MARMON LAW OFFICES

WATT PLAZA
1875 CENTURY PARK EAST, SUITE 1600
LOS ANGELES, CALIFORNIA 90067-2517
WWW.VIMLAW.COM

TELEPHONE (310) 551-8120 FACSIMILE (310) 551-8113

VMARMON@EARTHLINK.NET

PLEASE REFER TO FILE NO:

11834.01

February 24, 2014

BY EMAIL (sharon.gin@lacity.org and patrice.lattimore@lacity.org)

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee c/o Holly L. Wolcott, Interim City Clerk 200 N. Spring Street, Room 360 Los Angeles, CA 90012

Re: Council File 14-0171

Planning and Land Use Management Committee Hearing February 25, 2014, Agenda Item 5; Council Hearing February 26, 2014, Agenda Item 7; Important Items in the Record (Letter #1) concerning 50-FOOT HEIGHT VARIANCE AT 10550 W. BELLAGIO ROAD — Case No. ZA 2012-1402-ZV-ZAA-ZAD-1A

Dear Honorable Councilmembers:

I represent Janice Lazarof, individually and as the trustee owner of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

There are several important items in the record before the Zoning Administrator ("ZA") that do not appear on the Council File Management System Website for this Council File. Because of size, I will send you these items as attachments to four letters.

The items attached to this letter are listed below:

- 1. Letter from architect David Applebaum to Zoning Administrator Jim Tokunaga ("the ZA") dated September 24, 2013;
- 2. Letter from California Energy Designs, Inc. to the ZA dated September 25, 2013; and

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The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee c/o Holly L. Wolcott, Interim City Clerk 200 N. Spring Street, Room 360 Los Angeles, CA 90012

Re: Council File 14-0171

Planning and Land Use Management Committee Hearing February 25, 2014, Agenda Item 5; Council Hearing February 26, 2014, Agenda Item 7; Applicant's Drawing Showing Street Elevations 50-FOOT HEIGHT VARIANCE AT 10550 W. BELLAGIO ROAD – Case No. ZA 2012-1402-ZV-ZAA-ZAD-1A

Dear Honorable Councilmembers:

I represent Janice Lazarof, individually and as the trustee owner of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

Paragraph (b) on page 3 of the appellant's Proposed Findings that I sent to you on February 21, 2014, and today, states:

(b) The ZA erred as a matter of fact by stating as a fact that "[t]he subject parcel is actually below street grade." (LOD, p. 13, first full paragraph.) This is factually incorrect. The majority of the perimeter of the property fronts along Stone Canyon Road, which ranges from an elevation of 478 feet at the southwest corner of the property to 490 feet at the corner of Stone Canyon Road and Bellagio Road as shown by the applicant's drawings, while the elevation of the first floor of the proposed house, as shown by the applicant's drawings, is 494.30 feet. And, as noted by the ZA, the property slopes upward as it proceeds easterly

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee February 24, 2014 Page 2

from Stone Canyon Road. So, clearly, while there may be a slight dip in the property along Stone Canyon Creek, the ground floor of the house as proposed, and in fact most of the property, is above the grade of Stone Canyon Road, not below it as stated by the ZA.

Attached is the applicant's own drawing from the record before the Zoning Administrator ("ZA") that shows the elevations of the adjacent streets, along with a blow up of a portion of the drawing so that it is easier to read the street elevations. While the drawing is from the January 9, 2013 hearing before the ZA, the street elevations have not changed. See page 1 of Exhibit A to the ZA's Letter of Determination dated November 1, 2014.

Very truly yours,

Victor I. Marmon

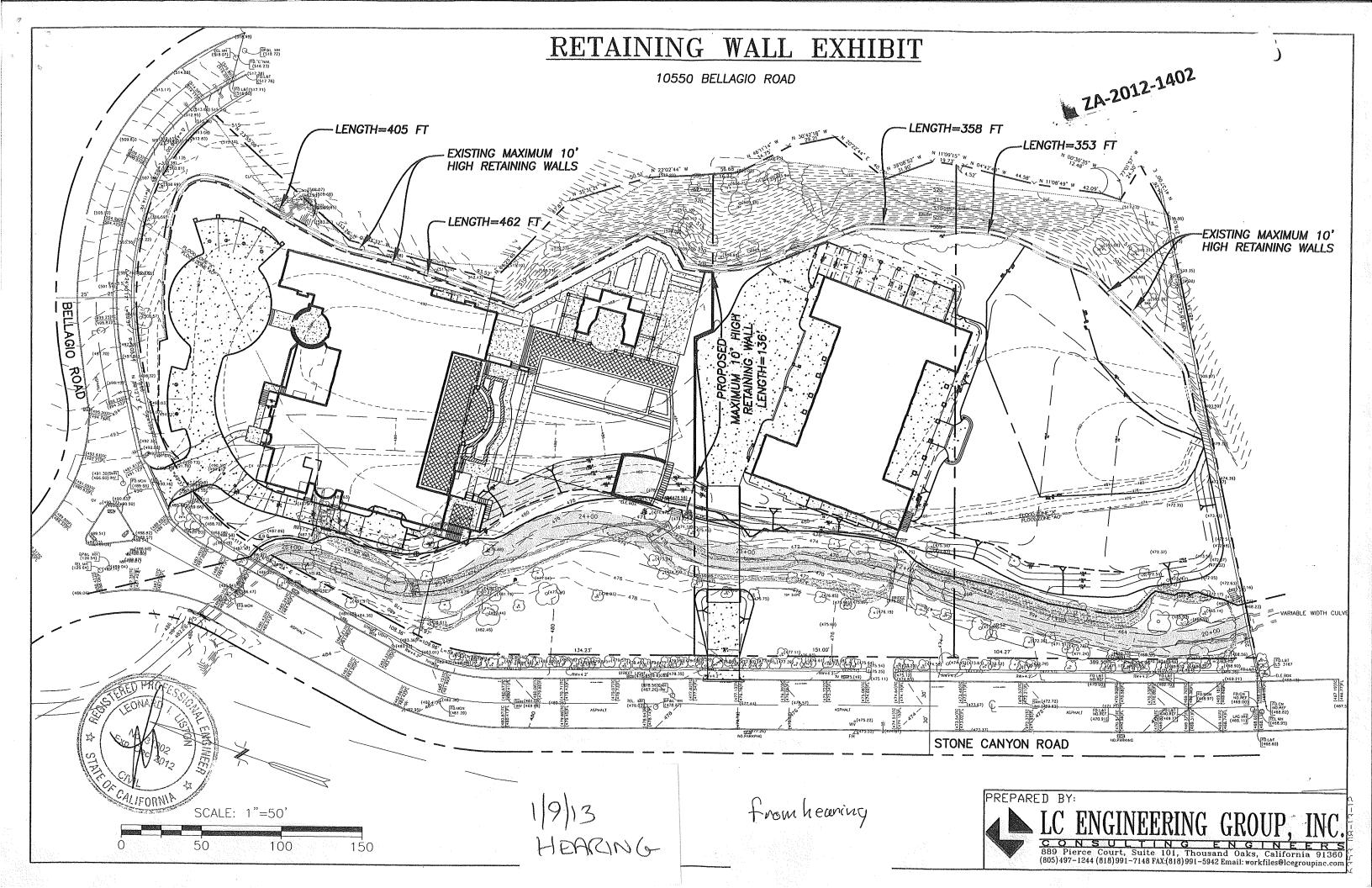
Victor I. Marin

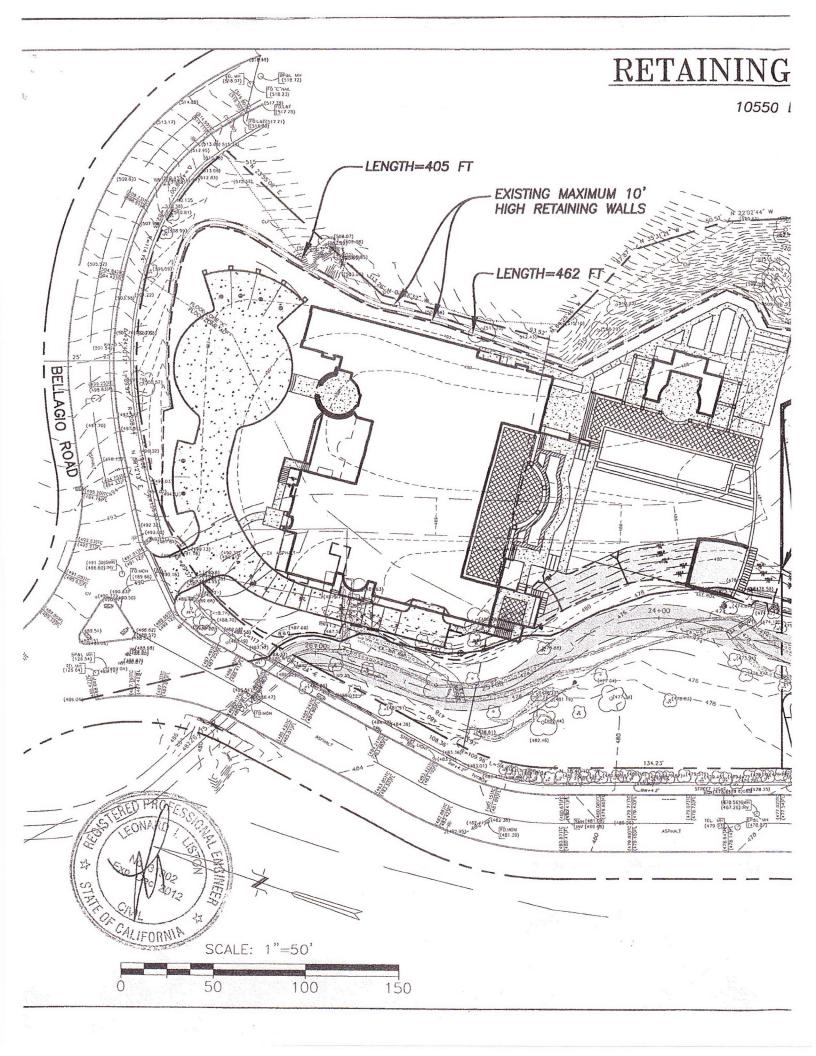
VIM:et

Attachments (2)

cc: The Honorable Jose Huizar

The Honorable Gilbert A. Cedillo The Honorable Mitchell Englander





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PLEASEREFER TO FILE NO:

11834.01

February 24, 2014

BY EMAIL (sharon.gin@lacity.org and patrice.lattimore@lacity.org)

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee c/o Holly L. Wolcott, Interim City Clerk 200 N. Spring Street, Room 360 Los Angeles, CA 90012

Re: Council File 14-0171

Planning and Land Use Management Committee Hearing February 25, 2014, Agenda Item 5; Council Hearing February 26, 2014, Agenda Item 7; Important Items in the Record (Letter #4) concerning 50-FOOT HEIGHT VARIANCE AT 10550 W. BELLAGIO ROAD – Case No. ZA 2012-1402-ZV-ZAA-ZAD-1A

Dear Honorable Councilmembers:

I represent Janice Lazarof, individually and as the trustee owner of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

There are several important items in the record before the Zoning Administrator ("ZA") that do not appear on the Council File Management System Website for this Council File. Because of size, I will send you these items as attachments to four letters.

The items attached to this letter are listed below:

- 1. My supplemental letter to Zoning Administrator Jim Tokunaga ("the ZA") dated September 25, 2013; and
- 2. Letter from Jeffrey Haber, Paul Hastings LLP, to the ZA dated September 25, 2013; and

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee February 24, 2014 Page 2

3. My email to the ZA dated September 26, 2013.

On behalf of Mrs. Lazarof, I urge you to consider the attached before you vote with respect to Council File 14-0171.

Thank you.

Very truly yours,

Victor I. Marmon

VIM:et

Attachments (3)

cc: The Honorable Jose Huizar

The Honorable Gilbert A. Cedillo The Honorable Mitchell Englander

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PLEASE REFER TO FILE NO:

11834.01

September 25, 2013

BY EMAIL

Mr. Jim Tokunaga Associate Zoning Administrator 200 N. Spring Street, Room 763 Los Angeles, CA 91002

Re: Case No. ZA-2012-1402-ZV-ZAA-ZAD; CEQA No. ENV-2005-8611-MND -

10550 W. Bellagio Road --

Supplemental Letter following Hearing on September 25, 2013

Dear Mr. Tokunaga:

Thank you for providing today a copy of the declaration filed in this matter by Leonard Liston dated September 23, 2012 ("Liston Declaration") and for an opportunity to comment on it. In addition to the comments in this letter, enclosed is a letter from Mr. Michael Piszker to you of this date which provides additional comments on the Liston Declaration.

References to paragraphs and line numbers are to the paragraphs and line numbers in the Liston Declaration.

- 1. Paragraph 3, lines 21 22: Mr. Liston states that Bel Air has estate homes, many of which are on two acre or larger lots. However, in considering whether the Findings for a zone variance can be met, Findings 2 and 3 require that the subject property be viewed with reference to the same zone and vicinity.
- a. There are 16 parcels (including the two lots tied together as one parcel for the subject property and the two lots tied together as one parcel for 360 N. Stone Canyon Road) in the same zone and vicinity as the subject property. (See the two 500-foot radius maps, one centered on Parcel A and the other on Parcel B of the subject property, attached as Exhibit "E".)¹ Of those 16 parcels, only three parcels are larger than two acres. (See Assessor's Parcel Maps 4362-013, 4362-014 and 4362-020, annotated to show parcels within the same zone (RE-20) and vicinity as the subject property, attached as Exhibit "F"). Thus Mr. Liston's statement is not correct as to the parcels in the same zone and vicinity as the subject property.

¹ The Exhibits are lettered consecutively from my previous letter to you today.

Mr. Jim Tokunaga Associate Zoning Administrator September 25, 2013 Page 2

- b. Even more significant is that of the 13 parcels in the same zone and vicinity that are two acres or less, over three quarters of them (10 parcels) are smaller than the approximately 1.25 acres of developable land on the subject property. Moreover, we have not adjusted (reduced) the areas of these other parcels to take into account their constraints, such as setbacks, slopes, oak trees, water bodies, etc. In short, there is no practical difficulty or unnecessary hardship applicable to the subject property because the subject property is larger and has more developable area than most of the other parcels in the same zone and vicinity.
- 2. Paragraph 3, lines 22 24: Mr. Liston says that he will discuss further the size, height and character of the applicant's proposed home. He does not.
- 3. Paragraph 6, lines 23 24. Whether foliage screens a building from view is not a basis for a variance decision. Foliage can change -- witness the many mature trees that were removed by the applicant from its 4 acre site when it graded it for development.
- 4. Paragraph 9, lines 27 2 (bottom of unnumbered page 3 to the top of unnumbered page 4): Mr. Liston states that the applicant's proposed house is limited to one story at its southwest corner. However, the West and South Elevations attached as part of Exhibit B to the Liston Declaration show that there are three visible floors at the southwest corner of the proposed house.

Regarding comments made today about the view of the proposed house, please keep in mind that in addition to the view impact of this out of scale project on the adjacent properties, the impact will be also be felt by the hundreds of people making vehicular and pedestrian trips on Stone Canyon and Bellagio Roads on a daily basis.

Thank you for your consideration.

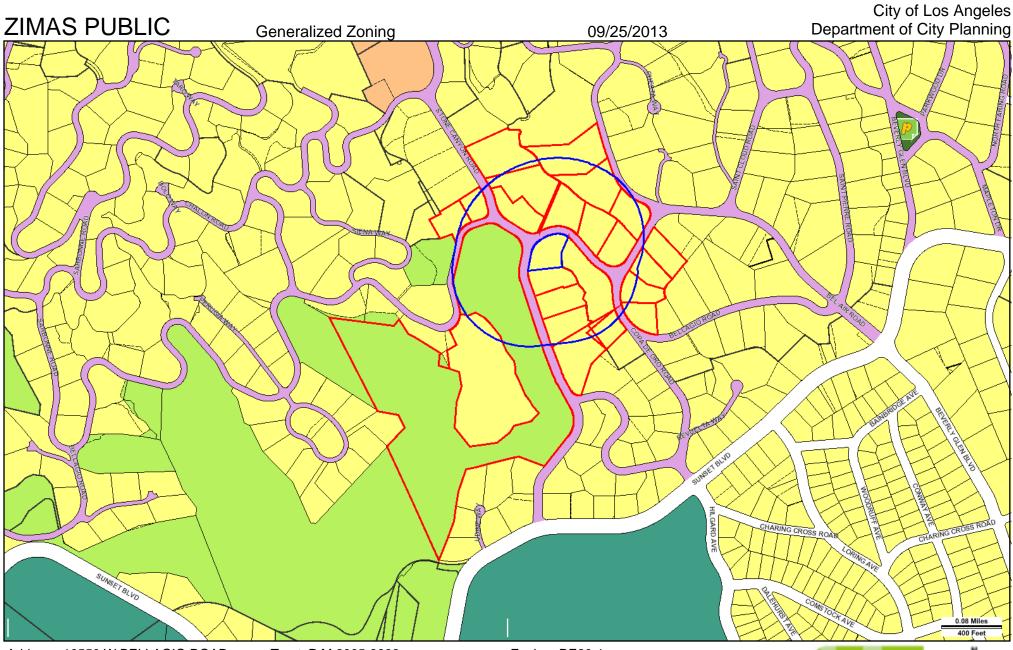
Very truly yours,

Victor I. Marmon

Vitor & Maron

VIM:el Attachments

Original by mail



Address: 10550 W BELLAGIO ROAD

APN: 4362013021

PIN #: 141B153 920

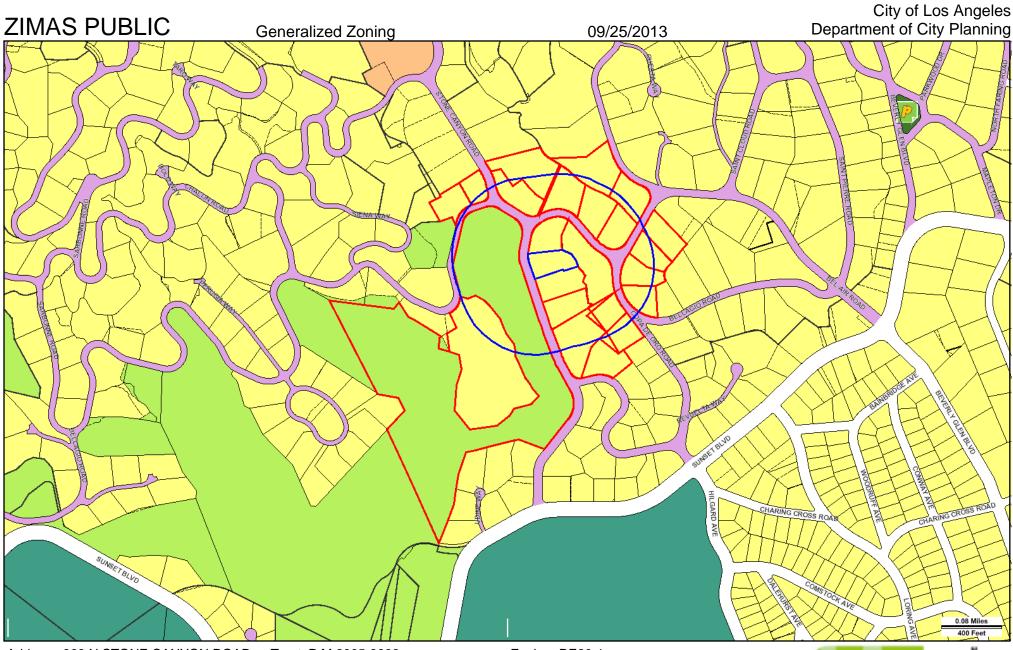
Tract: P M 2005-3998

Block: None

Lot: A Arb: None Zoning: RE20-1

General Plan: Very Low I Residential





Address: 368 N STONE CANYON ROAD

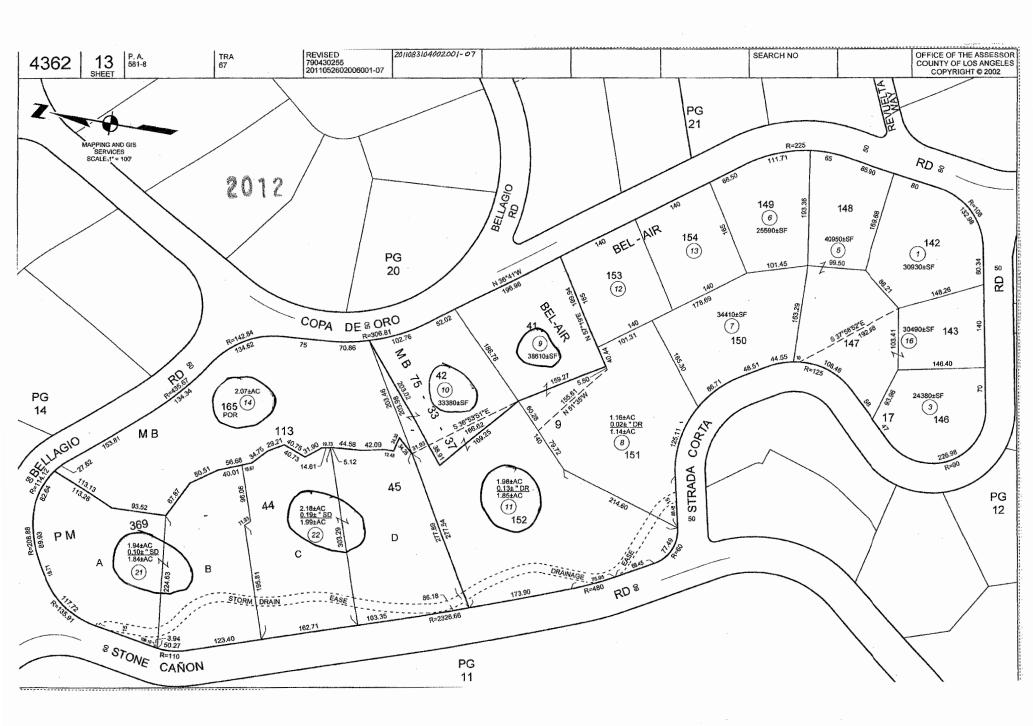
APN: 4362013021 PIN #: 141B153 921 Tract: P M 2005-3998

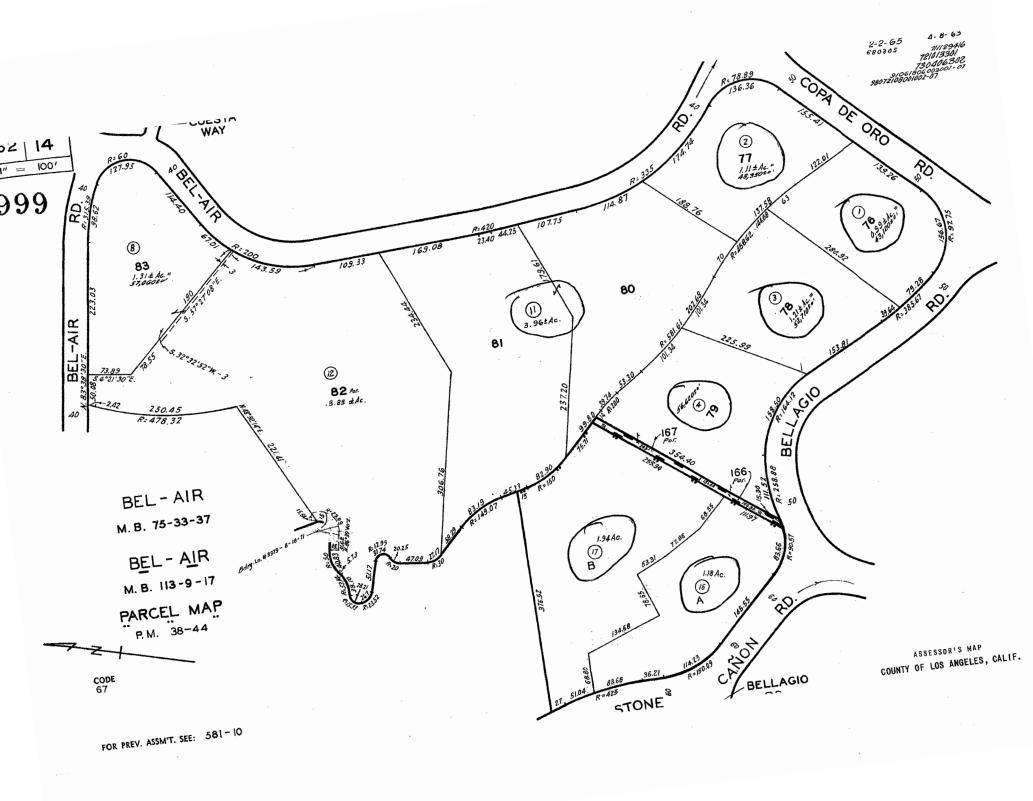
Block: None

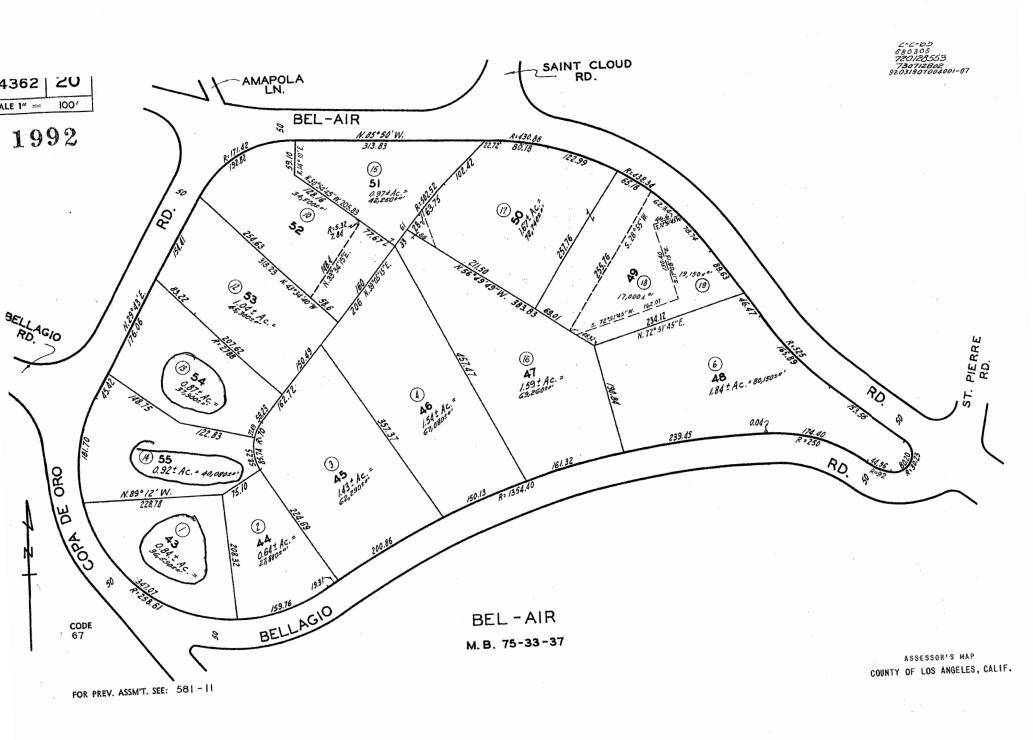
Lot: B Arb: None Zoning: RE20-1

General Plan: Very Low I Residential











September 25, 2013

75836.00001

Mr. Jim Tokunaga Senior City Planner City of Los Angeles 200 N. Spring Street City Hall, Room 721 Los Angeles, CA 90012

Re:

10550 Bellagio Road - Case No. ZA-2012-1402-ZV-ZAA-ZAD; ENV-2005-8611-MND

Dear Mr. Tokunaga:

We represent homeowners who live near the proposed 42,209 square foot, 53-foot tall single-family structure proposed at 10550 Bellagio Road (the "Property"). Our clients would be permanently and irreparably harmed if the City of Los Angeles (the "City") approves the requested variance and other entitlements that the Zoning Administrator is considering today. The Property, which is 84,567 square feet, has a General Plan designation of Very Low I Residential and is zoned RE20-1. The Property is located in (i) a designated Hillside Area, (ii) a Very High Fire Hazard Severity Zone, (iii) a Special Grading Area, (iv) a Fault Zone, (v) an area subject to liquefaction, and (vi) an area with an identified watercourse.

M & A Gabaee, LP (the "Applicant") owns the adjacent property, located at 360 North Stone Canyon Road. Previously, the Applicant requested a zone variance to permit a height of 50 feet in lieu of the 36-foot height limit for the construction of a 26,957 square-foot single-family dwelling on the 94,949 square foot property (the "Stone Canyon Project"). Although the lot at 360 North Stone Canyon is approximately 10,000 square feet larger than the Property, the proposed house at 360 North Stone Canyon was approximately 15,000 smaller than the proposed house. Yet, the Zoning Administrator and the West Los Angeles Area Planning Commission denied the Applicant's variance request.

The Applicant has requested that the City approve (i) a Zone Variance to permit the construction of a single-family dwelling with a height up to 53 feet¹ in lieu of the permitted 36-foot height limit (the "Variance"), (ii) a Zoning Administrator's Adjustment to permit a fence/wall of up to 8 feet in height in the front yard in lieu of the 3.5 foot permitted height, and (iii) a Zoning Administrator's Adjustment to permit the construction of a retaining wall of up to 10 feet in height.

In order for the City to grant the requested Variance, the City must find that the Applicant would suffer a unique hardship under the general zoning regulations because this particular parcel is different from the others to which the regulation applies due to its size, shape, topography, location, or surroundings (Gov't Code § 65906, City of Los Angeles Charter § 562(c), and Los Angeles Municipal Code § 12.27-D). A variance may not be granted if it will adversely affect the interests of the pubic or the interests of other residents and property owners within the vicinity of the premises in question, and a variance must not grant a special privilege inconsistent with the limitations on other nearby properties.

¹ The Applicant's representative, Stacey Brenner, has advised us that the Applicant is going to reduce the variance request from 53 feet to 50 feet, which would still be 38% taller than permitted by the zoning code. All of the arguments raised in this letter would also apply to a 50-foot tall house.



Mr. Jim Tokunaga September 25, 2013 Page 2

The Applicant's own proposed findings fail to justify the unique hardship, and the grant of the Variance would grant a special privilege to the Applicant inconsistent with the limitations on other nearby properties and would adversely affect the interests of other residents and property owners within the vicinity of the Property.

The City cannot legitimately make the necessary findings to approve the Variance. If the City is unable to make even one of the five required findings, the City must deny the Variance.

The strict application of the provisions of the zoning ordinance would *not* result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

The Applicant has requested that the City grant it a special privilege to build a 53-foot tall house where the zoning code allows a maximum height of 36 feet. Even assuming that the Applicant's assertion that portions of the Property are not buildable is accurate, the mere existence of a condition limiting development on a portion of the Property does not create an unnecessary hardship. The inability to build a 53-foot tall house is not a practical difficulty or an unnecessary hardship. The Applicant may build a 36-foot tall house, which would be consistent with the surrounding neighborhood. The Property is very large, more than four times greater than the minimum lot size required for the RE20 zone, so the Applicant may be able to build a home with the same square footage on the Property if the home is designed with more horizontal coverage of the Property.

The Applicant's position that if height were measured from the finished grade, as opposed to the natural grade, would make the Variance unnecessary is beside the point, since the Los Angeles Municipal Code correctly and explicitly requires that the height be measured from the lower of the finished or natural grade. If the height of a structure were measured only from the finished grade, an applicant could significantly increase the natural grade and then build a house on it, which would circumvent the purpose of height limits. In this case, the Applicant is proposing to significantly increase the finished grade above the level of the existing natural grade.

Even the Applicant's proposed findings fail to identify a practical difficulty or an unnecessary hardship that justifies granting a Variance to allow the house to exceed the maximum permitted height by 47 percent.

There are no special circumstances applicable to the subject property such as size, topography, location, or surroundings that do not apply generally to other property in the same zone or vicinity.

The Property is consistent with other surrounding properties, which are also located in a designated Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, a Fault Zone, in an area subject to liquefaction, and an area with an identified watercourse. It is not the only property in the vicinity that has a stream running through it. In addition, most properties in the area have varying elevations, and the Property's topography is essentially the same as the surrounding properties.

Los Angeles Charter Section 562 states that a variance shall neither be used to grant a special privilege nor to permit a use substantially inconsistent with the limitation on other properties. Granting a variance to allow a 47 percent increase in height would amount to a special privilege granted to the Applicant. The



Mr. Jim Tokunaga September 25, 2013 Page 3

proposed 17 foot increase in height above the zoning code's regulation of 36 feet is significant in relation to what would otherwise be permitted by the zone.

The a variance is *not* necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.

It is the Applicant's burden to provide the City justification of the special circumstances and practical difficulties or unnecessary hardships, and Applicant has failed to justify any special circumstance, practical difficulty or unnecessary hardship. The City's denial of the requested Variance would not prohibit the Applicant from constructing a single-family house on the Property. The denial would only prohibit the Applicant from exceeding the 36-foot tall height limit by 47 percent. The Applicant's own findings fail to identify special circumstances, practical difficulties or unnecessary hardships to justify allowing the house to be built to 53 feet.

There are no other properties in the vicinity with the same zoning designation that have received a height variance for the same or similar reasons. The property at 620 North Stone Canyon, which the Applicant cites as justification for its requested Variance, received a variance to permit a 59-foot tall house in 2007. However, the two situations are not comparable. Because the house at 620 Stone Canyon included a parking area beneath a tennis court that was proposed to be attached to the house, the City measured the height at the entrance to the parking structure, which was away from the main dwelling unit. The height of the main dwelling was 36 feet from the lowest point of the natural grade to the top of the structure, in compliance with the zoning ordinance. Many houses have been developed in the vicinity of the Property within the 36-foot height limitation.

The granting of such a variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

The proposed variance to permit the construction of a 42,209 square-foot home with a height of 53 feet in lieu of the 36 foot height limit otherwise permitted will be detrimental to the public welfare and injurious to the property or improvements in the same zone or vicinity in which the property is located because allowing the additional height, where no special circumstances or hardships exist, will set a precedent to allow proposed homes to exceed the designated height limit.

A 53-foot tall house on Stone Canyon Road will be visible to nearby residents and to everyone who drives on Stone Canyon, which would result in significant visual impacts. The views of, and to, the surrounding area will be blocked by the 53-foot tall house.

The granting of the variance will adversely affect any element of the General Plan.

The Bel Air-Beverly Crest Community Plan (the "Community Plan") Map designates the Property for Very Low I Density Residential land uses with a corresponding zone of RE20 and Height District 1. The granting of the Variance will adversely affect Chapter 2 and Chapter 3 of the Community Plan.

Specifically, Chapter 2 of the Community Plan calls for preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities

PAUL HASTINGS

Mr. Jim Tokunaga September 25, 2013 Page 4

with compatible new housing. Allowing a home to exceed the permitted height by 47 percent will not preserve or enhance the positive characteristics of the existing residential neighborhood.

In addition, Chapter 3 of the Community Plan provides the following Residential Land Use policies:

The Intensity of land use in the mountain and hillside areas and the density of the population which can be accommodated thereon should be limited in accordance with the following:

- The compatibility of proposed developments with existing adjacent development.
- Design should minimize adverse visual impact on neighboring single family uses.

The granting of the Variance will adversely affect the purpose and intent of the Community Plan because the house will not preserve or enhance the existing residential neighborhood's positive characteristics because the house is excessive and not compatible with existing uses and appearances, the proposed height does not minimize adverse visual impacts on neighborhood uses, and granting the height Variance will set a precedent that will adversely affect the positive characteristics of the existing neighborhood.

Conclusion

The Applicant may build a 36-foot tall house, which would be in scale with the surrounding community, on the Property. The Applicant's desire to build a house that is 47 percent taller than the height limit does not create a unique hardship, and even the Applicant's proposed findings fail to justify such a unique hardship. Therefore, we respectfully request that the City deny the requested Variance.

Sincerely yours,

of/PAUL HASTINGS LLP

LEGAL_US_W # 76395872.4



Victor Marmon Vmarmon@gmail.com>

Covenant and Agreement to Comply with Parcel Map Conditions -- Case No. ZA-2012-1402-ZV-ZAA-ZAD; CEQA No. ENV-2005-8611-MND

1 message

Thu, Sep 26, 2013 at 9:29 AM

To: jim.tokunaga@lacity.org

Bcc: Vic Marmon <vmarmon@earthlink.net>

Hello Mr. Tokunaga:

Attached for your convenience is a copy of the Master Covenant and Agreement executed and acknowledged by the applicant and recorded on May 6, 2011, as Instrument No. 20110651229 in the Los Angeles County Recorder's Office. As I mentioned at the hearing yesterday, under this Master Covenant and Agreement, the applicant agreed to comply with the conditions applicable to its parcel map for the subject property and the property to the south.

--Victor Marmon

Please reply to vmarmon@earthlink.net

7

covenant & agreement CA-Los Angeles-Document-Year.DocID-2011.651229.pdf 638K

1 of 1 10/20/2013 8:48 PM

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20110651229



Pages: 0019

Recorded/Filed in Official Records Recorder's Office, Los Angeles County, California

05/06/11 AT 09:06AM

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OTHER. 0 00
PAID 69 00



LEADSHEET



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003294962

SEQ:

DAR - Counter (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

Name Arman Gabav

Address 9034 West Sunset Blvd

West Hollywood, CA 90069



MASTER COVENANT AND AGREEMENT

The undersigned hereby certifies I am (we are) the owner(s) of the hereinafter legally described real property located in the City of Los Angeles, County of Los Angeles, State of California (please give the legal description)

Lot 165, Arb 2 Bel Air Tract

Site Address 10550 Bellagio Road Los Angeles, CA 90077

That in consideration of the approval of Case No AA 2005-3998-PMLA-1A by the City Planning Department, I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the City Planning Department of said City that to the extent of our interest, I (we) acknowledge and will comply with Condition Nos 1 through 14 attached)

This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their

successors, heirs or assigns and shall continue in effect until th	ie City Planning Department of the City of Los Angele
approves its termination	
BY SANCAM, INC , GENERAL PARTNER	
RY APMAN GARARE WITE PERCHIPME	
(Rrint Name of Property Owner)	(Print Name of Property Owner)
(Šignature of Property Swner)	(Signature of Property Owner)
Dated this 5TH day of MAY 2011	
*******Space Below This Line I	For Notary's Use***********************************
ALL-PURPOSE ACKNO	DWLEDGMENT

County of LOS ANGELO

On MAY 5, Dell before me, L. MAS A MAKRY Fublic and Title)

Who proved to me on the personally appeared ALMAN CADALL , who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/ber/their authorized capacity(ies), and that by his/ber/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

(Seal)

M MASON Commission # 1754170 Notary Public - California 💈 Los Angeles County My Comm Expires Jul 6, 2011

Case No dddd AA-2005-3998-AULLA

Condition No(s) / -/4

Approved for recording by - 16 law 11 time to there (Department of City Planning)

Date 5-5-1/



WEST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300 www.tacity.org/PLN/index.htm

DEC 0 6 2006

Determination Mailing Date:

CASE NO.: AA 2005-3888 PT*LA-1A

CEQA: ENV 2005-8611-MND

Location: 10550 Bellagio Road

Council District: 5

Plan Area: Bel Air-Beverly Crest

Zone: RE20-1

District Map: 141 B 149

Legal Dave Botton: Lot 165, Arts 2 Bel Air Tract

Applicants: M & A Gabace; Arman Gabay

Appellants: A1) Jon A. Douglas; A2) Henri & Janice Lazarof

At its meeting on October 4, 2006, the following action was taken by the West Los Angeles Area Planning Commission:

1. Granted the appeal in part.

 Sustained the Advisory Agency's approval, pursuent to Los Angeles Municipal Code Section 17.53, of Parcel Map No. AA 2005-3996-PMLA; for a proposed four-percel single family development on a 4-13 acre site

3. Adopted the Findings and Conditions of Approval as modified (attached).

4 Adopted ENV 2005-8611-MND.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote

Moved: Burton Seconded: Martinez Ayes: Brown, Foster Absent: Washington Vote: 4-0

Japres Williams, Commission Executive Assist

James Williams, Commission Executive Assistant West Los Angeles Area Planning Commission

Effective P = 4 - 2: This action of the West Los Angeles Area Planning Commission is effective on the mailing date of this Determination. There is no further P = 1 - 1 - 2 period for the subject case.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mendate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6 There may be other time limits which also affect your ability to seek judicial review.

Attachments: Findings and Conditions of Approval as modified.

DETERMINATION

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the West Los Angeles Area Planning Commission approved Parcel Map AA-2005-3998-PMLA for a maximum new four-parcel single-family development, as shown on map stamp-dated June 17, 2005, and subject to the following conditions. This unit density is based on the RE20 Zone and subject to the following conditions. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

Bureau of Engineering

Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 200. Any questions regarding these conditions should be directed to Mr. Ray Saidi by calling (213) 977-7097.

- 1. That a fee of \$5,450 be paid to the Land Development Group of the Bureau of Engineering as required by Ordinance No. 176077 adopted by the City Council.
- That the Stone Canyon Creek natural watercourse easement and existing drainage and sanitary sewer easement within the subdivision be delineated on the final map satisfactory to the City Engineer.
- 3. That a Covenant and Agreement be recorded advising all future owners and builders that prior to the issuance of a building permit, a Notice of Acknowledgment of Easement be recorded, and an application to do work in any sanitary sewer and drainage facilities or near the Stone Canyon Creek natural water way easement must be submitted to the City Engineer for approval.
- 4. That the following improvement be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- a. After submittal of hydrology and hydraulic calculations and drainage plans for review by the city Engineer prior to recordation of the final map, drainage facilities may be required.
- Improve Bellagio Road adjoining the subdivision by the repairing and replacing of any bad order curb and gutter and asphalt pavement all existing encroachments and removing satisfactory to the City Engineer.
- c. Close any unused driveways along Stone Canyon and Bellagio Roads including any necessary removal, reconstruction of the exiting improvements, or restoration of the Stone Canyon Creek natural water way, satisfactory to the City Engineer.
- d. That any required street tree removal, replacement, new street tree planting and tree well installation together with tree well covers along the subdivision be completed satisfactory to the City Engineer.
- e. Construct the necessary house connections to serve each parcel satisfactory to the City Engineer.
- f. Improve Stone Canyon Road adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, gutter and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavement.
 - (3) Any necessary removal and reconstruction of the existing improvements, or restoration of the Stone Canyon Creek natural water way, including removal of all existing encroachments.
 - (4) The necessary transitions to join the existing improvements all satisfactory to the City Engineer.

Department of Building and Safety-Grading Division

Grading Division approvals are conducted at 201 N. Figueroa Street, 3rd Floor, Counter 24.

 That prior to issuance of a grading or building permit or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Correction Letter dated August 25, 2005, Log No. 48969, and attached to the case file for AA-2005-3998-PMLA.

Department of Building and Safety-Zoning Division

Building and Safety approvals are conducted by appointment only-contact John Pourhassan at (213)482-6880 to schedule an appointment. Any proposed structures or uses on the site have not been checked for Building or Zoning Code requirements. Plan check may be required before any construction, occupancy or change of use. Unless filed concurrently and included as part of the hearing notice with this subdivision, any additional deviations from the Los Angeles Municipal Code required by the Department of Building and Safety Office of the Zoning Engineer preliminary to the Zoning Engineer clearing the items on the report to the Advisory Agency, shall be separately filed through the City Planning Department Office of the Zoning Administrator.

- 6. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide a copy of affidavit AFF-13878 and AFF-13471. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - Show all street dedication as required by Bureau of Engineering. "Area" requirements shall be re-checked as per net lot area after street dedication.

Department of Transportation

Transportation approvals are conducted at 201 N. Figueroa Street, 4th Floor, Station 3. Please contact DOT at (213) 482-7024 for any questions regarding the following.

7. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Any driveway or vehicle access proposed over the Stone Canyon Creek easement shall be designed to minimize any impacts on the natural water way and the ten-foot wide indigenous vegetation buffer provided on both sides of the water way. No alteration, piping or disturbance of the natural water course shall be permitted. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. In addition, the following items shall be satisfied:

A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.

Fire Department

Fire Department approvals and review are conducted in Room 1500, 221 North Figueroa Street.

- 8. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following items shall be satisfied:
 - a. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
 - b. The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's association under supervision of the Los Angeles City Fire Department in order to reduce the Risk of brush fires spreading to the homes.
 - c. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems shall be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code Section 57.09.07.
 - d. Construction of public or private roadways in the proposed development shall not exceed 15 percent in grade.
 - e. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.
 - f. Fire lanes, where required and dead ending streets shall terminate in a culde-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - 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 or an improved street, access road or designated fire lane.
 - 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.
 - j. All structures shall be fully sprinklered.
 - Adequate public and private fire hydrants shall be required.

- Access for Fire department apparatus and personnel to and into all structures shall be required.
- m. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- n. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- o. Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- p. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- q. Plans showing areas to be posed and/or painted "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- Electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- s. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
- t. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the City of Los Angeles Municipal Code 57.25.01.
- v. Mitigating measures shall be considered. These measures shall include, but not be limited to the following:
 - (1) Boxed-in eaves.
 - (2) Single pane, double thickness (min. 1/8" thickness) or insulated windows.

- (3) Non-wood siding.
- (4) Exposed wooden members shall be two inches nominal thickness.
- (5) Noncombustible finishes.

Bureau of Street Lighting

Street Lighting approvals are conducted by the Bureau of Engineering if street improvements are required, or at 600 South Spring Street if no street improvements are required.

9. If street widening is required, relocate and upgrade the existing four (4) lights on Stone Canyon Rd. and one (1) on Bellagio Road.

Department of Recreation and Parks

Park fees are paid at 1200 West 7" Street, Suite 700, Los Angeles

10. That the Quimby fee be based on the RE20 Zone. However, when there is an existing residential structure to remain, a covenant and agreement satisfactory to the Department of Recreation and Parks, shall be recorded that when the existing dwelling is demolished, the required Recreation and Park fees will be paid.

Department of City Planning-Site Specific Conditions

Approvals conducted at 200 North Spring Street, Room 750, unless otherwise indicated. For an appointment with the Street Tree Division of the Bureau of Street Maintenance call 213 485-5675.

- 11. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. Use. Limit the proposed development to a maximum of four units on four parcels.
 - b Parking. That a minimum of two (2) parking spaces per dwelling unit shall be provided.
 - c. Landscape Plans and Tree Report. That a landscape plan, prepared by a licensed landscape architect with a specialty in California indigenous plants, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan and Tree Report shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site, and replacement of Locally

Protected Species at a minimum of two 48-inch box tree for the unavoidable loss of a protected tree on site. The landscape plan shall include specific designs for indigenous plants to be placed along and within a ten-foot border on both sides of the Stone Canyon Creek natural water way. Failure to comply with this condition as written, including the provisions for maintaining indigenous plantings along the Stone Canyon Creek water course, she'l require the filing of a modification to this parcel map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- The planting and irrigation system shall be completed by the developer/builder prior to the close of eacrow of each housing unit.
- ii The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
- iii. The developer/builder shall guarantee all trees, indigenous plantings along the Stone Canyon Creek natural water way and imigation for a period of three years and all other plants for a period of 60 days after landscape and imigation installation.
- d. Plans. Prior to the issuance of building permits, detailed development plans, including a project design plan will be prepared consistent with the Bel Air-Beverly Crest Community Plan. Such plan shall show preservation of the natural Stone Canyon Creek water course. No alteration, piping or disturbance of the natural water course shall be permitted.
- Solar Report. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. Energy Conservation. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. Air Filtration. The applicant shall install air filtration system capable of removing airborne contaminants in order to reduce the effects of diminished air quality on the occupants of the project.
- 12. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring

the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Condition Nos. 13 and 14 of the Parcel Map approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

13. Prior to recordation of the final map, a Covenant and Agreement be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all the environmental mitigation measures stated in the related ENV-2005-8611-MND:

Asstlatics (Hillside Site Design)

- MM-1 Grading shall be kept to a minimum. No alteration, piping or disturbance of the Stone Canyon Creek natural water course or easement shall be permitted.
- MM-2 Natural features, including Stone Canyon Creek natural water course and easement as well as prominent knolls or ridge lines shall be preserved. No alteration, piping or disturbance of the natural water course shall be permitted in addition the following measures shall be required:
 - a. No stockpiling of dirt or any construction related materials shall be permitted within 100 feet of the Stone Canyon Creak natural water course easement:
 - b. All stockpiles located any where on the subject site shall be covered:
 - c. A strip of indigenous vegetation at least ten feet wide shall be maintained at all times along both sides of the Stone Canyon Creek natural water course easement, including during any construction on site.
- MM-3 Project shall comply with the City's Hillside Development Guidelines.

Tree Removal (Locally Protected Species)

- MM-4 Prior to the Issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated oak tree expert as designated by LAMC Ordinance No. 153,478, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.
- MM-5 A minimum of two trees (a minimum of 48 inch box in size) shall be planted for each one that is removed. The canopy of the trees planted shall be in proportion to the canopies of the trees removed per

Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.

Note:

All tree removals must be approved by the Board of Public Works on sites more than one acre in size. Contact: Urban Forestry Division at: 213-485-5675.

Seismic

MM-6 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

Liquefaction

- MM-7 Compliance with the Uniform Building Code Chapter 18. Division1 Section1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. 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.
- MM-8 Building design considerations may 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.

Single Family/Multi Family Hillside Dwelling

- MM-9 Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- MM-10 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.
- MM-11 Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.

- MM-12 Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection. A strip of indigenous vegetation at least ten feet wide shall be maintained at all times along both sides of the Stone Canyon Creek natural water course, including during any construction on site.
- MM-13 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. A strip of indigenous vegetation at least ten feet wide shall be maintained at all times along both sides of the Stone Canyon Creek natural water course, including during any construction on site.
- MM-14 Promote natural vegetation by using parking lot islands and other landscaped areas.
- MM-15 Preserve Stone Canyon Creek natural water course and any associated riparian areas and wetlands. No alteration, piping or disturbance of the natural water course shall be permitted
- MM-16 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.
- MM-17 Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical devise 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.
- MM-18 Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- MM-19 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.
- MM-20 Signs and prohibitive language and/or graphical lcons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.

- MM-21 Legibility of stencils and signs must be maintained.
- MM-22 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.
- MM-23 The storage area must be paved and sufficiently impervious to contain leaks and spills.
- MM-24 The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- MM-25 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, including the maintenance of a strip of indigenous vegetation at least ten feet wide along both sides of the Stone Canyon Creek natural water course, in accordance with the Standard Urban Stomwater Mitigation Plan and or per manufacturer's instructions.

Public Services (Fire)

MM-26 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Public Services (Schools)

MM-27 Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

Recreation (Increase Demand For Parks Or Recreational Facilities)

MM-28 Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

14. Short-Term Construction Mitigation

Air Quality

- CM-1 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-2 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-3 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-4 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-5 All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-6 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- CM-7 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.
- CM-8 Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- CM-9 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

- CM-10 The project contractor shall use power construction equipment with stateof-the-art noise shielding and muffling devices.
- CM-11 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

Grading

- CM-12 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-13 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.
- CM-14 All stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. No stockpiling of dirt or other construction related materials shall be permitted within 100 feet of the Stone Canyon Creak natural water course easement.

General Construction

- CM-15 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-16 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.
- CM-17 All stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. No stockpiling of dirt or other construction related materials shall be permitted within 100 feet of the Stone Canyon Creak natural water course easement.

Page 15

- CM-18 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20 Conduct all vehicle/equipment maintenance, repair, and washing away from the Stone Canyon Creek natural water course and storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

FINDINGS OF FACT

FINDINGS OF FACT (CEQA):

The Environmental Review Section of the Planning Department issued on March 16, 2006, the proposed project Mitigated Negative Declaration No. ENV-2005-8611-MND. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2005-8611-MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- ☐ Aesthetics (hillside design, preservation of the Stone Canyon Creek natural water way); ☐ Biology (protected species of tree removal, preservation of the Stone Canyon Creek natural water way);
- Geology (Seismic, Liquefaction, Hillside dwelling);
- □ Noise (construction);
- □ Public Services (fire, schools); and
- ☐ Recreation (parks).

The Advisory Agency, to mitigate the above impacts, required Condition Nos. 12, 13 and 14 as conditions of approval for the Parcel Map and determined the project would not have a significant impact upon the environment. Other identified potential impacts not mitigated by these conditions are subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) Which are specifically intended to mitigate such impacts on all projects.

Per Section 21081.6 of the Public Resources Code, the Advisory Agency has assured that the above identified mitigation measures shall be implemented by requiring reporting and monitoring as specified in Condition No. 12.

In light of the above, the project qualifies for the De Minimis Exception for Fish and Game fees (AB 3158).

The National Flood Insurance Program rate maps, which are a part of the Specific Plan for the Management of Flood Hazards adopted by the City Council (see Section 5 of Ordinance 172,081), have been reviewed and it has been determined that this project is not located in a hazardous flood area.

FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Parcel Map No. AA-2005-3998-PMLA, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66411.1 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

THE REQUIRED IMPROVEMENTS ARE NECESSARY FOR REASONS OF PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE SURROUNDING AREA AND NEIGHBORHOOD.

The proposed division of land complies with such requirements as may have been established by the Subdivision Map Act (Government Code Sections 664109 et seq.) or Article 7, Section 17 50 of the Municipal Code as to area, improvement and design, floodwater drainage control appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of the Subdivision Map Act or said Article.

PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Bel Air-Beverty Crest Community Plan designates the subject property for Very Low I residential density with a corresponding zone of RE20. The 4.13 acre property is zoned RE20-1. The adopted Plan and zone allows for the proposed subdivision. Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General and Specific Plans.

THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The site is one of the few vacant properties in the vicinity. The development of this parcel is an infill of an otherwise single-family, large estate neighborhood adjacent to a golf course. The Department of Building and Safety, Grading Division, has conditionally approved the parcel map, in accordance with Interdepartment Approval Letter dated August 25, 2005, Log # 48969.

THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project is urban infill—as conditioned requiring preservation of the Stone Canyon Creek natural water way, no potential adverse impact on fish or wildlife resources will occur.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05N of the Los Angeles Municipal Code.

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau regarding the cable television franchise holder for this area, by calling (213) 847-2775.

The above action shall become effective upon the decision date noted at the top of this letter.

Pursuant to Ordinance 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filled no later than the 90th day following the date on which the City's decision becomes final, including all appeals, if any.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 5:00 p.m. August 9, 2009.

No requests for time extensions received by mail shall be accepted.

MARMON LAW OFFICES

WATT PLAZA
1875 CENTURY PARK EAST, SUITE 1600
LOS ANGELES, CALIFORNIA 90067-2517

WWW.VIMLAW.COM

TELEPHONE (310) 551-8120 FACSIMILE (310) 551-8113

VMARMON@EARTHLINK.NET

PLEASE REFER TO FILE NO:

11834.01

February 24, 2014

BY EMAIL (sharon.gin@lacity.org and patrice.lattimore@lacity.org)

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee c/o Holly L. Wolcott, Interim City Clerk 200 N. Spring Street, Room 360 Los Angeles, CA 90012

Re: Council File 14-0171

Planning and Land Use Management Committee Hearing February 25, 2014, Agenda Item 5; Council Hearing February 26, 2014, Agenda Item 7; Important Items in the Record (Letter #3) concerning 50-FOOT HEIGHT VARIANCE AT 10550 W. BELLAGIO ROAD — Case No. ZA 2012-1402-ZV-ZAA-ZAD-1A

Dear Honorable Councilmembers:

I represent Janice Lazarof, individually and as the trustee owner of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

There are several important items in the record before the Zoning Administrator ("ZA") that do not appear on the Council File Management System Website for this Council File. Because of size, I will send you these items as attachments to four letters.

The item attached to this letter is my letter to Zoning Administrator Jim Tokunaga dated September 25, 2013.

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee February 24, 2014 Page 2

On behalf of Mrs. Lazarof, I urge you to consider the attached before you vote with respect to Council File 14-0171.

Thank you.

Very truly yours,

Victor I. Marmon

Victor J. Murm

VIM:et

Attachment

cc: The Honorable Jose Huizar

The Honorable Gilbert A. Cedillo The Honorable Mitchell Englander

MARMON LAW OFFICES

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PLEASE REFER TO FILE NO:

11834.01

September 25, 2013

BY EMAIL OR HAND DELIVERY

Mr. Jim Tokunaga Associate Zoning Administrator c/o Marc Woersching City of Los Angeles Department of City Planning 200 N. Spring Street, 7th Floor Los Angeles, CA 90012

Re: Case No. ZA-2012-1402-ZV-ZAA-ZAD; CEQA No. ENV-2005-8611-MND -

10550 W. Bellagio Road -- Hearing September 25, 2013

Dear Mr. Tokunaga:

I represent Henri and Janice Lazarof, the owners of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

A. <u>INTRODUCTION</u>

The purpose of this letter is to <u>oppose</u> the request by the applicant for a 53.3 foot height variance at 10550 W. Bellagio Road (the "subject property"), to request the conditioning of any approval of an over height front wall requested by the applicant at the subject property, and to request the denial of the applicant's request for an additional retaining wall at the subject property.

B. THE FIVE FINDINGS REQUIRED FOR A ZONE VARIANCE CANNOT BE MADE

As you know, for a zone variance to be granted, all five of the required findings must be made.

1. The strict application of the provisions of the zoning ordinance would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

The applicant has provided <u>no evidence</u> of practical difficulties.

The applicant has provided <u>no evidence</u> of unnecessary hardships. In its proposed finding 1, the applicant states,

"The reason why a variance is being requested is not to increase the usable square footage of the home, but rather to have the home consistent with the character of the neighborhood and to conceal otherwise unsightly and unattractive mechanical infrastructure including a ten foot elevator shaft and at least fifteen air conditioning units."

First, the applicant's proposed house is not consistent with the character of the community. It is a massive, box-like structure that is out of scale with the houses within the same zone and vicinity.

Second, this proposed house is <u>inconsistent</u> with the purposes and intent of the Baseline Hillside Ordinance ("BHO") which is designed to encourage terraced structures so that the mass of buildings is broken up. See Mr. Perica's letter to you of September 25, 2013. See also the Findings of the City Planning Commission contained in the Commission's report dated June 8, 2010, for City Plan Case No. 2010-581-CA, a true and correct copy of which, downloaded from the City Clerk's Council File Management System Website, is attached hereto as Exhibit "A". These findings were recommended to be adopted by the Council's PLUM Committee, and said findings were adopted by the City Council. See the City Attorney's Report No. R11-0056 dated February 11, 2011, a true and correct copy of which, downloaded from the City Clerk's Council File Management System Website, is attached hereto as Exhibit "B". See also the City Clerk's report of Council Action dated August 10, 2010, a true and correct copy of which, downloaded from the City Clerk's Council File Management System Website, is attached hereto as Exhibit "C", and the communication from the Mayor received from the Mayor by the City Clerk and posted on March 30, 2011, a true and correct copy of which, downloaded from the City Clerk's Council File Management System Website, is attached hereto as Exhibit "D".

Third, there is no unnecessary hardship imposed by a supposed need for a height variance to conceal air conditioning units and an elevator shaft. See letters to you from California Energy Designs dated September 25, 2013, and from architect David Applebaum dated September 24, 2013.

The applicant also states in its proposed finding 1,

"The hardship is that the Zoning Ordinance, were the intent is to limit structures on hillsides from looming out of the ground and applying it to properties that are actually sunken, below even street grade where the threat of looming is non-existent."

The applicant is not providing evidence of any hardship with the above statement. Further, the applicant is incorrect about the purposes of the BHO. See the finding on pages 3 and 4 of the Planning Commission Report:

"Furthermore, the code amendment addresses the issue of building mass from the public right-of-way and neighboring properties and discourages large and tall boxlike structures, which the community has specifically identified as a problem. The proposed ordinance includes the BMO height provision that ties the maximum height of a building to the slope of the roof but also introduces a new way to calculate height which follows the slope of the lot As currently proposed, when a building or structure has a sloped roof (25% slope or greater) the current height limits apply: 33 feet for the R1, RS, and RE9 zones, and 36 feet for the RE11, RE15, RS, RE20, and RE40 zones. However, when a structure has a flat roof (less than 25% slope) the maximum height is lower: 28 feet for the R1, RS, and RE9 zones, and 30 feet for the RE11, RE15, RS, RE20, and RE40 zones. In addition, depending on the zone and height district a unique envelope height limit is applied, which encourages the terracing of structures up and down a hillside. Thus, with a varied roofline, structures would allow more light and air to reach neighboring properties, add visual interest, and enhance transitions between properties. The proposed provisions help to ensure that the mass of buildings is broken up, and that box-like structures have a lower height thereby further reducing the "looming" factor which has been brought up by the public on several occasions."

Looming results from the mass of buildings, such as the tall box-like structure the applicant is proposing.

The applicant also uses its proposed finding 1 to make unintelligible statements about percentages of the proposed structure that require a height variance, but the Zoning Code does not operate in terms of percentages. Either a structure complies with the height limit or it does not.

The applicant also speaks about "made up" historical topographical lines that have no basis and have no bearing on the issues in this requested zone variance. See Mike Piszker's letter to you of today's date.

Finally, the applicant chose the shape and slope of its site and the location and design of its proposed house. It is not proper to reward an applicant with a height variance for the applicant's self-imposed choices. Required Finding 1 cannot be made.

2. There are NO special circumstances applicable to the subject property, such as size, shape, topography, location or surroundings, that do not apply generally to other property in the same zone and vicinity.

The applicant asserts that "the flood zone, the narrowness of the property, the water channel that traverses through the property, the flood plain buffer and set back requirements" are special circumstances.

However, there is no flood zone on the property, a house and amenities can easily be built on the property within the height limit, Stone Canyon Creek is an amenity that does not make a house the size the applicant wants (assuming it can otherwise be built under the BHO, which it cannot) unbuildable, there is no "flood plain buffer", only an indigenous vegetation buffer along Stone Canyon Creek, and there are no other setback requirements. See the letters to you from Mr. Piszker and Mr. Applebaum referred to above.

3. The variance is NOT necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

The five zone variance cases cited by the applicant do not support required Finding 3 because they are not in the vicinity of, and/or not in the same zone as, the subject property, or the characteristics of the improvements and/or the sites are not similar to the subject property.

The following is a list of the cases cited by the applicant and some of the reasons why they are not relevant.

• 540 Crestline is in Brentwood, over 3 miles from the subject property -- not in the vicinity. 540 Crestline is zoned RA-1 -- not in the same zone as the subject property.

- 255 Mabery (incorrectly given by the applicant as "Mayberry") is in Pacific Palisades, almost 8 miles from the subject property -- not in the vicinity. 255 Mabery is zoned R1-1 -- not in the same zone as the subject property.
- 480 Bel Air Road is over a quarter mile away from the subject property -- not in the vicinity. The improvements are not comparable to the improvements on the subject property. The reason for the height variance in that case is that height was required to be measured from an adjacent, below-grade tennis court to the top of the house. The house on the subject property does not require such an extended below-grade measuring point.
- 457 Bel Air Road is a quarter mile away from the subject property -- not in the vicinity. This property is almost double the size of the subject property, and the residence is secluded by topography, which is not the case for the applicant's house. This is not a comparable property to the subject property.
- 620 N. Stone Canyon Road is in the vicinity, but it is not comparable to the subject property. The lot size of 620 Stone Canyon Road is 3.12 acres, almost half again larger than the subject property, which is 1.94 acres. Also, the improvements in that case are not comparable to the improvements on the subject property. At 620 N. Stone Canyon Road the house has a parking area under a tennis court that is attached to the house, and because of this, the height measurement had to be made at the entrance to the parking structure, away from the house. The house at the subject property requires no such extended measuring point.

Elsewhere in its application, the applicant refers to 642 N. Siena Way, which is over 900 feet away from the subject property -- not in the vicinity. Also, 642 N. Siena is zoned RE40-1 -- not in the same zone as the subject property. Finally, the improvements in that case are not comparable to the subject property because the variance in that case was for an accessory building on a terrace under an existing tennis court.

The applicant has also asserted in its new proposed finding 3 that

"the owner had to proceed in this matter [to design and site the house the way it did] to be consistent with the neighborhood- sizeable front yard, back yard, amenities that are expected on large properties such as a pool and possibly a tennis court, similar to the property at 620 Stone Canyon. If the property doesn't have reasonable capacity to build these characteristics, this in itself is a hardship."

Nowhere in the Zoning Code is there a concept of reasonable capacity for amenities or that if certain amenities are not able to be fit into a site, it is a hardship. More

significantly, however, as architect David Applebaum has proven in his letter to you referred to above, the house and amenities could have been designed and sited in a myriad of ways that would provide for the gigantic square footage the applicant is proposing (assuming compliance with the BHO and other requirements) and associated amenities, while still conforming to the height limit.

For the above reasons, Finding 3 cannot be made.

4. The granting of the variance WILL BE materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

The applicant makes incorrect assertions about the purpose of the Baseline Hillside Ordinance. See my letter above regarding Finding # 1. Views will be blocked and reduced, and the house will loom out of the property. See the letters to you from Mr. Piszker and Mr. Perica referred to above.

As sited, the house on the subject property will shade Stone Canyon Creek. Granting the requested height variance will shade this important public resource even more and adversely affect the flora and fauna of the Creek and its riparian habitat.

Wind patterns will obviously be affected by adding additional height if the requested variance is approved.

If the requested variance were granted, it could be cited as support for every height variance in the vicinity. No doubt, developers in other hillside areas would also try to cite the grant of this requested variance as a precedent.

For the above reasons and others, the requested variance will be detrimental to the public welfare and injurious to property and improvements in the same zone or vicinity. Required Finding 4 cannot be made.

5. The granting of the variance WILL adversely affect ELEMENTS of the General Plan.

See Mr. Perica's letter to you referred to above. See also my letter above regarding Finding # 1. The proposed house is not sensitively designed -- it is massively out of scale with existing development in the vicinity. The proposed house is not in harmony with the

surrounding community, and granting a variance for increased height will increase its discordant presence. Required Finding 5 cannot be made.

C. PROJECT HAS CHANGED AND AN EIR IS REQUIRED

On December 6, 2006 ENV 2005-8611-MND was adopted. The requested variance cannot be granted under ENV 2005-8611-MND because the project described in that environmental clearance (a four lot parcel map) has changed to a 53.3 foot high house. All potential impacts from the changed project must be considered. Additionally, the applicant has already violated mitigation measure MM-1 that "grading shall be kept to a minimum". Therefore, so a new mitigation measure should be added to provide corrective measures. Further, from the elevations provided by the applicant, it is clear that the proposed structure will result in additional grading to "fill in" around the house, resulting in a further breach of MM-1. Also, an EIR is required if approval of the requested variance is contemplated because the project (a 53.3-foot house) would result in substantial cumulative and unmitigated impacts. Efforts in community plans to have homes limited in height to maintain views of the surrounding mountains and hillside areas would be weakened or become ineffective. On a cumulative basis, an approval for this project would set a terrible standard. Granting the requested variance would lead cumulatively to more grading, loss of views, and building out-of-scale with the intent of the City's General and Community Plans and Zoning Code. Therefore, an EIR is required in order to analyze the potentially significant cumulative unmitigated impacts created by this project.

D. REQUEST FOR ADDITIONAL RETAINING WALL

The applicant has provided no evidence for the findings required under LAMC \S 12.28 C(4) and LAMC \S 12.24 E.

Reasons why the findings under LAMC § 12.28 C(4) cannot be made are as follows:

(a) While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.

There is no site characteristic that justifies the 10-foot retaining wall along the southerly boundary of the property. Existing grades (created by the applicant) along either side of this proposed wall are roughly the same, so no retaining wall is needed. Also, to the extent that there are minor differences in grade along this boundary, the applicant can easily even out the grade since it owns both parcels. And if the applicant contemplates additional grading that will change the grades between its two parcels, then before any decision is made on the applicant's requests, the applicant should submit accurate plans showing this proposed grading

and how it will comply with the limitations in the Baseline Hillside Ordinance and other applicable ordinances.

The applicant refers to the retaining walls at 620 N. Stone Canyon Road (Case No. ZA-2006-0982) as a precedent for permitting additional retaining walls for the subject property. First, the necessary findings for additional retaining walls must be made for the specific property involved; what was permitted on another property does not constitute a finding applicable to the subject property. Second, as noted above with respect to the height variance requested by the applicant for the subject property, 620 N. Stone Canyon Road is not comparable with the subject property. Also, the additional retaining walls permitted for the 620 property were required by existing slopes at the property. Here any slopes that the applicant wants to retain were or will be created by the applicant itself.

In view of the above, it is neither impractical nor infeasible for the applicant to be limited to the maximum number of retaining walls permitted by subparagraph 12.21C.8(a). This required finding cannot be made.

(b) In light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Mitigation Measure MM-1 applicable to the site states, "Grading shall be kept to a minimum." The applicant has already violated this Mitigation Measure by largely leveling the site. Permitting an additional retaining wall is not compatible with this Mitigation Measure, especially since the applicant can easily redesign its project to avoid the additional retaining wall.

(c) The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

The Bel Air-Beverly Crest Community Plan states, "All areas within Bel Air-Beverly Crest should be subject to improved design standards to ensure compatibility of new development with the scenic character of the Community." (Bel Air-Beverly Crest Community Plan, page III-1.) Adding an extra retaining wall is not in substantial conformance with the above land use policy of the Bel Air-Beverly Crest Community Plan.

E. OVER HEIGHT FRONT WALL

If the over height front wall request is to be approved, it should be conditioned on maintaining the indigenous vegetation buffer along Stone Canyon Creek in

perpetuity and on limiting vegetation between Stone Canyon Road and the westerly indigenous vegetation buffer along the Creek. See Mr. Piszker's letter referred to above.

F. CONCLUSION

For the foregoing reasons, none of the required findings for the applicant's zone variance request can be made, ENV 2005-8611-MND cannot serve as the environmental clearance for this project, and an EIR is required. We therefore respectfully request that you deny the requested zone variance and additional retaining wall and condition the over height front wall as stated above.

Thank you for your consideration.

Very truly yours,

Victor I. Marmon

W Marm

VIM:el

Attachments (6)

TRANSMITTAL TO CITY COUNCIL

Case No.(s)	Planning Staff Name(s d Contact No.				C.D. No.					
CPC-2010-581-CA	ERICK LOPEZ	213-978-1243		ALL						
ems Appealable to Council:		Last Day to Appeal:		Appealed:						
N/A		N/A		Yes □ No □						
Location of Project (Include project titles, if any.)										
CITYWIDE										
Name(s), Applicant / Representative, Address, and P	hone Number.									
CITY OF LOS ANGELES										
Name(s), Appellant / Representative, Address, and P	hone Number.		Windows Co	San San	The second					
Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed in the Council, please include in the description only those items which are appealable to Council.) Proposed amendments to the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.										
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*Determination states administrative costs are recovered through fees.				6-0						
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JAMES WILLIAMS, Commission Executive Assistant I		<u> </u>	Date: JUN 0 8 2	010						

DEPARTMENT OF CITY PLANNING

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CITY PLANNING COMMISSION

WILLIAM ROSCHEN PRESIDENT
REGINA M. FREER VICE-PRESIDENT
SEAN O. BURTON DIEGO CARDOSO FR. SPENCER T. KEZIOS BARBARA ROMERO YOLANDA ORZOCO MICHAEL K. WOO Vacant

JAMES K. WILLIAMS COMMISSION EXECUTIVE ASSISTANT (213) 978-1300

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DATE: JUN 0 8 2010

Planning and Land Use Management Committee Council of the City of Los Angeles City Hall, Room 395 Los Angeles, CA 90012

ATTN: Patrice Lattimore, Legislative Assistant

CITY PLAN CASE NO. 2010-581-CA

Transmitted herewith is a proposed ordinance amending the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

On May 27, 2010, following a public hearing, the City Planning Commission approved the proposed ordinance, attached.

This action was taken by the following vote:

Moved:

Woo

Seconded:

Freer

Ayes:

Burton, Kezios, Romero Roschen

Absent:

Cardoso, Orozco

Vacant:

One

Vote:

6-0

James Williams, Commission Executive Assistant I
City Planning Commission

Attachments: Findings, Proposed Ordinance

cc: Amy Brothers, Adrienne Khorasanee, Deputy City Attorney, Land Use Division

FINDINGS

General Plan/Charter Findings

1. General Plan Findings

In accordance with Charter Section 556, the proposed code amendments are in substantial conformance with the purposes, intent, and provisions of the General Plan in that they establish regulations that would reduce the development potential of single-family residential structures, in terms of size, mass, and land alteration on single-family zoned lots located in Hillside Areas.

The proposed code amendments are consistent with, and help to further accomplish the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan:

- Goal 3B Preservation of the City's stable single-family residential neighborhoods.
- Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
- **Policy 3.5.2** Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
- **Policy 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.
- Objective 5.5 Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

In order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible, the proposed Residential Floor Area reduction is necessary. The proposal establishes a reduced sliding Residential Floor Area scale based on zone, lot size and slope, creating a tailored Residential Floor Area that takes into account the terrain conditions of each hillside lot. The proposed Residential Floor Area calculation takes into consideration the varying topography and lot sizes within each zone in order to achieve compatibility and reflect the scale and identity of both the zone classification and existing hillside development. The proposed Residential Floor Area calculation also coincides with the methodology and base Residential Floor Areas put forth in the recently adopted Baseline Mansionization Ordinance (BMO).

The proposed code amendment promotes development that will further limit the intensity of development in hillside areas through reduced Residential Floor Areas, massing and articulation, additional new height requirements, and new grading limits while providing the allowable density. For example, building a 3:1 Floor Area Ratio residential box-like structure

which could potentially be larger in area than the lot that it sits on will no longer be permitted due to the code amendment's reduced Residential Floor Area requirement which will not only provide a smaller building envelope but promote compatibility with existing hillside neighborhood character, identity and scale.

2. Community Plans.

The Code Amendment will promote the objectives, polices and goals of the various Community Plans that contain Hillside Area by continuing to protect the character of the existing single-family neighborhood. By instituting more restrictive development regulations, the proposed provisions require new development to be compatible with the existing site conditions and overall neighborhood character, while at the same time providing some environmental benefits. As new houses are developed in conformance with the proposed regulations, and are built with more appropriate floor area, new grading limitations and a new way to calculate height which encourages terracing rather than tall boxy structures, impacts related to grading, aesthetics and the natural landscape and vegetation could be lessened.

The City of Los Angeles General Plan Land Use Element is subdivided into 35 community plans. The proposed Ordinance helps to accomplish the following objectives, and policies of various Community Plans which appeared consistently throughout the Community Plans that contain hillside areas:

- **Objective 1-5** To limit the intensity and density in hillside areas.
 - **Policy 1-5.3** Consider the steepness of the topography and suitability of the geology in any proposal for development within the Plan Area.
- **Objective 1-5** To limit the intensity and density of development in hillside areas.
 - Policy 1-5.1 Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.
 - Policy 1-5.2 Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.
- **Objective 9-1** Ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.
 - Policy 9-1.1 Promote land use policies that enhance accessibility for firefighting equipment and are compatible with effective levels of service.
- Objective 1-6 To limit residential density and minimize grading in hillside areas.
 - **Policy 1-6.3** Require that grading be minimized to reduce the effects on environmentally sensitive areas.

Objective 1-6 To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.

Policy 1-6.6 The scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.

Objective 1-3 Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.

Policy 1-3.3 Preserve existing views in hillside areas.

The current FAR of 3:1 allows large, box-like structures that compromise the character of established neighborhoods. In order to address this problem the proposed Baseline Hillside Ordinance changes the FAR so it is based on zone, lot size, and steepness of slopes on a hillside property, rather than lot size alone. This approach takes into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining Residential Floor Area limits. In addition, in order to better implement the goals and objectives of the General Plan, the Zoning Code assigns a certain scale/character to each zone through setbacks and height regulations for instance. The Slope Band method proposes adding another component to each zone through the RFA calculation. When the appropriate zone is applied to a specific property, the resulting Slope Band RFA would be consistent with the intended scale of that community.

The citywide FAR reduction is necessary in order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible. The proposed Ordinance includes 20% or 30% Residential Floor Area bonuses that incentivize better design, as in the BMO, with additional options related to grading practices intended to minimally disturb the natural topography or to further reducing the quantities of grading. A lot that is considered "flat" (entirely made up of 0% to 15% slopes) would essentially be treated the same as it would in the BMO, in terms of the amount of development. In addition, the proposal includes a provision for to permit additions of less than 500 square feet to existing structures without discretionary action in order to reduce the possibility for discretionary actions for small additions.

Furthermore, the code amendment addresses the issue of building mass from the public right-of-way and neighboring properties and discourages large and tall box-like structures, which the community has specifically identified as a problem. The proposed ordinance includes the BMO height provision that ties the maximum height of a building to the slope of the roof but also introduces a new way to calculate height which follows the slope of the lot. As currently proposed, when a building or structure has a sloped roof (25% slope or greater) the current height limits apply: 33 feet for the R1, RS, and RE9 zones, and 36 feet for the RE11, RE15, RS, RE20, and RE40 zones. However, when a structure has a flat roof (less than 25% slope) the maximum height is lower: 28 feet for the R1, RS, and RE9 zones, and 30 feet for the RE11, RE15, RS, RE20, and RE40 zones. In addition, depending on the zone

and height district a unique envelope height limit is applied, which encourages the terracing of structures up and down a hillside. Thus, with a varied roofline, structures would allow more light and air to reach neighboring properties, add visual interest, and enhance transitions between properties. The proposed provisions help to ensure that the mass of buildings is broken up, and that box-like structures have a lower height thereby further reducing the "looming" factor which has been brought up by the public on several occasions.

The current Floor Area definition, which currently applies to single-family zoned lots in the Hillside Area, is inadequate because it is geared to commercial and industrial structures and does not include portions of a building that add significantly to the mass and bulk of residential structures. The BMO created a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. With the amendments to the existing definition to accommodate hillside conditions, the revised definition will continue to effectively address the portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot for both the "flats" and the Hillside Area. Furthermore, the proposal includes a provision to encourage outdoor space that is located within the structure, but not fully enclosed in lieu of grading a flat pad for a backyard.

Currently, there are no limits to the quantity of grading or to the amount of earth one can import to or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size of the lot, and restrict the volume of earth allowed to be imported and exported from a property. The proposed regulations are based on a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with an absolute maximum that varies per zone. Projects which involve more than the limits can be approved through a discretionary review process, but would be subject to findings, environmental review and conditions of approval. The proposed Ordinance also ensures that any grading over the limits will be done using landform grading methods which are meant to mimic existing terrain.

Similar to the BMO's Residential Floor Area District, the Baseline Hillside Ordinance establishes a Hillside Standards Overlay that would allow individual neighborhoods that have determined they have unique characteristics to tailor the size limits as well as the other regulations covered by this Ordinance in order to preserve the existing character. This provision puts the power to determine the scale of existing neighborhoods directly into the community's hands and will no longer be established in a piecemeal, project-by-project manner as is currently the case.

Lastly, the proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, staff is attempting to make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

2. In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because the proposed measures are needed to regulate single-family residential development in the Hillside Area in order to avoid the further degrading effects of out-of-scale development in the various hillside neighborhoods throughout the City of Los Angeles as a result of the current FAR of 3:1, restrictive height limits and the lack of grading limits.

a) Reduction of Existing FAR for Single-Family Zones and 20% RFA Bonus

Baseline FAR Reduction

The current FAR of 3:1 for single-family residential zones is extremely permissive and has resulted in the construction of large structures that are incompatible with the existing surrounding neighborhoods. The proposed reduction in FAR is necessary in order to directly address the issue of house size, prevent the worst case scenarios, establish a new base from which to work for future code amendments and/or overlays dealing with mansionization, and for the protection of neighborhood character.

In order to calculate the maximum Residential Floor Area permitted, a site survey showing two-foot contours must be prepared by a licensed surveyor. The survey shall identify the total area of the lot, in square feet, according to the following slope intervals:

- 1. Slope less than 15 percent;
- 2. Slope at least 15 percent, but less than 30 percent;
- 3. Slope at least 30 percent, but less than 45 percent;
- 4. Slope at least 45 percent, but less than 60 percent;
- 5. Slope at least 60 percent, but less than 100 percent;
- 6. Slope greater than 100 percent.

The maximum Residential Floor Area contained in all buildings and accessory structures shall be determined by multiplying the portion of the lot in each slope interval by the corresponding FAR for the slope band to obtain the RFA for the slope band, then adding all RFA values together to reach the total RFA.

The proposed Slope Band FAR Method addresses the need to consider the topography of a property when determining the amount of development that can occur on a property, and takes into account the fact that every hillside lot is different.

Another reason for the proliferation of out-of-scale structure is the use of Buildable Area to determine maximum development potential on a single-family zoned lot. As is the case for the BMO, the proposed Ordinance utilizes the lot area as a base from which FAR is determined, rather than the Buildable Area currently used in the Municipal Code. By tying development potential directly to lot size and to individual zones, the ratio of house size to lot size is maintained proportionally across different lot sizes within each zone, and the development standards for each of the eight zones are further distinguished.

New Floor Area Ratios for Each Single-Family Zone

There are eight distinct single-family zones affected by the proposed ordinance. The proposed solution reflects the differences in the eight zone designations and establishes a base floor area ratio for each zone, based on lot size. As a direct result, two-story

structures will automatically have larger setbacks than single-story structures of the same floor area.

The starting point for each zone in the proposal is the base FAR established in the BMO. Then, as the topography gets steeper, a FAR value that decreases applies. The new base Floor Area Ratios for the portions of the lot with slope less than 15% range from 0.25:1 on RA lots to 0.5:1 on R1 lots and decrease to 0:1 for those portions with slope greater than 100%.

20% or 30% RFA Bonus

The code amendment proposes eight Residential Floor Area Bonus Options, which aim to enhance the articulation of the structure and reduce the environmental and physical impacts on the land itself. The purpose of the Bonuses is to incentivize quality design in single-family development. A 20% bonus can be applied when relying on the calculated Slope Band method to determine the RFA and the 30% bonus can be used when utilizing the guaranteed minimum RFA. The Bonuses include:

- 1) Proportional Stories Option
- 2) Front Facade Stepback Option
- 3) Cumulative Side Yard Setback Option
- 4) 18-Foot Envelope Height Option
- 5) Multiple Structures Option

- 6) Minimal Grading Option
- 7) Green Building Option 1
- 8) Green Building Option 2

Several of the bonus options are directed to lots that are more sloped (i.e. more than 30% grade) whereas some are focused on lots that are generally flat (i.e. less than 15% grade). The Proportional Stories, Front Façade Stepback and Green Building Options were established under the Baseline Mansionization Ordinance, but have been modified or expanded in this code amendment to directly relate to hillside development. In addition, there is an option that directly relate to grading for structures that will incentivize minimal footprints or excavation of the hillside. These options will also help improve public safety as it relates to hauling earth on the local streets to and from the site.

Addition to Existing Structures

A provision has been added by which existing structures are permitted an addition to existing structures of no more than 500 square feet (cumulatively), regardless of its conformance to the proposed Residential Floor Area limits. Accordingly, the Zoning Administrator authority was also increased from 750 square feet to 1,000 square feet.

b) Amend Height Limits for Single-Family Zones in the Hillside Area

Currently, flat and sloped roofs have the same height limits. Even with the decreases in the allowable FAR and the use of the design alternatives which make up the 20% or 30% Residential Floor Area Bonus, there may still be concern about visual bulk as seen from the street. The BMO reduced this effect by changing the height provisions and tying the maximum height of a building to the slope of a roof.

The proposed Baseline Hillside Ordinance will carry forward the same provisions, but will adapt the measurement of these heights to address hillside conditions by including a new method of measuring height, the Envelope Height. The new Envelope height would be the vertical distance from the grade of the site to a projected plane at the roof structure or parapet wall located directly above and parallel to the grade. The proposed regulations utilize a new method of calculating height which would follow the slope of a lot and encourages the terracing of structures up and down a slope, which helps to visually break up mass, and discourages large and tall box-like structures.

c) Amend the Single-Family Residential Floor Area Definition

Single-Family Residential Floor Area

The existing Floor Area definition does not differentiate between the various building types and zones, and is applied to all development in the same manner, unless otherwise stated. This means that the floor area of a single-family home is calculated in the same manner as a commercial shopping center or an industrial park, yet the structures are very different. The existing Floor Area definition also excludes areas such as garage space, atriums, and stairwells that contribute significantly to the mass and scale of residential structures.

The Baseline Mansionization Ordinance established a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. The definition is balanced to include most portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot.

However, the Baseline Hillside Ordinance is proposing to amend the Residential Floor Area definition, by adding language specific to hillside development. The desired objective is to maintain a uniform definition for all development within the Single-Family Zones. The proposal changes the method to exempt covered parking so it is based on a ratio of required covered parking, includes provisions to increase the square footage for covered porches, patios or breezeways, to exempt porches on downhill lots enclosed by retaining walls, allows rooms with ceilings taller than 14 feet to be exempted so long as the exterior wall is only 14 feet and exempts basements as BMO did, but accounts for the varied topography in the hillside areas so now not all of the basement walls need to exceed 2 feet in height above the finished or natural grade. These changes make the Residential Floor Area definition more relevant to the hillside topography and address the concerns of the public.

d) Establish New Grading Limits for Single-Family Zones in the Hillside Area

Currently, there are no limits to the quantity of grading or to the amount of earth one can import or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size and zone of the lot, and restrict the volume of earth allowed to be imported and exported from a property.

The total quantities of grading, both Cut and Fill would be limited to a maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards, up to a maximum amount that corresponds to each zone. The proposal was included to address the concern raised by community stakeholders that current grading practices were contributing to slope instability and the deterioration of the City's hillsides.

In addition, for any grading over the limits would require a discretionary action and the Zoning Administrator would require the grading to be done in conformance with the Planning Guidelines Landform Grading Manuel. The purpose of this requirement is to better reflect the original landform and result in minimum disturbance to natural terrain. Notching into hillsides would be encouraged so that projects are built into natural terrain as much as possible. This requirement was imposed in order to address the potential adverse environmental impacts on the natural terrain.

Furthermore, the new ordinance amends what grading activities are included in the Import/Export limits in order to have structures to be tucked into the hillside. The previous proposal did not exempt any grading activity from the limits on Import/Export, which inadvertently encouraged the structure to skirt the hillside to avoid exporting or importing any earth. However, the current proposal will not count exempted grading (i.e. earth under the structure, driveway or 500 cubic yards for required parking) that is imported or exported towards the Import/Export limits.

e) Consolidation of Single-Family Residential Hillside Code Provisions.

The proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, the proposed amendments will make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

f) Amending the Zoning Administrator's Authority to Include Adjustments to Single-Family Residential Floor Area, Height and Grading Limits

Residential Floor Area

The proposed Code Amendment would clarify that the Zoning Administrator can grant adjustments to the Single-Family Residential Floor Area in the Hillside Area. While the proposed provisions already allow for two primary ways for a property owner to increase the amount of habitable square-footage: the 20% or 30% RFA Bonus and the by-right 500 square-foot additions to structures existing prior to the effective date of the ordinance.

The Zoning Administrator will continue to have the authority to grant an Adjustment of no more than 10% to the maximum Residential Floor Area limits for a property; any increase larger than 10% would require a Variance.

The Zoning Administrator would have the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date which exceed the proposed maximum Residential Floor Area limits. The proposed Ordinance will carry

over the existing provision which allows for additions to existing structures of no more than 1,000 square feet, but will make it a discretionary action when the addition exceeds the "by-right" 500 square feet addition. These additions would be required to maintain the height of the existing structure or comply with the proposed height limits, whichever is greater.

Height

Currently the Zoning Administrator has the authority to grant adjustments of height up to a 20% increase based on the current method of measuring height, which measures from the highest point of the roof structure to the lowest point of the structure within five feet from the structure. The new proposal would continue to permit the Zoning Administrator to have the authority to allow buildings or structures to exceed the maximum height requirements, except that it would apply to Envelope Height. However, the increase in height may not result in a building or structure which exceeds an overall height of 45 feet (measured from the lowest and highest points of a structure); any increase greater than that would require a Variance. In addition, the Zoning Administrator must make the finding that the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the area vicinity.

