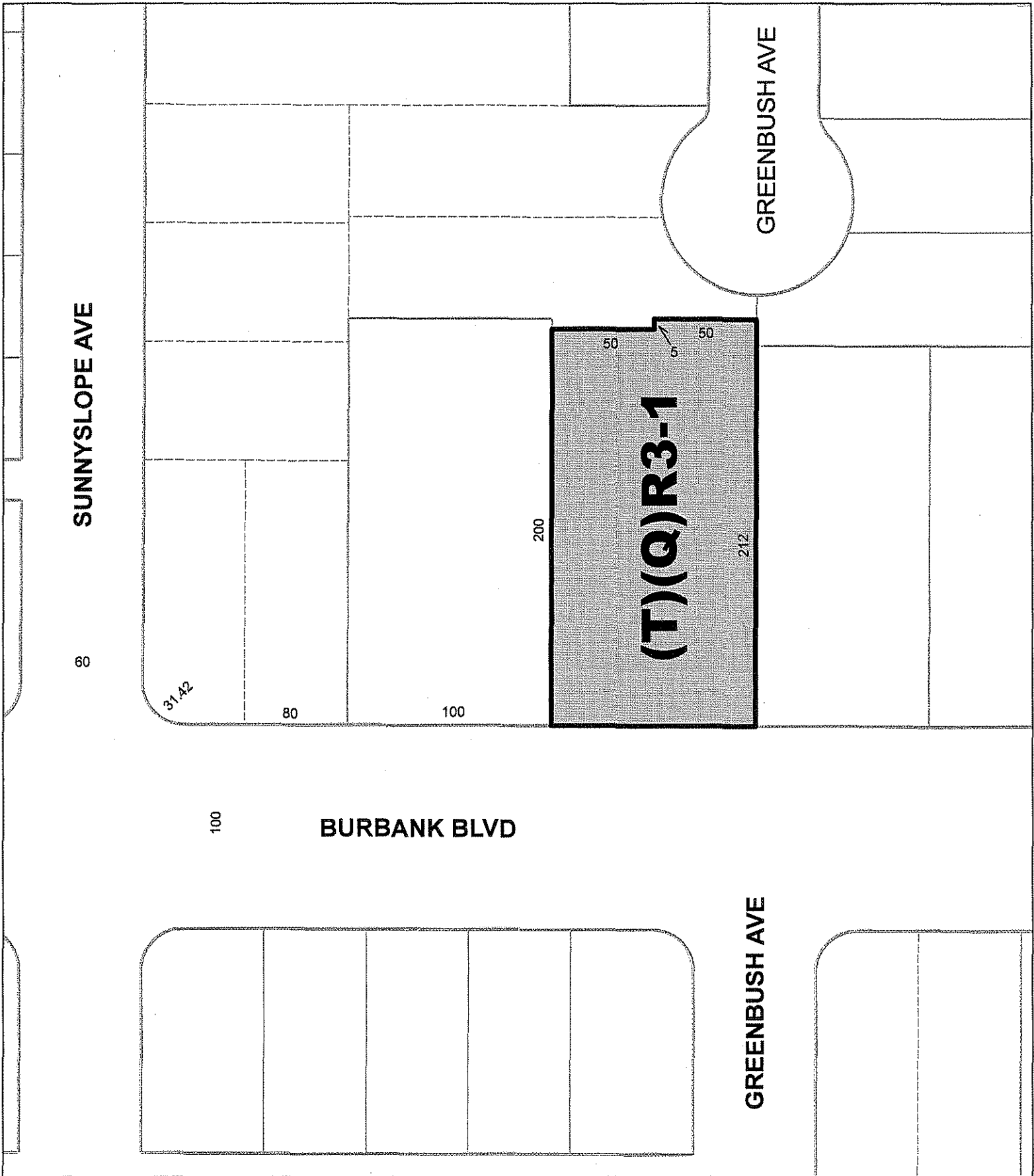


ORDINANCE NO. 182433

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

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

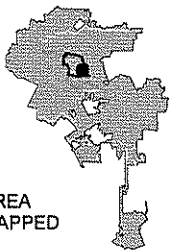
Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.



C.M. 174 B 157	CPC-2012-1225-GPA-ZC-BL
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LH/ *[Signature]*

090112



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.

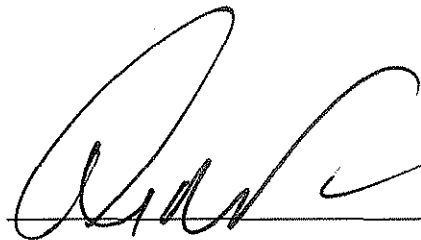
I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of JAN 30 2013.



