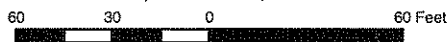
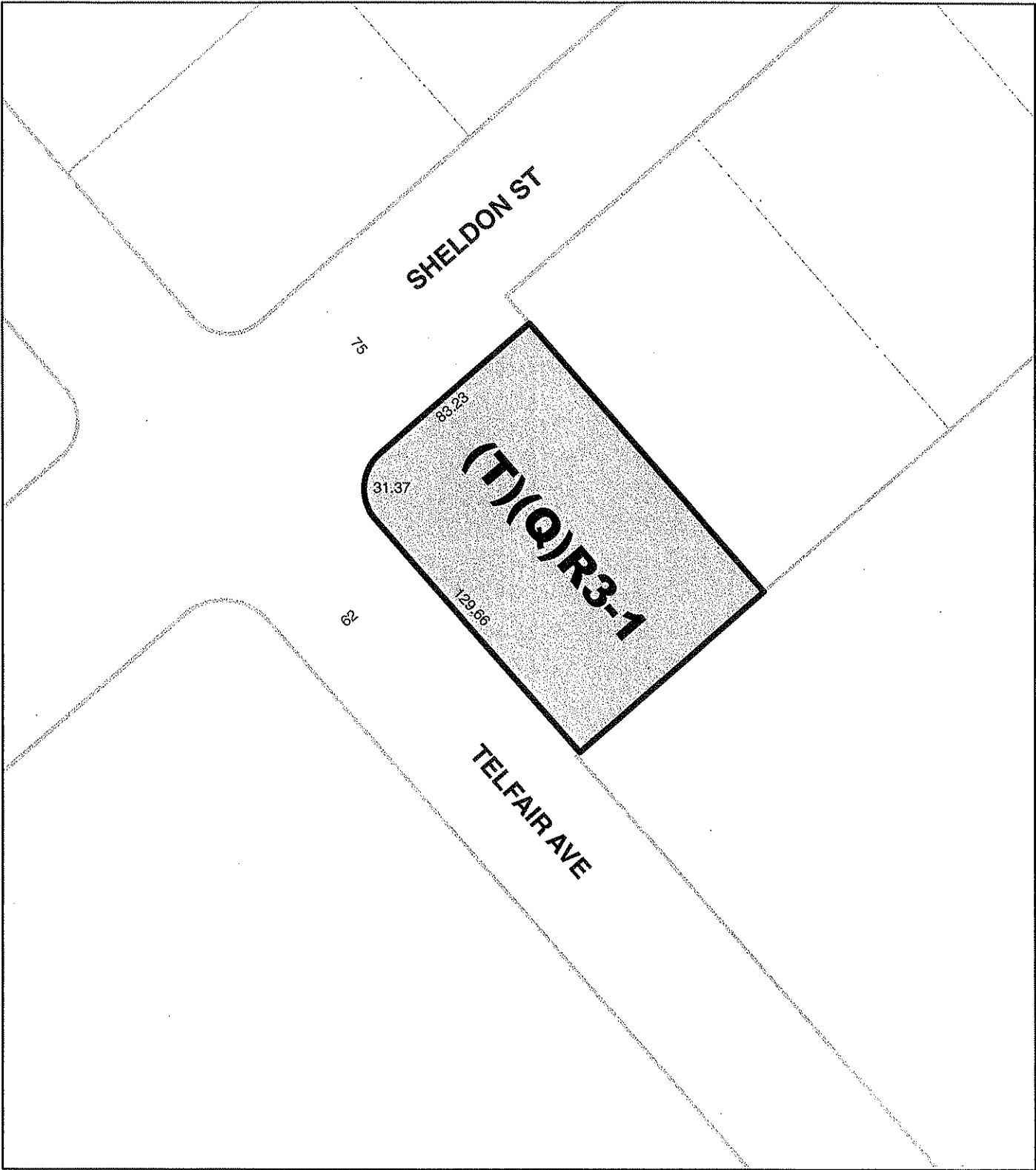