Grading

Because there are no grading limits in the current code, the Zoning Administrator has not had authority to grant deviations from grading limits. This proposal gives the Zoning Administrator the authority to grant limited deviations from the grading requirements such as granting the true value of the grading maximum (i.e. grading in excess of the established limits for each zone, if the quantity does not exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards) or deviations in the amount of import and export. The proposal includes additional findings to protect the natural terrain.

Although the measures in this ordinance are not tailored to any specific neighborhood and are instead a citywide approach, they are needed to avoid the continuing negative impacts upon established hillside neighborhoods around the City created by the current development standards.

The proposed code amendments substantially advance a legitimate public interest in that they would further protect single-family residential neighborhoods from economic forces, such as periodic real estate market "booms", which often leads to structures that are built-out to the maximum size allowed in the LAMC. Good zoning practice requires new hillside development standards for single-family residential zones as the housing stock is updated and replaced. This proposed ordinance accomplishes this requirement.

The proposed code amendments are not arbitrary as Department staff has thoroughly analyzed various approaches and best practices, as well as public input/testimony, and determined that the proposed amendments are the simplest and most direct way of dealing with the issue of out-of-scale single-family development in the City's Hillside Areas in a way that is both equitable and meaningful. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential hillside neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City of Los Angeles.

- 3. In accordance with Charter Sections Charter 559, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.
- 4. California Environmental Quality Act (CEQA). The Department of City Planning on Friday, March 12, 2010, determined that the proposed code amendments would not have a significant impact on the environment. A Negative Declaration (ENV-2010-582-ND, Exhibit B) was prepared for the ordinance after a review of the proposed ordinance for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a negative effect on the environment. The attached Negative Declaration was published in the *Los Angeles Times* on Thursday, March 18, 2010, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Community Planning Bureau of the Planning Department in Room 621, 200 North Spring Street.

Based upon the above findings, the proposed code amendment is deemed consistent with public necessity, convenience, general welfare, and good zoning practice.

EXHIBIT A

RECOMMENDED ORDINANCE PROVISIONS

The following language is intended to be a depiction of the proposed Code provisions that may comprise the Baseline Hillside Ordinance. These provisions attempt to consolidate as many relevant Zoning Code provisions related to single-family hillside development as possible into one simplified Code section. The final Baseline Hillside Ordinance, containing legal description of the proposed Code Amendments, will be prepared at a later date by the City Attorney's Office with the assistance of Department of City Planning staff.

LEGEND:

Language being migrated to the new consolidated location is generally indicated by a Code Section in brackets that is highlighted in green (when viewed or printed in color); example: [12.21 A.17].

In general, except for the Hillside Area Development Standards section, new language is indicated by underlined text ("text") and proposed language removal is indicated by strikeout text ("text").

Language in blue (when viewed or printed in color) generally indicates references to other provisions of the Municipal Code or other relevant regulations or policies.

Since the location of the Baseline Hillside Ordinance has not yet been determined the current proposal uses "<<BHO>>" in lieu of the final Section number.

DEFINITIONS (12.03)

COMPACTION. The densification of a fill by mechanical means.

CUT. A portion of land surface or areas from which earth has been removed or will be removed by excavation; the depth below the original ground surface or excavating surface. Also referred to as *EXCAVATION* in Division 70 of Chapter IX of this Code.

ELEVATION. Vertical distance in feet above sea level.

FILL. The depositing of soil, rock or other earth materials by artificial means.

FLOOR AREA. The area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas.

Buildings on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not designated as Hillside Area, are subject to the definition of Residential Floor Area. [12.03]

FLOOR AREA, RESIDENTIAL. The area in square feet confined within the exterior walls of a building or accessory building on a lot in an RA, RE, RS, or R1 Zone. Any floor or portion of a floor with a ceiling height greater than 14 feet shall count as twice the square footage of that area. The area of stairways and elevator shafts shall only be counted once regardless of ceiling height. Area of an attic or portion of an attic with a ceiling height of more than seven feet shall be included in the floor area calculation.

Except that the following areas shall not be counted:

- 1. <u>Required Covered Parking.</u> The first 400 square feet of covered parking area. the total area of 200 square feet per required covered parking area.
- Detached Accessory Buildings. Detached accessory buildings not exceeding 200 square feet; however, the total combined area exempted of all these accessory buildings on a lot shall not exceed 400 square feet.

3. Covered Porches, Patios, and Breezeways.

<u>For lots not located in the Hillside Area or Coastal Zone, the first 250 square feet of attached porches, patios, and breezeways with a solid roof if they are open on at least two sides.</u>

For lots located in the Hillside Area, the exempted area shall be limited to 5% of the maximum Residential Floor Area for a lot, but need not be less than 250 square feet, and:

- a. Attached porches or patios with a solid roof may be open on only one side if two of the other sides are retaining walls.
- b. Breezeways no wider than 5 feet and no longer than 25 feet connecting a garage at the street level to a dwelling, either directly or through a stairway or elevator, shall not count as Residential Floor Area and shall not be counted against the aforementioned exemption.
- 4. <u>Lattice Roof Porches, Patios, and Breezeways.</u> Porches, patios, and breezeways that have an open Lattice Roof, as <u>defined in this Section</u>.

5. Over-In-Height Ceilings.

The first 100 square feet of any story or portion of a story of the main building on a lot with a ceiling height greater than 14 feet shall be counted only once. Except that in the Hillside Area, for a room or portion of a room which has a floor height below the exterior grade (or "sunken rooms"), when the ceiling height as measured from the exterior natural or finished grade, whichever is lower, is not greater than 14 feet it shall only be counted once.

6. Basements.

<u>For lots not located in the Hillside Area or Coastal Zone, a</u> Basement when the elevation of the upper surface of the floor or roof above the basement does not exceed 2 feet in height at any point above the finished or natural grade, whichever is lower.

For lots located in the Hillside Area, a Basement when the elevation of the upper surface of the floor or roof above the basement does not exceed 3 feet in height at any point above the

finished or natural grade, whichever is lower, for at least 60% of the perimeter length of the exterior basement walls. [12.03]

For all lots, a maximum of 2 light-wells which are not visible from a public right-of-way and do not project more than 3 feet from the exterior walls of the basement and no wider than 6 feet shall not disqualify said basement from this exemption.

FLOOR AREA RATIO (FAR). A ratio establishing relationship between a property and the amount of development permitted for that property, and is expressed as a percentage or a ratio of the Buildable Area or Lot Size (example: "3 times the Buildable Area" or "3:1").

GRADE, HILLSIDE AREA. For the purpose of measuring height on an R1, RS, RE, or RA zoned lot in the Hillside Area, pursuant to <<BHO>> of this Article, Hillside Area Grade shall be defined as the elevation of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective elevation of grade for purposes of measuring height of a building or structure. 12 21 A 17(c)(5)

GRADING. Any cut or fill, or combination thereof, or recompaction of soil, rock or other earth materials.

GRADING, LANDFORM. A contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal plane designed to simulate the appearance of surrounding natural terrain. The graded slopes are non-linear in plan view, have varying slope gradients, and significant transition zones between human-made and natural slopes resulting in pad configurations that are irregular. The concept of landform grading incorporates the created ravine and ridge shapes with protective drainage control systems and integrated landscaping designs.

GRADING, REMEDIAL. For the purposes of <<BHO>> of this Article, Remedial Grading shall mean grading recommended by a California Licensed Geologist prepared in accordance with the provisions in Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code, and approved by the Department of Building and Safety Grading Division, that is necessary to mitigate a geotechnical hazard on a site (including for access driveways), including, but not limited to: 1) repair of a landslide, 2) over-excavation of a building site to remediate expansive or compressible soils, and/or 3) altering a building pad to improve site stability (usually by removing materials and lowering finish grade).

LOT, DOWNHILL. A lot for which the Front Lot Line, or street from which serves as the primary vehicular access point for the required parking, is at a higher elevation than the Rear Lot Line.

LOT, UPHILL. A lot for which the Front Lot Line, or street from which serves as the primary vehicular access point for the required parking, is at a lower elevation than the Rear Lot Line.

ROOF, LATTICE. A roof covering constructed as an Open Egg-Crate Roof or Spaced Roof. An Open Egg-Crate roof is constructed of lattice members so that a sphere of 10 inches minimum in diameter can pass through. All lattice members must have a minimum nominal width of 2 inches. A Spaced Roof is constructed of members running in one direction only with a minimum clear spacing between the members of not less than 4 inches. In addition beams supporting and placed perpendicular to the members shall be spaced not less than 24 inches on center. All members or beams must have a minimum nominal width of 2 inches.

SLOPE. An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance (i.e. 2:1 or 1:1) or as a percentage (i.e. 50% or 100%).

SLOPE BAND. The area of a property contained within a defined slope interval as identified in <<BHO>> of this Article and shown on a Slope Analysis Map prepared by a licensed surveyor based on a survey of the natural/existing topography. Slope bands need not necessarily be located in a contiguous manner and can be one or more areas as small or as large as they exist on said property.

SUBSTANDARD HILLSIDE LIMITED STREET. A street-which does not meet the minimum requirements of a Standard Hillside Limited Street as defined in Section 12.03 (public or private) with a width less than 36 feet and paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering. [12.03]

HILLSIDE AREA DEVELOPMENT STANDARDS (LOCATION TBD)

Hillside Area Development Standards. For a lot located in a Hillside Area, no building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following development standards are provided and maintained in connection with the building, structure, or enlargement:

 Setback Requirements. No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the setbacks as outlined in Table <<BHO>>-1 are provided and maintained in connection with the building, structure, or enlargement.

					Substitution of Store			- 12 - 12 - 12 - 12 - 12 - 12 - 12 - 12
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The required side yard may be	50	π	/() ft		n/a		70
reduced to 10% of the Lot Width,							į	ft*
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where the lot is less than the								
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	R1	RS	RE9	RE11	RE15	RE20	RE40	RA		
height larger than 18 feet:	1 -	yard for each increment of 10 feet or fraction thereof above the first 18 feet. [12.21 A 17(b)(2)]								
Not less than:	15 ft	20 ft			25% of	lot depth				
Need not exceed:	n/	а			25	5 ft		.,		
ft – feet n/a – the provision is not applical Lot Depth – as defined in Section	12.03 of this									
Lot Width – as defined in Section 12.03 of this Code										
Notes:			ı							
* Only applicable for lots which a	are of record	prior t	o July 1,	1966.		CARREST TATE AND ADMINISTRATION OF A STORE OF THE STORE O		an't de l'annue de la company de la comp		

Notwithstanding the required yards, or setbacks, outlined in Table <<BHO>>-1 above, or those exceptions found in Section 12.22 of this Chapter, the following provisions shall apply:

- a. Prevailing Front Yard Setbacks. Where all of the developed lots which have front yards that vary in depth by not more than 10 feet comprise 40% or more of the frontage, the minimum front yard depth shall be the average depth of the front yards of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage each of which has front yards that vary in depth by not more than 10 feet, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. In determining the required front yard, buildings located on key lots, entirely on the rear half of lots, or on lots in the "C" or "M" Zones, shall not be counted, provided, however, that nothing contained in this paragraph shall be deemed to require front yards which exceed 40 feet in depth.
- b. Front Yards on Lots Fronting on Substandard Hillside Limited Street. For any lot that fronts on a Substandard Hillside Limited Street, there shall be a minimum front yard of at least five feet. For lots having a zoning classification that contains a provision calling for observance of the prevailing setback, The prevailing setback regulations, as outlined in Paragraph a of this Subdivision, shall apply, so long as a front yard of no less than five feet is provided. [12.21 A.17(a)(1)]
- c. Front Yard Setbacks on Key Lots. On key lots the minimum front yard may be the average of the required front yard for the adjoining interior lot and the required side yard along the street side of a reversed corner lot, but such minimum front yard may apply for a distance or not more than 85 feet from the rear lot line of the reversed corner lot, beyond which point the front yard specified in Table <<BHO>>>-1 or Paragraph a of this Subdivision shall apply. Where existing buildings on either or both of said adjoining lots are located nearer to the front or side lot lines than the yard required by this <u>Subdivision-Article</u>, the yards established by such existing buildings may be used in computing the required front yard for a key lot.

d. Front Yards on Through Lots. At each end of a through lot there shall be a front yard of the depth required by this <u>Subdivision-Subsection</u> for the zone in which each street frontage is located, except that only one front yard need be provided on those through lots which abut on a primary, major or secondary highway, as such highways are shown on the "Highways and Freeways Element of the General Plan", when the rights to vehicular ingress and egress from such through lots to the highways have been abandoned or prohibited by a tract restriction as a condition precedent to the approval of the recordation of the subdivision in which such through lots are included. Where only one front yard is required on a through lot, as provided herein, the rear yard shall be located on the portion of such lot adjacent to the highway

Where a through lot is less than 150 feet in depth or is developed as a single building site, and the two required front yards are provided, no rear yard is required. [12.21 [13.1]]

- e. Front Yard Paving. All portions of the required front yard not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved. [12.21 6.1(g)]
- f. Front Yard on Lots Existing Prior to June 1, 1946. On any lot of less than one acre which was of record or held in separate ownership on June 1, 1946, or was subsequently created either by the recording of a division of land map or otherwise in accordance with the applicable zoning regulations, the originally required front yard shall be provided and maintained on such a lot in addition to any new front yard required by any subsequent rearrangement of the lot lines by sale or division (without recording a subdivision map) creating a new lot fronting on a different street than that on which said original lot fronted. [12,21 C.1(e)]
- g. Side and Rear Yards for Basements. In determining the required side and rear yards of a building, any basement containing habitable rooms shall be considered a story. [12.2] [1]
- h. Yards in the Coastal Zone. The following setback requirements shall apply to lots located in a Coastal Zone:
 - (1) On a lot in the RE9 or RE11 Zone, there shall be a side yard on each side of a main building of not less than 5 feet, except that, where the lot is less than 50 feet in width, the side yard may be reduced to 10% of the width of the lot, but in no event less than 3 feet.
 - (2) In lieu of the additional side yard requirement in Table <<BHO>>-1, for a building more than two-stories in height on lots in the R1, RS, or RE Zone, one foot shall be added to the width of each required side yard for each additional story above the second story.

- (3) On a lot in the RA Zone, where a side yard is less than 10 feet in width, and the building erected on the lot is three or more stories in height, one foot shall be added to such side yard.
- i. Side Yards in Specific Plans, Historic <u>Preservation</u> Overlay Zones or in Subdivision Approvals. Side yard requirements in specific plans, Historic <u>Preservation</u> Overlay Zones or in subdivision approvals shall take precedence over requirements in this Subsection. <u>This Subsection</u> shall apply in these areas, however, where there are no side yard requirements provided in the specific plan, Historic <u>Preservation</u> Overlay Zone, or subdivision approval.
- j. <u>Projections-Encroachments Into Required Yards.</u> <u>Notwithstanding those exceptions</u> found in Section 12.22 of this Chapter, every required front, side and rear yard shall be open and unobstructed from the ground to the sky except for the following: [12.21 C.1(g)]
 - (1) Garages in Front Yards. A private garage may be located on the required front yard of a lot-having a slope-conforming to that specified in Section 12.22-C.6 where the elevation of the ground at a point 50 feet from the front lot line of a lot and midway between the side lot lines differs 10 feet or more from the curb level, provided every portion of the garage building is at least 5 feet from the front lot line. Where the wall of such garage is two-thirds below natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height. [12.21 C.5 (I)]
 - (2) Open, Unenclosed Stairways, Porches, Platforms, Landing Places, or Balconies.

 Notwithstanding any other provisions of this Code, on lots fronting onto a Substandard Hillside Limited Street, open unenclosed stairways, porches, platforms and landing places not covered by a roof or canopy shall not project or extend into the front yard. Balconies with 10 feet of vertical clearance beneath them may project or extend no more than 30 inches into a front yard. [12,21 A,17(a)(3)]
- k. Pools, Ponds, or Body of Water in Required Yards. No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required yard space in which fences over 42 inches in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level. [12 21 C.1(g)]
- I. Zoning Administrator's Authority. For lots fronting on a Substandard Hillside Limited Street, A Zoning Administrator may grant a reduction of the front setback requirements of Paragraph b of this Subdivision and side yard requirements in Table <<BHO>>-1, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article; however, in no event shall the side yard be less than 4 feet. [12.24 X 11(2)] [12.24 X .11(b)]
- 2. Maximum Residential Floor Area. The maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed the sum of the square footage of each Slope

Band multiplied by the corresponding Floor Area Ratio (FAR) for the zone of the lot, as outlined in Table <<BHO>>-2. This formula can be found in Figure <<BHO>>-1, where "A" is the area of the lot within each slope band, "FAR" is the FAR of the corresponding slope band, "RFA" is the sum of the Residential Floor Area of each Slope Band.

Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 – 14.99	0.50	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 - 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100+	0.00	0,00	0.00	0,00	0.00	0.00	0.00	0.00

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Slope Bands (%)	Area (sq-ft)		FAR	Re	sidential Floor A	rea
0 – 14.99	A^1	Х	FAR ¹	=	RFA ¹	
15 – 29.99	A ²	X	FAR ²		RFA ²	
30 – 44.99	A^3	X	FAR ³	=	RFA ³	
45 – 59.99	Α ⁴	Χ	FAR 4		RFA ⁴	
60 – 99.99	A ^S	Х	FAR ⁵	=	RFA ⁵	
100+	Α6	Χ	FAR ⁶	_	RFA ⁶	

Maximum Residential Floor Area = Sum of RFA ¹ through RFA ⁶

a. Slope Analysis Map. As part of an application for a permit to the Department of Building & Safety, or for a Discretionary Approval as defined in Section 16.05 B of this Code to the Department of City Planning the applicant shall submit a Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped, and signed by a registered civil engineer or licensed land surveyor, to verify the total area (in square-feet) of the portions a property within each slope band identified in Table <<BHO>>>-2 of this Subsection. The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with two-foot intermediates. The map shall also indicate the datum, source, and scale of topographic data used in the slope analysis, and shall attest to the fact that the slope analysis has been accurately calculated.

The Slope Analysis Map shall clearly delineate/identify the slope bands (i.e. with contrasting colors or hatching), and shall include a tabulation of the total area in square-feet within each slope band, as well as the FAR and Residential Floor Area value of each corresponding slope band.

The Slope Analysis Map shall be prepared using CAD-based, GIS-based, or other type of software specifically designed for such purpose.

b. Guaranteed Minimum Residential Floor Area. Notwithstanding the above, the maximum Residential Floor Area for all buildings and accessory buildings on any lot need not be less than the percentage of the Lot Size as outlined in Table <<BHO>>>-3 below or 1,000 square feet, whichever is greater.

Zone	Percentage of Lot Size
R1	25%
RS	23%
RE9	20%
RE11	20%
RE15	18%
RE20	18%
RE40	18%
RA	13%

For lots with an area that is less than 50% of the minimum lot size for its Zone, and which were made nonconforming in lot size as a result of an adopted zone change or code amendment changing the minimum lot size and met the minimum lot size requirements of the original zone, the guaranteed minimum for the original zone as stated in the paragraph above shall apply.

- c. Residential Floor Area Bonus. An additional 20%, or 30% for lots where the Guaranteed Minimum outlined in Paragraph b of this Subdivision is necessary, of the maximum Residential Floor Area, as determined by Table <<BHO>>-2 or by Paragraph b of this Subdivision, for that lot shall be allowed if any of the options listed below is utilized. Only one bonus per property is allowed.
 - (1) Proportional Stories Option. The total residential floor area of each story other than the Base Floor in a multi-story building does not exceed 75% of the base floor area. This option shall only apply to flat building pads where the slope of the building pad area prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing grade within 5 horizontal feet, is less than 15%; or
 - (2) Front Facade Stepback Option. The cumulative length of the exterior walls which are not a part of a garage facing the front lot line, equal to a minimum of 25% of the building width shall be stepped-back a distance of at least 20% of the building depth from a plane parallel to the lot width established at the point of the building closest to the front lot line. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used to

<u>establish the plane parallel to the front lot width</u>. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

This option shall only apply to structures which are no more than 35 feet from the frontage along an improved street and on a "flat" building pad where the slope of the building pad prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing natural grade within 5 horizontal feet, is less than 15%; or

- (3) Cumulative Side Yard Setbacks Option. The combined width of side yards shall be at least 25% of the total Lot Width, as defined in Section 12.03, but in no event shall a single side yard setback be less than 10% of the Lot Width or the minimum required by Subdivision 1 of this Subsection, whichever is greater. One foot shall be added to each required side yard for each increment of 10 feet or fraction thereof of height above the first 18 feet of height. The width of a required side yard setback shall be maintained for the entire length of a side yard and cannot alternate from one side yard to the other; or
- (4) 18-Foot Envelope Height Option. For properties which are not in the "1SS" Single-Story Height District, the maximum envelope height, measured pursuant to Paragraph a of Subdivision 4 of this Subsection, shall be no more than 18 feet; or
- (5) Multiple Structures Option. In addition to the lot coverage requirements in Subdivision 5 of this Subsection, any one building and structure extending more than 6 feet above Hillside Area Grade shall cover no more than 20% of the area of a lot. For the purposes of this provision, these structures may only be connected by one breezeway, fully enclosed walkway, elevator, or combination thereof of not more than 5 feet in width; or
- (6) Minimal Grading Option. For properties where at least 60% of the lot is comprised of slopes which are 30% or greater, as determined by a Slope Analysis Map prepared in accordance with Paragraph a of this Subdivision, the total amount of any grading on the site (including exempted grading, as outlined in Subdivision 6 of this Subsection) does not exceed the numeric value of 10% of the total lot size in cubic yards or 1,000 cubic yards, whichever is less (example: a project involving 500 cubic-yards of grading on a 5,000 square-foot lot will eligible for this bonus option); or
- (7) Green Building Option 1. For new single family dwelling construction only, the new construction shall be in substantial compliance with the requirements for the U.S.

Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED®) for Homes program at the "<u>Silver</u>" level or higher.

Prior to submitting an application to the Department of Building and Safety for a building permit, the applicant shall be required to obtain an authorization to submit for plan check from the Department of City Planning. In order to obtain this authorization, the applicant shall provide:

- Documentation that the project has been registered with the USGBC's LEED® for Homes Program, and that the required fees have been paid;
- (ii) A preliminary checklist from a USGBC-contracted LEED® for Homes Provider, which demonstrates that the project can be registered with the LEED® for Homes Program with a target of certification at the "Silver" or higher level;
- (iii) A signed declaration from the USGBC-contracted LEED® for Homes Provider stating that the plans and plan details have been reviewed, and confirms that the project can be registered with the LEED® for Homes Program with a target certification at the "<u>Silver</u>" or higher level; and
- (iv) A complete set of plans stamped and signed by a licensed architect or engineer that include a copy of the preliminary checklist and signed declaration identified in Subparagraphs (2) and (3) of this paragraph and identify the measures being provided for LEED® Certification at the "Silver" level. Each plan sheet must also be signed by a USGBC-contracted LEED® for Homes Provider verifying that the plans are consistent with the submitted preliminary checklist.

The Department of Building and Safety shall refer applicants to the Department of City Planning prior to issuance of a building permit to obtain a clearance to verify the project compliance with the originally approved plans.

If changes are made to the project, the applicant shall be required to submit a revised set of plans, including the four requirements listed above, with all revisions necessary to make the project in substantial compliance with the requirements for LEED® Certification at the "Silver" level-; or

(8) Green Building Option 2. Project exceeds the energy efficiency performance of a home built to the Title-24 requirements by at least 15%. Projects can minimize the amount of energy used by installing energy-efficient systems, such as Energy Star appliances, as well as by minimizing the amount of energy lost as a result of the building envelope.

All projects should have an Energy Usage Plan and should document in detail which features/measures will be implemented in order to limit energy usage. Energy Usage Plans should correspond to the requirements of Title-24.

- e. Zoning Administrator's Authority.
 - (1) 10% Adjustments. The Zoning Administrator has the authority to grant adjustments from the requirements of Paragraphs a and c of this Subdivision of not more than 10%, pursuant to the authority and procedures established in Subsection A of Section 12.28 of this Article.
 - (2) Additions to Structures Existing Prior to August 1, 2010. The Zoning Administrator has the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date for which permits have been previously obtained which exceed the requirements of Paragraphs a and c of this Subdivision, provided: [12,21 A, 17(i)(3)]
 - (i) the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and [12.21 A.17(i)(3)(a)]
 - (ii) the resulting building does not exceed the height of the original building or the height permitted in Subdivision 4 of this Subsection, whichever is greater; and [12,21 A,17(i)(3)(b)]
 - (iii) at least two off-street covered parking spaces are provided. [12.21 A.17(i)(3)(c)]
- 3. Verification of Existing Residential Floor Area. For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after August 1, 2010, or remodels of buildings built prior to August 1, 2010, the existing residential floor area shall be the same as the building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that residential floor area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this Subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

4. **Height Limits.** No portion of a building or structure shall be erected or enlarged which exceeds the envelope height limits <u>as outlined in Table <<BHO>>-4</u>, or as otherwise stated in the paragraphs below. For the provisions below, whenever grade is mentioned it shall mean Hillside Area Grade as defined in Section 12.03 of this Article.

						nga pengangan Pengangan		
Height Districts	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
When the roof of th greater, the maximu	processing the particular processing and the	programme and a second of the	CANADA COMPANIAN MANAGANANAN AND AND AND AND AND AND AND AND A	and the second s		and the resumment of the	A STATE OF THE PERSON AND ADDRESS OF THE PERSON ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON ADDRES	a partier of area deviate many analytics ?
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the uppermost story of a building or structure or portion thereof has a slope of less than 25%, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
1SS	18	18	18	18	18	18	18	18

- a. Measurement of Height. Notwithstanding any other provision in this Code, the height-limits outlined in Table <<BHO>>-4 shall be measured as outlined below.
 - (1) Maximum Envelope Height. Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the grade of the site to an projected plane at the roof structure or parapet wall located directly above and parallel to the grade. Measurement of the envelope height shall originate at the lowest grade within 5 horizontal feet of the exterior walls of a building or structure. At no point shall any given section of any part of the proposed building or structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, or any other information which the Department of Building and Safety deems necessary to determine compliance with this Subdivision.

- b. Zoning Administrator's Authority. A Zoning Administrator may allow structures which exceed the maximum envelope height requirements of Paragraph a of this Subdivision; however, the increase in height may not result in a building or structure which exceeds an overall height of 45 feet, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article. The overall height shall be measured from the lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure, to the highest elevation point of the roof structure or parapet wall. [12.24 X 11(1)] [12.24 X 11(a)(1)]
- c. Prevailing Height. Notwithstanding Paragraph a Table <<BHO>>-4 of this Subdivision, when 40% or more of the existing one-family dwellings with frontage on both sides of the block have building heights exceeding these limits, the maximum envelope height

for any building on that block may be the average height of the dwellings exceeding these limits. [12 21.1]

d. Lots in a Single-Story Height District. As enabled by Section 12.21.1 A. 1 of this Article, on lots in a "SS" Single Story Height District, shown as "1SS" on a Zoning Map, no building or structure shall be erected or enlarged which exceed one story.

Notwithstanding the provision in Section 12.21.1 A.8, in determining the number of stories, any basement which is exempt from the Residential Floor Area calculation, as outlined in Section 12.03 of this Code, shall not be considered a story. [12.21.1]

- e. Lots Fronting on Substandard Hillside Limited Streets. For any lot, where the elevation of the ground at a point 50 feet from the front lot line and midway between the side lot lines is 33 feet or more higher than the lowest point of the front lot line, fronting onto a Substandard Hillside Limited Street, as defined in Section 12.03, and subject to the 5-foot front yard setback, no portion of a building or structure within 20 feet of the front lot line shall exceed 24 feet in height. The 24 foot maximum building and structure height shall be measured from the elevation at the centerline or midpoint of the street on which the lot fronts. [12.21 A 17(c)(4)]
- f. Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies.

 Unenclosed/uncovered rooftop decks, cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height, as limited and measured in Paragraph a of this Subdivision, no more than 5 horizontal feet.

For the purposes of this Paragraph, "visually permeable railing" means railing constructed of material that is transparent, such as glass or plastic panels, or wrought iron or other solid material which is 80% open to light and air.

g. Roof Structures. Roof structures as outlined in Table <<BHO>>-5 below, or similar structures, may be erected above the height limit specified in Table <<BHO>>-4.

Roof Structures	Projection Above Height Limit	Setback from Roof Perimeter
Elevator Housing		n (1995) i Si Si da Si Si da Si sida ada da maka da mai ka da maji da damada na masan ni da maninkan sa maninkan da maka da maji da da ma
Tanks		
Ventilating Fans or similar equipment required	30000000000000000000000000000000000000	
to operate and maintain the building.	and the second s	
Towers	No more than	Not less than
Steeples	5 feet.	5 feet.
Flagpoles		
Smokestacks		
Wireless Masts		
Water Tanks		

Roof Structures	Projection Above	Setback from
	Height Limit	Roof Perimeter
Silos		
Solar Energy Devices		
Chimneys		
Exhaust Ducts/Ventilation Shafts		
Stairway Housing, no larger than 36 square-feet.		None.
Skylights, covering more than 33 1/3% of the	No more than	
roof area upon which the skylight is constructed.	30 inches.	

No roof structure or any other space above the height limit specified in Table <<BHO>>-4 shall be allowed for the purpose of providing additional floor space. [12.21.1 B.3(a) & (b)]

- h. Specific Plans, Historic Preservation Overlay Zones or Subdivision Approvals. Height limitations in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this section. This section shall apply when there are no height limitations imposed on lots by a specific plan or a Historic Preservation Overlay Zone or created by a subdivision approval.
- 5. **Lot Coverage.** Buildings and structures extending more than 6 feet above natural ground level shall cover no more than 40% of the area of a lot. [12.21 A.17(f)(1)]
 - a. Lot Coverage on Substandard Lots. Notwithstanding the paragraph above, for a lot which is substandard as to width (less than 50 feet) and as to area (less than 5,000 square feet), buildings and structures shall cover no more than 45% of the area of a lot. [12.21 A 17(f)(2)]
 - b. Zoning Administrator's Authority. A Zoning Administrator may grant limited deviations from these requirements, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
- 6. Grading. Notwithstanding any other provisions of the Municipal Code, total grading (cut and fill) on a lot shall be limited as outlined below. No grading permits shall be issued until a building permit is approved.
 - a. Maximum Grading Quantities. The cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for any one property shall be limited to a base maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards. Example: a 5,000 square-foot lot would have a maximum grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation).

However, the cumulative quantity of grading shall not exceed the maximum "by-right" grading quantities outlined by Zone in Table <<BHO>>-6 below.

Zone Ma	ximum Grading (cubic yards)
R1	1,000
RS	1,100
RE9	1,200
RE11	1,400
RE15	1,600
RE20	2,000
RE40	3,300
RA	1,800

- b. Import/Export Limits. The maximum quantity of earth import or export shall be limited to the following quantities:
 - (1) Lots Fronting on Standard Hillside Limited Streets or Larger. For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03, the maximum quantity of earth import shall be no more than 500 cubic yards, where additional grading on-site in conjunction with the amount of import does not exceed the requirements established in Paragraph a of the Subdivision. The maximum quantity of earth export shall be no more than 1,000 cubic yards.
 - (2) Lots Fronting on Substandard Hillside Limited Streets. For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, the maximum quantity of earth import shall be no more than 375 cubic yards, where additional grading on-site in conjunction with the amount of import does not exceed the requirements established in Paragraph a of the Subdivision. The maximum quantity of earth export shall be no more than 750 cubic yards.
 - (3) Exempted On-Site Grading Activity. Earth quantities which originate from, or will be utilized for any exempted grading activity listed in Paragraph c of this Subdivision shall be exempted from the maximum import and export quantities outlined in Subparagraph (2) of this Paragraph. A plan indicating the destination and/or source (i.e. exempted grading activity or non-exempted grading activity) of any import and/or export shall be submitted as part of a Grading Permit application.
- c. Exceptions. The grading activities outlined in the Subparagraphs below shall be exempt from the grading and/or earth transport limitations established in Paragraph a and b of this Subdivision:. However, any excavation from an exempted activity being used as fill, outside of a 5-foot perimeter from the exterior walls of a building, structure, required animal keeping site development, driveway, fire department turnaround, or remedial grading boundaries, for any other on-site purpose shall be counted towards the limits established in Paragraph a of this Subdivision.
 - (1) Cut and/or Fill underneath the footprint of a structure(s) (such as foundations, understructures including basements or other completely subterranean spaces), as

- well as for water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.
- (2) Cut and/or fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible street for which a lot has ingress/egress rights.
- (3) Remedial Grading as defined in Section 12.03 of this Article as recommended in a Geotechnical Investigation Report, prepared in accordance with the provisions in Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code, and approved by the Department of Building and Safety Grading Division shall be excluded from grading limitations.
- d. Zoning Administrator's Authority. A Zoning Administrator may grant the following deviations from the requirements of Paragraphs a and b of this Subdivision, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
 - (1) Grading in excess of the maximum "by-right" grading quantities listed in Paragraph a of this Subdivision, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.
 - (2) For a property which fronts onto a Standard Hillside Limited Street of Larger, as defined in Section 12.03, increase the maximum quantity of earth import greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of this Subdivision.
 - For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of this Subdivision.
- e. **New Graded Slopes.** All new graded slopes shall be no steeper than 2:1 (rise:run), except when the Grading Division has determined that slopes may exceed 2:1 pursuant to Section 91.105 of Division 1 of Chapter IX of this Code.
- f. Grading Plancheck Criteria. Grading plans and reports shall be submitted for approval with building plans, and shall include those items required by Section 91.7006 of Division 70 of Chapter IX of this Code.
- 7. Off-Street Parking Requirements. Notwithstanding those exceptions found in Section 12.22 of this Chapter, no building or grading permit shall be issued for the construction of any one-family dwelling, accessory building, Major Remodel-Hillside, or addition thereto-located on a lot which fronts on a Substandard Hillside Limited Street, unless the following requirements are met. [12.21 A.17(h)]

- a. Number of Required Covered Spaces. There shall be at least two automobile parking spaces on the same lot with each one-family dwelling thereon. These required parking spaces shall be provided within a private garage. [12.21 A.4(a)] No automobile-These required parking spaces shall not be provided or maintained within a required front yard, unless otherwise permitted by Paragraph i of Subdivision 1 of this Subsection. [12.21 C.1(g)]
 - (1) Exception for Dwelling on Narrow Lot. Where only one single-family dwelling is located on a nonconforming lot 40 feet or less in width and not abutting an alley, only one automobile parking space need be provided. This exception shall not apply to any lot in the A1, RA, RE, RS, R1 or RD Zones which fronts on a Substandard Hillside Limited Street. [12.21 A 4(q)]
- b. Additional Required Spaces. For a main building and any accessory building located on a lot which fronts on a Substandard Hillside Limited Street, excluding floor area devoted to required parking, which exceed a combined Residential Floor Area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of floor area for a maximum of 5 total on-site spaces. [12 21 A.17(h)(1)] These additional required parking spaces may be uncovered. Notwithstanding the provisions of Section 12.21 C.1(g) of this Code Paragraph a above to the contrary, when a lot fronts onto a Substandard Hillside Limited Street, the additional parking spaces required by this Subdivision may be uncovered and in tandem, and-may be located within the required 5-foot-front yard. [12 21 A.17(h)(2)]
 - (1) Zoning Administrator's Authority. A Zoning Administrator may reduce the number of off-street parking spaces required by Paragraphs b of this Subdivision, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
 - (1) Grading for Additional Required Parking. If the requirements in this Paragraph require the grading of 1,000 cubic yards or more of earth, then no building or grading permit shall be issued for a new one-family dwelling, accessory building, Major Remodel-Hillside, or addition to the above on a lot which fronts on a Substandard Hillside Limited Street unless the Zoning Administrator has issued an approval pursuant to Section 12.24 X.2128 of this Code. [12.21 A.17(h)(3)]
- c. Parking Stall Dimensions. In each parking area or garage devoted to parking for dwelling uses, all parking stalls in excess of one parking stalls per dwelling unit may be designed as compact stalls to accommodate parking cars. Every standard parking stall provided for dwelling units shall be at least 8 feet 6 inches in width and 18 feet in length, every compact stall shall be at least 7 feet 6 inches in width and 15 feet in length. [12.21 A.5(a)]
- d. Tandem Parking. Automobile parking may be parked in tandem in a private parking garage or private parking area serving a one-family dwelling where the tandem parking is not more than two cars in depth. Each required parking stall within a parking area or

- garage shall be accessible. Tandem parking shall not be allowed in parking areas for recreational vehicles-or guest parking. [12.21 A 5(h)]
- e. Garage Doors. Any door or doors installed at the automobile entry to a garage serving a one-family dwelling where the required parking spaces are located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles in each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position. [12.21 A.4(a)]
- f. Driveway Width. Every access driveway shall be at least 9 feet in width. [12.21 A.5(f)]
- h. Garages in Front Yards. A private garage may be located in the required front yard of a lot having a slope conforming to that specified in Section 12.22-C.6, provided every portion of the garage building is at least 5 feet from the front lot line. Where the wall of such garage is two-thirds below natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height. [12.21 C.5 (I)]
- h. Mechanical Automobile Lifts and Robotic Parking Structures. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and vehicular access to the platform meet the requirements of paragraphs (a), (b), and (i) of Subdivision 5 of Subsection A of Section 12.21 of this Article. The lift equipment or computerized parking structure shall meet any applicable building, mechanical and electrical code requirements as approved by the Department of Building and Safety. [12.21 A.4(m)]
- 8. Fire Protection. Notwithstanding any other provisions of this Code to the contrary, on a lot fronting onto a Substandard Hillside Limited Street, or on any lot located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company, the following fire protections measures shall be required.
 - a. **New Buildings or Structures.** Any new construction of a one-family dwelling or detached accessory building shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code. [12.21 A.17(d)(1)]
 - b. Existing Buildings or Structures. An approved automatic fire sprinkler system in compliance with the Los Angeles Plumbing Code shall be installed: [12.21 A.17(d)(2)]
 - (1) whenever an addition to an existing one-family dwelling or accessory building increases in <u>Residential Floor Area by 50%</u> or more of the area of the existing dwelling or building; or [12.21 A.17(d)(2)(i)]

- (2) whenever the aggregate value of Major Remodels within a one-year period exceeds 50% of the replacement cost of the dwelling or accessory building; and the dwelling or accessory building is on a lot located on a Substandard Hillside Limited Street and located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company. [12.21 A.17(d)(2)(ii)]
- c. Fire Sprinkler Coverage. The sprinkler systems required in this Subdivision shall be sufficient to cover the entire dwelling or building, unless otherwise determined by the Department of Building and Safety, and shall be installed in compliance with all Codes. [12.21 A.17(d)(3)]
- d. Exempt Accessory Structures. The provisions of this Subdivision shall not apply to accessory structures such as gazebos, pergolas, or storage sheds provided these structures are not supported by or attached to any portion of a dwelling or accessory building and do not exceed 200 square feet in floor-area. [12.21 A 17(d)(4)]

9. Street Access.

- a. Street Dedication. For any new construction of, or addition to, a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street, no building permit or grading permit shall be issued unless at least one-half of the width of the street(s) has been dedicated for the full width of the frontage of the lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in Section 12.37 I of this Code shall be available for relief from this paragraph. [12.21 A.17(e)(1)]
- b. Adjacent Minimum Roadway Width. For any new construction of, or addition to a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no building permit or grading permit shall be issued unless the construction or addition has be approved pursuant to Section 12.24 X.2128 of this Code. [12.21 A.17(e)(2)]
- c. Minimum Roadway Width (Continuous Paved Roadway). For any new construction of, or addition to a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of this <u>Subsection</u> or has been approved by a <u>Zoning Administrator</u> pursuant to Section 12.24 X.2128 of this <u>Code</u>.
- 10. Sewer Connection. No building permit shall be issued for the construction of any new one-family dwelling on a lot located 200 feet or less from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer. [12.21 A.17(g)]

- 11. <u>Hillside Neighborhood Overlay.</u> The provisions of Subdivisions 2 (Maximum Residential Floor Area), 4 (Height Limits), and 6 (Grading) of this Subsection may be superseded by a Hillside Neighborhood Overlay adopted pursuant to Section 13.## of this Code.
- 12. Exceptions. The provision of this Subsection shall not apply to: [12,21 A 17(i)]
 - a. Tracts With CC&Rs Approved After February 1, 1985. One-family dwellings, accessory buildings and additions thereto within a subdivision for which a tentative or final tract map was approved by the City of Los Angeles after February 1, 1985, and is still valid, provided that the map resulted in the establishment of covenants, conditions and restrictions governing building height, yards, open space or lot coverage, and provided, further, that such covenants, conditions and restrictions were recorded on or after February 1, 1985. [12.21 A 17(i)(1)]
 - x. Streets With Minimum Width of 28 Feet. Any construction on a lot with a vehicular access from a street improved with a minimum 28 foot wide continuous paved roadway within the Hillside Area, provided: [12.21 A.17(i)(2)]
 - (1) the roadway begins at the driveway apron which provides access to the main residence and ends where the roadway intersects a designated collector street, or a secondary or major highway where the collector, major or secondary highway roadway also has a minimum continuous paved roadway width of 28 feet from the apron to the edge of the Hillside Area boundaries. [12.21 A.17(I)(2)(I)]
 - (2) the area within the vehicular access does not contain any encroachment which would prohibit the passage of emergency vehicles. [12.21 A.17(i)(2)(ii)]
 - b. Additions to Dwellings Built Prior to September 14, 1992 August 1, 2010. Any additions made after September 14, 1992 August 1, 2010, to a one-family dwelling existing prior to that date for which permits have been previously obtained: [12:21 A.17(i)(3)]
 - (1) the total cumulative <u>Residential</u> Floor Area of all such additions does not exceed 750500 square feet (excluded from calculations of this 750500 square foot limitations is floor area devoted to required <u>covered</u> parking); and [12.21 A 17(I)(3)(a)]
 - (2) the resulting building does not exceed the height of the original building or the height permitted in whichever is greater complies with the requirements of Subdivision 1 (Setback Requirements), 4 (Height Limits), and 6 (Grading) of this Subsection. [12.21 A.17(i)(3)(b)]
 - c. Hillside Major Remodel. As defined in Section 12.03, Any remodeling of a main building on a lot in the Hillside Area, which does not add square-footage and for which the aggregate value of all the alterations which a one-year period does not exceed 50% of the replacement cost of the main building. [12.21 A.17(i)(4)]
 - d. Northeast Los Angeles Hillside Ordinance. Properties subject to the Northeast Los Angeles Hillside Ordinance established by Ordinance No. 180,403, shall be exempted

- from Subdivisions 2 (Maximum Residential Floor Area), 4 (Height Limits), and 6 (Grading) of this Subsection.
- e. The Oaks Hillside Ordinance. Properties subject to The Oaks Hillside Ordinance established by Ordinance No. 181,136, shall be exempted from Subdivisions 2 (Maximum Residential Floor Area), 4 (Height Limits), and 5 (Lot Coverage) of this Subsection.
- x. Vested Development Plan. Where architectural and structural plans sufficient for a complete plan check for a building permit for a building or structure were accepted by the Department of Building and Safety and for which a plan check fee was collected on or before the effective date of this Subdivision, and for which no subsequent changes are made to those plans which increase the height or reduce front or side yards. However, any building permit shall become invalid if construction pursuant to the permit is not commenced within 18 months of the date the plan check fee was collected. [12.21 A.17(i)(5)]

NONCONFORMING RIGHTS (12.23 A.1)

(c) A building, nonconforming as to the residential floor area regulations on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone, which are not designated as Hillside Area and not located in the Hillside Area or Coastal Zone, shall not be added to or enlarged in any manner, except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained. [12.23 A.1(c)]

ZONING ADMINISTRATOR DETERMINATIONS (12.24 X)

- 28. <u>Single-Family Zones in Hillside Area.</u> A Zoning Administrator may, upon application, grant the deviations outlined in Paragraph a of this Subdivision on lots in the R1, RS, RE, and RA Zones which are located in a Hillside Area as defined in Section 12.03.
 - a. **Zoning Administrator Authority.** If an owner seeks relief, a Zoning Administrator has the authority to grant the following deviations:
 - (1) Setback Requirements. A reduction of the front and side yard setback requirements <u>outlined in Subdivision 1 of << BHO>> of this Article for lots fronting on a Substandard Hillside Limited Street</u>; however, in no event shall the side yard be less than 4 feet. [12.24 X.11(2)] [12.24 X.11(b)]
 - (2) Additions to Structures Existing Prior to August 1, 2010. The Zoning Administrator has the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date for which permits have been previously

- obtained which exceed the requirements of Paragraphs a and c of Subdivision 2 of <<BHO>> of this Article, provided: [12.21 A 17(i)(3)]
- (i) the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and [12.21 A.17(i)(3)(a)]
- (ii) the resulting building does not exceed the height of the original building or the height permitted in Subdivision 4 of <<BHO>> of this Article, whichever is greater; and [12,21 A 17(i)(3)(b)]
- (iii) at least two off-street covered parking spaces are provided. [12,21 A.17(i)(3)(c)]
- (3) **Height.** Exceed the maximum envelope height requirements required by Subdivision 4 of <<BHO>> of this Article; however, the increase in height—will may not result in a building or structure which exceeds an overall height of 45 feet. The overall height shall be measured from the lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure, to the highest elevation point of the roof structure or parapet wall. [12.24 X.11(1)] [12.24 X.11(a)(1)]
- (4) Lot Coverage. Increase the maximum lot coverage limitations <u>as outlined in Subdivision 5 of <<BHO>> of this Article</u>, up to a maximum of 50% of the lot area. [12 24 X 11(3)] [12.24 X 11(c)]
- (5) Grading. [12.24 X.21(a)(3) NO LONGER NECESSARY]
 - (i) Grading in excess of the maximum "by-right" grading quantities listed in Paragraph a of Subdivision 6 of <<BHO>> of this Article, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.
 - (ii) For a property which fronts onto a Standard Hillside Limited Street of Larger, as defined in Section 12.03, increase the maximum quantity of earth import or export greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of Subdivision 6 of << BHO>> of this Article.
 - For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of Subdivision 6 of <<BHO>> of this Article.
- (6) Off-Street Parking. Reduce the number of off-street parking spaces required by Paragraph b of Subdivision 7 of <<BHO>> of this Article. [12.24 X 11(4)] [12.24 X 11(d)]
- (7) Substandard Hillside Street, Street Access or Grading for Parking in Hillsides. If an owner seeks relief, a Zoning Administrator may permit the grading and construction

of buildings and structures on lots in the R1, RS, RE, and RA Zones which: [12.24 X.21(a)

- (i) Adjacent Minimum Roadway Width. Do not meet the requirements of Paragraph b of Subdivision 9 of <<BHO>> of this Article because they front on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet. [12.24 X 21(a)(1)]
- (ii) Minimum Roadway Width (Continuous Paved Roadway). Do not meeting the requirements of Paragraph c of Subdivision 9 of <<BHO>> of this Article because they do not have vehicular access from streets improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area. [12.24]
- (iii) Grading in excess of 1,000 cubic yards, in order to accommodate the additional parking requirements in Paragraph b of Subdivision 6 of << BHO>> of this Article for a new one family dwelling, accessory building, Major Remodel Hillside, or additions on a lot which fronts on a Substandard Hillside Limited Street, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards. [12.24 X.21(a)(3)]
- b. Findings. The Zoning Administrator shall find that approval of any use in this Subsection is in conformity with the public necessity, convenience, general welfare and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan, and that the approval is consistent with following applicable findings: 12.24 XI
 - (1) Setback Requirements. That the reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements. [12.24 X.11(b)]
 - (2) Additions to Structures Existing Prior to August 1, 2010. That the increase in Residential Floor Area will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.
 - (3) **Height.** That the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the—area_vicinity. [12.24 X.11(a)(2)] [12.24 X.11(a)(3)]
 - (4) Lot Coverage. That the increase in lot coverage will result in a development which is compatible in size and scale with other improvements in the immediate neighborhood; and that the increase will not result in a los of privacy or access to light enjoyed by adjacent properties. [12.24 X.14(c)]

(5) Grading. [12.24 X.21(a)(3) NO LONGER NECESSARY]

- (i) That grading in excess of the absolute maximum grading quantities listed in Paragraph a of Subdivision 6 of <<BHO>> of this Article is done in accordance with the Department of City Planning – Planning Guidelines Landform Grading Manual (adopted by the City Council on June 1983), and is used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.
- (ii) That the increase in the maximum quantity of earth import or export will not lead to the significant alteration of the existing natural terrain, that the hauling of earth is being done in a manner that does not significantly affect the existing conditions of the street improvements and traffic of the streets along the haul route, and that potentially significant impacts to the public health, safety, and welfare of the surrounding community are being mitigated to the fullest extent feasible.
- (6) **Off-Street Parking.** That the reduction of the parking requirements will not create an adverse impact on street access or circulation in the surrounding neighborhood; and that the reduction will not be materially detrimental or injurious to the property or improvements in the vicinity in which the lot is located. [12.24 X.11(d)]
- (7) Substandard Hillside Street, Street Access-or Grading for Parking in Hillsides.
 - (i) That the vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood; and [12.24 X 21(b)(1)]
 - (ii) That the building or structure will not be materially detrimental or injurious to the adjacent property or improvements; and [12.24 X.21(b)(2)]
 - (iii) That the building or structure will not have a materially adverse safety impact on the surrounding neighborhood. [12,24 X,21(b)(3)
 - (iv) That the site and/or existing improvements make strict adherence to Subdivision 9 of <<BHO>> of this Article impractical or infeasible. (12.24 X.21(b)(4)
- c. Procedures. An application for permissions pursuant to this Subdivision shall follow the procedures set forth in Section 12.28 C.1, 2 and 3. Except that for public hearings for fences, walls, and retaining walls within required yards may not be required if the applicant submits with the application the written approval of the owners of all properties abutting, across the street or alley from, or having a common corner with the subject property. [12.24 X 7(b)] [12.24 X 11(e)] [12.24 X 21(c)] [12.24 X 26(b)]

(1) Import/Export (Haul Route) Review. Upon filing an application pursuant to this Subdivision for the import or export of earth materials pursuant to the authority granted in Subparagraph (5) of Paragraph a of this Subdivision, the Zoning Administrator shall request that the General Manager of the Department of Transportation investigate the circumstances of the proposed import or export of earth materials and the effect thereof upon the public health, safety, and welfare. The Zoning Administrator shall request the City Engineer to determine the effect of any import or export on the structural integrity of the public streets and to determine the effect on public safety relative to street alignment, width, and grade.

In taking action on such Zoning Administrator Determination, the Zoning Administrator shall impose conditions of approval to mitigate any detrimental effects of the hauling operations necessary to import or export earth, including but not limited to: limiting truck weight, length and/or speed; and other conditions of approval as may be necessary to ensure repair of damages to public streets along the hauling route that may reasonably be expected to be caused by hauling operations. Such additional conditions may include a condition that the developer shall file a bond for the benefit of the City. Any such bond shall be in a form approved by the City Attorney, executed by the developer and a corporate surety authorized to do business in the State in an amount sufficient to cover the repair of any damage to the public streets reasonably expected to be caused by the hauling operations. The conditions of the bond shall guarantee to indemnify the City for all costs and expense in repairing the damaged streets or other public facilities. In lieu of a surety bond, the developer may file a cash bond with the Department upon the same terms and conditions and in an amount equal to that which would be required in the surety bond. The deposit submitted may be in the form of cash or negotiable United States securities. The term of such effect until the completion of the hauling operations and subsequent inspection of the affected public streets by the Department of Public Works.

d. Conditions for Approval. In approving the uses and activities authorized in this Subdivision, the Zoning Administrator may impose those conditions he or she deems necessary to remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning. [12.24 X.26(b)] [12.28 C.4(a) by reference]

ZONING ADMINISTRATOR ADJUSTMENTS (12.28)

A. Adjustments. The Zoning Administrator shall have the authority to grant adjustments in the yard, area, building line and height requirements of Chapter I of this Code. An adjustment shall not be permitted for relief from a density (lot area per unit) or height requirement, excluding fences and hedges, if the request represents an increase of 20 percent or more than what is otherwise permitted by this Code. A request for an increase of 20 percent or more shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

The Zoning Administrator shall also have the authority to grant adjustments in Residential Floor Area of no more than a ten percent increase beyond what is otherwise permitted by Chapter I of this Code. A request for an increase in Residential Floor Area greater than ten percent shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

ADD PARAGRAPH (d) TO SUBDIVISION 2 OF SUBSECTION C:

(d) For R1, RS, RE, and RA Zoned properties in the Hillside Area, as defined in Section 12.03 of this Article, the Zoning Administrator must conduct a public hearing for any Adjustment or Slight Modification requests.

"HS" HILLSIDE STANDARDS OVERLAY DISTRICTS (13.##)

- A. Purpose. This section sets forth procedures and guidelines for the establishment of "HS" Hillside Standards Overlay in single-family residential neighborhoods in designated Hillside Areas, as defined in Section 12.03 of this Chapter, throughout the City. The purpose of the "HS" Hillside Standards Overlay is to permit Residential Floor Area, height, and grading limits in the R1, RS, RE, and RA zones to be higher or lower than normally permitted by this Code in areas where the proposed overlay will further enhance the existing scale of homes and/or help to preserve the existing character of the neighborhood as effectively as the limitations or requirements otherwise established in this Code; and where these changes will be consistent with the policies and objectives set forth in the applicable Community Plan.
- **B.** Establishment of the District. The procedures set forth in Section 12.32 S of this Code shall be followed, however each "HS" Hillside Standards Overlay shall include only properties in the RA, RE, RS, or R1 zones. The overlay shall not generally be less than 100 acres in area; however, the 100 acres do not need to be within one contiguous boundary as long as no one subarea is less than 25 acres in area, and that the entire 100 acres is located within an overall area of 200 contiguous acres. The precise boundary of a district may be adjusted for urban features such as topography, freeways or streets/highways. Boundaries shall be along street frontages and shall not split parcels. An "HS" Hillside Standards Overlay may encompass an area, which is designated, in whole or in part, as a Historic Preservation Overlay Zone and/or Specific Plan. The "HS" Hillside Standards Overlay shall include contiguous parcels, which may only be separated by public streets, ways or alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for or initiation of an individual overlay.
- C. Development Regulations. The Department of Building and Safety shall not issue a building permit for a residential structure within an "HS" Hillside Standards Overlay unless the residential structure conforms to the regulations set forth in a specific "HS" Hillside Standards Overlay. The development regulations for each "HS" Hillside Standards Overlay shall be limited to changes in the numerical values of the Residential Floor Area, height, and grading limits in the R1, RS, RE, and RA zones stated in this Chapter, and shall not result in a substantial deviation in approach, method of calculation, or measurement from the corresponding language already in place in this Chapter. The development regulations shall be determined at the time the overlay is established. The development regulations shall serve to enhance the existing or envisioned character of the overlay.

SUBSECTION D OF SECTION 12.04 AMENDED TO READ:

D. Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this Chapter:

"O"	Oil Drilling District
"S"	Animal Slaughtering
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"HS"	Hillside Standards Overlay

The "Zoning Map" is amended to indicate these districts and the boundaries of each district.

Land classified in an "O" Oil Drilling District, "S" Animal Slaughtering District, "G" Surface Mining District, "RPD" Residential Planned Development District, "K" Equinekeeping District, "CA" Commercial and Artcraft District, "POD" Pedestrian Oriented District, "CDO" Community Design Overlay District, "MU" Mixed Use District, "FH" Fence Height District, "SN" Sign District, "RFA" Residential Floor Area District or "HS" Hillside Standards Overlay is also classified in one or more zones, and land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "Zoning Map" with a combination of symbols, e.g., R2-2-O, C2-4-S, M1-3-G, M1-1-P and R2-O, C2-G, etc., where height districts have not been established.

Subparagraph (2) of Paragraph (c) of Subdivision 1 of Subsection S of Section 12.32 Amended to Read:

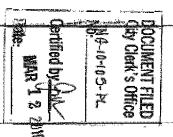
(2) Additional Requirements for Application. One or more of the owners or lessees of property within the boundaries of the proposed district may submit a verified application for the establishment of a district. An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District or a Hillside Standards Overlay shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district. An application for the establishment of a Fence Height District shall contain the signatures of at least 50 percent of the owners or lessees of property within the proposed district. An application shall be accompanied by any information deemed necessary by the Department.

If establishment of a district is initiated by the City Council, City Planning Commission, or Director of Planning, the signatures of the property owners or lessees shall not be required.

EXHIBIT B

NEGATIVE DECLARATION

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NEGATIVE DECLARATION



LEAD CITY AGENCY
City of Los Angeles
PROJECT TITLE
CASE NO.
CPC-2010-581-CA

PROJECT LOCATION

The proposed project area is citywide but includes only those lots which are zoned single-family (R1, RS, RE, and RA) which are also tesignated as Hillside Area.

PROJECT DESCRIPTION

The proposed project includes amendments to the Los Angeles Municipal Code to establish new regulations for single-family zoned properties (R1, RS, RE, and RA) which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and now they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow additional neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

VAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

City of Los Angeles, Department of City Planning

200 N. Spring Street

Room 621

os Angeles, CA 90012-4801

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a negative declaration be adopted for this project. The Initial Study indicates that no significant impacts are apparent which might result from this project's implementation. This action is based on the project description above.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt this negative declariation, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.							
VAME OF PERSON PREPARING THIS FORM		TITLE		TELEPHONE NU	MBER		
ERICK LOPEZ		City Planning Asso	ciaté	(213) 978-1243			
ADDRESS	SIGNATURE (O	fficial)			DATE		
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	Charle	Hansel	Des		04/19/2010		

ENV-2010-582-ND Page of 4

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 615, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT INITIAL STUDY AND CHECKLIST

(Article IV - City CEQA Guidelines)

LEAD CITY AGENCY	COUNCIL DISTRICT	DATE
City of Los Angeles, Department of City Planning	Citywide	March 12, 2010
RESPONSIBLE AGENCIES		
City of Los Angeles, Department of Building & Safety City of Los Angeles, City Attorney's Office		
PROJECT TITLE/NO.	CASE NO).
Baseline Hillside Ordinance		0-581-CA 0-582-ND
PREVIOUS ACTIONS CASE NO.		nificant changes from
None.	previous actions.	
	DOES NOT have sprevious actions.	ignificant changes from

PROJECT DESCRIPTION:

The proposed project includes amendments to the Los Angeles Municipal Code to establish new regulations for single-family zoned properties (R1, RS, RE, and RA) which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

ENVIRONMENTAL SETTING:

If adopted, the proposed ordinance would affect all lots zoned single-family residential (R1, RS, RE, and RA), which are designated as Hillside Area. The locations include single-family neighborhoods that are located within the City of Los Angeles hillside regions which include, but are not limited to the Santa Susana Mountains, San Gabriel Mountains, Simi Hills, Verdugo Mountains, Santa Monica Mountains, Hollywood Hills, San Rafael Hills, Elysian Hills, Repetto Hills, Baldwin Hills, and Palos Verde Hills.

PROJECT LOCATION

The proposed project area is citywide but includes only those lots which are zoned single-family (R1, RS, RE, and RA) which are also designated as Hillside Area.

PLANNING DISTRICT		STATUS:
All Community Plan Areas		☐ PRELIMINARY
		☑ PROPOSED
		☐ ADOPTED
		date
EVICTING ZONING	MAX. DENSITY ZONING	D DOES CONFORM TO
EXISTING ZONING R1, RS, RE, and RA	1 unit/lot	PLAN PLAN
THI, NO, NE, WHO IN		DOES NOT CONFORM
PLANNED LAND USE & ZONE	MAX. DENSITY PLAN	TO PLAN
No zone change is proposed.	Minimum, Very Low I, Very L Low Density Residential	ow II, & NO DISTRICT PLAN
SURROUNDING LAND USES	PROJECT DENSITY	
Varies	None	
On the basis of this initial evaluation:	eted by Lead Agency)	
☑ I find that the proposed project COUL DECLARATION will be prepared.	D NOT have a significant effec	t on the environment, and a NEGATIVE
☐ I find that although the proposed project significant effect in this case because proponent. A MITIGATED NEGATIVE DI	revisions on the project have be	t on the environment, there will not be a een made by or agreed to by the project
☐ I find the proposed project MAY have a REPORT is required.	significant effect on the environ	ment, and an ENVIRONMENTAL IMPACT
impact on the environment, but at least of to applicable legal standards, and 2) h	or "potentially significant unless mitigated" analyzed in an earlier document pursuant n measures based on earlier analysis as T is required, but it must analyze only the	
applicable standards, and (b) have b	ed adequately in an earlier EIR o een avoided or mitigated purs	on the environment, because all potentially or NEGATIVE DECLARATION pursuant to that earlier EIR or NEGATIVE posed upon the proposed project, nothing
	Contra City Di	
SIGNATURE	Senior City Pl	aillei

EVALUATION OF ENVIRONMENTAL IMPACTS:

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL FACTORS	POT	ENTIALLY AFFECTED:		ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:				
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.								
□ Aesthetics		Hazards & Hazardous Materials	u	Public Services				
☐ Agricultural Resources		Hydrology/Water Quality		Recreation				
☐ Air Quality		Land Use/Planning		Transportation/Traffic				
□ Biological Resources		Mineral Resources		Utilities/Service Systems				
□ Cultural Resources		Noise		Mandatory Findings of Significance				
☐ Geology/Soils ☐ Population/Housing ☐		×	There are no environmental factors affected by this project involving a "Potentially Significant Impact"					
ENVIRONMENTAL FACTORS	POT	ENTIALLY AFFECTED:						
BACKGROUND								
PROPONENT NAME			P	HONE NUMBER				
City of Los Angeles, Department	of	City Planning	(2	213) 978-1243				
PROPONENT ADDRESS								
200 N. Spring Street Room 621 Los Angeles, CA 90012-4801	Room 621							
AGENCY REQUIRING CHECKI	_IST		D	ATE SUBMITTED				
Department of City Planning			N	larch 12, 2010				
PROPOSAL NAME (If Applicate Baseline Hillside Ordinance	ole)							

	ENVIRONMENTAL IMPACTS				
		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I.	AESTHETICS. Would the project:				
a.	Have a substantial adverse effect on a scenic vista?			V	
<u>Re</u>	sponse:				
with have to Scooth base City	e Ordinance would affect permitted development hin view of designated scenic highways, corridor we a potential impact. Where these scenic vistas a protect them and this proposal would not change enic Highways Plans, Community Plans, and the per applicable overlays, potential impacts to scenic sis. Furthermore, provisions within the proposed Cy's Hillside Areas through new FAR, height, and ich is more compatible than the existing regulation we a less than significant impact on scenic vistas.	rs, or parkwa are identified, any existing Los Angeles vistas and v Ordinance wo grading regul	ys and therefore a it is presumed that provisions. Through Municipal Code, a iewsheds would be uld further limit the ations. The propositions.	any construction t policies are a ph implementa as well as spe mitigated on a size/scale of s sal will result i	on activity may ilready in place ition of existing cific plans and a case-by-case tructures in the n development
	igation:				
No	ne.				
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?			✓	
Re	sponse:				
pre pre Mu wo lim	e Ordinance would affect permitted development of construction activity may have a potential impassumed that policies are already in place to provisions. Through implementation of existing Scenicipal Code, as well as specific plans and other uld be mitigated on a case-by-case basis. Further it the size/scale of structures in the City's Hillside of posal will result in development which is more vironment. Therefore, the Ordinance will have a legislation of the construction of the co	act. Where a stect them an enic Highways er applicable rmore, provisi Areas through e compatible	any known scenic of d this proposal wo Plans, Community overlays, potential ons within the proposionew FAR, height, than the existing	resources are ould not change Plans, and the impacts to so osed Ordinance and grading re regulations w	identified, it is the any existing the Los Angeles enic resources the would further regulations. The ith the hillside
Mit	<u>iigation:</u>				
No	ne.				
C.	Substantially degrade the existing visual character or quality of the site and its surroundings?				

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The proposed Ordinance would reduce the maximum amount of development, and introduce incentives for more articulated structures, as well as grading activity which involves the least amount of surface alteration and/or retains or reflects the natural topography. The proposed Ordinance would also modify the existing height regulations to allow/encourage terracing of structures. If adopted, the Ordinance would have a net positive impact on the visual character of single-family residential neighborhoods in designated Hillside Areas by directly addressing the massing of buildings in single-family residential zones in the hillside as well as minimize grading activity that has the potential to deteriorate the natural terrain. Ultimately, the proposal would prevent large box-like homes that are out-of-scale with the surrounding community. No direct negative impact would occur as a result of the provisions in question.

103	suit of the provisions in question.		
Mit	tigation:		
No	ne.		
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		V
Re	esponse:		

The Ordinance is expected to reduce the potential for new sources of light or glare that would adversely affect day or nighttime views in the Hillside Areas. As discussed under Sections I.a and b (above), impacts to nighttime views of scenic vistas or resources would be mitigated through implementation of various adopted City ordinances, policies and plans. No impact would occur.

Mitigation:

None.

- II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:
- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

	v

Response:

The proposed code amendment would not apply to agricultural land zoned A1 or A2, and only applies to residential properties zoned R1, RS, RE, or RA. Moreover, no rezoning is proposed as part of this project and would therefore not result in the conversion of existing farmland. Although the RA zone permits farming (excluding animal raising) as an incidental use, it is intended to be primarily developed with one-family dwellings. The R1, RS, and RE zones do not prohibit minor gardens which may produce some incidental agricultural resources for individual property owners; however, these gardens do not provide any significant commercial agriculture value.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Therefore the Ordinance will not substantially impact	ct or reduce the	amount of Prime	Farmland.	
Mitigation:				
None.				
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				V
Response:				
The Ordinance will not conflict with existing zonin development standards on single-family residentia agricultural zones will remain. Incidental uses in current applicable code provisions for uses othe propose any zone changes which may result in the Contract. No impact would occur.	al lots within the single-family re or than single-fa	Hillside Area. I sidential neighbo mily. Furthermo	Existing uses pe orhoods will be ore, this Ordina	ermitted within subject to the nce does no
Mitigation:				
None.				
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓
Response:				
The Ordinance will not directly or indirectly result in Per Sections 12.05 A1 and 12.06 A1 of the LAMC, a centers, and golf courses are permitted uses on Farmland to a non-agricultural use not permitted discretionary action through a Zone Variance, or Z zone permits farming (excluding animal raising) as one-family dwellings. Therefore, the Ordinance will	uses such as on agricultural zon d by the zone one Change an an incidental us	e-family dwelling led land. Any co would require a d General Plan A se, it is intended	s, public parks a conversion of A1 in entitlement r Amendment. Alt to be primarily d	nd community or A2 zoned equest and a hough the RA leveloped with
Mitigation:				
None.				
III. AIR QUALITY. The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:				
 a. Conflict with or obstruct implementation of the SCAQMD or Congestion Management Plan? 				V

The Ordinance does not alter the density or intensity of use of single-family zoned areas and therefore, it will not conflict or interfere with the implementation of the SCAQMD or the existing Congestion Management Plan. Individual projects are also not expected to conflict with nor obstruct implementation of the SCAQMD or Congestion Management Plan. The Ordinance is not proposing to change construction activity; therefore, construction-related air quality impacts will not go above current levels as a result of this Ordinance.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Miti	igation:				
No	ne.				
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				V
Res	sponse:				
SOL	e proposed Ordinance applies only to single-family proces of pollution or air quality violations. Additional ding to the number of single-family residences cont	onally, no ch	ange in density is	proposed and	
Miti	igation:				
No	ne.				
C.	Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment (ozone, carbon monoxide, & PM 10) under an applicable federal or state ambient air quality standard?				V
Res	sponse:				
sot cor will	e proposed Ordinance applies only to single-family arces of pollution or air quality violations. The astruction; therefore, it is unlikely to result in a cor result in a reduction in the maximum residential astruction activity could potentially lessen cumulative	Ordinance is nsiderable ne floor area a	not likely to resu t increase in criteri nd grading limits, a	lt in a net in a pollutants.	crease in new The Ordinance
Miti	igation:				
No					
d.	Expose sensitive receptors to substantial pollutant concentrations?				V
Res	sponse:				
sou floc con	e proposed Ordinance applies only to single-family urces of pollution or air quality violations. The Order area and grading limits, and as a result the scopestruction impacts. Therefore, the Ordinance is upstantial pollutant concentrations.	dinance will i pe of constru	esult in a reduction ction activity could	n in the maxim potentially less	ium residential sen cumulative
<u>Mit</u> i	igation:				
Noi					
e.	Create objectionable odors affecting a substantial number of people?				V

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The Ordinance applies only to single-family residential properties which are not considered substantial point sources of objectionable odors. The Ordinance will result in a reduction in the maximum residential floor area and grading limits, and as a result the scope of construction activity could potentially lessen cumulative impacts of individual single-family projects. Therefore, the Ordinance is unlikely to result in new sources of objectionable odors affecting a substantial number of people.

	atio	

None.

IV.	BIOLOGICAL	RESOURCES.	Would	the
	project:			

a.	Have a substantial adverse effect, either
	directly or through habitat modification, on
	any species identified as a candidate,
	sensitive, or special status species in local or
	regional plans, policies, or regulations by the
	California Department of Fish and Game or
	U.S. Fish and Wildlife Service?

Response:

The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore are not expected to create any new activity that would further interfere with or impede the use of any known or unknown habitats as well as any species recognized by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Although there are vacant lots within the proposed project area that may contain remnant grassland habitat, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species.

As is typically done, for future improvements to (or construction of) single-family residences which exceed the proposed limits, each individual project will be subject to CEQA standards, when appropriate, and evaluated for proximity to designated Significant Ecological Areas (SEA) within the respective Community Plan Areas.

Mitigation:

None.

b.	Have a substantial adverse effect on any
	riparian habitat or other sensitive natural
	community identified in the City or regional
	plans, policies, regulations by the California
	Department of Fish and Game or U.S. Fish
	and Wildlife Service?

Response:

The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore would not be expected to create any new activity that would have a substantial adverse effect on any riparian habitat or sensitive natural community recognized by the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Although there are vacant lots within the proposed project area that may contain natural drainage courses, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species.

Potentially Less Than Potentially Significant Unless Mitigation Significant Significant Impact Incorporated Impact No Impact As is typically done, for future improvements to (or construction of) single-family residences which exceed the proposed limits, each individual project will be subject to CEQA standards, when appropriate, and evaluated for proximity to designated Significant Ecological Areas (SEA) within the respective Community Plan Areas. Mitigation: None. c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means? Response: Individual projects will be evaluated for proximity to "Waters of the US" as defined in Section 404 of the Clean Water Act. The Ordinance would not propose any new activities that would discharge directly into surface water bodies. However, some pollutants common to urban areas, especially those related to automobiles, are contained in water runoff and may be carried into the storm drains and discharged into the storm water runoff control; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes. Potential runoff is expected to decrease as a result of the proposed Ordinance as the reduction in floor area and grading would potentially increase permeable surfaces and improve groundwater recharge. Overall, this runoff would not be expected to be greater than the normal day-to-day residential use common to similar residential communities and would be considered less than significant. Mitigation: None. d. Interfere substantially with the movement of

Response:

sites?

any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery

The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore would not be expected to create any new activity that would have a substantial adverse effect on any native resident or migratory fish, migratory wildlife corridors, or wildlife species. Although there are vacant lots within the proposed project area that may contain remnant grassland habitat or natural drainage courses, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species.

As is typically done, for future improvements to (or construction of) single-family residences which exceed the proposed limits, each individual project will be subject to CEQA standards, when appropriate, and evaluated for proximity to designated Significant Ecological Areas (SEA) within the respective Community Plan Areas.

Mitigation:

None.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No impact
e.	Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?				V
Re	sponse:				
suc of pre	e proposed Ordinance would not conflict with any ch as tree preservation policies, such as the City of Los Angeles Protected Tree Ordinance. Individ servation, relocation and replacement of protected Chapter IV and Section 96.303.5 of the Los Angele:	Los Angele ual single-fa trees pursu	s Oak Tree Preserv mily residential pro ant to Articles 2 and	ation Ordinano jects will rem	ce and the City ain subject to
Mit	igation:				
No	ne.				
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				•
<u>Re</u>	sponse:				
Co pro res thre	e proposed Ordinance may apply to areas local mmunity Conservation Plan, or other approved local exisions would not propose any changes that would idential projects will be evaluated for their properties or endangered species. Therefore, the exial status wildlife, sensitive habitats, or wildlife dis	al, regional, of diresult in a dimity to hat proposed C	or state habitat cons change in density o bitat(s) consistent ordinance is not an	servation plan. or intensity of u with those su	However, the use. Individual upporting rare,
Mit	igation:				
No	ne.				
V.	CULTURAL RESOURCES. Would the project:				
a.	Cause a substantial adverse change in significance of a historical resource as defined in State CEQA '15064.5?				V
Re	sponse:				
de: pot	e proposed Ordinance will apply in current and signated Historic-Cultural Monuments. Each projection tential environmental impacts to a level of insignification storical Resources as approved by the Cultural Heri	ect within a ance by follo	n HPOZ area will wing the Secretary	be required to of the Interior	o mitigate any s standards for
Mit	<u>igation:</u>				
No	ne.				

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No impact
b.	Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA '15064.5?				V
Re	sponse:				
hav who Cal	e proposed Ordinance does not involve a change in re additional foreseeable impacts on archaeologica en a site is found to contain any "unique archaeo ifornia Public Resource Code (CPRC), and/or whe ered and/or destroyed as a result of the proposed ential adverse change is minimal.	al resources. Nogical resou re a prehisto	For individual sing irces," as defined i ric or historic archa	gle-family resid in Section 210 leological site v	ential projects, 83.2 (g) of the vould either be
pro sign sta adv	he event that potentially important cultural resourd ject, work would immediately cease until a qualified inficance of the resources and until the Planning indard practice. Where, as a result of that evaluates impact on cultural resources the property of 183.2 and 21084.1 of the California Public Resources.	ed archaeolog Director (or hation, the Dir wner will be	gist can provide an his designee) can ector determines t required to addres	evaluation of review this info hat the project is them pursua	the nature and ormation, as is t may have an
Mit	gation:				
No	ne.				
C.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			Caral	V
Re	sponse:				
to end ser US	e proposed Ordinance does not propose a change directly impact paleontological resources or unique countered during the course of construction of vices of a paleontologist would be required to be C, UCLA, Cal State Los Angeles, Cal State Longulate the impact, as is standard procedure.	ue geologic individual pro secured by	features. If any pojects, construction contacting the Cer	paleontological n would be ha nter for Public	materials are alted, and the Paleontology -
<u>Mit</u> No	gation: ne.				
d.	Disturb any human remains, including those interred outside of formal cemeteries?				✓

The proposed Ordinance does not include any provisions dealing with the discovery of human remains and will therefore not interfere with the treatment of human remains, including those interred outside of formal cemeteries. Subsequent to the adoption of the Ordinance, any individual project which is in close proximity to any known or potential prehistoric or historic burial sites will be required to ensure that disturbance resulting from construction is minimal. In the event that a human bone or any other human remains are discovered during the construction of individual projects, the procedures described in Section 7050.5 of the Health and Safety code would be followed. The property owner or his/her representatives (i.e. architect, contractor, etc.) would be required to notify the Los Angeles County Coroner. If the Coroner determines that the remains are those of a Native American, the applicant would be required to notify the Native American Heritage Commission by phone within 24 hours. Following notification of that organization, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code would be followed.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No impact
Mit	igation:				
No	ne.				
VI.	GEOLOGY AND SOILS. Would the project:				
a.	Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			~	
Re	sponse:				
wo: inju	e proposed Ordinance does not involve and zor uld not expose people or structures to additional ury or death. Future single-family residential rthquake Fault Zoning Areas, but is not expecte es.	potential subst	tantial adverse effe y potentially fall	cts, including t within existing	the risk of loss, Alquist-Priolo
trus be Ca Ca by	ditionally, due to the intense seismic environment faults, or otherwise unmapped faults that do not required to comply with the seismic safety relifornia Geological Survey Special Publication 11 lifornia [1997]), which provide guidance for evaluating the Los Angeles Department of Building and Seasures, a less than significant impact is anticipate	ot have a surfa equirements in 7 (Guidelines f uating and miti afety. Therefo	ace trace, to be pro the California Boor or Evaluating and l gating earthquake	esent. New de uilding Code (Mitigating Seis related hazard	evelopment will (CBC) and the mic Hazards in Is as approved
Mit	igation:				
No	ne.				
ii.	Strong seismic ground shaking?			a.//	

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose people or structures to additional substantial adverse effects, including the risk of loss, injury or death involving seismic ground shaking. However, the proposal is not expected to result in an increase in development near existing fault lines.

Additionally, due to the intense seismic environment of Southern California, there is always a potential for blind trust faults, or otherwise unmapped faults that do not have a surface trace, to be present. New development will be required to comply with the seismic safety requirements in the California Building Code (CBC) and the California Geological Survey Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California [1997]), which provide guidance for evaluating and mitigating earthquake-related hazards as approved by the Los Angeles Department of Building and Safety. Therefore, with the incorporation of seismic mitigation measures, a less than significant impact is anticipated.

					Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact		
Mitigation:										
None.										
iii.	Seismic-related liquefaction?	ground	failure,	including			V			

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that may be subject to liquefaction, therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction if not built according to Code.

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose additional people or structures to the adverse affects of seismic-related ground failure. However, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults or seismic-related ground failure (including the effects of liquefaction). Although some existing residentially-zoned properties are located within mapped liquefaction zones, projects within these areas will be reviewed individually and will be required to meet the existing levels of safety.

A Geotechnical Investigation Report is required for each proposed development project within the Hillside Area to determine whether seismic-related ground failure, including liquefaction, may be a hazard to the project. Furthermore, new development will be required to comply with the requirements of the CBC and Los Angeles Municipal Code (LAMC), and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, Los Angeles Department of Building and Safety, and the Department of Public Works according to their applicable codes and specifications regarding seismic considerations, which would be enforced through plan review and inspections during construction. Compliance with these requirements would provide an acceptable level of safety and substantially lessen the effects of seismic-related ground failures to less than significant levels.

Mitigation:			
None.			
iv. Landsiides?		V	

Response:

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that may be subject to slope failure (aka landslides), therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving slope failure if not built according to Code.

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose additional people or structures to the adverse affects of landslide activity. However, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults or seismic-related ground failure (including the effects of slope failure). Similarly, wildfires along with subsequent heavy rainfall also has the potential of exposing people and/or structures to potentially substantial adverse effects involving the slope failure both in known and unknown landslide areas. Although some existing residentially-zoned properties are located within mapped landslide areas, projects within these areas will be reviewed individually and will be required to meet the existing levels of safety.

A Geotechnical Investigation Report is required for each proposed development project within the Hillside Area to determine whether slope failure may be a hazard to the project. Furthermore, new development will be required to

Potentially Potentially Significant Impact

Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

comply with the requirements of the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, Los Angeles Department of Building and Safety, and the Department of Public Works according to their applicable codes and specifications regarding slope failure, which would be enforced through plan review and inspections during construction. Compliance with these requirements would provide an acceptable level of safety and substantially lessen the effects of landslides to less than

	prificant levels.	substantially	iessen nie enec	is of fathustice	5 to 1655 than			
Mit	tigation:							
No	опе.							
b.	Result in substantial soil erosion or the loss of topsoil?			V				
Re	esponse:							
no are	The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore is not expected to result in increased soil erosion or the further loss of topsoil. Due to the proposed reduction in floor area and grading limits, the provisions are more likely to reduce, rather than increase, the amount of grading necessary for new construction of single-family homes.							
Sa lim du red Lo me	grading activities would require grading permits fety, which would be conditioned to include require it the potential erosion impacts to acceptable levels ring dry weather, as feasible, and covering stockp duce soil erosion due to grading and excavation as Angeles Department of Building and Safety's Graeasures. By using these tools and practices and build occur related to erosion or loss of top soil.	ments and E i. BMPs incliles of excav ctivities. Add ding Division	Best Management ude scheduling ex rated soils with ta ditionally, grading n will include addit	Practices (BMF cavation and grops or plastic s approval letters ional erosion co	Ps) designed to rading activities heeting to help s issued by the entrol mitigation			
Mi	tigation:							
No	one.							
C.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading			✓				

Response:

subsidence, liquefaction, or collapse?

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that are located on soil that is unstable which may be subject to landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving the failure of unstable soil. The proposed code amendments are not expected to effect or aggravate current seismic and geological conditions.

Moreover, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults, strong seismic ground shaking, seismic-related ground failure (including the effects of liquefaction), or landslides.

A Geotechnical Investigation Report will be required for each project proposed to determine whether the development of an individual property will result in the failure of unstable soil. New development would typically be constructed on deepened foundation systems consisting of friction piles and grade beams supported by underlying bedrock when deemed necessary by the Los Angeles Department of Building and Safety. The Los Angeles

Potentially		
Significant	Less Than	
Unless Mitigation	Significant	
Incorporated	Impact	No Impact
	Unless Mitigation	Significant Less Than Unless Mitigation Significant

Department of Building and Safety will review the Geotechnical Investigation Report prepared for each new development and deem whether the report is acceptable provided certain conditions are complied with during site development. New development would comply with the requirements of the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department and the Department of Public Works according to their applicable codes and specifications. Therefore, a less than significant impact is anticipated

anticipated.			merelore, a	a icos tilati sigilii	сан пирасс із		
Mit	ligation:						
No	ne.						
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			•	ū		
Re	sponse:						
lnv red dis lnv dur rev An	The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not increase development or aggravate existing conditions in areas with expansive soil. A Geological Investigation Report will be prepared for proposed development on individual lots and would include design recommendations for the foundations, slabs on grade, and the retaining walls to mitigate these conditions. As discussed previously, the Los Angeles Department of Building and Safety Building will review the Geotechnical Investigation Report and deem whether the report is acceptable provided certain conditions are complied with during site development. New development would be required to comply with the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, the Los Angeles Department of Building and Safety Building, and the Department of Public Works according to their applicable codes and specifications. Therefore, a less than significant impact is anticipated.						
Mit	tigation:						
No	ene.						
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems			V			

Response:

where sewers are not available for the

disposal of waste water?

The Hillside Area is served by the City of Los Angeles wastewater disposal system. The proposed Ordinance does not involve any zone changes or increases in density, and does not interfere with the City's existing sewer system. New development's wastewater disposal system would tie into the existing sewerlines or where identified to be located by the Bureau of Engineering. However, if the City's existing sewer system does not have the capacity to service future development, individual projects maybe delayed by the Department of Building and Safety until adequate service can be provided. Where septic tanks or other alternative wastewater disposal systems are required or necessary for new development, they will be constructed to the satisfaction of the Bureau of Engineering.

Mitigation:

None.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact		
VII.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:						
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			٥	₩		
Res	sponse:						
The proposed Ordinance applies only to single-family zoned properties in the hillside area. Single-family zoned lots do not require the routine transport, use, or disposal of materials which are flammable or hazardous outside of the day-to-day household materials.							
Miti	gation:						
No	ne.						
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				V		
Res	sponse:						
ma acu	e proposed Ordinance applies only to single-fam intenance of single-family structures are not expe itely hazardous materials, substances, odor, or was he day-to-day household materials.	ected to emit	t hazardous emissi	ons or handle	hazardous or		
However, short-term impacts may result from the construction of individual residential projects. Sediment resulting from construction activities carries with it work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life. Also, due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by complying with the mitigation measures established by the Department of City Planning on a project-by-project basis.							
Miti	igation:						
No	ne.						
C.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			Q	✓		

Operation and maintenance of single-family structures will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, odor, or waste and would not require the daily use of chemicals outside of the day-to-day household materials. Therefore the proposed Ordinance is not expected to result in emissions of hazardous materials within one-quarter mile of an existing or proposed school or other sensitive receptor.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No impact			
Mit	igation:							
No	ne.							
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			o	√			
Re	sponse:							
dis sol	lifornia Government Code Section 65962.5 require posal facilities, unauthorized releases from undergid waste facilities from which there is known migracretary for Environmental Protection on an annual	round storag ation of hazar	e tanks, contamina rdous waste and su	ted drinking w	ater wells, and			
Are site the	The proposed Ordinance applies to properties zoned for single-family land use and are designated as Hillside Area. It is unlikely that single-family residential properties contain hazardous materials; however, for future project sites suspected of contamination the property owner and/or applicant will be required to submit a soils report for the property that either states that the site does not contain hazardous materials or, if hazardous materials are present, remediation measures developed for the project site prior to issuance of building permits.							
Mit	igation:							
No	ne.							
e. 	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				V			
Re	sponse:							
Ho	The proposed Ordinance may apply to some single-family neighborhoods within two miles of local airports. However, the provisions will neither result in an increase in construction of single-family homes adjacent to existing public airports nor result in an increased safety hazard for people residing or working in these areas.							
Mit	<u>igation:</u>							
No	ne.							
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?			.	✓			

The proposed Ordinance does not apply to any single-family neighborhoods within the vicinity of a known private airstrip. However, the provisions will neither result in an increase in construction of single-family homes adjacent to existing private airstrips nor result in an increased safety hazard for people residing or working in these areas.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mitigation:				
None.				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			•	

The proposal will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the City's Hillside Areas. The proposed Ordinance would reduce the maximum amount of development, and introduce incentives for more articulated structures, as well as grading activity which involves the least amount of surface alteration and/or retains or reflects the natural topography. As a result, impacts related to construction activity would be reduced by the adoption of these provisions.

The development of each individual property is not expected to require any *new* emergency response plans and emergency evacuation plans specifying the appropriate actions to be undertaken with regard to emergency situations such as warning systems, evacuation plans/procedures, and emergency action plans. Therefore, the approval of the proposal would not impair implementation of, or physically interfere with any emergency response or evacuation plan. Furthermore, any new development will still be required to meet all fire safety requirements of the Department of Building and Safety and the Los Angeles Fire Department. The requirements in the street improvement and fire safety provisions in the existing hillside regulations will remain unchanged; these regulations are intended to provide for safe vehicle access for public traffic and for basic access to any property by emergency vehicles in case of fire or any other emergency.

Any individual development project not meeting these requirements would be required to obtain a discretionary approval which would involve an analysis of any impacts regarding the implementation of, or interference with any adopted emergency response or evacuation plan. Construction activity associated with new development may result in temporary impacts to pedestrians and vehicles when done beyond the limits established by this proposal. However, impacts to pedestrians and vehicles that may result due to construction activities would be analyzed on a project by project basis.

Mitigation:

None.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

	V	

Response:

The proposed Ordinance does not increase the density in the project area beyond what is currently allowed and would therefore not expose additional people or structures to a significant risk of loss, injury or death a result of wildland fires.

