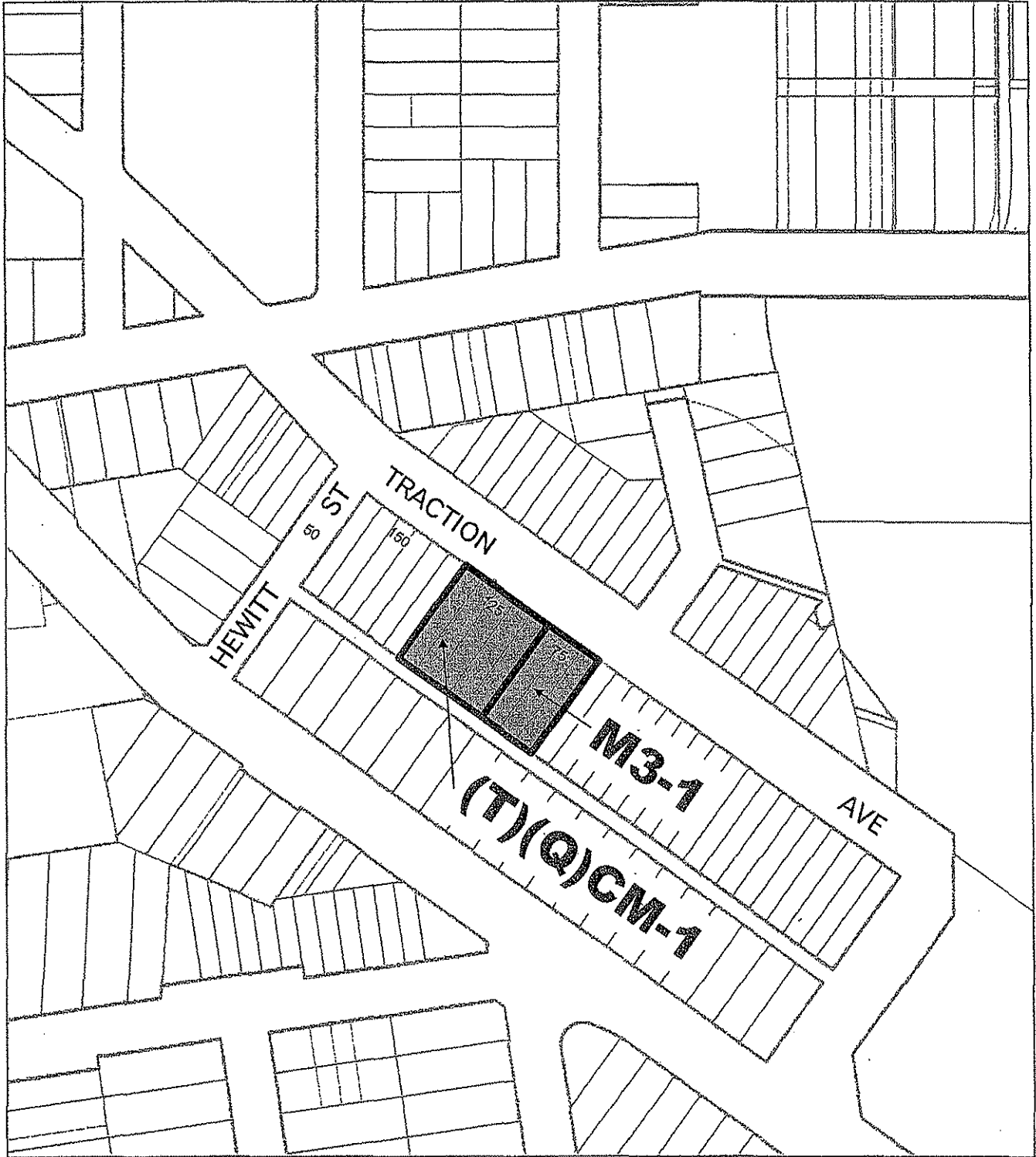


ORDINANCE NO. 181049

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



NOT TO SCALE

D.M. 127-5A215	CPC 2008-1070 ZC ZV ZAD ZAA SPR
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LH/28

102208

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Development Conditions

1. **Use.** The use and area regulations of the subject property shall be limited to the provisions the CM-1 Zone, except as varied herein by the zone variance and the adjustments.
2. **Density.** Project shall comply with all provisions of the (Q)CM-1 Zone, with a maximum of 44 dwelling units.
3. **Height:** The project shall not exceed a 1.5:1 FAR, 5 stories or 55 feet.
4. **Building Orientation:** The ground floor retail space shall have frontage along Traction Avenue.
5. **Site Plan Review.** The use and development of the subject property shall be in substantial conformance with the site plan (Exhibit B), dated September 3, 2008.
6. **Parking.** The project shall provide a minimum of 2 parking spaces for each dwelling unit, except a minimum of one parking space shall be provided for each studio unit. Parking for the 3,600 square feet of retail space and 1,800 square-foot community artist space shall be in compliance with the L.A.M.C.
7. **Parking (Residential):** The applicant shall comply with the following:
 - a. Tandem parking may be used only for the spaces that are assigned and designated for a single residential unit.
 - b. Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.
 - c. If any guest parking is located behind security gates, the following shall be apply:
 - i. A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
 - ii. An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.
 - iii. The security gate shall be set back at least 20 feet from the public right-of-way so as to provide a waiting are for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.
 - iv. Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.

