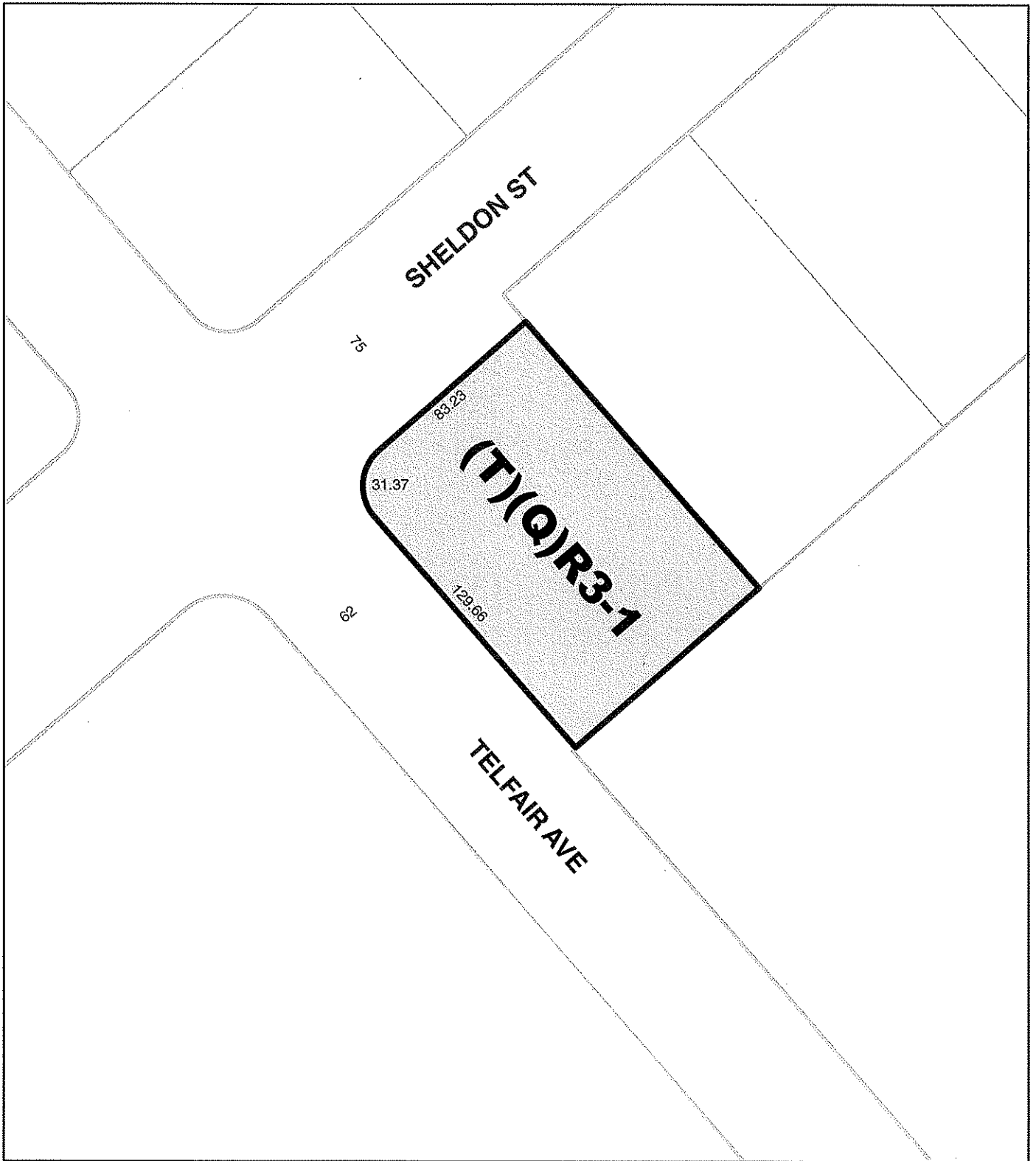


ORDINANCE NO. 182844

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:**

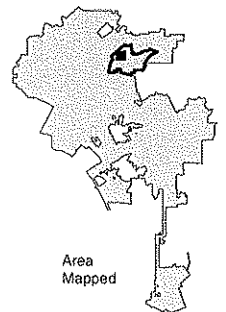
**Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as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

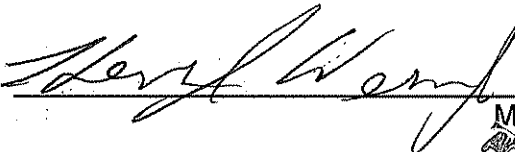
Sec. \_\_\_\_ The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin 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 DEC 17 2013.

HOLLY L. WOLCOTT, Interim City Clerk

By   
Deputy

Approved DEC 23 2013

  
Mayor  
ACTING

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. 13-1466

## 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. 182844 – Zone change for property located at 12128 West Sheldon Street – APCNV 2013-1187 ZC DB** - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **December 17, 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 **December 31, 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 **December 31, 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 **31st** day of **December, 2013** at Los Angeles, California.

  
\_\_\_\_\_  
Maria Vizcarra, Deputy City Clerk

**Ordinance Effective Date: February 10, 2014**  
Rev. (2/21/06)

**Council File No. 13-1466**