The proposed project area contains a significant number of parcels that are located within a Very High Fire Hazard Severity Zone and a Fire Brush Clearance Zone. These zones establish regulations for individual projects that ensure that any new development does not expose people and/or structures to a significant loss, injury, or death involving wildland fires, and future individual projects will be required to meet all fire safety requirements of the Department of Building and Safety and the Los Angeles Fire Department. In addition, all construction plans must adhere to Fire and Safety Guidelines for access to emergency services, which will require approval prior to construction. Compliance with applicable requirements regarding the building plans and site access is expected to reduce impacts related to wildland fires to a less than significant level through the incorporation of fire mitigation

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact			
me	asures.							
Mit	igation:							
No	ne.							
VIII	I.HYDROLOGY AND WATER QUALITY. Would the proposal result in:							
a.	Violate any water quality standards or waste discharge requirements?		۵	V				
<u>Re</u> :	sponse:							
res per exp	e proposed Ordinance will not change the perm idential designation and zoning, and would not in mitted) within the proposed project area. The pected to increase the amount of discharge be relopment will consist of minimum to low density re	ncrease or de erefore the de eyond a level	crease the density evelopment of eac that has already	(number of rech individual place) been accoun	esidential units property is not ted for. New			
urb the lots and Wa and Sta sta (Ch per	The development of individual properties may result in water runoff that may contain some pollutants common to urban areas, especially those related to automobiles, and may be carried into the storm drains and discharged into the storm water runoff control system; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes. However, each project will be required to comply with all discharge regulations of the Regional Water Quality Control Board (RWQCB). The construction phase of a new development may also result in erosion and runoff. However, project construction and operations would be required to comply with applicable federal, State, and local regulations, as well as code and permit provisions in order to prevent violation of water quality standards or water discharge requirements. Such regulations include the City of Los Angeles Municipal Code (Chapter IX, Division 70), the National Pollutant Discharge Elimination System (NPDES) regulations, and grading permits from the City of Los Angeles Department of Building and Safety. Therefore, a less than significant impact is anticipated.							
Mit	igation:							
No	ne.							
b.	Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?	Q		•				

The proposed Ordinance would impose size limitations for residential structures, and as a result is expected to reduce the amount of impermeable surfaces which are known to increase run-off and impact groundwater recharge. Individual projects are expected to connect to the City's existing waterworks system and are not likely to result in increased activity in the construction of new water wells and/or pump stations that may be used to tap into existing groundwater supplies or interfere with groundwater recharge. Future increases in demand for water in the City of Los Angeles are proposed to be met primarily by purchasing additional water from Municipal Water District (MWD). Therefore, the proposal is not expected to substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

groundwater table level.

For the development of individual properties, a geologic investigation will likely be conducted for individual project sites and will involve exploratory borings and hand-dug exploratory test pits. The geologic investigation will determine whether evidence of groundwater is encountered at the maximum depth of the explorations, which would identify any potential impacts and would be analyzed on a case-by-case basis. Therefore, new development would not be expected to deplete or degrade groundwater resources or result in a demonstrable reduction in groundwater recharge capacity.

<u>Mit</u>	gation:			
Noi	ne.			
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in		✓	

Response:

Drainage within the project area will vary from parcel to parcel. The proposed Ordinance does not apply to a specific project site or area, and therefore the provisions would not directly impact any known natural and/or significant drainage features, such as streams or rivers.

The construction of new development would increase the amount of impervious surfaces and, therefore, could potentially alter the amount of surface runoff. Although individual projects in designated Hillside Areas may cause minor erosion or siltation on- or off-site over time, they are not expected to result in any substantial quantities. The drainage patterns in the vicinity of individual projects, including the downslope residential lots, are anticipated to remain the same as existing conditions. Furthermore, projects will be required to incorporate stormwater pollution control measures, as required by Ordinance Nos. 172,176 and 173,494 which specify Stormwater and Urban Runoff Pollution Control and require the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants will be required to meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the City's standard mitigation measures (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/). Implementation of required water quality management practices would minimize erosion and siltation during construction of new development.

A less than significant impact is expected.

substantial erosion or siltation on- or off-site?

Mitigation:

None.

d.	Substantially alter the existing drainage
	pattern of the site or area, including through
	the alteration of the course of a stream or
	river, or substantially increase the rate or
	amount of surface runoff in a manner which
	would result in flooding on- or off site?

Response:

Drainage within the project area will vary from parcel to parcel. The proposed Ordinance does not apply to a specific project site or area, and therefore the provisions would not directly impact any known natural and/or significant drainage features, such as streams or rivers.

The proposed Ordinance will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the proposed project area, and will not increase the amount of development to a level that would

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

result in substantial alteration of existing drainage patterns beyond a level that has already been accounted for. Moreover, the regulations being introduced by this proposal would impose size limitations for residential structures, and as a result is expected to increase the amount of permeable surfaces which are known to decrease run-off. While any new development on vacant lots could increase the amount of impervious surfaces, and would therefore have the potential to significantly alter the existing drainage pattern of a project site and potentially increase the amount of surface runoff and may result in flooding on- or off-site, the proposed Ordinance would reduce further alteration to existing drainage patterns or decrease the rate or amount of surface runoff of the area in a manner which would not result in substantial flooding on- or off-site than would already occur.

Furthermore, projects will be required to incorporate stormwater pollution control measures, as required by Ordinance Nos. 172,176 and 173,494 which specify Stormwater and Urban Runoff Pollution Control and require the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants will be required to meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the City's standard mitigation measures (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/). Implementation of required water quality management practices would minimize erosion and siltation during construction of new development.

New development would not substantially alter the existing drainage pattern of the project area through the alteration of a course or stream or substantially increase the rate or amount of surface runoff in a manner which would result in flooding. Less than significant impacts related to drainage and flooding are anticipated.

<u>Miti</u> Noi	gation: ne.				
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	۵	Q	V	

Response:

The proposed Ordinance is not expected to create or contribute additional runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As described above, a comprehensive drainage system would be designed for new development. Stormwater would be directed towards the adjoining storm drainage systems, which is considered adequate to accommodate any additional runoff due to the increase in the amount of impervious surfaces on the various sites. Therefore, although new development would introduce impervious surfaces to the project area, runoff from the project sites is not anticipated to exceed the capacity of planned and existing stormwater drainage system. Furthermore, BMPs would be implemented during construction to reduce pollution in stormwater discharge to levels that comply with applicable water quality standards. Implementation of SUSMP requirements would ensure impacts are mitigated to a less than significant level.

	gation:						
No	ne.						
f.	Otherwise quality?	substantially	degrade	water		V	

Response:

The proposed Ordinance is intended to regulate the massing and size of single-family homes and is not expected to degrade water quality. Some pollutants common to urban areas, especially those related to automobiles, are contained in water runoff and may be carried into the storm drains and discharged into the storm water runoff control; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes. Each individual

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	gle-family residential project will be required to ality Control Board (RWQCB).	comply with all	discharge reg	ulations of the R	egional Water
Mit	<u>igation:</u>				
No	ne.				
g.	Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			V	.
Re	sponse:				
it v Ins	e proposed Ordinance is regulatory in nature and will not direct the construction of housing to are urance Rate Map. The proposal will regulate co nily homes which are already zoned for single-far	eas mapped on nstruction of sin-	the federal Flo gle-family home	ood Hazard Bour	dary or Flood
Mit	igation:				
No	ne.				
h.	Place within a 100-year flood plain structures which would impede or redirect flood flows?			V	
<u>Re</u>	sponse:				
the Ra	e proposed Ordinance does not involve rezoning construction of housing to areas mapped withing te Map. The proposal will regulate construction mes which are presently zoned for single-family n	n a 100-year floon n of single-famil	od plain, Hazar	d Boundary or Fl	ood Insurance
<u>Mit</u>	<u>igation:</u>				
No	ne.				
i.	Expose people or structures to a significant risk of loss, inquiry or death involving flooding, including flooding as a result of the failure of a levee or dam?	٥		V	
Re	sponse:				
hoi pro	e proposed Ordinance will not result in a zone of using to areas located near existing levees or operty loss or death. The proposal is regulatory in ditions to existing single family homes which are	dams, or addit in nature and aff	ionally expose ects the constru	people to a sign action of single-fa	nificant risk of
Mit	igation:				
No	ne.				
j.	Inundation by seiche, tsunami, or mudflow?			V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The proposed Ordinance is regulatory in nature and affects the construction of single-family homes or additions to existing single family homes which are presently zoned for single-family residential use and therefore it is not expected to result in the increase of housing in areas which are more susceptible to inundation by a seiche, tsunami or mudflow, or additionally expose people to a significant risk of property loss or death.

gation:				
ne.				
LAND USE AND PLANNING. Would the project:				
Physically divide an established community?				V
sponse:				
				e the type of
gation:				
ne.				
Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
	Physically divide an established community? Sponse: Proposed Ordinance applies only to single-facelopment that would have the potential to physical signation: The Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an	LAND USE AND PLANNING. Would the project: Physically divide an established community? Sponse: Proposed Ordinance applies only to single-family resident velopment that would have the potential to physically divide an established community? Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an	LAND USE AND PLANNING. Would the project: Physically divide an established community? propose: proposed Ordinance applies only to single-family residential areas, and development that would have the potential to physically divide an established communication: pe. Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an	LAND USE AND PLANNING. Would the project: Physically divide an established community? proposed Ordinance applies only to single-family residential areas, and does not involve elopment that would have the potential to physically divide an established community. Igation: The Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an

Response:

The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

The proposed project area is located within the City of Los Angeles and, as such, is subject to planning guidelines and restrictions established by the City of Los Angeles General Plan and the various Community Plans that make up the Land Use Element of the General Plan. On a larger scale, the project area is located within the planning area of the Southern California Association of Governments (SCAG), which is a regional planning organization. The project area is located within the South Coast Air Basin (Basin) which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

General Plan.

The proposed Ordinance helps to accomplish the following goals, objectives, and policies of the General Plan Framework:

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Goal 3B Preservation of the City's stable single-family residential neighborhoods.

- **Objective 3.5** Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
 - **Policy 3.5.2** Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
 - **Policy 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.

Community Plans.

The City of Los Angeles General Plan Land Use Element is subdivided into 35 community plans. The proposed Ordinance helps to accomplish the following objectives, and policies of various Community Plans:

- Objective 1-5 To limit the intensity and density in hillside areas.
 - **Policy 1-5.3** Consider the steepness of the topography and suitability of the geology in any proposal for development within the Plan Area.
- Objective 1-5 To limit the intensity and density of development in hillside areas.
 - **Policy 1-5.1** Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.
 - **Policy 1-5.2** Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.
- Objective 9-1 Ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.
 - Policy 9-1.1 Promote land use policies that enhance accessibility for fire fighting equipment and are compatible with effective levels of service.
- **Objective 1-6** To limit residential density and minimize grading in hillside areas. (Sunland-Tujunga-Lake View Terrace-Shadow Hills- East La Tuna Canyon)
 - Policy 1-6.3 Require that grading be minimized to reduce the effects on environmentally sensitive areas.
- **Objective 1-6** To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.
 - **Policy 1-6.6** The scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.
- Objective 1-3 Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.
 - Policy 1-3,3 Preserve existing views in hillside areas.

Regional Plans

SCAG Regional Comprehensive Plan and Guide. The project area is located within the Southern California Association of Governments (SCAG) jurisdiction. SCAG is the regional planning organization with responsibility for reviewing the consistency of local plans, projects and programs with regional plans. SCAG has prepared a Regional Comprehensive Plan and Guide (RCPG) to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the planning horizons for each document. At the regional level, the goals, objectives and policies in the RCPG are used for measuring consistency of a project with the adopted plans. New development would adhere to RCPG policies because new development is located in a

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

residential hillside neighborhood for residential uses according to the General Plan and Zoning Ordinance. New development would be considered to be consistent with the RCPG.

SCAQMD Air Quality Management Plan

The consistency of new development with SCAQMD's Air Quality Management Plan (AQMD) is discussed in the Air Quality Section of this document (AQ(a)).

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in any increase in population density that would generate the need to require amend any existing plans or policies.

The proposal is expected to improve the compatibility of homes in their topographical settings and surrounding community. In the long run, in reducing the scale of houses built on properties zoned for single-family use, there may also be an incremental reduction in the potential energy use and waste generated by single-family structures. Therefore, new development in compliance with the proposed provisions would conform to the goals, objectives, and policies of the General Plan and the various Community Plans. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to any adopted plans or ordinances in addition to the surround neighborhood and the environment on a case-by-case basis.

Mit	<u>igation:</u>				
No	ne.				
C.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				V
<u>Re</u>	sponse:				
cor reg	e proposed Ordinance does not amend or conflict nservation plan, nor does it result in increased d julatory in nature and does not involve changes nstruction of housing within any known conservation	evelopment to existing la	in sensitive ecolo	gical areas. T	he proposal is
Mit	igation:				
No	ne.		•		
Х.	MINERAL RESOURCES. Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			۵	•

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No impact

Response:

Pursuant to Section 13.01 of the LAMC, lots designated "O", Oil Drilling District Overlay, throughout Los Angeles, allow for controlled drilling sites and oil wells. However, as this proposed Ordinance applies citywide, any individual project site containing an existing or proposed oil well, would be evaluated as required to ensure that any mineral resources of value to the region and the residents of California would not be lost as a result of the

	her depletion of local mineral resources.	ocated in niiiside	areas and is no	ot expected to re	suit in the
Miti	gation:				
Noi	ne.				
b.	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				•
Re:	sponse:				
allo pro loca	suant to Section 13.01 of the LAMC, lots designated w for controlled drilling sites and oil wells. The proposed project site is delineated on the City's Generally-important mineral resource recovery site, therefor illability of mineral resources.	posed Ordinance ral Plan, specific	e shall applies (c plan, nor any	Citywide, and as other land use	such, no plan as a
Miti	gation:				
Noi	ne.				
XI.	NOISE. Would the project:				
a.	Exposure of persons to or generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	

Response:

The proposed Ordinance does not involve zone changes or changes to the existing land use designations that could affect density or noise levels in single-family neighborhoods. The noise levels in residential land uses are lower than those of commercial or industrial land uses and are unlikely to exceed noise levels established in the General Plan.

Individual projects are likely to create a temporary or periodic increase in noise levels during the construction phase, due to the heavy construction equipment and related construction activity, and could be audible to the closest residents to the project site. However, the duration of construction activities on the proposed site would be short-term. By limiting construction hours the corresponding noise will be minimized, thereby reducing any potentially significant impacts to less than significant.

The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect is citizens and noise sensitive land uses. A significant impact may occur if new development would generate excessive noise that would cause the ambient noise environment at the various development sites in the project area to exceed noise level standards set for in the City of Los Angeles General Plan Noise Element and the City of Los Angeles Noise Ordinance. Regarding construction, the Los Angeles Municipal Code indicates that no construction or repair work shall be performed between the hours of 6:00 p.m.

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

and 7:00 am, since such activities would generate loud noises and disturb persons occupying sleeping quarters in any adjacent dwelling, hotel, apartment or other place of residence. No person, other than an individual home owner engaged in the repair or construction of his/her single-family dwelling, shall perform any construction or repair work of any kind or perform such work within 500 feet of occupied land before 8:00 am or after 6:00 pm on any Saturday or on a federal holiday, or at any time on any Sunday. Under certain conditions, the City may grant a waiver to allow limited construction activities to occur outside of the limits described above.

The Los Angeles Municipal Code also specifies the maximum noise level of powered equipment or powered hand

of Te	ols. Any powered equipment or hand tool that produ 50 feet is prohibited. However, the noise limitation chnically infeasible means that the above noise lin und barriers and/or any other noise reduction device	does not nitation ca	apply where comp	oliance is technic te the use of m	cally infeasible. ufflers, shields,
Mit	tigation:				
No	ne.				
b.	Exposure of people to or generation of excessive groundborne vibration or groundborne noise levels?			€	
Re	sponse:				
gro	e proposed Ordinance will not affect land use oundborne noise levels and vibration in residentia lustrial land uses and are unlikely to exceed levels e	land us	es are lower than	those found in	
gro cor cor noi	lividual projects are likely to create a temporar bundborne noise during the construction phase, instruction activity, and could be audible to the close instruction activities on the proposed site would be so ise and vibration will be minimized, as noted above, an significant.	due to est reside hort-term	the heavy construents to the project . By limiting constr	iction equipmer site. However, uction hours the	nt and related the duration of corresponding
Mit	tigation:				
No	ene.				
c .	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			V	
Re	sponse:				
de	e proposed Ordinance is intended to establish a velopment in the City's Hillside Areas. Residential pject area may occasionally be disrupted by construc	land use	s near individual d	evelopment proj	ects within the
Mit	tigation:				
No	ne.				
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The adoption of the Ordinance will not result in an increase in construction activity or changes in land use or population density that would raise ambient noise levels in single-family residential areas.

Individual projects are likely to create a temporary or periodic increase in ambient noise levels during the Э be b

aud site	struction phase, due to the heavy construction eq lible to the closest residents to the project site. Howe would be short-term. By limiting construction how we, thereby reducing any potentially significant impact	ever, the duration	n of construction	n activities on the	e proposed		
<u>Miti</u>	gation:						
Nor	ne.						
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			V			
Res	sponse:						
land loca be	e proposed Ordinance would not result in the further d use plan to excessive noise levels. The proposal ated near an existing airport. Existing or proposed s subject to the proposed Code Amendments; how sulations to airport noise levels.	l would not resu single-family hon	ılt in a rezonin nes within two	g or reclassificat miles of a public	ion of land airport will		
Miti	gation:						
Nor	ne.						
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			ū	¥		
Res	sponse:						
priv loca to 1	The proposed Ordinance would not result in the further exposure of people residing or working in the vicinity of a private airstrip to excessive noise levels. The proposal would not result in a rezoning or reclassification of land located near an existing air strip. Existing or proposed single-family homes in the vicinity of an airstrip are subject to the proposed code amendments; however, no portion of the provisions would subject new populations to excessive noise levels resulting from a nearby airstrip.						
Miti	gation:						
Nor	ne.						
XII.	POPULATION AND HOUSING. Would the project:						
a.	Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or				. 🗸		

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

indirectly (for example, through extension of roads or other infrastructure)?

Response:

The proposed Ordinance would not: change any existing general plan land use designations; result in any change in the circulation element of the general plan that might indirectly lead to an increase in new home construction beyond the existing capacity; or directly result in a zone change or change of land use. The proposed Ordinance and related code amendments would neither induce nor prevent population growth, and it would not direct population growth to new areas. The proposed Code Amendments are limited to regulating the massing and scale of buildings on lots zoned for single-family residential use.

<u>Mit</u>	igation:				
No	ne.				
b.	Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?				V
Re	sponse:				
exi	e proposed Ordinance is not expected to inhibit the sting housing that would necessitate replacement has ingle-family and scale of larger-than-average single-family	ousing else	Ψ.		
<u>Mit</u>	igation:				
No	ne.				
C.	Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?			۵	•

Response:

The proposed Ordinance applies to single-family zoned lots only and it does not involve rezoning or a reclassification of existing land uses. No change in population density is expected to result from the implementation of the proposal and it is unlikely that people would be displaced or that the construction of replacement housing elsewhere would be required.

Mitigation:

None.

XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact			
a.	Fire protection?				4			
Re	sponse:							
The Ord zor exist cod In a acc	Response: The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the Ordinance is not proposing any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Therefore, new development in the project area would not affect the LAFD's existing level of service. Furthermore, all projects will be required to comply with all applicable State and local codes, ordinances, and guidelines as set forth in the Fire Protection and Fire Prevention Plan and the Safety Plan. In addition, new development would be subject to the site plan review requirements of the LAFD to ensure that all access roads, driveways and parking areas would remain accessible to emergency service vehicles. Therefore, a less than significant impact is expected on fire protection services.							
Mit	igation:							
No	ne.							
b.	Police protection?				V			
The doe sing	Response: The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in an increased demand for police protection.							
Mit	igation:							
No	ne.							
C.	Schools?				V			
	sponse:							
doe sin	The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in an increased demand for schools.							
Mit	igation:							
No	ne.			-				
d.	Parks?				€			

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Re	sponse:				
do:	e proposed Ordinance would not increase the numes not involve any zone changes, and the proposigle-family residential. Consequently, the change idents in any given neighborhood and therefore, it	sed code ame es are not ex	endments would ap pected to substant	ply only to pro ially increase	perties zoned the number of
Mit	<u>igation:</u>				
No	ne.				
e.	Other governmental services (including roads)?				V
<u>Re</u>	sponse:				
doe sin res	e proposed Ordinance would not increase the number of involve any zone changes, and the proposigle-family residential. Consequently, the change idents in any given neighborhood and therefore, it would generate the need to require additional information.	sed code ame es are not ex is not expect	endments would ap pected to substant ed to result in any i	oply only to pro ially increase f ncrease in pop	perties zoned the number of
Mit	igation:				
No	ne.				
ΧIV	/. RECREATION.				
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				V
Re	sponse:				
and	e proposed Ordinance does not involve any zone d is not expected to result in a significant incre- ostantial physical deterioration of these resources.	ase in popula			
Mit	igation:				
No	ne.				
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an				₩

adverse physical effect on the environment?

The proposed Ordinance does not involve any zone changes or changes to the existing land use designations which would result in an increase in the number of dwelling units, and therefore does not require the construction or expansion of recreational facilities.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	
Miti	gation:					
No	ne.					
XV.	TRANSPORTATION/CIRCULATION. Would the project:					
a.	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections)?				•	
Res	sponse:					
to e	e proposed Ordinance applies only to single-family existing land use designations which would incre posal is not likely to exacerbate congestion at in s. No direct or indirect impacts are expected on ex	ase populations o	on density in single r result in an increa	-family neighb ase in the nur	orhoods. The	
Miti	igation:					
Noi	ne.					
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		۵	ū	✔	
Res	sponse:					
bed	option of the proposed Ordinance is not expected cause it does not involve any zone changes or chapulation density in single-family neighborhoods. Indard for the existing street system.	anges to exist	ing land use desigi	nations which	would increase	
Miti	igation:					
Noi	ne.					
C.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓	
Res	sponse:					
indi or	The proposed Ordinance will not generate new housing units and therefore will not increase the number of individuals who would require airline service and/or transportation because it does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods.					

Mitigation:

None.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d.	Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				V
Re	sponse:				
de: unl ap _l	e proposed Ordinance does not amend the LAM sign feature such as sharp curves or a dangerous less the project meets the fire and life safety re- proval of the City of Los Angeles Department of ilding and Safety.	intersection. quirements of	For individual proje the applicable loc	cts, no permits al and State	will be issued codes and the
Mit	igation:				
No	ne.				
e.	Result in inadequate emergency access?				V
Re	sponse:				
res inte	e intent of the proposed Ordinance is to ensure the proposed of the proposed o	osed project a mentation of a	area would not invo an existing emerge	olve any activit ncy response (ties that would
De em Gu	rthermore, new development would be subject to partment (LAFD) to ensure that all access road: nergency service vehicles. Additionally, all construidelines for access to emergency services. New opact.	s, driveways uction plans	and parking areas would be required	would remain to adhere to F	accessible to ire and Safety
Mit	<u>igation:</u>				
No	ne.				
f.	Result in inadequate parking capacity?				V
Re	sponse:				
	e proposed Ordinance does not propose a chang nily residential projects. Therefore, the proposal is				MC for single-
Mit	igation:				
	ne.				
g.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				~

		Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Re	sponse:				
hoı	e proposed Ordinance is regulatory in nature ar mes. It does not conflict with any adopted or p nsportation.				
Mit	igation:				
No	ne.				
χV	I. UTILITIES. Would the project:				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		۵		V
Re	sponse:				
inc de	e proposed Ordinance is not expected to result creases in the number of persons per single-fa velopment which exceeds the current wastewate introl Board.	mily home. 1	Therefore, the pro	posal is unlike	ely to result in
Mit	igation:			4	
No	ne.				
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			. 0	V .
Re	sponse:				
rec	e proposed Ordinance is not expected to result i direction of population growth. Therefore, the p stewater treatment facilities or expansion of existi	proposal is no	t likely to result in	the need for	
Mit	ligation:				
No	ne.				
C.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	٥			V
п.					

The proposed Ordinance is not expected to result in an increase the potential for new home construction, and therefore result in increased demand on the City's stormwater drainage facilities. The construction of individual single-family homes may be subject to compliance with the Los Angeles County SUSMP requirements.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	
Mit	igation:					
No	ne.					
d.	Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?				V	
Re	sponse:					
The proposed Ordinance is not expected to result in an increase in single-family residential development which would require new sources of water supplies or expanded entitlements. Future increases in demand for water in the City of Los Angeles are proposed to be met primarily by purchasing additional water from Metropolitan Water District (MWD). The Department of Water and Power reports that deficiencies in the ability of the water system to provide domestic water supply to Los Angeles.						
Mit	igation:					
No	ne.					
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			ū	V	
Re	sponse:					
The proposed Ordinance will not result in an increase in the potential for new home construction, and therefore would not result in increased demand on the City's wastewater treatment facilities. However, if necessary, individual single-family projects may be delayed by the Department of Building and Safety until adequate service can be provided.						
<u>Mit</u>	igation:					
No	ne.					
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				V	
Re	sponse:					
The proposed Ordinance will not result in an increase the potential for new home construction, and therefore would not result in increased demand on the City's landfill capacity. However, if necessary, individual single-family projects may be delayed by the Department of Building and Safety until adequate service can be provided.						
Mit	igation:					
No	None.					
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

Solid waste regulations are not within the scope of this Ordinance, therefore the proposed code amendments are not expected to conflict with federal, state, or local statues and regulations related to solid waste. Moreover, the Ordinance will not result in an increase the potential for new home construction, and therefore would not impact regulations related to solid waste.

regulations related to solid waste.	or new nome	e construction, a	and incretore wi	Juliu Hot IIII
Mitigation:				
None.				
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the				

Response:

prehistory?

major periods of California history

If adopted, the proposed Ordinance will apply to single-family homes in the City's Hillside Areas, and are primarily within heavily urbanized areas. Currently, single-family home construction in the City occurs predominantly on infill sites. The proposed Ordinance will not introduce any new, or change existing land uses or density to undeveloped areas that are incompatible with single-family land use. Moreover, the proposal is regulatory in nature and is not expected to result in an increase in the potential for new home construction or direct construction to previously underdeveloped areas. The provisions would not, on its face, have the potential to degrade the quality of the environment, or threaten rare or endangered flora or fauna any more than is already permitted.

New development is not expected to degrade the quality of the environment, reduce or threaten any fish or wildlife species (endangered or otherwise), or eliminate important examples of major periods of California history or prehistory. Most single-family development is concentrated in the City's urbanized areas; therefore, it is unlikely that the adoption of this proposal — a regulatory action - will directly cause a native fish or wildlife population to drop below self sustaining levels beyond what is already permitted. Additionally, the changes are not likely to eliminate a plant or animal community because a good number of existing plant forms and animal population have adapted to the urbanized/developed environment or were imported to it.

Finally, the Ordinance is not expected to reduce the number or, restrict the range of endangered plants or animals because it does not propose to rezone property such that a further increase in development in sensitive ecological areas would occur, thereby threatening rare or endangered flora or fauna. The project is not expected to eliminate important examples of the major periods of California history or prehistory, and any future single-family development within Historic Preservation Overlay Zones will be coordinated with the Office of Historic Resources in the Department of City Planning.

	· · · · · · · · · · · · · · · · · · ·			
Mi	tigation:			
No	one.			
b.	Does the project have impacts which are individually limited, but cumulatively considerable?		V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Page 39

("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).

Response:

The Los Angeles Municipal Code currently allows for floor areas which are larger than the lots on which they are situated, has height limits that prevent the terracing of structures which would be more effective in terms of aesthetics as well as reducing the potential impact on the existing terrain, and has no limits the grading activity which occurs on any particular property thereby allowing for the major alteration of the City's existing hillsides. The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas.

The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations. Therefore, the proposal is expected to result in a reduction in the potential for cumulative impacts for new projects built pursuant to the proposed provisions.

Moreover, the proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in any increase in population density that would generate the need to require additional infrastructure or other governmental services, beyond what is already present.

The proposals is also expected to incrementally reduce construction-related impacts resulting from residential development activity, maintain appropriate distances between single-family homes, and improve the compatibility of homes in their topographical settings and surrounding community. In the long run, in reducing the scale of houses built on properties zoned for single-family use, there may also be an incremental reduction in the potential energy use and waste generated by single-family structures.

Projects completed in compliance with the proposed Code Amendments are expected to have fewer environmental impacts than those presently being constructed. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to the surround neighborhood and the environment on a case-by-case basis, and would be subject to conditions of approval in order to mitigate those effects.

Mitigation: None. c. Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?

Response:

The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas. Projects completed in compliance with the proposed Code Amendments are expected to have fewer environmental impacts than those presently being constructed. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to the surround neighborhood and the environment on a case-by-case basis, and would be subject to conditions of

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

approval in order to mitigate those effects.

Mitigation:

None.

(

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

PREPARED BY	TITLE	TELEPHONE #	DATE
Oliver Netburn	Planning Assistant	(818) 374-5038	March 12, 2010

CEQA COMMENT RECEIVED APRIL 8, 2010

Jeffrey A. Kaplan Attorney at Law (inactive) 924 Westwood Blvd, #910 Los Angeles, CA. 90024 (310) 208-0075



CITY PLANNING COMMUNITY PLANNING BUREAU

April 8, 2010

Erick Lopez
City Planner - Department of City Planning
200 N, Spring Street
Room 621
Los Angeles, CA 90012
(213) 978-1243 / (213) 978-1226 - fax
cmail: crick.fopez@lacity.org

Sent via email; fax and hand delivered at City Planner Office

Re:

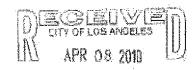
Baseline Hillside Ordinance Case Number CPC-2010-0581-CA CEOA Number ENV-2010-0582-ND

Mr. Erick Lopez,

Thank you very much for conducting multiple public workshops relating to the proposed Baseline Hillside Ordinance (BHO) and the opportunity to voice concerns to the Department of City Planning. In furtherance of the foregoing, this letter shall serve as additional notice of my concerns regarding the BHO and its compliance under the California Environmental Quality Act (CEQA).

As you may recall, I am an inactive lawyer and CPA and a real estate investor and owner of homes in Bel-Air. I am also a member of the Board of Directors of the Bel-Air Assumed a member of the Coalition of Concerned L.A. Real Estate Industry and Hillside Homeowners.

I have recently learned of CEQA Case Number ENV-2010-0582-ND, and have had only a brief opportunity to review the same. However, it is clear that a Negative Declaration is not appropriate in this instance as the environmental impact of the Baseline Hillside Ordinance (LA City Planning Case Number CFC-2010-0581-CA) is "potentially significant" as to a number of factors and therefore a full Environmental Impact Report is required under CEQA.



CITY PLANNING

Potentially significant effects of the Duseline IIIIside Ordinance (CPCTONOTS) AND SUREAU on the environment include, without limitation all of the matters set forth in this letter, including the following:

- I. Aesthetics: Potentially Significant Impact. The proposed ordinance would potentially degrade the existing visual character and quality of LA City hillside properties and surroundings areas as, for example, certain undeveloped tota and potions of lots will be required to remain in its "natural state" as opposed to being improved with new landscaping and development appropriate and consistent with currently existing area homes and properties. By way of example, currently graded or angraded lots (i.e., fenced and unfenced vacant lots consisting of little more than dirt and weeds) would potentially remain in a hlighted condition as compared to being beautified, utilized and developed.
- XII. Population and Housing, etc. <u>Potentially Significant Impact</u>. The proposed ordinance would potentially displace substantial numbers of people necessitating the construction of replacement bousing elsewhere due to the cumulative effect of grading and residential floor area (RFA) restrictions. For example, certain families living in LA City hillside properties will not be able to add to existing homes in order to accommodate elderly parents, newborn children, older children returning home and other members of the immediate or extended family of the homeowners, which would resultantly increase the need to construct housing and accommodations elsewhere. Further, LA City hillside homeowners who desire to accommodate large families would potentially need to move to other areas (where they can provide a higher quality of life for their family through the use of their land for pools, play yards, etc. that would potentially be prohibited by the proposed ordinance through grading and other development restrictions), thereby causing a shortage of adequate housing opportunities and the increase of population density in such other areas.
- XIII. Public Services and XIV Recreation: Potentially Significant Impact. The proposed ordinance will potentially and significantly limit development on all hillside properties in the City of private pools, play yards, recreation areas, etc., thereby potentially significantly increasing the burden on public schools, parks and recreation areas. Moreover, the proposed ordinance would potentially create a greater burden on schools and parks in the City's non-hillside areas as people with large families move out of the hillsides that would no longer accommodate their desired quality of life.
- XV. Transportation / Circulation: <u>Potentially Significant Impact</u>. The proposed ordinance will reduce usable land area in the hillside areas (through both the grading and RFA restrictions) that will potentially result in fewer families being willing or able to buy homes in close-in hillside neighborhoods. These families will then potentially live in other areas further from their work and desired transportation destinations resulting in longer commutes and a generally increased traffic burden throughout the City.

XVII. Mandatory Findings of Significance: Potentially Significant Impact.

The proposed ordinance will potentially have the cumulative impact through application of RFA, grading and other restrictions of causing certain families to not be able to live together due to limits on remodeling, additions and quality of life improvements (such as restrictions limiting development of pools, play yards, recreational areas, etc.). Moreover, as the proposed ordinance will apply to all existing hillside properties, expectations of existing homeowners that desire families and children will be practically frustrated due to their potential inability to redevelop and expand their home to appropriately accommodate these desires.

Please note that the foregoing is not an exhaustive list of all the potentically algorificant excitormental impact factors as to the BHO, and I reserve the right, as allowed under applicable late, to supplement, expand and add to this list.

I, along with a growing number of hillside residents, do not believe that the BHO is in the best interests of the hillside defined areas in the City of Los Angeles. From a social standpoint, the modernization of homes in this area has attracted new and/or growing families and has contributed to a revitalization of older, audited homes throughout the City — which activity also results in the profoundly important creation of numerous local area jobs and the support of local area service providers and businesses.

In conclusion, the foregoing clearly presents substantial evidence that demonstrates that there is a fair argument that the adoption of the BHO will result in significant adverse environmental impacts. See Mejia v. City of Los Angeles, 130 Cal. App. 4th 322 (205). Additionally, it is clear that the displacement of development which will result from the adoption of the BHO is precisely the kind of impact which should be investigated through a thorough EIR, Muzzy Ranch v. Solano County Airport Land Use Commission, 41 CAL 4th 372 (2007).

Accordingly, from a legal standpoint, since the BHO has not been subjected to proper environmental review as required by CEQA, it can not legally be adopted without a thorough FIR, prepared and subject to review in compliance with CEQA.

Very Tenty Yours

Mariania & Windows

Ce: Coalition of Concerned L.A. Real Estate Industry and Hillside Homeowners.

CITY PLANNING COMMUNITY PLANNING BUREAU

RESPONSE TO CEQA COMMENT RECEIVED APRIL 8, 2010

On April 8, 2010, a Mr. Jeffrey Kaplan submitted comments regarding the proposed Negative Declaration (ENV-2010-582-ND) for the proposed Baseline Hillside Ordinance. The following is a list of the comments followed by the Department response.

CEQA Comment (verbatim)

I. Aesthetics: <u>Potentially Significant Impact</u>. The proposed ordinance would potentially degrade the existing visual character and quality of LA City hillside properties and surroundings areas as, for example, certain undeveloped lots and portions of lots will be required to remain in its "natural state" as opposed to being improved with new landscaping and development appropriate and consistent with currently existing area homes and properties. By way of example, currently graded or ungraded lots (i.e., fenced and unfenced vacant lots consisting of little more than dirt and weeds) would potentially remain in a blighted condition as compared to being beautified, utilized and developed.

Department Response

The proposed Ordinance will not restrict any property from being developed, and are intended to revise the provisions pertaining to the size/scale of structures in the City's Hillside Areas through more effective Floor Area Ratio, height, and grading regulations. The proposal will result in development which is more compatible than the existing regulations with the hillside environment. Safeguards have been included in the language to ensure that development is allowed to occur on legal lots.

Section I. Aesthetics is intended to be a review of potential impacts to:

- scenic vistas;
- scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a citydesignated scenic highway;
- the existing visual character or quality of the site and its surroundings; and
- day or nighttime views in the area as a result of new sources of substantial light or glare.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "Less Than Significant Impact" for each of these categories are correct.

GEQA Comment (verbatim)

XII. Population and Housing, etc. Potentially Significant Impact. The proposed ordinance would potentially displace numbers of people necessitating the construction of replacement housing elsewhere due to the cumulative effect of grading and residential floor area (RFA) restrictions. For example, certain families living in LA City hillside properties will not be able to add to existing homes in order to accommodate elderly parents, newborn children, older children returning home and other members of the immediate or extended family of the homeowners, which would resultantly increase the need to construct housing and accommodations elsewhere. Further, LA City hillside homeowners who desire to accommodate large families would potentially need to move to other areas (where they can provide higher quality of life for their family through the use of their land for pools, play yards, etc. that would potentially be prohibited by the proposed ordinance through grading and other development restrictions), thereby causing a shortage of adequate housing opportunities and the increase of

population density in such other areas.

Department Response

The proposed Ordinance would not:

- change any existing general plan land use designations;
- result in any change in the circulation element of the general plan that might indirectly lead to an increase in new home construction beyond the existing capacity;
- directly result in a zone change or change of land use;
- inhibit the construction of new housing, or result in the demolition of existing housing that would necessitate replacement housing elsewhere; or
- change population density and is unlikely that people would be displaced or that the construction of replacement housing elsewhere would be required.

The proposed Ordinance and related code amendments would neither induce nor prevent population growth, and it would not direct population growth to new areas. The proposed Code Amendments are limited to regulating the massing and scale of buildings and land alteration not involving the foundations of structures on lots zoned for single-family residential use. Moreover, the proposed Ordinance includes provisions which establish an avenue to allow for modest additions to existing dwellings regardless of their conforming status.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "No Impact" for each of these categories are correct.

CEQA Comment (verbatim)

XIII. Public Services and XIV Recreation: <u>Potentially Significant Impact</u>. The proposed ordinance will potentially and significantly limit development on all hillside properties in the City of private pools, play yards, recreation areas, etc., thereby potentially significantly increasing the burden on public schools, parks and recreation areas. Moreover, the proposed ordinance would potentially create a greater burden on schools and parks in the City's non-hillside areas as people with large families move out of the hillsides that would no longer accommodate their desired quality of life.

Department Response

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in an increased demand for schools or parks.

Moreover, private pools, play yards, recreation areas, etc. are not considered to be public recreation resources and therefore have no bearing in the analysis of impacts to public services.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "No Impact" for each of these categories are correct.

CEQA Comment (verbatim)

XV. Transportation / Circulation: Potentially Significant Impact. The proposed ordinance will reduce usable land area in the hillside areas (through both the grading and RFA restrictions) that will potentially result in fewer families being willing or able to buy homes in close-in hillside neighborhoods. These families will then potentially live in other areas further from their work and desired transportation destinations resulting in longer commutes and a generally increased traffic burden throughout the City.

Department Response

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods. Consequently, the changes are not expected to substantially increase the number of residents The proposal is not likely to exacerbate congestion at intersections or result in an increase in the number of vehicle trips, or exceed the level of service standard for the existing street system. No direct or indirect impacts are expected on existing traffic patterns and road capacity.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "No Impact" for each of these categories are correct.

Public Comment (verbatim)

XVII. Mandatory Findings of Significance: <u>Potentially Significant Impact</u>. The proposed ordinance will potentially have the cumulative impact through application of RFA, grading and other restrictions of causing certain families to not be able to live together due to limits on remodeling, additions and quality of life improvements (such as restrictions limiting development of pools, play yards, recreational areas, etc.).

Moreover, as the proposed ordinance will apply to all existing hillside properties, expectations of existing homeowners that desire families and children will be practically frustrated due to their potential inability to redevelop and expand their home to appropriately accommodate these desires.

Department Response

The proposed Ordinance will not restrict any property from being developed, and are intended to revise the provisions pertaining to the size/scale of structures in the City's Hillside Areas through more effective Floor Area Ratio, height, and grading regulations. The proposal will result in development which is more compatible than the existing regulations with the hillside environment. Safeguards have been included in the language to ensure that development is allowed to occur on legal lots. Moreover, the proposed Ordinance includes provisions which establish an avenue to allow for modest additions to existing dwellings regardless of their conforming status.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "Less Than Significant Impact" for each of these categories are correct.



DEPARTMENT OF CITY PLANNING REVISED RECOMMENDATION REPORT



LOS ANGELES CITY PLANNING COMMISSION

Date:

May 27, 2010

Time:

After 8:30 a.m.

Place:

Van Nuvs Hall

14410 Sylvan St., Council Chamber 2nd Floor

Van Nuys, CA 91401

Public Hearing:

April 5, 2010 and April 8, 2010

Continued From:

April 22, 2010 (Item No. 7)

May 13, 2010 (Item No. 4)

Case No.:

CPC-2010-581-CA

CEQA No.:

ENV-2010-582-ND

CPC-2007-106-CA

CPC-2008-4683-CA

Related Cases:

Incidental Cases:

None Citywide (All)

Council District: Plan Area:

Citywide (All)

Specific Plan:

Citywide (All)

Certified NC:

Citywide (All)

GPLU:

Minimum, Very Low I, Very

Low II. and Low Density

Residential

Zone:

R1, RS, RE9, RE11, RE15,

RE20, RE40, and RA

Applicant:

City of Los Angeles

Representative:

City of Los Angeles

PROJECT LOCATION: All properties zoned single-family residential (R1, RS, RE9, RE11, RE15, RE20, RE40, and

RA) which are designated as Hillside Area on the Department of City Planning Hillside Area

Мар.

PROPOSED

PROJECT:

Baseline Hillside Ordinance - Citywide code amendment to the Los Angeles Municipal Code

(LAMC) as described below.

REQUESTED **ACTIONS:**

Proposed amendments to the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establishment of, or revisions to existing discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

RECOMMENDED ACTIONS:

- 1. Approve and Recommend that the City Council Adopt the amendments to the LAMC as detailed in the Revised Proposed Ordinance Provisions (Exhibit A).
- 2. Adopt the attached Findings.
- 3. Approve and Recommend that the City Council Adopt Negative Declaration No. ENV-2010-582-ND (Exhibit B).

S. GAIL GOLDBERG, AICP Director of Planning.

Charles J. Rausch Jr., Senior City Planner

Erick Lopez, City Planner (213) 978-1243 eric

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Jennifer Driver; Planning Assistant (818) 374-5034 jennifer.driver@lacity.org

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Exhibits:

- A Revised Proposed Ordinance Provisions
- B CEQA: ENV-2010-582-ND Negative Declaration, Initial Study, CEQA Comments, and Response to CEQA Comments
- C Affected Area Map
- D Council Motion, CF No. 06-1293

PROJECT ANALYSIS

Project Summary

On April 22, 2010 the City Planning Commission (CPC) discussed proposed amendments to the Los Angeles Municipal Code (LAMC) dealing with massing, grading and height of and for new construction, additions to, and remodels on Single-Family Residential Zoned lots located in Hillside Area, as defined in the Zoning Code.

Based on testimony heard at this meeting, the City Planning Commission continued the subject case to May 13, 2010 and instructed staff to consider several alternative solutions to the concerns raised at the public meetings to date. The Commission also formed an Ad Hoc Committee that was charged to work with staff in reviewing these alternatives and bring a recommendation to the entire Commission. The Commission also requested that staff to work with the Department of Building and Safety in crafting the revisions. On May 13, 2009, staff requested further continuance from the City Planning Commission meeting to the May 27, 2010 City Planning Commission meeting in order to address the concerns sufficiently.

Since the last City Planning Commission meeting on April 22, 2010, staff worked closely with the City Planning Commission Ad Hoc Committee and staff from the Los Angeles Department of Building and Safety (LADBS) in exploring the following issues:

- 1. Guaranteed Minimum & Substandard Lots and Residential Floor Area
- 2. Additions to Existing Structures
- 3. Definition of Residential Floor Area, Covered Porches, Patios, and Breezeways
- 4. "Flat" vs. "Sloped" Roofs
- 5. RFA Bonus Option: Façade Stepback
- 6. RFA Bonus Option: Cumulative Side Yard Setback
- 7. Slope Analysis Map Requirements
- 8. On-Site Grading Limits
- 9. Import/Export Limits
- 10. Exempted Grading
- 11. Geotechnical Investigation Report Requirements
- 12. Haul Route Authority Modification
- 13. Grading on Extreme Slopes
- 14. Exceptions from the Baseline Hillside Provisions
- 15. Ridgeline Protection as Separate Action
- 16. Retaining Wall Revisions as Separate Action
- 17. User-Friendly Single-Family Zone Regulations Document

In order to address these points, and after several meetings with the CPC Ad Hoc Committee and with staff from the Department of Building and Safety, staff recommends the following proposal.

Floor Area Ratio

Slope Band Method

Staff continues to recommend the Slope Band method of calculating the Residential Floor Area (RFA). The Slope Band method, which uses a slope analysis, is the most direct method to capture a true picture of the topography of the site and results in a structure size that best reflects the slope conditions of a lot. The General Plan (through its Community Plans) identifies the goal to minimize the intensity of development on steeper slopes and this method is adirect way to satisfy this objective. Moreover, this approach takes into account that there are many

CPC-2010-581-CA A-2

differences in hillside lots, and that the Code needs to consider varying hillside conditions when determining house size limits.

Guaranteed Minimum Residential Floor Area

In addition to utilizing the Slope Band method to determine the maximum development potential for a lot, the proposal includes a change in determining the guaranteed Residential Floor Area minimums. Instead of values that are determined by whether the lot conforms to the minimum lot area and a set square footage based on the zone, the minimum RFA would be based on a set ratio (percentage of the lot size) that corresponds to the zone. The premise behind the guaranteed minimum RFA values is to allow development to be at least half of what the BMO permits. In addition, as requested by CPC, staff proposes a variation in the original proposal for the Residential Floor Area (RFA) bonuses. In order to account for substandard sized lots, staff recommends an increase in the bonus percentage for lots that are utilizing the guaranteed minimum RFA as those that do typically are substandard in lot size.

Additions to Existing Structures

As recommended in the April 22, 2010 staff report and instructed by the City Planning Commission, staff has included a provision by which existing structures are permitted an addition to existing structures of no more than 500 square feet (cumulatively), regardless of its conformance to the proposed Residential Floor Area limits. Accordingly, the Zoning Administrator authority was also increased from 750 square feet to 1,000 square feet.

Height

As proposed at the April 22nd CPC meeting, the proposed regulations utilize a method of calculating height which follows the slope of a lot, referred to in these provisions as "envelope" height, which encourages buildings to step up/down a hillside and result in more aesthetically pleasing development. No changes have been proposed for these provisions.

Grading

As a result of the CPC Ad Hoc Committee and LADBS discussions, staff recommends several changes to the grading regulations from the original Ordinance.

"By-Right" Grading Caps

First, was the staff recommended change to the first proposal at the April 22nd hearing, an increase in the "by-right" grading limits for non-exempted land alterations. These would be established by utilizing the formula mentioned previously as a base amount (the numeric value equal to 5% of the total lot size + 500 cubic yards) with an overall cap that would be based on the zone.

Import/Export Limits & Exempted On-Site Grading Activity

Next, the limitations on Import and Export for exempted on-site grading activities (i.e. the footprint of the structure(s), foundation, basement or driveway) should be altered. The impetus behind the change is that in order to satisfy an aim of the proposal which is to encourage structures to be built (or notched) into the hillside. The grading required to accomplish this would either have to be used for other exempted activity, used for additional (non-exempted) on-site grading, or exported from the site. If the goal of this Ordinance is to reduce the amount of additional on-site land alterations, staff recommends that all grading for the exempted activities not be included in the caps on the Export or Import values.

Grading on 100% Slopes

In addition, as a result of discussion with LADBS, staff recommends removing the prohibition of grading on extreme slopes (greater than 100%). As the City has a very large number of slopes that were previously cut to create roadways that are steeper than 100% along the entire front

property line, it would make accessing these lots very difficult and result in essentially requiring a discretionary action for many properties.

Landform Grading for Discretionary Actions

Lastly, the City Planning – Planning Guidelines Landform Grading Manual consists of guidelines which require discretion, applying them through LADBS would create a burden on the processing of project permits and could be more efficiently applied through the Office of Zoning Administration (OZA). In order to address this issue, staff recommends only requiring landform grading techniques to be required for discretionary approvals, and the removal of the Landform Grading RFA Bonus Option.

Hillside Standards Overlay

No change was recommended by the CPC or during staff's meetings with the Ad Hoc Committee or with LADBS. Therefore, the recommendation remains the same as previously proposed.

Additional Hillside Regulations

The City Planning Commission instructed staff to consider what steps are needed to implement ridgeline protection measures and to modify the current retaining wall regulations to address outstanding concerns. Staff has included in this report concepts that were brought up in several conversations with members of the public as well as with the Ad Hoc Committee and LADBS that address these two issues. The proposed Baseline Hillside Ordinance is not making any additional policy changes to other existing hillside development standards at this time.

In addition, as the Northeast Los Angeles Hillside Ordinance and the Oaks Hillside Ordinance contain regulations on RFA, height, grading and lot coverage, staff recommends exempting properties subject to these Ordinances from the corresponding proposed Baseline Hillside Ordinance provisions. Those properties subject to the Northeast Los Angeles Ordinance would be exempt from RFA, height and grading limits and those subject to the Oaks Hillside Ordinance would be exempt from the RFA, height and lot coverage limits.

Background

CITY PLANNING COMMISSION AD HOC COMMITTEE

As requested at the April 22, 2010 CPC meeting, a sub-committee comprised of three members of the Commission met with staff to discuss the ordinance three times. During the meetings, the Committee reiterated the following concerns that staff should address:

- 1. Comparison Study of Hillside Regulations for Other Jurisdictions
- 2. Department of Building & Safety Comments
- Method for Guaranteed Minimum & Substandard Lots to Obtain More Residential Floor Area
- 4. Additions to Existing Structures
- 5. Flat Roofs vs. Sloped Roofs
- 6. Ridgeline Protection as Separate Action
- 7. Retaining Walls as Separate Action
- 8. User-Friendly Single-Family Zone Regulations Document

This staff report will discuss the resolution to each item in the Issues section.

DEPARTMENT OF BUILDING AND SAFETY WORKING GROUP

At the April 22, 2010 CPC meeting, concern was raised by several members of the public that the Department of Building and Safety may have felt that the previously proposed ordinance would be difficult to implement. As a result, the CPC directed staff to meet with them to resolve their concerns. Staff met with LADBS two times and discussed the following:

- 1. Method of Calculating Residential Floor Area
- 2. Method for Guaranteed Minimum Residential Floor Area
- 3. Implementation of RFA Bonus Options
- 4. Implementation of the City Planning Guidelines Landform Grading Manual
- 5. Additions to Existing Structures
- 6. Maximum On-Site Grading Quantities
- 7. Limits on Import/Export
- 8. Grading on Extreme Slopes
- 9. Exempted Grading
- Geotechnical Investigation Report, Grading Plan check Criteria and Soil Report Requirements

This staff report will discuss the resolution to each item in the Issues section.

<u>Issues</u>

COMPARISON STUDY BASED ON OAKS METHOD OF FLOOR AREA CALCULATION

Staff received repeated inquiries as to why the proposed Slope Band method was chosen in lieu of other methods of calculating slope. Currently, there are three general methods to calculate the slope of a lot: average natural slope, perpendicular slope and the Slope Band method. Each method approaches the topography in a slightly different way and results in varying levels of detailed or site specific analysis.

Average Natural Slope Method

The average natural slope calculation is presently used in determining the permitted density during a subdivision. The slope is calculated by the following formula:

$$S = \frac{C \times L}{A} \times 100$$

Where: S = average natural slope in percent.

C = contour interval in feet, at no greater than 25-foot intervals for subdivisions or five-foot intervals for parcel maps, resulting in at least five contour lines.

L = total accumulated length of all contours of interval "C" in feet.

A = the area being considered in square feet.

This method takes into account the length of contours as well as the interval between the contours in order to determine the density of contours onsite and then the corresponding average slope. The formula calculates the average slope for the entire site and then is inputted into a formula that results in the allowable number of units per gross acre. As the average slope increases, fewer units are permitted per acre.

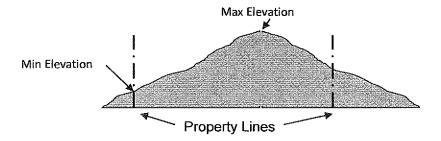
This method does not take into account the zoning of the property and focuses on only the general nature of the topography. It is suitable for analyzing large areas to get a vague idea as to the slope of the site. A detailed analysis of the site, as done in the Slope Band method, is not necessary to determine the *general* slope characteristics of the site for subdivision purposes to satisfy the aim of reducing the density of development on steeper slopes. In addition, the method allows for contours to be separated by as much as 25 feet, thus reducing the accuracy of the resulting slope calculation.

Perpendicular Slope Method

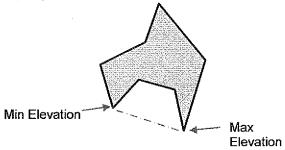
The perpendicular slope method is currently being utilized to determine the height of structures in the Hillside Area as well as in the Oaks Hillside Ordinance. The perpendicular slope is calculated by determining the elevation difference between the highest and lowest point on the lot and the dividing the resulting value by the distance between the two points:

Like the average natural slope calculation, this gives a *general* idea of what the slope of the site is. However, because it does not require the max and min elevation points to be on the property line or at the farthest distance apart on the site, it is possible for the result to be skewed. For

instance, consider the scenario where a lot that has a ridge in the middle of the property (see diagram below). By taking the max elevation in the middle of the lot in this instance and determining the distance between this point and the min elevation does not measure the entire depth of the site or the true slope of the site. In addition, portions of the lot are not even considered when determining the perpendicular slope (in the example below, the area to the right of the max elevation).



Another scenario would be when the site is irregularly shaped such as below. In this case the line between the highest and lowest elevation may not even traverse over the subject property but rather an adjacent property.



By assigning a slope that may not be characteristic of the entire site, this creates a deceiving view of the topography and does not give a detailed or accurate result

Slope Band Method

It is staffs opinion that the slope band method takes a "true picture" of the topography of a site by analyzing each and every portion of the site. A detailed slope analysis is prepared by a Licensed Surveyor or Civil Engineer that determines slope by measuring the shortest distance between each contour and determines how much of the lot has a slope that falls within certain slope bands (or ranges/intervals). By doing this analysis, it is possible to determine an accurate assessment of the topography and to fully realize the City's goal of having the site conditions of a property determine the appropriate level of development.

Several of the City's 35 Community Plans have noted the goal of reducing the intensity of development on steeper slopes and this method would identify just how much of each lot truly is steep and fully incorporate the goal in the results. The slope band method is the most effective method to accomplish this as it takes into consideration the slope of the <u>entire</u> lot on a detailed level, unlike either the average slope calculation or the perpendicular slope calculation. When conducting the slope analysis no aspect of the topography is lost and lot configuration does not play a part in the analysis as it does in the perpendicular slope calculation.

Staff continues to recommend the use of a detailed slope analysis when determining maximum development potential in order to include the most accurate conditions of the site. The slope band calculation gives greater Residential Floor Area (RFA) weight to less steep portions and

less RFA weight to very steep portions. By applying a decreasing weight to steeper portions of lots, the resulting structure size would decrease accordingly and would most directly satisfy the aim of minimizing the intensity of development on steep lots.

What Method is Used in the City of Los Angeles to Determine RFA?

The City Planning Commission and the City Council have already adopted similar provisions that use two of the above methods of calculating slope which revise and replace the existing hillside regulations and would be exempt from the current proposal. The Northeast Los Angeles area and the Hollywood area are using a combination of Permanent [Q] Qualified Conditions¹ and [D] Development Limitations² established through Zone Changes. The planning staff that worked on the regulations for these two communities communicated with the staff working on the proposed Baseline Hillside Ordinance when determining the appropriate method for each area. The Northeast Los Angeles Hillside Ordinance uses the Slope Band method and the Oaks Hillside Ordinance uses the perpendicular slope method to determine the allowable RFA.

Perpendicular Method vs. Slope Band Method (The Oaks)

As the perpendicular method is currently being used in the Oaks Hillside Ordinance, staff was able to conduct an in-depth analysis and applied both the Oak's method, which relied on the perpendicular slope calculation, and the Slope Band method, which relies on the slope analysis, to all the lots where the Oaks Hillside Ordinance is applied.

The Oaks Hillside Ordinance (CPC-2009-2949-HD; Ordinance No. 181,136): Perpendicular Slope
Like the proposed Baseline Hillside Ordinance, the Oaks Hillside Ordinance ("Oaks Ordinance")
also focused primarily on the issues of out-of-scale development. The boundaries of the
Ordinance contain 956 single-family zoned parcels located in the Hollywood Community Plan
and in the area generally bounded by Griffith Park on the north/northeast, Franklin Avenue on
the south and Canyon Drive on the west.

The regulations in place in this community are intended to supersede the FAR, Height and Lot Coverage requirements of the current hillside regulations, and eventually the proposed Baseline Hillside Ordinance.

The Oaks Ordinance uses an incremental lot area FAR method and has two different formulas that are applied based on the perpendicular slope of a lot (less than or equal to 45% and greater than 45% perpendicular slope). As noted above, the perpendicular slope is a singular value that is determined by measuring the elevation difference between the highest and lowest point divided by the distance between these points, regardless of where the highest and lowest points are located. In the adopted Ordinance, the zone of the lot does not factor into the calculation of the maximum development potential as the FARs are based on lot size.

To determine the maximum development potential for a property, the area of each portion of a lot within a defined set of Lot Size Interval is multiplied by the corresponding FAR multiplier associated with the perpendicular slope for the entire property; the products of these calculations are then added together to determine the maximum permitted Residential Floor Area for a lot.

Qualified Conditions allow for more restrictive limits on uses and/or development standards for a property than those found in the Code. On single-family zoned properties, Q Conditions are permitted when mitigating environmental effects identified in a Mitigated Negative Declaration or Environmental Impact Report. Please refer to Section 12.32 G of the LAMC for further details.

D Development Limitations allow for more restrictive floor area ratio, height, lot coverage, or setback regulations than those found in the Code. Please refer to Section 12.32 G of the LAMC for further details.

For lots with an average slope of no more than 45% grade, the maximum Residential Floor Areas is determined according to the following table:

Loj:Size Interval (sq:ft)	FAR Multiplier
0-4,000	0.40
4,0000 — 8,000	0.30
8,000 - 12,000	0.15
12,000 and greater	0.10

For lots with an average slope of more than 45% grade, the maximum Residential Floor Area is determined according to the following table:

Lot Size Interval (sq-ft)	FAR Multiplier
4,0000 – 8,000	0.27
8,000 – 12,000	0.13
12,000 and greater	0.10

The Ordinance allows for a guaranteed minimum Residential Floor Area of 1,400 square feet, and allows for additions of 400 square feet to existing structures regardless of their conformance status.

Baseline Hillside Ordinance: Slope Band Method

As explained in the April 22, 2010 staff report, in the BHO, the proposed FAR would be based on zone, lot size, and steepness of slopes on a hillside property, rather than lot size alone. This approach takes into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining Residential Floor Area limits. Residential Floor Area bonuses are also provided, as in the BMO, with additional options related to grading. A lot that is considered "flat" (entirely made up of 0% to 15% slopes) would essentially be treated the same as it would currently under BMO provisions, in terms of the allowable square footage.

Spend Simple-F	amily Zon	ie Hillsini	e Avea Se	sidential	Florer At:	a Kallos	(FAR)	
Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 – 14.99	0.50	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

The Department of Building and Safety currently requires a licensed surveyor to prepare a topographic map of a property for the issuance of a building permit within a Hillside Area. The proposed Ordinance would require that the survey be prepared using two-foot contours. The same surveyor would also prepare a Slope Analysis Map, based on the natural/existing topography, which delineates the portions of a property which fall under each Slope Band and include a tabulation of the total area of the lot (in square feet) within each band. Those values would then be multiplied by the FARs for the zone of the lot (as shown in the table above) to determine the maximum Residential Floor Area limit for each individual property.

The maximum Residential Floor Area for all development on a property is calculated using a formula (outlined below) that factors in the zone, size, and topography of the lot, where "A" is the area of the lot within each Slope Band, "FAR" is the corresponding Slope Band Floor Area Ratio, and "RFA" is the Residential Floor Area value for each Slope Band.

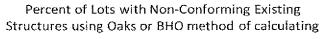
i in	lsijaje Avrem Marxij	nini Ra	ani tanti ka Kalenda	Ayeraste	entula:
Slope Bands (%)	Area (sq-ft)		FAR		Residential Floor
					Area
0 – 14.99	A^1	×	FAR ¹	=	RFA ¹
15 – 29.99	A^2	×	FAR ²	=	RFA ²
30 44.99	A^3	×	FAR 3	=	RFA ³
45 – 59.99	A^4	×	FAR⁴	=	RFA⁴
60 99.99	A^5	×	FAR ⁵	=	RFA⁵
100 +	A^6	×	FAR ⁶	=	RFA ⁶
***************************************	Maximum F	Residentia	al Floor Area	=	Sum of RFA ¹ → RFA ⁶

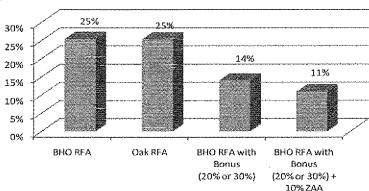
The BHO also proposes a set of guaranteed minimum values based on a ratio that corresponds to the zone but guarantees that the maximum RFA for all buildings and accessory buildings on any lot need not be less than 1,000 square feet.

Comparison

Staff determined both the perpendicular slope for each lot as well as performed a slope analysis of the site to determine the square footage of the lot that has a slope within each slope band.³ Staff calculated the maximum RFA using both the Lot Size Intervals/Adjacent Slope method and the Slope Band method, and determined the conformance rate (whether the existing structures would be larger or smaller than what is permitted) for both methods.

As a result, staff found that both the Oaks method and the Slope produced Band method comparable results, that is 25% of the existing structures were larger than the calculated RFA through both methods (see table below). However, the Slope Band method, which allows for either a 20% or 30% bonus in RFA if the structure, for example, reduces the visual massing. results in little disturbance to the site or is energy efficient, resulted in a lower rate of non-conformance (14%) when a bonus option is utilized.





The Oaks method does not allow for an increase if any of these options is used though. So in essence, the Slope Band method would allow for more of the existing structures to be built than the Oaks method, but would require them to minimize massing or minimally disturb the site.

While there are 956 lots in the Oaks area, 13 have lot area less than 1,000 square feet. Staff considered these as fragments and did not include them in the study. These lots are more than likely associated with another lot that may or may not be in the study area and the data associated with these lots (i.e. existing house size or slope) would not be completely accurate as the associated lot should also be incorporated.

In addition, because the Oaks method does not take into consideration the zoning of the lot, the intent behind the Zoning Code's Zone Classification system is lost. In order to better implement the goals and objectives of the General Plan, the Zoning Code assigns a certain scale/character to each zone through setbacks and height regulations for instance. The Slope Band method proposes adding another component to each zone through the RFA calculation. When the appropriate zone is applied to a specific property, the resulting Slope Band RFA would be consistent with the intended scale of that community.

Therefore, because the proposed method incorporates bonus options which reduce the massing and retains the integrity of the existing Zone Classification system, neighborhoods as a result would be better designed and would be more cohesively tied based on the zoning. While the Oaks method and the Slope Band method result in comparable base RFA's, it is the aim of the proposal to retain a certain "character" for each zone and to base the intensity of development on the true nature of the slope. Staff contends that abandoning the zone as the Oaks method does would not allow the Zoning Code to be adequately applied to the various types of hillside communities throughout the City of Los Angeles, as lot sizes, topography, and intensity of development vary dramatically. Furthermore, the slope analysis method is the most direct way to identify the slope of the site and thus to base development capacity on.

GUARANTEED MINIMUM & SUBSTANDARD LOTS AND RESIDENTIAL FLOOR AREA

Since 48% of all single-family lots in the Hillside Area are substandard in lot size for their respective zones, the City Planning Commission instructed staff to consider alternatives to the original guaranteed minimum RFA values to account for the vast number of substandard lots. The original proposal established minimum RFA caps based on the zone for lots that conformed to the minimum lot size and had provisions for non-conforming lots that could have, in some situations, resulted in incompatible structures with the surrounding lots that do conform to the lot size. The previous proposal included a provision for non-conforming lots to determine whether a zone change had occurred which resulted in the lots lot area non-conformity. In addition, if no zone change was performed, the non-conforming lot would be allotted 750 square feet as a guaranteed minimum RFA. The public, the CPC Ad Hoc Committee and LADBS expressed concerns about the above provisions. In order to address these concerns, staff proposes the following changes.

Guaranteed Minimum RFA Revisions

As a result of the above issues, after considering several different methods, staff recommends that in lieu of a set cap based on the zone, the minimum RFA should be based on a percentage of the lot size for each zone, as shown in the table below.

	imum Residential Floor Area
Zone R1	Percentage of Lot Size
RS	23% 23%
RE9	20%
RE11	20%
RE15	18% ntactal territoria de comunicata reconstrucción de la comunicación
RE20 RE40	18%
RA	13%

This method increases the guaranteed minimum for lots larger than the minimum lot size requirements as the size of the lot increases. The premise is that this proposal would result in scaled structures since a common ratio would be applied across a neighborhood. The maximum Residential Floor Area for all buildings and accessory structures on any lot need not be less than 1,000 square feet, which is an increase in the previous 750 square foot minimum.

As did the previous proposal, this provision continues to guarantee that a lot would be allowed to build at least half of the size that the Baseline Mansionization Ordinance would give regardless of the topography, but expands this provision to some non-conforming lots as well. As a result, neighborhoods would maintain a scale that is consistent throughout a neighborhood as typically neighborhoods are grouped in the same zone.

In addition, there are many extremely substandard lots (less than 50% of the minimum lot size for the Zone) which were made nonconforming in lot size as a result of an adopted zone change or code amendment. In the 1980s the Zoning Consistency Program was implemented which set out to have each lot conform to the land use designation, even if the zone was not suited for the size of the lot. Thus, this resulted in many of the hillside lots in the Minimum Land Use Designation to be down-zoned to zones that are not appropriate for the size of the lot (i.e. to a 10,000 square foot lot zoned RE40 which requires 40,000 square feet). It was common for these zone changes to apply to specific neighborhoods. As a result, including this provision would then retain a massing consistency throughout the neighborhoods. Therefore, staff recommends retaining a provision to account for these severely substandard lots. For lots that are less than 50% of the minimum lot size as a result of a zone change, the guaranteed minimum RFA for the previous zone would be applied instead of the current zone's minimum RFA.

It is important to note that structures utilizing the Guaranteed Minimums will still need to comply with all other provisions of the hillside regulations, so on unusually small lots it is extremely likely that some sort of discretionary approval will be required in order to deviate from them (i.e. lot coverage, setbacks, height, etc.). This will ensure that this type of development will be reviewed in terms of its relationship with the surround properties, as well as any special site conditions and address some of the various aspects of hillside development issues that are raised in the corresponding Community Plan.

Increase in Bonus Percentage if Guaranteed Minimum RFA Utilized

In addition to altering the method of determining the guaranteed minimum RFA, staff revised the proposed Ordinance to include a provision that allows those properties that rely on the minimum RFA to have a 30% RFA Bonus (instead of 20%) if one of the bonus options is utilized. The increase in percentage coupled with the new method for determining the minimum RFA value will result in ensuring that "livable"-sized home is permitted by this proposal.

Study Area Analysis Using New Proposal

As done for the first Ordinance proposal, staff was able to perform detailed analysis on 2,499 lots to determine if the slope band method combined with the aforementioned guaranteed minimum RFAs resulted in residential floor areas that would accommodate existing development. Staff found that 19% of the existing homes in the study areas would exceed the base RFA allowed under the current proposal. However, when using a bonus that resulted in either a 20% or 30% increase in RFA, only 12% of the existing homes have floor area that would exceed the permitted RFA. In addition, if a 10% Zoning Administrator's Adjustment was approved in addition to using the bonus option, only 10% would be non-conforming.

The study areas were the same as were analyzed for the previous proposal but in order to discount for small fragment lots, all lots less than 1,000 square feet in lot area were removed from the study.

As a caveat for the results, the analysis did not consider whether a structure was associated with more than one lot (i.e. the lots are owned by one owner and intended to be used together and the structure straddles more than one lot or the lot is tied to another lot but retains a separate ID number) and as a result, not all the lot area was not incorporated into the calculation. The analysis also did not incorporate whether a zone change had occurred and thus requiring the property to use the guaranteed minimum RFA of the previous zone, and as a result, the incorrect guaranteed minimum RFA was inputted, which then produced a smaller RFA than what would occur had the right ratio been applied.

It should be noted that the previous analysis of the study areas for the first draft of the Ordinance also was not able to execute the proposal completely when considering non-conforming lots. Staff was not able to conduct history on all non-conforming lots in the study Areas in order to determine if a zone change occurred. As a result, the previous zone's guaranteed minimum RFA or 750 square feet if no zone change occurred was not inputted into the analysis. When the calculated slope band RFA was less than the current zones guaranteed minimum, the current zone's guaranteed minimum was inputted regardless of lot area conformance.

For instance, consider a lot that is currently zoned RE40, which requires a 40,000 square-foot lot, but instead is only a 11,000 square foot lot and was previously zoned RE11. The guaranteed minimum for the RE40 zone, 7,000 sq-ft, was inputted in the previous analysis for the 11,000 square-foot lot instead of the minimum of a previous zone or 750 sq-ft. As a consequence, the results were skewed as zone changes occurred typically from a less restrictive zone to a more restrictive zone (i.e. RE11 to RE40) and thus the analysis used larger minimum RFAs than the proposal intended (RE11 had a minimum RFA of 2,200 square feet and RE40 had a minimum RFA of 7,000 square feet previously).

The current proposal addresses this issue more effectively as instead of caps associated with zones, a ratio is applied. So, for the above example of an 11,000 square-foot, RE40 lot, instead of inputting 7,000 square feet, the ratio associated with the RE40 zone, 18%, was applied which resulted in 1,980 square feet. Ideally, the ratio corresponding with the RE11 zone, that is 20%, should have been applied in the current analysis, but staff was not able to conduct a detailed history on all 2,500 lots. Staff does consider the current analysis to be more accurate, as the ratios are based on lot size rather than simply a cap and thus are more scaled to the size of the lot.

When using the previous results during the analysis of the first proposal, the conformance rate of the existing structures was higher than the current proposal. Under the current proposal, staff found that 15% of the existing homes in the study areas would exceed the base RFA allowed. However, when using the RFA bonus (20% or 30%) only 9% of the existing homes have floor area that would exceed the permitted RFA. In addition, if a 10% Zoning Administrator's Adjustment was approved in addition to using the bonus option, only 7% would be non-conforming. While the previous proposal's conformance numbers are higher than the new proposal, the knowledge that the miscalculation in the previous results was based on caps that far exceeded the intended scale (i.e. 7,000 square feet on an 11,000 square-foot lot), should account for the lower non-conformity results.

Additions to Existing Structures

"By Right" Addition to Existing Structures

At the April 22, 2010 City Planning Commission meeting, the Commission instructed staff to include provisions to allow small additions to existing structures without having to comply with all aspects of the Ordinance. In the previous staff report, staff did recommend revising the previous

ordinance to include a provision accommodating this request. Comments received during the Public Hearings indicated that there is an interest from both residents and developers to maintain the current Hillside Ordinance's exemption provision for minor additions to existing structures. Therefore, staff recommends that the exemption be left in, but with a maximum of 500 square feet of Residential Floor Area, and that the addition comply with the setback requirements as well as the proposed height and grading regulations.

Zoning Administrator Authority

The Zoning Administrator will continue to have the authority to grant an Adjustment of no more than 10% to the maximum Residential Floor Area limits for a property; any increase larger than 10% would require a Variance.

The proposed Ordinance will carry over the previous provision, which allows for additions to existing structures of no more than 1,000 square feet, instead of the April 22nd proposal of 750 square feet. The Zoning Administrator would have the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date which exceed the proposed maximum Residential Floor Area limits. These additions would be required to maintain the height of the existing structure or comply with the proposed height limits, whichever is greater.

Proposed Findings:

10% Adjustment

No change from existing.

1,000 sq-ft Additions

That the increase in Residential Floor Area will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.

DEFINTION OF RESIDENTIAL FLOOR AREA, COVERED PORCHES, PATIOS, AND BREEZEWAYS

During the CPC Ad Hoc Committee (Committee) discussion, the Committee recommended expanding the Covered Porches, Patios, and Breezeways exception to the calculation of Residential Floor Area. Because outdoor "usable" open space such as backyards, pools and open area patios are not always present in hillside communities, and restricted in size by the proposed limits for on-site grading, the Committee suggested that an increase in the square footage for covered porches, patios or breezeways would compensate for the lack of "flat" open space. In order to address this, staff recommends that the square footage for exempted Covered Porches, Patios and Breezeways be limited to 5% of the maximum Residential Floor Area for a lot, but not be less than 250 square feet.

"FLAT" VS. "SLOPED" ROOFS

The concept of the maximum height of a building is one that has been utilized by the City of Los Angeles in the Baseline Mansionization Ordinance and the Northeast Los Angeles Hillside Ordinance.

Baseline Mansionization Ordinance

"In the R1, RS, or RE9 Zones, no building or structure shall exceed 33 feet in height; except that when the roof of the uppermost story of a building or structure or portion of the building or structure has a slope of less than 25 percent, the maximum height shall be 28 feet. In the RE11, RE15, RE20, RE 40 or RA Zones, no building or structure shall exceed 36 feet in height; except that when the roof of the uppermost story of a building or structure or portion of a building or structure has a slope of less than 25 percent, the maximum height shall be 30 feet."

Northeast Los Angeles Hillside Ordinance

"Maximum Envelope Height of 30 feet for structures with a roof slope of 25% or greater and 26 feet for structures with a roof slope less than 25%. Combined with existing Overall Height of 36 feet, and 45 feet for lots with an average slope of 66% or greater, determined by measuring the highest and lowest points of structure."

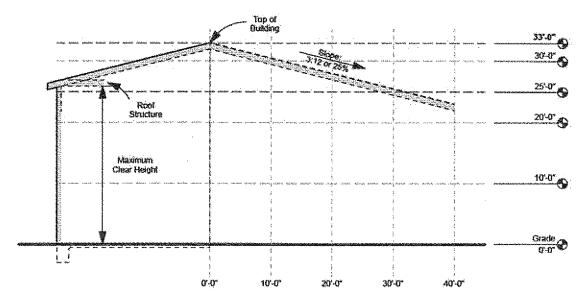
This same approach is applied in the proposed Baseline Hillside Ordinance as outlined in the table below, and will make the height limits more consistent with the height limits established by the Baseline Mansionization Ordinance.

	1000000	Maximur	n Height o	Sinuature	i (in feet)			
Height Districts	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
When the roof of the greater, the maximu	Control of the Contro	and a comment of the	Property live Conference London			A STATE OF THE WALK STREET, STREET, CO. C. C.		A CONTRACTOR OF THE CONTRACTOR
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the 25%, the maximum	Control of the Contro	Constitution of the second sec	A A THE RESIDENCE AND A SHAPE AND A STATE OF THE PARTY OF	TO A SALIMITY OF A STATE AND THE SALE OF A SALIMITY OF A S	The property of the second	The state of the s	the first water and the second Table 2 to 1 to	less tha
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
1SS	18	18	18	18	18	18	18	18

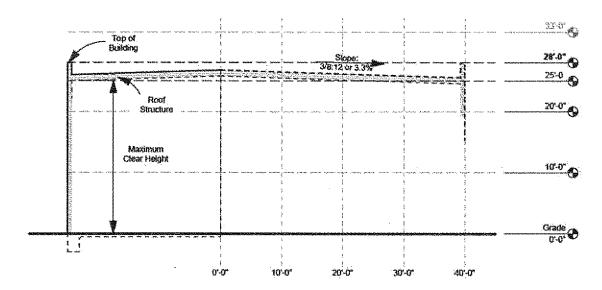
The basis for this limitation in simplest terms is that a building with a sloped roof has less visual mass than a building of the same height with a "flat" roof. However, a concern was raised at the April 22, 2010 City Planning Commission meeting as to whether the proposed height limitations unfairly restricted the interior ceiling height for buildings utilizing a "flat roof" design, and the Commission requested further review on the matter.

Staff has further analyzed the proposed provisions with the assistance of the following diagrams generously prepared by local architect. The diagrams below are based on the R1-1 Zone height limits of 33 feet for a sloped roof (25% slope or greater) and 30 feet for a "flat" roof (less than 25% slope).

Maximum Height of Building - 33 ft. Sloped Roof



Maximum Height of Building - 28 ft. "Flat" Roof (with 2-foot parapet)



Interior Ceiling Height

The diagrams above demonstrate that the difference between a building with a sloped roof and one with a "flat" roof is almost negligible when one is dealing with a flat or finished ceiling (i.e. with an attic space above). The difference is only really present when a building has exposed rafters or vaulted ceilings in a sloped roof scenario.

Third Story

As indicated by the diagram above, one drawback to this approach is that a three-story scenario would not be possible in a "flat"-roofed structure; at least not without dropping the interior floor level by about 3 or 4 feet. However, a small 3rd story or mezzanine space might be possible in a sloped-roof structure without the need to drop the interior floor level, depending on how it is designed.

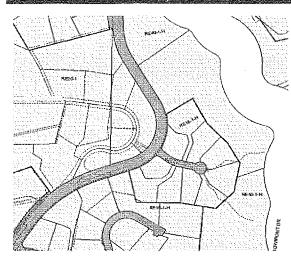
Additional Height (Discretionary Approval)

However, if a property owner wishes to obtain additional height for a building with a "flat" roof they can apply for a discretionary approval. The design and mass of the proposed building and its relationship to, and impacts on the surrounding properties would be taken into account when determining whether an approval will be granted. It is important to note that this increase in height is also available for structures with sloped roofs.

Staff Recommendation (Height Limits):

The potential ceiling height difference between the sloped and "flat" roof structure height limit is negligible and does not require any change from the current proposed height limits.

RFA BONUS OPTION: FACADE STEPBACK



The Department of Building and Safety expressed concerns over the implementation of the Residential Floor Area Façade Stepback Bonus Option due to the difficulty of determining the front lot line in the Hillside Area. Because many lots in the Hillside Area are not oriented at a right angle to the front property line, have multiple street frontages or are a flag lot with no full lot width frontage on a street, it is often difficult to determine.

In order to address this issue, staff has recommended only applying this option to lots which have structures that are setback no more than 35 feet from the frontage along an improved

street and on a "flat" building pad where the slope of the building pad prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing natural grade within 5 horizontal feet, is less than 15%. By only limiting the option to those properties that have structures within 35 feet of a street frontage will reduce the opportunity for confusion. Moreover, the proposed revision ensures that the purpose of this provision is upheld: to help break up the horizontal visual mass of buildings along public streets.

RFA BONUS OPTION: CUMULATIVE SIDE YARD SETBACK

LADBS has requested that the Cumulative Side Yard Setback be reworded to prevent the misinterpretation that the sideyard does not have to be maintained along the entire length of the side property line.

"BY-RIGHT" ON-SITE GRADING CAPS.

As was suggested as a change to the first proposal at the April 22nd hearing, staff continues to recommend that the "by-right" on-site grading caps vary based on the zoning. Instead of a cap of 1,000 cubic yards regardless of the zone or lot size, staff recommends that additional non-exempted grading shall be limited to the value resulting by utilizing the formula mentioned previously as a base amount (the numeric value equal to 5% of the total lot size + 500 cubic yards) with an overall cap that would be based on the zone.

STATE OF THE PROPERTY OF THE P	By-Right" Grading Quantities aximum Grading (cubic yards)
R1	1,000
RS	1,100
RE9	1,200
RE11	1,400
RE15	1,600
RE20	2,000
RE40	3,300
RA	1,800

As the Residential Floor Area calculation treats each zone differently, the grading limits should also correspond to the zoning.

IMPORT/EXPORT LIMITS

As a result of the public testimony and discussions with the CPC Ad Hoc Committee and the Department of Building and Safety (LADBS), apprehensions arouse regarding the limits on Import and Export. Because there are already caps for non-exempted on-site grading and a process through LADBS (Haul Route hearing) that reviews the procedures of Import/Export, LADBS recommended either eliminating the Import/Export limits altogether or increasing the quantity in order to avoid a project to have multiple hearings for the same request (haul route hearing with LADBS and Zoning Administrator Determination hearing for exceeding the limits).

The impetus behind the change is that in order to satisfy an aim of the proposal which is to encourage structures to be built (or notched) into the hillside. The grading required to accomplish this would either have to be used for other exempted activity⁵, used for additional (non-exempted) on-site grading, or exported from the site. In the long term, the use of exempted excavation as on-site fill instead of exporting it from the property will result in the permanent alteration of a property's natural state. If the goal of this Ordinance is to reduce the amount of additional on-site land alterations, staff recommends that all grading for the exempted activities not be included in the caps on the Export or Import values.

The previously proposed import export limits will not be focused on limiting additional on-site grading (non-exempted) through the import or export of earth.

EXEMPTED GRADING

Through discussions with LADBS and the CPC Ad Hoc Committee it became clear that the proposal should not include provisions that would contradict each other or would require entitlements from one aspect of the Ordinance in order to fully implement another portion. In this case, it became apparent that the previously proposed Import and Export limits may betray a goal of the ordinance to reduce visual massing on the hillside. The previous Ordinance included provisions for the cut and fill for the foundations, required animal keeping site development,

Grading done underneath the footprint of the structure(s), as well as for water storage tanks, required stormwater retention improvements, required animal keeping site development that do not involve the construction of any freestanding retaining walls, remedial grading and the first 500 cubic yards for driveways approved by the Department of Building and Safety.

understructures including basements, pools, water storage tanks, or other completely subterranean spaces, driveways or remedial grading to be exempt from the limits of on-site grading so long as the grading was not derived from or used for any other non-exempt activities on-site. However, the grading for the exempted activities would count towards the Import or Export limits if brought into or removed from the site. As a result, this would discourage projects from building into the hillside as that earth would then be required to be exported.

Consequently, staff recommends that, in order to achieve the goal of reducing the massing above grade and avoid applying undue hardship to projects that do so, that the Import and Export limits should not include grading for any exempt grading activity. In addition, the current proposal modifies the activities that are exempt to include the Cut and/or Fill underneath the footprint of the structure(s) (such as foundations, understructures including basements or other completely subterranean spaces), as well as for water storage tanks, required stormwater retention improvements, required animal keeping site development that do not involve the construction of any freestanding retaining walls and the first 500 cubic yards for driveways approved by the Department of Building and Safety. In order for the grading to be considered exempt from the grading limitations, the Cut and Fill conducted on-site need be from exempted grading activities. For instance, the Cut for the footprint could be used to Fill the driveway but could not be used for Fill to create a deck or backyard or the cut to create a flat backyard could not be used to fill the driveway.

In addition, staff recommends that for health, safety and welfare reasons that the grading done for remedial purposes should also not be included in the limits for Import and Export. If the remedial grading has been recommended by the Geotechnical Investigation Report and approved by LADBS for safety and stability reasons, that the project need not be penalized if the earth must be exported or imported.

The overall intent for this revision is to encourage the notching into the hillside as much as possible in order to minimize the massing of the structure above grade. The previous limitations on exempted grading as well as on the Import and Export limits would encourage the structure to "skirt" the hillside rather than notch in to it.

GEOTECHNICAL INVESTIGATION REPORT REQUIREMENTS

In order to avoid duplicative submittal requirements in the Zoning Code, LADBS requested that the Zoning Code not create any new requirements for Geotechnical Investigation Reports because the studies originally requested are not always needed and should be left to the Grading Division staff's discretion as is currently in the case per Section 7006 of Chapter 70 of the Los Angeles Building Code. Thus, the current proposal has removed the requirements listed in the proposed Baseline Hillside Ordinance and instead refers to the Building Code requirements.

HAUL ROUTE AUTHORITY MODIFICATION

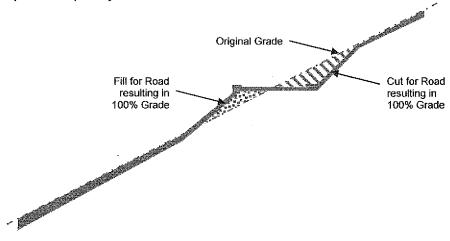
After discussions with LADBS and the CPC Ad Hoc Committee it was clear that the previous proposal would require a project to have duplicative hearings with DCP and LADBS when importing or exporting earth. The proposal required a Zoning Administrator Determination and a public hearing for all import/export limits established by the proposed Ordinance. In addition, if the import/export quantity exceeded 1,000 cubic yards, a Haul Route hearing through LADBS would also be required. Essentially, the same request would then be required to be reviewed and heard publicly twice and thus extending the time and cost it takes to review the request.

In order to address this issue, staff recommends the OZA have the authority to conduct the haul route hearing during the ZAD hearing. The Zoning Administrator would request the General Manager of the Department of Transportation to investigate the circumstances of the proposed import or export of earth materials and the effect thereof upon the public health, safety, and welfare. In addition, the City Engineer would determine the effect of any import or export on the structural integrity of the public streets and would determine the effect on public safety relative to street alignment, width and grade. This language is based on the current authority the Advisory Agency (the decision making body for subdivision cases) has to act in LADBS's place during the Haul Route hearing; the Zoning Administrator would now have the same authority.

In addition to the change in the proposed ordinance which would affect the Zoning Code, the Department of Building and Safety would have to amend the Los Angeles Building Code to include provisions to extend the authority to the Zoning Administrator when constructing or modifying a single-family structure in the Hillside Area. Staff has been working with LADBS staff on initiating this change and a proposal will be drafted once the code section for the proposed hillside regulations have been determined.

GRADING ON EXTREME SLOPES

The previous proposal included a restriction on any grading on extreme slopes (equal to or greater than 100%) unless when recommended by a full site Geotechnical Investigation Report and approved by LADBS or when the portions of the slope that are greater than or equal to 100% is no more than 100 square feet. As the City has a large number of slopes that were previously cut to create roadways that are steeper than 100% along the entire front property line, it would make accessing these lots very difficult and require a discretionary action. As a result, due to the number of properties with this slope or access condition, discretionary actions would be required frequently.



In addition, staff conducted an analysis of all the single-family zoned lots in the Hillside Area and found that only 0.14% of the area is greater than 45% slope. Consequently, after discussions with LADBS, staff recommends removing the prohibition of grading on extreme slopes (greater than 100%).

Slope Class Sg. Ft. Acres Percent of Total
<15% 947,238,187 21,746 48.25%
15 - 30% 778,291,552 17,867 39.64%
30 - 45% 234,938,015 5,393 11.97%
> 45% 2,685,540 62 0.14%
Total = 1,963,153,293 45,068 100.00%

EXCEPTIONS FROM THE BASELINE HILLSIDE PROVISIONS

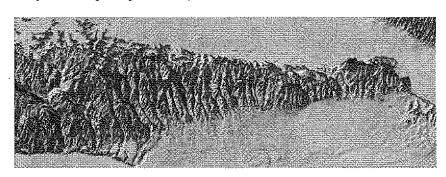
The City Planning Commission and the City Council have already adopted similar provisions which revise and replace the existing hillside regulations and address Residential Floor Area, height, grading and lot coverage in the Northeast Los Angeles area ("Northeast Los Angeles Hillside Ordinance"ORD-180,403) and in the Hollywood area ("Oaks Hillside Ordinance", ORD 181,136). Because these Ordinances contain regulations that may conflict with the proposal, staff recommends exempting properties subject to either ordinance from the aspects of the Baseline Hillside Ordinance where there are provisions which address similar issues (RFA, height, grading or lot coverage). Therefore, those properties subject to the Northeast Los Angeles Ordinance would be exempt from the RFA, height and grading limits and those subject to the Oaks Hillside Ordinance would be exempt from the RFA, height and lot coverage limits.

RIDGELINE PROTECTION AS SEPARATE ACTION

Concern was raised at the April 22, 2010 City Planning Commission meeting that Citywide protections for ridgelines need to be established and should be included in the proposal. Since several specific plans or neighborhood zone changes, such as the Mulholland Scenic Highway Specific Plan, San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan, Hollywoodland Specific Plan, and the Northeast Los Angeles Hillside Ordinance, identify and protect ridgelines, the City Planning Commission wanted to know what steps would be needed to protect them Citywide. While staff recognizes that ridgeline protection is needed on a citywide basis, the proposed Baseline Hillside Ordinance would not be able to include ridgeline protection as it was not a part of the public hearing process. However, staff has explored concepts that could be a stepping off point in the future.

Preliminary Ridgeline Protection Concept

Staff recommends that a ridgeline ordinance be developed that uses the following provisions. In addition, staff recommends using a potentially significant ridgeline map that the Geographic Information System (GIS) DCP Division developed using GIS as a starting point for a Department of City Planning Ridgeline Map.



 Adopt a Department of City Planning Ridgeline Map that identifies the potentially significant ridgeline on a citywide basis already prepared using Geographic Information System (GIS) software.