8. Tree Removal (Non-Protected Trees):

- a. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
- b. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.
- c. The genus or genera of the tree(s) shall provide a minimum crown of 30'-50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No. 170,978), Guidelines K - Vehicular Use Areas.
- d. **Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675.

9. Light. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

10. Seismic. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

11. Severe Noise Levels (Residential Only):

- a. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- b. The project contractor shall use power construction equipment with state-of-art noise shielding and muffling devices.
- c. A sturdy, readable construction sign shall be placed on a construction site, visible to the public.
- d. The sign shall include approved hours/days of construction and "hot line" pager/telephone numbers to responsible job captain/foreman.

12. Public Services (Street Improvements Not Required By DOT): The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

13. Location of Amenities:

- a. Common open space and areas devoted to trash/recycling storage or other storage shall not be located within 50 feet of a residential use so as not to result

in noise, odor or debris impacts on any adjacent residential uses.

14. Wall (trash/storage): Solid masonry block walls, a minimum of six feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates.

15. Landscaping Plan:

- a. Provide a landscaping plan which provides planted material along the driveways, to the satisfaction of the Planning Department in consultation with the Council Office.
- b. Provide a pedestrian circulation system (sidewalks) adjacent to the driveways to reduce the potential of vehicular/pedestrian conflict.

B. Environmental Conditions

1. Aesthetics (Landscaping). All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

2. Aesthetics (Graffiti).

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.

3. Air Pollution (Stationary): The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.

4. Erosion/Grading/Short-Term Construction Impacts:

Air Quality

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- e. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- g. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- h. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- i. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- j. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- k. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

General Construction

- l. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
 - m. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
 - n. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
 - o. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
 - p. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
 - q. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
 - r. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills
5. **Explosion/Release (Asbestos Containing Materials):** Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
6. **Single Family Dwelling (10+ Home Subdivision/Multi Family):**
- a. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
 - b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
 - c. Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.

- d. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
 - e. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
 - f. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
 - g. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
 - h. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division.
 - i. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
 - j. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
 - k. Legibility of stencils and signs must be maintained.
 - l. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
 - m. The storage area must be paved and sufficiently impervious to contain leaks and spills.
 - n. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
 - o. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
 - p. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
 - q. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
7. **Public Services (Fire):** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel

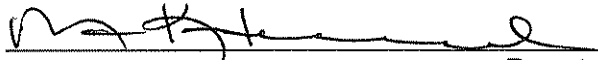
from the edge of the roadway of an improved street or approved fire lane.

8. **Public Service (Police):** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.
9. **Public Services (Schools):** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
10. **Utilites (Solid Waste):** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
11. **Transportation Project Requirements:**
 - a. All required street or alley improvements shall be guaranteed through the B-permit process of BOE before the issuance of any building permit for this project. These measures shall be completed to the satisfaction of DOT and BOE prior to the issuance of any Certificate of Occupancy.
 - b. Site access and Internal Circulation. This determination does not include the final approval of the project's driveways, internal circulation, and parking scheme. However, the following general comments do apply:
 - i Two-way common driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive of side slopes. To minimize conflict between vehicles using adjoining driveways, a minimum of 50-feet of full-height curb shall be provided between driveways.
 - ii To avoid vehicles encroaching onto the public right-of-way, a minimum 20-foot reservoir spaces (distance between property line and any unit garage or access gate) shall be provided at all ingress driveways for lots containing fewer than 100 total parking spaces, and minimum 40-foot reservoir space shall be provided at all ingress driveways for lots containing 100 to 300 spaces.
 - c. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting a detailed site and/or driveway plan, at a scale of at least 1" = 40', to DOT's Construction Services Counter (Station 23 at 201 North Figueroa Street, Third Floor) prior to submittal of building plans for plan check to the Department of Building and Safety.


Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of DEC 09 2009 and was passed at its meeting of DEC 16 2009.

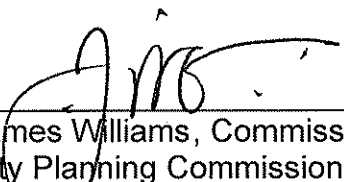
JUNE LAGMAY, City Clerk

By 
Deputy

Approved DEC 23 2009


Mayor

Pursuant to Section 558 of the City Charter,
the City Planning Commission on December 11, 2008,
recommended this ordinance be adopted by the City Council.


James Williams, Commission Executive Assistant I
City Planning Commission

File No. 09-2711

DECLARATION OF POSTING ORDINANCE

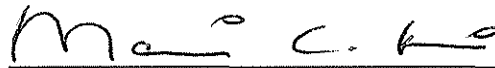
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 181049 – Zone Change at 814-828 East Traction Avenue – CPC 2008-1070 ZC ZV ZAD ZAA SPR - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **December 16, 2009**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **December 24, 2009** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **December 24, 2009** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **24th** day of **December 2009** at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: February 2, 2010

Council File No. 09-2711