ORDINANCE NO. _____

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:

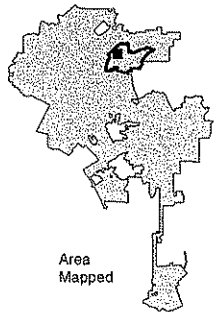
Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



C.M. 198 B 165	APCNV 2013-1187 ZC DB
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LH/ *[Signature]*

080613



(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. **Site Development.** The development of the property shall be in substantial conformance with the Site Plan, Parking Plan, Floor Plans, and Building Elevations dated August 1, 2013, attached to the case file and labeled Exhibit E-2. 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. **Permitted Uses.** The use of the subject property shall be limited to those uses permitted in the R3-1 Zone as defined in Section 12.10 of the Los Angeles Municipal Code, and as permitted in this grant.
3. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
4. **Open Space.** First-floor open space areas shall be redesigned to function primarily as active-recreational spaces for children.

B. Environmental Conditions.

1. **Aesthetics (Design).** The project shall be in substantial conformance with the applicable Urban Design Standards (Chapter V) of the Sun Valley – La Tuna Canyon Community Plan and the City of Los Angeles Citywide Design Guidelines and Walkability Checklist, including but not limited to: Maximizing the applications of architectural features or articulations to building facades; Installing on-site lighting along all pedestrian walkways and vehicular access ways; Landscaping to screen parking structures; Creating a distinguishable pedestrian entrance; Requiring useable open space for outdoor activities.
2. **Air Quality (Adjacent to School).** If dust-related impacts remain after compliance with SCAQMD Rule 403 and Los Angeles City regulations, the project applicant shall develop new feasible and appropriate measure to effectively mitigate construction-related dust at the affected schools. Provisions shall be made to allow the school(s) and/or designated representative(s) to notify the project applicant when such measures are warranted.
3. **Noise (Adjacent to School).** A temporary and impermeable sound barrier shall be erected to mitigate noise impacts to students and staff at the adjacent school campus along the southwestern property line (adjacent to Telfair Avenue) of the Project Site. The temporary sound barrier shall be designed to provide a 16 dBA noise reduction.

If noise-related impacts remain after implementation of the proposed mitigation measures, the project applicant shall develop additional feasible and appropriate measures to effectively mitigate construction-related noise at the affected schools; for example, employing sound blankets during periods of heavy construction. Provisions

shall be made to allow the school(s) and/or designated representative(s) to notify the project applicant when such measures are warranted, such as during State-mandated testing.

4. Public Services (Fire). Fire Department Conditions.

- a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- b. Building designs for multi residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street on Fire Lane.
- c. Entrance to the main lobby shall be located off the address side of the building.
- d. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- e. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department
- f. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- g. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- h. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- i. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- j. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- l. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- m. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- n. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- o. Site plans shall include all overhead utility lines adjacent to the site.
- p. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- q. Miscellaneous: Policy Exception: L.A.M.C. 57.09.03.B Exception: -
 - i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved for lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.

iii. This policy does not apply to single-family dwellings or to non-residential buildings.

5. **Public Services (Construction Activity Near Schools).** The developer and contractors shall maintain ongoing contact with administrator of **Sun Valley High School and Triumph Charter High School**. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur.

The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (800) 522-8737 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. The Project Manager or designee should notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the [project that may affect traffic through the areas.

The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

Provisions in the California Vehicle Code require that trucks and construction vehicles must stop when encountering school buses using red flashing lights.

School buses and parents dropping off their students must have access to the drop off areas located on each of the proximate campuses.

There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.

Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

6. **Utilities (Local Water Supplies - Landscaping).** 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).

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 plan 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.

7. **Utilities (Local Water Supplies - All New Construction)**

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.

Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

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.)

8. **Utilities (Local Water Supplies - New Residential).** Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

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.