- 2) Through the Community Plan Update/Revision process, the community would identify those ridgelines contained within the Plan boundaries that are considered as "Protected" or "Significant" ridgelines.
- Theoretical protections:

Potentially Significant Ridgelines:

No protection until identified as Primary or Secondary;

Protected Ridgelines:

Grading. No grading shall occur within 50 feet of a Primary Ridgeline, as measured horizontally on a topographic map, or within 25 vertical feet, as measured from the designated Protected Ridgeline.

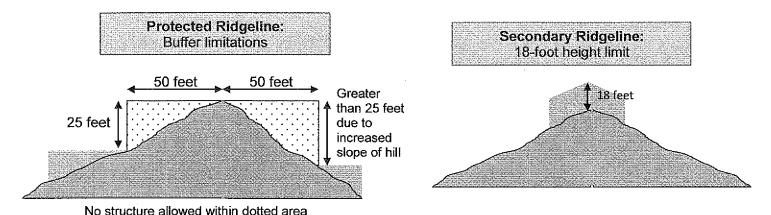
Structure Location and Improvements. No structure or improvements shall occur within 50 feet of a Protected Ridgeline, as measured horizontally on a topographic map.

Height. No Project shall be constructed so that the highest point of the roof, structure, or parapet wall is less than 25 vertical feet, excluding rooftop projections as defined in Section #, from the designated Protected Ridgeline directly above the highest point of the building or structure.

Significant Ridgelines:

Grading. The Natural Elevation of a Ridgeline shall not be altered by more than 5 feet as measured from the designated Significant Ridgeline and shall be retained in its natural state to the greatest extent possible.

Height. No Project shall be constructed so that the highest point of the roof, structure, or parapet wall will protrude more than 18 feet above the highest point of the designated Significant Ridgeline. The roof shall be sloped at least 25% in order to mimic the slope of the hillside.



RETAINING WALL REVISIONS AS SEPARATE ACTION

Repeated concern was brought up at the April 22, 2010 City Planning Commission meeting over the need to modify the current retaining wall provisions. The current restrictions on retaining walls limit a site to one wall no taller than 12 feet or two walls each no taller than 10 feet. If two retaining walls are used, there must be at least a three foot separation between the two. Public testimony suggested that the current regulations make construction in the Hillside Area difficult and cost prohibitive and that the provisions of the proposed Baseline Hillside Ordinance may unintentionally exacerbate complying with these rules. Therefore, the City Planning Commission requested staff to investigate what steps would be needed to modify the retaining wall ordinance.

While staff recognizes that there may be a need to reconsider the existing retaining wall provisions and possibly modify them, the proposed Baseline Hillside Ordinance would not be able to include retaining wall regulations as it was not a part of the public hearing process. In addition, the proposed grading limits may actually limit the need for retaining walls and alleviate this concern altogether.

However, staff has explored concepts that could serve as starting points in the future and has summarized several options or concerns below that have developed out of discussions with the public, the CPC Ad Hoc Committee, and LADBS regarding revising the current retaining wall ordinance:

- Number of Retaining Walls. The number of retaining walls was consistently noted as being too restrictive and encouraged additional grading. Several thoughts were noted as to how to modify this provision. First, the number of walls should have no limit, but the maximum height of all walls combined (as determined by the maximum vertical distance of each wall) shall not exceed 20 feet maximum height. Second, there should still be a limit of two walls for the site, but the limit should not include those required to construct structure and other required access/improvements.
- Length of Retaining Walls. Public comment has included testimony that the length of retaining walls needs to be limited in order to prevent walls that are hundreds of feet long and create an unnatural flat pad. However, with the proposed grading limits, the length of the retaining wall may not need to be limited. Nevertheless, even with the grading provisions, the public has noted that there could still be a need for a cap on the length based on the dimensions of the site or footprint of the structures.
- <u>Definition of a Retaining Wall</u>. "Retaining Wall" needs to be defined more clearly (i.e. if it
 has a return or makes an angle as it traverses the site, is it considered as one retaining
 wall). Currently LADBS generally determines a wall as singular if a straight line extended
 perpendicular to the wall face does not intersect another wall. However, this is not
 codified and is open for interpretation.
- Garden Walls. Garden walls (3 foot tall walls supporting earth) should not be counted as a retaining wall. The current ordinance counts a 3 foot tall retaining wall as one of the two retaining walls under 10-feet and this does not encourage the terracing of a site. "Garden wall" should be defined as a freestanding continuous structure, as viewed from the top, intended to retain or support earth, which is not attached to a building with a height of no more than 3 feet as measured from the top of the wall to the lower side of the adjacent ground elevation. By doing so, smaller walls would be encouraged and the site could be terraced without using large or offensive walls which are easier to screen with landscaping or berming techniques.

Distance Between Retaining Walls. Staff learned that when two walls are used with a three foot separation between them, often times, one of the walls is constructed to the total height of both walls and then earth is filled in so as the wall appears to be less than ten feet above grade and the second retaining wall is placed accordingly but isn't truly supporting the earth as the first retaining wall has a foundation to support the Cut or Fill entirely. This technique is done in order to limit the cost to build two separate foundations three feet apart. Therefore, to avoid excavating the site to the full height of both walls when the walls are three feet apart, as the heights of retaining walls increase, the horizontal separation between the walls should increase in order to discourage the above scenario. In addition, this increase in separation would allow for additional landscaping to screen the taller walls as currently, three feet separation is not adequate to plant mature trees.

SLOPE ANALYSIS ... ANALYSIS

Slope Analysis is fairly common requirement for local jurisdictions. It is used to verify a whole myriad of requirements and/or restrictions, but is most commonly used to determine maximum development potential, location of structures (mostly where they are not to be located), grading restrictions. The following table is a breakdown of some local Cities that utilize and/or require applicants to identify a specific set of slope intervals or "slope bands". It is not intended to be a definitive list of ALL jurisdictions which require this type of information, and an exhaustive search of other Codes is very likely to produce more examples.

	Slope Bands	Slope Analysis in Other Citie		Verification
City Brea	0% - 10% 10.1% - 20% 20.1% - 25% 25.1% - 30% > 30%	Maximum Development	Prepared by: Licensed Surveyor Civil Engineer	Only when determined to be necessary (3 rd Party)
Claremont	0% - 50% > 50%	Density	Licensed Engineer	Yes
Glendora	0% - 35% > 35%	Prohibited Grading	Licensed Surveyor Civil Engineer [Digital Submittal]	Yes, an analysis of the digital submittal.
Malibu	≤ 5:1 5:1 - 4:1 4:1 - 3:1 3:1 - 2.5:1 2.5:1 - 1:1 ≥ 1:1	Maximum Development Location of Structures	Licensed Surveyor Civil Engineer	None
Moorpark	0% - 20% 20% - 35% 35% - 50% > 50%	Location of Structures Grading Restriction Required Open Space "Density Transfers"	Civil Engineer Licensed Surveyor Other Qualified Professional	None
Pasadena	0% - 15% 15% - 50% ≥ 50%	Maximum Development Application of Stormwater and Runoff Requirements Grading Requirements	Licensed Surveyor Civil Engineer Architect	Cursory Review

City	Slope Bands	Slope Analysis in Other Citie Used to Determine:	Prepared by:	Verification
Sierra Madre	0 - 14.9% 15% - 19.9% 20% - 24.9% ≥ 25%	Approval Process (Administrative vs. Discretionary) Location of Structures Design Requirements Landscaping Density	Licensed Surveyor Civil Engineer	None
Simi Valley	0% - 10% 10% - 15% 15% - 20% > 20%	Density Location of Structures	Licensed Surveyor Civil Engineer	None
Thousand Oaks	0% - 10% 10.1% - 15% 15.1% - 24.9% ≥ 25%	Significant Topographical Features in Subdivisions	Licensed Surveyor Civil Engineer	None
Ventura	0% - 10% 10% - 20% 20% - 30% 30% - 50% ≥ 50%	Density Grading Restriction	Architect Licensed Surveyor Civil Engineer	Minor comparison against existing topographic information

Slope Band Method

The public, the CPC Ad Hoc Committee and LADBS raised concern that using the Slope Band method to determine the maximum amount of Residential Floor Area was cumbersome or overly complicated. However, staff maintains the opinion that the proposed Slope Band FAR Method is no more complicated than the current slope analysis that is currently being utilized by the Zoning Code since a topographic survey stamped by a Civil Engineer or Surveyor is required in the Hillside Area.

Some of the current hillside regulations are based on an average natural slope or the perpendicular slope of a lot, both of which are explained previously in the staff report. For instance, the average natural slope method is used for subdivision purposes and the perpendicular slope is used in determining the current height limitations in the Hillside Area; as noted previously in the staff report, the perpendicular slope is determined by measuring the slope of the lot from the lowest point of the lot to its highest point as shown on a topographic survey map. Similarly, the Oaks Hillside Ordinance recently adopted by the City Council determines which FARs apply to a lot based on whether perpendicular slope is greater or less than 45%.

For all three slope calculations, a topographic survey is required to meet the requirements of the Department of Building and Safety and is verified through the plan check and inspection processes. While some argue that because the proposed method requires a detailed survey and analysis to be done prior to creating detailed plans for development on the site, it is difficult for interested parties (i.e. those seeking to purchase a property or architects) to have conceptual ideas as to what is permissible on a particular piece of property—or in other words, the concept of not knowing fully what the development potential of a site is. Staff contends that the publicly available contour data on NavigateLA (the City of Los Angeles Bureau of Engineering's free online mapping system) can give a rough idea of what the development potential for a lot is and performing the analysis is rather straightforward as the slope between the contours is simply the shortest line between two contours. In addition, in the future, the Department of City Planning

will look into the possibility of providing access to the Los Angeles County consortium data (with contours at the two-foot level) on ZIMAS to further refine the initial analysis.

In support of this, a local architect voluntarily used the contours from NavigateLA and performed the analysis on several lots. The architect was able to output a rough idea of the development potential by creating a dimensioned scale that corresponds to the slope band thresholds and the scale of the map and compared it to the contours to determine which portions of the site fell within each band. While this is only an approximate method, it does give enough of an idea of the development potential prior to purchasing a property or conceptualizing the development potential until a more detailed survey can be done.

Furthermore, staff maintains that the slope analysis is the best way to obtain a true picture of the topographical conditions of a site. It is important to do so in order to achieve the goal of truly limiting the intensity of development based on slope conditions of a property. As noted in the Comparison Study Based on Oaks Method of Floor Area Calculation section of the staff report, the perpendicular and average natural slope methods can often be inaccurate or skewed based on how either how the topographic survey is produced or where the extreme topography lies on the property. The Slope Band Method does not result in any ambiguity of the site as every portion of the site is analyzed to determine the true proportion of the steeper portions of the site.

How to Produce a Slope Analysis Map

There are a variety of ways to develop a slope analysis as there is a myriad of software that can analyze slope quickly. However, CAD- and GIS-based software are the most commonly utilized. There are other programs that are developed solely for slope analysis and would be left up to the discretion of the Licensed Surveyor or Civil Engineer.

Geographic Information System (GIS) Software

In order to use GIS, one could follow the following general steps:

- Acquire contour lines: The data of interest may be acquired in various forms.
- Create DEM using the contour lines: A DEM is a raster file that is broken down into a grid with specific elevation data associated with each cell. This file can be rendered in 3D.
- 3. Compute slope: Using the DEM, simply calculate the slope between the contour lines by using the slope tool in GIS. The slope function calculates the maximum rate of change between each cell and its neighbor, for example, the steepest downhill descent for the cell (the maximum change in elevation over the distance between the cell and its eight neighbors). Every cell in the output raster has a slope value. The lower the slope value, the flatter the terrain; the higher the slope value, the steeper the terrain. The output slope raster can be calculated as percent of slope or degree of slope.

The Slope function is most frequently run on an elevation dataset, as the following diagrams show. Steeper slopes are shaded red on the output slope

Topographic Survey



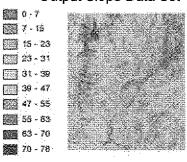
Elevation Dataset



Output Slope Data Set

High

Low



raster. However, the function can also be used with other types of continuous data, such as population, to identify sharp changes in value.

 Calculate area included in each slope band: GIS also has another tool which can calculate the area within certain slope ranges.

AutoCAD

Like GIS, once a 3D surface has been created, AutoCAD has automated tools or software plugins that can calculate the steepest slope between contours and the area contained within slope ranges. There is a variety of software available that can convert the 2D contour map into a 3D file that can be then analyzed.

Contour Line Interval Requirements

As a result of discussions with the community, the CPC Ad Hoc Committee and LADBS, staff recommends modifying the contour intermediates to be increased from 1-foot to 2-foot contours as staff contends two-foot data is sufficiently detailed. In addition, staff recommends removing the requirement that the software chose to perform the slope analysis be approved by the Department of Public Works, Bureau of Engineering.

COMPARISON STUDY OF HILLSIDE REGULATIONS FOR OTHER JURISDICTIONS

The following is a short description of the Size (floor area), Height, and Grading regulations for the following cities: Beverly Hills, Brea, Pasadena, San Rafael, Santa Barbara, South Pasadena, Torrance, and Rancho Palos Verdes. This will be followed by comparison between their requirements and the proposed Baseline Hillside Ordinance.

Summary

The following table summarizes whether the cities discussed below require a discretionary action through design review, a special hillside permit or the whether the project is "by-right". In addition, it recaps whether the size, height or grading regulations of the reviewed cities are more restrictive, generally more restrictive, generally less restrictive, less restrictive or if staff was unable to determine their relation to the proposed Baseline Hillside Ordinance.

(ejty)	Process	Size (Sqft.)	Height	Grading
Beverly Hills	By-Right and Hillside Permit	Generally More Restrictive	More Restrictive	Generally Less Restrictive
Brea	Hillside Permit	Generally Less Restrictive	More Restrictive	Unable to Determine
Pasadena	Hillside Permit	More Restrictive	More Restrictive	Less Restrictive
San Rafael	Design Review	Generally More Restrictive	More Restrictive	Generally More Restrictive
Santa Barbara	Design Review	Generally Less Restrictive	More Restrictive	More Restrictive
South Pasadena	Design Review and Hillside Permit	Generally Less Restrictive	More Restrictive	More Restrictive

City Process Size (Sqft.) Height Grading	
Tourance By-Right and Design Review Less More Less Restrict	
Torrance By-Right and Design Review Restrictive Restrictive Less Restrictive	VE
Rancho Palos Unable to More Generally Mo	re
Verdes Design Review Determine Restrictive Restrictive	

City of Beverly Hills

The City of Beverly Hills allows for a certain amount of development to occur on a "by-right" basis, but requires a "Hillside R-1 Permit" for projects which exceed those thresholds that is issued by their Planning Commission. Their hillside regulations include the following provisions:

Floor Area Height Setbacks (Front, Side, Rear, and Pad Edge) Encroachments into Setbacks Accessory Buildings Garage/Parking Walls, Fences, and Hedges Paving
Landscaping
Building Materials
Landform Alteration
View Preservation
Construction Activity

Size Limits (Floor Area)

The size limit for this jurisdiction is a uniform formula based on the size of the lot as well as the amount of "level pad" and "sloped area"; essentially 2 separate slope bands ($\leq 5\%$ and > 5%). The slope is calculated by using the average slope or

For the purposes of this formula:

- S shall mean the average slope of the site;
- I shall mean the contour interval in feet as shown on a contour map of the site;
- L shall mean the combined length of contour lines in scale feet on the contour map being used to calculate the contour interval.

A maximum of 15,000 square-feet of development is allowed "by-right" before it automatically requires a special discretionary approval, or "hillside permit". The first 1,600 square-feet of basement garage area and 300 square-feet of basement mechanical area are not included in the 15,000 square-feet.

For a lot that does not have a "level pad", or "level pad" of less than 750 square-feet, and the average slope of the lot is 20% or greater the maximum floor area is 20% of the lot size.

For all other lots the following formula applies:

CONTROL OF THE CONTRO	Floor Area Ratios
Lot Size ≤ 15,000 sq-ft	Maximum Floor Area 40% of "level pad" + 10% of "area of slope"
15,001 – 25,000 sq-ft	37% of "level pad" + 10% of "area of slope"
25,001 - 30,000 sq-ft	34% of "level pad" + 10% of "area of slope"
> 30,000 sq-ft	31% of "level pad" + 10% of "area of slope"

The guaranteed minimum floor area is 4,500 square feet. Keep in mind that the minimum lot size in Beverly Hills hillside areas is 1 acre (43,560 square-feet).

For lots that are 2 acres (87,120 square-feet) or more, the maximum floor area outlined above may be exceeded if permitted by a "hillside permit".

Definition of a "Level Pad"

"That portion of a site containing level finished grade. No portion of a site with a slope that is greater than five percent (5%) shall be considered to be part of a level pad. Furthermore, for the purposes of calculating floor area ratio, no portion of a level finished surface which is the longest pole of a flag lot shall be considered to be part of a level pad."

Definition of "Slope"

"That portion of the site other than the level pad."

Definition of a "Floor Area"

In the Single-family residential zone, "Floor area shall mean the area of all portions of floors and levels which have a roof or floor level above and are enclosed by exterior walls by more than fifty percent (50%). Further, "floor area" shall include the area of that portion of an upper level not separated from a lower level by a floor/ceiling assembly, but shall not include basements, crawl spaces and up to four hundred (400) square feet of garage area."

Additions to Existing Structures

No provision for additions was included for existing structures.

Comparison Assessment: (Generally More Restrictive)

The City of Beverly Hills size limits are generally more restrictive.

A "level pad" in that City is considered to be 5%, which generally does not occur naturally in the hillsides in that region, so this provision also seems to incentivize the drastic alteration of the existing topography in order to obtain the largest "level pad" possible. Moreover, it is difficult to quantify the square-footage difference between our two Cities because we would need to know what the finished grade of a property would be.

However, one could argue that because the threshold for what is considered "flat" in Beverly Hills is significantly lower than our proposed 15% slope threshold, there would be significantly less areas of a property that would qualify for the larger percentages in their jurisdiction than would in the proposed Baseline Hillside Ordinance. Also, the fact that we have more slope bands, all of which have an FAR of more than 10% (except for 100% slopes), means that the proposal should allow for more square-footage.

Height Limits

The base height limit in the hillside area is 26 feet. However, structures may exceed this height when it is built within an "envelope" that begins at the front setback and increases toward the rear of the site at a 33° angle to a maximum of 30 feet.

When a lot does not have a "level pad", or if the "level pad" that does not exceed 750 square-feet in area, then the maximum height within 40 feet of the front setback is 26 feet and the "envelope" begins at 22 feet in height at the front setback and increases toward the rear of the site at a 33° angle to a maximum height of 30 feet.

When a lot has a level pad elevation that is at least 10 feet higher than any adjacent portion of a street, then the height of the envelope begins at 14 feet in height at the level pad setback line and increases toward the center of the level pad at a slope of 33° to a height of 30 feet.

The maximum permitted height for a structure constructed over fill is reduced by the maximum height of any retaining wall or walls for that fill if they are located within 10 feet.

If a building projects beyond the edge of the level pad by at least 20 feet, then the maximum permitted height for that portion of the building located on the pad is 30 feet, and the portion constructed over a slope 22 feet. However, the overall height (measured from the highest to lowest points) of the structure is 55 feet.

Comparison Assessment: (More Restrictive)

The City of Beverly Hills height limits are more restrictive.

The height limits in the City of Beverly Hills range from 20 to 30 feet for any portion of a structure. The height limits in the proposed Baseline Hillside Ordinance range from 28 to 36 feet depending on the Height District. The Single-Story Height District would limit structures to either 18 or 22 feet in height, but it has not been applied to any hillside properties as of the date of this report.

Grading Limits

Within any 5 year period, the total cubic yards that may be cut and filled on any site in the Hillside Area, including excavation for basements, shall be calculated as follows:

$$C = \frac{(4 - (10 \times \$))^4 + 0.1}{162} \times \text{Site Area in Square Feet}$$

"C" is the total cubic yards of cut and the total cubic yards of fill permitted,

"S" is the "average slope".

The maximum import or export within any 5 year period is 3,000 cubic yards of earth material.

These limits may be modified by a "hillside permit".

Comparison Assessment: (Generally Less Restrictive)

The City of Beverly Hills grading limits are less restrictive. However, because the grading limits include grading to excavate for a basement it is possible that the proposed limitations would be less restrictive since the excavation for basements is exempt from the limits.

The following is an example of the application of this formula to a site that is 30,000 square feet in area with an average slope of 25%:

City of Beverly Hills	City of Los Angeles

(4.2.5)4 + 0.1	(30,000 × 0.5) + 500 = 2,000 cubic yards
$C = \frac{(4-2.5)^4 + 0.1}{162} \times 30,000$	of cut or fill, or combination thereof
C ={0.031 + 0.1} x 30,000	Please note that the proposed grading
	limits exempt more than just excavation
C =3,937.5 cubic yards of cut and fill	for basements.
	TERNER DE BROKK EINDERSCHOP Beland geringer Fall beforen der Michael betallt bestelt in betallt betall ander d

City of Brea (Orange County)

The City of Brea adopted a comprehensive revision of its hillside regulations in 2006 which included the following provisions:

Land Use Floor Area Height Setbacks Accessory Buildings Garage/Parking Walls, Fences, and Hedges

Retaining Walls

Open Space

Landscape Standards Architectural Standards

Water Quality and Stormwater Runoff Control

Gradina

Ridgeline Preservation

Subdivisions

Street Requirements and Design

The City requires two kinds of special permits in order to build in their hillside areas: the Administrative Hillside Development Permits (approved by the Planning Director) and the Hillside Development Permit (approved by the Planning Commission). These projects require the review and verification of various design standards and guidelines as they pertain the provisions mentioned above; far more than anything being proposed for the Baseline Hillside Ordinance. The ordinance contains some exemptions which are limited to minor improvements such as additions that are less than 500 square-feet and any construction that does not require a grading permit.

Size Limits (Floor Area Ratio)

The City of Brea limits the amount of development on a Floor Area Ratio based on the "maximum dwelling unit yield" (aka density), and the proposed number of units for a property.

The first step is to identify the "maximum dwelling unit yield" for a property based on the following table:

	ed Density Based on Average Slope
	Maximum Allowable Density
≤ 10%	2.2 units/acre (43,560 sq-ft)
10.1% - 20%	1.6 units/acre (43,560 sq-ft)
20.1% - 25%	1 unit/acre (43,560 sq-ft)
25.1% - 30%	1 unit/5 acres (217,800 sq-ft)
> 30%	1 unit/20 acres (871,200 sq-ft)

The average slope of a property is determined by the following formula:

$$S = \underbrace{(0.00229 \times I \times L)}_{\Delta}$$

"S" = Average percent slope

"I" = Contour interval, in feet

"L" = Summation of length of contours, in feet

"A" = Area in acres of parcel being considered

Example: A 100-acre parcel which has an average slope for the entire parcel of 25 percent would yield a maximum of 100 units.

However, the largest contiguous area of the least steep slope category may be used to calculate average slope based on a detailed slope analysis prepared by a Licensed Surveyor or Civil Engineer. Any area excluded from the average slope calculation is then required to be set aside as Natural Open Space and deed-restricted from any future development.

Example: On a 100-acre parcel, of which 60 acres has an average slope of more than 30 percent, 30 acres are between 20.1 to 30 percent slope, and there is a contiguous 10-acre area of between 10.1 to 20 percent, the 10 acres with a average slope of 10.1 to 20 percent can be used to calculate allowable density (1.6 units/acre X 10 acres = 16 units).

The **second step** is to determine the number of proposed units to determine the maximum Floor Area Ratio based on the following table

CALLED TO STREET, COLUMN	Unit Yield Based on Floor Area Ratio Dwelling Unit Yield Maximum FAR	
	Maximum Units	0.4
option	80% of Maximum	0.5
-	70% of Maximum	0.6
-	60% of Maximum	0.7

Gross floor area does not include the first 600 square feet of attached garages, decks, balconies, covered patios, the total combined square footage of any and all accessory structures and detached garages up to 600 square feet inclusive, and attics that do not exceed a height of five feet as measured from the top of ceiling joist (floor) to the bottom of the ridge beam (ceiling).

This approach requires several points of verification of performance criteria before one can determine how much square-footage is permitted on a lot. Discussions with City of Brea planning staff has indicated that these requirements are verified by a third-party consultant.

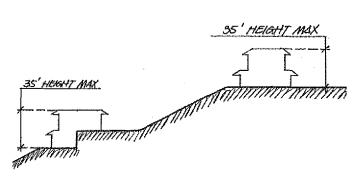
Comparison Assessment: (Generally Less Restrictive) The City of Brea size limits are generally less restrictive.

These size regulations appear to be written for large subdivision projects and not necessarily the type of lots that are more common in the City of Los Angeles. It is hard to imagine a scenario in which these provisions would yield a Floor Area Ratio of less than 70% of the lot size. It is important to keep in mind that, when combined with the extensive design standards and guidelines that also make up the City's hillside regulations, the larger Floor Area Ratios may either not be an issue or even possible to obtain.

The City's hillside regulations are design-oriented and focus on setting up templates for acceptable design proposals for construction. The proposed Baseline Hillside Ordinance focuses on determining the acceptable level of development for a property and remaining neutral when it comes to the design of homes.

Height Limits

The maximum height in the City of Brea is 35 feet. The maximum allowable building height is measured as the vertical distance from the existing or planned grade of the pad at the point of the building foundation to the midpoint of the roof. The height calculation is similar to the overall height limit which is currently in place in our Zoning Code, as illustrated in the figure to the right.



Comparison Assessment: (More Restrictive) The City of Brea height limits are more restrictive.

Their 35-foot height limit is a more like the overall height limit (measured from the lowest to highest points of the building) that is currently in place in Los Angeles. The proposed

Baseline Hillside Ordinance height limits range from 28 to 36 feet depending on the Height District and are measured along the slope of a lot.

Grading Limits

The City of Brea does not limit grading by quantities. Instead it takes full advantage of the discretionary approval process that is automatically triggered when a grading permit is required. The regulations establish a series of grading standards and guidelines that focus on landform grading techniques and other screening approaches that are intended to minimize the visual impact of development.

Comparison Assessment: (Unable to Determine)

The City of Brea's grading limits are not quantifiable as they focus on how the grading is proposed instead of what the quantities are. Depending on the amount of grading required for a particular project, the standards have the potential to be more restrictive. Moreover, every project involving grading requires a discretionary approval.

The proposed Baseline Hillside Ordinance would establish an acceptable amount of site alteration (outside of what is required to build a home) that would be considered "by-right" before requiring landform grading and a discretionary approval. In that sense, the current proposal is less restrictive than Brea's hillside regulations.

City of Pasadena

The City of Pasadena established a Hillside Overlay District that requires an administrative discretionary approval called a "Hillside Development Permit". Minor additions to existing structures no more than 500 square-feet or 20% of the existing floor area, as well as accessory structures which are no more than 20% of the "primary dwelling" are exempted from having to obtain one of these special hillside permits

Those projects which are not exempted have to comply with the following hillside regulations:

Subdivisions
Setbacks
Ridgeline Protection
Lot Coverage
Garage/Parking
Floor Area
Height

Architectural Standards

Neighborhood Compatibility

View Protection

Grading

Stormwater & Runoff Control

Landscaping Exterior Lighting Fire Safety

Construction Activity

The City's hillside regulations also contain a neighborhood specific overlays tool that establishes tailored provisions, and even goes as far as establishing standards, for individual lots and groups of lots within particular subdivisions.

Size Limits

The City of Pasadena utilizes a "Base FAR" (with an additional 500 square-feet) that is then reduced by a formula that takes into account the average slope of a lot.

For lots with an average slope of 15% or less, the following formulas apply for each zone:

Maximum Gro	ss Floor Area Ratios
Zoning District	Allowable Base FAR
RS-1-HD	0.200 + 500 sq-ft
RS-2-HD	0.225 + 500 sq-ft
RS-4-HD	0.250 + 500 sq-ft
RS-6-HD	0.275 + 500 sq-ft
For all lots that are 10,000 square-feet or greater, the portions of a lot	

For all lots that are 10,000 square-feet or greater, the portions of a lot with a 50% slope or greater are deducted from the lot area used for

calculating maximum "gross floor area". However, it is not clear how the portions of the lot that have a slope greater than 50% are determined or verified.

Maximum Gross Floor Area Ratios for Lots Less Than 10,000 sq-ft	
	Allowable Base FAR 0,300 + 500 sq-ft
RS-2-HD	0.300 + 500 sq-ft
RS-4-HD RS-6-HD	0.300 + 500 sq-ft 0.275 + 500 sq-ft

For lots with an average slope of greater 15%, the maximum FAR is reduced using the following

$$F = B \times \left(1 - \frac{(C - 0.15)}{2}\right)$$

"F" is the maximum allowed gross floor area, reduced based on lot slope.

"B" is gross floor area calculated in compliance with the formulas above.

"C" is average slope of the site.

The average slope, "C", is determined by the following formula:

$$S = \underbrace{0.00229 \cdot I \cdot L}_{A}$$

Where:

- 1. S is average slope
- 2. I is contour interval in feet
- 3. L is combined length of contour lines in scale feet within land to be divided
- 4. A is gross developable acres, inclusive of any rights-of-way to be established by a proposed parcel map or tract map. Existing rights-of-way for public streets, private streets, private driveway easements, or other vehicular access ways located within the site are excluded from the gross developable area.

The floor area limits include a guaranteed minimum of 3,000 square-feet for lots which are over 10,000 square-feet.

Additions to Existing Structures

When additions otherwise comply with all other applicable requirements of this Chapter and this Zoning Code, the following would be permitted:

- 1) A single-story addition to a dwelling unit that increases the gross floor area by no more than 500 square feet or 20 percent of the existing floor area of the primary structure, including an attached garage, whichever is greater; or,
- 2) A second or third story addition that increases the gross floor area by no more than 500
- 3) One single-story detached accessory structure that constitutes no more than 20 percent of the gross floor area of the existing gross floor area of the primary structure (including attached garage).

Moreover, the City of Pasadena contains another level or size restriction referred to as "Neighborhood Compatibility". New homes and additions subject to the "Hillside Development Permit" are required to identify the size of structures within 500 feet of the site using the Los

Angeles County Tax Assessor's information. New development for that site is then limited to more than 35% above the median floor area of the existing homes within the established radius.

In calculating the "gross floor area" the following areas are counted which have any exposed wall (or portion thereof) 6 feet or more above finished grade: all covered parking, habitable attic space, and basements, including garage and carport areas. The following areas are also counted if any *portion* of exposed wall exceeds 6 feet in height: basement, garage or carport area.

Definition of "Floor Area, Gross"

"For projects subject to the RS and RM-12 development standards, "gross floor area" means the floor area between the floor and roof above it, as measured from the outside edge of the exterior walls of the main structure and all accessory structures, including required parking (either garage or carport). Any portion of a structure, including stairwells, over 17 feet in interior height, is counted twice for purposes of computing floor area. For flag lots, see 17.40.050.D (Development standards for flag lots)."

Comparison Assessment: (More Restrictive)

The City of Pasadena size limits are more restrictive.

The Base FARs are range from 20% to 30% of the lot size, plus 500 square-feet, and when the average slope of a lot is more than 15% the maximum floor area is further reduced. Moreover, when a lot is 10,000 square-feet or greater it is broken up into two slope bands $(0\% \pm 50\%)$ and $\geq 50\%$ where any area of a lot that has a slope of 50% or more does not have any square-footage value at all.

Although there may be some scenarios where the proposed Slope Band FAR formulas may be more restrictive, mainly on extremely steep or substandard lots, the proposed Guaranteed Minimum will make sure that the hillside regulations are not overly-restrictive. These same lots in the City of Pasadena do not have a guaranteed minimum when they are less than 10,000 square-feet and can be limited to around 500 square-feet or less. In addition, the Baseline Hillside's Definition of Residential Floor Area exempts certain covered spaces as well as required parking, whereas Pasadena's definition includes all square footage contained within the outside edge of the exterior walls. Finally, the Neighborhood Compatibility requirements would limit development based on the existing structures in the general vicinity. In most cases we can expect the proposed FARs to allow for more floor area than the City of Pasadena's formulas.

Height Limits

The hillside regulations establish an envelope height (following the slope of a lot) of 28 feet and an overall height (measured from highest to lowest point of a structure) of 35 feet.

Comparison Assessment: (More Restrictive)

The City of Pasadena height limits are more restrictive. The height limit for Pasadena's envelope height is less than the Baseline Hillside Ordinance and Pasadena includes an overall height limit.

The proposed Baseline Hillside Ordinance envelope height limits range from 28 to 36 feet depending on the Height District and does not limited by the overall height (it relies on the FAR limits and lot coverage requirements).

Grading Limits

Grading in the City of Pasadena is regulated by the Building Code which does not seem to limit the amount of land alteration, and is reviewed by their Building & Safety staff. The specific requirements appear to be taken from the California Building Code and very similar to our current requirements.

Comparison Assessment: (Less Restrictive)

The City of Pasadena's grading limits are less restrictive.

Their grading limits are very similar to those currently in place for the City of Los Angeles, and also do not limit the quantities, therefore any new limits on grading, including those proposed Baseline Hillside Ordinance will be more restrictive.

City of San Rafael (Northern California)

The City of San Rafael has relatively simple set of hillside regulations which address the following aspects of development:

Building Stepback

Setbacks

Natural State

Gross Building Square Footage

Ridgeline Development

Parking

Lot Standards

Design Review Requirement

The following projects in the City's hillside areas are required to go through a design review process before it can obtain approval:

- Projects involving more than one story
- · Ground floor additions of more than 500 square-feet
- Roof modifications
- Any accessory structure (regardless of size)
- Ridgeline projects

Size Limits

The City of San Rafael uses a Base + Percentage method for determining the maximum development potential for a lot. The maximum permitted gross building square footage of all structures (including garages and accessory structures over 120 square-feet) is limited to 2,500 square-feet plus 10% of the lot area with a maximum of 6,500 square-feet.

Additions to Existing Structures

No provision for additions was included for existing structures.

Comparison Assessment: (Generally More Restrictive)

The City of San Rafael size limits are less restrictive on smaller lots, but more restrictive on lots larger lots. It is also important to note that any proposed construction over one story in height will require a discretionary approval.

The Base + Percentage approach is always more advantageous for smaller lots because the effective floor area to lot size ratio is relatively large. However, because the base floor area is a fixed value and does not increase with the size of the lot, the floor area to lot size ratio diminishes significantly on larger lots.

Height Limits

The maximum height for dwellings is 30 feet, and 15 feet for accessory structures. On a lot with an average slope over 25%, the height of structures is measured vertically from the existing grade to the top of the roof.

Comparison Assessment: (More Restrictive)

The City of San Rafael height limits are generally more restrictive. It is also important to note that any proposed construction over one story in height will require a discretionary approval.

The proposed Baseline Hillside Ordinance envelope height limits range from 28 to 36 feet depending on the Height District and does not require a discretionary action unless a structure encroaches into the proposed envelope.

Grading Limits

The maximum grading permitted on a lot is based on an area of disturbance and not on a volumetric measure (i.e. cubic yards). The hillside regulations establish a minimum area of a lot which is required to remain in its "Natural State" (all land and water that remains undeveloped or undisturbed) based on the following formula:

(Percentage of Average Slope) + 25% = Minimum Percentage of Lot Area in Natural State

The maximum required "Natural State" is 85%.

Comparison Assessment: (Generally More Restrictive)

The City of San Rafael grading limits are less restrictive on flatter lots, but more restrictive on true hillside lots.

The Natural State approach has the potential to be more restrictive than the proposed Baseline Hillside Ordinance grading limits, especially when one takes into account the proposed exemptions such as driveways and accessory structures.

City of Santa Barbara

The City of Santa Barbara Zoning Code does not appear to have a separate set of hillside regulations, but addresses all residential development with the following provisions:

Protection and Enhancement of Solar Access

Building Materials

Heiaht

Design Review of Residential Buildings

Setbacks and Open Space

Lot Area and Dimensions

Maximum Net Floor Area

Nonresidential Buildings, Structures, and Uses

Off-Street Parking

Signs

Vegetation Removal

Grading

It is important to note that any residential project in the City requires a design review approval. A comprehensive set of design guidelines have been adopted which takes into account the design of structures, their placement on a site, as well as their relationship to the surrounding properties. More specifically, the City has adopted a very strict set of "Hillside Housing Design Guidelines" for properties that are within their "Hillside Design District" addressing the following aspect of hillside development:

Natural Surroundings Height and Proportions Apparent Height Grading Grading for Driveways

Architectural Features Neighborhood Compatibility Decks and Courtyards Retaining Walls

Size Limits

For project proposed on lots which are less than 15,000 square-feet and which are two or more stories or 17 feet or more in height, the amount of development permitted for a property is limited to the following:

Single-Family I Net Lot Area (sq-ft)	Maximum Floor Area Maximum Net Floor Area (sq-ft)
Less than 4,000	2,200
4,000 to 9,999	1,200 + 25% of Net Lot Area
10.000 to 14.999	2.500 + 12.5% of Net Lot Area

Development in hillsides is limited to 85% of the Maximum Net Floor Area for the lot when the average slope of the lot or building site is 30% or greater. The "Hillside Housing Design Guidelines" also contains specific "Neighborhood Compatibility" standards that require a project to reflect the scale and massing of surrounding properties; these have the very realistic potential to further restrict the size limits for an individual property depending on the existing scale or the neighborhood.

For lots which are 15,000 square-feet or larger development is limited to the "Neighborhood Compatibility" standards and the rest of the "Hillside Housing Design Guidelines".

Additions to Existing Structures

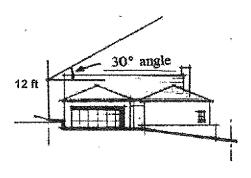
No provision for additions was included for existing structures.

Comparison Assessment: (Generally Less Restrictive)

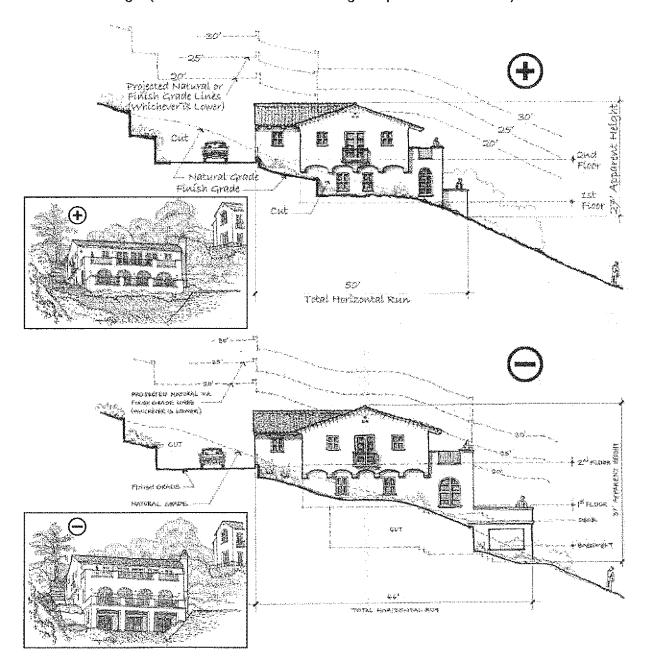
The City of Santa Barbara size limits using the above formula are less restrictive, but because most projects require a discretionary approval in order to be built and they have a comprehensive set of design guidelines, the process ensures that development is done in a manner that is compatible with the existing neighborhood and the natural terrain.

Height Limits

The maximum height limit for structures is 30 feet. For lots that are 15,000 square-feet or less, the height of structures is limited to 25 feet when the proposed development is utilizing more than 85% of the maximum floor area. However, new construction must also comply with the City's Protection and Enhancement of Solar Access provisions; the height of a structure cannot encroach into a 30° plane starting at 12 feet measured vertically from the nearest "northerly lot line" (see the figure on the right).



The "Hillside Housing Design Guidelines" tend to focus on "Height and Proportion" as well as "Apparent Height Standards" which seem to apply the 25- and 30-foot height limits based on an overall height (measured from the lowest to highest points of a structure).



Comparison Assessment: (More Restrictive)

The City of Santa Barbara height limits are generally more restrictive.

Although their code language seems to indicate the use of an envelope height, the "Hillside Housing Design Guidelines" limit the height of structures to an "Apparent Height" (overall height) from 25 to 30 feet, which is measure from the lowest to height point of the structure. The proposed Baseline Hillside Ordinance envelope height limits range from 28 to 36 feet depending on the Height District and does not limited by the overall height (it relies on the FAR limits and lot coverage requirements).

Grading Limits

For projects in a "Hillside Design District", grading outside the footprint of the main building (recompaction is exempted) is limited to 50 cubic yards on a by-right basis. The "Hillside Housing Design Guidelines" contain special standards for "Grading" that generally limit grading outside the footprint of the main building (recompaction is exempted) to 500 cubic yards, and encourage a building to be built into the existing hillside with little to no additional on-site land alterations. The standards pertaining to "Grading for Driveways" limit the location of proposed development to reduce the possible length of a driveway and that such grading be minimized and screened as much as possible. Grading is also prohibited on slopes of 30% or more.

Comparison Assessment: (More Restrictive)

The City of Santa Barbara grading limits are more restrictive.

City of South Pasadena

The City of South Pasadena hillside regulations are in addition to those required by the base zone, and contain the following provisions:

Setbacks (including Ridgeline Setbacks) Height Limitation (including Ridgeline Height) Natural State Grading

Decks

Guest Parking (Southwest Monterey Hills)

Driveways

Hillside projects are required to go before the Planning Commission for design review and "Hillside Development Permit" approval to ensure compliance with design guidelines as they pertain to the following aspects of development:

Terrain Alteration Street Layout Location of Structures Site Layout and Structure Design Architectural Design View Protection Colors and Materials Exterior Lighting Retaining Walls

Size Limits

The Zoning Code maintains the same size limit regardless of whether a lot is in the hillside or not. The maximum allowable building floor area for single-family zones is 35% of the lot area.

Definition of "Floor Area, Net"

"The floor area within the walls of a building used for service to the public or tenants, but not including garages or other covered parking, or areas for storage, mechanical equipment, restrooms, and major pedestrian movement, such as enclosed malls, stairways, or major hallways, as defined by the Building Code."

Additions to Existing Structures

No provision for additions was included for existing structures.

Comparison Assessment: (Generally Less Restrictive)

The City of South Pasadena size limits are more restrictive on smaller/flatter lots, and less restrictive on later/steeper lots, but in order to build anything a discretionary approval is required that utilizes design guidelines.

Height Limits

The maximum height for a structure with a roof slope of at least 25% is 28 feet, for a structure with roof slope less than 25% is 24 feet. The height of a structure is also limited by its proximity and relation to a protected ridgeline.

Comparison Assessment: (More Restrictive)

The City of South Pasadena height limits are more restrictive.

The proposed Baseline Hillside Ordinance envelope height limits range from 28 to 36 feet depending on the Height District, and does require a discretionary action or limit the overall height unless a structure encroaches into the proposed envelope.

Grading Limits

The maximum grading permitted on a lot is based on an area of disturbance and not on a volumetric measure (i.e. cubic yards). The hillside regulations establish a minimum area of a lot which is required to remain in its "Natural State" (in terms of slope and vegetation) based on the following formula:

(Percentage of Average Slope) + 25% = Minimum Percentage of Lot Area in Natural State

Land alterations have to be done using landform grading techniques, and cannot be done on 30% slopes.

Comparison Assessment: (More Restrictive)

The City of South Pasadena grading limits are less restrictive on flatter lots, but more restrictive on true hillside lots.

The Natural State approach has the potential to be more restrictive than the proposed Baseline Hillside Ordinance grading limits, especially when one takes into account the proposed exemptions such as driveways and accessory structures.

City of Torrance

The City of Torrance hillside regulations are not comprehensive and are intended to be in addition to those required by the base zone, and contain the following provisions:

Lot Dimensions Floor Area

Floor Area Height Drainage

Foundation Type

Driveways

Hillside projects are required to go through a design review process referred to as a "Precise Plan" that goes before the Planning Commission to ensure that the following findings are met:

- a) The proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity;
- b) The development has been located, planned and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity;
- The design provides an orderly and attractive development in harmony with other properties in the vicinity;
- d) The design will not have a harmful impact upon the land values and investment of other properties in the vicinity;
- e) Granting such application would not be materially detrimental to the public welfare and to other properties in the vicinity;
- f) The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity.

However, a "Precise Plan" approval can be waived if a project meets a certain set of requirements (the relevant provisions are outlined in the following subsections), and the Community Development Director determines that the proposed development will not have an adverse effect on other properties in the vicinity, and there is no significant public controversy.

Size Limits

The maximum amount of floor area on a by-right basis is limited to 50% of the lot size, which includes the garage. The maximum floor area with a discretionary "Precise Plan" approval is up to 60% of the lot size. A finding of neighborhood compatibility must be made when approving a "Precise Plan".

Comparison Assessment: (Less Restrictive)

The City of Torrance size limits, in terms of square-footage values, are less restrictive. However, it is important to note that any proposed construction over one story and 14 feet in height will require a discretionary approval.

Height Limits

New construction on a by-right basis is limited to one story and 14 feet in height. Anything greater will require a "Precise Plan" approval. The maximum height with a discretionary "Precise Plan" approval is up to 27 feet measured from the height to lowest point of a structure (overall height). A finding of neighborhood compatibility must be made when approving a "Precise Plan".

Comparison Assessment: (More Restrictive)

The City of Torrance height limits are more restrictive.

The proposed Baseline Hillside Ordinance envelope height limits range from 28 to 36 feet depending on the Height District, and does not require a discretionary action or limit the overall height unless a structure encroaches into the proposed envelope.

Grading Limits

Grading in the City of Torrance is regulated by the Building Code which does not seem to limit the quantities of land alteration, and is reviewed by their Building & Safety staff. The specific requirements appear to be taken from the California Building Code and very similar to our current requirements.

Comparison Assessment: (Less Restrictive)

The City of Torrance's grading limits are less restrictive.

Their grading limits are very similar to those currently in place for the City of Los Angeles, and also do not limit the quantities, therefore any new limits on grading, including those proposed Baseline Hillside Ordinance will be more restrictive.

City of Rancho Palos Verdes

The City of Rancho Palos Verdes is essentially entirely a hillside community; because of this, the Zoning Code does not differentiate between hillside and non-hillside areas. The regulations for single-family zones include the following provisions:

Uses

Lot Dimensions Setbacks

Lot Coverage

Height Parking Neighborhood Compatibility

Exterior Stairs Roof Decks

Parking/Driveway Standards

View Preservation

Hillside projects are required to go through a design review process to ensure compliance with design guidelines as they pertain to the following aspects of development:

Size Limits

The maximum size of structures is not regulated through a Floor Area Ratio, but instead focuses primarily on a combination of lot coverage, height restrictions, and a review of neighborhood

compatibility against a "Neighborhood Compatibility Handbook" which contains a variety of design guidelines and standards to determine an acceptable building envelope and size.

Comparison Assessment: (Cannot Determine)

The City of Rancho Palos Verdes size limits utilize an approach that cannot be compared to the proposed Baseline Hillside Ordinance provisions. However, one can argue that due to the 16-foot height by-right limit, it can be assumed that the resulting square-footages have the potential to be more restrictive than those currently being proposed.

Height Limits

Height in the City of Rancho Palos Verdes is regulated with the intent to preserve private views. Structures are limited to 16 feet in height on a by-right basis when no grading is involved, and up to 30 feet in height with a discretionary "height variation permit" issued by the Planning Commission.

Comparison Assessment: (More Restrictive)

The City of Rancho Palos Verdes height limits are more restrictive.

The proposed Baseline Hillside Ordinance envelope height limits range from 28 to 36 feet depending on the Height District and does not require a discretionary action unless a structure encroaches into the proposed envelope.

Grading Limits

The grading regulations do not limit the quantities of land alteration, but do require that projects that involve more than 1,000 cubic yards of cut and fill to obtain approval from the Planning Commission. Moreover, structures are not allowed to be built on the portions of a lot that are 35% slope or greater without a discretionary "extreme slope permit".

Comparison Assessment: (Generally More Restrictive)

The City of Rancho Palos Verdes grading limits are generally more restrictive.

The proposed Baseline Hillside Ordinance is more restrictive on lots that are less than 10,000 square-feet in size, but is less restrictive on lots which are 10,000 square-feet or more.

USER-FRIENDLY SINGLE-FAMILY ZONE REGUATIONS DOCUMENT

In developing the Baseline Mansionization Ordinance and the proposed Baseline Hillside Ordinance planning staff has done extensive research into the current Single-Family Zone regulations. In order to best understand the development standards, the provisions located in the Zone Classifications, General Provisions, and Exceptions Sections were consolidated into a series of documents. The intent is to streamline/simplify this language and include figures and diagrams in order to make these regulations more accessible to the general public. These efforts would ultimately become a sort of **Single-Family Zone Regulations Handbook** that doesn't change the regulations or policies currently in the Zoning Code, but makes them easier to understand.

Conclusion

The proposed Baseline Hillside Ordinance will be the final component in the Baseline Project which was started in order to prevent out-of-scale single-family development throughout the City of Los Angeles. It builds from the provisions that were adopted by the Baseline Mansionization Ordinance (BMO), which became effective on June 29, 2008, and maintains a certain level of consistency between both the Hillside Area and non-hillside/coastal single-family lots.

In the "flats", site conditions are generally the same on a 5,000 square-foot lot are the same regardless of its location. However, in the Hillside Area the site conditions of a 5,000 square-foot lot are completely different from another lot of the same due to topography and existing infrastructure. This fact highlights the need for our City's hillside regulations to take into consideration the slope conditions and infrastructure of each lot. In order to diminish out-of-scale development in the City's hillside neighborhoods in the simplest and most effective way possible, the proposed hillside regulations focus primarily on Floor Area Ratios (FAR), Height, and Grading.

After the April 22nd City Planning Commission meeting, the public, the City Planning Commission and Ad Hoc Committee, the Department of Building and Safety working group and the American Institute of Architects provided a tremendous amount of valuable insight in how to improve the first proposal of the Baseline Hillside Ordinance. Their input has produced this proposal in which staff incorporated their concerns regarding Residential Floor Area calculations, minimum RFA's and grading limits.

The proposed FAR is based on lot size, zone, and steepness of slopes on a property. Homes would adhere to size limits computed by a formula that gradually reduces the FAR for the steeper areas of the lot. The proposed Slope Band FAR Method addresses the need to consider the topography of a property when determining the amount of development that can occur on a property, and takes into account the fact that every hillside lot is different.

The Slope Band Method takes into account the true picture of the topography onsite. The method is the most direct method to capture the steepness of the slope and thus limit the intensity of development on steep slopes. While there are other methods of capturing the general slope of a site, they do not produce a detailed analysis of the weight of each slope range. As a result of the proposal's comprehensive slope analysis it is possible to apply certain FAR's that decrease with the increase in slope in order to satisfy the aim of limiting the intensity of development on steep slopes.

In addition, the Slope Band method further defines the meaning of the zone by assigning a scale to the zone. In order to better implement the goals and objectives of the General Plan, the Zoning Code assigns a certain scale/character to each zone through setbacks and height regulations for instance. The Slope Band method proposes adding another component to each zone through the RFA calculation. When the appropriate zone is applied to a specific property, the resulting Slope Band RFA would be consistent with the intended scale of that community.

As recommended by staff on April 22, 2010 and agreed upon by the City Planning Commission, a "by-right" addition to existing structures will be permitted. Comments received during the Public Hearings indicated that there is an interest to maintain the current Hillside Ordinance's provision for minor additions (750 square feet). Therefore, staff recommends that the exemption be left in, but with a maximum of 500 square feet of Residential Floor Area, and that the addition comply with the setback requirements as well as the proposed height and grading regulations.

In addition, if a property does not wish to perform the slope analysis, staff has included a provision for a guaranteed minimum RFA. The proposal includes a change in determining the

guaranteed Residential Floor Area minimums. Instead of values that are determined by whether the lot conforms to the minimum lot area and a set square footage based on the zone, the minimum RFA would be based on a set ratio (percentage of the lot size) that corresponds to the zone. The premise behind the guaranteed minimum RFA values is to allow development to be at least half of what the BMO permits regardless of whether the lot is conforming to the lot area requirements. In addition, the provisions guarantee at least 1,000 square feet regardless of the lot size or zone.

The Baseline Hillside Ordinance contains a Residential Floor Area Bonus that creates incentives for good design practices that directly address the issues of building mass, scale, energy efficiency, as well as the retention of the existing topography. The revised proposal took into consideration input from the April 22nd hearing as well as discussions from the CPC Ad Hoc Committee and includes a 30% bonus option if the guaranteed minimum RFA is utilized. The impetus behind this increase is that surrounding lots may have lot size or topography that may result in larger RFA than the subject lot, and the 30% bonus encourages the subject property to produce a design that is for instance less imposing on the street or minimally disturbing to the land.

The proposed Ordinance will directly address the current method of calculating height that typically results in large and tall box-like structures, which many communities have specifically identified as a problem. The proposed regulations utilize a method of calculating height which follows the slope of a lot, or Envelope Height, and allows for buildings to terrace up/down a hillside and result in more aesthetically pleasing development, thereby helping to break up the visual mass of buildings.

The proposed provisions also establish a set of grading regulations, which have been noticeably absent from the City's Zoning Code; currently there are no limits to the quantities of grading which can occur on any lot. The proposed regulations are based on a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with an absolute maximum that varies based on the zone. The grading limits further define the characteristics that a particular zone should result in a certain standard. Projects which exceed the limits per each zone can be approved through a discretionary review process, but would be subject to findings, environmental review and conditions of approval. The proposed Ordinance also ensures that any grading over the limits will be done using landform grading methods which are meant to mimic existing terrain.

The proposed provisions also limit the amount of Import/Export of earth materials based on the level of street improvement. This helps to address the issue of impacts on streets in hillside neighborhoods during construction, and ensures that any activity beyond these limits are reviewed and conditioned accordingly. The revised proposal also includes a revised definition of what grading activities are included in the Import and Export limits. The Ordinance now exempts grading for essentially the activities required to build the structure size the Slope Band method results in (i.e. under the footprint of the house, the required covered parking, access-ways etc.). By modifying the previous limits on Import/Export, projects are no longer penalized when constructing the structure that was determined by the Slope Band method.

Similar to the BMO's Residential Floor Area District, the Baseline Hillside Ordinance establishes a Hillside Standards Overlay that would allow individual neighborhoods to tailor the size limits as well as the other regulations covered by this Ordinance. This provision puts the power to determine the scale of existing neighborhoods directly into the community's hands and will no longer be established in a piecemeal, project-by-project manner as is currently the case.

The proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all

single-family hillside regulations more accessible and easier to understand, staff is attempting to make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

The proposed Baseline Hillside Ordinance reflects the major concerns of the many hillside residents that have participated in this project's extensive outreach efforts. More importantly, the proposed provisions have been drafted in a manner that helps to implement the goals and policies of the General Plan and Community Plans related to single-family development. The proposed Ordinance would help to:

- Ensure that the character and scale of stable single-family residential neighborhoods is maintained.
- Consider the steepness of the topography and suitability of the geology in any proposal for development.
- To limit the intensity of development in Hillside Areas.
- Allow for infill development provided that it is compatible with and maintains the scale and character of existing development.
- Limit development according to the adequacy of the existing and assured street circulation system within the surrounding areas.
- Require that grading be minimized to reduce the effects on environmentally sensitive areas.
- Preserved, enhanced and restore natural land forms.

The proposed Baseline Hillside Ordinance is intended to prevent out-of-scale development while balancing individual needs and property rights. While the proposed Ordinance will not solve the problems in every hillside neighborhood, it is intended to a one-size-fits-most solution that provides real protection for approximately 130,000 single-family properties. For those neighborhoods that feel the baseline regulations are either too restrictive or permissive for their community, the "HS" Hillside Standards Overlay District will provide a process for establishing their own limits; thereby honoring the City's baseline approach to addressing "mansionization".

FINDINGS

General Plan/Charter Findings

1. General Plan Findings

In accordance with **Charter Section 556**, the proposed code amendments are in substantial conformance with the purposes, intent, and provisions of the General Plan in that they establish regulations that would reduce the development potential of single-family residential structures, in terms of size, mass, and land alteration on single-family zoned lots located in Hillside Areas.

The proposed code amendments are consistent with, and help to further accomplish the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan:

- Goal 3B Preservation of the City's stable single-family residential neighborhoods.
- Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
- **Policy 3.5.2** Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
- **Policy 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.
- **Objective 5.5** Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

In order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible, the proposed Residential Floor Area reduction is necessary. The proposal establishes a reduced sliding Residential Floor Area scale based on zone, lot size and slope, creating a tailored Residential Floor Area that takes into account the terrain conditions of each hillside lot. The proposed Residential Floor Area calculation takes into consideration the varying topography and lot sizes within each zone in order to achieve compatibility and reflect the scale and identity of both the zone classification and existing hillside development. The proposed Residential Floor Area calculation also coincides with the methodology and base Residential Floor Areas put forth in the recently adopted Baseline Mansionization Ordinance (BMO).

The proposed code amendment promotes development that will further limit the intensity of development in hillside areas through reduced Residential Floor Areas, massing and articulation, additional new height requirements, and new grading limits while providing the allowable density. For example, building a 3:1 Floor Area Ratio residential box-like structure which could potentially be larger in area than the lot that it sits on will no longer be permitted due to the code amendment's reduced Residential Floor Area requirement which will not

only provide a smaller building envelope but promote compatibility with existing hillside neighborhood character, identity and scale.

2. Community Plans.

The Code Amendment will promote the objectives, polices and goals of the various Community Plans that contain Hillside Area by continuing to protect the character of the existing single-family neighborhood. By instituting more restrictive development regulations, the proposed provisions require new development to be compatible with the existing site conditions and overall neighborhood character, while at the same time providing some environmental benefits. As new houses are developed in conformance with the proposed regulations, and are built with more appropriate floor area, new grading limitations and a new way to calculate height which encourages terracing rather than tall boxy structures, impacts related to grading, aesthetics and the natural landscape and vegetation could be lessened.

The City of Los Angeles General Plan Land Use Element is subdivided into 35 community plans. The proposed Ordinance helps to accomplish the following objectives, and policies of various Community Plans which appeared consistently throughout the Community Plans that contain hillside areas:

- **Objective 1-5** To limit the intensity and density in hillside areas.
 - **Policy 1-5.3** Consider the steepness of the topography and suitability of the geology in any proposal for development within the Plan Area.
- **Objective 1-5** To limit the intensity and density of development in hillside areas.
 - Policy 1-5.1 Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.
 - Policy 1-5.2 Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.
- Objective 9-1 Ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.
 - Promote land use policies that enhance accessibility for firefighting equipment and are compatible with effective levels of service.
- Objective 1-6 To limit residential density and minimize grading in hillside areas.
 - **Policy 1-6.3** Require that grading be minimized to reduce the effects on environmentally sensitive areas.
- Objective 1-6 To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.

Policy 1-6.6

The scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.

Objective 1-3

Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.

Policy 1-3.3 Preserve existing views in hillside areas.

The current FAR of 3:1 allows large, box-like structures that compromise the character of established neighborhoods. In order to address this problem the proposed Baseline Hillside Ordinance changes the FAR so it is based on zone, lot size, and steepness of slopes on a hillside property, rather than lot size alone. This approach takes into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining Residential Floor Area limits. In addition, in order to better implement the goals and objectives of the General Plan, the Zoning Code assigns a certain scale/character to each zone through setbacks and height regulations for instance. The Slope Band method proposes adding another component to each zone through the RFA calculation. When the appropriate zone is applied to a specific property, the resulting Slope Band RFA would be consistent with the intended scale of that community.

The citywide FAR reduction is necessary in order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible. The proposed Ordinance includes 20% or 30% Residential Floor Area bonuses that incentivize better design, as in the BMO, with additional options related to grading practices intended to minimally disturb the natural topography or to further reducing the quantities of grading. A lot that is considered "flat" (entirely made up of 0% to 15% slopes) would essentially be treated the same as it would in the BMO, in terms of the amount of development. In addition, the proposal includes a provision for to permit additions of less than 500 square feet to existing structures without discretionary action in order to reduce the possibility for discretionary actions for small additions.

Furthermore, the code amendment addresses the issue of building mass from the public right-of-way and neighboring properties and discourages large and tall box-like structures, which the community has specifically identified as a problem. The proposed ordinance includes the BMO height provision that ties the maximum height of a building to the slope of the roof but also introduces a new way to calculate height which follows the slope of the lot. As currently proposed, when a building or structure has a sloped roof (25% slope or greater) the current height limits apply: 33 feet for the R1, RS, and RE9 zones, and 36 feet for the RE11, RE15, RS, RE20, and RE40 zones. However, when a structure has a flat roof (less than 25% slope) the maximum height is lower: 28 feet for the R1, RS, and RE9 zones, and 30 feet for the RE11, RE15, RS, RE20, and RE40 zones. In addition, depending on the zone and height district a unique envelope height limit is applied, which encourages the terracing of structures up and down a hillside. Thus, with a varied roofline, structures would allow more light and air to reach neighboring properties, add visual interest, and enhance transitions between properties. The proposed provisions help to ensure that the mass of buildings is broken up, and that box-like structures have a lower height thereby further reducing the "looming" factor which has been brought up by the public on several occasions.

The current Floor Area definition, which currently applies to single-family zoned lots in the Hillside Area, is inadequate because it is geared to commercial and industrial structures and does not include portions of a building that add significantly to the mass and bulk of residential structures. The BMO created a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. With the amendments to the existing definition to accommodate hillside conditions, the revised definition will continue to effectively address the portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot for both the "flats" and the Hillside Area. Furthermore, the proposal includes a provision to encourage outdoor space that is located within the structure, but not fully enclosed in lieu of grading a flat pad for a backyard.

Currently, there are no limits to the quantity of grading or to the amount of earth one can import to or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size of the lot, and restrict the volume of earth allowed to be imported and exported from a property. The proposed regulations are based on a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with an absolute maximum that varies per zone. Projects which involve more than the limits can be approved through a discretionary review process, but would be subject to findings, environmental review and conditions of approval. The proposed Ordinance also ensures that any grading over the limits will be done using landform grading methods which are meant to mimic existing terrain.

Similar to the BMO's Residential Floor Area District, the Baseline Hillside Ordinance establishes a Hillside Standards Overlay that would allow individual neighborhoods that have determined they have unique characteristics to tailor the size limits as well as the other regulations covered by this Ordinance in order to preserve the existing character. This provision puts the power to determine the scale of existing neighborhoods directly into the community's hands and will no longer be established in a piecemeal, project-by-project manner as is currently the case.

Lastly, the proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, staff is attempting to make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

- 2. In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because the proposed measures are needed to regulate single-family residential development in the Hillside Area in order to avoid the further degrading effects of out-of-scale development in the various hillside neighborhoods throughout the City of Los Angeles as a result of the current FAR of 3:1, restrictive height limits and the lack of grading limits.
 - a) Reduction of Existing FAR for Single-Family Zones and 20% RFA Bonus

Baseline FAR Reduction

The current FAR of 3:1 for single-family residential zones is extremely permissive and has resulted in the construction of large structures that are incompatible with the existing surrounding neighborhoods. The proposed reduction in FAR is necessary in order to directly address the issue of house size, prevent the worst case scenarios, establish a new base from which to work for future code amendments and/or overlays dealing with mansionization, and for the protection of neighborhood character.

In order to calculate the maximum Residential Floor Area permitted, a site survey showing two-foot contours must be prepared by a licensed surveyor. The survey shall identify the total area of the lot, in square feet, according to the following slope intervals:

- 1. Slope less than 15 percent;
- 2. Slope at least 15 percent, but less than 30 percent;
- 3. Slope at least 30 percent, but less than 45 percent;
- 4. Slope at least 45 percent, but less than 60 percent;
- 5. Slope at least 60 percent, but less than 100 percent;
- 6. Slope greater than 100 percent.

The maximum Residential Floor Area contained in all buildings and accessory structures shall be determined by multiplying the portion of the lot in each slope interval by the corresponding FAR for the slope band to obtain the RFA for the slope band, then adding all RFA values together to reach the total RFA.

The proposed Slope Band FAR Method addresses the need to consider the topography of a property when determining the amount of development that can occur on a property, and takes into account the fact that every hillside lot is different.

Another reason for the proliferation of out-of-scale structure is the use of Buildable Area to determine maximum development potential on a single-family zoned lot. As is the case for the BMO, the proposed Ordinance utilizes the lot area as a base from which FAR is determined, rather than the Buildable Area currently used in the Municipal Code. By tying development potential directly to lot size and to individual zones, the ratio of house size to lot size is maintained proportionally across different lot sizes within each zone, and the development standards for each of the eight zones are further distinguished.

New Floor Area Ratios for Each Single-Family Zone

There are eight distinct single-family zones affected by the proposed ordinance. The proposed solution reflects the differences in the eight zone designations and establishes a base floor area ratio for each zone, based on lot size. As a direct result, two-story structures will automatically have larger setbacks than single-story structures of the same floor area.

The starting point for each zone in the proposal is the base FAR established in the BMO. Then, as the topography gets steeper, a FAR value that decreases applies. The new base Floor Area Ratios for the portions of the lot with slope less than 15% range from 0.25:1 on RA lots to 0.5:1 on R1 lots and decrease to 0:1 for those portions with slope greater than 100%.

20% or 30% RFA Bonus

The code amendment proposes eight Residential Floor Area Bonus Options, which aim to enhance the articulation of the structure and reduce the environmental and physical impacts on the land itself. The purpose of the Bonuses is to incentivize quality design in

single-family development. A 20% bonus can be applied when relying on the calculated Slope Band method to determine the RFA and the 30% bonus can be used when utilizing the guaranteed minimum RFA. The Bonuses include:

- 1) Proportional Stories Option
- 2) Front Facade Stepback Option
- 3) Cumulative Side Yard Setback Option
- 4) 18-Foot Envelope Height Option
- 5) Multiple Structures Option
- 6) Minimal Grading Option
- 7) Green Building Option 1
- 8) Green Building Option 2

Several of the bonus options are directed to lots that are more sloped (i.e. more than 30% grade) whereas some are focused on lots that are generally flat (i.e. less than 15% grade). The Proportional Stories, Front Façade Stepback and Green Building Options were established under the Baseline Mansionization Ordinance, but have been modified or expanded in this code amendment to directly relate to hillside development. In addition, there is an option that directly relate to grading for structures that will incentivize minimal footprints or excavation of the hillside. These options will also help improve public safety as it relates to hauling earth on the local streets to and from the site.

Addition to Existing Structures

A provision has been added by which existing structures are permitted an addition to existing structures of no more than 500 square feet (cumulatively), regardless of its conformance to the proposed Residential Floor Area limits. Accordingly, the Zoning Administrator authority was also increased from 750 square feet to 1,000 square feet.

b) Amend Height Limits for Single-Family Zones in the Hillside Area

Currently, flat and sloped roofs have the same height limits. Even with the decreases in the allowable FAR and the use of the design alternatives which make up the 20% or 30% Residential Floor Area Bonus, there may still be concern about visual bulk as seen from the street. The BMO reduced this effect by changing the height provisions and tying the maximum height of a building to the slope of a roof.

The proposed Baseline Hillside Ordinance will carry forward the same provisions, but will adapt the measurement of these heights to address hillside conditions by including a new method of measuring height, the Envelope Height. The new Envelope height would be the vertical distance from the grade of the site to a projected plane at the roof structure or parapet wall located directly above and parallel to the grade. The proposed regulations utilize a new method of calculating height which would follow the slope of a lot and encourages the terracing of structures up and down a slope, which helps to visually break up mass, and discourages large and tall box-like structures.

c) Amend the Single-Family Residential Floor Area Definition

Single-Family Residential Floor Area

The existing Floor Area definition does not differentiate between the various building types and zones, and is applied to all development in the same manner, unless otherwise stated. This means that the floor area of a single-family home is calculated in the same manner as a commercial shopping center or an industrial park, yet the structures are very different. The existing Floor Area definition also excludes areas such

as garage space, atriums, and stairwells that contribute significantly to the mass and scale of residential structures.

The Baseline Mansionization Ordinance established a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. The definition is balanced to include most portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot.

However, the Baseline Hillside Ordinance is proposing to amend the Residential Floor Area definition, by adding language specific to hillside development. The desired objective is to maintain a uniform definition for all development within the Single-Family Zones. The proposal changes the method to exempt covered parking so it is based on a ratio of required covered parking, includes provisions to increase the square footage for covered porches, patios or breezeways, to exempt porches on downhill lots enclosed by retaining walls, allows rooms with ceilings taller than 14 feet to be exempted so long as the exterior wall is only 14 feet and exempts basements as BMO did, but accounts for the varied topography in the hillside areas so now not all of the basement walls need to exceed 2 feet in height above the finished or natural grade. These changes make the Residential Floor Area definition more relevant to the hillside topography and address the concerns of the public.

d) Establish New Grading Limits for Single-Family Zones in the Hillside Area

Currently, there are no limits to the quantity of grading or to the amount of earth one can import or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size and zone of the lot, and restrict the volume of earth allowed to be imported and exported from a property.

The total quantities of grading, both Cut and Fill would be limited to a maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards, up to a maximum amount that corresponds to each zone. The proposal was included to address the concern raised by community stakeholders that current grading practices were contributing to slope instability and the deterioration of the City's hillsides.

In addition, for any grading over the limits would require a discretionary action and the Zoning Administrator would require the grading to be done in conformance with the Planning Guidelines Landform Grading Manuel. The purpose of this requirement is to better reflect the original landform and result in minimum disturbance to natural terrain. Notching into hillsides would be encouraged so that projects are built into natural terrain as much as possible. This requirement was imposed in order to address the potential adverse environmental impacts on the natural terrain.

Furthermore, the new ordinance amends what grading activities are included in the Import/Export limits in order to have structures to be tucked into the hillside. The previous proposal did not exempt any grading activity from the limits on Import/Export, which inadvertently encouraged the structure to skirt the hillside to avoid exporting or importing any earth. However, the current proposal will not count exempted grading (i.e. earth under the structure, driveway or 500 cubic yards for required parking) that is imported or exported towards the Import/Export limits.

e) Consolidation of Single-Family Residential Hillside Code Provisions.

The proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, the proposed amendments will make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

f) Amending the Zoning Administrator's Authority to Include Adjustments to Single-Family Residential Floor Area, Height and Grading Limits

Residential Floor Area

The proposed Code Amendment would clarify that the Zoning Administrator can grant adjustments to the Single-Family Residential Floor Area in the Hillside Area. While the proposed provisions already allow for two primary ways for a property owner to increase the amount of habitable square-footage: the 20% or 30% RFA Bonus and the by-right 500 square-foot additions to structures existing prior to the effective date of the ordinance.

The Zoning Administrator will continue to have the authority to grant an Adjustment of no more than 10% to the maximum Residential Floor Area limits for a property; any increase larger than 10% would require a Variance.

The Zoning Administrator would have the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date which exceed the proposed maximum Residential Floor Area limits. The proposed Ordinance will carry over the existing provision which allows for additions to existing structures of no more than 1,000 square feet, but will make it a discretionary action when the addition exceeds the "by-right" 500 square feet addition. These additions would be required to maintain the height of the existing structure or comply with the proposed height limits, whichever is greater.

Height

Currently the Zoning Administrator has the authority to grant adjustments of height up to a 20% increase based on the current method of measuring height, which measures from the highest point of the roof structure to the lowest point of the structure within five feet from the structure. The new proposal would continue to permit the Zoning Administrator to have the authority to allow buildings or structures to exceed the maximum height requirements, except that it would apply to Envelope Height. However, the increase in height may not result in a building or structure which exceeds an overall height of 45 feet (measured from the lowest and highest points of a structure); any increase greater than that would require a Variance. In addition, the Zoning Administrator must make the finding that the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the area vicinity.

Grading

Because there are no grading limits in the current code, the Zoning Administrator has not had authority to grant deviations from grading limits. This proposal gives the Zoning Administrator the authority to grant limited deviations from the grading requirements such as granting the true value of the grading maximum (i.e. grading in excess of the established limits for each zone, if the quantity does not exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards) or deviations in the amount of import and export. The proposal includes additional findings to protect the natural terrain.

Although the measures in this ordinance are not tailored to any specific neighborhood and are instead a citywide approach, they are needed to avoid the continuing negative impacts upon established hillside neighborhoods around the City created by the current development standards.

The proposed code amendments substantially advance a legitimate public interest in that they would further protect single-family residential neighborhoods from economic forces, such as periodic real estate market "booms", which often leads to structures that are built-out to the maximum size allowed in the LAMC. Good zoning practice requires new hillside development standards for single-family residential zones as the housing stock is updated and replaced. This proposed ordinance accomplishes this requirement.

The proposed code amendments are not arbitrary as Department staff has thoroughly analyzed various approaches and best practices, as well as public input/testimony, and determined that the proposed amendments are the simplest and most direct way of dealing with the issue of out-of-scale single-family development in the City's Hillside Areas in a way that is both equitable and meaningful. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential hillside neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City of Los Angeles.

- 3. In accordance with Charter Sections Charter 559, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.
- 4. California Environmental Quality Act (CEQA). The Department of City Planning on Friday, March 12, 2010, determined that the proposed code amendments would not have a significant impact on the environment. A Negative Declaration (ENV-2010-582-ND, Exhibit B) was prepared for the ordinance after a review of the proposed ordinance for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a negative effect on the environment. The attached Negative Declaration was published in the *Los Angeles Times* on Thursday, March 18, 2010, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is

based are located at the Community Planning Bureau of the Planning Department in Room 621, 200 North Spring Street.

Based upon the above findings, the proposed code amendment is deemed consistent with public necessity, convenience, general welfare, and good zoning practice.

PUBLIC HEARINGS AND COMMUNICATIONS

Per Section 12.32 E of the Los Angeles Municipal Code, Code Amendments do not require any public notice or a Public Hearing. A project such as this one would normally go straight to the City Planning Commission and then to the City Council. In the hopes of gathering a bigger and more varied source of input, the Department decided to go above and beyond the legal requirements and standard practices for the proposed Baseline Hillside Ordinance. The Department has done its best to be as open and transparent as possible with the available resources.

Several courtesy public meetings were held throughout the City of Los Angeles; five Kick-Off Meetings in February 2009 to obtain early input to develop a preliminary proposal, and six Public Workshops this February to obtain input on the preliminary proposal. The materials and presentations for both of those sets of meetings and workshops were distributed and made available to the general public. Each phase of the outreach efforts included extended comment periods to allow those individuals who could not attend to provide their input. Most recently, the Department conducted two separate open house/public hearings for this project. Although not required, a courtesy notice was published in the Daily Journal for the Public Workshops and Public Hearings.

Local newspapers, various neighborhood newsletters, and online blogs have written articles or opinion pieces regarding the proposed Baseline Hillside Ordinance. In 2008, the Los Angeles Times published a rather lengthy and in-depth article regarding the Baseline Mansionization Ordinance that also clearly stated that a hillside version was in the works, and an article was featured in *The Economist* discussing the City of Los Angeles' efforts to address the issue of mansionization.

Project staff has taken every measure possible to make themselves available to the public at each step, and have had conversations with hundreds of individuals over the last two years explaining the hillside concepts/provisions and going over their specific concerns. A public interest list was created and maintained for this project that has grown to over 700 email addresses (and still growing) which contains individual property owners, architects, engineers, developers, Neighborhood Councils, and Homeowners Associations, as well as professional organizations such as the Los Angeles Chapter and San Fernando Valley Chapter of the American Institute of Architects, the Los Angeles/Ventura Chapter of the Building Industry Association, the Consulting Structural Engineers Society, the Beverly Hills/Greater Los Angeles Association of Realtors. Each of these various organizations have distributed information to their membership as it became available.

The interest list will remain open until the completion of this project. Anyone who wants to obtain updates directly from the Department can email erick.lopez@lacity.org. Please type "Add Me To Hillside Notification List" in the subject line and provide contact information (or at least a ZIP Code) and, if applicable, group/organization/company affiliations.

Official documents for the proposed Baseline Hillside Ordinance have been available for download in our Department's website in Proposed Ordinances section; this is the place to go if anyone wants to know what changes to the Code are in the works. A facebook page was also created for the project (http://www.facebook.com/profile.php?id=733795140#!/pages/Baseline-Hillside-Ordinance/287956893816) where staff posts status updates and inform subscribers where to find important documents as they became available. Currently over 125 individuals have signed up to the Facebook page.

Finally, the Baseline Hillside Ordinance has been a topic of discussion during the adoption process for both the Baseline Mansionization Ordinance and the Hillside Area Amendment Ordinance, as well as both Brentwood Park Zone Changes, the Northeast Los Angeles Hillside Ordinance, and The Oaks Hillside Ordinance. Each of these included several public meetings/hearings as well.

Public Outreach

Below is a summary of the Department's public outreach efforts:

Hillside Kick-Off Meetings

In February 2009 the Department of City Planning conducted five Hillside Kick-Off Meetings throughout the City of Los Angeles in order to hear public comments, and discuss issues related to development in hillside neighborhoods.

Harbor Area Meeting Tuesday, February 17, 2009 Peck Park Gymnasium 560 N. Western Ave. San Pedro, CA 90732

Westside Meeting
Thursday, February 19, 2009
Henry Medina Parking Enforcement Facility
11214 W. Exposition Blvd., 2nd Floor
Los Angeles, CA 90064

South Valley Meeting Monday, February 23, 2009 Marvin Braude Building 6262 Van Nuys Blvd., Room 1A Van Nuys, CA 91401

North Valley Meeting
Tuesday, February 24, 2009
Council District Two Field Office
7747 Foothill Blvd.
Tujunga, CA 91042

Metro/Eastside Meeting Thursday, February 26, 2009 City Hall, Room 1010 200 N. Spring St. Los Angeles CA 90012

The intent was to obtain early public input in order to help staff identify concerns, and influence the scope of the proposed Baseline Hillside Ordinance. Department staff compiled a list of comments and concerns received from the public prior to the meetings and presented them to those in attendance. As part of a prioritization exercise, each person was given a limited number of stickers to add next to each comment under a "agree" or "disagree" comment. Staff also wrote down any new comments given each of the meetings that were not already presented.

The results of these meetings were then put together into a document which was released to the public during the extended comment period for those individuals who could not attend. Similarly, the comments received during the comment period were compiled and released to the public.

These efforts ultimately resulted in a set of goals and objective for the development of the proposed Code Amendments.

Public Workshops

A preliminary proposal was drafted in response to the principal concerns heard at the Kick-Off Meetings, and in February 2010 the Department of City Planning conducted six Public

Workshops throughout the City of Los Angeles in order to hear public comments and suggestions for changes to the preliminary proposals.

South Valley Meeting
Wednesday, February 17, 2010
Braemar Country Club, Sierra Room
4001 Reseda Blvd.
Tarzana, CA 91356San Pedro, CA 90732

Westside Meeting: Thursday, February 18, 2010 Mirman School, Ross Family Auditorium 16180 Mulholland Drive Los Angeles, CA 90049

Hollywood Meeting Monday, February 22, 2010 Hollywood United Methodist Church 6817 Franklin Avenue Los Angeles, CA 90028 North Valley Meeting
Tuesday, February 23, 2010
Council District Two Field Office
7747 Foothill Blvd.
Tujunga, CA 91042

Harbor Area Meeting Wednesday, February 24, 2010 Peck Park Gymnasium 560 N. Western Ave. San Pedro, CA 90732

Metro/Eastside Meeting Thursday, February 25, 2010 Council District 13 Field Office 3750 Verdugo Road Los Angeles, CA 90065

The intent was to obtain public input in order to introduce the public to the concepts being explored by staff, as well as hear public comments on, and suggestions for changes to the preliminary proposals. Prior to the meetings, Department staff developed summaries of each concept and released them to the public. A comprehensive presentation was given at each meeting which provided more details. In order to ensure a collaborative environment, questions and comments were accepted during these presentations resulting in a very constructive public discussion.

The majority of those who attended indicated a general agreement with the concepts of the preliminary proposal. There were those who agreed with the concepts, but wanted to wait until proposed code language was released before they gave their support. A majority of those who expressed concerns regarding the proposals seemed to agree with the idea that the current hillside regulations needed to be revised, but disagreed with the approach of the preliminary proposals; some gave specific suggestions for changes. Very few of those who attended believed that the current regulations did not need to be revised and should be left alone. Staff incorporated as many of the actionable suggestions for changes as possible, but there were some that were inconsistent with the goals and objects for, and beyond the scope of the project.

The handouts and presentation for the workshops were distributed and made available to the general public, and an extended comment period was also provided to allow those individuals who could not attend to provide their input.

Public Hearings

In the first week of April 2010, the Department of City Planning conducted two Public Hearings preceded by an Open House/Questions & Answer Session.

Monday, April 5, 2010
Marvin Braude Building
6262 Van Nuys Blvd., Room 1A and 1B
Van Nuys, CA 91401
Open House: 5:00 – 6:00 PM

Public Hearing: 6:30 - 8:00 PM

Thursday, April 8, 2010
Hollywood United Methodist Church
6817 Franklin Avenue
Los Angeles, CA 90028
Open House: 5:00 – 6:00 PM
Public Hearing: 6:30 – 8:00 PM

City Planning Commission

On April 22, 2010, staff presented the Baseline Hillside Ordinance to the City Planning Commission. Approximately 35 members of the public gave public comment in support, opposition or provided suggestions on how to improve the proposal. After the public testimony, City Planning Commission deliberated, questioned staff and requested that staff consider the following:

- 1. Comparison Study of Hillside Regulations for Other Jurisdictions
- 2. Department of Building & Safety Comments
- Method for Guaranteed Minimum & Substandard Lots to Obtain More Residential Floor Area
- 4. Additions to Existing Structures
- 5. Flat Roofs vs. Sloped Roofs
- 6. Ridgeline Protection as Separate Action
- 7. Retaining Walls as Separate Action
- 8. User-Friendly Single-Family Zone Regulations Document

On May 13, 2010, staff requested a continuance for the City Planning Commission meeting until May 27, 2010 in order to address the above concerns sufficiently.

Beverly Hills/Greater Los Angeles Association of Realtors

Subsequent to the April 22, 2010 City Planning Commission meeting, staff presented at a Beverly Hills/Greater Los Angeles Association of Realtors meeting on April 28, 2010. Staff conducted a question and answer period for the Association.

EXHIBIT A

REVISED PROPOSED ORDINANCE PROVISIONS

The following language is intended to be a depiction of the proposed Code provisions that may comprise the Baseline Hillside Ordinance. These provisions attempt to consolidate as many relevant Zoning Code provisions related to single-family hillside development as possible into one simplified Code section. The final Baseline Hillside Ordinance, containing legal description of the proposed Code Amendments, will be prepared at a later date by the City Attorney's Office with the assistance of Department of City Planning staff.

LEGEND:

Language that has been changed from the April 22, 2010 Staff Report version is highlighted in yellow (when viewed or printed in color); example: revised text.

Language being migrated to the new consolidated location is generally indicated by a Code Section in brackets that is highlighted in green (when viewed or printed in color); example: [12,21 A.17].

In general, except for the Hillside Area Development Standards section, new language is indicated by underlined text ("text") and proposed language removal is indicated by strikeout text ("text").

Language in blue (when viewed or printed in color) generally indicates references to other provisions of the Municipal Code or other relevant regulations or policies.

Since the location of the Baseline Hillside Ordinance has not yet been determined the current proposal uses "<<BHO>>" in lieu of the final Section number.

DEFINITIONS (12.03)

COMPACTION. The densification of a fill by mechanical means.

CUT. A portion of land surface or areas from which earth has been removed or will be removed by excavation; the depth below the original ground surface or excavating surface. Also referred to as EXCAVATION in Division 70 of Chapter IX of this Code.

ELEVATION. Vertical distance in feet above sea level.

FILL. The depositing of soil, rock or other earth materials by artificial means.

FLOOR AREA. The area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas.

Buildings on properties zoned RA, RE, RS, and R1, <u>not including properties in the Coastal Zone which are not designated as Hillside Area</u>, are subject to the definition of Residential Floor Area. [12.03]

FLOOR AREA, RESIDENTIAL. The area in square feet confined within the exterior walls of a building or accessory building on a lot in an RA, RE, RS, or R1 Zone. Any floor or portion of a floor with a ceiling height greater than 14 feet shall count as twice the square footage of that area. The area of stairways and elevator shafts shall only be counted once regardless of ceiling height. Area of an attic or portion of an attic with a ceiling height of more than seven feet shall be included in the floor area calculation.

Except that the following areas shall not be counted:

- 1. Required Covered Parking. The first 400 square feet of covered parking area. For properties in the Hillside Area, the total area of 200 square feet per required covered parking area.
- <u>Detached Accessory Buildings.</u> Detached accessory buildings not exceeding 200 square feet; however, the total combined area exempted of all these accessory buildings on a lot shall not exceed 400 square feet.

3. Covered Porches, Patios, and Breezeways.

For lots not located in the Hillside Area or Coastal Zone, the first 250 square feet of attached porches, patios, and breezeways with a solid roof if they are open on at least two sides.

For lots located in the Hillside Area Except that in the Hillside Area, the exempted area shall be limited to 5% of the maximum Residential Floor Area for a lot, but need not be less than 250 square feet, and:

- a. For Downhill Lots, Attached porches or patios with a solid roof may be open on only one side if two of the other sides are retaining walls.
- b. For Downhill Lots, Breezeways no wider than 5 feet and no longer than 25 feet connecting a garage at the street level to a dwelling, either directly or through a stairway or elevator, shall not count as Residential Floor Area and shall not be counted against the aforementioned 250 square foot exemption.
- 4. <u>Lattice Roof Porches, Patios, and Breezeways.</u> Porches, patios, and breezeways that have an open Lattice Roof, as defined in this Section.

5. Over-In-Height Ceilings.

The first 100 square feet of any story or portion of a story of the main building on a lot with a ceiling height greater than 14 feet shall be counted only once. Except that in the Hillside Area, for a room or portion of a room which has a floor height below the exterior grade (or "sunken rooms"), when the ceiling height as measured from the exterior natural or finished grade, whichever is lower, is not greater than 14 feet it shall only be counted once.

6. Basements.

<u>For lots not located in the Hillside Area or Coastal Zone, a</u> Basement when the elevation of the upper surface of the floor or roof above the basement does not exceed 2 feet in height at any point above the finished or natural grade, whichever is lower.

For lots located in the Hillside Area, a Basement when the elevation of the upper surface of the floor or roof above the basement does not exceed 3 feet in height at any point above the finished or natural grade, whichever is lower, for at least 60% of the perimeter length of the exterior basement walls.

For all lots, a maximum of 2 light-wells which are not visible from a public right-of-way and do not project more than 3 feet from the exterior walls of the basement and no wider than 6 feet shall not disqualify said basement from this exemption.

FLOOR AREA RATIO (FAR). A ratio establishing relationship between a property and the amount of development permitted for that property, and is expressed as a percentage or a ratio of the Buildable Area or Lot Size (example: "3 times the Buildable Area" or "3:1").—In the R1, RS, RE, and RA Zones not located in a Coastal Zone, the FAR is a percentage of the lot size.—For all other Zones, unless otherwise specified, the FAR is a ratio based on the Buildable Area for a lot.

GRADE, HILLSIDE AREA. For the purpose of measuring height on an R1, RS, RE, or RA zoned lot in the Hillside Area, pursuant to <<BHO>> of this Article, Hillside Area Grade shall be defined as the elevation of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective elevation of grade for purposes of measuring height of a building or structure. [12,21 A.17(c)(5)]

GRADING. Any cut or fill, or combination thereof, or recompaction of soil, rock or other earth materials.

GRADING, LANDFORM. A contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal plane designed to simulate the appearance of surrounding natural terrain. The graded slopes are non-linear in plan view, have varying slope gradients, and significant transition zones between human-made and natural slopes resulting in pad configurations that are irregular. The concept of landform grading incorporates the created ravine and ridge shapes with protective drainage control systems and integrated landscaping designs.

