUD, if approved, will make regulations for the area simpler and straight forward. The implementation of the updated Single Family R1 Regulations will deter the continuation of over-sized development particularly in the R1 single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in this community if the Zone Change Ordinance is not approved.

### **CEQA Findings**

The City of Los Angeles as the lead agency has determined that the proposed Zone Change Ordinance would not have a significant impact on the environment. Since Negative Declaration ENV-2015-4197-ND analyzed the citywide Code Amendment for the updated Single Family Regulations (BMO/BHO), it was determined that an addendum to this ND was appropriate for the purposes of satisfying the CEQA requirements.

The Code Amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) was adopted in March of 2017 and consisted of same environmental review citywide and did not explicitly exclude the Studio City RFA SUD Project Area in its analysis. The Code Amendment to the BHO/BMO specifically amended the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify residential floor area calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional floor area in exchange for the inclusion of particular building features.

The proposed Code Amendment to the BMO/BHO would further apply specific requirements related to form and massing to single-family zoned properties. The Code Amendment applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single-family zoned lot (RA, RE, RS, R1). The Zone Change Ordinance is not expected to incentivize any new construction; rather, replacing the Studio City RFA SUD area with the regulations set forth in the Code Amendment will address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form by applying the encroachment plane and side wall articulation to projects in the R1 zone.

As stated in the mandatory findings of significance in the Addendum to the Negative Declaration, the Department of City Planning concludes that consistent with the Final ND for the Code Amendment, there will be a less than significant impact identified in the mandatory findings of significance.

As analyzed in the Final ND, new proposed single-family homes and additions that will occur under the Code Amendment will not endanger any fauna or flora or modify any special status species or habitat. In addition, because the Code Amendment did not authorize any project no development is proposed in any identified Biological Resource Area. It is anticipated that no fish, wildlife species, endangered plant or animals will be impacted by the adoption of the Code Amendment. Lots that exist in the proposed Project Area are also single-family zoned lots in the R1 and RE zones in Studio City. The proposed Zone Change Ordinance does not propose any projects by itself and so does not change or alter any of the findings in the mandatory findings of significance in the Final ND. Therefore, no additional analysis is required.

Furthermore, the Final ND concluded that all 17 environmental factors were analyzed with no significant impacts identified. The Final ND concluded that the Code Amendment would not result in any unmitigated significant impacts, thus there would be no cumulative impacts. In addition, the Code Amendment will not have any substantial environmental effects on humans directly or indirectly. The addition of the proposed Zone Change Ordinance as an addendum to the Final ND does not change any of the findings in any of the categories. Therefore, no significant impacts were identified for the 17 environmental factors analyzed within the Addendum.