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.

9. **Utilities (Solid Waste Recycling). 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.

10. **Utilities (Solid Waste Recycling): Construction/Demolition.** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.

11. **Utilities (Solid Waste Recycling). 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.

12. **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:

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. **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.
8. **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.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. That the following improvements be constructed or that the construction be suitably guaranteed:
 - a. Dedication Required:
 - i. **Sheldon Street** (Secondary Highway) – A 15-foot wide strip of land be dedicated along Sheldon Street adjoining the property to complete a 45-foot wide half street dedication in accordance with Secondary Highway Standards, including a 20-foot radius property line return at the intersection with Telfair Avenue, satisfactory to the City Engineer.
 - ii. **Telfair Avenue** (Collector Street) – A 2-foot wide strip of land be dedicated along Telfair Avenue adjoining the property to complete a 32-foot wide half street dedication in accordance with Collector Street Standards, satisfactory to the City Engineer.
 - b. The subdivider shall execute and record a Covenant and Agreement advising future owners and builders that the finished first floor elevation of the structure shall be required to be constructed at least 1.5 feet above the adjacent Sheldon Street top of curb satisfactory to the City Engineer.
 - c. Improvements required:
 - i. **Sheldon Street** – Improve Sheldon Street being dedicated and adjoining the property by the construction of the following:
A concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells.

Suitable surfacing to join the existing pavement and to complete a 35-foot half roadway.

Any necessary removal and reconstruction of existing improvements.

The necessary transition to join the existing improvements all satisfactory to the City Engineer.
 - ii. **Telfair Avenue** – Improve Telfair Avenue being dedicated and adjoining the property by the construction of the following:
A concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells.

Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.

Any necessary removal and reconstruction of existing improvements.

The necessary transition to join the existing improvements all satisfactory to the City Engineer.

BUREAU OF STREET LIGHTING

- iii. Construct new street lights: one (1) on Sheldon St. and one (1) on Telfair Ave.
- iv. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

- v. Based on the estimated flows, it appears the sewer system might be able to accommodate the total flows for your proposed project. Further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
2. The Bureau of Engineering may need to investigate the existing public sewers for sufficient capacity to facilitate the proposed development. Submit a request to the Public Counter of the Valley District Office of the Bureau of Engineering (818) 374-5090
 3. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
 4. That the Quimby fee be based on the R3 Zone if condominiums are constructed.
 5. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights of way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
 6. 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 by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, 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 must be given to the City Planning Department for attachment to the subject file.

Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

CONDITIONS OF APPROVAL Density Bonus

Pursuant to Section 12.22-A.25 of the Municipal Code (Affordable Housing Incentives – Density Bonus), the following limitations are hereby imposed upon the subject development project.

1. **Site Development.** The development of the property shall be in substantial conformance with the Site Plan, Parking Plan, Floor Plans, and Building Elevations dated August 1, 2013, attached to the case file and labeled Exhibit E-2. 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. **Permitted Uses.** The use of the subject property shall be limited to those uses permitted in the R3-1 Zone as defined in Section 12.10 of the Los Angeles Municipal Code, and as permitted in this grant.
3. **Density.** The project shall be limited to a maximum of twenty-six (26) residential dwelling units, 19 of which are “by right” units and the remaining 7 density bonus units (a 35 percent density bonus). Twenty-five (25) of the twenty-six (26) total units shall be reserved as a Very Low Income Restricted Affordable Unit, as volunteered by the applicant.
4. **Incentive #1: Common Open Space.** The project is granted a reduced minimum horizontal dimension of 13-feet for common open space, to be located within the rear-yard setback, to permit the rear-yard common open space area to count toward the open space requirement of the Municipal Code. All other remaining open space areas on-site shall conform to the standards of the Municipal Code.
5. **Incentives #2 & 3: Setbacks.** The project is granted a reduced rear yard setback of 13-feet along the southeastern property lot line and a reduced side yard setback of 5.6-feet along the northeastern property line. All other remaining setbacks shall conform to the standards of the Municipal Code.