GRADING, REMEDIAL. For the purposes of <<8HO>> of this Article, Remedial Grading shall mean grading recommended by a California Licensed Geologist prepared in accordance with the provisions in Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code, and approved by the Department of Building and Safety Grading Division, that is necessary to mitigate a geotechnical hazard on a site (including for access driveways), such as including, but not limited to: 1) repair of a landslide, 2) over-excavation of a building site to remediate expansive or compressible soils, and/or 3) altering a building pad to improve site stability (usually by removing materials and lowering finish grade).

LOT, DOWNHILL. A lot for which the Front Lot Line, or street from which serves as the primary vehicular access point for the required parking, is at a higher elevation than the Rear Lot Line.

LOT, UPHILL. A lot for which the Front Lot Line, or street from which serves as the primary vehicular access point for the required parking, is at a lower elevation than the Rear Lot Line.

ROOF, LATTICE. A roof covering constructed as an Open Egg-Crate Roof or Spaced Roof. An Open Egg-Crate roof is constructed of lattice members so that a sphere of 10 inches minimum in diameter can pass through. All lattice members must have a minimum nominal width of 2 inches. A Spaced Roof is constructed of members running in one direction only with a minimum clear spacing between the members of not less than 4 inches. In addition beams supporting and placed perpendicular to the members shall be spaced not less than 24 inches on center. All members or beams must have a minimum nominal width of 2 inches.

SLOPE. An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance (i.e. 2:1 or 1:1) or as a percentage (i.e. 50% or 100%).

SLOPE BAND. The area of a property contained within a defined slope interval as identified in <<BHO>> of this Article and shown on a Slope Analysis Map prepared by a licensed surveyor based on a survey of the natural/existing topography. Slope bands need not necessarily be located in a contiguous manner and can be one or more areas as small or as large as they exist on said property.

SUBSTANDARD HILLSIDE LIMITED STREET. A street-which does not meet the minimum requirements of a Standard Hillside Limited Street as defined in Section 12.03 (public or private) with a width less than 36 feet and paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering. [12.03]

HILLSIDE AREA DEVELOPMENT STANDARDS (LOCATION TBD)

Hillside Area Development Standards. For a lot located in a Hillside Area, no building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following development standards are provided and maintained in connection with the building, structure, or enlargement:

 Setback Requirements. No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the setbacks as outlined in Table <<BHO>>-1 are provided and maintained in connection with the building, structure, or enlargement.

Table <<8HO>>-1 Single-Family Zone Hillside Area Setback Requirements									
	R1	RS	RE9		RE15	RE20	RE40	RA	
Front Yard									
Not less than:	20% of Lot Depth								
Need not exceed:	20 ft 25 ft								
Side Yord									
Not less than:	5 1	ft	7	ft	10%		10 ft		
					of lot width				
-					, but				
					not				
			1		less				
CONTRACTOR OF THE CONTRACTOR O					than 5 ft				
Need not exceed:	en e	n	/a		10 ft	Artinas das damentadas Arabatinas destribuis	n/a		
The required side yard may be	50	ft	70	ft	1	n/a	and almost recording	70	
reduced to 10% of the Lot Width,					The Province Auditor		The state of the s	ft*	
but in no event to less than 3 ft,					The Control		and the second	in the second	
where the lot is less than the					THE PERSON NAMED IN COLUMN TO THE PE		Table by Carlot	-	
following widths:		***************************************				NACONALA MAZINA PARA CONCORDA OU FARA	in and the second secon	INVENTAL PROPERTY OF THE COLUMN	
For buildings or structures with a							equired	ş.	
height larger than 18 feet:	-			Menidifilan en colen cons	ammenter and a second s	V-rougography reg	n therec	of	
The contract of the contract o	above	the firs	t 18 fee	t. [12 .2	1 A.17(b)(2)]			

	R1	RS	RE9 RE11 RE15 RE20 RE40					
Rear Yord Not less than:	15 ft	15 ft 20 ft 25% of lot depth						
Need not exceed:	n	/a	25 ft					
t – feet n/a – the provision is not applic .ot Depth – as defined in Sectio								

Notwithstanding the required yards, or setbacks, outlined in Table <<BHO>>-1 above, or those exceptions found in Section 12.22 of this Chapter, the following provisions shall apply:

- a. Prevailing Front Yard Setbacks. Where all of the developed lots which have front yards that vary in depth by not more than 10 feet comprise 40% or more of the frontage, the minimum front yard depth shall be the average depth of the front yards of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage each of which has front yards that vary in depth by not more than 10 feet, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. In determining the required front yard, buildings located on key lots, entirely on the rear half of lots, or on lots in the "C" or "M" Zones, shall not be counted, provided, however, that nothing contained in this paragraph shall be deemed to require front yards which exceed 40 feet in depth.
- b. Front Yards on Lots Fronting on Substandard Hillside Limited Street. For any lot that fronts on a Substandard Hillside Limited Street, there shall be a minimum front yard of at least five feet. For lots having a zoning classification-that contains a provision-calling for observance of the prevailing setback, The prevailing setback regulations, as outlined in Paragraph a of this Subdivision, shall apply, so long as a front yard of no less than five feet is provided. 12.21 A 17(a)(1)
- c. Front Yard Setbacks on Key Lots. On key lots the minimum front yard may be the average of the required front yard for the adjoining interior lot and the required side yard along the street side of a reversed corner lot, but such minimum front yard may apply for a distance or not more than 85 feet from the rear lot line of the reversed corner lot, beyond which point the front yard specified in Table <<BHO>>1 or Paragraph a of this Subdivision shall apply. Where existing buildings on either or both of said adjoining lots are located nearer to the front or side lot lines than the yard required by this <u>Subdivision Article</u>, the yards established by such existing buildings may be used in computing the required front yard for a key lot.
- d. Front Yards on Through Lots. At each end of a through lot there shall be a front yard of the depth required by this <u>Subdivision-Subsection</u> for the zone in which each street frontage is located, except that only one front yard need be provided on those through

lots which abut on a primary, major or secondary highway, as such highways are shown on the "Highways and Freeways Element of the General Plan", when the rights to vehicular ingress and egress from such through lots to the highways have been abandoned or prohibited by a tract restriction as a condition precedent to the approval of the recordation of the subdivision in which such through lots are included. Where only one front yard is required on a through lot, as provided herein, the rear yard shall be located on the portion of such lot adjacent to the highway

Where a through lot is less than 150 feet in depth or is developed as a single building site, and the two required front yards are provided, no rear yard is required. [12.21 [.1(b)]]

- e. Front Yard Paving. All portions of the required front yard not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved. [12.21 C.1(g)]
- f. Front Yard on Lots Existing Prior to June 1, 1946. On any lot of less than one acre which was of record or held in separate ownership on June 1, 1946, or was subsequently created either by the recording of a division of land map or otherwise in accordance with the applicable zoning regulations, the originally required front yard shall be provided and maintained on such a lot in addition to any new front yard required by any subsequent rearrangement of the lot lines by sale or division (without recording a subdivision map) creating a new lot fronting on a different street than that on which said original lot fronted. [12 21 C 1(e)]
- g. Side and Rear Yards for Basements. In determining the required side and rear yards of a building, any basement containing habitable rooms shall be considered a story. [12.21 C.1(1)]
- h. Yards in the Coastal Zone. The following setback requirements shall apply to lots located in a Coastal Zone:
 - (1) On a lot in the RE9 or RE11 Zone, there shall be a side yard on each side of a main building of not less than 5 feet, except that, where the lot is less than 50 feet in width, the side yard may be reduced to 10% of the width of the lot, but in no event less than 3 feet.
 - (2) In lieu of the additional side yard requirement in Table <<BHO>>-1, for a building more than two-stories in height on lots in the R1, RS, or RE Zone, one foot shall be added to the width of each required side yard for each additional story above the second story.
 - (3) On a lot in the RA Zone, where a side yard is less than 10 feet in width, and the building erected on the lot is three or more stories in height, one foot shall be added to such side yard.
- Side Yards in Specific Plans, Historic <u>Preservation</u> Overlay Zones or in Subdivision Approvals. Side yard requirements in specific plans, Historic <u>Preservation</u> Overlay Zones or in subdivision approvals shall take precedence over requirements in this Subsection. <u>This Subsection</u> shall apply in these areas, however, where there are no side yard

- requirements provided in the specific plan, Historic <u>Preservation</u> Overlay Zone, or subdivision approval.
- j. Projections Encroachments Into Required Yards. Notwithstanding those exceptions found in Section 12.22 of this Chapter, every required front, side and rear yard shall be open and unobstructed from the ground to the sky except for the following: 12.21 [12]
 - (1) Garages in Front Yards. A private garage may be located on the required front yard of a lot-having a slope conforming to that specified in Section 12.22-C.6 where the elevation of the ground at a point 50 feet from the front lot line of a lot and midway between the side lot lines differs 10 feet or more from the curb level, provided every portion of the garage building is at least 5 feet from the front lot line. Where the wall of such garage is two-thirds below natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height.
 - (2) Open, Unenclosed Stairways, Porches, Platforms, Landing Places, or Balconies. Notwithstanding any other provisions of this Code, on lots fronting onto a Substandard Hillside Limited Street, open unenclosed stairways, porches, platforms and landing places not covered by a roof or canopy shall not project or extend into the front yard. Balconies with 10 feet of vertical clearance beneath them may project or extend no more than 30 inches into a front yard. [12.21 A.17(a)(3)]
- k. Pools, Ponds, or Body of Water in Required Yards. No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required yard space in which fences over 42 inches in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level. [12 21 C 1(g)]
- Loning Administrator's Authority. For lots fronting on a Substandard Hillside Limited Street, A Zoning Administrator may grant limited deviations from the a reduction of the front setback requirements of Paragraph b of this Subdivision and side yard requirements in Table <<BHO>>-1, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article; however, in no event shall the side yard be less than 4 feet. [12.24 X 11(2)]
- 2. Maximum Residential Floor Area. The maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed the sum of the square footage of each Slope Band multiplied by the corresponding Floor Area Ratio (FAR) for the zone of the lot, as outlined in Table <<BHO>>-2. This formula can be found in Figure <<BHO>>-1, where "A" is the area of the lot within each slope band, "FAR" is the FAR of the corresponding slope band, "RFA" is the sum of the Residential Floor Area of each Slope Band.

Single	Family Zo		rable < El		Thor Arcs	Ratios (I	ARI	
Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 – 14.99	0.50	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0,35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100+	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

		a algure sa	R4(0.53-1		
	diliside Area Ma				
Slope Bands (%)	Area (sq-ft)		FAR	Resi	dential Floor Area
0 – 14.99	A^1	Χ	FAR ¹	=	RFA ¹
15 – 29.99	A ²	X	FAR ²		RFA ²
30 – 44.99	A^3	Х	FAR ³		RFA ³
45 – 59.99	A^4	X	FAR 4		REA ⁴
60 - 99.99	A ^S	X	FAR ⁵	=	REA ⁵
100+	A^6	X	FAR ⁶		RFA ⁶
	Maximun	n Residentia	il Floor Area	= Sun	n of RFA ¹ through RFA ⁶

a. Slope Analysis Map. As part of an application for a permit to the Department of Building & Safety, or for a Discretionary Approval as defined in Section 16.05 B of this Code to the Department of City Planning the applicant shall submit a Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped, and signed by a registered civil engineer or licensed land surveyor, to verify the total area (in squarefeet) of the portions a property within each slope band identified in Table <<BHO>>-2 of this Subsection. The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with one two-foot intermediates. The map shall also indicate the datum, source, and scale of topographic data used in the slope analysis, and shall attest to the fact that the slope analysis has been accurately calculated.

The Slope Analysis Map shall clearly delineate/identify the slope bands, with (i.e. with contrasting colors or hatching), and shall include a tabulation of the total area in square-feet within each slope band, as well as the FAR and Residential Floor Area value of each corresponding slope band.

The Slope Analysis Map shall be prepared using CAD-based, GIS-based, or other type of software specifically designed for such purpose and approved for such use by the Department of Public Works, Bureau of Engineering.

The Slope Analysis Map shall be stamped and signed by a registered civil engineer or licensed land surveyor, indicating indicate the datum, source, and scale of topographic

data used in the slope analysis, and attesting to the fact that the slope analysis has been accurately calculated.

b. Guaranteed Minimum Residential Floor Area. Notwithstanding the above, if a property meets the current minimum lot size requirements, the maximum Residential Floor Area for all buildings and accessory buildings on any lot need not be less than the percentage of the Lot Size as outlined in Table <<BHO>>-3 below or 1,000 square feet, whichever is greater 1,250 square feet in the R1 Zone, 1,688 square feet in the RS Zone, 1,800 square feet in the RE9 Zone, 2,200 square feet in the RE11 Zone, 2,625 square feet in the RE15 Zone, 3,500 square feet in the RE20 Zone, 7,000 square feet in the RE40 Zone, and 2,188 square feet in the RA Zone.

Ta	ble < <bho>>-3</bho>							
Guaranteed Mir	Guaranteed Minimum Residential Floor Area							
Zone	Percentage of Lot Size							
R1	25%							
RS	23%							
RE9	20%							
RE11	20%							
RE15	18%							
RE20	18%							
RE40	18%							
RA	13%							

For lots with an area that is less than 50% of the minimum lot size for its Zone, and which were made nonconforming in lot size as a result of an adopted zone change or code amendment changing the minimum lot size and met the minimum lot size requirements of the original zone, the guaranteed minimum for the original zone as stated in the paragraph above shall apply.

For all other lots which are nonconforming in lot size, the maximum Residential Floor Area for all buildings and accessory buildings need not be less than 750 square-feet.

- c. Residential Floor Area Bonus. An additional 20%, or 30% for lots where the Guaranteed Minimum outlined in Paragraph b of this Subdivision is necessary, of the maximum Residential Floor Area, as determined by Table <<8HO>>-2 or by Paragraph b of this Subdivision, for that lot shall be allowed if any of the options listed below is utilized. Only one 20% bonus per property is allowed.
 - (1) Proportional Stories Option. The total residential floor area of each story other than the Base Floor in a multi-story building does not exceed 75% of the base floor area. This option shall only apply to flat building pads where the slope of the building pad area prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing grade within 5 horizontal feet, is less than 15%; or
 - (2) Front Facade Stepback Option. The cumulative length of the exterior walls which are not a part of a garage facing the front lot line, equal to a minimum of 25% of the building width shall be stepped-back a distance of at least 20% of the building depth

from a plane parallel to the lot width established at the point of the building closest to the front lot line, as illustrated in Figure << BHO>>>2. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used to establish the plane parallel to the front lot width, as illustrated in Figure << BHO>>>3. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

This option shall only apply to structures which are no more than 35 feet from the frontage along an improved street and on a "flat" building pad where the slope of the building pad prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing natural grade within 5 horizontal feet, is less than 15%; or

- (3) Cumulative Side Yard Setbacks Option. The combined width of side yards shall be Side yard setbacks shall be cumulatively at least 25% of the total Lot Width, as defined in Section 12.03, but in no event shall a single side yard setback be less than 10% of the Lot Width or the minimum required by Subdivision 1 of this Subsection, whichever is greater. One foot shall be added to each required side yard for each increment of 10 feet or fraction thereof of height above the first 18 feet of height. The width of a required side yard setback shall be maintained for the entire length of a side yard and cannot alternate from one side yard to the other; or
- (4) 18-Foot Envelope Height Option. For properties which are not in the "1SS" Single-Story Height District, the maximum envelope height, measured pursuant to Paragraph a of Subdivision 4 of this Subsection, shall be no more than 18 feet; or
- (5) Multiple Structures Option. In addition to the lot coverage requirements in Subdivision 5 of this Subsection, any one building and structure extending more than 6 feet above natural ground level Hillside Area Grade shall cover no more than 20% of the area of a lot. For the purposes of this provision, these structures may only be connected by one breezeway, fully enclosed walkway, elevator, or combination thereof of not more than 5 feet in width; or
- (6) Minimal Grading Option. For properties where at least 60% of the lot is comprised of slopes which are 30% or greater, as determined by a Slope Analysis Map prepared in accordance with Paragraph a of this Subdivision, the total amount of any grading on the site; (including exempted grading, as outlined in Subdivision 6 of this Subsection); does not exceed the numeric value of 10% of the total lot size in cubic yards or 1,000 cubic yards, whichever is less (example: a project involving 500 cubic-yards of non-exempt-grading on a 5,000 square-foot lot will eligible for this bonus option); or

- (7) Landform Grading Option. For properties where at least 60% of the lot is comprised of slopes which are 30% or greater, as determined by the Slope Analysis Map, the total quantities of non-exempted grading, as outlined in Subdivision 6 of this Subsection, on the site does not exceed 1,000 cubic yards and landform grading, as outlined in the Department of City Planning—Planning Guidelines Landform Grading Manual, is used to reflect original landform and result in minimum-disturbance to natural terrain; or
- Green Building Option 1. For new single family dwelling construction only, the new construction shall be in substantial compliance with the requirements for the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED®) for Homes program at the "Silver" level or higher.

Prior to submitting an application to the Department of Building and Safety for a building permit, the applicant shall be required to obtain an authorization to submit for plan check from the Department of City Planning. In order to obtain this authorization, the applicant shall provide:

- (i) Documentation that the project has been registered with the USGBC's LEED® for Homes Program, and that the required fees have been paid;
- (ii) A preliminary checklist from a USGBC-contracted LEED® for Homes Provider, which demonstrates that the project can be registered with the LEED® for Homes Program with a target of certification at the "<u>Silver</u>" or higher level;
- (iii) A signed declaration from the USGBC-contracted LEED® for Homes Provider stating that the plans and plan details have been reviewed, and confirms that the project can be registered with the LEED® for Homes Program with a target certification at the "<u>Silver</u>" or higher level; and
- (iv) A complete set of plans stamped and signed by a licensed architect or engineer that include a copy of the preliminary checklist and signed declaration identified in Subparagraphs (2) and (3) of this paragraph and identify the measures being provided for LEED® Certification at the "Silver" level. Each plan sheet must also be signed by a USGBC-contracted LEED® for Homes Provider verifying that the plans are consistent with the submitted preliminary checklist.

The Department of Building and Safety shall refer applicants to the Department of City Planning prior to issuance of a building permit to obtain a clearance to verify the project compliance with the originally approved plans.

If changes are made to the project, the applicant shall be required to submit a revised set of plans, including the four requirements listed above, with all revisions necessary to make the project in substantial compliance with the requirements for LEED® Certification at the "Silver" level.

(8) Green Building Option 2. Project exceeds the energy efficiency performance of a home built to the Title-24 requirements by at least 15%. Projects can minimize the amount of energy used by installing energy-efficient systems, such as Energy Star

appliances, as well as by minimizing the amount of energy lost as a result of the building envelope.

All projects should have an Energy Usage Plan and should document in detail which features/measures will be implemented in order to limit energy usage. Energy Usage Plans should correspond to the requirements of Title-24.

- e. Zoning Administrator's Authority.
 - (1) 10% Adjustments. The Zoning Administrator has the authority to grant adjustments from the requirements of Paragraphs a and c of this Subdivision of not more than 10%, pursuant to the authority and procedures established in Subsection A of Section 12.28 of this Article.
 - (2) Additions to Structures Existing Prior to August 1, 2010. The Zoning Administrator has the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date for which permits have been previously obtained which exceed the requirements of Paragraphs a and c of this Subdivision, provided: [12.21 A 17(i)(3)]
 - (i) the total cumulative Residential Floor Area of all such additions does not exceed 750–1,000 square feet-(excluded from calculations of this 750 square foot limitation is floor area devoted to required covered parking); and [12.21 A 17(i)(3)(a)]
 - (ii) the resulting building does not exceed the height of the original building or the height permitted in Subdivision 4 of this Subsection, whichever is greater; and [12.21 A.17(i)(3)(b)]
 - (iii) at least two off-street covered parking spaces are provided. [12,21 A.17(i)(3)(c)]
- 3. Verification of Existing Residential Floor Area. For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after August 1, 2010, or remodels of buildings built prior to August 1, 2010, the existing residential floor area shall be the same as the building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that residential floor area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this Subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

4. **Height Limits.** No portion of a building or structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table <<BHO>>-4, or as otherwise stated in the

paragraphs below. For the provisions below, whenever grade is mentioned it shall mean Hillside Area Grade as defined in Section 12.03 of this Article.

			Table <<					Section of
Height Districts	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
When the roof of the greater, the maximu	der einen Freihalte beim betreit gestellt und der	Commercial Control of the Control of	with a start when the court of	THE PROPERTY OF THE PARTY OF STREET AS ASSESSED.	The state of the s	A PART OF THE PROPERTY OF THE PART OF THE	white was being comment of the comment	Carlotte Carlotte Control of the Con
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the		de cara e transcer a l'ambanda d'ambanda com de cara la	A CONTRACTOR OF THE PARTY OF TH		Carried annual source and the	A TO SHOW THE PARTY OF THE PART	The second secon	less than
25%, the maximum	height for s	aid portion	of building	or structu	re thereof :	shall be as	follows:	
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
155	18	18	18	18	18	18	18	18

- a. Measurement of Height. Notwithstanding any other provision in this Code, the height limits outlined in Table <<BHO>>-4 shall be measured as outlined below.
 - (1) Maximum Envelope Height. Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the grade of the site to an imaginary projected plane at the roof structure or parapet wall located directly above and parallel to the grade as illustrated in Figure <<BHO>> 4 below.

 Measurement of the envelope height shall originate at the lowest grade within 5 horizontal feet of the exterior walls of a building or structure. At no point shall any given section of any part of the proposed building or structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, along with or any other information which the Department of Building and Safety deems necessary to determine compliance with this Subdivision.

- b. Zoning Administrator's Authority. A Zoning Administrator may allow structures which exceed the maximum envelope height requirements of Paragraph a of this Subdivision; however, the increase in height-will may not result in a building or structure which exceeds an overall height of 45 feet, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article. The overall height shall be measured from the lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure, to the highest elevation point of the roof structure or parapet wall. [12.24 X 11(1)]
- c. Prevailing Height. <u>Notwithstanding Paragraph a Table <<BHO>>-4 of this Subdivision</u>, when 40% or more of the existing one-family dwellings with frontage on both sides of the block have building heights exceeding these limits, the maximum <u>envelope</u> height

for any building on that block may be the average height of the dwellings exceeding these limits. [12.21.1]

- d. Lots in a Single-Story Height District. As enabled by Section 12.21.1 A. 1 of this Article, on lots in a "SS" Single Story Height District, shown as "1SS" on a Zoning Map, no building or structure shall be erected or enlarged which exceed one story.
 - Notwithstanding the provision in Section 12.21.1 A.8, in determining the number of stories, any basement which is exempt from the Residential Floor Area calculation, as outlined in Section 12.03 of this Code, shall not be considered a story. [12.21.1]
- e. Lots Fronting on Substandard Hillside Limited Streets. For any lot, where the elevation of the ground at a point 50 feet from the front lot line and midway between the side lot lines is 33 feet or more higher than the lowest point of the front lot line, fronting onto a Substandard Hillside Limited Street, as defined in Section 12.03, and subject to the 5-foot front yard setback, no portion of a building or structure within 20 feet of the front lot line-shall exceed 24 feet in height. The 24 foot maximum building and structure height shall be measured from the elevation at the centerline or midpoint of the street on which the lot fronts. Portions of a building or structure beyond the front yards setback of the base zone, structures would be allowed those heights permitted under Paragraph a of this Subdivision. [12.21 A 17(c)(4)]
- f. Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies.

 Unenclosed/uncovered rooftop decks, cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height, as limited and measured in Paragraph a of this Subdivision, no more than 5 horizontal feet.
 - For the purposes of this Paragraph, "visually permeable railing" means railing constructed of material that is transparent, such as glass or plastic panels, or wrought iron or other solid material which is 80% open to light and air.
- g. **Roof Structures**. Roof structures as outlined in Table <<BHO>>-5 below, or similar structures, may be erected above the height limit specified in Table <<BHO>>-4.

Table <<81 Projecting Roo		
Roof Structures	Projection Above Height Limit	Setback from Roof Perimeter
Elevator Housing		green of the state of the second contract of the state of
Tanks		
Ventilating Fans or similar equipment required		
to operate and maintain the building.		
Towers	No more than	Not less than
Steeples	5 feet.	5 feet.
Flagpoles		
Smokestacks	The state of the s	
Wireless Masts		
Water Tanks		

Table <<8HO>>>5 Projecting Roof Structures					
Roof Structures	Projection Above	Setback from			
	Height Limit	Roof Perimeter			
Silos					
Solar Energy Devices					
Chimneys					
Exhaust Ducts/Ventilation Shafts		A STATE OF THE STA			
Stairway Housing, no larger than 36 square-feet.		None.			
Skylights, covering more than 33 1/3% of the	No more than				
roof area upon which the skylight is constructed.	30 inches.				

No roof structure or any other space above the height limit specified in Table << BHO>>-4 shall be allowed for the purpose of providing additional floor space. [12,21,1 B 3(a) & (b)]

- h. Specific Plans, Historic Preservation Overlay Zones or Subdivision Approvals. Height limitations in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this section. This section shall apply when there are no height limitations imposed on lots by a specific plan or a Historic Preservation Overlay Zone or created by a subdivision approval.
- 5. **Lot Coverage.** Buildings and structures extending more than 6 feet above natural ground level shall cover no more than 40% of the area of a lot. [12.21 A.17(f)(1)]
 - a. Lot Coverage on Substandard Lots. Notwithstanding the paragraph above, for a lot which is substandard as to width (less than 50 feet) and as to area (less than 5,000 square feet), buildings and structures shall cover no more than 45% of the area of a lot. [12.21 A 17(f)(2)]
 - b. Zoning Administrator's Authority. A Zoning Administrator may grant limited deviations from these requirements, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
- 6. Grading. Notwithstanding any other provisions of the Municipal Code, total grading (cut and fill) on a lot shall be limited as outlined below. No grading permits shall be issued until a building permit is approved.
 - a. Maximum Grading Quantities. The maximum cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for any one property shall be limited to a maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards, up to a maximum of 1,000 cubic yards total. Example: a 5,000 square foot lot would have a maximum grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation). The cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for any one property shall be limited to a base maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards. Example: a 5,000 square-foot lot would have a maximum grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation).

However, the cumulative quantity of grading shall not exceed the maximum "by-right" grading quantities outlined by Zone in Table << BHO>>-6 below.

Table < <bho>>-6</bho>					
Maximum	n "By-Right" Grading Quantities				
Zone	Maximum Grading (cubic yards)				
R1	1,000				
RS	1,100				
RE9	1,200				
RE11	1,400				
RE15	1,600				
RE20	2,000				
RE40	3,300				
. RA	1,800				

- b. **Import/Export Limits.** The maximum quantity of earth import or export shall be limited to the following quantities:
 - (1) Lots Fronting on Standard Hillside Limited Streets or Larger. For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03, the maximum quantity of earth import shall be no more than 500 cubic yards, where additional grading on-site does not exceed 500 cubic yards-in conjunction with the amount of import does not exceed the requirements established in Paragraph a of the Subdivision-any landform alteration so that the maximum amount of grading is no greater than 1,000 cubic yards. The maximum quantity of earth export shall be no more than 1,000 cubic yards.
 - (2) Lots Fronting on Substandard Hillside Limited Streets. For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, the maximum quantity of earth import shall be no more than 375 cubic yards, where additional grading on-site does not exceed 625 cubic yards in conjunction with the amount of import does not exceed the requirements established in Paragraph a of the Subdivision-any landform alteration so that the maximum amount of grading is no greater than 1,000 cubic yards. The maximum quantity of earth export shall be no more than 750 cubic yards.
 - (3) Exempted On-Site Grading Activity. Earth quantities which originate from, or will be utilized for any exempted grading activity listed in Paragraph c of this Subdivision shall be exempted from the maximum import and export quantities outlined in Subparagraph (2) of this Paragraph. A plan indicating the destination and/or source (i.e. exempted grading activity or non-exempted grading activity) of any import and/or export shall be submitted as part of a Grading Permit application.
- c. Exceptions. The following grading activity activities outlined in the Subparagraphs below shall be exempt from the grading and/or earth transport limitations established in Paragraph a and b of this Subdivision. However, any excavation from an exempted activity being used as fill, outside of a 5-foot perimeter from the exterior walls of a building, structure, required animal keeping site development, driveway,—or fire department turnaround, or remedial grading boundaries, for any other on-site purpose shall be counted towards the limits established in Paragraph a of this Subdivision.

- (1) Cut and/or Fill underneath the footprint of a structure(s) (such as foundations, understructures including basements or other completely subterranean spaces), as well as for pools, water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.
- (2) Cut and/or fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible street for which a lot has ingress/egress rights.
- (3) Remedial Grading as defined in Section 12.03 of this Article as recommended in a Geotechnical Investigation Report, prepared in accordance with Paragraph h of this Subdivision the provisions in Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code, and approved by the Department of Building and Safety Grading Division shall be excluded from grading limitations.
- d. Zoning Administrator's Authority. A Zoning Administrator may grant limited—the following deviations from the requirements of Paragraphs a and b of this Subdivision, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
 - (1) Grading in excess of the maximum "by-right" grading quantities listed in Paragraph a of this Subdivision, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.
 - (2) For a property which fronts onto a Standard Hillside Limited Street of Larger, as defined in Section 12.03, increase the maximum quantity of earth import greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of this Subdivision.
 - For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of this Subdivision.
- e. New Graded Slopes. All new graded slopes shall be no steeper than 2:1 (rise:run), except when the Grading Division has determined that slopes may exceed 2:1 pursuant to Section 91.105 of Division 1 of Chapter IX of this Code.
- f. Grading Plancheck Criteria. Grading plans and reports shall be submitted for approval with building plans, and shall include those items required by Section 91.7006 of Division 70 of Chapter IX of this Code.
- d. Grading on Extreme Slopes. Grading, excepted as otherwise noted in this Paragraph, on slopes greater than or equal to 100% shall be done only when recommended by a full site Geotechnical Investigation Report and approved by the Department of Building & Safety Grading Division in order to mitigate previously existing unsafe conditions.

- Except that grading activity exempted by Subparagraphs (1) and (2) of Paragraph g of this Subdivision shall not be prohibited as a result of this provision when the portions of a slope that are greater than or equal to 100% is no more than 100 square feet.
- e. Landform Grading Requirement. For any project, including remedial grading, involving 1,000 cubic yards or more of grading, landform grading, as outlined in the Department of City Planning—Planning Guidelines Landform Grading Manual, shall be used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.
- b. Geotechnical Investigation Report. Notwithstanding the provisions in Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code, a Geotechnical Investigation Report (also referred to as a soils and/or geological report) that evaluates the proposed project's soil and grading shall be submitted for review when required by the Los Angeles Department of Building and Safety Grading Division. This report shall be prepared by a registered geotechnical (or soils) engineer, as defined in Section 91.7003 of Division 70 or Chapter IX of this Code, and in sufficient detail to substantiate and support the design concepts being proposed.

In addition to the requirements in Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code this report shall include the following information when required by the Los Angeles Department of Building and Safety Grading Division:

- (1) A Phase I Geotechnical Analysis involving a records search and detailed assessment of any other report on file for any property within 1,000 feet of the subject property, with a minimum of 5 separate reports for 5 individual properties; and
- (2) A Phase II Geotechnical Analysis involving physical investigation of soils identifying any hazards present on the property.

An approved Soils & Grading Report letter shall be required prior to approval of a grading, foundation or building permit when required by the Los Angeles Department of Building and Safety Grading Division.

- 7. Off-Street Parking Requirements. Notwithstanding those exceptions found in Section 12:22 of this Chapter, no building or grading permit shall be issued for the construction of any one-family dwelling, accessory building, Major Remodel-Hillside, or addition thereto located on a lot which fronts on a Substandard-Hillside-Limited Street, unless the following requirements are met. [12:21 A 17(h)]
 - a. Number of Required Covered Spaces. There shall be at least two automobile parking spaces on the same lot with each one-family dwelling thereon. These required parking spaces shall be provided within a private garage. [12.21 A.4(a)] No automobile These required parking spaces shall not be provided or maintained within a required front yard, unless otherwise permitted by Paragraph j of Subdivision 1 of this Subsection. [12.21 C.1(g)]
 - (1) Exception for Dwelling on Narrow Lot. Where only one single-family dwelling is located on a nonconforming lot 40 feet or less in width and not abutting an alley,

- only one automobile parking space need be provided. This exception shall not apply to any lot in the A1, RA, RE, RS, R1 or RD Zones—which fronts on a Substandard Hillside Limited Street. [12.21 A 4(q)]
- b. Additional Required Spaces. For a main building and any accessory building located on a lot which fronts on a Substandard Hillside Limited Street, excluding floor area devoted to required parking, which exceed a combined Residential Floor Area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of floor area for a maximum of 5 total on-site spaces. [12.21 A.17(h)(1)] These additional required parking spaces may be uncovered and in-tandem. Notwithstanding the provisions of Section 12.21 C.1(g) of this Code Paragraph a above to the contrary, when a lot fronts onto a Substandard Hillside Limited Street, the additional parking spaces required by this Subdivision may be uncovered and in tandem, and may be located within the required 5-foot-front yard. [12.21 A.17(h)(2)]
 - (1) Zoning Administrator's Authority. A Zoning Administrator may grant limited deviations from the requirements of reduce the number of off-street parking spaces required by Paragraphs b of this Subdivision, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
 - (1) Grading for Additional Required Parking. If the requirements in this Paragraph require the grading of 1,000 cubic yards or more of earth, then no building or grading permit shall be issued for a new one-family dwelling, accessory building, Major Remodel Hillside, or addition to the above on a lot which fronts on a Substandard Hillside Limited Street unless the Zoning Administrator has issued an approval pursuant to Section 12.24 X.2128 of this Code. [12.21 A.17(h)(3)]
- c. Parking Stall Dimensions. In each parking area or garage devoted to parking for dwelling uses, all parking stalls in excess of one parking stalls per dwelling unit may be designed as compact stalls to accommodate parking cars. Every <u>standard</u> parking stall provided for dwelling units shall be at least 8 feet 6 inches in width and 18 feet in length, every compact stall shall be at least 7 feet 6 inches in width and 15 feet in length.

 [12.21 A.5(a)]
- d. Tandem Parking. Automobile parking may be parked in tandem in a private parking garage or private parking area serving a one-family dwelling where the tandem parking is not more than two cars in depth. Each required parking stall within a parking area or garage shall be accessible. Tandem parking shall not be allowed in parking areas for recreational vehicles-or guest parking. [12.21 A.5(h)]
- e. Garage Doors. Any door or doors installed at the automobile entry to a garage serving a one-family dwelling where the required parking spaces are located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles in each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position. [12.21 A.4(a)]
- f. Driveway Width. Every access driveway shall be at least 9 feet in width. [12.21 A.5(f)]

- h. Garages in Front Yards. A private garage may be located in the required front yard of a lot having a slope conforming to that specified in Section 12.22-C.6, provided every portion of the garage building is at least 5 feet from the front lot line. Where the wall of such garage is two-thirds below natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height. [12.21 C.5 (I)]
- Mechanical Automobile Lifts and Robotic Parking Structures. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and vehicular access to the platform meet the requirements of paragraphs (a), (b), and (i) of Subdivision 5 of Subsection A of Section 12.21 of this Article. The lift equipment or computerized parking structure shall meet any applicable building, mechanical and electrical code requirements as approved by the Department of Building and Safety. [12.21 A 4(m)]
- 8. Fire Protection. Notwithstanding any other provisions of this Code to the contrary, on a lot fronting onto a Substandard Hillside Limited Street, or on any lot located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company, the following fire protections measures shall be required.
 - a. New Buildings or Structures. Any new construction of a one-family dwelling or detached accessory building shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code. [12.21 A.17(d)(1)]
 - b. Existing Buildings or Structures. An approved automatic fire sprinkler system in compliance with the Los Angeles Plumbing Code shall be installed: [12.21 A 17(d)(2)]
 - (1) whenever an addition to an existing one-family dwelling or accessory building increases in Residential Floor Area by 50% or more of the area of the existing dwelling or building; or 12.21 A.17(d)(2)(i)
 - (2) whenever the aggregate value of Major Remodels within a one-year period exceeds 50% of the replacement cost of the dwelling or accessory building; and the dwelling or accessory building is on a lot located on a Substandard Hillside Limited Street and located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company. [12.21 A.17(d)(2)(ii)]
 - Fire Sprinkler Coverage. The sprinkler systems required in this Subdivision shall be sufficient to cover the entire dwelling or building, unless otherwise determined by the Department of Building and Safety, and shall be installed in compliance with all Codes. [12.21 A 17(d)(3)]
 - d. Exempt Accessory Structures. The provisions of this Subdivision shall not apply to accessory structures such as gazebos, pergolas, or storage sheds provided these

structures are not supported by or attached to any portion of a dwelling or accessory building and do not exceed 200 square feet in floor area. [12.21 A.17(d)(4)]

Street Access.

- a. Street Dedication. For any new construction of, or addition to, a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street, no building permit or grading permit shall be issued unless at least one-half of the width of the street(s) has been dedicated for the full width of the frontage of the lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in Section 12.37 I of this Code shall be available for relief from this paragraph. [12.21 A.17(e)(1)]
- b. <u>Adjacent Minimum Roadway Width</u>. For any new construction of, or addition to a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no building permit or grading permit shall be issued unless the construction or addition has be approved pursuant to Section 12.24 X.2128 of this Code. [12.21 A.17(e)(2)]
- c. Minimum Roadway Width (Continuous Paved Roadway). For any new construction of, or addition to a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of this <u>Subsection</u> or has been approved by a <u>Zoning Administrator</u> pursuant to Section 12.24 X.2428 of this <u>Code</u>.
- Sewer Connection. No building permit shall be issued for the construction of any new one-family dwelling on a lot located 200 feet or less from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer. [12.21 A 17(g)]
- 11. Hillside Neighborhood Overlay. The provisions of Subdivisions 2 (Maximum Residential Floor Area), 4 (Height Limits), and 6 (Grading) of this Subsection may be superseded by a Hillside Neighborhood Overlay adopted pursuant to Section 13.## of this Code.
- 12. Exceptions. The provision of this Subsection shall not apply to: [12.21 A.17(i)]
 - a. Tracts With CC&Rs Approved After February 1, 1985. One-family dwellings, accessory buildings and additions thereto within a subdivision for which a tentative or final tract map was approved by the City of Los Angeles after February 1, 1985, and is still valid, provided that the map resulted in the establishment of covenants, conditions and restrictions governing building height, yards, open space or lot coverage, and provided, further, that such covenants, conditions and restrictions were recorded on or after February 1, 1985. [12.21 A.17(i)(1)]
 - x. Streets With Minimum Width of 28 Feet. Any construction on a lot with a vehicular access from a street improved with a minimum 28 foot wide-continuous paved roadway within the Hillside Area, provided: [12, 21 A. 17(i)(2)]

- (1) the roadway begins at the driveway apron which provides access to the main residence and ends where the roadway intersects a designated collector street, or a secondary or major highway where the collector, major or secondary highway roadway also has a minimum continuous paved roadway width of 28 feet from the apron to the edge of the Hillside Area boundaries. [12.21 A.17(1)(2)(1)]
- (2) the area within the vehicular access does not contain any encroachment which would prohibit the passage of emergency vehicles. [12,21 A.17(i)(2)(ii)]
- b. Additions to Dwellings Built Prior to September 14, 1992 August 1, 2010. Any additions made after September 14, 1992 August 1, 2010, to a one-family dwelling existing prior to that date for which permits have been previously obtained: [12.21 A.17(i)(3)]
 - (1) the total cumulative <u>Residential</u> Floor Area of all such additions does not exceed 750500 square feet (excluded from calculations of this 750500 square foot limitations is floor area devoted to required <u>covered</u> parking); and [12.21 A.17(i)(3)(a)]
 - (2) the resulting building does not exceed the height of the original building or the height permitted in <u>Subdivision 4 of this Subsection</u> whichever is greater complies with the requirements of Subdivision 1 (Setback Requirements), 4 (Height Limits), and 6 (Grading) of this Subsection. [12.21 A.17(i)(3)(b)]
- c. Hillside Major Remodel. As defined in Section 12.03, Any remodeling of a main building on a lot in the Hillside Area, as defined in Section 12.03, which does not add square-footage and for which the aggregate value of all the alterations which a one-year period does not exceed 50% of the replacement cost of the main building. [12.21 A.17(i)(4)]
- d. Northeast Los Angeles Hillside Ordinance. Properties subject to the Northeast Los Angeles Hillside Ordinance established by Ordinance No. 180,403, shall be exempted from Subdivisions 2 (Maximum Residential Floor Area), 4 (Height Limits), and 6 (Grading) of this Subsection.
- e. The Oaks Hillside Ordinance. Properties subject to The Oaks Hillside Ordinance established by Ordinance No. 181,136, shall be exempted from Subdivisions 2 (Maximum Residential Floor Area), 4 (Height Limits), and 5 (Lot Coverage) of this Subsection.
- x. Vested Development Plan. Where architectural and structural plans sufficient for a complete plan check for a building permit for a building or structure were accepted by the Department of Building and Safety and for which a plan check fee was collected on or before the effective date of this Subdivision, and for which no subsequent changes are made to those plans which increase the height or reduce front or side yards. However, any building permit shall become invalid if construction pursuant to the permit is not commenced within 18 months of the date the plan check fee was collected. [12.21 A 17(1)(5)]

NONCONFORMING RIGHTS (12.23 A.1)

(c) A building, nonconforming as to the residential floor area regulations on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone, which are not designated as Hillside Area and not located in the Hillside Area or Coastal Zone, shall not be added to or enlarged in any manner, except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained. [12.23 A.1(c)]

ZONING ADMINISTRATOR DETERMINATIONS (12.24 X)

- 28. Single-Family Zones in Hillside Area. A Zoning Administrator may, upon application, grant the deviations outlined in Paragraph a of this Subdivision on lots in the R1, RS, RE, and RA Zones which are located in a Hillside Area as defined in Section 12.03.
 - a. **Zoning Administrator Authority.** If an owner seeks relief, a Zoning Administrator has the authority to grant the following deviations:
 - (1) Setback Requirements. A reduction of the front and side yard setback requirements outlined in Subdivision 1 of << BHO>> of this Article for lots fronting on a Substandard Hillside Limited Street; however, in no event shall the side yard be less than 4 feet. [12,24 × 11(2)] [12,24 × 11(b)]
 - (2) Additions to Structures Existing Prior to August 1, 2010. The Zoning Administrator has the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date for which permits have been previously obtained which exceed the requirements of Paragraphs a and c of Subdivision 2 of <<BHO>> of this Article, provided: [12.21 A.17(i)(3)]
 - (i) the total cumulative Residential Floor Area of all such additions does not exceed 750–1,000 square feet (excluded from calculations of this 750 square foot limitation is floor area devoted to required covered parking); and [12.21 A.17(i)(3)(a)]
 - (ii) the resulting building does not exceed the height of the original building or the height permitted in Subdivision 4 of <<BHO>> of this Article, whichever is greater; and [12.21 A 17(i)(3)(b)]
 - (iii) at least two off-street covered parking spaces are provided. [12.21 A 17(i)(3)(c)]
 - (3) Height. Exceed the maximum envelope height requirements required by Subdivision 4 of <<BHO>> of this Article; however, the increase in height-will may not result in a building or structure which exceeds an overall height of 45 feet. The overall height shall be measured from the lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure, to the highest elevation point of the roof structure or parapet wall. [12.24 X 11(1)] [12.24 X 11(a)(1)]

- (4) Lot Coverage. Increase the maximum lot coverage limitations <u>as outlined in Subdivision 5 of <<BHO>> of this Article</u>, up to a maximum of 50% of the lot area. [12.24 X.11(3)] [12.24 X.11(c)]
- (5) Grading. [12.24 X 21(a)(3) NO LONGER NECESSARY]
 - (i) Grading in excess of the maximum "by-right" grading quantities listed in Paragraph a of Subdivision 6 of << BHO>> of this Article, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.
 - (ii) For a property which fronts onto a Standard Hillside Limited Street of Larger, as defined in Section 12.03, increase the maximum quantity of earth import or export greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of Subdivision 6 of << BHO>>> of this Article.
 - For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (3) of Paragraph b of Subdivision 6 of <<8HO>> of this Article.
- (6) Off-Street Parking. Reduce the number of off-street parking spaces required by Paragraph b of Subdivision 7 of <<BHO>> of this Article. [12.24 X 11(4)] [12.24 X 11(d)]
- (7) Substandard Hillside Street, or Street Access or Grading for Parking in Hillsides. If an owner seeks relief, a Zoning Administrator may permit the grading and construction of buildings and structures on lots in the R1, RS, RE, and RA Zones which: [12 24 X 21(a)]
 - (i) Adjacent Minimum Roadway Width. Do not meet the requirements of Paragraph b of Subdivision 9 of <<BHO>> of this Article because they front on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet. [12.24 X 21(a)(1)
 - (ii) Minimum Roadway Width (Continuous Paved Roadway). Do not meeting the requirements of Paragraph c of Subdivision 9 of <<BHO>> of this Article because they do not have vehicular access from streets improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area. [12.24] X.21(a)(2)
 - (iii) Grading in excess of 1,000 cubic yards, in order to accommodate the additional parking requirements in Paragraph b of Subdivision 6 of <<BHO>> of this Article for a new one-family dwelling, accessory building, Major Remodel-Hillside, or additions on a lot which fronts on a Substandard Hillside Limited Street, but in

no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards. [12,24 X 21(a)(3)]

- b. Findings. The Zoning Administrator shall find that approval of any use in this Subsection is in conformity with the public necessity, convenience, general welfare and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan, and that the approval is consistent with following applicable findings: [12,24 X]
 - (1) Setback Requirements. That the reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements. [12.24 X.11(b)]
 - (2) Additions to Structures Existing Prior to August 1, 2010. That the increase in Residential Floor Area will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.
 - (3) **Height.** That the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the—area_vicinity. [12.24 X.11(a)(2)] [12.24 X.11(a)(3)]
 - (4) Lot Coverage. That the increase in lot coverage will result in a development which is compatible in size and scale with other improvements in the immediate neighborhood; and that the increase will not result in a los of privacy or access to light enjoyed by adjacent properties. [12:24 X 11(6)]
 - (5) Grading. [12.24 X.21(a)(3) NO LONGER NECESSARY]
 - (i) That grading in excess of the absolute maximum grading quantities listed in Paragraph a of Subdivision 6 of <<BHO>> of this Article is done in accordance with the Department of City Planning Planning Guidelines Landform Grading Manual (adopted by the City Council on June 1983), and is used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.
 - (ii) That the increase in the maximum quantity of earth import or export will not lead to the significant alteration of the existing natural terrain, that the hauling of earth is being done in a manner that does not significantly affect the existing conditions of the street improvements and traffic of the streets along the haul route, and that potentially significant impacts to the public health, safety, and welfare of the surrounding community are being mitigated to the fullest extent feasible.
 - (6) Off-Street Parking. That the reduction of the parking requirements will not create an adverse impact on street access or circulation in the surrounding neighborhood;

and that the reduction will not be materially detrimental or injurious to the property or improvements in the vicinity in which the lot is located. [12.24 X.11(d)]

- (7) Substandard Hillside Street, or Street Access or Grading for Parking in Hillsides.
 - (i) That the vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood; and [12 24 X 21(b)(1)]
 - (ii) That the building or structure will not be materially detrimental or injurious to the adjacent property or improvements; and [12.24 X.21(b)(2)]
 - (iii) That the building or structure will not have a materially adverse safety impact on the surrounding neighborhood. [12,24 X.21(b)(3)
 - (iv) That the site and/or existing improvements make strict adherence to Subdivision 7 or 9 of << BHO>> of this Article impractical or infeasible. [12.24 X.21(b)(4)]
- c. Procedures. An application for permissions pursuant to this Subdivision shall follow the procedures set forth in Section 12.28 C.1, 2 and 3. Except that for public hearings for fences, walls, and retaining walls within required yards may not be required if the applicant submits with the application the written approval of the owners of all properties abutting, across the street or alley from, or having a common corner with the subject property. [12.24 X.7(b)] [12.24 X.11(e)] [12.24 X.21(c)] [12.24 X.26(b)]
 - (1) Import/Export (Haul Route) Review. Upon filing an application pursuant to this Subdivision for the import or export of earth materials pursuant to the authority granted in Subparagraph (5) of Paragraph a of this Subdivision, the Zoning Administrator shall request that the Superintendent of Building and Safety and the General Manager of the Department of Transportation investigate the circumstances of the proposed import or export of earth materials and the effect thereof upon the public health, safety, and welfare. The Zoning Administrator shall request the City Engineer to determine the effect of any import or export on the structural integrity of the public streets and to determine the effect on public safety relative to street alignment, width, and grade.

In taking action on such Zoning Administrator Determination, the Zoning Administrator shall impose conditions of approval to mitigate any detrimental effects of the hauling operations necessary to import or export earth, including but not limited to: limiting truck weight, length and/or speed; and other conditions of approval as may be necessary to ensure repair of damages to public streets along the hauling route that may reasonably be expected to be caused by hauling operations. Such additional conditions may include a condition that the developer shall file a bond for the benefit of the City. Any such bond shall be in a form approved by the City Attorney, executed by the developer and a corporate surety authorized to do business in the State in an amount sufficient to cover the repair of any damage to the public streets reasonably expected to be caused by the hauling operations. The conditions of the bond shall guarantee to indemnify the City for all costs and expense in repairing the damaged streets or other public facilities. In lieu

of a surety bond, the developer may file a cash bond with the Department upon the same terms and conditions and in an amount equal to that which would be required in the surety bond. The deposit submitted may be in the form of cash or negotiable United States securities. The term of such effect until the completion of the hauling operations and subsequent inspection of the affected public streets by the Department of Public Works.

d. Conditions for Approval. In approving the uses and activities authorized in this Subdivision, the Zoning Administrator may impose those conditions he or she deems necessary to remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning. [12 24 X 26(b)] [12 28 C 4(a) by reference]

ZONING ADMINISTRATOR ADJUSTMENTS (12.28)

A. Adjustments. The Zoning Administrator shall have the authority to grant adjustments in the yard, area, building line and height requirements of Chapter I of this Code. An adjustment shall not be permitted for relief from a density (lot area per unit) or height requirement, excluding fences and hedges, if the request represents an increase of 20 percent or more than what is otherwise permitted by this Code. A request for an increase of 20 percent or more shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

The Zoning Administrator shall also have the authority to grant adjustments in Residential Floor Area of no more than a ten percent increase beyond what is otherwise permitted by Chapter I of this Code. A request for an increase in Residential Floor Area greater than ten percent shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

ADD PARAGRAPH (d) TO SUBDIVISION 2 OF SUBSECTION C:

(d) For R1, RS, RE, and RA Zoned properties in the Hillside Area, as defined in Section 12.03 of this Article, the Zoning Administrator must conduct a public hearing for any Adjustment or Slight Modification requests.

"HS" HILLSIDE STANDARDS OVERLAY DISTRICTS (13.##)

A. Purpose. This section sets forth procedures and guidelines for the establishment of "HS" Hillside Standards Overlay in single-family residential neighborhoods in designated Hillside Areas, as defined in Section 12.03 of this Chapter, throughout the City. The purpose of the "HS" Hillside Standards Overlay is to permit Residential Floor Area, height, and grading limits in the R1, RS, RE, and RA zones to be higher or lower than normally permitted by this Code in areas where the proposed overlay will further enhance the existing scale of homes and/or help to preserve the existing character of the neighborhood as effectively as the limitations or requirements otherwise established in this Code; and where these changes will be consistent with the policies and objectives set forth in the applicable Community Plan.

- **B.** Establishment of the District. The procedures set forth in Section 12.32 S of this Code shall be followed, however each "HS" Hillside Standards Overlay shall include only properties in the RA, RE, RS, or R1 zones. The overlay shall not generally be less than 100 acres in area; however, the 100 acres do not need to be within one contiguous boundary as long as no one subarea is less than 25 acres in area, and that the entire 100 acres is located within an overall area of 200 contiguous acres. The precise boundary of a district may be adjusted for urban features such as topography, freeways or streets/highways. Boundaries shall be along street frontages and shall not split parcels. An "HS" Hillside Standards Overlay may encompass an area, which is designated, in whole or in part, as a Historic Preservation Overlay Zone and/or Specific Plan. The "HS" Hillside Standards Overlay shall include contiguous parcels, which may only be separated by public streets, ways or alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for or initiation of an individual overlay.
- C. Development Regulations. The Department of Building and Safety shall not issue a building permit for a residential structure within an "HS" Hillside Standards Overlay unless the residential structure conforms to the regulations set forth in a specific "HS" Hillside Standards Overlay. The development regulations for each "HS" Hillside Standards Overlay shall be limited to changes in the numerical values of the Residential Floor Area, height, and grading limits in the R1, RS, RE, and RA zones stated in this Chapter, and shall not result in a substantial deviation in approach, method of calculation, or measurement from the corresponding language already in place in this Chapter. The development regulations shall be determined at the time the overlay is established. The development regulations shall serve to enhance the existing or envisioned character of the overlay.

Subsection D of Section 12.04 Amended to Read:

D. Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this Chapter:

"O"	Oil Drilling District
"S"	Animal Slaughtering
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
<u>"HS"</u>	Hillside Standards Overlay

The "Zoning Map" is amended to indicate these districts and the boundaries of each district.

Land classified in an "O" Oil Drilling District, "S" Animal Slaughtering District, "G" Surface Mining District, "RPD" Residential Planned Development District, "K" Equinekeeping District, "CA" Commercial and Artcraft District, "POD" Pedestrian Oriented District, "CDO" Community Design Overlay District, "MU" Mixed Use District, "FH" Fence Height District, "SN" Sign District, "RFA" Residential Floor Area District or

"HS" Hillside Standards Overlay is also classified in one or more zones, and land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "Zoning Map" with a combination of symbols, e.g., R2-2-O, C2-4-S, M1-3-G, M1-1-P and R2-O, C2-G, etc., where height districts have not been established.

SUBPARAGRAPH (2) OF PARAGRAPH (c) OF SUBDIVISION 1 OF SUBSECTION S OF SECTION 12.32 AMENDED TO READ:

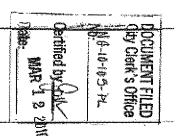
(2) Additional Requirements for Application. One or more of the owners or lessees of property within the boundaries of the proposed district may submit a verified application for the establishment of a district. An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District or a Hillside Standards Overlay shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district. An application for the establishment of a Fence Height District shall contain the signatures of at least 50 percent of the owners or lessees of property within the proposed district. An application shall be accompanied by any information deemed necessary by the Department.

If establishment of a district is initiated by the City Council, City Planning Commission, or Director of Planning, the signatures of the property owners or lessees shall not be required.

EXHIBIT B

NEGATIVE DECLARATION

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NEGATIVE DECLARATION



_EAD CITY AGENCY City of Las Angeles PROJECT TITLE COUNCIL DISTRICT CITYW CASE NO.

PROJECT TITLE ENV-2010-582-ND

CPC-2010-581-CA

PROJECT LOCATION

The proposed project area is citywide but includes only those lots which are zoned single-family (R1, RS, RE, and RA) which are also fesignated as Hillside Area.

PROJECT DESCRIPTION

The proposed project includes amendments to the Los Angeles Municipal Code to establish new regulations for single-family zoned properties (R1, RS, RE, and RA) which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and now they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow additiously neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

VAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

City of Los Angeles, Department of City Planning

200 N. Spring Street.

Room 621

.os Angeles, CA 90012-4801

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a negative declaration be adopted for this project. The Initial Study indicates that no significant impacts are apparent which might result from this project's implementation. This action is based on the project description above.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt this negative declariation, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.						
VAME OF PERSON PREPARING THIS FORM		TITLE		TELEPHONE NU	MBER	
ERICK LOPEZ		City Planning Associat	e	(213) 978-1243	CONTRACTOR AT TO SERVE SING ON THE SERVEN	
ADDRESS	SIGNATURE (O	fficial)			DATE	
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	Charle	Janel	0		04/19/2010	

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 615, CITY HALL LOS ANGELES, CALIFORNIA 90012

INITIAL STUDY AND CHECKLIST

(Article IV - City CEQA Guidelines)

LEAD CITY AGENCY City of Los Angeles, Department of City Planning	COUNCIL E	DISTRICT	DATE March 12, 2010
RESPONSIBLE AGENCIES City of Los Angeles, Department of Building & Safety City of Los Angeles, City Attorney's Office			
PROJECT TITLE/NO. Baseline Hillside Ordinance		CASE NO. CPC-2010-! ENV-2010-!	
PREVIOUS ACTIONS CASE NO. None.	previous DOES N	s actions.	cant changes from

PROJECT DESCRIPTION:

The proposed project includes amendments to the Los Angeles Municipal Code to establish new regulations for single-family zoned properties (R1, RS, RE, and RA) which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

ENVIRONMENTAL SETTING:

If adopted, the proposed ordinance would affect all lots zoned single-family residential (R1, RS, RE, and RA), which are designated as Hillside Area. The locations include single-family neighborhoods that are located within the City of Los Angeles hillside regions which include, but are not limited to the Santa Susana Mountains, San Gabriel Mountains, Simi Hills, Verdugo Mountains, Santa Monica Mountains, Hollywood Hills, San Rafael Hills, Elysian Hills, Repetto Hills, Baldwin Hills, and Palos Verde Hills.

PROJECT LOCATION

The proposed project area is citywide but includes only those lots which are zoned single-family (R1, RS, RE, and RA) which are also designated as Hillside Area.

PLANNING DISTRICT		STATL	JS:	
All Community Plan Areas			PRELIMINARY	
		⊠ F	PROPOSED	
			ADOPTED	
			date	
EXISTING ZONING	MAX. DENSITY ZONI	1G	□ DOES CONFORM TO	
R1, RS, RE, and RA	1 unit/lot		PLAN	
PLANNED LAND USE & ZONE	MAX. DENSITY PLAN		DOES NOT CONFORM TO PLAN	
No zone change is proposed.	Minimum, Very Low I, V		☑ NO DISTRICT PLAN	
The series change to property	Low Density Residentia			
SURROUNDING LAND USES	PROJECT DENSITY			
Varies	None			
DETERMINATION (To be comp	leted by Lead Agency)			
On the basis of this initial evaluation:				
☑ I find that the proposed project COUL DECLARATION will be prepared.	D NOT have a significant	t effect on the	environment, and a NEGATIVE	
☐ I find that although the proposed proje significant effect in this case because proponent. A MITIGATED NEGATIVE D	revisions on the project ha	ave been made		
☐ I find the proposed project MAY have a REPORT is required.	significant effect on the e	nvironment, and	d an ENVIRONMENTAL IMPACT	
I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.				
I find that although the proposed project significant effects (a) have been analyz applicable standards, and (b) have to DECLARATION, including revisions or further is required.	ed adequately in an earlier been avoided or mitigated	EIR or NEGAT pursuant to	TIVE DECLARATION pursuant to that earlier EIR or NEGATIVE	
	Sonior (City Planner		
SIGNATURE	TITLE	ary Fightion		

EVALUATION OF ENVIRONMENTAL IMPACTS:

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
- 9) The explanation of each issue should identify:
 - The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

			m=1/0"m=21/0		
ENVIRONMENTAL FACTORS	S POT	TENTIALLY AFFECTED:			
		l below would be potentially aff ly Significant Impact" as indicate			
☐ Aesthetics	O	Hazards & Hazardous Materials		Public Services	
☐ Agricultural Resources		Hydrology/Water Quality	Q	Recreation	
☐ Air Quality		Land Use/Planning		Transportation/Traffic	
 Biological Resources 	ū	Mineral Resources		Utilities/Service Systems	
☐ Cultural Resources	ū	Noise	۵	Mandatory Findings of Significance	
☐ Geology/Soils	٥	Population/Housing	×	There are no environmental factors affected by this project involving a "Potentially Significant Impact"	
ENVIRONMENTAL FACTORS	S POT	ENTIALLY AFFECTED:			
BACKGROUND					
PROPONENT NAME			P	HONE NUMBER	
City of Los Angeles, Departme	nt of	City Planning	(213) 978-1243		
PROPONENT ADDRESS					
200 N. Spring Street Room 621 Los Angeles, CA 90012-4801					
AGENCY REQUIRING CHEC	KLIST			ATE SUBMITTED	
Department of City Planning March 12, 2010					
PROPOSAL NAME (If Application Baseline Hillside Ordinance	able)				

(4)	ENVIRONMENTAL IMPACTS				
1.	AESTHETICS. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	ALOTTILITOO. Would ale project.				
a.	Have a substantial adverse effect on a scenic vista?			V	
Re	sponse:				
with har to Scooth bar Cit	e Ordinance would affect permitted development hin view of designated scenic highways, corridor we a potential impact. Where these scenic vistas a protect them and this proposal would not change enic Highways Plans, Community Plans, and the er applicable overlays, potential impacts to scenic sis. Furthermore, provisions within the proposed Oy's Hillside Areas through new FAR, height, and gich is more compatible than the existing regulations we a less than significant impact on scenic vistas.	s, or parkwa are identified, any existing Los Angeles vistas and vi ordinance wou grading reguli	ys and therefore a it is presumed that provisions. Throug Municipal Code, a ewsheds would be ald further limit the ations. The propose	any construction to policies are a sign implementa as well as special mitigated on a size/scale of stall will result in	n activity may leady in place tion of existing cific plans and case-by-case ructures in the development
Mit	igation:				
No	ne.				
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?			✓	
Re	sponse:				
pre pre Mu wo lim	e Ordinance would affect permitted development varies of construction activity may have a potential impassumed that policies are already in place to protevisions. Through implementation of existing Scernicipal Code, as well as specific plans and other uld be mitigated on a case-by-case basis. Further it the size/scale of structures in the City's Hillside Aposal will result in development which is more vironment. Therefore, the Ordinance will have a less	ct. Where a ect them and nic Highways r applicable o more, provision reas through compatible	iny known scenic in this proposal wo Plans, Community overlays, potential ons within the propo- new FAR, height, a than the existing	resources are uld not chang Plans, and th impacts to so osed Ordinance and grading req regulations wi	identified, it is e any existing e Los Angeles enic resources e would further gulations. The
Mit	igation:				
No	ne.				
C.	Substantially degrade the existing visual character or quality of the site and its surroundings?				V

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The proposed Ordinance would reduce the maximum amount of development, and introduce incentives for more articulated structures, as well as grading activity which involves the least amount of surface alteration and/or retains or reflects the natural topography. The proposed Ordinance would also modify the existing height regulations to allow/encourage terracing of structures. If adopted, the Ordinance would have a net positive impact on the visual character of single-family residential neighborhoods in designated Hillside Areas by directly addressing the massing of buildings in single-family residential zones in the hillside as well as minimize grading activity that has the potential to deteriorate the natural terrain. Ultimately, the proposal would prevent large box-like homes that are out-of-scale with the surrounding community. No direct negative impact would occur as a result of the provisions in question.

like	ivity that has the potential to deteriorate the natural homes that are out-of-scale with the surroundinual of the provisions in question.	al terrain. Ul			
Mit	igation:				
No	ne.				
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	. •			✓
<u>Re</u>	sponse:				
or vie	e Ordinance is expected to reduce the potential for nighttime views in the Hillside Areas. As discuss ws of scenic vistas or resources would be mitigated icies and plans. No impact would occur.	sed under Se	ections I.a and b	(above), impac	ts to nighttime
Mit	<u>igation:</u>				
No	ne.				
II.	AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-				V

Response:

agricultural use?

The proposed code amendment would not apply to agricultural land zoned A1 or A2, and only applies to residential properties zoned R1, RS, RE, or RA. Moreover, no rezoning is proposed as part of this project and would therefore not result in the conversion of existing farmland. Although the RA zone permits farming (excluding animal raising) as an incidental use, it is intended to be primarily developed with one-family dwellings. The R1, RS, and RE zones do not prohibit minor gardens which may produce some incidental agricultural resources for individual property owners; however, these gardens do not provide any significant commercial agriculture value. Therefore the Ordinance will not substantially impact or reduce the amount of Prime Farmland.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mit	igation:				
No	ne.				
b.	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?		۵		V
Res	sponse:				
dev agr cur pro	e Ordinance will not conflict with existing zoning to velopment standards on single-family residential localitural zones will remain. Incidental uses in single applicable code provisions for uses other to pose any zone changes which may result in the lotalitude. No impact would occur.	ots within the ngle-family r han single-f	e Hillside Area. E esidential neighbor amily. Furthermor	xisting uses p hoods will be e, this Ordina	ermitted within subject to the ance does not
Miţi	igation:				
Noi	ne.				
C.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				V
Res	sponse:				
Per cer Far disc zon	e Ordinance will not directly or indirectly result in the Sections 12.05 A1 and 12.06 A1 of the LAMC, use sters, and golf courses are permitted uses on agmilland to a non-agricultural use not permitted by cretionary action through a Zone Variance, or Zone permits farming (excluding animal raising) as an experimity dwellings. Therefore, the Ordinance will not seemally discounting.	es such as or pricultural zor by the zone e Change an incidental u	ne-family dwellings, ned land. Any col would require an nd General Plan Ar ise, it is intended to	public parks a nversion of A entitlement nendment. A b be primarily	and community 1 or A2 zoned request and a Ithough the RA developed with
Miti	igation:				
Nor	ne.				
III.	AIR QUALITY. The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:				
a.	Conflict with or obstruct implementation of the SCAQMD or Congestion Management Plan?			٥	V
Res	sponse:				
The	e Ordinance does not alter the density or intensity of interfere with the implementation of the	of use of sir SCAQMD o	igle-family zoned a or the existing Cor	reas and there	efore, it will not agement Plan.

Individual projects are also not expected to conflict with nor obstruct implementation of the SCAQMD or Congestion Management Plan. The Ordinance is not proposing to change construction activity; therefore,

construction-related air quality impacts will not go above current levels as a result of this Ordinance.

Mitigation:

The proposed Ordinance applies only to single-family residential properties which are not considered substantial sources of pollution or air quality violations. The Ordinance will result in a reduction in the maximum residential floor area and grading limits, and as a result the scope of construction activity could potentially lessen cumulative construction impacts. Therefore, the Ordinance is unlikely to directly or indirectly expose sensitive receptors to substantial pollutant concentrations.

Mitigation:

None.

e. Create objectionable odors affecting a substantial number of people?

Response:

The Ordinance applies only to single-family residential properties which are not considered substantial point sources of objectionable odors. The Ordinance will result in a reduction in the maximum residential floor area and grading limits, and as a result the scope of construction activity could potentially lessen cumulative impacts of individual single-family projects. Therefore, the Ordinance is unlikely to result in new sources of objectionable odors affecting a substantial number of people.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Miti	gation:				
Noi	ne.				
IV.	BIOLOGICAL RESOURCES. Would the project:				
a.	Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				•
Res	sponse:				
not unk and gra lack	e proposed Ordinance will maintain the existing resexpected to create any new activity that would known habitats as well as any species recognized to wildlife Service. Although there are vacant lots asland habitat, they are generally located in a devek the continuity that is consistent with those knowices.	further inter by the Califo within the p eloped and u	fere with or imped rnia Department of roposed project are urbanized region an	e the use of Fish and Gan a that may of d are mostly s	any known or ne or U.S. Fish ontain remnant segmented and
pro	is typically done, for future improvements to (or opposed limits, each individual project will be subject ximity to designated Significant Ecological Areas (S	t to CEQA	standards, when ap	propriate, and	d evaluated for
Miti	gation:				
Nor	ne.				
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Q	a		✓
Res	sponse:				
wou hab Cal the and	e proposed Ordinance will maintain the existing re- uld not be expected to create any new activity the pitat or sensitive natural community recognized be ifornia Department of Fish and Game or U.S. Fish proposed project area that may contain natural di urbanized region and are mostly segmented and port any candidate, sensitive, or special-status spe-	at would ha by the City and Wildlife rainage cou d lack the c	ve a substantial ad or regional plans, e Service. Although rses, they are gene	verse effect of policies, regu there are va erally located	on any riparian ulations by the cant lots within in a developed
pro	is typically done, for future improvements to (or opposed limits, each individual project will be subject ximity to designated Significant Ecological Areas (S	t to CEQA	standards, when ap	propriate, and	d evaluated for
<u>M</u> iti	gation:				
Nor					
C.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal			V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?

Response:

Individual projects will be evaluated for proximity to "Waters of the US" as defined in Section 404 of the Clean Water Act. The Ordinance would not propose any new activities that would discharge directly into surface water bodies. However, some pollutants common to urban areas, especially those related to automobiles, are contained in water runoff and may be carried into the storm drains and discharged into the storm water runoff control; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes.

Potential runoff is expected to decrease as a result of the proposed Ordinance as the reduction in floor area and grading would potentially increase permeable surfaces and improve groundwater recharge. Overall, this runoff would not be expected to be greater than the normal day-to-day residential use common to similar residential communities and would be considered less than significant.

R	: 1:	 . 1:	ion	

N	$^{\circ}$	n	Р

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

)		V

Response:

The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore would not be expected to create any new activity that would have a substantial adverse effect on any native resident or migratory fish, migratory wildlife corridors, or wildlife species. Although there are vacant lots within the proposed project area that may contain remnant grassland habitat or natural drainage courses, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species.

As is typically done, for future improvements to (or construction of) single-family residences which exceed the proposed limits, each individual project will be subject to CEQA standards, when appropriate, and evaluated for proximity to designated Significant Ecological Areas (SEA) within the respective Community Plan Areas.

Mitigation:

None.

e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?

Response:

The proposed Ordinance would not conflict with any local policies or ordinances protecting biological resources, such as tree preservation policies, such as the City of Los Angeles Oak Tree Preservation Ordinance and the City of Los Angeles Protected Tree Ordinance. Individual single-family residential projects will remain subject to preservation, relocation and replacement of protected trees pursuant to Articles 2 and 7 of Chapter 1 and Article 6 of Chapter IV and Section 96.303.5 of the Los Angeles Municipal Code.

Mitigation:

residential projects will be evaluated for their proximity to habitat(s) consistent with those supporting rare, threatened or endangered species. Therefore, the proposed Ordinance is not anticipated to adversely affect

special status wildlife, sensitive habitats, or wildlife dispersal or migration corridors.

Mitigation:

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	N	O	п	1

V. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA '15064.5?

Response:

The proposed Ordinance will apply in current and proposed Historic Preservation Overlay Zones and City designated Historic-Cultural Monuments. Each project within an HPOZ area will be required to mitigate any potential environmental impacts to a level of insignificance by following the Secretary of the Interior's standards for Historical Resources as approved by the Cultural Heritage Commission prior to Planning Department sign-off.

Mitigation:

None.

b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA '15064.5?

Response:

The proposed Ordinance does not involve a change in density or changes of use, and therefore is not expected to have additional foreseeable impacts on archaeological resources. For individual single-family residential projects, when a site is found to contain any "unique archaeological resources," as defined in Section 21083.2 (g) of the California Public Resource Code (CPRC), and/or where a prehistoric or historic archaeological site would either be altered and/or destroyed as a result of the proposed construction, the impacts shall be mitigated such that any potential adverse change is minimal.

In the event that potentially important cultural resources are found in the course of construction of any individual project, work would immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director (or his designee) can review this information, as is standard practice. Where, as a result of that evaluation, the Director determines that the project may have an adverse impact on cultural resources the property owner will be required to address them pursuant to Sections 21083.2 and 21084.1 of the California Public Resources Code prior to continuing the construction.

Mitigation:

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
C.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✔
Re:	s <u>ponse:</u>				
to end ser US	e proposed Ordinance does not propose a change directly impact paleontological resources or uniq countered during the course of construction of vices of a paleontologist would be required to be C, UCLA, Cal State Los Angeles, Cal State Long aluate the impact, as is standard procedure.	ue geologic individual pr secured by	features. If any projects, construction contacting the Cer	paleontologica n would be h nter for Public	l materials are alted, and the Paleontology
Mit	igation:				
No	ne.				
d.	Disturb any human remains, including those interred outside of formal cemeteries?				V
Re	sponse:				
Sul pot mir ind The Ang app Fol	refore not interfere with the treatment of human re- osequent to the adoption of the Ordinance, any in- ential prehistoric or historic burial sites will be requ- nimal. In the event that a human bone or any oth- ividual projects, the procedures described in Secti- te property owner or his/her representatives (i.e. a geles County Coroner. If the Coroner determinal plicant would be required to notify the Native Allowing notification of that organization, the proceduli formia Public Resources Code would be followed.	ndividual projuited to ensurer human re- ion 7050.5 of rchitect, contres that the the the the the the the the the th	ect which is in close that disturbance mains are discover the Health and Saractor, etc.) would remains are those ritage Commission	se proximity to resulting from ed during the fety code wou be required to of a Native by phone wi	any known o construction is construction old be followed notify the Los American, the thin 24 hours
Mit	igation:				
No	ne.				
VI.	GEOLOGY AND SOILS. Would the project:				
a.	Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:		·		
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose people or structures to additional potential substantial adverse effects, including the risk of loss, injury or death. Future single-family residential projects may potentially fall within existing Alquist-Priolo Earthquake Fault Zoning Areas, but is not expected to result in an increase in development near existing fault lines.

Additionally, due to the intense seismic environment of Southern California, there is always a potential for blind trust faults, or otherwise unmapped faults that do not have a surface trace, to be present. New development will be required to comply with the seismic safety requirements in the California Building Code (CBC) and the California Geological Survey Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California [1997]), which provide guidance for evaluating and mitigating earthquake-related hazards as approved by the Los Angeles Department of Building and Safety. Therefore, with the incorporation of seismic mitigation measures, a less than significant impact is anticipated.

mo	asures, a less than algrinicant impa	ot is anticipated	•			
Mit	tigation:					
No	ne.					
ii.	Strong seismic ground shaking?				V	
<u>Re</u>	sponse:					
wo dea	e proposed Ordinance does not in uld not expose people or structures ath involving seismic ground shak velopment near existing fault lines.	to additional si	ubstantial ad	verse effects, incli	uding the risk o	of loss, injury or
trus be Ca Ca by	ditionally, due to the intense seism st faults, or otherwise unmapped fa required to comply with the seis difornia Geological Survey Special F difornia [1997]), which provide guide the Los Angeles Department of B easures, a less than significant impa	aults that do not mic safety requestion 117 ance for evaluation under the safety and Saf	have a surfauirements in Guidelines fauidelines fauid	ace trace, to be property the California Book or Evaluating and gating earthquake	resent. New de uilding Code (Mitigating Seis -related hazard	evelopment will (CBC) and the mic Hazards in ds as approved
Mit	igation:					
No	ne.					
iii.	Seismic-related ground failure, liquefaction?	including			V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that may be subject to liquefaction, therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction if not built according to Code.

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose additional people or structures to the adverse affects of seismic-related ground failure. However, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults or seismic-related ground failure (including the effects of liquefaction). Although some existing residentially-zoned properties are located within mapped liquefaction zones, projects within these areas will be reviewed individually and will be required to meet the existing levels of safety.

A Geotechnical Investigation Report is required for each proposed development project within the Hillside Area to determine whether seismic-related ground failure, including liquefaction, may be a hazard to the project. Furthermore, new development will be required to comply with the requirements of the CBC and Los Angeles Municipal Code (LAMC), and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, Los Angeles Department of Building and Safety, and the Department of Public Works according to their applicable codes and specifications regarding seismic considerations, which would be enforced through plan review and inspections during construction. Compliance with these requirements would provide an acceptable level of safety and substantially lessen the effects of seismic-related ground failures to less than significant levels.

Mitigation:			
None.			
iv. Landslides?		•	

Response:

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that may be subject to slope failure (aka landslides), therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving slope failure if not built according to Code.

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose additional people or structures to the adverse affects of landslide activity. However, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults or seismic-related ground failure (including the effects of slope failure). Similarly, wildfires along with subsequent heavy rainfall also has the potential of exposing people and/or structures to potentially substantial adverse effects involving the slope failure both in known and unknown landslide areas. Although some existing residentially-zoned properties are located within mapped landslide areas, projects within these areas will be reviewed individually and will be required to meet the existing levels of safety.

A Geotechnical Investigation Report is required for each proposed development project within the Hillside Area to determine whether slope failure may be a hazard to the project. Furthermore, new development will be required to comply with the requirements of the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, Los Angeles Department of Building and Safety, and the Department of Public Works according to their applicable codes and specifications regarding slope failure, which would be enforced through plan review and inspections during construction. Compliance with these requirements would provide an acceptable level of safety and substantially lessen the effects of landslides to less than significant levels.

Mitigation:

		Potentially	Potentially Significant	Less Than	
		Significant Impact	Unless Mitigation Incorporated	Significant Impact	No Impact
b.	Result in substantial soil erosion or the loss of topsoil?			V	
Re	sponse:			•	
noi are	e proposed Ordinance does not involve and zone t expected to result in increased soil erosion or the ea and grading limits, the provisions are more lit cessary for new construction of single-family home	further loss of kely to reduc	of topsoil. Due to the	ne proposed re	duction in floor
Sar lim dui rec Los me	grading activities would require grading permits fety, which would be conditioned to include require it the potential erosion impacts to acceptable leveling dry weather, as feasible, and covering stocky duce soil erosion due to grading and excavation as Angeles Department of Building and Safety's Grassures. By using these tools and practices and uld occur related to erosion or loss of top soil.	ements and E s. BMPs incli piles of excav activities. Add ading Divisior	est Management I ude scheduling exc ated soils with tar litionally, grading a will include addition	Practices (BMF cavation and gr ps or plastic sl approval letters anal erosion co	Ps) designed to ading activities heeting to help s issued by the entrol mitigation
Mit	igation:				
Νo	ne.	•			
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			V	
Re	sponse:				
pro sub pot The	cording to the Seismic Hazards Map of Los An operties that are located on soil that is unstat osidence, liquefaction, or collapse. Therefore ther tential substantial adverse effects, including the rise e proposed code amendments are not expect additions.	ole which ma re is a possibi sk of loss, inju	y be subject to lity that people or s ry or death involving	landslide, late structures may ng the failure o	eral spreading, be exposed to of unstable soil.
pot kno	preover, any development that occurs within the tential of exposing people and/or structures to potown and unknown earthquake faults, strong seismetets of liquefaction), or landslides.	tentially subst	antial adverse effe	cts involving the	he rupture of a
dev bed De dev dev by Pui	Geotechnical Investigation Report will be requivelopment of an individual property will result in the estructed on deepened foundation systems consisted on the estructed on deepened foundation systems consisted on the estruction of the estruction	e failure of una ting of friction eles Departm Geotechnica able provided the requirement to, the Los A	stable soil. New de piles and grade be ent of Building an il Investigation Re certain conditions nts of the CBC and Angeles Fire Depar	evelopment wo eams supported d Safety. The port prepared are complied d LAMC, and w tment and the	uld typically be d by underlying e Los Angeles for each new with during site vill be reviewed Department of
Mit	igation:				
No	ne.				
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not increase development or aggravate existing conditions in areas with expansive soil. A Geological Investigation Report will be prepared for proposed development on individual lots and would include design recommendations for the foundations, slabs on grade, and the retaining walls to mitigate these conditions. As discussed previously, the Los Angeles Department of Building and Safety Building will review the Geotechnical Investigation Report and deem whether the report is acceptable provided certain conditions are complied with during site development. New development would be required to comply with the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, the Los Angeles Department of Building and Safety Building, and the Department of Public Works according to their applicable codes and specifications. Therefore, a less than significant impact is anticipated.

• •		•	•	•	
Miti	itigation:				
Noi	one.				
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			V	
Res	esponse:				
doe sys to t cap Saf sys	ne Hillside Area is served by the City of Los Angeloes not involve any zone changes or increases in diestem. New development's wastewater disposal systope located by the Bureau of Engineering. Howeverpacity to service future development, individual prafety until adequate service can be provided. Whereas are required or necessary for new development. Engineering.	ensity, and em would t er, if the (ojects may ere septic	does not interfere ie into the existing City's existing sew be delayed by the tanks or other alt	with the City's sewerlines or ver er system doe Department of ternative waste	existing sewer where identified s not have the of Building and ewater disposal
Miti	itigation:				
Nor	one.				
VII.	II. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous				V

Response:

materials?

The proposed Ordinance applies only to single-family zoned properties in the hillside area. Single-family zoned lots do not require the routine transport, use, or disposal of materials which are flammable or hazardous outside of the day-to-day household materials.

Mitigation:

CPC-2010-581-CA	E	Exhibit C			Page ²
		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Create a significant hazard to the environment through foreseeable upset and accideninvolving the release of hazardo into the environment?	reasonably nt conditions	Q		Q	V
Response:					
The proposed Ordinance applies or maintenance of single-family structu acutely hazardous materials, substar of the day-to-day household materials	res are not exp ices, odor, or w	ected to emit	hazardous emissi	ons or handle	hazardous o
However, short-term impacts may restrom construction activities carries with asphalt, and car fluids that are toxic to containing materials (ACM) may be hazardous to the health of the demimpacts can be mitigated to a level of Department of City Planning on a pro-	th it work-site posea life. Also, located in the olition workers finsignificance	ollutants such due to the age structure(s). as well as are by complying v	as pesticides, clea e of the building(s) Exposure to ACM ea residents and e	ning solvents, being demolis during demo mployees. H	cement wash hed, asbestos lition could be owever, these
Mitigation:					
None.					
 Emit hazardous emissions hazardous or acutely hazardou substances, or waste within one- of an existing or proposed school 	-quarter mile		Q		V
Response:					
Operation and maintenance of single acutely hazardous materials, substant of the day-to-day household materials hazardous materials within one-quarters.	ices, odor, or was s. Therefore the	aste and would proposed Ord	d not require the da linance is not expe	aily use of che cted to result i	micals outside in emissions o
Mitigation:					

Response:

environment?

None.

d. Be located on a site which is included on a

list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the

California Government Code Section 65962.5 requires various State agencies to compile a list of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells, and solid waste facilities from which there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on an annual basis, at a minimum.

The proposed Ordinance applies to properties zoned for single-family land use and are designated as Hillside Area. It is unlikely that single-family residential properties contain hazardous materials; however, for future project sites suspected of contamination the property owner and/or applicant will be required to submit a soils report for the property that either states that the site does not contain hazardous materials or, if hazardous materials are present, remediation measures developed for the project site prior to issuance of building permits.

CPC-2010-581-CA	Exhibit C			Page 19
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No impact
Mitigation:				
None.				

use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

e. For a project located within an airport land

Response:

The proposed Ordinance may apply to some single-family neighborhoods within two miles of local airports. However, the provisions will neither result in an increase in construction of single-family homes adjacent to existing public airports nor result in an increased safety hazard for people residing or working in these areas.

Mitigation:

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?

the area?

The proposed Ordinance does not apply to any single-family neighborhoods within the vicinity of a known private airstrip. However, the provisions will neither result in an increase in construction of single-family homes adjacent to existing private airstrips nor result in an increased safety hazard for people residing or working in these areas.

Mitigation:

Response:

None.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Response:

The proposal will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the City's Hillside Areas. The proposed Ordinance would reduce the maximum amount of development, and introduce incentives for more articulated structures, as well as grading activity which involves the least amount of surface alteration and/or retains or reflects the natural topography. As a result, impacts related to construction activity would be reduced by the adoption of these provisions.

The development of each individual property is not expected to require any *new* emergency response plans and emergency evacuation plans specifying the appropriate actions to be undertaken with regard to emergency situations such as warning systems, evacuation plans/procedures, and emergency action plans. Therefore, the approval of the proposal would not impair implementation of, or physically interfere with any emergency response or evacuation plan. Furthermore, any new development will still be required to meet all fire safety requirements of the Department of Building and Safety and the Los Angeles Fire Department. The requirements in the street improvement and fire safety provisions in the existing hillside regulations will remain unchanged; these regulations are intended to provide for safe vehicle access for public traffic and for basic access to any property by emergency vehicles in case of fire or any other emergency.

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Any individual development project not meeting these requirements would be required to obtain a discretionary approval which would involve an analysis of any impacts regarding the implementation of, or interference with any adopted emergency response or evacuation plan. Construction activity associated with new development may result in temporary impacts to pedestrians and vehicles when done beyond the limits established by this proposal. However, impacts to pedestrians and vehicles that may result due to construction activities would be analyzed on a project by project basis.

•	, ,, ,				
Mit	tigation:				
No	пе.				
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			V	
<u>Re</u>	sponse:				
wo	e proposed Ordinance does not increase the dens ould therefore not expose additional people or stru dland fires.				
Serinvinos invinos De adi cor rec	e proposed project area contains a significant number verity. Zone and a Fire Brush Clearance Zone. To sure that any new development does not expose prolying wildland fires, and future individual projects partment of Building and Safety and the Los Angelere to Fire and Safety Guidelines for access to instruction. Compliance with applicable requirement duce impacts related to wildland fires to a less that easures.	These zones beople and/os will be required eles Fire Depo emergence ts regarding	establish regulation structures to a suired to meet all fortment. In addition, services, which the building plans	ons for individu ignificant loss, ire safety requ on, all construc will require ap and site access	al projects that injury, or death irements of the tion plans must oproval prior to s is expected to
Mit	igation:				
No	ne.				
VIII	I.HYDROLOGY AND WATER QUALITY. Would the proposal result in:				
a.	Violate any water quality standards or waste discharge requirements?			V	

Response:

The proposed Ordinance will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the proposed project area. Therefore the development of each individual property is not expected to increase the amount of discharge beyond a level that has already been accounted for. New development will consist of minimum to low density residential projects in a residential hillside neighborhood.

The development of individual properties may result in water runoff that may contain some pollutants common to urban areas, especially those related to automobiles, and may be carried into the storm drains and discharged into the storm water runoff control system; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes. However, each project will be required to comply with all discharge regulations of the Regional Water Quality Control Board (RWQCB). The construction phase of a new development may also result in erosion and runoff. However, project construction and operations would be required to comply with applicable federal, State, and local regulations, as well as code and permit provisions in order to prevent violation of water quality

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

standards or water discharge requirements. Such regulations include the City of Los Angeles Municipal Code (Chapter IX, Division 70), the National Pollutant Discharge Elimination System (NPDES) regulations, and grading permits from the City of Los Angeles Department of Building and Safety. Therefore, a less than significant impact is anticipated.

М	itio	ati	Of	1:	

None.

b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?

Response:

The proposed Ordinance would impose size limitations for residential structures, and as a result is expected to reduce the amount of impermeable surfaces which are known to increase run-off and impact groundwater recharge. Individual projects are expected to connect to the City's existing waterworks system and are not likely to result in increased activity in the construction of new water wells and/or pump stations that may be used to tap into existing groundwater supplies or interfere with groundwater recharge. Future increases in demand for water in the City of Los Angeles are proposed to be met primarily by purchasing additional water from Municipal Water District (MWD). Therefore, the proposal is not expected to substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

For the development of individual properties, a geologic investigation will likely be conducted for individual project sites and will involve exploratory borings and hand-dug exploratory test pits. The geologic investigation will determine whether evidence of groundwater is encountered at the maximum depth of the explorations, which would identify any potential impacts and would be analyzed on a case-by-case basis. Therefore, new development would not be expected to deplete or degrade groundwater resources or result in a demonstrable reduction in groundwater recharge capacity.

Mitigation:

None.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Response:

Drainage within the project area will vary from parcel to parcel. The proposed Ordinance does not apply to a specific project site or area, and therefore the provisions would not directly impact any known natural and/or significant drainage features, such as streams or rivers.

The construction of new development would increase the amount of impervious surfaces and, therefore, could potentially alter the amount of surface runoff. Although individual projects in designated Hillside Areas may cause minor erosion or siltation on- or off-site over time, they are not expected to result in any substantial quantities. The drainage patterns in the vicinity of individual projects, including the downslope residential lots, are anticipated to remain the same as existing conditions. Furthermore, projects will be required to incorporate stormwater pollution

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

control measures, as required by Ordinance Nos. 172,176 and 173,494 which specify Stormwater and Urban Runoff Pollution Control and require the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants will be required to meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the City's standard mitigation measures (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/). Implementation of required water quality management practices would minimize erosion and siltation during construction of new development.

A less than significant impact is expected.

amount of surface runoff in a manner which would result in flooding on- or off site?