JUNE LAGMAY, City Clerk

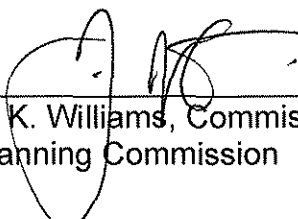
By _____ Deputy

Approved FEB 08 2013 _____



Mayor

Pursuant to Section 558 of the City Charter, the City Planning Commission on October 25, 2012, recommended this ordinance be adopted by the City Council.



James K. Williams, Commission Executive Assistant II
City Planning Commission

File No. 12-1905 _____

(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. Entitlement Conditions:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan and elevations labeled Exhibit "B", attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.** The use of the subject property shall be limited to those uses permitted in the R3-1 Zone as defined in Section 12.10 A of the Los Angeles Municipal Code.
3. **Density.** The proposed project shall not exceed 22 dwelling units.
4. **Front and rear yard.** A minimum 19-foot front yard or 17-foot front yard with 2-foot dedication, and 20-foot rear yard shall be provided.
5. **Elevator.** The elevator shall be located in the designated lobby area.
6. **Parking.** The project shall provide parking in accordance with Section 12.21 A 4 of the Los Angeles Municipal Code and the following:
 - a. A minimum of three guest automobile parking spaces shall be provided in the garage.
 - b. Long-term bicycle parking shall be provided in the garage as noted on the site plan.
 - c. Short-term bicycle parking, which shall accommodate at least two bicycles, shall be located near the pedestrian entrance to the apartment building.
7. **Height:** No building or structure located on the subject property shall exceed 35 feet in height, except for roof structures, pursuant to Section 12.21.1-B 3 of the Municipal Code. Rooftop mechanical equipment and/or ductwork that exceed the roof ridge or parapet wall, whichever is higher, shall be screened from horizontal view with materials that are compatible with the building.
8. **Landscape Plan.** A minimum 5-foot landscaped buffer along the periphery of the property shall be provided. The project shall be developed in substantial accordance with the landscape plan (Exhibit B) stamped and dated September 23, 2012, and attached to administrative file.

B. Environmental Mitigation Conditions

1. **Aesthetics (Landscape Plan).** 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 and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
2. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

3. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
4. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
5. **Liquefaction Area**
Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

6. **Expansive Soils Area**
Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

7. **Explosion/Release (Existing Toxic/Hazardous Construction Materials)**
 - a. **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs 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 applicable State and Federal rules and regulations.
 - b. **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint

materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

8. Standard Urban Stormwater Mitigation Plan (Hillside Residential and All 10-or-more-unit Subdivisions and Multi-Family Dwellings)

- a. Project applicants are required to implement stormwater BMPs to treat and infiltrate 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. Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- d. Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- e. 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.
- f. Preserve riparian areas and wetlands.
- g. Promote natural vegetation by using parking lot islands and other landscaped areas.
- h. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- i. 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 a 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.
- j. 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.
- k. 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.
- l. Legibility of stencils and signs must be maintained.
- m. 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 structure that prevent contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- n. The storage area must be paved and sufficiently impervious to contain leaks and spills.
- o. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- p. 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.
- q. (Hillside Single- /Multi-Family Dwellings): Cut-and-fill slopes in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and

to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.

9. **(Multiple Residential Dwellings of 10+ Units of Single- or Multi-Family, incl. Subdivisions):**
 - a. 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.
 - b. 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.
 - c. Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways: i. Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt; ii. Parking Grove - is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
 - d. 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 Dept. of Public Works, Stormwater Management Division.
 - e. 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.
 - f. Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
10. **(Hillside Subdivision of 10+ Units):** Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil.
11. **Increased Noise Levels (Demolition, Grading, and Construction Activities)**
 - a. 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.
 - b. 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.
 - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
12. **Recreation (Increase Demand For Parks Or Recreational Facilities – Zone Change)**

Pursuant to Section 12.33 of the Los Angeles Municipal Code, the applicant shall pay the applicable fees for the construction of dwelling units.
13. **Utilities (Local Water Supplies - Landscaping)**
 - a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to

minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following: Weather-based irrigation controller with rain shutoff, Matched precipitation (flow) rates for sprinkler heads, Drip/microspray/subsurface irrigation where appropriate, Minimum irrigation system distribution uniformity of 75 percent, Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials, Use of landscape contouring to minimize precipitation runoff, A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

14. Utilities (Local Water Supplies - All New Construction)

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

15. Utilities (Local Water Supplies - New Residential)

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

16. Utilities (Solid Waste Recycling)

- a. **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

- 17. Utilities (Solid Waste Disposal).** All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials

including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, 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.

C. Administrative Conditions of Approval

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
8. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority

including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, 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. 182433 – Zone Change for property located at 13439 (13437-13443) West Burbank Boulevard – CPC 2012-1225-GPA-ZC-BL - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **January 30, 2013**, 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 **February 13, 2013** 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 **February 13, 2013** 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 **13th** day of **February, 2013** at Los Angeles, California.



Maria Vizcarra, Deputy City Clerk

Ordinance Effective Date: **March 25, 2013**

Council File No. **12-1905**