Landscaping. In order to utilize the setback incentives, all open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. 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”.

6. **Automobile Parking.** The project shall provide a minimum of 27 parking spaces for the project, meeting the requirements of Parking Option 2 in Section 12.22 A.25(d)(2) of the LAMC.
7. **Housing Department Requirements.** In compliance with LAMC 12.22.25(h)(2), prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make 96 percent (twenty-five (25) units) of the total units of the development available for rent solely as Very Low Income Restricted Affordable Units, at a rent determined to be affordable to Very Low Income Restricted Affordable households by the Los Angeles Housing Department, for a period of at least 30 years. The project shall comply with any monitoring requirements established by the Los Angeles Housing Department. The applicant shall present a copy of the recorded covenant to the Department of City Planning.

Sec. ____ 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 _____.

HOLLY L. WOLCOTT, Interim City Clerk

By _____
Deputy

Approved _____

Mayor

Pursuant to Section 558 of the City Charter, the North Valley Area Planning Commission on September 19, 2013, recommended this ordinance be adopted by the City Council.


Rhonda Ketay, Commission Executive Assistant
North Valley Area Planning Commission

File No. _____

ZONE CHANGE & DENSITY BONUS FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Sun Valley - La Tuna Canyon Community Plan, updated and adopted by the City Council on August 13, 1999. The existing Plan designates the subject property as Medium Residential which corresponds to the R3 zone. The proposed zone change is consistent with the land use designation on the plan map and thus is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.
2. **General Plan Text.** The Sun Valley - La Tuna Canyon Community Plan text includes the following relevant land use goals, objectives, policies and programs:

GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.

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 1-3.1 Require that new single and multi-family residential development be designed in accordance with the Urban Design Chapter.

Objective 1-3 To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

Policy 1-3.1 Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, impacts on traffic levels, and environmental impacts when changes in residential densities are proposed.

Program: The decision-maker should adopt a finding which addresses these factors as part of any decision relating to changes in planned residential densities.

Policy 1-3.2 Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

The proposed project will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs, matching the density that was envisioned for this area by the Community Plan's Medium Residential land use designation. The site is located along a row of other multi-family developments along Strathern Street, and the proposed R3 zone and new twenty-six unit apartment building would be compatible with the existing neighborhood land use and character. Additionally, the project has been conditioned to dedicate and improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Sheldon Street and Laurel Canyon Boulevard, were found to be adequate or were appropriately mitigated by conditions required in the approval for the subject zone change. Adequate access to the site is available from the

two surrounding streets along the property borders, including Sheldon Street (Secondary Highway), and a driveway entrance is located along the less intensely used Telfair Street (Collector Street) to decrease possible traffic conflicts. The Plan also sets standards for Urban Design, coupled with the recently adopted Residential Citywide Design Guidelines, which include the need for a pedestrian entrance at the front of each project, for useable open space to be provided for residents, and for a building design of quality and character. The submitted building plans are consistent with these design standards. Pedestrian access from the street will be provided from Sheldon Street, close to Telfair Street. Open space will be provided within numerous balconies, several indoor recreation rooms, a rooftop deck, and a central courtyard containing landscaping. Additionally trees will be required to be planted around the perimeter of the property for adequate screening of the parking ground floor. The building elevations are designed with variations in height, depth, and building materials to achieve an articulated façade.

*In addition, at its September 19th, 2013 meeting, the North Valley Area Planning Commission considered public testimony regarding the development's unit mix, which included primarily four-bedroom units. Due to the bedroom counts per unit, there was a high likelihood that the development would house a significant number of families with children. Therefore, the NVAPC added a condition (Q-condition A-4) to require that the first-floor open space areas of the development be designed for active recreational uses, such as large unobstructed open play areas, playgrounds, or other play equipment, in order to accommodate for children, and to help mitigate the lack of public recreational facilities in the area.