<u>Mit</u> No	<u>igation:</u> ne.			
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or		✓	ū

Response:

Drainage within the project area will vary from parcel to parcel. The proposed Ordinance does not apply to a specific project site or area, and therefore the provisions would not directly impact any known natural and/or significant drainage features, such as streams or rivers.

The proposed Ordinance will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the proposed project area, and will not increase the amount of development to a level that would result in substantial alteration of existing drainage patterns beyond a level that has already been accounted for. Moreover, the regulations being introduced by this proposal would impose size limitations for residential structures, and as a result is expected to increase the amount of permeable surfaces which are known to decrease run-off. While any new development on vacant lots could increase the amount of impervious surfaces, and would therefore have the potential to significantly alter the existing drainage pattern of a project site and potentially increase the amount of surface runoff and may result in flooding on- or off-site, the proposed Ordinance would reduce further alteration to existing drainage patterns or decrease the rate or amount of surface runoff of the area in a manner which would not result in substantial flooding on- or off-site than would already occur.

Furthermore, projects will be required to incorporate stormwater pollution control measures, as required by Ordinance Nos. 172,176 and 173,494 which specify Stormwater and Urban Runoff Pollution Control and require the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants will be required to meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the City's standard mitigation measures (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/). Implementation of required water quality management practices would minimize erosion and siltation during construction of new development.

New development would not substantially alter the existing drainage pattern of the project area through the alteration of a course or stream or substantially increase the rate or amount of surface runoff in a manner which would result in flooding. Less than significant impacts related to drainage and flooding are anticipated.

Mitigation:

e.	Create or co	ontribute ri	unoff water:	whi	ch would
	exceed the	capacity	of existing	or	planned
	stormwater	drainage	systems	or	provide
	substantial	additiona	sources	of	polluted
	runoff?				

	V	

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

Response:

The proposed Ordinance is not expected to create or contribute additional runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As described above, a comprehensive drainage system would be designed for new development. Stormwater would be directed towards the adjoining storm drainage systems, which is considered adequate to accommodate any additional runoff due to the increase in the amount of impervious surfaces on the various sites. Therefore, although new development would introduce impervious surfaces to the project area, runoff from the project sites is not anticipated to exceed the capacity of planned and existing stormwater drainage system. Furthermore, BMPs would be implemented during construction to reduce pollution in stormwater discharge to levels that comply with applicable water quality standards. Implementation of SUSMP requirements would ensure impacts are mitigated to a less than significant level.

imp		gated to a less			arao, impion	iornation or occ	···· roquironioni	o would onour
Miti	gation:							
Nor	10.							
f.	Otherwise quality?	substantially	degrade	water			~	
Res	sponse:							
to concon con unp sing	legrade wate tained in wa trol; these in aved areas, ple-family res	er quality. Som iter runoff and nclude oil, grea herbicides, pe	ne pollutants may be car se, metals, sticides and t will be rec	common ried into to and hydro fertilizer f	to urban area he storm drai carbons from from landscap	as, especially the ins and discharg a streets, parking ped areas and a	nily homes and ose related to au jed into the stor g lots, and drive inimal wastes. I ulations of the F	utomobiles, are m water runofl ways, dirt from Each individual
Miti	gation:							
Nor	ie.							
g.	as mappe Boundary o	ing within a 10 d on federa or Flood Insura nazard delineati	l Flood I ince Rate N	lazard			•	
Res	sponse:							
it w	ill not direct urance Rate	the construction	on of housin oosal will reg	ng to area Julate cons	s mapped or struction of sir	the federal Flo	xisting land uses nod Hazard Bou es or additions to	ndary or Flood

Mitigation:

		Potentially Significant Impact	Potentially Significant Unless Miligation Incorporated	Less Than Significant Impact	No Impact
h.	Place within a 100-year flood plain structures which would impede or redirect flood flows?			•	
Re	sponse:				
the Ra	e proposed Ordinance does not involve rezoning or construction of housing to areas mapped within a te Map. The proposal will regulate construction of mes which are presently zoned for single-family res	i 100-year flo of single-fam	ood plain, Hazard E	Soundary or F	lood Insurance
Mit	<u>igation:</u>				
No	ne.				
i.	Expose people or structures to a significant risk of loss, inquiry or death involving flooding, including flooding as a result of the failure of a levee or dam?			V	
Re	sponse:				
ho: pro	e proposed Ordinance will not result in a zone chausing to areas located near existing levees or desperty loss or death. The proposal is regulatory in a ditions to existing single family homes which are pre-	ams, or add nature and a	itionally expose pe ffects the construct	ople to a sig ion of single-fa	nificant risk of
Mit	igation:				
No	ne.				
j.	Inundation by seiche, tsunami, or mudflow?				
<u>Re</u>	sponse:				
exi exp	e proposed Ordinance is regulatory in nature and a sting single family homes which are presently zon pected to result in the increase of housing in are nami or mudflow, or additionally expose people to a	ned for sing as which ar	le-family residentia e more susceptible	l use and the to inundation	refore it is not
Mit	igation:			•	
No	ne.				
IX.	LAND USE AND PLANNING. Would the project:				
a.	Physically divide an established community?				•
<u>Re</u>	sponse:				

The proposed Ordinance applies only to single-family residential areas, and does not involve the type of development that would have the potential to physically divide an established community.

Mitigation:

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b.	Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Q			V

The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

The proposed project area is located within the City of Los Angeles and, as such, is subject to planning guidelines and restrictions established by the City of Los Angeles General Plan and the various Community Plans that make up the Land Use Element of the General Plan. On a larger scale, the project area is located within the planning area of the Southern California Association of Governments (SCAG), which is a regional planning organization. The project area is located within the South Coast Air Basin (Basin) which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

General Plan.

The proposed Ordinance helps to accomplish the following goals, objectives, and policies of the General Plan Framework:

Goal 3B Preservation of the City's stable single-family residential neighborhoods.

- **Objective 3.5** Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
 - **Policy 3.5.2** Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
 - **Policy 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.

Community Plans.

The City of Los Angeles General Plan Land Use Element is subdivided into 35 community plans. The proposed Ordinance helps to accomplish the following objectives, and policies of various Community Plans:

Objective 1-5 To limit the intensity and density in hillside areas.

Policy 1-5.3 Consider the steepness of the topography and suitability of the geology in any proposal for development within the Plan Area.

Objective 1-5 To limit the intensity and density of development in hillside areas.

- **Policy 1-5.1** Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.
- **Policy 1-5.2** Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.

Objective 9-1 Ensure that fire facilities and protective services are sufficient for the existing and future population

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

and land uses.

Policy 9-1.1 Promote land use policies that enhance accessibility for fire fighting equipment and are compatible with effective levels of service.

Objective 1-6 To limit residential density and minimize grading in hillside areas. (Sunland-Tujunga-Lake View Terrace-Shadow Hills- East La Tuna Canyon)

Policy 1-6.3 Require that grading be minimized to reduce the effects on environmentally sensitive areas.

Objective 1-6 To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.

Policy 1-6.6 The scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.

Objective 1-3 Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.

Policy 1-3.3 Preserve existing views in hillside areas.

Regional Plans

SCAG Regional Comprehensive Plan and Guide. The project area is located within the Southern California Association of Governments (SCAG) jurisdiction. SCAG is the regional planning organization with responsibility for reviewing the consistency of local plans, projects and programs with regional plans. SCAG has prepared a Regional Comprehensive Plan and Guide (RCPG) to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the planning horizons for each document. At the regional level, the goals, objectives and policies in the RCPG are used for measuring consistency of a project with the adopted plans. New development would adhere to RCPG policies because new development is located in a residential hillside neighborhood for residential uses according to the General Plan and Zoning Ordinance. New development would be considered to be consistent with the RCPG.

SCAQMD Air Quality Management Plan

The consistency of new development with SCAQMD's Air Quality Management Plan (AQMD) is discussed in the Air Quality Section of this document (AQ(a)).

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in any increase in population density that would generate the need to require amend any existing plans or policies.

The proposal is expected to improve the compatibility of homes in their topographical settings and surrounding community. In the long run, in reducing the scale of houses built on properties zoned for single-family use, there may also be an incremental reduction in the potential energy use and waste generated by single-family structures. Therefore, new development in compliance with the proposed provisions would conform to the goals, objectives, and policies of the General Plan and the various Community Plans. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to any adopted plans or ordinances in addition to the surround neighborhood and the environment on a case-by-case basis.

Mitigation:

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
C.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				V
Re	sponse:	•			
cor reg	e proposed Ordinance does not amend or conflict iservation plan, nor does it result in increased dulatory in nature and does not involve changes in istruction of housing within any known conservation	evelopment to existing la	in sensitive ecologi	cal areas. Ti	he proposal is
Mit	gation:				
No	ne.				
х.	MINERAL RESOURCES. Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?		٦		⊌
Re	sponse:				
allo ind any pro	rsuant to Section 13.01 of the LAMC, lots designation for controlled drilling sites and oil wells. He ividual project site containing an existing or propor mineral resources of value to the region and the ject. The proposal applies to residential zoned lot the depletion of local mineral resources.	owever, as t sed oil well, e residents o	his proposed Ordir would be evaluated f California would n	nance applies d as required ot be lost as	citywide, any to ensure that a result of the
Mit	igation:				•
No	ne.				
b.	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
Re	sponse:				
allo pro loc	rsuant to Section 13.01 of the LAMC, lots designate by for controlled drilling sites and oil wells. The proposed project site is delineated on the City's Geally-important mineral resource recovery site, there is a site of the mineral resources.	proposed Ord neral Plan, s	linance shall applie pecific plan, nor ar	s Citywide, ar ny other land	nd as such, no use plan as a
Mit	igation:				
No	ne.				

The proposed Ordinance does not involve zone changes or changes to the existing land use designations that could affect density or noise levels in single-family neighborhoods. The noise levels in residential land uses are lower than those of commercial or industrial land uses and are unlikely to exceed noise levels established in the General Plan.

Individual projects are likely to create a temporary or periodic increase in noise levels during the construction phase, due to the heavy construction equipment and related construction activity, and could be audible to the closest residents to the project site. However, the duration of construction activities on the proposed site would be short-term. By limiting construction hours the corresponding noise will be minimized, thereby reducing any potentially significant impacts to less than significant.

The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect is citizens and noise sensitive land uses. A significant impact may occur if new development would generate excessive noise that would cause the ambient noise environment at the various development sites in the project area to exceed noise level standards set for in the City of Los Angeles General Plan Noise Element and the City of Los Angeles Noise Ordinance. Regarding construction, the Los Angeles Municipal Code indicates that no construction or repair work shall be performed between the hours of 6:00 p.m. and 7:00 am, since such activities would generate loud noises and disturb persons occupying sleeping quarters in any adjacent dwelling, hotel, apartment or other place of residence. No person, other than an individual home owner engaged in the repair or construction of his/her single-family dwelling, shall perform any construction or repair work of any kind or perform such work within 500 feet of occupied land before 8:00 am or after 6:00 pm on any Saturday or on a federal holiday, or at any time on any Sunday. Under certain conditions, the City may grant a waiver to allow limited construction activities to occur outside of the limits described above.

The Los Angeles Municipal Code also specifies the maximum noise level of powered equipment or powered hand tools. Any powered equipment or hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet is prohibited. However, the noise limitation does not apply where compliance is technically infeasible. Technically infeasible means that the above noise limitation cannot be met despite the use of mufflers, shields, sound barriers and/or any other noise reduction device or techniques during the operation of equipment.

Mitigation:				
None.				
 Exposure of people to or generation excessive groundborne vibration groundborne noise levels? 	of or		V	

Response:

The proposed Ordinance will not affect land use densities or increase construction activity. Additionally, groundborne noise levels and vibration in residential land uses are lower than those found in commercial or industrial land uses and are unlikely to exceed levels established in the general plan or LAMC.

Individual projects are likely to create a temporary or periodic increase in groundborne vibration and/or groundborne noise during the construction phase, due to the heavy construction equipment and related construction activity, and could be audible to the closest residents to the project site. However, the duration of construction activities on the proposed site would be short-term. By limiting construction hours the corresponding noise and vibration will be minimized, as noted above, thereby reducing any potentially significant impacts to less than significant.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact		
Miti	gation:						
Noi	ne.						
C.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		۵	V			
Res	sponse:						
de√	e proposed Ordinance is intended to establish a relopment in the City's Hillside Areas. Residentia ject area may occasionally be disrupted by construc	l land uses	near individual dev	elopment proj	ects within the		
Miti	gation:						
No	ne.						
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Q	۵	V	Q		
Res	sponse:						
	adoption of the Ordinance will not result in an ioulation density that would raise ambient noise level				in land use or		
con auc site	ividual projects are likely to create a temporary istruction phase, due to the heavy construction of lible to the closest residents to the project site. Howevould be short-term. By limiting construction have, thereby reducing any potentially significant imp	equipment a wever, the d ours the co	and related constructi uration of constructi presponding noise	iction activity, on activities o	and could be n the proposed		
Miti	gation:						
No	ne.						
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			V			
Res	sponse:						
The proposed Ordinance would not result in the further exposure of people residing or working within an airport land use plan to excessive noise levels. The proposal would not result in a rezoning or reclassification of land located near an existing airport. Existing or proposed single-family homes within two miles of a public airport will be subject to the proposed Code Amendments; however, no portion of the provisions would subject new populations to airport noise levels.							
Miti	Mitigation:						
Not	ne.						
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				· V		

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Response:					
private airstrip to exclocated near an existi to the proposed code	nce would not result in the furth essive noise levels. The propo ng air strip. Existing or propose e amendments; however, no p s resulting from a nearby airstrip	ed single-famil portion of the	t result in a rezoni y homes in the vic	ng or reclassifi inity of an airst	ication of land rip are subjec
Mitigation:					
None.					
XII. POPULATION A project:	ND HOUSING. Would the				
area either di proposing new h	al population growth in an rectly (for example, by nomes and businesses) or imple, through extension of restructure)?			۵	V
Response:					
in the circulation elen beyond the existing cand related code and population growth to r	nce would not: change any exis nent of the general plan that m apacity; or directly result in a zo nendments would neither induc- new areas. The proposed Code ned for single-family residential	ight indirectly one change or ce nor prevel Amendments	lead to an increase change of land us nt population grow	e in new home e. The propose th, and it wo	e construction sed Ordinance uld not direc
Mitigation:					
None.					
	ntial numbers of existing tating the construction of ing elsewhere?	-			₩
Response:					
existing housing that	nce is not expected to inhibit tr would necessitate replacement larger-than-average single-fami	housing elsev			
Mitigation:					
None.					

housing elsewhere?

c. Displace substantial numbers of people

necessitating the construction of replacement

The proposed Ordinance applies to single-family zoned lots only and it does not involve rezoning or a reclassification of existing land uses. No change in population density is expected to result from the implementation of the proposal and it is unlikely that people would be displaced or that the construction of replacement housing elsewhere would be required.

		Polentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mit	igation:				
No	ne.				
XII	I. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a.	Fire protection?				✓
The Ordination of the Cooling according to the	e proposed Ordinance would not increase the dinance is not proposing any zone changes, and the dinance is not proposing any zone changes, and the distingle-family residential. Therefore, new desting level of service. Furthermore, all projects des, ordinances, and guidelines as set forth in the addition, new development would be subject to the cess roads, driveways and parking areas would rest than significant impact is expected on fire protecting tigation: The protection of	he proposed of evelopment in will be required Fire Protection e site plan reversilemain accessilement.	code amendments want the project area want to comply with a complete the complete	would apply on would not affe all applicable S ion Plan and the fifth the LAFD to	ly to properties ect the LAFD's State and local ne Safety Plan. ensure that all
The doc sin res pro	esponse: e proposed Ordinance would not increase the nurses not involve any zone changes, and the propogle-family residential. Consequently, the changuidents in any given neighborhood and therefore, otection.	sed code ame es are not ex	endments would ap pected to substant	oply only to pre ially increase	operties zoned the number of
	one.				
C.	Schools?				V

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in an increased demand for schools.

			Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mil	tigation:					
No	ne.					
d.	Parks?	•	Q			V
<u>Re</u>	esponse:					
do sin	e proposed Ordinance wo es not involve any zone c gle-family residential. Co sidents in any given neight	hanges, and the propos pnsequently, the change	sed code ame es are not exp	endments would appected to substant	ply only to pro ally increase	operties zoned the number of
Mit	tigation:					
No	one.					
e.	Other governmental roads)?	services (including				4
Th do sin res	esponse: e proposed Ordinance wo es not involve any zone o gle-family residential. Co sidents in any given neight at would generate the need	hanges, and the propos pnsequently, the change porhood and therefore, it	sed code ame es are not exp is not expecte	endments would ap nected to substant and to result in any in	ply only to pro ally increase acrease in pop	operties zoned the number of
Mit	tigation:					
No	ne.					
ΧIV	V. RECREATION.					-
a.	Would the project increase neighborhood and region recreational facilities suphysical deterioration occur or be accelerated?	onal parks or other uch that substantial if the facility would			ū	V
Re	sponse:					
an	e proposed Ordinance do d is not expected to resubstantial physical deteriora	ılt in a significant incre	e changes or ase in popula	changes to the exi tion density that w	sting land use ould cause o	e designations, r accelerate a
Mil	ligation:					
	ne.					
b.	Does the project include or require the construct recreational facilities where a physical offset of	ion or expansion of nich might have an				V

Potentially

		Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Re	sponse:				
wh	e proposed Ordinance does not involve any zone ich would result in an increase in the number of department of recreational facilities.				
Mit	igation:				
No	ne.				
ΧV	. TRANSPORTATION/CIRCULATION. Would the project:				
a.	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections)?				•
Re	sponse:				
to (pro	e proposed Ordinance applies only to single-family existing land use designations which would increa posal is not likely to exacerbate congestion at int s. No direct or indirect impacts are expected on ex	ase populatio ersections or	n density in single result in an increa	-family neighb ase in the nun	orhoods. The
Mit	igation:				
No	ne.				
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		۵		✓
Re	sponse:				
por bed	option of the proposed Ordinance is not expected cause it does not involve any zone changes or cha oulation density in single-family neighborhoods. ndard for the existing street system.	nges to existi	ng land use desigr	nations which	would increase
Mit	igation:				
No	ne.				
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?		Q		V

Response:

The proposed Ordinance will not generate new housing units and therefore will not increase the number of individuals who would require airline service and/or transportation because it does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mit	<u>igation:</u>				
No	ne.				
d.	Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		Q		V
Re	sponse:				
des unl app	e proposed Ordinance does not amend the LAMC sign feature such as sharp curves or a dangerous in ess the project meets the fire and life safety required of the City of Los Angeles Department of Iding and Safety.	ntersection. uirements o	For individual proje f the applicable loc	cts, no permits al and State	will be issued codes and the
Mit	igation:				
No	ne,				
e.	Result in inadequate emergency access?				V
The res	sponse: e intent of the proposed Ordinance is to ensure the pective lot sizes. New development in the propose erfere with or create an impediment to the implement instruction of new development may result in tempore	sed project entation of	area would not invo an existing emerger	olve any activi ncy response	ties that would
Fur De em Gu	thermore, new development would be subject to partment (LAFD) to ensure that all access roads, ergency service vehicles. Additionally, all construitelines for access to emergency services. New depact.	the site pla driveways ction plans	n review requireme and parking areas would be required t	nts of the Los would remain to adhere to F	accessible to ire and Safety
Mit	igation:				
No	ne.				
f.	Result in inadequate parking capacity?				V
	sponse:				
	e proposed Ordinance does not propose a change nily residential projects. Therefore, the proposal is u				IMC for single-
Mit	igation:				
No	ne.				
g.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	۵	٥		V

Potentially Less Than Potentially Significant Significant Unless Mitigation Significant Impact Incorporated Impact No Impact Response: The proposed Ordinance is regulatory in nature and applies only to construction of or additions to single-family homes. It does not conflict with any adopted or proposed policies, plans, and programs supporting alternative transportation. Mitigation: None. XVI. UTILITIES. Would the project: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Response: The proposed Ordinance is not expected to result in an increase in the potential for new home construction or increases in the number of persons per single-family home. Therefore, the proposal is unlikely to result in development which exceeds the current wastewater treatment loads established by the Regional Water Quality Control Board. Mitigation: None. b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects? Response: The proposed Ordinance is not expected to result in an increase in the potential for new home construction, or a redirection of population growth. Therefore, the proposal is not likely to result in the need for new water or wastewater treatment facilities or expansion of existing facilities servicing single-family homes. Mitigation: None. c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which cause significant environmental could effects?

Response:

The proposed Ordinance is not expected to result in an increase the potential for new home construction, and therefore result in increased demand on the City's stormwater drainage facilities. The construction of individual single-family homes may be subject to compliance with the Los Angeles County SUSMP requirements.

Mitigation:

		Potentially Significant Impact	Potentially Significant Unfess Mitigation Incorporated	Less Than Significant Impact	No Impact
d.	Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?				V
<u>Re</u> :	sponse:				
wor the Dis	e proposed Ordinance is not expected to result in uld require new sources of water supplies or expar City of Los Angeles are proposed to be met prima trict (MWD). The Department of Water and Power vide domestic water supply to Los Angeles.	nded entitlem arily by purch	ents. Future incre asing additional w	eases in dema ater from Metr	nd for water in opolitan Water
Mit	igation:				
No	ne.				
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	0			V
Re:	sponse;				
wo: ind	e proposed Ordinance will not result in an increase uld not result in increased demand on the City ividual single-family projects may be delayed by th he provided.	's wastewate	er treatment facilit	ies. However,	if necessary,
Mit	igation:				
No	ne.				
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			٥	V
Re	sponse:	•			
wo	e proposed Ordinance will not result in an increa uld not result in increased demand on the City's lan jects may be delayed by the Department of Building	dfill capacity.	However, if neces	ssary, individu	al single-family
Mit	gation:				
No	ne.				
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				~
Re	sponse:				

Solid waste regulations are not within the scope of this Ordinance, therefore the proposed code amendments are not expected to conflict with federal, state, or local statues and regulations related to solid waste. Moreover, the Ordinance will not result in an increase the potential for new home construction, and therefore would not impact regulations related to solid waste.

Mitigation:

None.	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Q	ū	•	

If adopted, the proposed Ordinance will apply to single-family homes in the City's Hillside Areas, and are primarily within heavily urbanized areas. Currently, single-family home construction in the City occurs predominantly on infill sites. The proposed Ordinance will not introduce any new, or change existing land uses or density to undeveloped areas that are incompatible with single-family land use. Moreover, the proposal is regulatory in nature and is not expected to result in an increase in the potential for new home construction or direct construction to previously underdeveloped areas. The provisions would not, on its face, have the potential to degrade the quality of the environment, or threaten rare or endangered flora or fauna any more than is already permitted.

New development is not expected to degrade the quality of the environment, reduce or threaten any fish or wildlife species (endangered or otherwise), or eliminate important examples of major periods of California history or prehistory. Most single-family development is concentrated in the City's urbanized areas; therefore, it is unlikely that the adoption of this proposal – a regulatory action - will directly cause a native fish or wildlife population to drop below self sustaining levels beyond what is already permitted. Additionally, the changes are not likely to eliminate a plant or animal community because a good number of existing plant forms and animal population have adapted to the urbanized/developed environment or were imported to it.

Finally, the Ordinance is not expected to reduce the number or, restrict the range of endangered plants or animals because it does not propose to rezone property such that a further increase in development in sensitive ecological areas would occur, thereby threatening rare or endangered flora or fauna. The project is not expected to eliminate important examples of the major periods of California history or prehistory, and any future single-family development within Historic Preservation Overlay Zones will be coordinated with the Office of Historic Resources in the Department of City Planning.

Mitigation: None. b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).

Response:

The Los Angeles Municipal Code currently allows for floor areas which are larger than the lots on which they are situated, has height limits that prevent the terracing of structures which would be more effective in terms of aesthetics as well as reducing the potential impact on the existing terrain, and has no limits the grading activity

Potentially Significant Unless Mitigation Incomprated

Less Than Significant Impact

No Impact

which occurs on any particular property thereby allowing for the major alteration of the City's existing hillsides. The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas.

The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations. Therefore, the proposal is expected to result in a reduction in the potential for cumulative impacts for new projects built pursuant to the proposed provisions.

Moreover, the proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in any increase in population density that would generate the need to require additional infrastructure or other governmental services, beyond what is already present.

The proposals is also expected to incrementally reduce construction-related impacts resulting from residential development activity, maintain appropriate distances between single-family homes, and improve the compatibility of homes in their topographical settings and surrounding community. In the long run, in reducing the scale of houses built on properties zoned for single-family use, there may also be an incremental reduction in the potential energy use and waste generated by single-family structures.

Projects completed in compliance with the proposed Code Amendments are expected to have fewer environmental impacts than those presently being constructed. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to the surround neighborhood and the environment on a case-by-case basis, and would be subject to conditions of approval in order to mitigate those effects.

Mitigation:	
None.	

C.	Does the project have environmental effects
	which cause substantial adverse effects on
	human beings, either directly or indirectly?

	V

Response:

The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas. Projects completed in compliance with the proposed Code Amendments are expected to have fewer environmental impacts than those presently being constructed. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to the surround neighborhood and the environment on a case-by-case basis, and would be subject to conditions of approval in order to mitigate those effects.

Mitigation:

None.

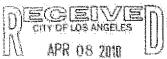


DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

PREPARED BY	TITLE	TELEPHONE #	DATE
Oliver Netburn	Planning Assistant	(818) 374-5038	March 12, 2010

CEQA COMMENT RECEIVED APRIL 8, 2010

Jeffrey A. Kaplan Attorney at Law (inactive) 924 Westwood Blvd, #910 Los Angeles, CA, 90024 (310) 208-0075



CITY PLANNING COMMUNITY PLANNING BUREAU

April 8, 2010

Brick Lopez
City Planner - Department of City Planning
200 N. Spring Street
Room 621
Los Angeles, CA 90012
(213) 978-1243 / (213) 978-1226 - Jax
cmail: crick.lopez@lacity.org

Sent via email; fax and hand delivered at City Planner Office

Re: Baseline Hillside Ordinance

Case Number CPC-2010-0581-CA CEQA Number ENV-2010-0582-ND

Mr. Erick Lopez,

Thank you very much for conducting multiple public workshops relating to the proposed Baseline Hillside Ordinance (BHO) and the opportunity to voice concerns to the Department of City Planning. In furtherance of the foregoing, this letter shall serve as additional notice of my concerns regarding the BHO and its compliance under the California Environmental Quality Act (CEOA).

As you may recall, I am an inactive lawyer and CPA and a real estate investor and owner of homes in Bel-Air. I am also a member of the Board of Directors of the Bel-Air Assn. and a member of the Coalition of Concerned L.A. Real Estate Industry and Hillside. Homeowners.

I have recently learned of CEQA Case Number ENV-2010-0582-ND, and have had only a brief opportunity to review the same. However, it is clear that a Negative Declaration is not appropriate in this instance as the environmental impact of the Baseline Hillside Ordinance (LA City Planning Case Number CPC-2010-0581-CA) is "potentially significant" as to a number of factors and therefore a full Environmental Impact Report is required under CEQA:



Potentially significant effects of the Baseline Hillside Ordinance (CPENNING BUREAU on the environment include, without limitation all of the matters set forth in this letter, including the following:

- 1. Aestheties: Potentially Significant Impact. The proposed ordinance would potentially degrade the existing visual character and quality of LA City hillside properties and surroundings areas as, for example, certain undeveloped lots and potions of lots will be required to remain in its "natural state" as opposed to being improved with new landscaping and development appropriate and consistent with currently existing area homes and properties. By way of example, currently graded or ungraded lots (i.e., fenced and unfenced vacant lots consisting of little more than dirt and weeds) would potentially remain in a blighted condition as compared to being beautified, utilized and developed.
- XII. Population and Housing, etc. <u>Potentially Significant Impact</u>. The proposed ordinance would perentially displace substantial numbers of people necessitating the construction of replacement housing elsewhere due to the cumulative effect of grading and residential floor area (RFA) restrictions. For example, certain families living in LA City hillside properties will not be able to add to existing homes in order to accommodate elderly parents, newborn children, older children returning home and other members of the immediate or extended family of the homeowners, which would resultantly increase the need to construct housing and accommodations elsewhere. Further, LA City hillside homeowners who desire to accommodate large families would potentially need to move to other areas (where they can provide a higher quality of life for their family through the use of their land for pools, play yards, etc. that would potentially be prohibited by the proposed ordinance through grading and other development restrictions), thereby causing a shortage of adequate housing opportunities and the increase of population density in such other areas:
- XIII. Public Services and XIV Recreation: <u>Potentially Significant Impact</u>. The proposed ordinance will potentially and significantly limit development on all hillside properties in the City of private pools, play yards, recreation areas, etc., thereby potentially significantly increasing the burden on public schools, parks and recreation areas. Moreover, the proposed ordinance would potentially create a greater burden on schools and parks in the City's non-hillside areas as people with large families move out of the hillsides that would no longer accommodate their desired quality of life.
- XV. Transportation / Circulation: Potentially Significant Impact. The proposed ordinance will reduce usable land area in the hillside areas (through both the grading and RFA restrictions) that will potentially result in fewer families being willing or able to buy homes in close-in hillside neighborhoods. These families will then potentially live in other areas further from their work and desired transportation destinations resulting in longer commutes and a generally increased traffic burden throughout the City.

XVII. Mandatory Findings of Significance: Potentially Significant Impact.

The proposed ordinance will potentially have the cumulative impact through application of RFA, grading and other restrictions of causing certain families to not be able to live together due to limits on remodeling, additions and quality of life improvements (such as restrictions limiting development of pools, play yards, recreational areas, etc.). Moreover, as the proposed ordinance will apply to all existing hillside properties, expectations of existing homeowners that desire families and children will be practically frustrated due to their potential inability to redevelop and expand their home to appropriately accommodate these desires.

Please note that the foregoing is not an exhaustive list of all the potentially significant environmental impair factors as to the RHO, and I reserve the right, as allowed under applicable low, to supplement, expand and add to this list.

I, along with a growing number of hillside residents, do not believe that the BHO is in the best interests of the hillside defined areas in the City of Los Angeles. I from a social standpoint, the madernization of homes in this area has attracted new nod/or growing families and has contributed to a revitalization of older, audited homes throughout the City—which activity also results in the profoundly important creation of numerous local area jobs and the support of local area service providers and businesses.

for conclusion, the largeoing clearly presents substantial evidence that demonstrates that there is a fair argument that the adoption of the BirlO will result in significant adverse environmental impacts. See Mejia v. City of Los Angeles, 130 Cal. App. 4th 522 (205). Additionally, it is clear that the displacement of development which will result from the adoption of the BHO is precisely the kind of impact which should be investigated through a thorough FIR. Muzzy Ranch v. Solano County Airport Land Use Commission, 41 CAL 4th 372 (2007).

Accordingly, from a legal standpoint, since the BHO has not been subjected to proper environmental review as required by CFQA, it can not legally be adopted without a thorough FIR, prepared and subject to review in compliance with CEQA.

Umro Trulo Vane

léffrey A. Kaplan

Cu: Coallifon of Concerned L.A. Real Estate Industry and Hilliside Homeowners

COMMUNITY DEVAMING SOLEVI

RESPONSE TO CEQA COMMENT RECEIVED APRIL 8, 2010

On April 8, 2010, a Mr. Jeffrey Kaplan submitted comments regarding the proposed Negative Declaration (ENV-2010-582-ND) for the proposed Baseline Hillside Ordinance. The following is a list of the comments followed by the Department response.

CEQA Comment (verbatim)

I. Aesthetics: <u>Potentially Significant Impact</u>. The proposed ordinance would potentially degrade the existing visual character and quality of LA City hillside properties and surroundings areas as, for example, certain undeveloped lots and portions of lots will be required to remain in its "natural state" as opposed to being improved with new landscaping and development appropriate and consistent with currently existing area homes and properties. By way of example, currently graded or ungraded lots (i.e., fenced and unfenced vacant lots consisting of little more than dirt and weeds) would potentially remain in a blighted condition as compared to being beautified, utilized and developed.

Department Response

The proposed Ordinance will not restrict any property from being developed, and are intended to revise the provisions pertaining to the size/scale of structures in the City's Hillside Areas through more effective Floor Area Ratio, height, and grading regulations. The proposal will result in development which is more compatible than the existing regulations with the hillside environment. Safeguards have been included in the language to ensure that development is allowed to occur on legal lots.

Section I. Aesthetics is intended to be a review of potential impacts to:

- scenic vistas;
- scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a citydesignated scenic highway;
- the existing visual character or quality of the site and its surroundings; and
- day or nighttime views in the area as a result of new sources of substantial light or glare.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "Less Than Significant Impact" for each of these categories are correct.

CEQA Comment (verbatim)

XII. Population and Housing, etc. Potentially Significant Impact. The proposed ordinance would potentially displace numbers of people necessitating the construction of replacement housing elsewhere due to the cumulative effect of grading and residential floor area (RFA) restrictions. For example, certain families living in LA City hillside properties will not be able to add to existing homes in order to accommodate elderly parents, newborn children, older children returning home and other members of the immediate or extended family of the homeowners, which would resultantly increase the need to construct housing and accommodations elsewhere. Further, LA City hillside homeowners who desire to accommodate large families would potentially need to move to other areas (where they can provide higher quality of life for their family through the use of their land for pools, play yards, etc. that would potentially be prohibited by the proposed ordinance through grading and other development restrictions), thereby causing a shortage of adequate housing opportunities and the increase of population density in such other areas.

Department Response

The proposed Ordinance would not:

- change any existing general plan land use designations;
- result in any change in the circulation element of the general plan that might indirectly lead to an increase in new home construction beyond the existing capacity;
- directly result in a zone change or change of land use;
- inhibit the construction of new housing, or result in the demolition of existing housing that would necessitate replacement housing elsewhere; or
- change population density and is unlikely that people would be displaced or that the construction of replacement housing elsewhere would be required.

The proposed Ordinance and related code amendments would neither induce nor prevent population growth, and it would not direct population growth to new areas. The proposed Code Amendments are limited to regulating the massing and scale of buildings and land alteration not involving the foundations of structures on lots zoned for single-family residential use. Moreover, the proposed Ordinance includes provisions which establish an avenue to allow for modest additions to existing dwellings regardless of their conforming status.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "No Impact" for each of these categories are correct.

CEQA Comment (verbatim)

XIII. Public Services and XIV Recreation: <u>Potentially Significant Impact</u>. The proposed ordinance will potentially and significantly limit development on all hillside properties in the City of private pools, play yards, recreation areas, etc., thereby potentially significantly increasing the burden on public schools, parks and recreation areas. Moreover, the proposed ordinance would potentially create a greater burden on schools and parks in the City's non-hillside areas as people with large families move out of the hillsides that would no longer accommodate their desired quality of life.

Department Response

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in an increased demand for schools or parks.

Moreover, private pools, play yards, recreation areas, etc. are not considered to be public recreation resources and therefore have no bearing in the analysis of impacts to public services.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "No Impact" for each of these categories are correct.

CEQA Comment (verbatim)

XV. Transportation / Circulation: <u>Potentially Significant Impact</u>. The proposed ordinance will reduce usable land area in the hillside areas (through both the grading and RFA restrictions) that will potentially result in fewer families being willing or able to buy homes in close-in hillside neighborhoods. These families will then potentially live in other areas further from their work and desired transportation destinations resulting in longer commutes and a generally increased traffic burden throughout the City.

Department Response

The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods. Consequently, the changes are not expected to substantially increase the number of residents The proposal is not likely to exacerbate congestion at intersections or result in an increase in the number of vehicle trips, or exceed the level of service standard for the existing street system. No direct or indirect impacts are expected on existing traffic patterns and road capacity.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "No Impact" for each of these categories are correct.

Public Comment (verbatim)

XVII. Mandatory Findings of Significance: <u>Potentially Significant Impact</u>. The proposed ordinance will potentially have the cumulative impact through application of RFA, grading and other restrictions of causing certain families to not be able to live together due to limits on remodeling, additions and quality of life improvements (such as restrictions limiting development of pools, play yards, recreational areas, etc.).

Moreover, as the proposed ordinance will apply to all existing hillside properties, expectations of existing homeowners that desire families and children will be practically frustrated due to their potential inability to redevelop and expand their home to appropriately accommodate these desires.

Department Response

The proposed Ordinance will not restrict any property from being developed, and are intended to revise the provisions pertaining to the size/scale of structures in the City's Hillside Areas through more effective Floor Area Ratio, height, and grading regulations. The proposal will result in development which is more compatible than the existing regulations with the hillside environment. Safeguards have been included in the language to ensure that development is allowed to occur on legal lots. Moreover, the proposed Ordinance includes provisions which establish an avenue to allow for modest additions to existing dwellings regardless of their conforming status.

It is staff's determination that the responses in the Environmental Assessment Form are appropriate for these environmental concerns and do not need to be reconsidered or revised, and that the existing determination of "Less Than Significant Impact" for each of these categories are correct.

EXHIBIT D

COUNCIL MOTION, CF NO. 06-1293

MOTION PLANNING and LAND USE MGT.

JUN 0 6 2006

Preservation of established single-family neighborhood character has emerged as a citywide issue, in both the flat and hillside areas of the City. Changes in land value, housing preference and housing inventory are all playing a part in the trend toward larger and larger single family homes being constructed in the City. These larger homes, however, are often incompatible with the established scale and character of existing single-family neighborhoods.

Current Los Angeles Municipal Code (LAMC) provisions governing building height, yard setbacks and, in hillside areas, building footprint lot coverage; are insufficient to address the issues of massing and bulk of single family homes, both in relationship to the property on which they are built and to the neighboring existing homes. For example, a 7,020 square-foot house can be constructed by right on a 5,000 square-foot lot; on a 7,500 square-foot lot, a 11,040 square-foot house can be constructed, also without any variances or other entitlements.

Existing communities and neighborhoods have been demanding interim control ordinances to control this overbuilding. However, ICO's are temporary measures which are meant to curb activity until permanent legislation is approved. Creation of ICO's and processing of hardship exemptions consume staff resources that would be more efficiently used in pursuing a permanent solution. Therefore, rather than creating a patchwork of ICOs, a comprehensive, citywide approach is needed.

I THEREFORE MOVE that the Department of City Planning, in conjunction with the City Attorney and the Department of Building and Safety, be directed to prepare an ordinance amending the LAMC to establish the appropriate size of single family homes in flat and hillside areas. Such ordinance should consider: the size of the structure in relation to the size of the lot (floor area ratio), for both new construction and additions to existing homes the relationship between percentage of slope and allowable buildable area amendments to existing Specific Plans and municipal code provisions to ensure consistency.

PRESENTED BY:

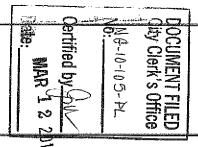
SECONDED BY:

JUN O R 2008

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CITY OF LOS ANGELES OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT NEGATIVE DECLARATION



	COUNCIL DISTRICT
PROJECT TITLE	CASE NO.
ENV-2010-582-ND	CPC-2010-581-CA

PROJECT LOCATION

The proposed project area is citywide but includes only those lots which are zoned single-family (R1, RS, RE, and RA) which are also lesignated as Hillside Area.

PROJECT DESCRIPTION

The proposed project includes amendments to the Los Angeles Municipal Code to establish new regulations for single-family zoned properties (R1, RS, RE, and RA) which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and now they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow ndividual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise tiscretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

City of Los Angeles, Department of City Planning

200 N. Spring Street

Room 621

os Angeles, CA 90012-4801

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a negative declaration be adopted for this project. The Initial Study indicates that no significant impacts are apparent which might result from this project's implementation. This action is based on the project description above.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt this negative declariation, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED. NAME OF PERSON PREPARING THIS FORM TITLE City Planning Associate (213) 978-1243 ADDRESS SIGNATURE (Official) DATE 200 N. SPRING STREET, 7th FLOOR OS ANGELES, CA. 90012

ENV-2010-582-ND Page 1 of 44

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT **INITIAL STUDY** and CHECKLIST

(C)	EQA Guidelines Section 15063)	
_EAD CITY AGENCY:	COUNCIL DISTRICT:	DATE:
City of Los Angeles	CITYW	03/12/2010
RESPONSIBLE AGENCIES: Department of City Pla	anning	
ENVIRONMENTAL CASE:	RELATED CASES:	
ENV-2010-582-ND	CPC-2010-581-CA	
PREVIOUS ACTIONS CASE NO.:	Does have significant changes fr	•
	Does NOT have significant change	ges from previous actions
PROJECT DESCRIPTION: 3ASELINE HILLSIDE ORDINANCE		
The proposed project includes amendments to the Loroperties (R1, RS, RE, and RA) which are designated floor Area Ratio (FAR); amendments to the existing now they are calculated; creation of new grading regularized includes a neighborhoods to adjust the baseline limits discretionary review processes for projects that deviated includes a neighborhood ordinance would affect all leading the proposed ordinance would affect all leading the neighborhood ordinance would affect all leading	ed as Hillside Area. The amendments wou Single-Family Residential Floor Area definulations; creation of a Hillside Standards Costo better fit their community's character are from the proposed FAR, height, and graphs are some single-family residential (R1, RS, ghborhoods that are located within the City intains, San Gabriel Mountains, Simi Hills,	Id result in: a reduction to the existing ition; changes to the height limits and everlay District that would allow and scale; and establish or revise ading regulations. RE, and RA), which are designated as of Los Angeles hillside regions which Verdugo Mountains, Santa Monica
PROJECT LOCATION: The proposed project area is citywide but includes or designated as Hillside Area.		
COMMUNITY PLAN AREA: CITYWIDE STATUS:	AREA PLANNING COMMISSION: CITYWIDE	CERTIFIED NEIGHBORHOOD COUNCIL: CITYWIDE
Does Conform to Plan	60 CC UC UC UC UC UC UC UC UC UC UC UC UC	
Does NOT Conform to Plan	nice control of the c	
EXISTING ZONING: R1, RS, RE, and RA	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 1 unit/lot	
3ENERAL PLAN LAND USE: No zone change is proposed.	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: Minimum, Very Low I, Very Low II, o Low Density Residential	LA River Adjacent: NO
	PROPOSED PROJECT DENSITY:	- -

ENV-2010-582-ND Page 2 of 44

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

galler (St.) of the factor was an about the factor of the St. (St. 1864) (St. 1864) (St. 1864) (St. 1864) (St.	Signature	Title	Phone
		City Planning Associate	(213) 978-1243
	I find that although the proposed project could have a significant effect on the environment, because all poter significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursua applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, not further is required.		or NEGATIVE DECLARATION pursuant to to that earlier EIR or NEGATIVE
	impact on the environmen pursuant to applicable lega analysis as described on a	MAY have a "potentially significant impact" of t, but at least one effect 1) has been adequate al standards, and 2) has been addressed by r attached sheets. An ENVIRONMENTAL IMPA at remain to be addressed.	ely analyzed in an earlier document nitigation measures based on earlier
	I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPA REPORT is required.		
	significant effect in this cas	posed project could have a significant effect on se because revisions on the project have bee NEGATIVE DECLARATION will be prepared	n made by or agreed to by the project
V	I find that the proposed pro DECLARATION will be pre	oject COULD NOT have a significant effect or epared.	n the environment, and a NEGATIVE

Evaluation Of Environmental Impacts:

- 1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
- 5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

ENV-2010-582-ND Page 3 of 44

- 6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
- 7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
- 9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

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Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a Potentially Significant Impact" as indicated by the checklist on the following pages.

AESTHETICS AGRICULTURAL RESOURCES AIR QUALITY BIOLOGICAL RESOURCES CULTURAL RESOURCES GEOLOGY AND SOILS	HAZARDS AND HAZARDOUS MATERIALS HYDROLOGY AND WATER QUALITY LAND USE AND PLANNING MINERAL RESOURCES NOISE POPULATION AND HOUSING	 □ PUBLIC SERVICES □ RECREATION □ TRANSPORTATION/CIRCULATION □ UTILITIES □ MANDATORY FINDINGS OF SIGNIFICANCE
NITIAL STUDY CHECKLIS Background	(To be completed by the Lead City Agency)	
'ROPONENT NAME:		PHONE NUMBER:
City of Los Angeles, Department of City Pla	(213) 978-1243	
\PPLICANT ADDRESS:		
200 N. Spring Street		
.os Angeles, CA 90012-4801		
\GENCY REQUIRING CHECKLIST:		DATE SUBMITTED:
Department of City Planning		
'ROPOSAL NAME (if Applicable):		
Baseline Hillside Ordinance		

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	Potentially	rotentially significant unless	Less than	* Antique management of the control
	significan. impact	mitigation incorporated	significant impact	No impact '
. AESTHETICS		C. Start C. Prove Management of Management (M. 1884). The		A SALAMAN AND A
I. HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?			V	
SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS, OR OTHER LOCALLY RECOGNIZED DESIRABLE AESTHETIC NATURAL FEATURE WITHIN A CITY-DESIGNATED SCENIC HIGHWAY?			Ý	
:. SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND IT'S SURROUNDINGS?				4
 CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA? 				V
I. AGRICULTURAL RESOURCES				
CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?				*
CONFLICT THE EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?				4
INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND, TO NON-AGRICULTURAL USE?				-
II. AIR QUALITY				
I. CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE SCAQMD OR CONGESTION MANAGEMENT PLAN?				*
violate any air quality standard or contribute substantially to an existing or projected air quality violation?				Y
:. RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE AIR BASIN IS NON-ATTAINMENT (OZONE, CARBON MONOXIDE, & PM 10) UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD?				· V
i. EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?			NOTICE TO THE PROPERTY OF THE	~
CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?				7
V. BIOLOGICAL RESOURCES				
I. HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATION, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE?				V
AND A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN THE CITY OR REGIONAL PLANS, POLICIES, REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE?				V
HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?			V	
I. INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?				V

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		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
	•	Impact	mcorporated	ппрась	No mipact
}.	CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS TREE PRESERVATION POLICY OR ORDINANCE (E.G., OAK TREES OR CALIFORNIA WALNUT WOODLANDS)?				V
	CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?				-
****	CULTURAL RESOURCES		2		
ztánne	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN STATE CEQA 15064.5?				
2000	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO STATE CEQA 15064.5?				Y
-	DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?			ann maigh air bhailt an thail a bha a bhann a chaidh aith air, dh'n chuig ainm air bhaill air air	<u> </u>
žon.o	DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?				
±200	. GEOLOGY AND SOILS				
1.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING: RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.			•	
).	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : STRONG SEISMIC GROUND SHAKING?			Y	
·-	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING: SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?			V	
ī.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : LANDSLIDES?			*	and any facility of the second se
÷.	RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?			V	
F.	BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIAL RESULT IN ON- OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE?			1	
Į.	BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?			V	
1.	HAVE SOILS INCAPABLE OF ADEQUATELY SUPPORTING THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS WHERE SEWERS ARE NOT AVAILABLE FOR THE DISPOSAL OF WASTE WATER?			4	
NO.	I. HAZARDS AND HAZARDOUS MATERIALS				
1.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?				Y
).	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?				V

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		Potential/ significar.	rotentially significant unless mitigation	Less than significant	
		impact	incorporated	impact	No impact '
; <u>.</u>	EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?				1
Ĭ.	BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD IT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT?				1
2.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?				
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR THE PEOPLE RESIDING OR WORKING IN THE AREA?				—
].	IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?			~	
1.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?			1	
WAR.	II. HYDROLOGY AND WATER QUALITY	Benn konnenteren bladt i 1874 fildskilderen bladeler brokkilder bladskilder benne			
1,	VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?			V	
,	SUBSTANTIALLY DEPLETE GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE LEVEL (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED LAND USES FOR WHICH PERMITS HAVE BEEN GRANTED)?			*	
>.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?			~	
i.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN AN MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF SITE?			7	
).	CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?			~	
F.	OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?			V	
3.	PLACE HOUSING WITHIN A 100-YEAR FLOOD PLAIN AS MAPPED ON FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?			*	
۱.	PLACE WITHIN A 100-YEAR FLOOD PLAIN STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?			~	Annual Control of Cont
i.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?			V	
	INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?			.	
Makes	LAND USE AND PLANNING				.87
ł.,	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?	ent aus sur sur en seu con une renne en		and the state of t	

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	Potentially significant impact	significant unless mitigation incorporated	Less than significant impact	No impact
2. CONFLICT WITH APPLICABLE LAND USE PLAN, POLICY OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?				
:. CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?				~
(, MINERAL RESOURCES				
I. RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?				*
NESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN, OR OTHER LAND USE PLAN?				Y
(I. NOISE				
I. EXPOSURE OF PERSONS TO OR GENERATION OF NOISE IN LEVEL IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?			*	
EXPOSURE OF PEOPLE TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?			V	
:. A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?			V	
1. A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?			V	
POR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?			•	
FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				*
(II. POPULATION AND HOUSING				
INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE, BY PROPOSING NEW HOMES AND BUSINESSES) OR INDIRECTLY (FOR EXAMPLE, THROUGH EXTENSION OF ROADS OR OTHER INFRASTRUCTURE)?				*
DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				Y
DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				Y
(III. PUBLIC SERVICES				
I. FIRE PROTECTION?	Chances of the second plane in the large second problem of the sec		and the second and th	V
). POLICE PROTECTION?				1
≿ SCHOOLS?				<u> </u>
i. PARKS?	- The State of Control of of			<u> </u>
2. OTHER GOVERNMENTAL SERVICES (INCLUDING ROADS)?				<u> </u>
(IV. RECREATION		ika andan na saman da silika adal karabari da karama adan kali kamanangi panganan sa panggana.	\$\times_150520000000000000000000000000000000000	negating gazzen en zalaszt allenhenn mill allen allen propriet en retarde all 1986.

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	Potentiall [,] significar, impact	rotentially significant unless mitigation incorporated	Less than significant impact	No impact
I. WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?				Y
DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?				V
(V. TRANSPORTATION/CIRCULATION	Wind About 18 11 is high to be be controlled in a controlled for me and a conservation of		and the control of th	
I. CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (I.E., RESULT IN A SUBSTANTIAL INCREASE IN EITHER THE NUMBER OF VEHICLE TRIPS, THE VOLUME TO RATIO CAPACITY ON ROADS, OR CONGESTION AT INTERSECTIONS)?				V
SERVICE STANDARD ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?				*
: RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?				
I. SUBSTANTIALLY INCREASE HAZARDS TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?				Y
RESULT IN INADEQUATE EMERGENCY ACCESS?				V
f. RESULT IN INADEQUATE PARKING CAPACITY?				
J. CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS SUPPORTING ALTERNATIVE TRANSPORTATION (E.G., BUS TURNOUTS, BICYCLE RACKS)?				V
(VI. UTILITIES				
I. EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?				
NOTIFIED AND THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?				V
REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?				
I. HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCE, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?				V
PRESULT IN A DETERMINATION BY THE WASTEWATER TREATMENT PROVIDER WHICH SERVES OR MAY SERVE THE PROJECT THAT IT HAS ADEQUATE CAPACITY TO SERVE THE PROJECTS PROJECTED DEMAND IN ADDITION TO THE PROVIDERS				
f. BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECTS SOLID WASTE DISPOSAL NEEDS?				1
J. COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?				1
(VII. MANDATORY FINDINGS OF SIGNIFICANCE		<u> </u>		
DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE			V	
POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE				

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		Potentially significant impact	significant unless mitigation incorporated	Less than significant impact	No impact
40340	MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?				
	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (CUMULATIVELY CONSIDERABLE MEANS THAT THE INCREMENTAL EFFECTS OF AN INDIVIDUAL PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS).			*	
:	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?				Y

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) ISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference naterials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State f California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify otential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant nformation provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on tated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed rough the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in onjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable onclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description will not cause potentially significant impacts on the environment. Therefore, this nvironmental analysis concludes that a Negative Declaration shall be issued for the environmental case file known as ENV-2010-582-INV-2010-582-ND and the associated case(s), CPC-2010-581-CA.

IDDITIONAL INFORMATION:

Il supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the IR Unit, Room 763, City Hall.

or City information, addresses and phone numbers: visit the City's website at http://www.lacity.org; City Planning - and Zoning nformation Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. leismic Hazard Maps - http://gmw.consrv.ca.gov/shmp/

ingineering/Infrastructure/Topographic Maps/Parcel Information - http://boemaps.eng.ci.la.ca.us/index01.htm or bity's main website under the heading "Navigate LA".

REPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
RICK LOPEZ	City Planning Associate	(213) 978-1243	03/12/2010

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	Impact?	Explanation	Measures
		Ordinance will have a less than significant impact on scenic resources.	-
C.	NO IMPACT	The proposed Ordinance would reduce the maximum amount of development, and introduce incentives for more articulated structures, as well as grading activity which involves the least amount of surface alteration and/or retains or reflects the natural topography. The proposed Ordinance would also modify the existing height regulations to allow/encourage terracing of structures. If adopted, the Ordinance would have a net positive impact on the visual character of single-family residential neighborhoods in designated Hillside Areas by directly addressing the massing of buildings in single-family residential zones in the hillside as well as minimize grading activity that has the potential to deteriorate the natural terrain. Ultimately, the proposal would prevent large box-like homes that are out-of-scale with the surrounding community. No direct negative impact would occur as a result of the provisions in question.	
d.	NO IMPACT	The Ordinance is expected to reduce the potential for new sources of light or glare that would adversely affect day or nighttime views in the Hillside Areas. As discussed under Sections I.a and b (above), impacts to nighttime views of scenic vistas or resources would be mitigated through implementation of various adopted City ordinances, policies and plans. No impact would occur.	
PV-0000	GRICULTURAL RESOURCES		
a.	NO IMPACT	The proposed code amendment would not apply to agricultural land zoned A1 or A2, and only applies to residential properties zoned R1, RS, RE, or RA. Moreover, no rezoning is proposed as part of this project and would therefore not result in the conversion of existing farmland. Although the RA zone permits farming (excluding animal raising) as an incidental use, it is intended to be primarily developed with one-family dwellings. The R1, RS, and RE zones do not prohibit minor gardens which may produce some incidental agricultural resources for individual property owners; however, these gardens do not provide any significant commercial agriculture value. Therefore the Ordinance will not substantially impact or reduce the amount	

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	I	1	เพเตศิสถอน
	Impact?	Explanation	Measures
	*		
b.	NO IMPACT	The proposed Ordinance applies only to single-family residential properties which are not considered substantial sources of pollution or air quality violations. Additionally, no change in density is proposed and therefore not adding to the number of single-family residences contributing to any existing conditions.	-
C.	NO IMPACT	The proposed Ordinance applies only to single-family residential properties which are not considered substantial sources of pollution or air quality violations. The Ordinance is not likely to result in a net increase in new construction; therefore, it is unlikely to result in a considerable net increase in criteria pollutants. The Ordinance will result in a reduction in the maximum residential floor area and grading limits, and as a result the scope of construction activity could potentially lessen cumulative construction impacts.	
d.	NO IMPACT	The proposed Ordinance applies only to single-family residential properties which are not considered substantial sources of pollution or air quality violations. The Ordinance will result in a reduction in the maximum residential floor area and grading limits, and as a result the scope of construction activity could potentially lessen cumulative construction impacts. Therefore, the Ordinance is unlikely to directly or indirectly expose sensitive receptors to substantial pollutant concentrations.	
ė.	NO IMPACT	The Ordinance applies only to single-family residential properties which are not considered substantial point sources of objectionable odors. The Ordinance will result in a reduction in the maximum residential floor area and grading limits, and as a result the scope of construction activity could potentially lessen cumulative impacts of individual single-family projects. Therefore, the Ordinance is unlikely to result in new sources of objectionable odors affecting a substantial number of people.	
**********	BIOLOGICAL RESOURCES		
a.	NO IMPACT	The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore are not expected to create any new activity that would further interfere with or impede the use of any known or unknown habitats as well as any species recognized by the California Department of Fish and Game	

	Impact?	Explanation	minganon Measures
		or U.S. Fish and Wildlife Service. Although there are vacant lots within the proposed project area that may contain remnant grassland habitat, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species. As is typically done, for future improvements to (or construction of) single-family residences which exceed the proposed limits, each individual project will be subject to CEQA standards, when appropriate, and evaluated for proximity to designated Significant Ecological Areas (SEA) within the respective Community Plan Areas.	
b.	NO IMPACT	The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore would not be expected to create any new activity that would have a substantial adverse effect on any riparian habitat or sensitive natural community recognized by the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Although there are vacant lots within the proposed project area that may contain natural drainage courses, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species.	
C.	LESS THAN SIGNIFICANT IMPACT	Individual projects will be evaluated for proximity to	
d.	NO IMPACT	The proposed Ordinance will maintain the existing residential zoning and land use designations, and therefore would not be expected to create any new activity that would have a substantial adverse effect on any native resident or migratory fish, migratory wildlife corridors, or wildlife species. Although there are vacant lots within the proposed project area that may contain remnant grassland habitat or natural drainage courses, they are generally located in a developed and urbanized region and are mostly segmented and lack the continuity that is consistent with those known to support any candidate, sensitive, or special-status species. As is typically done, for future improvements to (or construction of)	

	Impact?	Explanation	minganon Measures
	Impacts	LAPIANATION	MEASUTES
		single-family residences which exceed the	•
		proposed limits, each individual project will be subject to CEQA standards, when	
		appropriate, and evaluated for proximity to	
		designated Significant Ecological Areas	
		(SEA) within the respective Community	
		Plan Areas.	
e.	NO IMPACT	The proposed Ordinance would not	
		conflict with any local policies or	
		ordinances protecting biological	
		resources, such as tree preservation policies, such as the City of Los Angeles	
		Oak Tree Preservation Ordinance and the	
		City of Los Angeles Protected Tree	
		Ordinance. Individual single-family	
		residential projects will remain subject to	
		preservation, relocation and replacement	
		of protected trees pursuant to Articles 2 and 7 of Chapter 1 and Article 6 of	
		Chapter IV and Section 96.303.5 of the	
		Los Angeles Municipal Code.	
F.	NO IMPACT	The proposed Ordinance may apply to	the second secon
		areas located within an adopted Habitat	
		Conservation Plan, Natural Community	
		Conservation Plan, or other approved	
		local, regional, or state habitat conservation plan. However, the	
		provisions would not propose any	
		changes that would result in a change in	•
	er en	density or intensity of use. Individual	
		residential projects will be evaluated for	
		their proximity to habitat(s) consistent with	
		those supporting rare, threatened or	
		endangered species. Therefore, the proposed Ordinance is not anticipated to	
		adversely affect special status wildlife,	
		sensitive habitats, or wildlife dispersal or	
		migration corridors.	
/. C	ULTURAL RESOURCES		
a.	NO IMPACT	The proposed Ordinance will apply in	
		current and proposed Historic	
		Preservation Overlay Zones and City designated Historic-Cultural Monuments.	
		Each project within an HPOZ area will be	
		required to mitigate any potential	
		environmental impacts to a level of	
		insignificance by following the Secretary	
		of the Interior's standards for Historical	
		Resources as approved by the Cultural	
		Heritage Commission prior to Planning Department sign-off.	
		pepartinent sign on.	

b. NO IMPACT The proposed Ordinance does not involve a change in density or changes of use, and therefore is not expected to have		Explanation	Impact?
a change in density or changes of use, and therefore is not expected to have			
additional foreseeable impacts on archaeological resources. For individual single-family residential projects, when a site is found to contain any	ise, ve idual	a change in density or changes of use, and therefore is not expected to have additional foreseeable impacts on archaeological resources. For individual single-family residential projects, when a	NO IMPACT
C. NO IMPACT The proposed Ordinance does not propose a change in density or changes of use, and therefore is not expected to directly impact paleontological resources or unique geologic features. If any paleontological materials are encountered during the course of construction of individual projects, construction would be halted, and the services of a paleontologist would be required to be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact, as is standard procedure.	d to urces urtered uld be be or Cal	propose a change in density or changes of use, and therefore is not expected to directly impact paleontological resources or unique geologic features. If any paleontological materials are encountered during the course of construction of individual projects, construction would be halted, and the services of a paleontologist would be required to be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact, as	
d. NO IMPACT The proposed Ordinance does not include any provisions dealing with the discovery of human remains and will therefore not interfere with the treatment of human remains, including those interred outside of formal cemeteries. Subsequent to the adoption of the Ordinance, any individual project which is in close proximity to any known or potential prehistoric or historic burial sites will be required to ensure that disturbance resulting from construction is minimal. In the event that a human bone or any other human remains are discovered during the construction of individual projects, the procedures described in Section 7050.5 of the Health and Safety code would be followed. The property owner or his/her representatives (i.e. architect, contractor, etc.) would be required to notify the Los Angeles County Coroner. If the Coroner determines that the remains are those of a Native American, the applicant would be required to notify the Native American Heritage Commission by phone within 24 hours. Following notification of that organization, the procedures described in Section 5097.98 of the California Public Resources Code would be followed.	overy e not in itside to the vidual o any toric e that tion is bone of Health The atives d be county that an nin 24 bed in 98 of	any provisions dealing with the discovery of human remains and will therefore not interfere with the treatment of human remains, including those interred outside of formal cemeteries. Subsequent to the adoption of the Ordinance, any individual project which is in close proximity to any known or potential prehistoric or historic burial sites will be required to ensure that disturbance resulting from construction is minimal. In the event that a human bone or any other human remains are discovered during the construction of individual projects, the procedures described in Section 7050.5 of the Health and Safety code would be followed. The property owner or his/her representatives (i.e. architect, contractor, etc.) would be required to notify the Los Angeles County Coroner. If the Coroner determines that the remains are those of a Native American, the applicant would be required to notify the Native American Heritage Commission by phone within 24 hours. Following notification of that organization, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code	NO IMPACT
/I. GEOLOGY AND SOILS			EOLOGY AND SOILS

	Impact?	Explanation	winganon Measures
a.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose people or structures to additional potential substantial adverse effects, including the risk of loss, injury or death. Future single-family residential projects may potentially fall within existing Alquist-Priolo Earthquake Fault Zoning Areas, but is not expected to result in an increase in development near existing fault lines. Additionally, due to the intense seismic environment of Southern California, there is always a potential for blind trust faults, or otherwise unmapped faults that do not have a surface trace, to be present. New development will be required to comply with the seismic safety requirements in the California Building Code (CBC) and the California Geological Survey Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California [1997]), which provide guidance for evaluating and mitigating earthquake-related hazards as approved by the Los Angeles Department of Building and Safety. Therefore, with the	
		incorporation of seismic mitigation measures, a less than significant impact is anticipated.	
b.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose people or structures to additional substantial adverse effects, including the risk of loss, injury or death involving seismic ground shaking. However, the proposal is not expected to result in an increase in development near existing fault lines. Additionally, due to the intense seismic environment of Southern California, there is always a potential for blind trust faults, or otherwise unmapped faults that do not have a surface trace, to be present. New development will be required to comply with the seismic safety requirements in the California Building Code (CBC) and the California Geological Survey Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California [1997]), which provide guidance for evaluating and mitigating earthquake-related hazards as approved by the Los Angeles Department of Building and Safety. Therefore, with the incorporation of seismic mitigation measures, a less than significant impact is	

anticipated.

c. LESS THAN SIGNIFICANT IMPACT

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that may be subject to liquefaction, therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction if not built according to Code. The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose additional people or structures to the adverse affects of seismic-related ground failure. However, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults or seismic-related ground failure (including the effects of liquefaction). Although some existing residentially-zoned properties are located within mapped liquefaction zones, projects within these areas will be reviewed individually and will be required to meet the existing levels of safety.A Geotechnical Investigation Report is required for each proposed development project within the Hillside Area to determine whether seismic-related ground failure, including liquefaction, may be a hazard to the project. Furthermore, new development will be required to comply with the requirements of the CBC and Los Angeles Municipal Code (LAMC), and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, Los Angeles Department of Building and Safety, and the Department of Public Works according to their applicable codes and specifications regarding seismic considerations, which would be enforced through plan review and inspections during construction. Compliance with these requirements would provide an acceptable level of safety and

substantially lessen the effect

d. LESS THAN SIGNIFICANT IMPACT

According to the Seismic Hazards Map of Los Angeles Quadrangle, the proposed project area does contain properties that may be subject to slope failure (aka landslides), therefore there is a possibility that people or structures may be exposed to potential substantial adverse effects, including the risk of loss, injury or death involving slope failure if not built according to Code. The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not expose additional people or structures to the adverse affects of landslide activity. However, any development that occurs within the geographical boundaries of Southern California has the potential of exposing people and/or structures to potentially substantial adverse effects involving the rupture of a known and unknown earthquake faults or seismic-related ground failure (including the effects of slope failure). Similarly, wildfires along with subsequent heavy rainfall also has the potential of exposing people and/or structures to potentially substantial adverse effects involving the slope failure both in known and unknown landslide areas. Although some existing residentially-zoned properties are located within mapped landslide areas, projects within these areas will be reviewed individually and will be required to meet the existing levels of safety.A Geotechnical Investigation Report is required for each proposed development project within the Hillside Area to determine whether slope failure may be a hazard to the project. Furthermore, new development will be required to comply with the requirements of the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, Los Angeles Department of Building and Safety, and the Department of Public Works according to their applicable codes and specifications regarding slope failure, which would be enforced through plan review and inspections during construction.

	l	Evel	Minganon
	Impact?	Explanation	Measures
е.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance does not involve	
		and zone changes or changes to the	
		existing density, and therefore is not	
		expected to result in increased soil	
		erosion or the further loss of topsoil. Due	
		to the proposed reduction in floor area	
		and grading limits, the provisions are	
		more likely to reduce, rather than	
		increase, the amount of grading	·
		necessary for new construction of	
		single-family homes.All grading activities would require grading permits from the	
		City of Los Angeles Department of	
		Building and Safety, which would be	
		conditioned to include requirements and	
		Best Management Practices (BMPs)	
		designed to limit the potential erosion	
		impacts to acceptable levels. BMPs	
		include scheduling excavation and	
		grading activities during dry weather, as	
		feasible, and covering stockpiles of	
		excavated soils with tarps or plastic	
		sheeting to help reduce soil erosion due	
		to grading and excavation activities.	
		Additionally, grading approval letters	
		issued by the Los Angeles Department of Building and Safety's Grading Division will	
		include additional erosion control	
	-	mitigation measures. By using these tools	
		and practices and grading mitigation	
		measures, less than significant impacts	en eg en
		would occur related to erosion or loss of	
		top soil.	
f.	LESS THAN SIGNIFICANT IMPACT	According to the Seismic Hazards Map of	
		Los Angeles Quadrangle, the proposed	
		project area does contain properties that	
		are located on soil that is unstable which	
		may be subject to landslide, lateral	
		spreading, subsidence, liquefaction, or	
		collapse. Therefore there is a possibility that people or structures may be exposed	
		to potential substantial adverse effects,	
		including the risk of loss, injury or death	
		involving the failure of unstable soil. The	
		proposed code amendments are not	
		expected to effect or aggravate current	
		seismic and geological	
		conditions.Moreover, any development	
		that occurs within the geographical	
		boundaries of Southern California has the	
		potential of exposing people and/or structures to potentially substantial	
		adverse effects involving the rupture of a	
		known and unknown earthquake faults,	
		strong seismic ground shaking,	
		seismic-related ground failure (including	
		the effects of liquefaction), or landslides.A	
	1	Contechnical Investigation Deport will be	

MINGATION Explanation Impact? Measures Georgeninal mivestigation (report will be required for each project proposed to determine whether the development of an individual property will result in the failure of unstable soil. New development would typically be constructed on deepened foundation systems consisting of friction piles and grade beams supported by underlying bedrock when deemed necessary by the Los Angeles Department of Building and Safety. The Los Angeles Department of Building and Safety will review the Geotechnical Investigation Report prepared for each new development and deem whether the report is acceptable provided certain conditions are complied with during site development. New development would comply with the requirements of the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department and the Department of Public Works according to their applicable codes and specifications. Therefore, a less than significant impact is anticipated. LESS THAN SIGNIFICANT IMPACT The proposed Ordinance does not involve and zone changes or changes to the existing density, and therefore would not increase development or aggravate existing conditions in areas with expansive soil. A Geological Investigation Report will be prepared for proposed development on individual lots and would include design recommendations for the foundations, slabs on grade, and the retaining walls to mitigate these conditions. As discussed previously, the Los Angeles Department of Building and Safety Building will review the Geotechnical Investigation Report and deem whether the report is acceptable provided certain conditions are complied with during site development. New development would be required to comply with the CBC and LAMC, and will be reviewed by various City departments, including but not limited to, the Los Angeles Fire Department, the Los Angeles Department of Building and Safety Building, and the Department of Public Works according to their applicable codes and specifications. Therefore, a less than significant impact is anticipated.

	Impact?	Explanation	winganon Measures
h.	LESS THAN SIGNIFICANT IMPACT	The Hillside Area is served by the City of Los Angeles wastewater disposal system. The proposed Ordinance does not involve any zone changes or increases in density, and does not interfere with the City's existing sewer system. New development's wastewater disposal system would tie into the existing sewerlines or where identified to be located by the Bureau of Engineering. However, if the City's existing sewer system does not have the capacity to service future development, individual projects maybe delayed by the Department of Building and Safety until adequate service can be provided. Where septic tanks or other alternative wastewater disposal systems are required or necessary for new development, they will be constructed to the satisfaction of the Bureau of Engineering.	
/ 11	 HAZARDS AND HAZARDOUS MATE		
а.	NO IMPACT	The proposed Ordinance applies only to single-family zoned properties in the hillside area. Single-family zoned lots do not require the routine transport, use, or disposal of materials which are flammable or hazardous outside of the day-to-day household materials.	
b.	NO IMPACT	The proposed Ordinance applies only to single-family zoned properties in the Hillside Areas. Operation and maintenance of single-family structures are not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, odor, or waste and would not require the daily use of chemicals outside of the day-to-day household materials. However, short-term impacts may result from the construction of individual residential projects. Sediment resulting from construction activities carries with it work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life. Also, due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by complying with the mitigation measures established by the Department of City	

	Impact?	Explanation	Mittigation Measures
	\$	·	
p _a /winners		Planning on a project-by-project basis.	
Ċ.	NO IMPACT	Operation and maintenance of single-family structures will not emit	
		hazardous emissions or handle	
		hazardous or acutely hazardous materials, substances, odor, or waste and	·
		would not require the daily use of	
		chemicals outside of the day-to-day	
		household materials. Therefore the	
		proposed Ordinance is not expected to	
		result in emissions of hazardous materials	
		within one-quarter mile of an existing or proposed school or other sensitive	
		receptor.	
d .	NO IMPACT	California Government Code Section	
		65962.5 requires various State agencies	
		to compile a list of hazardous waste	
		disposal facilities, unauthorized releases	
		from underground storage tanks,	
		contaminated drinking water wells, and solid waste facilities from which there is	
		known migration of hazardous waste and	
		submit such information to the Secretary	
		for Environmental Protection on an	
		annual basis, at a minimum. The proposed	
		Ordinance applies to properties zoned for	
		single-family land use and are designated as Hillside Area. It is unlikely that	
		single-family residential properties contain	
	. The second of	hazardous materials; however, for future	
		project sites suspected of contamination	
		the property owner and/or applicant will	•
		be required to submit a soils report for the property that either states that the site	
		does not contain hazardous materials or,	
		if hazardous materials are present,	
		remediation measures developed for the	
		project site prior to issuance of building	
ayoyanii yaa	NO BADAGE	permits.	
В.	NO IMPACT	The proposed Ordinance may apply to some single-family neighborhoods within	
		two miles of local airports. However, the	
		provisions will neither result in an	
		increase in construction of single-family	
		homes adjacent to existing public airports	
		nor result in an increased safety hazard	
		for people residing or working in these areas.	
F.	NO IMPACT	The proposed Ordinance does not apply	
**		to any single-family neighborhoods within	
		the vicinity of a known private airstrip.	
		However, the provisions will neither result	
		in an increase in construction of	
		single-family homes adjacent to existing	
		private airstrips nor result in an increased safety hazard for people residing or	
	I	party man - 13. Page 100iding of	,

working in these areas.

LESS THAN SIGNIFICANT IMPACT

The proposal will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the City's Hillside Areas. The proposed Ordinance would reduce the maximum amount of development, and introduce incentives for more articulated structures. as well as grading activity which involves the least amount of surface alteration and/or retains or reflects the natural topography. As a result, impacts related to construction activity would be reduced by the adoption of these provisions. The development of each individual property is not expected to require any new emergency response plans and emergency evacuation plans specifying the appropriate actions to be undertaken with regard to emergency situations such as warning systems, evacuation plans/procedures, and emergency action plans. Therefore, the approval of the proposal would not impair implementation of, or physically interfere with any emergency response or evacuation plan. Furthermore, any new development will. still be required to meet all fire safety requirements of the Department of Building and Safety and the Los Angeles Fire Department. The requirements in the street improvement and fire safety provisions in the existing hillside regulations will remain unchanged; these regulations are intended to provide for safe vehicle access for public traffic and for basic access to any property by emergency vehicles in case of fire or any other emergency. Any individual development project not meeting these requirements would be required to obtain a discretionary approval which would involve an analysis of any impacts regarding the implementation of, or interference with any adopted emergency response or evacuation plan. Construction activity associated with new development may result in temporary impacts to pedestrians and vehicles when done beyond the limits established by this

Impact? Explanation Measures

h. LESS THAN SIGNIFICANT IMPACT

The proposed Ordinance does not increase the density in the project area beyond what is currently allowed and would therefore not expose additional people or structures to a significant risk of loss, injury or death a result of wildland fires. The proposed project area contains a significant number of parcels that are located within a Very High Fire Hazard Severity Zone and a Fire Brush Clearance Zone. These zones establish regulations for individual projects that ensure that any new development does not expose people and/or structures to a significant loss, injury, or death involving wildland fires, and future individual projects will be required to meet all fire safety requirements of the Department of Building and Safety and the Los Angeles Fire Department. In addition, all construction plans must adhere to Fire and Safety Guidelines for access to emergency services, which will require approval prior to construction. Compliance with applicable requirements regarding the building plans and site access is expected to reduce impacts related to wildland fires to a less than significant level through the incorporation of fire mitigation measures.

/III. HYDROLOGY AND WATER QUALITY

a. LESS THAN SIGNIFICANT IMPACT

The proposed Ordinance will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number of residential units permitted) within the proposed project area. Therefore the development of each individual property is not expected to increase the amount of discharge beyond a level that has already been accounted for. New development will consist of minimum to low density residential projects in a residential hillside neighborhood. The development of individual properties may result in water runoff that may contain some pollutants common to urban areas, especially those related to automobiles, and may be carried into the storm drains and discharged into the storm water runoff control system; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes. However, each project will be required to comply with all discharge regulations of the Regional Water Quality Control Board (RWQCB). The construction phase of a new development may also result in erosion and runoff. However, project construction and operations would be required to comply with applicable federal, State, and local regulations, as well as code and permit provisions in order to prevent violation of water quality standards or water discharge requirements. Such regulations include the City of Los Angeles Municipal Code (Chapter IX, Division 70), the National Pollutant Discharge Elimination System (NPDES) regulations, and grading permits from the City of Los Angeles Department of Building and Safety. Therefore, a less than significant impact is anticipated.

LESS THAN SIGNIFICANT IMPACT

The proposed Ordinance would impose size limitations for residential structures. and as a result is expected to reduce the amount of impermeable surfaces which are known to increase run-off and impact groundwater recharge. Individual projects are expected to connect to the City's existing waterworks system and are not likely to result in increased activity in the construction of new water wells and/or pump stations that may be used to tap into existing groundwater supplies or interfere with groundwater recharge. Future increases in demand for water in the City of Los Angeles are proposed to be met primarily by purchasing additional water from Municipal Water District (MWD). Therefore, the proposal is not expected to substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. For the development of individual properties, a geologic investigation will likely be conducted for individual project sites and will involve exploratory borings and hand-dug exploratory test pits. The geologic investigation will determine whether evidence of groundwater is encountered at the maximum depth of the explorations, which would identify any potential impacts and would be analyzed on a case-by-case basis. Therefore, new development would not be expected to deplete or degrade groundwater resources or result in a demonstrable

	Impact?	Explanation	minganon Measures
	· · · · · · · · · · · · · · · · · · ·		
		reduction in groundwater recharge capacity.	- -
C.	LESS THAN SIGNIFICANT IMPACT	Drainage within the project area will vary from parcel to parcel. The proposed Ordinance does not apply to a specific project site or area, and therefore the provisions would not directly impact any known natural and/or significant drainage features, such as streams or rivers. The construction of new development would increase the amount of impervious surfaces and, therefore, could potentially alter the amount of surface runoff. Although individual projects in designated Hillside Areas may cause minor erosion or siltation on- or off-site over time, they are not expected to result in any substantial quantities. The drainage patterns in the vicinity of individual projects, including the downslope	
		projects, including the downslope residential lots, are anticipated to remain the same as existing conditions. Furthermore, projects will be required to incorporate stormwater pollution control measures, as required by Ordinance Nos. 172,176 and 173,494 which specify Stormwater and Urban Runoff Pollution Control and require the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants will be required to meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the City's standard mitigation measures (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/). Implementation of required water quality management practices would minimize erosion and siltation during construction of new development. A less than	
d.	LESS THAN SIGNIFICANT IMPACT	significant impact is expected. Drainage within the project area will vary from parcel to parcel. The proposed Ordinance does not apply to a specific project site or area, and therefore the	
		provisions would not directly impact any known natural and/or significant drainage features, such as streams or rivers. The proposed Ordinance will not change the permitted land uses for the affected properties from the existing residential designation and zoning, and would not increase or decrease the density (number	

of residential units permitted) within the proposed project area, and will not increase the amount of development to a level that would result in substantial alteration of existing drainage patterns beyond a level that has already been accounted for. Moreover, the regulations being introduced by this proposal would impose size limitations for residential structures, and as a result is expected to increase the amount of permeable surfaces which are known to decrease run-off. While any new development on vacant lots could increase the amount of impervious surfaces, and would therefore have the potential to significantly alter the existing drainage pattern of a project site and potentially increase the amount of surface runoff and may result in flooding on- or off-site, the proposed Ordinance would reduce further alteration to existing drainage patterns or decrease the rate or amount of surface runoff of the area in a manner which would not result in substantial flooding on- or off-site than would already occur. Furthermore, projects will be required to incorporate stormwater pollution control measures, as required by Ordinance Nos. 172,176 and 173,494 which specify Stormwater and Urban Runoff Pollution Control and require the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants will be required to meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Lo

LESS THAN SIGNIFICANT IMPACT

The proposed Ordinance is not expected to create or contribute additional runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As described above, a comprehensive drainage system would be designed for new development. Stormwater would be directed towards the adjoining storm drainage systems, which is considered adequate to accommodate any additional runoff due to the increase in the amount of impervious surfaces on the various sites. Therefore, although new development would introduce impervious surfaces to the project area, runoff from the project sites is not anticipated to exceed the capacity

	Impact?	Explanation	Measures
		of planned and existing stormwater drainage system. Furthermore, BMPs would be implemented during construction to reduce pollution in stormwater discharge to levels that comply with applicable water quality standards. Implementation of SUSMP requirements would ensure impacts are mitigated to a less than significant level.	
f.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance is intended to regulate the massing and size of single-family homes and is not expected to degrade water quality. Some pollutants common to urban areas, especially those related to automobiles, are contained in water runoff and may be carried into the storm drains and discharged into the storm water runoff control; these include oil, grease, metals, and hydrocarbons from streets, parking lots, and driveways, dirt from unpaved areas, herbicides, pesticides and fertilizer from landscaped areas and animal wastes. Each individual single-family residential project will be required to comply with all discharge regulations of the Regional Water Quality Control Board (RWQCB).	
g.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance is regulatory in nature and does not involve changes to existing land uses, and therefore it will not direct the construction of housing to areas mapped on the federal Flood Hazard Boundary or Flood Insurance Rate Map. The proposal will regulate construction of single-family homes or additions to existing single family homes which are already zoned for single-family residential use.	
h.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance does not involve rezoning of property or changes to existing land uses. It will not direct the construction of housing to areas mapped within a 100-year flood plain, Hazard Boundary or Flood Insurance Rate Map. The proposal will regulate construction of single-family homes or additions to existing single family homes which are presently zoned for single-family residential use.	
i.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance will not result in a zone change and therefore it is unlikely to direct the construction of housing to areas located near existing levees or dams, or additionally expose people to a significant risk of property loss or death. The proposal is regulatory in nature and	

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	Impact?	Explanation	willigation Measures
		affects the construction of single-family homes or additions to existing single family homes which are presently zoned for single-family residential use.	
ĵ.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance is regulatory in nature and affects the construction of single-family homes or additions to existing single family homes which are presently zoned for single-family residential use and therefore it is not expected to result in the increase of housing in areas which are more susceptible to inundation by a seiche, tsunami or mudflow, or additionally expose people to a significant risk of property loss or death.	
X. I	AND USE AND PLANNING		
a,	NO IMPACT	The proposed Ordinance applies only to single-family residential areas, and does not involve the type of development that would have the potential to physically divide an established community.	
b.	NO IMPACT	The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations. The proposed project area is located within the City of Los Angeles and, as such, is subject to planning guidelines and restrictions established by the City of Los Angeles General Plan and the various Community Plans that make up the Land Use Element of the General Plan. On a larger scale, the project area is located within the planning area of the Southern California Association of Governments (SCAG), which is a regional planning organization. The project area is located within the South Coast Air Basin	

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	Impact?	Explanation	wirigation Measures
		(Basin) which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). General Plan. The proposed Ordinance helps to accomplish the following goals, objectives, and policies of the General Plan Framework: Goal 3B Preservation of the City's stable single-family residential neighborhoods. Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development. Policy 3.5.2 Require that new development in single-family neighborhoods maintains its predomina	
C.	NO IMPACT	The proposed Ordinance does not amend or conflict with any applicable conservation plan or natural community conservation plan, nor does it result in increased development in sensitive ecological areas. The proposal is regulatory in nature and does not involve changes to existing land uses; therefore, will not result in additional construction of housing within any known conservation areas.	
(. M	INERAL RESOURCES		
R. A. Marganishani	NO IMPACT	Pursuant to Section 13.01 of the LAMC, lots designated "O", Oil Drilling District Overlay, throughout Los Angeles, allow for controlled drilling sites and oil wells. However, as this proposed Ordinance applies citywide, any individual project site containing an existing or proposed oil well, would be evaluated as required to ensure that any mineral resources of value to the region and the residents of California would not be lost as a result of the project. The proposal applies to residential zoned lots located in hillside areas and is not expected to result in the further depletion of local mineral resources.	
b.	NO IMPACT	Pursuant to Section 13.01 of the LAMC, lots designated "O", Oil Drilling District Overlay, throughout Los Angeles, allow for controlled drilling sites and oil wells. The proposed Ordinance shall applies Citywide, and as such, no proposed project site is delineated on the City's General Plan, specific plan, nor any other land use plan as a locally-important mineral resource recovery site, therefore	

the proposal is not expected to have an impact on the availability of mineral resources

(I. NOISE

LESS THAN SIGNIFICANT IMPACT

The proposed Ordinance does not involve zone changes or changes to the existing land use designations that could affect density or noise levels in single-family neighborhoods. The noise levels in residential land uses are lower than those of commercial or industrial land uses and are unlikely to exceed noise levels established in the General Plan. Individual projects are likely to create a temporary or periodic increase in noise levels during the construction phase, due to the heavy construction equipment and related construction activity, and could be audible to the closest residents to the project site. However, the duration of construction activities on the proposed site would be short-term. By limiting construction hours the corresponding noise will be minimized, thereby reducing any potentially significant impacts to less than significant. The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect is citizens and noise sensitive land uses. A significant impact may occur if new development would generate excessive noise that would cause the ambient noise environment at the various development sites in the project area to exceed noise level standards set for in the City of Los Angeles General Plan Noise Element and the City of Los Angeles Noise Ordinance. Regarding construction, the Los Angeles Municipal Code indicates that no construction or repair work shall be performed between the hours of 6:00 p.m. and 7:00 am, since such activities would generate loud noises and disturb persons occupying sleeping quarters in any adjacent dwelling, hotel, apartment or other place of residence. No person, other than an individual home owner engaged in the repair or construction of his/her single-family dwelling, shall perform any construction or repair work of any kind or perform such work within 500 feet of occupied land before 8:00 am or after 6:00 pm on any Saturday or on a federal holi

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	Impact?	Explanation	Measures
b.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance will not affect land use densities or increase construction activity. Additionally, groundborne noise levels and vibration in residential land uses are lower than those found in commercial or industrial land uses and are unlikely to exceed levels established in the general plan or LAMC. Individual projects are likely to create a temporary or periodic increase in groundborne vibration and/or groundborne noise during the construction phase, due to the heavy construction equipment and related construction activity, and could be audible to the closest residents to the project site. However, the duration of construction activities on the proposed site would be short-term. By limiting construction hours the corresponding noise and vibration will be minimized, as noted above, thereby reducing any potentially significant	
		impacts to less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance is intended to establish a new limit to the size and scale of single-family residential development in the City's Hillside Areas. Residential land uses near individual development projects within the project area may occasionally be disrupted by construction activity, but would not be considered permanent.	
d.	LESS THAN SIGNIFICANT IMPACT	The adoption of the Ordinance will not result in an increase in construction activity or changes in land use or population density that would raise ambient noise levels in single-family residential areas. Individual projects are likely to create a temporary or periodic increase in ambient noise levels during the construction phase, due to the heavy construction equipment and related construction activity, and could be audible to the closest residents to the project site. However, the duration of construction activities on the proposed site would be short-term. By limiting construction hours the corresponding noise will be minimized, as noted above, thereby reducing any potentially significant impacts to less than significant.	
e.	LESS THAN SIGNIFICANT IMPACT	The proposed Ordinance would not result in the further exposure of people residing or working within an airport land use plan to excessive noise levels. The proposal would not result in a rezoning or reclassification of land located near an existing airport. Existing or proposed	

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5.	Impact?	Explanation	Measures
		single-family homes within two miles of a public airport will be subject to the proposed Code Amendments; however, no portion of the provisions would subject new populations to airport noise levels.	
f.	NO IMPACT	The proposed Ordinance would not result in the further exposure of people residing or working in the vicinity of a private airstrip to excessive noise levels. The proposal would not result in a rezoning or reclassification of land located near an existing air strip. Existing or proposed single-family homes in the vicinity of an airstrip are subject to the proposed code amendments; however, no portion of the provisions would subject new populations to excessive noise levels resulting from a nearby airstrip.	
(II.	POPULATION AND HOUSING		
a.	NO IMPACT	The proposed Ordinance would not: change any existing general plan land use designations; result in any change in the circulation element of the general plan that might indirectly lead to an increase in new home construction beyond the existing capacity; or directly result in a zone change or change of land use. The proposed Ordinance and related code amendments would neither induce nor prevent population growth, and it would not direct population growth to new areas. The proposed Code Amendments are limited to regulating the massing and scale of buildings on lots zoned for single-family residential use.	
b.	NO IMPACT	The proposed Ordinance is not expected to inhibit the construction of new housing, or result in the demolition of existing housing that would necessitate replacement housing elsewhere. The proposal is intended to mitigate the massing and scale of larger-than-average single-family homes.	
C.	NO IMPACT PUBLIC SERVICES	The proposed Ordinance applies to single-family zoned lots only and it does not involve rezoning or a reclassification of existing land uses. No change in population density is expected to result from the implementation of the proposal and it is unlikely that people would be displaced or that the construction of replacement housing elsewhere would be required.	