The site is not subject to any Plan footnotes, and is not otherwise located within any other specific plan or special land use district.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the R3 Zone and is consistent with the general plan land use designation.

B. Entitlement Findings

1. **Zone Change, L.A.M.C. Sec. 12.32-F:** The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The (T)(Q)R3-1 zone is consistent with the existing Medium Residential General Plan Land Use designation in that this land use category allows for a corresponding zone of R3. The project is convenient in location to several major streets, such as Sheldon Street and San Fernando Road, and as an infill project will be have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the project will create more opportunity for multi-family and affordable housing in the vicinity. Properties in the immediate neighborhood primarily consist of multi-family residential buildings on R3-Zoned lots, with single-family homes located across Strathern Street north and west of the site in the R1, RS, and RA Zones. The subject RA lot is one of the last remaining parcels along the southeastern side of Strathern Street not developed with either condos or apartments. A zone change from RA-1 to R3-1 and construction of a 26-unit apartment building would be compatible with the use and size of existing adjacent developments. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

*At its September 19th, 2013 meeting, the North Valley Area Planning Commission considered public testimony regarding the development's unit mix, which included primarily four-bedroom units. Due to the bedroom counts per unit, there was a high likelihood that the development would house a significant number of families with children. Therefore, the NVAPC added a condition (Q-condition A-4) to require that the first-floor open space areas of the development be designed for active recreational uses, such as large unobstructed open play areas, playgrounds, or other play equipment, in order to accommodate for children, and to help mitigate the lack of public recreational facilities in the area.

In addition, the site had previously been approved for the R3 zone in 2004 through a Zone Change request for an 18-unit multi-family housing project. However, the Zone Change has not been effectuated, and so the current zoning for the site remains at the RA-1 zone. Since the current proposed project differs significantly from the previous proposal, a new Zone Change request has been required.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

2. **Density Bonus - Affordable Housing Incentives, L.A.M.C. Sec. 12.22 A.25:**

- a. **The Director shall approve a Density Bonus and requested incentive(s) unless the Director finds that the Incentive is not required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or Section 50053 for rents for the affordable units.**

As conditioned by this approval, the subject project complies with applicable provisions of Section 12.22 A.25, Affordable Housing Incentives – Density Bonus, of the LAMC. The project qualifies for up to a 35 percent density bonus because at least 11 percent of its pre-density bonus units are set aside as Very Low Income Restricted Affordable Units. The set aside units automatically allow the applicant to qualify for increases in density and reduced parking requirements. In addition, since the project sets aside at least 15 percent of its pre-density bonus units as Very Low Income Restricted Affordable Units, the project qualifies for up to three incentives.

- i. **Density.** The subject property is proposing a zoning of R3-1, which allows for a maximum of one unit per 800 square-feet of lot area. The approximate 15,358 square foot lot (after dedication) permits nineteen (19) "by right" pre-density bonus units. Section 12.22 A.25, however, allows up to a 35 percent density bonus if the project includes affordable units. Based on these incentives, the applicant would be permitted to build up to seven (7) additional units. The applicant is providing 100 percent of the pre-density units as Very Low Income Restricted Affordable Units, and qualifies for a 35 percent density bonus, or seven (7) units; therefore, the proposed project is within this permitted density.

Automobile Parking. Section 12.22 A.25 of the LAMC provides two parking options for density bonus projects, in addition to the standard parking requirements outlined in LAMC Section 12.21.A.4. The project proposes to use Parking Option 2, one on-site parking space per Restricted Affordable Residential Units, and two on-site parking spaces per Market Rate Residential

Unit. As proposed, the project will have twenty-five Restricted Affordable units and one Market Rate units, requiring a total of 27 parking spaces. The project will provide 27 parking spaces, thus meeting this parking requirement.

ii. **Incentives:**

To be eligible for any on-menu incentives, a project shall comply with the following:

1. The facade of any portion of a building that abuts a street shall be articulated with a change of material or with a break in plane, so that the facade is not a flat surface.
2. All buildings must be oriented to the street by providing entrances, windows, architectural features and/or balconies on the front and along any street-facing elevations.
3. The project shall not be a contributing structure in a designated Historic Preservation Overlay Zone and shall not be on the City of Los Angeles list of Historical-Cultural Monuments.
4. The project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of this Code.