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	Impact?	Explanation	Measures
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a.	NO IMPACT	The proposed Ordinance would not	.
		increase the number of dwelling units	
		permitted on a given lot as the Ordinance	
	·	is not proposing any zone changes, and	
		the proposed code amendments would	
		apply only to properties zoned	
		single-family residential. Therefore, new development in the project area would	
		not affect the LAFD's existing level of	
		service. Furthermore, all projects will be	
		required to comply with all applicable	•
		State and local codes, ordinances, and	
		guidelines as set forth in the Fire	•
		Protection and Fire Prevention Plan and	
		the Safety Plan. In addition, new	,
		development would be subject to the site	
		plan review requirements of the LAFD to	
		ensure that all access roads, driveways	
		and parking areas would remain	
		accessible to emergency service vehicles.	
		Therefore, a less than significant impact is	
in the second		expected on fire protection services.	
b.	NO IMPACT	The proposed Ordinance would not	
		increase the number of dwelling units	
		permitted on a given lot as the proposal does not involve any zone changes, and	
		the proposed code amendments would	
		apply only to properties zoned	•
		single-family residential. Consequently,	
		the changes are not expected to	#
		substantially increase the number of	
		residents in any given neighborhood and	·
		therefore, it is not expected to result in an	
		increased demand for police protection.	
C.	NO IMPACT	The proposed Ordinance would not	
		increase the number of dwelling units	
		permitted on a given lot as the proposal	
		does not involve any zone changes, and	
		the proposed code amendments would	
		apply only to properties zoned	
		single-family residential. Consequently,	
		the changes are not expected to substantially increase the number of	
		residents in any given neighborhood and	
		therefore, it is not expected to result in an	
		increased demand for schools.	
d.	NO IMPACT	The proposed Ordinance would not	
u.	INO NAIPAGI	increase the number of dwelling units	
		permitted on a given lot as the proposal	
		does not involve any zone changes, and	
	·	the proposed code amendments would	
		apply only to properties zoned	
		single-family residential. Consequently,	
		the changes are not expected to	
		substantially increase the number of	
		residents in any given neighborhood and	
		therefore, it is not expected to result in an	

-	Impact?	Explanation	minganon Measures
		increased demand for parks.	
Э.	NO IMPACT	The proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in any increase in population density that would generate the need to require additional infrastructure or other governmental services.	
(IV.	RECREATION		
a.	NO IMPACT	The proposed Ordinance does not involve any zone changes or changes to the existing land use designations, and is not expected to result in a significant increase in population density that would cause or accelerate a substantial physical deterioration of these resources.	
b.	NO IMPACT	The proposed Ordinance does not involve any zone changes or changes to the existing land use designations which would result in an increase in the number of dwelling units, and therefore does not require the construction or expansion of	
<u>~~~</u>	TRANSPORTATION/CIRCULATION	recreational facilities.	
No.	NO IMPACT	The proposed Ordinance applies only to single-family homes and it does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods. The proposal is not likely to exacerbate congestion at intersections or result in an increase in the number of vehicle trips. No direct or indirect impacts are expected on existing traffic patterns and road capacity.	
b.	NO IMPACT	Adoption of the proposed Ordinance is not expected to substantially increase population size and vehicular traffic because it does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods. Therefore it is not expected to exceed the level of service standard for the existing street system.	

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	Impact?	Explanation	winganon Measures
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C.	NO IMPACT	The proposed Ordinance will not generate new housing units and therefore will not increase the number of individuals who would require airline service and/or transportation because it does not involve any zone changes or changes to existing land use designations which would increase population density in single-family neighborhoods.	
d.	NO IMPACT	The proposed Ordinance does not amend the LAMC in any way that would increase the risk of exposure to a design feature such as sharp curves or a dangerous intersection. For individual projects, no permits will be issued unless the project meets the fire and life safety requirements of the applicable local and State codes and the approval of the City of Los Angeles Department of Transportation, Bureau of Engineering, and Department of Building and Safety.	
e.	NO IMPACT	The intent of the proposed Ordinance is to ensure that single-family development is consistent in scale with their respective lot sizes. New development in the proposed project area would not involve any activities that would interfere with or create an impediment to the implementation of an existing emergency response plan; however, construction of new development may result in temporary impacts to pedestrians and vehicles. Furthermore, new development would be subject to the site plan review requirements of the Los Angeles Fire Department (LAFD) to ensure that all access roads, driveways and parking areas would remain accessible to emergency service vehicles. Additionally, all construction plans would be required to adhere to Fire and Safety Guidelines for access to emergency services. New development would, therefore, result in a less than significant impact.	
f.	NO IMPACT	The proposed Ordinance does not propose a change in the amount of parking required by the LAMC for single-family residential projects. Therefore, the proposal is unlikely to impact parking capacity.	
g.	NO IMPACT	The proposed Ordinance is regulatory in nature and applies only to construction of or additions to single-family homes. It does not conflict with any adopted or proposed policies, plans, and programs supporting alternative transportation.	

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I. UTILITIES		***************************************
NO IMPACT	The proposed Ordinance is not expected to result in an increase in the potential for new home construction or increases in the number of persons per single-family home. Therefore, the proposal is unlikely to result in development which exceeds the current wastewater treatment loads established by the Regional Water Quality Control Board.	
NO IMPACT	The proposed Ordinance is not expected to result in an increase in the potential for new home construction, or a redirection of population growth. Therefore, the proposal is not likely to result in the need for new water or wastewater treatment facilities or expansion of existing facilities servicing single-family homes.	
NO IMPACT	The proposed Ordinance is not expected to result in an increase the potential for new home construction, and therefore result in increased demand on the City's stormwater drainage facilities. The construction of individual single-family homes may be subject to compliance with the Los Angeles County SUSMP requirements.	
NO IMPACT	The proposed Ordinance is not expected to result in an increase in single-family residential development which would require new sources of water supplies or expanded entitlements. Future increases in demand for water in the City of Los Angeles are proposed to be met primarily by purchasing additional water from Metropolitan Water District (MWD). The Department of Water and Power reports that deficiencies in the ability of the water system to provide domestic water supply to Los Angeles.	
NO IMPACT	The proposed Ordinance will not result in an increase in the potential for new home construction, and therefore would not result in increased demand on the City's wastewater treatment facilities. However, if necessary, individual single-family projects may be delayed by the Department of Building and Safety until adequate service can be provided.	
NO IMPACT	The proposed Ordinance will not result in an increase the potential for new home construction, and therefore would not result in increased demand on the City's landfill capacity. However, if necessary, individual single-family projects may be	

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	Impact?	Explanation	wnugauon Measures
		delayed by the Department of Building and Safety until adequate service can be provided.	
g.	NO IMPACT	Solid waste regulations are not within the scope of this Ordinance, therefore the proposed code amendments are not expected to conflict with federal, state, or local statues and regulations related to solid waste. Moreover, the Ordinance will not result in an increase the potential for new home construction, and therefore would not impact regulations related to solid waste.	
(VI	. MANDATORY FINDINGS OF SIGN	FICANCE	
a.	LESS THAN SIGNIFICANT IMPACT	If adopted, the proposed Ordinance will apply to single-family homes in the City's Hillside Areas, and are primarily within heavily urbanized areas. Currently, single-family home construction in the City occurs predominantly on in-fill sites. The proposed Ordinance will not introduce any new, or change existing land uses or density to undeveloped areas that are incompatible with single-family land use. Moreover, the proposal is regulatory in nature and is not expected to result in an increase in the potential for new home construction or direct construction to previously underdeveloped areas. The provisions would not, on its face, have the potential to degrade the quality of the environment, or threaten rare or endangered flora or fauna any more than is already permitted. New development is not expected to degrade the quality of the environment, reduce or threaten any fish or wildlife species (endangered or otherwise), or eliminate important examples of major periods of California history or pre-history. Most single-family development is concentrated in the City's urbanized areas; therefore, it is unlikely that the adoption of this proposal – a regulatory action – will directly cause a native fish or wildlife population to drop below self sustaining levels beyond what is already permitted. Additionally, the changes are not likely to eliminate a plant or animal community because a good number of existing plant forms and animal population have adapted to the urbanized/developed environment or were imported to it.Finally, the Ordinance is not expected to reduce the number or, restrict the range of endangered plants or animals because it does not propose to	

rezone property such that a further increase in development in sensitive ecological areas would occur, thereby threatening rare or endangered flora or fauna. The project is not expected to eliminate important examples of the major periods of California history or prehistory, and any future single-family developme

LESS THAN SIGNIFICANT IMPACT

The Los Angeles Municipal Code currently allows for floor areas which are larger than the lots on which they are situated, has height limits that prevent the terracing of structures which would be more effective in terms of aesthetics as well as reducing the potential impact on the existing terrain, and has no limits the grading activity which occurs on any particular property thereby allowing for the major alteration of the City's existing hillsides. The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas, The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations. Therefore, the proposal is expected to result in a reduction in the potential for cumulative impacts for new projects built pursuant to the proposed provisions. Moreover, the proposed Ordinance would not increase the number of dwelling units permitted on a given lot as the proposal does not involve any zone changes, and the proposed code amendments would apply only to properties zoned single-family residential. Consequently, the changes are not expected to substantially increase the number of residents in any given neighborhood and therefore, it is not expected to result in any increase in population density that would generate

	Impact?	Explanation	Measures , '
		the need to require additional infrastructure or other governmental services,	
C.	NO IMPACT	The primary objective of the Baseline Hillside Ordinance is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1, RS, RE, or RA within the City of Los Angeles' Hillside Areas. Projects completed in compliance with the proposed Code Amendments are expected to have fewer environmental impacts than those presently being constructed. Projects which deviate from the proposed regulations would require discretionary approval, will be reviewed for their impacts to the surround neighborhood and the environment on a case-by-case basis, and would be subject to conditions of approval in order to mitigate those effects.	- -

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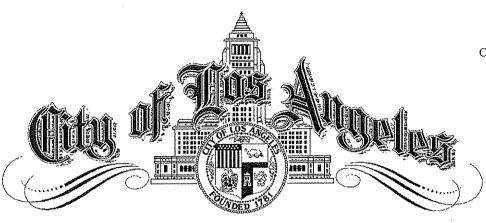
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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 1 - 0 0 5 6

FEB 1 1 2011

REPORT RE:

DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.04, 12.21, 12.21.1, 12.23, 12.24, 12.28, 12.32, AND 19.01 OF, AND ADDING SECTION 13.14 TO, THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH NEW REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL ZONED PROPERTIES LOCATED IN THE HILLSIDE AREAS OF THE CITY (BASELINE HILLSIDE ORDINANCE)

The Honorable City Council of the City of Los Angeles Room 395, City Hall 200 North Spring Street Los Angeles, California 90012

Council File No. CF 10-1001; CPC 2010-581-CA

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance (which is also referred to as the "Baseline Hillside Ordinance"), approved as to form and legality. The purpose of the draft ordinance is to amend the Los Angeles Municipal Code LAMC to establish new regulations for single-family residential zoned properties located in the hillside areas of the City.

Charter Findings

Pursuant to Charter Section 559, the Planning Commission approved the draft ordinance and recommended that the City Council adopt it. If the City Council chooses to adopt this ordinance, it may comply with the provisions of

Charter Section 558 by either adopting the findings prepared by the Director of Planning attached to the file or by making its own findings.

Background

The purpose of the proposed Baseline Hillside Ordinance is to provide a comprehensive, City-wide set of regulations that addresses key issues raised by various communities in connection with out-of-scale development currently permitted in the City's hillside neighborhoods.

On June 6, 2006, the City Council adopted a motion directing the Department of City Planning to prepare an ordinance amending the LAMC in order to establish the appropriate size of single-family dwellings in both the flatland and hillside areas.

On June 29, 2008, the Baseline Mansionization Ordinance was adopted to address single-family development in the flatland areas.

On May 27, 2010, the City Planning Commission approved an earlier draft of the Baseline Hillside Ordinance to address single-family development in the hillside areas.

On July 27, 2010, your Honorable Planning and Land Use Management Committee (PLUM) approved an earlier draft of the Baseline Hillside Ordinance and recommended that it be adopted by the City Council.

On August 4, 2010, the full City Council considered the earlier draft of the Baseline Hillside Ordinance forwarded to them from PLUM. The City Council approved the draft Ordinance after making three amendments to it. The City Council also directed the City Attorney to prepare and present to it a revised draft of the Baseline Hillside Ordinance to include the three amendments. The three amendments are as follows: 1) a requirement that the Department of Building and Safety increase the geotechnical analysis and reporting requirements to the most stringent level possible where slopes are greater than or equal to 100%; 2) a requirement for an inspection by a Deputy Grading Inspector when grading activity is proposed for areas where slopes are greater than or equal to 100 percent, to be paid by the applicant pursuant to DBS P/BC 2002-34 which states that Section 91.1701.1 of the LAMC requires the use of a Registered (Licensed) Deputy Inspector for grading or foundation earthwork in the hillsides; and 3) an exemption from this Ordinance for all residential development purposes for properties with active Remedial Grading permits for 100,000 cubic yards or more which have been issued by the Department of Building and Safety, Grading Division, prior to July 1, 2010.

Summary of Ordinance Provisions

The Baseline Hillside Ordinance will be the third step in preventing out-of-scale single-family development in the City of Los Angeles.

The first step was the adoption of the Baseline Mansionization Ordinance (which was effective on June 29, 2008), which provided regulations for the flatland areas of the City. The Baseline Mansionization Ordinance regulations focused on Floor Area Ratios (FAR) and height.

The second step was the verification and necessary revisions to the Hillside Area designations to more accurately reflect the actual topography of the City's hillside regions. The new Hillside Area definition and Department of City Planning Hillside Area Map became effective on May 3, 2010.

In order to reduce out-of-scale development in the City's hillside neighborhoods, the proposed Baseline Hillside Ordinance focuses primarily on Floor Area Ratios (FAR), Height, and Grading. Like the Baseline Mansionization Ordinance, the Baseline Hillside Ordinance would also allow individual neighborhoods to adjust the baseline limits to better fit their neighborhood's character and scale through an overlay option. The key aspects of the proposed Baseline Hillside Ordinance are summarized as follows:

Floor Area Ratio

The proposed FAR (building size to lot size ratio) is based on lot size, zone, and steepness of slopes on a property. To control development on steeper lots, the proposed ordinance would use a formula that reduces the FAR attributed to the steeper portions of a given lot. The portions of a lot that are 0% to 15% slope would be treated the same as they are in the Baseline Mansionization Ordinance. This approach would take into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining house size limits. The proposed ordinance would also provide for Residential Floor Area bonuses that create incentives for good design, as in the Baseline Mansionization Ordinance, with additional options related to hillside massing and grading.

Height

The current method of calculating height gives developers incentive to build large and tall box-like structures in the hillsides, which many communities have specifically identified as a problem. Thus, the existing regulations discourage the terracing of structures up and down a slope. By contrast, the proposed ordinance would encourage such terracing as a design feature that

would help to visually break up the mass of buildings. The proposed ordinance would also utilize a method of calculating height which follows the slope of a lot (referred to in the proposed ordinance as "envelope" height) and encourage buildings to step up/down a hillside and results in more aesthetically pleasing development.

Grading

Currently, there are no limits to the quantities of grading which can occur on any lot. The proposed regulations would apply to grading outside of what it takes to build permitted square-footage, or additional on-site grading. The proposal establishes a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with a maximum value that would be based on the property's zoning.

The proposed provisions also limit the amount of import/export of these non-exempted earth materials based on the level of street improvement; the current Department of Building & Safety haul-route process would also still apply when more restrictive.

Hillside Standards Overlay

Similar to the Residential Floor Area District established by the Baseline Mansionization Ordinance, the Hillside Standards Overlay is a tool that will allow individual neighborhoods to tailor to their own needs the size limits as well as the other regulations covered by the proposed ordinance.

Additional Hillside Regulations

The proposed ordinance will not make policy changes to other existing hillside development standards not mentioned above. However, the proposed ordinance would help to consolidate the new single-family hillside regulations with the existing single-family hillside regulations that remain unchanged, making the overall set of regulations for these areas more accessible and easier to understand.

In addition, the provisions of the proposed ordinance would still be subject to preemption as called for by any applicable Specific Plans.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety, with a request that any comments be presented directly to your Honorable Body at the time this matter is considered.

CEQA Findings

We recommend that, prior to adoption of this ordinance, you adopt Negative Declaration No. ENV-2010-582-ND. If you concur, you may comply with CEQA by adopting this Negative Declaration prior to or concurrent with your action on the ordinance.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8235. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

PEDRO B. ECHEVERRIA

Chief Assistant City Attorney

PBE/KTF:zra Transmittal

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Baseline Hillside Ordinance\Report to Council re Baseline Hillside Ordinance.doc

ORDIN	ANCE	NO.	

An ordinance amending Sections 12.03, 12.04, 12.21, 12.21.1, 12.23, 12.24, 12.28, 12.32, and 19.01 of, and adding Section 13.14 to, the Los Angeles Municipal Code to establish new regulations for single-family residential zoned properties (R1, RS, RE, and RA) located in the Hillside Area as defined in Section 12.03 of the Code.

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

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding the definitions of "Compaction", "Cut", "Elevation", "Fill", "Floor Area Ratio", "Grade, Hillside Area", "Grading", "Grading, Landform", "Grading, Remedial", "Lot, Downhill", "Lot, Uphill", "Roof, Lattice", "Slope", "Slope Band", and "Substandard Hillside Limited Street" in proper alphabetical order to read:

COMPACTION. The densification of a Fill by mechanical means.

CUT. A portion of land surface or areas from which earth has been removed or will be removed by excavation.

ELEVATION. Vertical distance in feet above sea level.

FILL. The depositing of soil, rock or other earth materials by artificial means.

FLOOR AREA RATIO (FAR). A ratio establishing relationship between a property and the amount of development permitted for that property, and is expressed as a percentage or a ratio of the Buildable Area or Lot size (example: "3 times the Buildable Area" or "3:1").

GRADE, HILLSIDE AREA. For the purpose of measuring height on an R1, RS, RE, or RA zoned Lot in the Hillside Area, pursuant to Section 12.21 C.10 of this Code, Hillside Area Grade shall be defined as the Elevation of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective Elevation of Grade for purposes of measuring Height of a Building or Structure.

GRADING. Any Cut or Fill, or combination thereof, or recompaction of soil, rock or other earth materials.

GRADING, LANDFORM. A contour grading method which creates artificial Slopes with curves and varying Slope ratios in the horizontal plane designed to simulate the appearance of surrounding natural terrain. The graded Slopes are non-linear in plan view, have varying Slope gradients, and significant transition zones between human-made and natural Slopes resulting in pad configurations that are irregular. The

concept of Landform Grading incorporates the created ravine and ridge shapes with protective drainage control systems and integrated landscaping designs.

- **GRADING, REMEDIAL.** For the purposes of Section 12.21 C.10 of this Code, Remedial Grading shall mean grading recommended by a California Licensed Geologist and/or Licensed Engineer prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of this Code, and approved by the Department of Building and Safety-Grading Division, that is necessary to mitigate a geologic or geotechnical hazard on a site (including for access driveways), including, but not limited to: 1) correction of hazardous soil and earth conditions, when notified by the Department of Building and Safety in accordance with Section 91.7005.7 of this Code, 2) removal and recompaction of soil for a Building site to remediate expansive, compressible or seismically unstable soils, 3) grading required to provide a minimum factor of safety of 1.5 for stability of slopes, and/or 4) grading to bring existing steep non-conforming graded slopes into conformance with current Code requirements for fill and excavated slope gradients.
- LOT, DOWNHILL. A Lot for which the Front Lot Line, or Street which serves as the primary vehicular access point for the required parking, is at a higher Elevation than the Rear Lot Line.
- **LOT, UPHILL.** A Lot for which the Front Lot Line, or Street which serves as the primary vehicular access point for the required parking, is at a lower Elevation than the Rear Lot Line.
- ROOF, LATTICE. A roof covering constructed as an Open Egg-Crate Roof or Spaced Roof. An Open Egg-Crate roof is constructed of lattice members so that a sphere of 10 inches minimum in diameter can pass through. All lattice members must have a minimum nominal width of 2 inches. A Spaced Roof is constructed of members running in one direction only with a minimum clear spacing between the members of not less than 4 inches. In addition, beams supporting and placed perpendicular to the members shall be spaced not less than 24 inches on center. All members or beams must have a minimum nominal width of 2 inches.
- **SLOPE.** An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance (i.e. 2:1 or 1:1) or as a percentage (i.e. 50% or 100%).
- **SLOPE BAND.** The area of a property contained within a defined Slope interval as identified in Section 12.21 C.10 of this Code and shown on a Slope Analysis Map prepared by a licensed surveyor based on a survey of the natural/existing topography. Slope bands need not necessarily be located in a contiguous manner and can be one or more areas as small or as large as they exist on said property.
- **SUBSTANDARD HILLSIDE LIMITED STREET.** A Street which does not meet the minimum requirements of a Standard Hillside Limited Street as defined in Section

12.03 of this Code (public or private) with a width less than 36 feet and paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering.

Sec. 2. The definitions of "Floor Area" and "Residential Floor Area" in Section 12.03 of the Los Angeles Municipal Code are amended to read:

FLOOR AREA. The area in square feet confined within the exterior walls of a Building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing Building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and Basement storage areas.

Buildings on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not designated as Hillside Area, are subject to the definition of Residential Floor Area.

FLOOR AREA, RESIDENTIAL. The area in square feet confined within the exterior walls of a Building or Accessory Building on a Lot in an RA, RE, RS, or R1 Zone. Any floor or portion of a floor with a ceiling height greater than 14 feet shall count as twice the square footage of that area. The area of stairways and elevator shafts shall only be counted once regardless of ceiling height. Area of an attic or portion of an attic with a ceiling height of more than seven feet shall be included in the Floor Area calculation.

Except that the following areas shall not be counted:

- 1. **Required Covered Parking.** The total area of 200 square feet per required covered parking area.
- 2. **Detached Accessory Buildings.** Detached Accessory Buildings not exceeding 200 square feet; however, the total combined area exempted of all these Accessory Buildings on a Lot shall not exceed 400 square feet.
- 3. **Covered Porches, Patios, and Breezeways.** For Lots not located in the Hillside Area or Coastal Zone, the first 250 square feet of attached porches, patios, and breezeways with a solid roof if they are open on at least two sides.

For Lots located in the Hillside Area, the exempted area shall be limited to 5% of the maximum Residential Floor Area for a Lot, but need not be less than 250 square feet, and:

a. Attached porches or patios with a solid roof may be open on only one side if two of the other sides are retaining walls.

- b. Breezeways no wider than 5 feet and no longer than 25 feet connecting a garage at the Street level to a Dwelling, either directly or through a stairway or elevator, shall not count as Residential Floor Area and shall not be counted against the aforementioned exemption.
- 4. **Lattice Roof Porches, Patios, and Breezeways.** Porches, patios, and breezeways that have an open Lattice Roof, as defined in this Section.
- 5. **Over-In-Height Ceilings.** The first 100 square feet of any Story or portion of a Story of the main Building on a Lot with a ceiling height greater than 14 feet shall be counted only once. Except that in the Hillside Area, for a room or portion of a room which has a floor height below the exterior Grade (or "sunken rooms"), when the ceiling height as measured from the exterior natural or finished Grade, whichever is lower, is not greater than 14 feet it shall only be counted once.
- 6. **Basements.** For Lots not located in the Hillside Area or Coastal Zone. a Basement when the Elevation of the upper surface of the floor or roof above the Basement does not exceed 2 feet in height at any point above the finished or natural Grade, whichever is lower.

For Lots located in the Hillside Area, a Basement when the Elevation of the upper surface of the floor or roof above the Basement does not exceed 3 feet in height at any point above the finished or natural Grade, whichever is lower, for at least 60% of the perimeter length of the exterior Basement walls.

For all Lots, a maximum of 2 light-wells which are not visible from a public right-of-way and do not project more than 3 feet from the exterior walls of the Basement and no wider than 6 feet shall not disqualify said Basement from this exemption.

- Sec. 3. Subsection D of Section 12.04 of the Los Angeles Municipal Code is amended to read:
- **D.** Supplemental Use Districts. Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this Chapter:

"O"	Oil Drilling District
"S"	Animal Slaughtering
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District

"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"HS"	Hillside Standards Overlay District

The "Zoning Map" is amended to indicate these districts and the boundaries of each district.

Land classified in one or more of the Supplemental Use Districts listed above shall be classified in one or more zones. Land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "Zoning Map" with a combination of symbols, e.g., R2-2-O, C2-4-S, M1-3-G, M1-1-P and R2-O, C2-G, etc., where height districts have not been established.

- Sec. 4. The first unnumbered paragraph of Subdivision 17 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:
- 17. One-Family Dwellings, Accessory Buildings and Additions. Hillside Regulations. Notwithstanding any other provisions of this Code to the contrary, the following regulations shall apply to any Major Remodel Hillside, or construction of or addition to any One-Family Dwelling or Accessory Building on a Lot in the A1, A2 or RD Zones which is located in whole or in part in a Hillside Area as defined in Section 12.03 of this Code.
- Sec. 5. Subparagraph (2) of Paragraph (b) of Subdivision 17 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:
 - (2) For any main Building on a Lot in the RD Zones, the above required Side Yard or the Side Yard required by the zone in which the Lot is located, whichever requirement is greater, shall be increased one foot for each increment of ten feet or fraction thereof above the first 18 feet of height of the main Building.
- Sec. 6. Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended by adding a new Subdivision 10 to read:
 - 10. **Single-Family Zone Hillside Area Development Standards.**Notwithstanding any other provisions of this Code to the contrary, for any Lot zoned R1, RS, RE, or RA and designated Hillside Area on the Department of City Planning Hillside Area Map, no Building or Structure nor the enlargement of any Building or Structure shall be erected or maintained unless the following development standards are provided and maintained in connection with the Building, Structure, or enlargement:

Setback Requirements. No Building or Structure shall be (a) erected, maintained or enlarged unless the setbacks as outlined in Table 12.21 C.10-1 are provided and maintained in connection with the Building, Structure, or enlargement.

	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
Front Yard								
Not less than:	ļ			20% of I		h		
Need not exceed:	20 ft				25 ft			
Side Yard								
Need not exceed: The required Side Yard may be reduced to 10% of the Lot	n/a		7ft 0 ft	10% 10 ft of Lot Width , but not less than 5 ft 10 ft n/a 70		70 ft		
Width, but in no event to less than 3 ft, where the Lot is less than the following widths:	One as	Iditional	foot obs	ll ho ode	lod to or	noh rogis	irod Sido	Vard
For Buildings or Structures with a height larger than 18 feet:		h increm					ired Side above th	
Rear Yard	7-0	00 a			050V -51	10.		
Not less than: Need not exceed:	15 ft 20 ft 25% of Lot Depth 25 ft							
ft – feet n/a – the provision is not applical Lot Depth – as defined in Section Lot Width – as defined in Section	ole n 12.03 c	of this Co			20	/ IL		

Notes:

Notwithstanding the required yards, or setbacks, outlined in Table 12.21 C.10-1 above, or those exceptions found in Section 12.22 of this Code, the following provisions shall apply:

> Prevailing Front Yard Setbacks. (1)

^{*} Only applicable for Lots which are of record prior to July 1, 1966.

- (i) Where there are two or more developed Lots which have Front Yards that vary in depth by not more than 10 feet, and such Lots comprise 40% or more of the Frontage, then the minimum Front Yard depth shall be the average depth of the Front Yards of such Lots.
- (ii) Where there are two or more possible combinations of developed Lots comprising 40% or more of the Frontage, and these Lots have Front Yards that vary in depth by not more than 10 feet, then the minimum Front Yard depth shall be the average depth of the Front Yards of that combination which has the shallowest average depth.
- (iii) In determining the required Front Yard, the following shall not be taken into account: Buildings located on key Lots, entirely on the rear half of Lots, or on Lots in the "C" or "M" Zones.
- (iv) Nothing contained in this subparagraph (1) shall, however, be deemed to require Front Yards which exceed 40 feet in depth.
- (2) Front Yard Setback on Lots Fronting on Substandard Hillside Limited Street. For any Lot that fronts on a Substandard Hillside Limited Street, there shall be a minimum Front Yard setback of at least five feet. However, the prevailing Front Yard setback regulations, as outlined in Subparagraph (1) of this Paragraph (a), shall apply, so long as a Front Yard setback of no less than five feet is provided.
- (3) Front Yard Setbacks on Key Lots. On Key Lots, the minimum Front Yard may be the average of the required Front Yard for the adjoining Interior Lot and the required Side Yard along the Street side of a Reversed Corner Lot. But such minimum Front Yard may apply for a distance of not more than 85 feet from the rear Lot line of the Reversed Corner Lot, beyond which point the Front Yard specified in Table 12.21 C.10-1 or Subparagraph (1) of this Paragraph (a) shall apply. Where existing Buildings on either or both of said adjoining Lots are located nearer to the front or side Lot lines than the Yard required by this Paragraph (a), the Yards established by such existing buildings may be used in computing the required Front Yard for a Key Lot.
- (4) Front Yard Setbacks on Through Lots. At each end of a Through Lot, there shall be a Front Yard setback as

required by this Paragraph (a) for the zone in which each Street Frontage is located. But only one Front Yard need be provided on those Through Lots which abut on a primary, Major or Secondary Highway, as such highways are shown on the "Highways and Freeways Element of the General Plan", when the rights to vehicular ingress and egress from such Through Lots to the highways have been abandoned or prohibited by a tract restriction. Where only one Front Yard is required on a Through Lot, as provided herein, the Rear Yard shall be located on the portion of such Lot adjacent to the highway.

Where a Through Lot is less than 150 feet in depth or is developed as a single Building site, and the two required Front Yards are provided, no Rear Yard is required.

- (5) **Front Yard Paving.** All portions of the required Front Yard not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved.
- (6) Front Yard on Lots Existing Prior to June 1, 1946. This provision shall apply to any Lot of less than one acre which was of record or held in separate ownership on June 1, 1946, or was subsequently created either by the recording of a division of land map or otherwise in accordance with the applicable zoning regulations. On any such Lot, the originally required Front Yard shall be provided and maintained in addition to any new Front Yard required by any subsequent rearrangement of the Lot lines by sale or division (without recording a subdivision map) creating a new Lot fronting on a different Street than that on which the original Lot fronted.
- (7) Side and Rear Yards for Basements. In determining the required Side and Rear Yards of a Building, any Basement containing Habitable Rooms shall be considered a Story.
- (8) Yards in the Coastal Zone. The following setback requirements shall apply to Lots located in a Coastal Zone:
 - (i) On a Lot in the RE9 or RE11 Zone, there shall be a Side Yard on each side of a main Building of not less than 5 feet. Where the Lot is less than 50 feet in width, the Side Yard may be reduced to 10% of the width of the Lot, but in no event less than 3 feet.

- (ii) In lieu of the additional Side Yard requirement in Table 12.21 C.10-1, for a Building more than two-stories in height on Lots in the R1, RS, or RE Zone, one foot shall be added to the width of each required Side Yard for each additional Story above the second Story.
- (iii) On a Lot in the RA Zone, where a Side Yard is less than 10 feet in width, and the Building erected on the Lot is three or more Stories in height, one foot shall be added to such Side Yard.
- (9) Side Yards in Specific Plans, Historic Preservation Overlay Zones or in Subdivision Approvals. Side Yard requirements in Specific Plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over requirements of this Subdivision 10. Otherwise, this Subdivision shall apply.
- (10) **Encroachments Into Required Yards.** Every required Front, Side and Rear Yard shall be open and unobstructed from the ground to the sky except for the following:
 - (i) Garages in Front Yards. A Private Garage may be located on the required Front Yard of a Lot where the Elevation of the ground at a point 50 feet from the front Lot line of a Lot and midway between the side Lot lines differs 10 feet or more from the curb level, provided every portion of the garage Building is at least 5 feet from the front Lot line. Where the wall of such garage is two-thirds below natural or finished Grade of the Lot, whichever is lower, said wall may extend to the adjacent side Lot line; in all other cases, said garage shall not be nearer to the side Lot line than the width of the Side Yard required for a main Building of the same height.
 - (ii) Open, Unenclosed Stairways, Porches, Platforms, Landing Places, or Balconies.

Notwithstanding any other provisions of this Code, on Lots fronting onto a Substandard Hillside Limited Street, open unenclosed stairways, porches, platforms and landing places not covered by a roof or canopy shall not project or extend into the Front Yard. Balconies with 10 feet or more of vertical clearance beneath them may project or extend no more than 30 inches into a Front Yard.

- (iii) Other Exceptions. All of those exceptions found in Subdivision 5 of Subsection C of Section 12.21 and in Section 12.22 of this Code.
- (11) Pools, Ponds, or Body of Water in Required Yards. No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required Yard Space in which fences over 42 inches in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level.
- (12) **Zoning Administrator's Authority.** For Lots fronting on a Substandard Hillside Limited Street, a Zoning Administrator may grant a reduction of the front Setback requirements of Subparagraph (2) of this Paragraph and Side Yard requirements in Table 12.21 C.10-1, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code; however, in no event shall the Side Yard be less than 4 feet.
- (b) Maximum Residential Floor Area. The maximum Residential Floor Area contained in all Buildings and Accessory Buildings shall not exceed the sum of the square footage of each Slope Band multiplied by the corresponding Floor Area Ratio (FAR) for the zone of the Lot, as outlined in Table 12.21 C.10-2. This formula can be found in Figure 12.21 C.10-1, where "A" is the area of the Lot within each Slope Band, "FAR" is the FAR of the corresponding Slope Band, and "RFA" is the sum of the Residential Floor Area of each Slope Band.

Single-Fam	ily Zone	the state of the second state of the second state of	Control of the Contro	1 C.10-2 esidentia	100	rea Rati	os (FAR	
Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 — 14.99	0.5	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Hills	F ide Area Maxin		.21 C.10-1 sidential Flo	or Area F	ormula
Slope Bands (%)	Area (sq-ft)		FAR		Residential Floor Area
0 14.99	A^1	X	FAR ¹		RFA ¹
15 29.99	A^2	Х	FAR ²		RFA ²
30 – 44.99	A^3	Х	FAR ³		RFA ³
45 – 59.99	A^4	Х	FAR⁴	<u></u>	RFA ⁴
60 – 99.99	A^{5}	Χ	FAR ⁵	=	RFA ⁵
100 +	A ⁶	Х	FAR ⁶		RFA ⁶
	Maximum Re	esidentia	l Floor Area	=	Sum of RFA ¹ through RFA ⁶

(1)Slope Analysis Map. As part of an application for a permit to the Department of Building and Safety, or for a Discretionary Approval as defined in Section 16.05 B of this Code to the Department of City Planning, the applicant shall submit a Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped, and signed by a registered civil engineer or licensed land surveyor, to verify the total area (in square feet) of the portions of a property within each Slope Band identified in Table 12.21 C.10-2. The Director of Planning, or his/her designee, shall verify that the Slope Analysis Map has been prepared by a registered civil engineer or licensed land surveyor. In addition, the Director of Planning, or his/her designee shall approve the calculated Maximum Residential Floor Area for the Lot by the registered civil engineer or licensed land surveyor using the Slope Analysis Map prior to applying for a permit from the Department of Building and Safety.

The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with two-foot intermediates. The map shall also indicate the datum, source, and scale of topographic data used in the Slope analysis, and shall attest to the fact that the Slope analysis has been accurately calculated.

The Slope Analysis Map shall clearly delineate/identify the Slope Bands (i.e. with contrasting colors or hatching), and shall include a tabulation of the total area in square-feet within each Slope Band, as well as the FAR and Residential Floor Area value of each corresponding Slope Band as shown on Figure 12.21 C.10-1.

The Slope Analysis Map shall be prepared using CADbased, GIS-based, or other type of software specifically designed for such purpose. (2) Guaranteed Minimum Residential Floor Area. Notwithstanding the above, the maximum Residential Floor Area for all Buildings and Accessory Buildings on any Lot need not be less than the percentage of the Lot size as outlined in Table 12.21 C.10-3 below or 1,000 square feet, whichever is greater.

Table 12.21 C.10-3 Guaranteed Minimum Residential Floor Area					
Zone	Percentage of Lot Size				
R1	25%				
RS	23%				
RE9	20%				
RE11	20%				
RE15	18%				
RE20	18%				
RE40	18%				
RA	13%				

The guaranteed minimum for the original zone as stated in the paragraph above shall apply to Lots that meet the following criteria: have an area that is less than 50% of the minimum Lot size for its Zone, were made nonconforming in Lot size as a result of an adopted zone change or code amendment changing the minimum Lot size, and met the minimum Lot size requirements of the original zone.

- (3) Residential Floor Area Bonus. An additional 20% of the maximum Residential Floor Area as determined by Table 12.21 C.10-2 of this Paragraph (b), or an additional 30% for Lots where the guaranteed minimum outlined in Subparagraph (2) of this Paragraph (b) is utilized, for that Lot shall be allowed if any of the options listed below is utilized. Only one bonus per property is allowed.
 - (i) **Proportional Stories Option.** The total Residential Floor Area of each Story other than the Base Floor in a multi-Story Building does not exceed 75% of the Base Floor Area. This option shall only apply to flat Building pads where the Slope of the Building pad area prior to any Grading, as measured from the highest and lowest Elevation points of the existing Grade within 5 horizontal feet of the exterior walls of the proposed Building or Structure, is less than 15%; or
 - (ii) Front Facade Stepback Option. The cumulative length of the exterior walls which are not a part of a garage facing the Front Lot Line, equal to a minimum of

25% of the Building width, shall be stepped-back a distance of at least 20% of the Building depth from a plane parallel to the Lot width established at the point of the Building closest to the Front Lot line. When the Front Lot line is not straight, a line connecting the points where the Side Lot lines and the Front Lot line intersect shall be used to establish the plane parallel to the front Lot width. When Through Lots have, or are required to provide, two Front Yard setbacks, the stepback shall be provided along both Front Lot Lines. When referred by the Department of Building and Safety, for unusual Building and/or Lot configuration, the Director of Planning or his/her designee shall determine that the proposed project complies with this provision and qualifies for a Residential Floor Area bonus.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the Front Lot Line at 45 degrees or less shall be considered to be facing the Front Lot Line. The Building width shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot width. The Building depth shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot depth.

This option shall only apply to Structures which are no more than 35 feet from the Frontage along an improved Street and on a "flat" Building pad where the Slope of the Building pad prior to any Grading, as measured from the highest point of the existing Grade within 5 horizontal feet of the exterior wall of the proposed Building or Structure to the lowest point of the existing natural Grade within 5 horizontal feet, is less than 15%; or

(iii) Cumulative Side Yard Setbacks Option. The combined width of Side Yards shall be at least 25% of the total Lot Width, as defined in Section 12.03 of this Code, but in no event shall a single Side Yard setback be less than 10% of the Lot Width or the minimum required by Paragraph (a) of this Subdivision, whichever is greater. One foot shall be added to each required Side Yard for each increment of 10 feet or fraction thereof of height above the first 18 feet of height. The width of a required Side Yard setback shall be maintained for the entire length of a Side Yard and cannot alternate from one Side Yard to the other; or

- (iv) **18-Foot Envelope Height Option.** For properties which are not in the "1SS" Single-Story Height District, the maximum envelope height, measured pursuant to Subparagraph (1) of Paragraph (d) of this Subdivision 10, shall be no more than 18 feet; or
- (v) **Multiple Structures Option.** In addition to the Lot coverage requirements in Paragraph (e) of this Subdivision, any one Building and Structure extending more than 6 feet above Hillside Area Grade, as defined in Section 12.03 of this Code, shall cover no more than 20% of the area of a Lot. Such Buildings or Structures may only be connected by one breezeway, fully enclosed walkway, elevator, or combination thereof of not more than 5 feet in width; or
- (vi) **Minimal Grading Option.** For properties where at least 60% of the Lot is comprised of Slopes which are 30% or greater, as determined by a Slope Analysis Map prepared in accordance with Subparagraph (1) of this Paragraph (b), the total amount of any Grading on the site (including exempted Grading, as outlined in Paragraph (f) of this Subdivision (10)) does not exceed the numeric value of 10% of the total Lot size in cubic yards or 1,000 cubic yards, whichever is less (example: a project involving 500 cubic-yards of Grading on a 5,000 square-foot Lot will be eligible for this bonus option); or
- (vii) **Green Building Option.** For a new One-Family Dwelling only, the new construction must satisfy the Tier 1 requirements or higher of the LA Green Building Code, as defined in Section 99.01.101.1 of this Code.

(4) Zoning Administrator's Authority.

- (i) **10% Adjustments.** The Zoning Administrator has the authority to grant adjustments from the requirements of this Paragraph (b) of not more than 10%, pursuant to the authority and procedures established in Subsection A of Section 12.28 of this Code.
- (ii) Additions to Structures Existing Prior to August 1, 2010. The Zoning Administrator has the authority to approve any additions made after August 1, 2010, to a One-Family Dwelling existing prior to that date for which permits have been previously obtained which exceed the

requirements of this Paragraph (b), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code, provided:

- a. the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and
- b. the resulting Building does not exceed the height of the original Building or the height permitted in Paragraph (d) of this Subdivision 10 below, whichever is greater; and
- c. at least two off-street covered parking spaces are provided.
- (c) Verification of Existing Residential Floor Area. For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after August 1, 2010, or remodels of Buildings built prior to August 1, 2010, the existing Residential Floor Area shall be the same as the Building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that Residential Floor Area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the Structures on the Lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the Structures on the Lot prepared by a licensed architect or engineer.

For the purposes of implementing this Paragraph (c), a remodel shall mean the alteration of an existing Building or Structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

(d) **Height Limits.** No portion of a Building or Structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table 12.21 C.10-4, or as otherwise stated in the paragraphs below. For the provisions below, whenever Grade is mentioned, it shall mean Hillside Area Grade as defined in Section 12.03 of this Code.

Table 12.21 C.10-4 Maximum Height of Structures (in feet)								
Height Districts	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
When the roof of the uppermost Story of a Building or Structure or portion thereof has a Slope of 25% or greater, the maximum height for said portion of Building or Structure thereof shall be as follows:								
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
188	22	22	22	22	22	22	22	22
When the roof of the uppermost Story of a Building or Structure or portion thereof has a Slope of less than 25%, the maximum height for said portion of Building or Structure thereof shall be as follows:								
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
188	18	18	18	18	18	18	18	18

- (1) **Measurement of Height.** Notwithstanding any other provision in this Code, the height limits in Table 12.21 C.10-4 shall be measured as set forth below.
 - (i) Maximum Envelope Height. Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the Grade of the site to a projected plane at the roof Structure or parapet wall located directly above and parallel to the Grade. Measurement of the envelope height shall originate at the lowest Grade within 5 horizontal feet of the exterior walls of a Building or Structure. At no point shall any given section of any part of the proposed Building or Structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, or any other information which the Department of Building and Safety deems necessary to determine compliance with this Paragraph (i).

(2) **Zoning Administrator's Authority.** A Zoning Administrator may allow Structures which exceed the maximum envelope height requirements of Subparagraph (1) of this Paragraph (d); however, the increase in height may not result in a Building or Structure which exceeds an overall height of 45 feet, pursuant to the authority and procedures established in Subdivision

28 of Subsection X of Section 12.24 of this Code. The overall height shall be measured from the lowest Elevation point within 5 horizontal feet of the exterior walls of a Building or Structure to the highest Elevation point of the roof Structure or parapet wall.

- (3) **Prevailing Height.** Notwithstanding Table 12.21 C.10-4 of this Paragraph (d), when 40% or more of the existing One-Family Dwellings with Frontage on both sides of the block have Building heights exceeding these limits, the maximum envelope height for any Building on that block may be the average height of the Dwellings exceeding these limits.
- (4) Lots in a Single-Story Height District. As enabled by Section 12.21.1 A.1 of this Code, on Lots in a "SS" Single Story Height District, shown as "1SS" on a Zoning Map, no Building or Structure shall be erected or enlarged which exceeds one Story.

Notwithstanding the provision in Section 12.21.1 A.8, in determining the number of Stories, any Basement which is exempt from the Residential Floor Area calculation, as outlined in Section 12.03 of this Code, shall not be considered a Story.

- (5) Lots Fronting on Substandard Hillside Limited Streets. For any Lot-fronting onto a Substandard Hillside Limited Street, as defined in Section 12.03, and subject to the 5-foot Front Yard setback, no portion of a Building or Structure within 20 feet of the Front Lot Line shall exceed 24 feet in height. The 24 foot maximum Building and Structure height shall be measured from the Elevation at the centerline or midpoint of the Street on which the Lot fronts.
- (6) Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies. Unenclosed/uncovered rooftop decks, cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height, as limited and measured in Subparagraph (1) of this Paragraph (d), no more than 5 horizontal feet.

For the purposes of this Subparagraph (6), "visually permeable railing" means railing constructed of material that is transparent, such as glass or plastic panels, or wrought iron or other solid material which is 80% open to light and air.

(7) **Roof Structures.** Roof Structures as described in Table 12.21 C.10-5 below, or similar Structures, may be erected above the height limit specified in Table 12.21 C.10-4.

Table 12.2′ Projecting Roo		
Roof Structures	Projection Above Height Limit	Setback from Roof Perimeter
Elevator Housing		
Tanks		
Ventilating Fans or similar equipment required to operate and maintain the Building.		
Skylights, covering up to 33 1/13% of the roof area upon which the skylight is constructed.		Not less than
Towers		5 feet.
Steeples	No more than	
Flagpoles	5 feet.	
Smokestacks		
Wireless Masts		
Water Tanks		
Silos		
Solar Energy Devices		
Chimneys		
Exhaust Ducts/Ventilation Shafts		
Stairway Housing, no larger than 36 square- feet.		None.
Skylights, covering more than 33 1/3% of the roof area upon which the skylight is constructed.	No more than 30 inches.	

No roof Structure or any other space above the height limit specified in Table 12.21 C.10-4 shall be allowed for the purpose of providing additional floor space.

- (8) Specific Plans, Historic Preservation Overlay Zones or Subdivision Approvals. Height limitations in Specific Plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this Section 12.21. Otherwise, this Section 12.21 shall apply.
- (e) Lot Coverage. Buildings and Structures extending more than 6 feet above natural ground level shall cover no more than 40% of the area of a Lot.
 - (1) Lot Coverage on Substandard Lots.

 Notwithstanding Paragraph (e) above, for a Lot which is substandard as to width (less than 50 feet) and as to area (less than 5,000 square feet), Buildings and Structures shall cover no more than 45% of the area of a Lot.

- (2) **Zoning Administrator's Authority.** A Zoning Administrator may grant limited deviations from these requirements, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.
- (f) **Grading.** Notwithstanding any other provisions of this Code, total Grading (Cut and Fill) on a Lot shall be limited as outlined below. No Grading permits shall be issued until a Building permit is approved.
 - (1) **Maximum Grading Quantities.** The cumulative quantity of Grading, or the total combined value of both Cut and Fill or incremental Cut and Fill, for any one property shall be limited to a base maximum of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards. Example: a 5,000 square-foot Lot would have a maximum Grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation).

However, the cumulative quantity of Grading shall not exceed the maximum "by-right" Grading quantities outlined by Zone in Table 12.21 C.10-6 below.

Table 12.21 C.10-6 Maximum "By-Right" Grading Quantities					
Zone	Maximum Grading (cubic yards)				
R1	1,000				
RS	1,100				
RE9	1,200				
RE11	1,400				
RE15	1,600				
RE20	2,000				
RE40	3,300				
RA	1,800				

- (2) **Import/Export Limits.** The maximum quantity of earth import or export shall be limited to the following quantities:
 - (i) Lots Fronting on Standard Hillside Limited Streets or Larger. For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03 of this Code, the maximum quantity of earth import shall be no more than 500 cubic yards, where additional Grading on-site in conjunction with the amount of import does not exceed the requirements established in Subparagraph (1) of this Paragraph (f). The maximum

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quantity of earth export shall be no more than 1,000 cubic yards.

- (ii) Lots Fronting on Substandard Hillside Limited Streets. For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the maximum quantity of earth import shall be no more than 375 cubic yards, where additional Grading on-site in conjunction with the amount of import does not exceed the requirements established in Subparagraph (1) of this Paragraph (f). The maximum quantity of earth export shall be no more than 750 cubic yards.
- (iii) Exempted On-Site Grading Activity. Earth quantities which originate from, or will be utilized for any exempted Grading activity listed in Subparagraph (3) of this Paragraph (f) shall be exempted from the maximum import and export quantities set forth in this Paragraph (f). A plan indicating the destination and/or source (i.e. exempted Grading activity or non-exempted Grading activity) of any import and/or export shall be submitted as part of a Grading permit application.
- (3) **Exceptions.** The Grading activities outlined in the sub-subparagraphs below shall be exempt from the Grading and/or earth transport limitations established in Subparagraphs (1) and (2) of this Paragraph (f). However, any excavation from an exempted activity being used as Fill, outside of a 5-foot perimeter from the exempted Grading activities, for any other on-site purpose shall be counted towards the limits established in Subparagraph (1) of this Paragraph (f).
 - (i) Cut and/or Fill underneath the footprint of a Structure(s) (such as foundations, understructures including Basements or other completely subterranean spaces), as well as for water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.
 - (ii) Cut and/or Fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible Street for which a Lot has ingress/egress rights.

- (iii) Remedial Grading as defined in Section 12.03 of this Code as recommended in a Geotechnical Investigation Report, prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of this Code, and approved by the Department of Building and Safety Grading Division.
- (4) Zoning Administrator's Authority. A Zoning Administrator may grant the following deviations from the requirements of Subparagraphs (1) and (2) of this Paragraph (f), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.
 - (i) Grading in excess of the maximum "by-right" Grading quantities listed in Subparagraph (1) of this Paragraph (f), but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards.
 - (ii) For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (2) of this Paragraph (f).

For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (2) of this Paragraph (f).

- (5) **New Graded Slopes.** All new Graded Slopes shall be no steeper than 2:1 (horizontal:vertical), except when the Department of Building and Safety Grading Division has determined that Slopes may exceed 2:1 pursuant to Section 91.105 of this Code.
- (6) **Grading Activity on 100% Slopes.** Notwithstanding the Grading, Excavations and Fills provisions in Chapter IX of this Code (the Los Angeles Building Code), when any Grading activity is proposed on any slope of 100% or greater, as identified on the Slope Analysis Map, the Department of Building and Safety Grading Division shall require the Geotechnical Investigation Report (also referred to as a soils and/or geological report) to

include the most stringent level of geotechnical analysis and reporting feasible, and in sufficient detail to substantiate and support the design and construction methods being proposed.

A Deputy Grading Inspector, also referred to as a Registered (Licensed) Deputy Inspector, paid for by the owner, will be required to be on site when said Grading activity is being conducted in order to ensure that all work is being done in accordance with the recommendations of the Geotechnical Report, the approved plans, and/or the applicable Grading requirements of the Los Angeles Building Code for applicable Grading or foundation earthwork in Hillside Areas.

- (7) **Grading Plan Check Criteria.** Grading plans and reports shall be submitted for approval with Building plans, and shall include those items required by Section 91.7006 of this Code.
- (g) Off-Street Parking Requirements. Notwithstanding those exceptions found in Section 12.22 of this Code, no Building or Grading permit shall be issued for the construction of any One-Family Dwelling, Accessory Building, or addition thereto, unless the following requirements are met.
 - (1) **Number of Required Covered Spaces.** There shall be at least two Automobile Parking Spaces on the same Lot with each One-Family Dwelling thereon. These required parking spaces shall be provided within a Private Garage. These required parking spaces shall not be provided or maintained within a required Front Yard, unless otherwise permitted by Subparagraph (10) of Paragraph (a) of this Subdivision 10.
 - (i) Exception for Dwelling on Narrow Lot. Where only one One-Family Dwelling is located on a nonconforming Lot 40 feet or less in width and not abutting an alley, only one Automobile Parking Space need be provided. This exception shall not apply to any Lot which fronts on a Substandard Hillside Limited Street.
 - (2) Additional Required Spaces. For a main Building and any Accessory Building located on a Lot which fronts on a Substandard Hillside Limited Street, excluding Floor Area devoted to required parking, which exceed a combined Residential Floor Area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of Floor Area for a maximum of 5 total on-site spaces. These additional required parking spaces may be

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uncovered. Notwithstanding the provisions of Subparagraph (1) of this Paragraph (g), when a Lot fronts onto a Substandard Hillside Limited Street, the additional parking spaces may be located within the required Front Yard.

- (i) Zoning Administrator's Authority. A Zoning Administrator may reduce the number of off-street parking spaces required by Subparagraph (2) of this Paragraph (g), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.
- (3) Parking Stall Dimensions. In each parking area or garage devoted to parking for Dwelling uses, all Parking Stalls in excess of one per Dwelling Unit may be designed as compact stalls to accommodate parking cars. Every standard Parking Stall provided for Dwelling Units shall be at least 8 feet 6 inches in width and 18 feet in length; every compact stall shall be at least 7 feet 6 inches in width and 15 feet in length.
- (4) **Tandem Parking.** Automobile parking may be parked in tandem in a Private Garage or Private Parking Area serving a One-Family Dwelling where the tandem parking is not more than two cars in depth. Each required Parking Stall within a parking area or garage shall be accessible. Tandem parking shall not be allowed in parking areas for recreational vehicles.
- (5) **Garage Doors.** Any door or doors installed at the automobile entry to a garage serving a One-Family Dwelling where the required parking spaces are located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles in each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position.
- (6) **Driveway Width.** Every access driveway shall be at least 9 feet in width.
- (7) Mechanical Automobile Lifts and Robotic Parking Structures. The stacking of two or more automobiles via a mechanical car lift or computerized parking Structure is permitted. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and vehicular access to the platform meet the requirements of Paragraphs (a), (b), and (i) of

Subdivision 5 of Subsection A of Section 12.21 of this Code. The lift equipment or computerized parking Structure shall meet any applicable Building, Mechanical and Electrical Code requirements as approved by the Department of Building and Safety.

- (h) **Fire Protection.** Notwithstanding any other provisions of this Code to the contrary, on a Lot fronting onto a Substandard Hillside Limited Street, or on any Lot located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company, the following fire protection measures shall be required.
 - (1) **New Buildings or Structures.** Any new construction of a One-Family Dwelling or detached Accessory Building shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code.
 - (2) **Existing Buildings or Structures.** An approved automatic fire sprinkler system in compliance with the Los Angeles Plumbing Code shall be installed:
 - (i) whenever an addition to an existing One-Family Dwelling or Accessory Building increases Residential Floor Area by 50% or more of the area of the existing Dwelling or Building; or
 - (ii) whenever the aggregate value of Major Remodels within a one-year period exceeds 50% of the replacement cost of the Dwelling or Accessory Building.
 - (3) **Fire Sprinkler Coverage.** The sprinkler systems required in this Paragraph shall be sufficient to cover the entire Dwelling or Building, unless otherwise determined by the Department of Building and Safety, and shall be installed in compliance with all applicable Codes.
 - (4) **Exempt Accessory Structures.** The provisions of this Paragraph shall not apply to accessory Structures such as gazebos, pergolas, or storage sheds provided these Structures are not supported by or attached to any portion of a Dwelling or Accessory Building and do not exceed 200 square feet in area.

(i) Street Access.

- (1) **Street Dedication.** For any new construction of, or addition to, a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street, no Building permit or Grading permit shall be issued unless at least one-half of the width of the Street(s) has been dedicated for the full width of the Frontage of the Lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in Section 12.37 I of this Code shall be available for relief from this requirement.
- (2) Adjacent Minimum Roadway Width. For any new construction of, or addition to a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no Building permit or Grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X.28 of this Code.
- (3) Minimum Roadway Width (Continuous Paved Roadway). For any new construction of, or addition to, a One-Family Dwelling on a Lot that does not have a vehicular access route from a Street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no Building permit or Grading permit shall be issued unless the construction or addition meets the requirements of this Subdivision 10 or has been approved by a Zoning Administrator pursuant to Section 12.24 X.28 of this Code.
- (j) **Sewer Connection.** No Building permit shall be issued for the construction of any new One-Family Dwelling on a Lot located 200 feet or less from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer.
- (k) Hillside Standards Overlay Districts. The provisions of Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (f) (Grading) of this Subdivision 10 may be superseded by a Hillside Neighborhood Overlay adopted pursuant to Section 13.14 of this Code.
- (I) **Exceptions.** The provision of this Subdivision shall not apply to:
 - (1) Tracts With CC&Rs Approved After February 1, 1985. One-Family Dwellings, Accessory Buildings and additions thereto within a subdivision for which a tentative or final tract map

was approved by the City of Los Angeles after February 1, 1985, and is still valid, provided that the map resulted in the establishment of covenants, conditions and restrictions governing Building height, yards, open space or Lot coverage, and provided, further, that such covenants, conditions and restrictions were recorded on or after February 1, 1985.

- (2) Additions to Dwellings Built Prior to August 1, 2010. Any additions made after August 1, 2010, to a One-Family Dwelling existing prior to that date for which Building permits have been previously obtained, provided that:
 - (i) the total cumulative Residential Floor Area of all such additions does not exceed 500 square feet (excluded from calculations of this 500 square foot limitations is Floor Area devoted to required covered parking); and
 - (ii) the resulting Building complies with the requirements of Paragraphs (a) (Setback Requirements), (d) (Height Limits), and (f) (Grading) of this Subdivision 10.
- (3) Hillside Major Remodel. As defined in Section 12.03 of this Code, any remodeling of a main Building on a Lot in the Hillside Area, which does not add square footage and for which the aggregate value of all the alterations within a one-year period does not exceed 50% of the replacement cost of the main Building.
- (4) Northeast Los Angeles Hillside Ordinance.
 Properties subject to the Northeast Los Angeles Hillside Ordinance established by Ordinance No. 180,403, shall be exempted from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (f) (Grading) of this Subdivision 10.
- (5) The Oaks Hillside Ordinance. Properties subject to The Oaks Hillside Ordinance established by Ordinance No. 181,136, shall be exempted from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (e) (Lot Coverage) of this Subdivision 10.
- (6) Large Active Remedial Grading Projects.

 Properties with active Remedial Grading permits for 100,000 cubic yards or more which have been issued by the Department of Building and Safety Grading Division before July 1, 2010, are exempted from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits, and (f) Grading of this Subdivision. Such

properties shall remain subject to the provisions of Subdivision 17 of Subsection A of Section 12.21 of this Code, and Section 12.21.1 of this Code, and all other zoning and Building regulations applicable at the time Building Permits are issued. This exception shall expire 60 months after July 1, 2010.

Sec. 7. The second and third unnumbered paragraphs of Section 12.21.1 of the Los Angeles Municipal Code are replaced by the following three unnumbered paragraphs:

In the A1, A2, RZ, RMP, and RW2 Zones, and in those portions of the RD and R3 Zones, which are also in Height District No. 1, no Building or Structure shall exceed 45 feet in height. In the RA, RE, RS, R1 and R2 Zones in Height District No. 1, located in a Coastal Zone, no Building or Structure shall exceed 45 feet in height. In the RU and RW1 Zones, no Building or Structure shall exceed 30 feet in height. In the RA, RE, RS, and R1 Zones in Height District No. 1, located in a Hillside Area, as defined in Section 12.03 of this Code, no Building or Structure shall exceed the height limits established in Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

Notwithstanding the preceding paragraph, the following height regulations shall apply on a Lot that is not located in a Hillside Area or Coastal Zone: In the R2 Zone, no Building or Structure shall exceed 33 feet in height. In the R1, RS, or RE9 Zones, no Building or Structure shall exceed 33 feet in height; except that when the roof of the uppermost Story of a Building or Structure or portion of the Building or Structure has a Slope of less than 25 percent, the maximum height shall be 28 feet. In the RE11, RE15, RE20, RE 40 or RA Zones, no Building or Structure shall exceed 36 feet in height; except that when the roof of the uppermost Story of a Building or Structure or portion of a Building or Structure has a Slope of less than 25 percent, the maximum height shall be 30 feet.

Notwithstanding the above, when 40 percent or more of the existing One-Family Dwellings with Frontage on both sides of the block have Building heights exceeding these limits, the maximum height for any Building on that block may be the average height of the Dwellings exceeding these limits. Height limitations in Specific Plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this Section 12.21.1. This section shall apply when there are no height limitations imposed on Lots by a Specific Plan or a Historic Overlay Zone or created by a subdivision approval.

- Sec. 8. Subdivision 1 of Subsection A of Section 12.21.1 of the Los Angeles Municipal Code is amended to read:
 - 1. The total Floor Area contained in all the main Buildings on a Lot in a commercial or industrial zone in Height District No. 1 shall not exceed one-and-

one-half times the Buildable Area of the Lot; for a Lot in all other zones, except the RA, RE, RS, and R1 Zones, the total Floor Area contained in all the main Buildings on a Lot in Height District No. 1 shall not exceed three times the Buildable Area of the Lot.

For RA, RE, RS, and R1 Zoned properties not located in a Hillside Area or Coastal Zone, the total Residential Floor Area shall comply with the Floor Area restrictions for each zone. For RA, RE, RS, and R1 Zoned properties located in a Hillside Area, as defined in Section 12.03 of this Code, the total Residential Floor Area shall comply with the limits established in Paragraph (b) of Subdivision 10 of Subsection C of Section 12.21 of this Code. For RA, RE, RS, and R1 Zoned properties in a Coastal Zone not located in a Hillside Area, as defined in Section 12.03 of this Code, the total Floor Area contained in all the main buildings on a Lot shall not exceed three times the Buildable Area of the Lot.

Portions of Height District No. 1 may be designated as being in an "L" Limited Height District, and no Building or Structure in Height District No. 1-L shall exceed six Stories, nor shall it exceed 75 feet in height. Portions of Height District No. 1 may be designated as being in a "VL" Very Limited Height District, and no Building or Structure in Height District No. 1-VL shall exceed three Stories, nor shall it exceed 45 feet in height. Notwithstanding that limitation, portions of Height District No. 1-VL that are also in the RAS3 or RAS4 Zones shall not exceed 50 feet in height. Portions of Height District No. 1 may also be designated as being in an "XL" Extra Limited Height District, and no Building or Structure in Height District No. 1-XL shall exceed two Stories, nor shall the highest point of the roof of any Building or Structure located in this District exceed 30 feet in height. In the RA, RE, RS, and R1 Zones, portions of Height District No. 1 may also be designated as being in an "SS" Single Story Limit Height District, and no Building or Structure in Height District No. 1-SS shall exceed one Story, nor shall the highest point of the roof of any Building or Structure located in this District exceed 18 feet in height. For the purposes of Height District No. 1-SS, a Basement does not count as a Story when the Elevation of the upper surface of the floor or roof above the Basement does not exceed two feet in height at any point above the finished or natural Grade. whichever is lower.

EXCEPTION: A Building in Height District Nos. 1-XL, 1-VL, designed and used entirely for residential purposes, or a Building in the RAS3 or RAS4 Zones shall be limited as to the number of feet in height, but not as to the number of Stories.

Sec. 9. Subdivision 1 of Subsection A of Section 12.23 of the Los Angeles Municipal Code is amended by adding a new Paragraph (c) to read:

- (c) A Building, nonconforming as to the Residential Floor Area regulations on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not located in a Hillside Area, as defined in Section 12.03 of this Code, shall not be added to or enlarged in any manner, except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.
- Sec. 10. The first unnumbered paragraph of Subdivision 11 of Subsection X of Section 12.24 of the Los Angeles Municipal Code is amended to read:

A Zoning Administrator may, upon application, permit Buildings and Structures on Lots in the A1, A2, and RD Zones which are located in a Hillside Area as defined in Section 12.03 of this Code to:

- Sec. 11. Paragraph (a) of Subdivision 21 of Subsection X of Section 12.24 of the Los Angeles Municipal Code is amended to read:
 - (a) **Requirements.** If an owner seeks relief, a Zoning Administrator may permit the Grading and construction of Buildings and Structures on Lots in the A1, A2 and RD Zones, which:
- Sec. 12. Subsection X of Section 12.24 of the Los Angeles Municipal Code is amended by adding a new Subdivision numbered 28 to read:
- 28. **Single-Family Zones in Hillside Area.** A Zoning Administrator may, upon application, grant the deviations outlined in Paragraph (a) of this Subdivision 28 on Lots in the R1, RS, RE, and RA Zones which are located in a Hillside Area as defined in Section 12.03 of this Code.
 - (a) **Zoning Administrator Authority.** If an owner seeks relief, a Zoning Administrator has the authority to grant the following deviations:
 - (1) **Setback Requirements.** A reduction of the Front and Side Yard setback requirements outlined in Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of this Code for Lots fronting on a Substandard Hillside Limited Street; however, in no event shall the Side Yard be less than 4 feet.
 - (2) Additions to Structures Existing Prior to August 1, 2010. Any additions made after August 1, 2010, to a One-Family Dwelling existing prior to that date for which permits have been previously

obtained which exceed the requirements of Paragraph (b) of Subdivision 10 of Subsection C of Section 12.21 of this Code, provided:

- (i) the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and
- (ii) the resulting Building does not exceed the height of the original Building or the height permitted in Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of this Code, whichever is greater; and
- (iii) at least two off-street covered parking spaces are provided.
- (3) **Height.** Exceed the maximum envelope height requirements required by Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of this Code; however, the increase in height may not result in a Building or Structure which exceeds an overall height of 45 feet. The overall height shall be measured from the lowest Elevation point, within 5 horizontal feet of the exterior walls of a Building or Structure, to the highest elevation point of the roof Structure or parapet wall.
- (4) **Lot Coverage.** Increase the maximum Lot coverage limitations as outlined in Paragraph (e) of Subdivision 10 of Subsection C of Section 12.21 of this Code, up to a maximum of 50% of the Lot area.

(5) **Grading.**

- (i) Grading in excess of the maximum "by-right" Grading quantities listed in Subparagraph (1) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards.
- (ii) For a property which fronts onto a Standard Hillside Limited Street of Larger, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import or export greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (2) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (2) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

- (6) **Off-Street Parking.** Reduce the number of off-Street parking spaces required by Subparagraph (2) of Paragraph (g) of Subdivision 10 of Subsection C of Section 12.21 of this Code.
- (7) **Street Access.** The construction of Buildings and Structures on Lots in the R1, RS, RE, and RA Zones which:
 - (i) Adjacent Minimum Roadway Width. Do not meet the requirements of Subparagraph (2) of Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code because they front on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet.
 - (ii) Minimum Roadway Width (Continuous Paved Roadway). Do not meet the requirements of Subparagraph (3) of Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code because they do not have vehicular access from streets improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area.
- (b) **Findings.** The Zoning Administrator shall find that approval of any use in this Subsection is in conformity with the public necessity, convenience, general welfare and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan, and that the approval is consistent with the following applicable findings:
 - (1) **Setback Requirements.** That the reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements.
 - (2) Additions to Structures Existing Prior to August 1, 2010. That the increase in Residential Floor Area will result in a Building or Structure which is compatible in scale with existing Structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.
 - (3) **Height.** That the increase in height will result in a Building or Structure which is compatible in scale with existing Structures in the vicinity; and that the approval is necessary for the preservation and

enjoyment of a substantial property right possessed by other property in the vicinity.

(4) Lot Coverage. That the increase in Lot coverage will result in a development which is compatible in size and scale with other improvements in the immediate neighborhood; and that the increase will not result in a loss of privacy or access to light enjoyed by adjacent properties.

(5) Grading.

- (i) That Grading in excess of the absolute maximum Grading quantities listed in Subparagraph (1) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code is done in accordance with the Department of City Planning Planning Guidelines Landform Grading Manual (adopted by the City Council on June 1983), and is used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.
- (ii) That the increase in the maximum quantity of earth import or export will not lead to the significant alteration of the existing natural terrain, that the hauling of earth is being done in a manner that does not significantly affect the existing conditions of the Street improvements and traffic of the Streets along the haul route, and that potentially significant impacts to the public health, safety, and welfare of the surrounding community are being mitigated to the fullest extent feasible.
- (6) **Off-Street Parking.** That the reduction of the parking requirements will not create an adverse impact on Street access or circulation in the surrounding neighborhood; and that the reduction will not be materially detrimental or injurious to the property or improvements in the vicinity in which the Lot is located.

(7) Street Access.

- (i) That the vehicular traffic associated with the Building or Structure will not create an adverse impact on Street access or circulation in the surrounding neighborhood; and
- (ii) That the Building or Structure will not be materially detrimental or injurious to the adjacent property or improvements; and

- (iii) That the Building or Structure will not have a materially adverse safety impact on the surrounding neighborhood.
- (iv) That the site and/or existing improvements make strict adherence to Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code impractical or infeasible.
- (c) **Procedures.** An application pursuant to this Subdivision 28 shall follow the procedures set forth in Section 12.28 C.1, 2 and 3 of this Code. Except that public hearings for fences, walls, and retaining walls within required yards may not be required if the applicant submits with the application the written approval of the owners of all properties abutting, across the Street or alley from, or having a common corner with the subject property.
 - (1) Import/Export (Haul Route) Review. Upon filing an application pursuant to this Subdivision 28 for the import or export of earth materials pursuant to the authority granted in Subparagraph (5) of Paragraph (a) of this Subdivision, the Zoning Administrator shall request that the General Manager of the Department of Transportation investigate the circumstances of the proposed import or export of earth materials and the effect thereof upon the public health, safety, and welfare. The Zoning Administrator shall request the City Engineer to determine the effect of any import or export on the structural integrity of the public Streets and to determine the effect on public safety relative to Street alignment, width, and Grade.

In taking action on such Zoning Administrator Determination, the Zoning Administrator shall impose conditions of approval to mitigate any detrimental effects of the hauling operations necessary to import or export earth, including but not limited to: limiting truck weight, length and/or speed; and other conditions of approval as may be necessary to ensure repair of damages to public Streets along the hauling route that may reasonably be expected to be caused by hauling operations. Such additional conditions may include a condition that the developer shall file a bond for the benefit of the City. Any such bond shall be in a form approved by the City Attorney, executed by the developer and a corporate surety authorized to do business in the State in an amount sufficient to cover the repair of any damage to the public Streets reasonably expected to be caused by the hauling operations. The conditions of the bond shall guarantee to indemnify the City for all costs and expense in repairing the damaged Streets or other public facilities. In lieu of a surety bond, the developer may file a cash bond with the Department upon the same terms and conditions and in an amount equal to that which would be required in the surety bond. The deposit submitted may be in the form of cash or negotiable United States securities. The term of such effect until the

completion of the hauling operations and subsequent inspection of the affected public Streets by the Department of Public Works.

- (d) Conditions for Approval. In approving the uses and activities authorized in this Subdivision, the Zoning Administrator may impose those conditions he or she deems necessary to remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning.
- Sec. 13. Subsection A of Section 12.28 of the Los Angeles Municipal Code is amended to read:
- A. Adjustments. The Zoning Administrator shall have the authority to grant adjustments in the Yard, area, Building line and height requirements of Chapter I of this Code. An adjustment shall not be permitted for relief from a density (Lot area per unit) or height requirement, excluding fences and hedges, if the request represents an increase of 20 percent or more than what is otherwise permitted by this Code. A request for an increase of 20 percent or more shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

The Zoning Administrator shall also have the authority to grant adjustments in Residential Floor Area of no more than a ten percent increase beyond what is otherwise permitted by Chapter I of this Code. A request for an increase in Residential Floor Area greater than ten percent shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

- Sec. 14. Subdivision 2 of Subsection C of Section 12.28 of the Los Angeles Municipal Code is amended by adding a new Paragraph (d) to read:
 - (d) For R1, RS, RE, and RA Zoned properties in the Hillside Area, as defined in Section 12.03 of this Article, the Zoning Administrator must conduct a public hearing for any Adjustment or Slight Modification requests.
- Sec. 15. The list contained in Paragraph (b) of Subdivision 1 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended by adding the following new entry: "HS" Hillside Standards Overlay District.
- Sec. 16. Subparagraph (2) of Paragraph (c) of Subdivision 1 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to read:
 - (2) Additional Requirements for Application. One or more of the owners or lessees of property within the boundaries of the proposed

district may submit a verified application for the establishment of a district. An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District, a Neighborhood Stabilization Overlay District, or a Hillside Standards Overlay District shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district. An application for the establishment of a Fence Height District shall contain the signatures of at least 50 percent of the owners or lessees of property within the proposed district. An application shall be accompanied by any information deemed necessary by the Department.

If establishment of a district is initiated by the City Council, City Planning Commission, or Director of Planning, the signatures of the property owners or lessees shall not be required.

Sec. 17. Subsubparagraph (iii) of Subparagraph (3) of Paragraph (c) of Subdivision 1 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to read:

(iii) Time for Commission to Act on Application. The City Planning Commission shall act on an application to establish an "O", "S", "G", "K", "CA", "POD", "CDO", 'MU", "FH", "SN", "RFA", "NSO", or "HS" District within 75 days from the date of the filing of the application. The City Planning Commission shall act on an application to establish an "RPD" District within 75 days from receipt of the Subdivision Committee report and recommendation. The City Planning Commission shall act on proceedings initiated by the Council within 75 days of receipt of that action from the Council, or within the time that the Council may otherwise specify.

Sec. 18. Article 3 of Chapter I of the Los Angeles Municipal Code is amended by adding a new Section 13.16 to read:

SEC. 13.16. "HS" HILLSIDE STANDARDS OVERLAY DISTRICT.

A. Purpose. This Section sets forth procedures and guidelines for the establishment of "HS" Hillside Standards Overlay Districts in single-family residential neighborhoods in designated Hillside Areas, as defined in Section 12.03 of this Chapter, throughout the City. The purpose of the "HS" Hillside Standards Overlay District is to permit Residential Floor Area, height, and Grading limits in the R1, RS, RE, and RA zones to be higher or lower than normally permitted by this Code in areas where the proposed overlay will further enhance the existing scale of homes and/or help to preserve the existing character of the neighborhood as effectively as the limitations or

requirements otherwise established in this Code; and where these changes will be consistent with the policies and objectives set forth in the applicable Community Plan.

- B. Establishment of the District. The procedures set forth in Section 12.32 S of this Code shall be followed, however, each "HS" Hillside Standards Overlay District shall include only properties in the RA, RE, RS, or R1 zones. The overlay shall not generally be less than 100 acres in area; however, the 100 acres do not need to be within one contiguous boundary as long as no one subarea is less than 25 acres in area, and the entire 100 acres is located within an overall area of 200 contiguous acres. The precise boundary of a district may be adjusted for urban features such as topography, freeways or Streets/Highways. Boundaries shall be along Street Frontages and shall not split parcels. An "HS" Hillside Standards Overlay District may encompass an area, which is designated, in whole or in part, as a Historic Preservation Overlay Zone and/or Specific Plan. The "HS" Hillside Standards Overlay District shall include contiguous parcels, which may only be separated by public Streets, ways or alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for, or initiation of, an individual overlay.
- C. Development Regulations. The Department of Building and Safety shall not issue a Building permit for a residential Structure within an "HS" Hillside Standards Overlay District unless the residential Structure conforms to the regulations set forth in a specific "HS" Hillside Standards Overlay District. The development regulations for each "HS" Hillside Standards Overlay District shall be limited to changes in the numerical values of the Residential Floor Area, height, and Grading limits in the R1, RS, RE, and RA zones stated in this Chapter (Subdivision 10 of Subsection C of Section 12.21 Paragraphs (a) Residential Floor Area, (d) Height Limits, and (f) Grading) and shall not result in a substantial deviation in approach, method of calculation, or measurement from the corresponding language already in place in this Chapter I. The development regulations shall be determined at the time the overlay is established. The development regulations shall serve to enhance the existing or envisioned character of the overlay.
- Sec. 19. Subsection U of Section 19.01 of the Los Angeles Municipal Code is amended to read:
- U. Hillside. Application pursuant to Section 12.21 A.17 of this Code to permit increased Lot coverage, reduced parking or additional height for One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map (Section 12.24 X.11); and application to permit construction of or addition to One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map which front onto Substandard Hillside Limited Streets, which are improved to a width of less than 20 feet; and application to permit construction of, or addition to, One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map on Substandard Hillside Limited Streets where

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providing parking requires the Grading of 1,000 or more cubic yards from the Lot (Section 12.24 X.21).

Application pursuant to Section 12.21 C.10 and Section 12.24 X.28 on properties zoned R1, RS, RE, or RA and designated Hillside Area on the Department of City Planning Hillside Area Map to:

- 1. Reduce Front and Side Yard setback requirements;
- 2. Permit additions of up to 1,000 square-feet to Structures existing prior to August 1, 2010;
 - 3. Exceed the maximum envelope height;
 - 4. Increase the maximum Lot coverage;
 - 5. Exceed the Grading, import and export limits;
 - 6. Reduce the number of required off-street parking; or
- 7. Permit construction of or addition to One-Family Dwellings on properties which front onto Substandard Hillside Limited Streets, which are improved to a width of less than 20 feet.

Filing Fee	Fee for Each Appeal
\$4,698	85% of filing fee

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Baseline Hillside Ordinance\Baseline Hillside Ordinance version 7 (2.10. 2011).doc

Sec. 20. 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, by a majority vote of all of its members, at its meeting of

JUNE LAGMAY, City Clerk

By _______

Deputy

Approved ______

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

KENNETH FONG

Deputy City Attorney

Date 2-1/-20//

File No(s). <u>CF 10-1001; CPC 2010-581-CA</u>

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted.

February 9, 2011

See anachee lebert

MICHAEL J. SOGRAND Director of Planning

DEPARTMENT OF CITY PLANNING

200 N. Spring Street, Room 525 Los Angeles, CA 90012-4801 AND 6262 VAN NUYS BLVD., SUITE 351 VAN NUYS, CA 91401

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INFORMATION www.planning.lacity.org

February 9, 2011

CPC File No.: 2010-581-CA (not transmitted)
Council File No.: 10-1001 (not transmitted)

Council District No.: All

The Honorable Carmen A. Trutanich City Attorney Room 1800, City Hall East Mail Stop 140

Attention:

Kenneth Fong

Deputy City Attorney

RE: BASELINE HILLSIDE ORDINANCE

Proposed amendments to the Los Angeles Municipal Code (LAMC) to establish new regulations for single-family zoned properties which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establishment of, or revisions to existing discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

Dear Mr. Trutanich:

At its meeting of May 27, 2010, following a public hearing, the City Planning Commission recommended the adoption of the attached findings (Attachment I) and draft Baseline Hillside Ordinance provisions amending various sections of the Chapter 1, Article 2 of the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area on the Department of City Planning Hillside Area Map (per Section 12.03 of the LAMC).

Subsequently, at its meeting of July 27, 2010, the Planning & Land Use Management Committee of the City Council also recommended the adoption of the attached findings (Attachment I) and the City Planning Commission recommended draft Ordinance provisions to





the City Council with minor technical amendments that incorporated the Department of Building and Safety's requested clarifications.

Most recently, at its meeting of August 4, 2010, the City Council approved the attached findings (Attachment I) and the proposed Baseline Hillside Ordinance provisions with three more technical, non-substantive amendments. As part of its action, the City Council also requested that your office prepare and present an Ordinance, as approved by the City Planning Commission, amending various sections of the Chapter 1, Article 2 of the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area.

The Department of City Planning, in conjunction with your office, has prepared the Baseline Hillside Ordinance which incorporates the requested changes, which is enclosed with this letter.

The Ordinance transmitted by your office in a letter dated February 2, 2011 remains consistent with the policies established in the City Planning Commission on May 27, 2010, in that the amendments continue to establish the same set of regulations that make up the core of their recommended Baseline Hillside Ordinance provisions and only serves to clarify the application of those provisions. Therefore I find that the revised Ordinance continues to conform to the original action of the City Planning Commission, and hereby recommend approval under the authority granted by Charter Section 559 and the City Planning Commission.

MICHAEL J. LOGRANDE

Director of Planning

Attachments:

Attachment I - City Council Findings

ATTACHMENT I

CITY COUNCIL FINDINGS

The following are the findings of the City Council:

General Plan/Charter Findings

1. General Plan Findings

In accordance with **Charter Section 556**, the proposed code amendments are in substantial conformance with the purposes, intent, and provisions of the General Plan in that they establish regulations that would reduce the development potential of single-family residential structures, in terms of size, mass, and land alteration on single-family zoned lots located in Hillside Areas.

The proposed code amendments are consistent with, and help to further accomplish the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan:

- **Goal 3B** Preservation of the City's stable single-family residential neighborhoods.
- Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
- **Policy 3.5.2** Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
- **Policy 3.5.4** Require new development in special use neighborhoods such as wateroriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.
- **Objective 5.5** Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

In order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible, the proposed Residential Floor Area reduction is necessary. The proposal establishes a reduced sliding Residential Floor Area scale based on zone, lot size and slope, creating a tailored Residential Floor Area that takes into account the terrain conditions of each hillside lot. The proposed Residential Floor Area calculation takes into consideration the varying topography and lot sizes within each zone in order to achieve compatibility and reflect the scale and identity of both the zone classification and existing hillside development. The proposed Residential Floor Area calculation also coincides with the methodology and base Residential Floor Areas put forth in the recently adopted Baseline Mansionization Ordinance (BMO).

Council File No. 10-1001

The proposed code amendment promotes development that will further limit the intensity of development in hillside areas through reduced Residential Floor Areas, massing and articulation, additional new height requirements, and new grading limits while providing the allowable density. For example, building a 3:1 Floor Area Ratio residential box-like structure which could potentially be larger in area than the lot that it sits on will no longer be permitted due to the code amendment's reduced Residential Floor Area requirement which will not only provide a smaller building envelope but promote compatibility with existing hillside neighborhood character, identity and scale.

2. Community Plans.

The Code Amendment will promote the objectives, polices and goals of the various Community Plans that contain Hillside Area by continuing to protect the character of the existing single-family neighborhood. By instituting more restrictive development regulations, the proposed provisions require new development to be compatible with the existing site conditions and overall neighborhood character, while at the same time providing some environmental benefits. As new houses are developed in conformance with the proposed regulations, and are built with more appropriate floor area, new grading limitations and a new way to calculate height which encourages terracing rather than tall boxy structures, impacts related to grading, aesthetics and the natural landscape and vegetation could be lessened.

The City of Los Angeles General Plan Land Use Element is subdivided into 35 community plans. The proposed Ordinance helps to accomplish the following objectives, and policies of various Community Plans which appeared consistently throughout the Community Plans that contain hillside areas:

- **Objective 1-5** To limit the intensity and density in hillside areas.
 - **Policy 1-5.3** Consider the steepness of the topography and suitability of the geology in any proposal for development within the Plan Area.
- **Objective 1-5** To limit the intensity and density of development in hillside areas.
 - Policy 1-5.1 Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.
 - Policy 1-5.2 Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.
- Objective 9-1 Ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.

CPC No. 2010-581-CA Council File No. 10-1001

Policy 9-1.1

Promote land use policies that enhance accessibility for firefighting equipment and are compatible with effective levels of service.

Objective 1-6

To limit residential density and minimize grading in hillside areas.

Policy 1-6.3

Require that grading be minimized to reduce the effects on environmentally sensitive areas.

Objective 1-6

To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.

Policy 1-6.6

The scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.

Objective 1-3

Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.

Policy 1-3.3 Preserve existing views in hillside areas.

The current FAR of 3:1 allows large, box-like structures that compromise the character of established neighborhoods. In order to address this problem the proposed Baseline Hillside Ordinance changes the FAR so it is based on zone, lot size, and steepness of slopes on a hillside property, rather than lot size alone. This approach takes into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining Residential Floor Area limits. In addition, in order to better implement the goals and objectives of the General Plan, the Zoning Code assigns a certain scale/character to each zone through setbacks and height regulations for instance. The Slope Band method proposes adding another component to each zone through the RFA calculation. When the appropriate zone is applied to a specific property, the resulting Slope Band RFA would be consistent with the intended scale of that community.

The citywide FAR reduction is necessary in order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible. The proposed Ordinance includes 20% or 30% Residential Floor Area bonuses that incentivize better design, as in the BMO, with additional options related to grading practices intended to minimally disturb the natural topography or to further reducing the quantities of grading. A lot that is considered "flat" (entirely made up of 0% to 15% slopes) would essentially be treated the same as it would in the BMO, in terms of the amount of development. In addition, the proposal includes a provision for to permit additions of less than 500 square feet to existing structures without discretionary action in order to reduce the possibility for discretionary actions for small additions.

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> Furthermore, the code amendment addresses the issue of building mass from the public right-of-way and neighboring properties and discourages large and tall box-like structures. which the community has specifically identified as a problem. The proposed ordinance includes the BMO height provision that ties the maximum height of a building to the slope of the roof but also introduces a new way to calculate height which follows the slope of the lot. As currently proposed, when a building or structure has a sloped roof (25% slope or greater) the current height limits apply: 33 feet for the R1, RS, and RE9 zones, and 36 feet for the RE11, RE15, RS, RE20, and RE40 zones. However, when a structure has a flat roof (less than 25% slope) the maximum height is lower: 28 feet for the R1, RS, and RE9 zones, and 30 feet for the RE11, RE15, RS, RE20, and RE40 zones. In addition, depending on the zone and height district a unique envelope height limit is applied, which encourages the terracing of structures up and down a hillside. Thus, with a varied roofline, structures would allow more light and air to reach neighboring properties, add visual interest, and enhance transitions between properties. The proposed provisions help to ensure that the mass of buildings is broken up, and that box-like structures have a lower height thereby further reducing the "looming" factor which has been brought up by the public on several occasions.

> The current Floor Area definition, which currently applies to single-family zoned lots in the Hillside Area, is inadequate because it is geared to commercial and industrial structures and does not include portions of a building that add significantly to the mass and bulk of residential structures. The BMO created a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. With the amendments to the existing definition to accommodate hillside conditions, the revised definition will continue to effectively address the portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot for both the "flats" and the Hillside Area. Furthermore, the proposal includes a provision to encourage outdoor space that is located within the structure, but not fully enclosed in lieu of grading a flat pad for a backyard.

Currently, there are no limits to the quantity of grading or to the amount of earth one can import to or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size of the lot, and restrict the volume of earth allowed to be imported and exported from a property. The proposed regulations are based on a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with an absolute maximum that varies per zone. Projects which involve more than the limits can be approved through a discretionary review process, but would be subject to findings, environmental review and conditions of approval. The proposed Ordinance also ensures that any grading over the limits will be done using landform grading methods which are meant to mimic existing terrain.

Similar to the BMO's Residential Floor Area District, the Baseline Hillside Ordinance establishes a Hillside Standards Overlay that would allow individual neighborhoods that have determined they have unique characteristics to tailor the size limits as well as the other regulations covered by this Ordinance in order to preserve the existing character. This provision puts the power to determine the scale of existing neighborhoods directly into the

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community's hands and will no longer be established in a piecemeal, project-by-project manner as is currently the case.

Lastly, the proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, staff is attempting to make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

2. In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because the proposed measures are needed to regulate single-family residential development in the Hillside Area in order to avoid the further degrading effects of out-of-scale development in the various hillside neighborhoods throughout the City of Los Angeles as a result of the current FAR of 3:1, restrictive height limits and the lack of grading limits.

a) Reduction of Existing FAR for Single-Family Zones and 20% RFA Bonus

Baseline FAR Reduction

The current FAR of 3:1 for single-family residential zones is extremely permissive and has resulted in the construction of large structures that are incompatible with the existing surrounding neighborhoods. The proposed reduction in FAR is necessary in order to directly address the issue of house size, prevent the worst case scenarios, establish a new base from which to work for future code amendments and/or overlays dealing with mansionization, and for the protection of neighborhood character.

In order to calculate the maximum Residential Floor Area permitted, a site survey showing two-foot contours must be prepared by a licensed surveyor. The survey shall identify the total area of the lot, in square feet, according to the following slope intervals:

- 1. Slope less than 15 percent;
- 2. Slope at least 15 percent, but less than 30 percent;
- 3. Slope at least 30 percent, but less than 45 percent;
- 4. Slope at least 45 percent, but less than 60 percent:
- 5. Slope at least 60 percent, but less than 100 percent;
- 6. Slope greater than 100 percent.

The maximum Residential Floor Area contained in all buildings and accessory structures shall be determined by multiplying the portion of the lot in each slope interval by the corresponding FAR for the slope band to obtain the RFA for the slope band, then adding all RFA values together to reach the total RFA.

The proposed Slope Band FAR Method addresses the need to consider the topography of a property when determining the amount of development that can occur on a property, and takes into account the fact that every hillside lot is different.

Another reason for the proliferation of out-of-scale structure is the use of Buildable Area to determine maximum development potential on a single-family zoned lot. As is the

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case for the BMO, the proposed Ordinance utilizes the lot area as a base from which FAR is determined, rather than the Buildable Area currently used in the Municipal Code. By tying development potential directly to lot size and to individual zones, the ratio of house size to lot size is maintained proportionally across different lot sizes within each zone, and the development standards for each of the eight zones are further distinguished.