After thorough consideration of the information and plans contained in the application, the project's Mitigated Negative Declaration, and Section 12.22 A.25 of the LAMC, I find that the project meets these requirements. Per Section 12.22 A.25(e), projects which set aside at least fifteen (15) percent of pre-density bonus residential units as Very Low Income Restricted Affordable Units qualify for up to three incentives. Since the project sets aside one-hundred (100) percent of pre-density bonus residential units as Very Low Income Restricted Affordable Units, the project qualifies for the following incentives:

Reduced Horizontal Dimension. Per Section 12.22 A.25(f)(6), the project is eligible for up to a 20% decrease from an open space requirement, provided that landscaping is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by the Landscape Ordinance. Therefore, the project may receive a 20% reduction (equal to 3-feet) from the required 15-foot minimum horizontal dimension for common open space, allowing for a horizontal dimension of 13-feet. The applicant's plans indicate a reduced rear-yard setback of 13-feet for the site, within which is located an at-grade common open space area. Other common open space areas on-site, such as the recreation room and the rooftop deck, continue to meet the minimum 15-foot requirement of the Code. Therefore, the 13-foot horizontal dimension for the rear yard common open space area is within the permitted allowance.

Rear-yard and Side-yard Setback. Per Section 12.22 A.25(f)(1), the project is eligible for up to a 20% reduction in the required width or depth of any individual yard or setback except along any property line abutting a single-family residential zone, provided that landscaping is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by the Landscape Ordinance. The project is not abutting a single-family residential zone, and is conditioned to submit a Landscape Plan that exceeds the

Landscape Ordinance's point requirements for the project by more than 10%. Therefore, the project may receive a 20% reduction (equal to 3-feet) from the required 15-foot rear yard setback, and a 20% reduction (equal to 1.4-feet), from the required 7-foot side yard setback, allowing for a minimum rear-yard setback of 12-feet and side yard setback of 5.6-feet. The applicant's plans indicate a front yard setback of 13-feet and a side yard setback of 5.6-feet, which are within the permitted allowances.

- b. **The Director shall approve a Density Bonus and requested incentive(s) unless the Director finds that the incentive(s) will have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low-, Low- and Moderate-Income Households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the project was issued a Mitigated Negative Declaration (ENV-2013-1188-MND) in accordance with the City of Los Angeles CEQA guidelines. Conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and the project's Mitigated Negative Declaration attached to the subject case file.

C. CEQA Findings

Environmental. The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration ENV-2013-1188-MND on June 12, 2013.

Included in the environmental review were recommended mitigation conditions to address potential impacts on Public Services related to Fire Safety. However, since the date of publication of the MND, the LA Fire Department has provided a more specific list of mitigation measures, which have replaced the original mitigation measure and are listed as condition B.4 in the Q-conditions of approval.

In addition, Los Angeles Unified School District sent a letter dated July 23, 2013, requesting additional mitigation measures regarding potential Air Quality, Noise, and Transportation/Traffic impacts to the adjacent Sun Valley High School during the construction phase of the project. The original MND included a mitigation measure to address potential traffic and vehicular/pedestrian conflicts with the adjacent school sites, and has been revised to include additional language about school bus and drop-off access and updated contact information for the LAUSD Transportation Branch (B.5 in the Q-conditions of approval). Additionally, the requested Air Quality and Noise mitigation measures have been included as new environmental conditions, as conditions B.2 and B.3 in the Q-conditions of approval.

On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND and as modified by the above referenced changes, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached modified Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the North Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.