New Floor Area Ratios for Each Single-Family Zone

There are eight distinct single-family zones affected by the proposed ordinance. The proposed solution reflects the differences in the eight zone designations and establishes a base floor area ratio for each zone, based on lot size. As a direct result, two-story structures will automatically have larger setbacks than single-story structures of the same floor area.

The starting point for each zone in the proposal is the base FAR established in the BMO. Then, as the topography gets steeper, a FAR value that decreases applies. The new base Floor Area Ratios for the portions of the lot with slope less than 15% range from 0.25:1 on RA lots to 0.5:1 on R1 lots and decrease to 0:1 for those portions with slope greater than 100%.

20% or 30% RFA Bonus

The code amendment proposes eight Residential Floor Area Bonus Options, which aim to enhance the articulation of the structure and reduce the environmental and physical impacts on the land itself. The purpose of the Bonuses is to incentivize quality design in single-family development. A 20% bonus can be applied when relying on the calculated Slope Band method to determine the RFA and the 30% bonus can be used when utilizing the guaranteed minimum RFA. The Bonuses include:

- 1) Proportional Stories Option
- 2) Front Facade Stepback Option
- 3) Cumulative Side Yard Setback Option
- 4) 18-Foot Envelope Height Option
- 5) Multiple Structures Option

- 6) Minimal Grading Option
- 7) Green Building Option 1
- 8) Green Building Option 2

Several of the bonus options are directed to lots that are more sloped (i.e. more than 30% grade) whereas some are focused on lots that are generally flat (i.e. less than 15% grade). The Proportional Stories, Front Façade Stepback and Green Building Options were established under the Baseline Mansionization Ordinance, but have been modified or expanded in this code amendment to directly relate to hillside development. In addition, there is an option that directly relate to grading for structures that will incentivize minimal footprints or excavation of the hillside. These options will also help improve public safety as it relates to hauling earth on the local streets to and from the site.

Addition to Existing Structures

A provision has been added by which existing structures are permitted an addition to existing structures of no more than 500 square feet (cumulatively), regardless of its conformance to the proposed Residential Floor Area limits. Accordingly, the Zoning Administrator authority was also increased from 750 square feet to 1,000 square feet.

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b) Amend Height Limits for Single-Family Zones in the Hillside Area

Currently, flat and sloped roofs have the same height limits. Even with the decreases in the allowable FAR and the use of the design alternatives which make up the 20% or 30% Residential Floor Area Bonus, there may still be concern about visual bulk as seen from the street. The BMO reduced this effect by changing the height provisions and tying the maximum height of a building to the slope of a roof.

The proposed Baseline Hillside Ordinance will carry forward the same provisions, but will adapt the measurement of these heights to address hillside conditions by including a new method of measuring height, the Envelope Height. The new Envelope height would be the vertical distance from the grade of the site to a projected plane at the roof structure or parapet wall located directly above and parallel to the grade. The proposed regulations utilize a new method of calculating height which would follow the slope of a lot and encourages the terracing of structures up and down a slope, which helps to visually break up mass, and discourages large and tall box-like structures.

c) Amend the Single-Family Residential Floor Area Definition

Single-Family Residential Floor Area

The existing Floor Area definition does not differentiate between the various building types and zones, and is applied to all development in the same manner, unless otherwise stated. This means that the floor area of a single-family home is calculated in the same manner as a commercial shopping center or an industrial park, yet the structures are very different. The existing Floor Area definition also excludes areas such as garage space, atriums, and stairwells that contribute significantly to the mass and scale of residential structures.

The Baseline Mansionization Ordinance established a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. The definition is balanced to include most portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot.

However, the Baseline Hillside Ordinance is proposing to amend the Residential Floor Area definition, by adding language specific to hillside development. The desired objective is to maintain a uniform definition for all development within the Single-Family Zones. The proposal changes the method to exempt covered parking so it is based on a ratio of required covered parking, includes provisions to increase the square footage for covered porches, patios or breezeways, to exempt porches on downhill lots enclosed by retaining walls, allows rooms with ceilings taller than 14 feet to be exempted so long as the exterior wall is only 14 feet and exempts basements as BMO did, but accounts for the varied topography in the hillside areas so now not all of the basement walls need to exceed 2 feet in height above the finished or natural grade. These changes make the Residential Floor Area definition more relevant to the hillside topography and address the concerns of the public.

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d) Establish New Grading Limits for Single-Family Zones in the Hillside Area

Currently, there are no limits to the quantity of grading or to the amount of earth one can import or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size and zone of the lot, and restrict the volume of earth allowed to be imported and exported from a property.

The total quantities of grading, both Cut and Fill would be limited to a maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards, up to a maximum amount that corresponds to each zone. The proposal was included to address the concern raised by community stakeholders that current grading practices were contributing to slope instability and the deterioration of the City's hillsides.

In addition, for any grading over the limits would require a discretionary action and the Zoning Administrator would require the grading to be done in conformance with the Planning Guidelines Landform Grading Manuel. The purpose of this requirement is to better reflect the original landform and result in minimum disturbance to natural terrain. Notching into hillsides would be encouraged so that projects are built into natural terrain as much as possible. This requirement was imposed in order to address the potential adverse environmental impacts on the natural terrain.

Furthermore, the new ordinance amends what grading activities are included in the Import/Export limits in order to have structures to be tucked into the hillside. The previous proposal did not exempt any grading activity from the limits on Import/Export, which inadvertently encouraged the structure to skirt the hillside to avoid exporting or importing any earth. However, the current proposal will not count exempted grading (i.e. earth under the structure, driveway or 500 cubic yards for required parking) that is imported or exported towards the Import/Export limits.

e) Consolidation of Single-Family Residential Hillside Code Provisions.

The proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, the proposed amendments will make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

f) Amending the Zoning Administrator's Authority to Include Adjustments to Single-Family Residential Floor Area, Height and Grading Limits

Residential Floor Area

The proposed Code Amendment would clarify that the Zoning Administrator can grant adjustments to the Single-Family Residential Floor Area in the Hillside Area. While the

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proposed provisions already allow for two primary ways for a property owner to increase the amount of habitable square-footage: the 20% or 30% RFA Bonus and the by-right 500 square-foot additions to structures existing prior to the effective date of the ordinance.

The Zoning Administrator will continue to have the authority to grant an Adjustment of no more than 10% to the maximum Residential Floor Area limits for a property; any increase larger than 10% would require a Variance.

The Zoning Administrator would have the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date which exceed the proposed maximum Residential Floor Area limits. The proposed Ordinance will carry over the existing provision which allows for additions to existing structures of no more than 1,000 square feet, but will make it a discretionary action when the addition exceeds the "by-right" 500 square feet addition. These additions would be required to maintain the height of the existing structure or comply with the proposed height limits, whichever is greater.

Height

Currently the Zoning Administrator has the authority to grant adjustments of height up to a 20% increase based on the current method of measuring height, which measures from the highest point of the roof structure to the lowest point of the structure within five feet from the structure. The new proposal would continue to permit the Zoning Administrator to have the authority to allow buildings or structures to exceed the maximum height requirements, except that it would apply to Envelope Height. However, the increase in height may not result in a building or structure which exceeds an overall height of 45 feet (measured from the lowest and highest points of a structure); any increase greater than that would require a Variance. In addition, the Zoning Administrator must make the finding that the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the area vicinity.

Grading

Because there are no grading limits in the current code, the Zoning Administrator has not had authority to grant deviations from grading limits. This proposal gives the Zoning Administrator the authority to grant limited deviations from the grading requirements such as granting the true value of the grading maximum (i.e. grading in excess of the established limits for each zone, if the quantity does not exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards) or deviations in the amount of import and export. The proposal includes additional findings to protect the natural terrain.

Although the measures in this ordinance are not tailored to any specific neighborhood and are instead a citywide approach, they are needed to avoid the continuing negative impacts upon established hillside neighborhoods around the City created by the current development standards.

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The proposed code amendments substantially advance a legitimate public interest in that they would further protect single-family residential neighborhoods from economic forces, such as periodic real estate market "booms", which often leads to structures that are built-out to the maximum size allowed in the LAMC. Good zoning practice requires new hillside development standards for single-family residential zones as the housing stock is updated and replaced. This proposed ordinance accomplishes this requirement.

The proposed code amendments are not arbitrary as Department staff has thoroughly analyzed various approaches and best practices, as well as public input/testimony, and determined that the proposed amendments are the simplest and most direct way of dealing with the issue of out-of-scale single-family development in the City's Hillside Areas in a way that is both equitable and meaningful. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential hillside neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City of Los Angeles.

- 3. In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.
- 4. California Environmental Quality Act (CEQA). The Department of City Planning on Friday, March 12, 2010, determined that the proposed code amendments would not have a significant impact on the environment. A Negative Declaration (ENV-2010-582-ND, Exhibit B) was prepared for the ordinance after a review of the proposed ordinance for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a negative effect on the environment. The attached Negative Declaration was published in the *Los Angeles Times* on Thursday, March 18, 2010, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Community Planning Bureau of the Planning Department in Room 621, 200 North Spring Street.

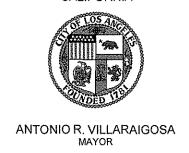
Based upon the above findings, the proposed code amendment is deemed consistent with public necessity, convenience, general welfare, and good zoning practice.

CITY OF LOS ANGELES

CALIFORNIA

JUNE LAGMAY City Clerk

HOLLY L. WOLCOTT Executive Officer



Office of the CITY CLERK

Council and Public Services Room 395, City Hall Los Angeles, CA 90012 General Information - (213) 978-1133 Fax: (213) 978-1040

www.cityclerk.lacity.org

August 10, 2010

To All Interested Parties:

City Attorney (w/ blue slip)

The City Council adopted the action(s), as attached, under Council file

No. 10-1001, at its meeting held August 4, 2010.

City Clerk

os



TO THE COUNCIL OF THE CITY OF LOS ANGELES

FILE NO. 10-1001

Your

PLANNING AND LAND USE MANAGEMENT

Committee

reports as follows:

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a proposed ordinance amending the Los Angeles Municipal Code (LAMC) to establish new regulations for single-family zoned properties which are designated as Hillside Area.

Recommendations for Council action:

- 1. ADOPT FINDINGS of City Planning Commission (CPC) as the Findings of the Council.
- 2. REQUEST the City Attorney to prepare and present an ordinance amending the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area to: reduce the existing Floor Area Ratio (FAR); amend the existing Single-Family Residential Floor Area definition; change the height limits and how they are calculated; create new grading regulations; create a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; establish or revise discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations; and include other technical changes as submitted by the Department of City Planning and attached to Council file No. 10-1001.

<u>Fiscal Impact Statement</u>: None submitted by the CPC. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At the hearing held on July 27, 2010 (continued from July 20, 2010), the Planning and Land Use Management (PLUM) Committee considered a CPC report and proposed ordinance relative to amending the Los Angeles Municipal Code (LAMC) to establish new regulations for single-family zoned properties which are designated as Hillside Area. During the discussion of this matter, an overview of the proposed ordinance was provided by Planning Department staff and testimony was heard from the public. After an opportunity for public comment, the PLUM Committee recommended that Council request the City Attorney prepare the final ordinance as recommended by the CPC, including the technical changes submitted by the Planning Department and attached to Council file No. 10-1001.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

MEMBER REYES: <u>VOTE</u> YES

HUIZAR:

YES ABSENT

KREKORIAN:

YES

PYL 7-30-10

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ADOPTED AUG 4 2010

See amached motic

MOTION

In relation to the Hillside Development Standards, the current provisions as written does not take into consideration massive construction projects already underway in the Hillside region. Failure to do so would result in major waste, legal vulnerability for the City, and is generally bad policy.

I THEREFORE MOVE that the matter of the "PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a proposed ordinance amending the Los Angeles Municipal Code (LAMC) to establish new regulations for single-family zoned properties which are designated as Hillside Area.," item # 9 on today's City Council Agenda (CF# 10-1001), BE AMENDED by ADDING the following clause:

Properties with active Remedial Grading permits for 100,000 cubic yards or more which have been issued by the Department of Building and Safety, Grading Division, before July 1st, 2010 are exempt from all subdivisions of this Article for all residential development purposes. Such properties are nevertheless subject to all other zoning and building regulations applicable at the time Building Permits are issued. This exception shall expire in sixty (60) months starting from the date of July 1, 2010."

PRESENTED BY:

PAUL KORETZ

Councilmember, 5th District

SECONDED BY:

AUG 4 2000

ADOPTED

AUG 4 2010

LOS ANGELES CITY COUNCIL





VERBAL MOTION

I HEREBY MOVE that Council AMEND the Planning and Land Use Management Committee Report, relative to amending the Los Angeles Municipal Code (LAMC) to establish new regulations for single-family zoned properties which are designated as Hillside Area, to:

- 1. REQUIRE the Department of Building and Safety (DBS) to increase the geotechnical analysis and reporting requirements to the most stringent level possible where slopes are greater than or equal to 100 percent.
- 2. REQUIRE inspection by a Deputy Grading Inspector, paid by the applicant per DBS

 P/BC 2002-34 which states that Section 91.1701.1 of the LAMC requires the use of a

 Registered (Licensed) Deputy Inspector for certain grading or foundation earthwork in the lambda hillside areas.
- 3. DIRECT the Planning Department to implement Q Conditions and Overlays to address the concerns expressed by Councilmember Koretz regarding modifying the Hillside Development Standards and grading on extreme slopes.

PRESENTED BY	
	ED REYES
	Councilmember, 1st District
SECONDED BY_	
	PAUL KORETZ
	Councilmember, 5th District

August 4, 2010

CF 10-1001

ADOPTED

AUG 4 2010

LOS ANGELES CITY COUNCIL



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CITY OF LOS ANGELES

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TIME LIMIT FILES ORDINANCES

FORTHWITH

COUNCIL FILE NU	MBER <u>10-1001</u>	_ COU	COUNCIL DISTRICT		
COUNCIL APPROV	VAL DATE MARCH 18, 2011	_ LAST DAY FOR	MAYOR TO ACT	IAR 31 2011	
ORDINANCE TYPE	E: Ord of IntentZoning	Personnel	General		
Improvement	X LAMC LAAC(CU or Var Appeals -	- CPC No.		
SUBJECT MATTER:	AMENDING SECTIONS 12.03, 12.04 AND ADDING SECTION 13.14 TO T REGULATIONS FOR SINGLE-FAMI RA) LOCATED IN THE HILLSIDE AR	THE LOS ANGELES LY RESIDENTIAL	S MUNICIPAL CODE T ZONED PROPERTIES	O ESTABLISH NEW (R1, RS, RE, AND	
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			MAR 25 20国		
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(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)					
DATE RECEIVED FR	OM MAYOR MAR 3 0 2011	ORDINA	NCE NO. 1816	24	
DATE PUBLISHED	DATE POSTED	MAR 3 0 2011	EFFECTIVE DATE	MAY - 9 2011	
ORD OF INTENT: HE	EARING DATE	ASSESSMEN	NT CONFIRMATION		
ORDINANCE FOR DI	STRIBUTION: YES NO				

MARMON LAW OFFICES

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LOS ANGELES, CALIFORNIA 90067-2517
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TELEPHONE (310) 551-8120 FACSIMILE (310) 551-8113

VMARMON@EARTHLINK.NET

PLEASE REFER TO FILE NO:

11834.01

February 24, 2014

BY EMAIL (sharon.gin@lacity.org and patrice.lattimore@lacity.org)

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee c/o Holly L. Wolcott, Interim City Clerk 200 N. Spring Street, Room 360 Los Angeles, CA 90012

Re: Council File 14-0171

Planning and Land Use Management Committee Hearing February 25, 2014, Agenda Item 5; Council Hearing February 26, 2014, Agenda Item 7; Important Items in the Record (Letter #2) concerning 50-FOOT HEIGHT VARIANCE AT 10550 W. BELLAGIO ROAD — Case No. ZA 2012-1402-ZV-ZAA-ZAD-1A

Dear Honorable Councilmembers:

I represent Janice Lazarof, individually and as the trustee owner of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

There are several important items in the record before the Zoning Administrator ("ZA") that do not appear on the Council File Management System Website for this Council File. Because of size, I will send you these items as attachments to four letters.

The items attached to this letter are listed below:

- 1. Letter from licensed civil engineer Michael Piszker to Zoning Administrator Jim Tokunaga ("the ZA") dated September 25, 2013; and
- 2. Supplemental Letter from Michael Piszker to the ZA dated September 25, 2013.

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee February 24, 2014 Page 2

On behalf of Mrs. Lazarof, I urge you to consider the attached before you vote with respect to Council File 14-0171.

Thank you.

Very truly yours,

Victor I. Marmon

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VIM:et

Attachments (2)

cc: The Honorable Jose Huizar

The Honorable Gilbert A. Cedillo The Honorable Mitchell Englander

Michael Piszker Development Consultant

September 25, 2013

Jim Tokunaga
Associate Zoning Administrator
c/o Marc Woersching
City of Los Angeles Department of City Planning
200 N. Spring Street, 7th Floor
Los Angeles, CA 90012

Re: Case Nos. ZA-2012-1402-ZV-ZAA-ZAD, ENV-2005-8611-MND (10550 Bellagio Road) - Hearing on September 25, 2013

Dear Mr. Tokunaga:

Thank you for considering my comments in opposition to a request for a height variance and a multiple retaining wall variance at 10550 Bellagio Road in Bel Air, along with the request for the City of Los Angeles to prepare an EIR as opposed to adopting the above MND.

Professional Capacity

As you may be aware from past correspondence and testimony with your office. I am a land development consultant and licensed civil engineer working with Mr. Victor Marmon, representing Janice and Henri Lazarof of 333 Copa de Oro Road in Bel Air, which is the property immediately east of the property that is before you today and requesting variances and environmental clearance. In my current business and past positions. I deal with the entire life of a project – from inception including due diligence. through planning, entitlement, design and construction phases, and up to operation and maintenance of completed projects. I am a former member of the U.S. Army Corps of Engineers and oversaw many projects involving waters of the U.S., and as a result am knowledgeable about regulations pertaining to jurisdictional wetlands and stream matters. Before working for the Corps, I was a consultant to FEMA in the Washington, D.C. area, and reviewed many site conditions involving flood plain mapping and requests for revisions. In my current business, I handle FEMA applications for map revisions and amendments, as well as applications for work in and near jurisdictional waters of the U.S. and State of California. My work often involves many of the same aspects of work presented by the subject case including hillside site planning, grading and drainage plans, protection of jurisdictional waters such as Stone Canyon Creek, floodplain constraints, work with architects, owners and neighbors and neighborhood/community organizations. I have sat on a Building and Safety Appeals

Commission and am very familiar with Los Angeles and other jurisdiction's zoning and building codes, and the plan check process.

Scope of Comments and Issues with Application

The information provided in this letter focuses on technical issues that arise from review of the applicant's submittals. Before addressing specific issues with the project related to my experience and expertise such as grading, height measurement, land planning and the potential impacts to the stream, I believe it is extremely important to point out that I find the information contained in the application package to be severely lacking in detail compared to what I would typically find in most jurisdictions for a request of this type. Specifically, there is not an exhibit, drawing or other document labeled "site plan" or "plot plan", nor is there a document showing the information that is needed for both the decision making body and the public to properly assess the requests and situation including the environmental impacts. Also, there are aspects of the project that do not meet the zoning code.

Comments on the Application and Proposed Findings

- 1. <u>Project subject to the Baseline Hillside Ordinance (BHO)</u>. Based on the application, there is one item we will not dispute with the applicant that the project falls under the rules of the BHO. However, there are at least three elements of the proposed project that would be in violation of the BHO that are discussed below:
- a. Maximum Residential Floor Area. The BHO requires that floor area be based on slope bands from a slope analysis. There was not such an analysis in the file as of September 23, 2013. The application lists the lot size as 84,567 square feet (s.f.) and the total project size (assumed to be the square footage of the house and underground parking) as 42,409 s.f. If the site contained slopes all below 15 percent, then the maximum floor area would be 35 percent of the lot size, or 29,598 s.f., which is far below the proposed 42,409 s.f. We know, however, the lot has some steep slopes behind the retaining wall and flatter slopes close to Stone Canyon Road. Based on the BHO, I would expect the allowable floor area ratio to be either 0.25 or 0.30, resulting in a maximum floor area of 21,142 s.f. or 25,370 s.f. Keep in mind that the BHO requires in this case that most of the basement to be included in the calculations because it contains covered parking in excess of 400 s.f. Although there is not a site plan, it appears there may be a detached accessory building over 200 s.f., which would also count towards the maximum area. Finally, based on the elevations, it appears the first floor may have a ceiling height in excess of 14 feet, therefore the first floor area would count double.
- b. <u>Maximum Grading Quantities</u>. The BHO limits the amount of grading for this site to 2,000 cubic yards (cy). Again, the application did not have associated grading quantities which should be included for proper review and consideration of this request. Based on grades in both the Retaining Wall Plan submitted by the applicant, and the

pre-and post-development exhibits contained with the applicant's FEMA study, I have estimated that grading that would be necessary to accomplish the proposed project would be approximately two to five times the quantity allowed by the BHO.

- c. <u>Height Limits</u>. The BHO limits the roof height for this zoning to 36 feet for a sloped roof and 30 feet for a flat roof. The applicant may try to argue that the mansard-like feature around the perimeter of the structure is not flat, but sloped, but that is only a small portion of the total area to be considered and applied to roof slope calculations. So, the height variance being requested is actually at least 77 percent over that which is allowed, but later sections of this letter will address measurement of height relative to existing and natural grades in more detail.
- 2. Stone Canyon Creek (Creek) and buffer. Paragraph three of the project description attached to the Master Land Use Permit Application contains some confusing and inaccurate information relating to the conditions of approval of the parcel map. First, the property contains a 15-foot storm drain and sanitary sewer easement. Second, the parcel map conditions required that a 10-foot indigenous vegetation buffer be applied to either side of the Creek. The intent was to protect the Creek. The 15-foot storm drain and sanitary sewer easement largely follows the Creek. There is no separate 15-foot buffer for the 15-foot storm drain and sanitary sewer easement, and any part of the 15-foot easement that is outside of the Creek is still within the 10-foot indigenous vegetation buffer along the Creek. In short the 15-foot storm drain and sanitary sewer easement and the 10-foot indigenous vegetation buffer are not additive; no extra land is being taken up by the combination of the 15-foot storm drain and sanitary sewer easement and the 10-foot indigenous vegetation buffer.

3. Issues with Proposed Findings for Height Variance.

a. <u>True Grade and Elevations</u>. Under proposed Finding 1, the fourth paragraph submitted by the applicant references pre-1960 topography. The applicant does not make it clear that the referenced plan is an excerpt of the Santa Monica Mountains Topographic Map (SMMTM) prepared for this area. To the untrained eye, or to people not familiar with these maps, it may not be clear that the applicant annotated the map to show assumed contours on the subject property (dashed lines). Another copy of this area of the map, without the assumed contours, but showing the location of the house, as traced from the applicant's exhibit, is contained in Exhibit A and attached to this letter. The applicant asserts in paragraph five in its proposed Finding 1 that less that 25 percent of the proposed residence would be greater than 36 feet. Again, it should refer to 30 feet but, going along with the applicant's statement for now, you can see that the yellow portion on my attached exhibit is closer to 70 percent of the footprint of the house, meaning that over 70 percent of the house exceeds the 36-foot height limit, and far more if the 30-foot height limit under the BHO used. The application before you also does not clearly indicate that extensive grading occurred between 2009 and 2011 that included the construction of two large retaining walls totaling approximately 20 feet in height along the easterly side of the subject property and the property to the south, and significant earthwork was also performed.

- b. Flood Plain Situation -- Not an Issue. The applicant's Retaining Wall Exhibit shows that a flood zone extends onto the site under part of the footprint of the house. However, as seen in the HEC-RAS study submitted to FEMA in 2012 (copy attached, along with application to FEMA, as Exhibit B) by the applicant's consultant, the floodplain was incorrectly mapped by FEMA on the property. Exhibits contained in the study show that both the pre-developed and post-developed water surface elevations are contained within the Creek (see HEC-RAS Pre-Developed Conditions and HEC-RAS Developed Conditions drawings contained in Exhibit B). So, for clarification, no grading or fill is needed for this project to avoid flood zone issues. In the proposed findings, under Finding 2, paragraph 3, discusses in detail the establishment of the grade of their lowest floor, or basement, based on their study and the water surface elevations. They are saying the floor of the basement must be 3 feet above the adjacent flood level. Yet, when this is compared to the associated project partially built by the applicant next door at 360 North Stone Canyon, that basement is situated 3 feet below the flood level. The difference is the Stone Canyon basement is not directly exposed to the Creek, while the proposed placement of the Bellagio house is exposed to the Creek. This is very simply a self-created hardship. As you will see in a letter from an architect named David Applebaum, there are several alternatives to accomplish a project at this site that do not require the elevation of the basement floor, which elevation adds to the requested height variance.
- c. No Special Circumstances for Grading. When a project is approached in a hillside area, one of three choices are made for grading: 1. Cut, like cutting off the top of a hill to provide a level pad, 2. Fill, like elevating for a flood plain (which is not required here), or 3. Nothing, as if nature provided an ideal location. Most hillside projects require cut and/or fill, and the BHO was developed considering all options. Whatever is documented as the lowest finished or natural grade to be found the house location in accordance with the BHO is what governs and is not in itself a basis for a hardship. Again, the applicant chose this particular location of a house on this property.
- d. At or Above Street Grade. In proposed Finding 1, paragraph 2, the applicant states that the subject parcel is actually below street grade. This statement is mostly incorrect when considering the finished grades proposed by the project. If you are standing at the intersection of Bellagio and Stone Canyon (see plan labeled HEC-RAS Developed Conditions in Exhibit B), you would be standing at an elevation which is within a foot of the proposed first floor elevation of the house. Therefore, for the rest of the side of the property fronting Stone Canyon, the property would be at or above street grade. It would only be for the small portion of the property along the part of Bellagio going easterly past the intersection that the applicant's statement would be correct.
- e. <u>Detrimental to the Public</u>. The first paragraph under proposed Finding 4 would lead one to believe that views are purely horizontal. They are not. My client currently enjoys views of the Creek and golf course. A height variance would further reduce views beyond what would be impacted by construction of houses without a variance.
- 4. Additional retaining wall. It appears that the applicant did not even attempt to comply with the Zoning Code because it created a "need" for an additional retaining

wall. Keep in mind that the project to the south is under the control of the same partnership. They did the massive grading found across the entire site that is visible today. Any condition cited as a basis for the requested additional retaining wall is self-imposed. The applicant has demonstrated in a previous site plan submitted to FEMA (again, see HEC-RAS Developed Conditions drawing in Exhibit B attached) that it could easily slope the rear of the Bellagio property a few feet to avoid any need for this additional retaining wall. In addition, this completely unjustified request for an additional retaining wall is a disguised attempt by the applicant to have more flat area in the rear yard.

- 5. <u>Issues with the CEQA documentation</u>. The proposed house is in close proximity to the Creek. Tall structures close to the Creek have an adverse impact on the flora and fauna in the Stone Canyon Creek wetlands and riparian area from shade and shadowing, lighting from buildings, and restricted access for fauna to the wetlands and riparian area. Granting a height variance would only worsen the impact of the proposed house, and this impact should be mitigated beyond the measures in the referenced MND, or, if mitigation is not possible to a level of insignificance, an EIR should be prepared.
- 6. Over-height front wall should be conditioned. Our client does not oppose the variance request for the over-height front wall, but requests that any grant of this request be conditioned to prohibit tall or dense vegetation to the west of the Stone Canyon Creek indigenous plant buffer zone so that continued visual enjoyment of the Creek and its buffer zone by the public can be maintained. Further, we request that the indigenous plant buffer zone be required to be maintained in perpetuity.

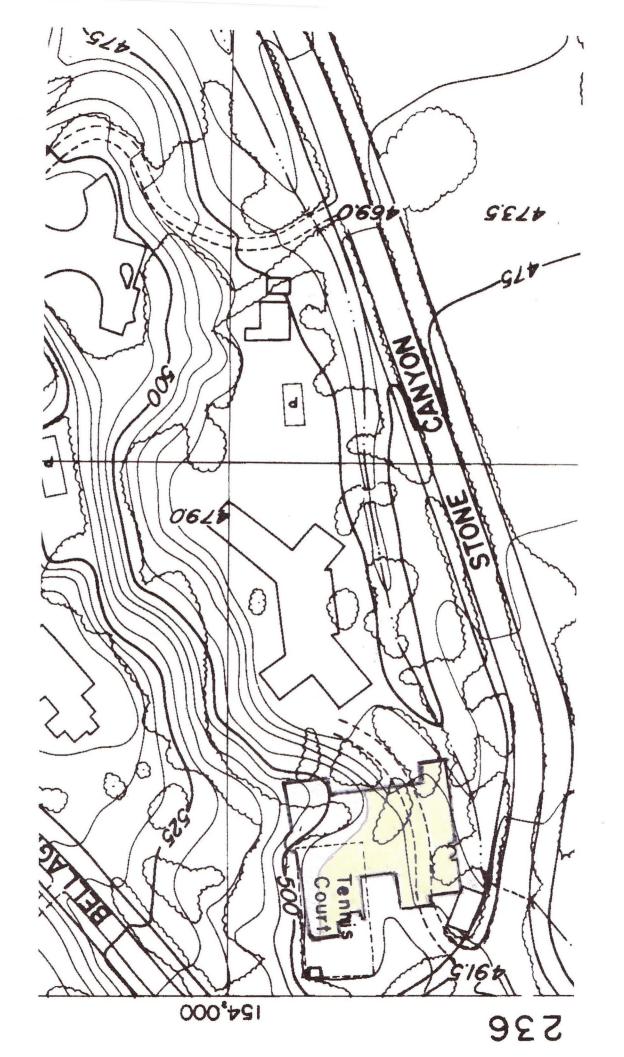
Based on the foregoing, we ask that you deny the requested height variance and additional retaining wall. We also request additional mitigation measures to protect the riparian and wetlands area of Stone Canyon Creek, the indigenous plant buffer, and the public's enjoyment of this important public resource.

Sincerely,

Michael J. Piszker, P.E.

California License No. C45291

Attachments: Exhibits A-B (as stated)



U.S. DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY OVERVIEW & CONCURRENCE FORM

O.M.B No. 1660-0016 Expires: 12/31/2010

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 1 hour per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing, reviewing, and submitting the form. You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, U.S. Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington DC 20472, Paperwork Reduction Project (1660-0016). Submission of the form is required to obtain or retain benefits under the National Flood Insurance Program. Please do not send your completed survey to the above address.

A. REQUESTED RESPONSE FROM DHS-FEMA

This req	uest is for a (chec	ck one):
	☐ CLOMR:	A letter from DHS-FEMA commenting on whether a proposed project, if built as proposed, would justify a map revision, or proposed hydrology changes (See 44 CFR Ch. 1, Parts 60, 65 & 72).
	☐ LOMR:	A letter from DHS-FEMA officially revising the current NFIP map to show the changes to floodplains, regulatory floodway or flood elevations. (See 44 CFR Ch. 1, Parts 60, 65 & 72)

B. OVERVIEW

·					فحماها فعارضا بالمارية				
1. Th	e NFIP map p	anel(s) affected	for all impacted comm	nunities is (are)	:				
Commu	nity No.	Community Na	ame			State	Map No.	Panel No.	Effective Date
Ex: 480	301	City of Katy	3110			TX	480301	0005D	02/08/83
060137	480287 Harris County 30137 CITY OF LOS ANGELES					CA	48201C 060137	0220G 1580	09/28/90
							1	1	
0		OTONE OF							
2. a.	riobaing Sol	irce: STONE CA	ANYON UPSTREAM T	KIBUTARY W	A JERSHED AF	KEA			
b. 7	Types of Floor	ling: Rivering	ne 🗌 Coastal	Shallow Flo	ooding (e.g., Zo	nes AO ar	nd AH)		
		☐ Alluvia	al fan 🔲 Lakes	Other (Att	ach Description)			
3. Pro	ject Name/Ide	entifier: ARMAN	RESIDENCE						
4. FEI	MA zone desi	gnations affecte	d: AO (choices: A, A	H, AO, A1-A30	, A99, AE, AR,	V, V1-V30	VE, B, C, D,	X)	
5. Bas	sis for Reques	t and Type of R	evision:						
a.	The basis fo	r this revision re	equest is (check all that	at apply)					
	□ Physical	Change	☐ Improved Method	dology/Data	Regulator	y Floodway	Revision	☐ Base Map (Changes
	Coastal	Analysis	☐ Hydraulic Analys	is	☐ Hydrologid	c Analysis		☐ Corrections	
	☐ Weir-Dar	n Changes	☐ Levee Certification	n	Alluvial Fa	ın Analysis	i	☐ Natural Cha	inges
	☐ New Top	ographic Data	Other (Attach De	scription)					
	Note: A pho	tograph and na	rrative description of th	ne area of cond	ern is not requi	red, but is	very helpful di	uring review.	
b.	The area of	revision encomp	passes the following st	ructures (chec	k all that apply)				
	Structures:		☐ Channelization	Lev	ee/Floodwall	⊠ 5	Bridge/Culvert		
			☐ Dam	⊠ Fill			Other (Attach D	Description)	

C. REVIEW FEE

Has the review fee for the appropriate request category be	een included?		⊠ Yes	Fee amo	ount: \$ <u>4400</u>			
			☐ No, Attach Expla	anation				
Please see the DHS-FEMA Web site at http://www.fem	na.gov/plan/preve	ent/fhm/frm_fees	s.shtm for Fee Amo	ounts an	d Exemptions.			
	D. SIGN	NATURE						
All documents submitted in support of this request are con by fine or imprisonment under Title 18 of the United State			understand that any	false sta	tement may be punishable			
Name: LEONARD LISTON , Provident		Company: LC E	NGINEERING					
Mailing Address: 889 PIERCE COURT, SUITE 101		Daytime Teleph	one No.: 805-497-1	244	Fax No.: 818-991-5942			
THOUSAND OAKS, CA 91360		E-Mail Address:	MICHELLE@LCE	GROUPIN	VC.COM			
Signature of Requester (required):			Date: 7 3	0/12				
As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision (LOMR) or conditional LOMR request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirement that no fill be placed in the regulatory floodway, and that all necessary Federal. State, and local permits have been, or in the case of a conditional LOMR, will be obtained. In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by FEMA, all analyses and documentation used to make this determination.								
Community Official's Name and Title: Susan Sh	u . Sr. Ci	vil Engr.	Community Name	e: City	y of Los Angeles			
Mailing Address: 1149 4. Broadway +		Daytime Telephi	one No.: 485-4	493	Fax No.:			
LA, CA, 90015					Lacity.org			
Community Official's Signature (required):	Jus .	16-		1201				
CERTIFICATION BY REGISTER This certification is to be signed and sealed by a licensed is elevation information data, hydrologic and hydraulic analyse correct to the best of my knowledge. All analyses have be works are designed in accordance with sound engineering data/plan provided, then the structure(s) has been built accordance statement may be punishable by fine or imprisonment	land surveyor, regiss, and any other sen performed compractices to provide cording to the plans	istered professional supporting data. All recity and in accord de protection from as being certified, is	R AND/OR LANG all engineer, or archit if documents submit dance with sound en the 1% annual chan is in place, and is full	tect authouted in suppose flood.	EYOR prized by law to certify pport of this request are practices. All project If "as-built" conditions			
Certifier's Name: LEONARD LISTON , Provident		License No.: 31	902	Expirat	tion Date: 12/31/12			
Company Name: LC ENGINEERING		Telephone No.:	805-497-1244	Fax No	o.: 818-991-5942			
Signature:				Date:	7/30/12			
Ensure the forms that are appropriate to your revision	request are inclu-	ded in your subm	nîttal.					
Form Name and (Number)	Required if				OROFESS/ON			
Riverine Hydrology and Hydraulics Form (Form 2)	New or revised dis-	charges or water-s	surface elevations	1	SE TON LONG			
			n of bridge/culverts, addition/revision of d		No. 31902			
Coastal Analysis Form (Form 4)	New or revised coa	astal elevations			\ DAD. Dec. 2012 /			
Coastal Structures Form (Form 5)	Addition/revision of	f coastal structure			Seal (Optional)			
Alluvial Fan Flooding Form (Form 6)	Flood control meas	ures on alluvial fa	ns	1	COF CALIFORN			

U.S. DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY

RIVERINE HYDROLOGY & HYDRAULICS FORM

O.M.B No. 1660-0016 Expires: 12/31/2010

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	looding Source: STONE CANYON lote: Fill out one form for each floo	N UPSTREAM TRIBUTARY WATERS oding source studied	SHED AREA		
		A. HYC	PROLOGY		
1.	. Reason for New Hydrologic Ana	llysis (check all that apply)			
	Not revised (skip to section is	B)	is	☐ Improved da	ata
	Alternative methodology	☐ Proposed Condition	ns (CLOMR)	☐ Changed ph	hysical condition of watershed
2.	. Comparison of Representative 1	1%-Annual-Chance Discharges			
	Location	Drainage Area (Sq. Mi.)	Effective/	FIS (cfs)	Revised (cfs)
3.	Methodology for New Hydrologic	c Analysis (check all that apply)			
	Statistical Analysis of Gage I Regional Regression Equation				
	Please enclose all relevant mode the new analysis.	lels in digital format, maps, computatio	ns (including compu	tation of paramete	rs) and documentation to support
4.	Review/Approval of Analysis				
	If your community requires a reg	gional, state, or federal agency to revie	w the hydrologic ana	alysis, please attac	ch evidence of approval/review.
5.	Impacts of Sediment Transport of	on Hydrology			
	Was sediment transport consideration for why sediment	dered? Yes No If yes, the ent transport was not considered.	en fill out Section F (Sediment Transpo	ort) of Form 3. If No, then attach
	Pagangani adi adi adi adi adi adi adi adi adi ad				
		B. HYDI	RAULICS		
1.	Reach to be Revised				
		Description	Cross Section	Wa Effecti	ater-Surface Elevations (ft.) tive Proposed/Revised
	Downstream Limit	760' S of Stone Cyn Rd and Bellagio Dr	19+70	N/A	472.44
	Upstream Limit	Stone Canyon Road and Bellagio Drive	25+91	N/A	484.07
2.	Hydraulic Method/Model Used				

HEC-RAS V.4.0

		B. HYDRAULICS (CONTINUE	D)	
3.	Pre-Submittal Review of Hydraulic Models			
	DHS-FEMA has developed two review progrespectively. These review programs may NFIP requirements, and that the data are identify areas of potential error or concerdownloaded from http://www.fema.gov/plan.	n help verify that the hydraulic estimates a comparable with the assumptions and lim rn. These tools do not replace enging typrevent/finm/frm soft, shtm. We recomment	d in the review of HEC-2 and HEC-RAS hydraulic and assumptions in the model data are in accorditations of HEC-2/HEC-RAS. CHECK-2 and CHI neering judgment. CHECK-2 and CHECK-RAS and that you review your HEC-2 and HEC-RAS may g discrepancies may result in reduced review time	ance with ECK-RAS S can be odels with
4.	Models Submitted	Natural Run	Floodway Run	Datum
	Duplicate Effective Model* Corrected Effective Model* Existing or Pre-Project Conditions Model Revised or Post-Project Conditions Model Other • (attach description)	File Name: N/A File Name: N/A File Name: N/A File Name: 6411 File Name: 6411 File Name: MAT Plan Name: NAT Plan Name: DEV Plan Name:	File Name: Plan Name: File Name: 6411 Plan Name: NAT File Name: 6411 Plan Name: DEV File Name: Plan Name: DEV	1988 1988
* F	or details, refer to the corresponding section of	of the Instructions.		
		☑ Digital Models Submitted? (Requi	red)	
		C. MAPPING REQUIREMENT	S	
floo ind req	posed conditions 1%-annual-chance floodpl odplains and regulatory floodway (for detailed icated; stream, road, and other alignments	lain (for approximate Zone A revisions); Zone AE, AO, and AH revisions); location s (e.g., dams, levees, etc.); current con l professional engineer registered in the su	e applicable): the boundaries of the effective, exist or the boundaries of the 1%- and 0.2%-annual and alignment of all cross sections with stationing munity easements and boundaries; boundaries ubject State; location and description of reference	chance control of the
		Digital Mapping (GIS/CADD) Data Si	ubmitted	
mu to	st tie-in with the effective floodplain and requi	latory floodway boundaries. Please attach d 0.2%-annual-chance floodplains and re n and regulatory floodway at the upstream a		notated
			uired)	
	D.	COMMON REGULATORY REQUIR	EMENTS*	
1.	For LOMR/CLOMR requests, do Base Flood	Elevations (BFEs) increase?	☐ Yes ☒ No	
	regulations: The proposed project encroaches	s upon a regulatory floodway and would re-	ence of compliance with Section 65.12 of the sult in increases above 0.00 foot. lished and would result in increases above 1.00 fo	
		y owner notification and acceptance (if	ceptance of BFE increases? Yes No available). Elements of and examples of property	y owner
2.	Does the request involve the placement or p	proposed placement of fill?	☐ Yes ☐ No	
	proposed structures, meets all of the standa	ards of the local floodplain ordinances, and	e special flood hazard area, to include any struct d is reasonably safe from flooding in accordance to see the MT-2 instructions for more information.	
3.	For LOMR requests, is the regulatory floodwa	ay being revised?	☐ Yes ☒ No	
	required for requests involving revisions to the	ne regulatory floodway. (Not required for restory floodway is being added. Elements a	aph 65.7(b)(1) of the NFIP Regulations, notification evisions to approximate 1%-annual-chance floodpland and examples of regulatory floodway revision notific	ains
	= 101/D/01/01/D	est have the potential to impact an endang	ered species? ☐ Yes ☒ No	- 1
4.	For LOMR/CLOMR requests, does this reque	estricte are potential to impact arresteary	5.55 S 1.55	
4.	If Yes, please submit documentation to the	community to show that you have complie yone from "taking" or harming an endang	d with Sections 9 and 10 of the Endangered Spec gered species. If an action might harm an enda	

^{*} Not inclusive of all applicable regulatory requirements. For details, see 44 CFR parts 60 and 65.

U.S. DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY RIVERINE STRUCTURES FORM

O.M.B No. 1660-0016 Expires: 12/31/2010

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Flooding Source: STONE CANYON UPSTREAM TRIBUTARY WATERSHED AREA

Note: Fill out one form for each flooding source studied

A. GENERAL

			A. GENERAL		
Com	plete the appropriate sec	ction(s) for each Structure listed b	pelow:		
	Channelization	complete Section Ccomplete Section D	nd)		
Desc	pription Of Structure				
1.	Name of Structure: C	CULVERT AT BELLAGIO			
	Type (check one):	☐ Channelization		Levee/Floodwall	☐ Dam/Basin
	Location of Structure:	UNDER INTERSECTION OF BE	ELLAGIO DRIVE AND STONE	CANYON ROAD	
	Downstream Limit/Cros	ss Section: 25+91			
	Upstream Limit/Cross S	Section: 26+53			
2.	Name of Structure: Pi	PROPOSED BRIDGE FOR 360 N	I. STONE CANYON RD		
	Type (check one):	☐ Channelization	Bridge/Culvert ■	☐ Levee/Floodwall	☐ Dam/Basin
	Location of Structure:	400' SOUTH OF INTERSECTION	N OF BELLAGIO DRIVE AND	STONE CANYON ROAD	
	Downstream Limit/Cros	ss Section: 22+88			
	Upstream Limit/Cross S	Section: 23+15			
3.	Name of Structure: EX	XISTING BRIDGE FOR 360 N. S	TONE CANYON RD		
	Type (check one)	☐ Channelization	Bridge/Culvert	☐ Levee/Floodwall	☐ Dam/Basin
	Location of Structure: 5	520' SOUTH OF INTERSECTION	N OF BELLAGIO DRIVE AND S	STONE CANYON ROAD	
	Downstream Limit/Cross	s Section: 21+69			
	Upstream Limit/Cross S	Section: 21+97			
NOTE	: For more structure	es, attach additional pages	as needed.		

U.S. DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY RIVERINE STRUCTURES FORM

O.M.B No. 1660-0016 Expires: 12/31/2010

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Flooding Source: STONE CANYON UPSTREAM TRIBUTARY WATERSHED AREA

Note: Fill out one form for each flooding source studied

A GENERAL

			7(, 02.02.00		
Com	olete the appropriate se	ection(s) for each Structure	listed below:		
	Bridge/Culvert Dam/Basin Levee/Floodwali	complete Section Bcomplete Section Ccomplete Section Dcomplete Section Ecomplete Section F (If I	required)		
Desc	ription Of Structure				
بنبر.	Name of Structure:	CULVERT AT SOUTH END	D OF PROPERTY		
	Type (check one):	☐ Channelization		Levee/Floodwall	☐ Dam/Basin
	Location of Structure:	1230' SOUTH OF INTERS	SECTION OF BELLAGIO DRIVE	AND STONE CANYON ROAD	
	Downstream Limit/Cro	oss Section: 19+40			
	Upstream Limit/Cross	Section: 19+77			
2.	Name of Structure:				
	Type (check one):	☐ Channelization	☐ Bridge/Culvert	Levee/Floodwall	☐ Dam/Basin
	Location of Structure:				
	Downstream Limit/Cro	oss Section:			
	Upstream Limit/Cross	Section:			
3.	Name of Structure:				
	Type (check one)	☐ Channelization	☐ Bridge/Culvert	Levee/Floodwall	☐ Dam/Basin
	Location of Structure:				
	Downstream Limit/Cro	ss Section:			
	Upstream Limit/Cross	Section:			
					ika Pinin Mislim iliaphan makadika ika 188
NOTE	: For more structur	res, attach additional p	pages as needed.		,

B. CHANNELIZATION

	oding Source:
Nai	ne of Structure:
1.	Accessory Structures
	The channelization includes (check one):
	 Levees [Attach Section E (Levee/Floodwail)] ☐ Drop structures ☐ Transitions in cross sectional geometry ☐ Debris basin/detention basin [Attach Section D (Dam/Basin)] ☐ Other (Describe):
2.	Drawing Checklist
	Attach the plans of the channelization certified by a registered professional engineer, as described in the instructions.
3.	Hydraulic Considerations
	The channel was designed to carry (cfs) and/or the -year flood.
	The design elevation in the channel is based on (check one):
	☐ Subcritical flow ☐ Critical flow ☐ Supercritical flow ☐ Energy grade line
	If there is the potential for a hydraulic jump at the following locations, check all that apply and attach an explanation of how the hydraulic jump is controlled without affecting the stability of the channel.
	☐ Inlet to channel ☐ Outlet of channel ☐ At Drop Structures ☐ At Transitions ☐ Other locations (specify):
4.	Sediment Transport Considerations
	Was sediment transport considered? Yes No If Yes, then fill out Section F (Sediment Transport). If No, then attach your explanation for why sediment transport was not considered.
	C. BRIDGE/CULVERT
Floo	C. BRIDGE/CULVERT
	ding Source:
	ding Source: e of Structure:
Nam	ding Source: le of Structure: 1. This revision reflects (check one):
Nam	ding Source: e of Structure: 1. This revision reflects (check one): Bridge/culvert not modeled in the FIS Modified bridge/culvert previously modeled in the FIS
Nam	ding Source: te of Structure: 1. This revision reflects (check one): Bridge/culvert not modeled in the FIS Modified bridge/culvert previously modeled in the FIS Revised analysis of bridge/culvert previously modeled in the FIS 2. Hydraulic model used to analyze the structure (e.g., HEC-2 with special bridge routine, WSPRO, HY8): HEC-RAS If different than hydraulic analysis for the flooding source, justify why the hydraulic analysis used for the flooding source could not analyze the
Nam	ding Source: e of Structure: 1. This revision reflects (check one): Bridge/culvert not modeled in the FIS Modified bridge/culvert previously modeled in the FIS Revised analysis of bridge/culvert previously modeled in the FIS 2. Hydraulic model used to analyze the structure (e.g., HEC-2 with special bridge routine, WSPRO, HY8): HEC-RAS if different than hydraulic analysis for the flooding source, justify why the hydraulic analysis used for the flooding source could not analyze the structures. Attach justification. Attach plans of the structures certified by a registered professional engineer. The plan detail and information should include the following
Nam	ding Source: te of Structure: 1. This revision reflects (check one): Bridge/culvert not modeled in the FIS Modified bridge/culvert previously modeled in the FIS Revised analysis of bridge/culvert previously modeled in the FIS 2. Hydraulic model used to analyze the structure (e.g., HEC-2 with special bridge routine, WSPRO, HY8); HEC-RAS if different than hydraulic analysis for the flooding source, justify why the hydraulic analysis used for the flooding source could not analyze the structures. Attach justification. Attach plans of the structures certified by a registered professional engineer. The plan detail and information should include the following (check the information that has been provided): Dimensions (height, width, span, radius, length) Shape (culverts only) Material Beveling or Rounding Wing Wall Angle Structure Invert Elevations – Upstream and Downstream Stream Invert Elevations – Upstream and Downstream

D. DAM/BASIN

Fic	ooding Source:
Na	me of Structure:
1.	This request is for (check one): Existing dam New dam Modification of existing dam
2.	The dam was designed by (check one): Federal agency State agency Local government agency Private organization
	Name of the agency or organization:
3.	The Dam was permitted as (check one):
	a.
	Provide the permit or identification number (ID) for the dam and the appropriate permitting agency or organization
	Permitt or ID number Permitting Agency or Organization
	b.
	Provided related drawings, specification and supporting design information.
4.	Does the project involve revised hydrology? Yes No
	If Yes, complete the Riverine Hydrology & Hydraulics Form (Form 2).
	Was the dam/basin designed using critical duration storm?
	Yes, provide supporting documentation with your completed Form 2.
	No, provide a written explanation and justification for not using the critical duration storm.
5.	Does the submittal include debris/sediment yield analysis? Yes No
	If yes, then fill out Section F (Sediment Transport). If No, then attach your explanation for why debris/sediment analysis was not considered.
6.	Does the Base Flood Elevation behind the dam or downstream of the dam change?
	Yes No If Yes, complete the Riverine Hydrology & Hydraulics Form (Form 2) and complete the table below.
	Stillwater Elevation Behind the Dam
	FREQUENCY (% annual chance) FIS REVISED
	10-year (10%) 50-year (2%) 100-year (1%) 500-year (0.2%) Normal Pool Elevation
7.	Please attach a copy of the formal Operation and Maintenance Plan

E. LEVEE/FLOODWALL

1.	S	vstem Elements			
	a.	This Levee/Floodwall analysis is based on (check one):			
		 upgrading of an existing levee/floodwall system a newly constructed levee/floodwall system reanalysis of an existing levee/floodwall system 			
	b.	Levee elements and locations are (check one):			
		structural floodwall S	station to station to station to		
	C.	Structural Type (check one):			
		monolithic cast-in place reinforced concrete reinforced concrete masonry block sheet piling Other (describe):			
	d.	Has this levee/floodwall system been certified by a Federal agency	to provide protection from the base flood?	?	
		☐ Yes ☐ No			_ =
		If Yes, by which agency?			
	e.	Attach certified drawings containing the following information (indica	ate drawing sheet numbers):		
		1. Plan of the levee embankment and floodwall structures.	Sheet Numbers:		
	25	A profile of the levee/floodwall system showing the Base Flood Elevation (BFE), levee and/or wall crest and foundation, and closure locations for the total levee system.	Sheet Numbers:		
		 A profile of the BFE, closure opening outlet and inlet invert elevations, type and size of opening, and kind of closure. 	Sheet Numbers:		
		4. A layout detail for the embankment protection measures.	Sheet Numbers:		
		 Location, layout, and size and shape of the levee embankment features, foundation treatment, floodwall structure, closure structures, and pump stations. 	Sheet Numbers:	e di	
2.	Fre	<u>eeboard</u>			
	a.	The minimum freeboard provided above the BFE is:			
		Riverine			
		3.0 feet or more at the downstream end and throughout 3.5 feet or more at the upstream end 4.0 feet within 100 feet upstream of all structures and/or constriction.	ns	Yes Yes Yes	No No No
		Coastal			
		1.0 foot above the height of the one percent wave associated with the stillwater surge elevation or maximum wave runup (whichever is greater).		☐ Yes	□ No
		2.0 feet above the 1%-annual-chance stillwater surge elevation		Yes	□ No
				1	

2.	Freeboard (continue	<u>d)</u>							
	Please note, occasio addressing Paragrap				oard requireme	nt. If an exce	eption is requ	ested, attach de	ocumentation
	If No is answered to	any of the above, pl	ease attach a	n explanation.					
	b. Is there an indica	ation from historical	records that is	ce-jamming can	affect the BFE	?	Yes No	0	
	If Yes, provide ic	e-jam analysis prof	le and eviden	ce that the minir	mum freeboard	discussed at	ove still exis	its.	
3.	Closures								
	a. Openings throug	h the levee system	(check one):	☐ ex	xists 🔲 doe	s not exist			
	If opening exists,	list all closures:							
Cha	annel Station	Left or Righ	nt Bank	Opening	Туре		levation for	Type of C	Closure Device
								-	
(Ex	tend table on an add	ed sheet as need	ed and refer	rence)					
Not	e: Geotechnical and	geologic data							*
	In addition to the r design analysis fo Corps of Engineer	r the following sy	stem feature	s should be st	ined during fi ubmitted in a	eld and labo tabulated so	oratory inve ummary for	stigations and m. (Reference	used in the e U.S. Army
4.	Embankment Pro	tection							
	a. The maximum I	evee slope lands	ide is:						
	b. The maximum I	evee slope floods	side is:						9
	c. The range of ve	elocities along the	levee during	g the base floo	od is: (min.) to	(max.)		
	d. Embankment m	aterial is protecte	ed by (descri	be what kind):					
	e. Riprap Design F Attach reference	Parameters (chec es	k one):		Velocity	Tractive	e stress		
	Donah	Sideslope	Flow	Velocity	Curve or		Stone Ripr	ар	Depth of
	Reach	Sidesiope	Depth	Velocity	Straight	D ₁₀₀	D ₅₀	Thickness	Toedown
Sta	to								
Sta	to								
Sta	to								
Sta	to								
Sta	to								
Sta	to								
(Exte	end table on an adde	d sheet as neede	ed and refere	ence each enti	ry)				

4.	Emb	ankment Protection (continued)		
	f. 1	s a bedding/filter analysis and design attached	? 🗌 Yes 🔲 No	
	g. [Describe the analysis used for other kinds of pro	otection used (include copies of the design analysis):	
		Attach engineering analysis to support constru	ction plans	_ 14
5.		ankment And Foundation Stability	ction plans.	
		Identify locations and describe the basis for sel	lection of critical location for analysis:	
			,	X
		Overall height: Sta. ; height ft.		
		Limiting foundation soil strength:		
		Sta. , depth to		
		strength ϕ = degrees, c = psi	f	
		slope: SS = (h) to (v)		
		(Repeat as needed on an added sheet for a	additional locations	
	b. s		hodology used (e.g., circular arc, sliding block, infinite slop	e etc.):
			isology about (o.g., should also olicing blook) mining olicing	-,,
	^	Summary of stability analysis results:		
	c. S	summary of statement analysis rooms.		
Ca		Loading Conditions	Critical Safety Factor	Criteria (Min.)
البدوستان	se		Critical Safety Factor	Criteria (Min.) 1.3
Ca	se	Loading Conditions	Critical Safety Factor	
Ca	se	Loading Conditions End of construction	Critical Safety Factor	1.3
Ca	se	Loading Conditions End of construction Sudden drawdown	Critical Safety Factor	1,3 1.0
Ca	se	Loading Conditions End of construction Sudden drawdown Critical flood stage	Critical Safety Factor	1.3 1.0 1.4
Ca	se	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage	Critical Safety Factor	1.3 1.0 1.4 1.4
Ca II II IV V(Refer	se	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage Earthquake (Case I)		1.3 1.0 1.4 1.4
Ca II II IV V(Refer	se / / rence:	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage Earthquake (Case I) USACE EM-1110-2-1913 Table 6-1)		1.3 1.0 1.4 1.4
Ca	se / / rence:	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage Earthquake (Case I) USACE EM-1110-2-1913 Table 6-1) as a seepage analysis for the embankment per	erformed? Yes No	1.3 1.0 1.4 1.4
Call III III III VV	se	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage Earthquake (Case I) USACE EM-1110-2-1913 Table 6-1) as a seepage analysis for the embankment performance of the foundation performanc	erformed?	1.3 1.0 1.4 1.4
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Call IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	sse // // licence: // // // // // // // // // // // // /	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage Earthquake (Case I) USACE EM-1110-2-1913 Table 6-1) as a seepage analysis for the embankment per yes, describe methodology used: as a seepage analysis for the foundation performer uplift pressures at the embankment landsidere seepage exit gradients checked for piping	erformed?	1.3 1.0 1.4 1.4
Call III III III III III III III III III	sse // // // // // // // // // // // // /	Loading Conditions End of construction Sudden drawdown Critical flood stage Steady seepage at flood stage Earthquake (Case I) USACE EM-1110-2-1913 Table 6-1) as a seepage analysis for the embankment per yes, describe methodology used: as a seepage analysis for the foundation performer uplift pressures at the embankment landsidere seepage exit gradients checked for piping the duration of the base flood hydrograph against the embankment and side the duration of the base flood hydrograph against the embankment against the duration of the base flood hydrograph against the embankment against the duration of the base flood hydrograph against the duration of the dur	erformed?	1.3 1.0 1.4 1.4
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Name and Address of the Owner, where the Publish of the Owner, where the Publish of the Owner, where the Owner, while the Own				THE RESERVE OF THE PERSON NAMED IN		
6. Floodwall And Foundation Stability						
a. Describe analys	d on Code (che	ck one):				
☐ UBC (1988) or ☐ Other (specify)):			
b. Stability analysis	s submitted provide	des for:				
 □ Overturning □ Sliding If not, explain c. Loading included in the analyses were: □ Lateral earth @ P_A = psf; P_p = 			in:			
			psf			
☐ Surcharge-S	lope @ ,	surface	psf			
☐ Wind @ P _w :	= psf					
☐ Seepage (Up	olift);	☐ Eart	hquake @ P _{eq} =	%g		
☐ 1%-annual-c	hance significant	wave height:	ft.			
1%-annual-ch	nance significant	wave period:	sec.			
d. Summary of Sta	ability Analysis Re	esults: Factors	of Safety.			
Itemize for each	range in site lay	out dimension a	and loading condition li	mitation for each resp	ective reach.	
Loading Condition	Criteria	(Min)	Sta	То	Sta	То
	Overturn	Sliding	Overturn	Sliding	Overturn	Sliding
Dead & Wind	1.5	1.5				
Dead & Soil	1.5	1.5				
Dead, Soil, Flood, & Impact	1.5	1.5		×		
Dead, Soil, & Seismic	1.3	1.3				
(Ref: F	EMA 114 Sept 1	986; USACE E	M 1110-2-2502)			
(Note:	(Note: Extend table on an added sheet as needed and reference)					
e. Foundation bear	ing strength for e	ach soil type:				
D. Jan				1 -1/-5	01-47-	1 - 1 (- 0
Bearing Pressure			Sustained Load (psf)		Short Term Load (psf)	
Computed design maximum						
Maximum allowable						
f. Foundation scour protection \square is, \square is not provided. If provided, attach explanation and supporting documentation:						
Attach engineering analysis to support construction plans.						
		College State of the College S				

7.	Se	ettlement .
	a.	Has anticipated potential settlement been determined and incorporated into the specified construction elevations to maintain the established freeboard margin?
	b.	The computed range of settlement is ft. to ft.
	c.	Settlement of the levee crest is determined to be primarily from :
		☐ Foundation consolidation ☐ Embankment compression ☐ Other (Describe):
	d.	Differential settlement of floodwalls 🔲 has 🔲 has not been accommodated in the structural design and construction.
		Attach engineering analysis to support construction plans.
8.	Int	erior Drainage
	a.	Specify size of each interior watershed:
		Draining to pressure conduit: acres Draining to ponding area: acres
	b.	Relationships Established
		Ponding elevation vs. storage
	C.	The river flow duration curve is enclosed:
	ď.	Specify the discharge capacity of the head pressure conduit: cfs
	e.	Which flooding conditions were analyzed?
		 Gravity flow (Interior Watershed) Common storm (River Watershed) Historical ponding probability Coastal wave overtopping Yes No No
		If No for any of the above, attach explanation.
	f.	Interior drainage has been analyzed based on joint probability of interior and exterior flooding and the capacities of pumping and outlet facilities to provide the established level of flood protection.
		If No, attach explanation.
	g.	The rate of seepage through the levee system for the base flood is cfs
	h.	The length of levee system used to drive this seepage rate in item g: ft.

8.	In	terior Drainage (continued)			
	i. Will pumping plants be used for Interior drainage? If Yes, include the number of pumping plants: For each pumping plant, list:				
-			Plant #1		Plant #2
Th	e nu	mber of pumps			
Th	e poi	nding storage capacity			
Th	e ma	ximum pumping rate			
The	e ma	ximum pumping head			
The	e pur	mping starting elevation			
The	pur	nping stopping elevation			
ls t	he d	scharge facility protected?			
ls t	nere	a flood warning plan?			
		ich time is available between warning ding?			
Wil	the	operation be automatic?		☐ Yes	□No
If the pumps are electric, are there backup power sources?		□ No			
(Re	ferer	nce: USACE EM-1110-2-3101, 3102, 31	03, 3104, and 3105)		
Include a copy of supporting documentation of data and analysis. Provide a map showing the flooded area and maximum ponding elevations for all interior watersheds that result in flooding.					
9.	9. Other Design Criteria				
	a. The following items have been addressed as stated:				
	Liquefaction is is not a problem Hydrocompaction is is is not a problem Heave differential movement due to soits of high shrink/swell is is not a problem				
	b. For each of these problems, state the basic facts and corrective action taken:				
		Attach supporting documentation			-
	c. If the levee/floodwall is new or enlarged, will the structure adversely impact flood levels and/or flow velocities floodside of the structure? Yes \sum No				
		Attach supporting documentation			
	d.	Sediment Transport Considerations:			
	Was sediment transport considered? Yes No If Yes, then fill out Section F (Sediment Transport). If No, then attach your explanation for why sediment transport was not considered.				

		E. LEVEE/FLOODWALL (CONTINUED)			
10.	Ор	erational Plan And Criteria			
	a.	Are the planned/installed works in full compliance with Part 65.10 of the NFIP Regulations?			
	b.	Does the operation plan incorporate all the provisions for closure devices as required in Paragraph 65.10(c)(1) of the NFIP regulations? Yes No			
	C.	Does the operation plan incorporate all the provisions for interior drainage as required in Paragraph 65.10(c)(2) of the NFIP regulations? Yes No			
		If the answer is No to any of the above, please attach supporting documentation.			
11.	Mai	intenance Plan			
	a.	Are the planned/installed works in full compliance with Part 65.10 of the NFIP Regulations? Yes No If No, please attach supporting documentation.			
12.	Ope	erations and Maintenance Plan			
		Please attach a copy of the formal Operations and Maintenance Plan for the levee/floodwall.			
F. SEDIMENT TRANSPORT					
		F. SEDIMENT TRANSPORT			
Floor	ting S	F. SEDIMENT TRANSPORT Source:			
	_				
Name If the Base a pot	e of S re is a Floor	Source:			
Name If the Base a pot the si	e of S re is a Floor ential uppor	Source: Structure: any indication from historical records that sediment transport (including scour and deposition) can affect the delevation (BFE); and/or based on the stream morphology, vegetative cover, development of the watershed and bank conditions, there is if for debris and sediment transport (including scour and deposition) to affect the BFEs, then provide the following information along with			
Name If the Base a pot the si	e of Sere is a Flooriential uppor	Source: Structure: any indication from historical records that sediment transport (including scour and deposition) can affect the delevation (BFE); and/or based on the stream morphology, vegetative cover, development of the watershed and bank conditions, there is if for debris and sediment transport (including scour and deposition) to affect the BFEs, then provide the following information along with rting documentation:			
Name If the Base a pot the si Sedir	e of Sere is a Floor ential uppor	Source: Structure: any indication from historical records that sediment transport (including scour and deposition) can affect the ad Elevation (BFE); and/or based on the stream morphology, vegetative cover, development of the watershed and bank conditions, there is for debris and sediment transport (including scour and deposition) to affect the BFEs, then provide the following information along with ring documentation: load associated with the base flood discharge: Volume acre-feet			
Name If the Base a pot the si Sedir Debri	e of Sere is a Floor ential uppor ment I	Source: Structure: any indication from historical records that sediment transport (including scour and deposition) can affect the ad Elevation (BFE); and/or based on the stream morphology, vegetative cover, development of the watershed and bank conditions, there is if for debris and sediment transport (including scour and deposition) to affect the BFEs, then provide the following information along with ring documentation: load associated with the base flood discharge: Volume acre-feet d associated with the base flood discharge: Volume acre-feet			

Method used to estimate scour and/or deposition:

Method used to revise hydraulic or hydrologic analysis (model) to account for sediment transport:

Please note that bulked flows are used to evaluate the performance of a structure during the base flood; however, FEMA does not map BFEs based on bulked flows.

if a sediment analysis has not been performed, an explanation as to why sediment transport (including scour and deposition) will not affect the BFEs or structures must be provided.

FEDERAL EMERGENCY MANAGEMENT AGENCY PAYMENT INFORMATION FORM

Community Name: CITY OF LOS ANGELES					
Project Identifier: 10550 BELLAGIO					
THIS FORM MUST BE MAILED, ALONG WITH THE APPROPRIATE FEE, TO THE ADDRESS BELOW OR FAXED TO THE FAX NUMBER BELOW.					
Type of Request:					
FEMA					
MT-1 application Fee Charge System Administrator					
MT-2 application S Hanover, MD 21076					
FEMA Project Library					
EDR application 847 South Pickett St. Alexandria, VA 22304 FAX (703) 212-4090					
Request No.: (# known) Amount: \$4400.00					
☐ INITIAL FEE* ☐ FINAL FEE ☐ FEE BALANCE** ☐ MASTER CARD ☐ VISA ☐ CHECK ☐ MONEY ORDER					
*Note: Check only for EDR and/or Alluvial Fan requests (as appropriate). **Note: Check only if submitting a corrected fee for an ongoing request.					
COMPLETE THIS SECTION ONLY IF PAYING BY CREDIT CARD					
CARD NUMBER EXP. DATE					
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 Month Year					
Date Signature					
NAME (AS IT APPEARS ON CARD):(please print or type)					
ADDRESS:					
(for your credit card					
receipt-please print or type)					
print of type)					
DAYTIME PHONE:					

HEC-RAS STUDY

10/17/2012 PROJECT NO. 6411

LOCATION:

10550 Bellagio Drive Los Angeles, California

CLIENT: THE CHARLES COMPANY

Table of Contents

1.	Description of Project Area	1
2.	HEC-RAS Analysis	1
a		
C	Cross Section Development	2
3.	Results and Discussion	2
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List of Appendices

Appendix A – HEC-RAS Calculations

Appendix B – 10550 Bellagio Drive HEC-RAS Maps

1. Description of Project Area

The subject property is located at 10550 Bellagio Drive, in the Bel Air area of the City of Los Angeles, California. The subject property was previously developed but is currently vacant. Custom hillside residences are present on nearby properties to the north, south, and up slope to the east. There is a golf course across Stone Canyon Road, to the west of the subject property.

There is a natural watercourse which runs north to south, along the westerly perimeter of the subject property. According to the FEMA FIRM, a portion of the property along the westerly perimeter falls within the designated AO zone with a depth of flow of 2 feet. The natural watercourse originates upstream of the property, across Stone Canyon Road. When the channel reaches Stone Canyon Road, there is a culvert that is 6' high by 8' wide at the inlet, and 4.2' high by 8' wide at the outlet to convey the flow under the road. The outlet of the culvert is near the northwesterly corner of the subject property. Once within the subject property, the natural watercourse continues south until it reaches the southern perimeter of the subject property (10550 Bellagio Drive). Just south of the subject property, there is a proposed bridge which will span the watercourse and will serve to provide access to the residence on 360 Stone Canyon Road. There is also another existing bridge that is approximately 13' wide by 8.5' high near the middle of the 360 Stone Canyon property, and at the south end of the 360 Stone Canyon Road property there is another culvert which is 3.5' high and 9' wide. The culvert transitions to a 6' diameter corrugated metal pipe which outlets onto the adjacent property, downstream to the south.

2. HEC-RAS Analysis

a. HEC-RAS General Parameters

The HEC-RAS model was developed using topographic data obtained from The Jack Little Company, Inc. Additionally, cross sections which extended into the golf course to the west of the subject property were developed using a City of Los Angeles topographic map number 252, M-664, dated January 1960. Both surveys were based on the NGVD 1929 datum. However, the elevations in the analysis were adjusted by adding 2.30' to the elevations in the survey to correspond with the NAVD 1988 datum. Therefore, all elevations in the HEC-RAS analysis, and the water surface elevations as well as all elevations on the cross sections that are on the HEC-RAS maps are based on the NAVD 1988 datum. The survey, as well as the proposed grading, which is shown on the HEC-RAS maps is based on the NAVD 1929 datum.

For most of the cross sections, a Manning's "n" value of 0.030 was used for both the watercourse and the left overbank. Where the cross section extends

into street and the golf course to the west, 0.020 was used for the right overbank. Per FEMA requirements for developing a LOMR or a CLOMR, the flow was modeled as subcritical flow. The boundary conditions were set to critical depth at the most downstream and upstream cross sections. The FEMA 100-year flood discharge of 1100 cfs, per Table 7, Summary of Peak Discharges, of the FIS, was used in the water surface computations.

b. Cross Section Development

Cross sections were taken perpendicular to the flow and were taken at intervals no greater than 200 feet, and the data was obtained from a ground survey. All cross sections were coded from left to right while looking downstream, per the recommended HEC-RAS convention. For the analysis of the developed condition, the cross sections were modified to include the grading shown on the grading plan for the project, where applicable. All cross sections were extended to be at least 40 feet beyond the current LOMA boundary for the property. The cross section locations are shown on the exhibit in Appendix B.

c. Culvert and Bridge Analysis.

Both the existing upstream and downstream culverts were modeled using the HEC-RAS culvert routine. The existing and proposed bridges were modeled using the HEC-RAS bridge routine. Results from the bridge and culvert analyses are included in Appendix A.

3. Results and Discussion

In both the pre-developed and the developed condition, not all of the flow from the natural watercourse upstream of the first culvert at Station 26+53 will be conveyed via the culvert into the natural watercourse which runs north to south along the westerly perimeter of the subject property. Because the culvert is relatively small, water will pond and overtop the roadway. Since there is a 4' high stone wall along Stone Canyon Road and the westerly perimeter of the subject property, the excess flow conveyed in Stone Canyon Road will not join the natural watercourse in the property. However, for the purpose of delineating a flood hazard area for the proposed AE Zone, it was assumed that the wall did not exist, since it is not a certified flood wall. Therefore, all the flow was modeled as if it can enter the natural watercourse for the purposes of FEMA AE floodplain designation.

In both the pre-developed condition and the developed condition, most of the flow reaching the natural watercourse in the subject property is conveyed within existing channel banks. However, some flow from the natural watercourse will overtop the western bank south of the subject property in the vicinity of 360 Stone Canyon Road and will flow across the street and into the golf course. The cause of this flooding is the backwater condition caused by the undersized culvert at the southwestern corner of the 360 Stone Canyon property. In the developed condition, the finished grade at the subject property will be raised adjacent to the channel in the left overbank, outside of the flood boundary, and therefore the water will not reach the graded pad area. This grading will not have an impact on the computed water surface elevation either upstream or downstream of the subject property because it is outside of the computed 100-year flood boundary. The extent of the flooding for both pre-developed and developed conditions is plotted on the maps enclosed in Appendix B.

There is also the risk that the existing stone wall will block some of the flow from re-entering the natural watercourse, and therefore an additional water surface profile model was run to determine the potential extent of flooding in the road and golf course. The same cross sections and geometry were used as in the developed conditions model, but the portion of the sections that were east of the block wall were blocked out and not considered in the conveyance calculations. additional cross section (18+00) was added for the roadway model, 140 feet downstream of cross section 19+40 in order to develop a tie-in to the existing AO Zone designation boundary. Normal depth was used as the boundary condition for this model at the downstream end. The amount of water (583.4 cfs) that would overflow into the road at the upstream end of the study and not be conveyed into the watercourse was determined by the results of the culvert routine, located in Appendix A, as a portion of the developed conditions results. Therefore, the amount of water modeled in the roadway/golf course was 583.4 cfs from cross section 25+91 to section 19+94. At cross section 19+77 there is a culvert in the watercourse which restricts the flow further, such that only 198.5 cfs is conveyed into the culvert and the remaining 901.5 cfs is conveyed in the roadway and golf course. The portion of the road and golf course that would be inundated in the event that the wall did not fail was designated as the AH Zone.

4. Summary

Based on the above results and discussion, the development of the subject property will not have a significant impact on the existing natural watercourse which runs north to south along the westerly perimeter of the subject property. Additionally, the proposed development of the subject property will not have any impact on the water surface elevations affecting the surrounding properties.

5. Limitations

This report is prepared for use by The Charles Company and its authorized agents and should not be considered transferable. Prior to the use by others, the subject site and this report should be reviewed by this office to determine if any additional work is required to update this report. It is the intent of this report to aid in the design and construction of the described project. Implementation of the advice presented in this report is intended to reduce risk associated with construction projects. The professional opinions contained in this report are not intended to imply total performance of the project. Furthermore, the opinions contained within this report are based on the referenced materials.

This report has been prepared in accordance with generally accepted engineering practices and makes no warranties, either express or implied, as to the professional opinions provided.

RCE 31902

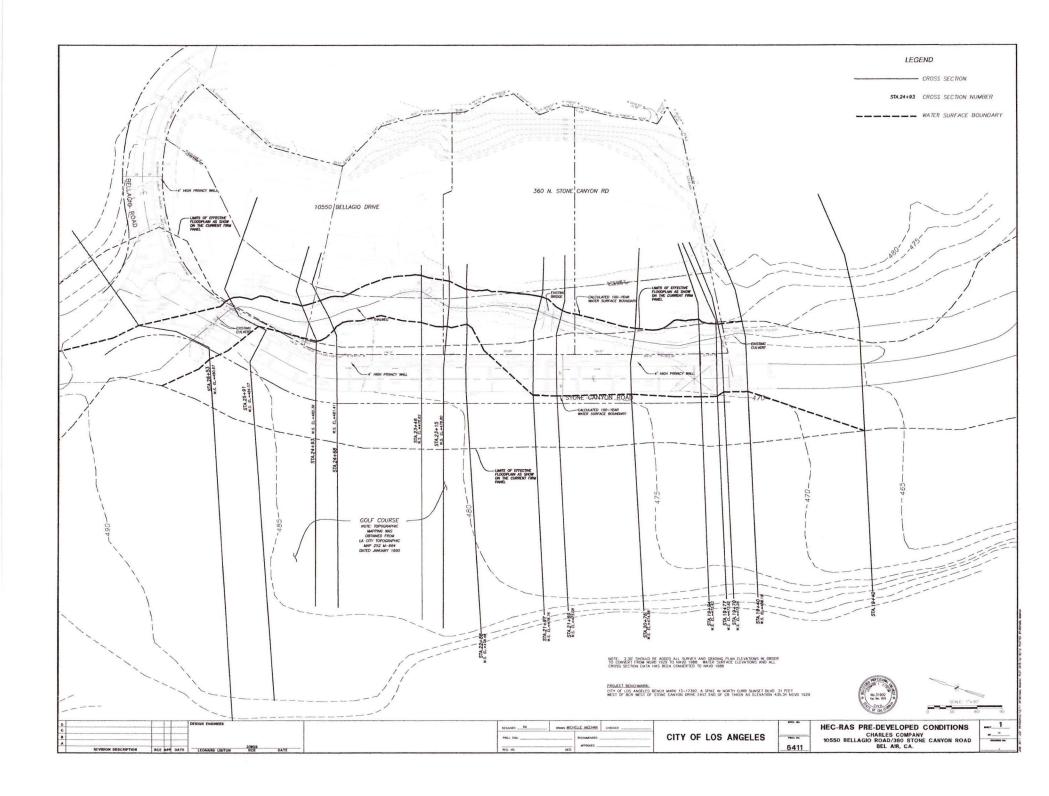
Should you have any questions, please don't hesitate to call.

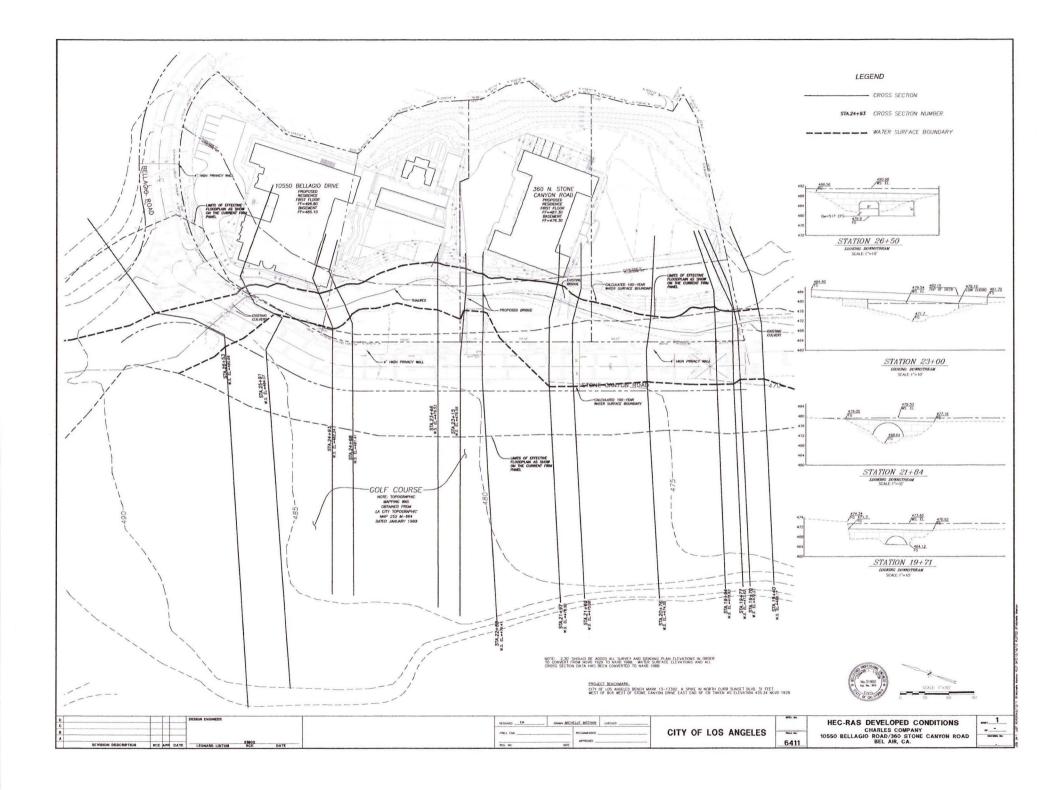
Respectfully submitted,

Michelle Meehan

PE 57460

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Michael Piszker Development Consultant

September 25, 2013

BY EMAIL

Mr. Jim Tokunaga Associate Zoning Administrator City of Los Angeles Department of City Planning 200 N. Spring Street, 7th Floor Los Angeles, CA 90012

Re: Case Nos. ZA-2012-1402-ZV-ZAA-ZAD, ENV-2005-8611-MND (10550 Bellagio Road) – Supplemental Letter following Hearing on September 25, 2013

Dear Mr. Tokunaga:

Thank you for allowing me to submit this supplemental letter to you for the record following the hearing on September 25. The information in this letter addresses mainly the declaration of the applicant's civil engineer, Leonard Liston, dated September 23, 2013 (Declaration) that was not available to us at the time we reviewed the file. The information contained in the Declaration focuses on two main engineering topics: 1) pre-existing topography, and 2) the flood zone.

After review of the Declaration, I believe my letter submitted to you prior to the hearing on September 25, along with my oral testimony, addresses and discredits the information provided in the Declaration. Near the end of the hearing today, you asked the applicant's representative what the dashed lines were on the excerpted Santa Monica Mountains Topographical Map that the applicant provided. When you were told those lines were done by Mr. Liston, you asked where they came from, which I understood to be a question as to what the basis was for those lines. I noted that the applicant's representative failed to answer your question.

1. <u>Pre-existing Topography</u>. To emphasize my previous point and to address the Declaration, the topographic maps submitted with the Master Land Use Application, during the ZA hearing, and attached to the Declaration have all been edited by the applicant's engineer. The red dashed lines on the last page of attachments to the Declaration represent the applicant's engineer's supposition of pre-1960 site conditions. The applicant's engineer has not provided any information supporting his suppositions. With this supposed information, the applicant is attempting to show that only a portion of the house would exceed a 36-foot height limit (again, we believe it is subject to a 30-foot limit with the proposed flat roof). As shown in my letter of September 25, Exhibit A,

a much larger portion of the proposed house would be over 36 feet if the correct, unedited information is used from the City's 1960 Santa Monica Mountains Topographic Map (SMMTM). Also, as pointed out by our team during the hearing on September 25, 2013, the Zoning Code does not accommodate variance requests based on percentages. So, it is important to realize you are being provided incorrect and inapplicable percentage information by the applicant.

2. Flood Zone. The applicant's engineer submitted a study to FEMA (contained in Exhibit B of my September 25 letter to you) that showed the 100-year flood level for both the pre-developed and developed condition of the site are contained within the banks of Stone Canyon Creek (Creek). The numbers presented in paragraphs 10 and 11 of the Declaration try to establish the basis for setting the floor levels of the house as represented in the application. However, the house currently under construction immediately to the south, being built by the same applicant, has a basement or lower level floor elevation below the water surface elevation of the Creek at that location. Because the applicant is choosing to place the house so close to the Creek at the Bellagio site, it is creating a self-imposed hardship that is adding to the excessive height of the proposed structure. If the wall of the basement/lower level were moved easterly, it could be set at an elevation that is lower than what is presented in the Declaration.

Sincerely,

Michael J. Piszker, P.E.

California License No. C45291

The Honorable Los Angeles City Council and Its Planning and Land Use Management Committee February 24, 2014 Page 2

3. Letter from retired Los Angeles City Zoning Administrator Jon Perica to the ZA dated September 25, 2013.

On behalf of Mrs. Lazarof, I urge you to consider the attached before you vote with respect to Council File 14-0171.

Thank you.

Very truly yours,

Victor I. Marmon

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VIM:et

Attachments (3)

cc: The Honorable Jose Huizar

The Honorable Gilbert A. Cedillo The Honorable Mitchell Englander





Mr. Jim Tokunaga Associate Zoning Administrator c/o Marc Woersching City of Los Angeles Department of City Planning 200 N. Spring Street, 7th Floor Los Angeles, CA 90012

24 September 2013

Re: Case No. ZA-2012-1402-ZV-ZAA-ZAD; CEQA No. ENV-2005-8611-MND - 10550 Bellagio Road -- Hearing September 25, 2013

Dear Zoning Administrator Tokunaga:

I have been a California licensed architect since 1990, having received my Master of Architecture degree from UCLA in 1984 and my Bachelor in Environmental Design, magna cum laude, from Texas A&M University in 1980 (and awarded Outstanding Alumni in 2010). I joined the American Institute of Architects in 1990 and was certified by the National Council of Architecture Registration Boards in 1991.

I am working with Mr. Victor Marmon, representing Janice and Henri Lazarof of 333 Copa de Oro in Bel Air, which is the property immediately east of the property that is before you in this matter.

I have designed many projects in Bel Air, in other high-end hillside areas within the City of Los Angeles, and in hillside areas in other cities. My work typically includes site planning, which is a key first step in the process of developing a new residence or major expansion, especially in communities such as Bel Air, where no two properties are the same. I am proud that my designs have worked within the natural constraints of the land and environment, while still providing designs that meet my clients' needs and visions for their homes.

page 1



I have visited the site and reviewed the elevations and other drawings submitted by the applicant. Missing from the applicant's submittals is a plot plan. I believe that the request for the zone variance in this Case is not complete without a plot plan for both the Zoning Administrator and the public to assess. However, the application package does contain a drawing entitled "Retaining Wall Exhibit" and, although this drawing does not include much of the information typically found on a plot plan, it does show the outline of a house and some of the other improvements proposed for the site.

I have also reviewed the applicant's proposed findings for the zone variance, over-height front wall and additional retaining wall, as well as the parcel map conditions and mitigation measures applicable to this property.

Findings

Based on my site visit and my review of the above items, given the conditions of the site, including the size and dimensions of the two lots comprising the site, the setbacks and other zoning constraints applicable to the site, the topography of the site, the location of Stone Canyon Creek and the adjacent indigenous plant buffer zones, and the storm drain and sanitary sewer easement which largely follows the Creek, I am struck by how the proposed design forces a square peg (house) into a rectangular site, rather than creating a design that works with the site.

Given the topography, shape and other physical parameters of the site as well as the zoning and other land use regulations applicable to the site, I am curious why someone would design a house with so much east-west dimension and attempt to squeeze it between the large retaining wall on the east and the Creek on the west. I also do not understand why someone chose to place so much of the house so close to the descending slope adjacent to the Creek, which increases the height and requires the need for a variance to accommodate the current design, results in an imposing block-like structure that does not blend into the neighborhood aesthetic or the site, creates greater impacts on views, and wastes so much of the approximately 54,000 square feet of buildable area on the site.

page 2



In my professional opinion, the house could easily be designed in a way that maintains the proposed size of 42,409 square feet and associated amenities without requiring a height variance. However, the applicant's package does not include a slope analysis map and other data that would be necessary to confirm that the proposed square footage, lot coverage and other aspects of the house comply with the Baseline Hillside Ordinance (BHO) and other zoning requirements. I have therefore proceeded on the basis that the proposed design, including the square footage, complies with the BHO and other applicable requirements, with the exception of the requested height variance of course.

There are many house designs and site plans that could accomplish this in a manner that works with, not against the site, and does not require a height variance. Instead of an almost square footprint, the house could be laid out in a more rectilinear shape on a north-south orientation (lengthening the house in the north-south dimension and shortening it in the east-west dimension), while still using the existing driveway access from Bellagio Road. The eastern side of the property, bordered by the retaining wall, could be comprised of formal gardens or other landscaping. The western side of the site could be comprised of informal gardens/ landscaping that would merge with the indigenous plant buffer zone along Stone Canyon Creek, thus taking advantage of this natural amenity for the site. The pool(s) and a guest/pool house could be placed in the western portion of the site. Under this site layout, a gate house, a large motor court, and underground parking for at least 20 cars could be provided.

Alternatively, the house could be designed in an arced crescent "C" shape, a serpentine "S" shape, an "L" shape or even a "T" or "Z" shape, still on a north-south axis, and could all be successful layouts.

I could go into the many alternatives that include the choice of putting the pool in the formal gardens to the east and the possible placement of a tennis court, but suffice it to say that the actual site plan, landscaping, mix of amenities, and layout of improvements could be designed in a myriad of ways that would not require a request for a height variance. The key point is that with the relatively large size and relatively flat buildable area

page 3



provided by this site, the same size house (assuming current compliance with the BHO and other City requirements), and similar amenities could be designed in many different configurations without the need for any height variance over the 30-foot height limit for a flat roofed house or 36-foot height limit for a sloped-roof house.

The irregular shape and slope of lots in Bel Air provide unique and creative design opportunities for every site, and thus there are no standard house designs or standard site layouts in Bel Air. If you look at the existing homes in the vicinity of this project, you will see that each property has a uniquely shaped house with different house placement, resulting in some properties having houses with more front yard than others, and/or more rear or side yard areas than others. Houses in the vicinity do not uniformly have large front and rear yards.

The applicant states in its proposed finding no. 1 that reasons for its height variance request include "to conceal otherwise unsightly and unattractive mechanical infrastructure including a ten foot elevator shaft and at least fifteen air conditioning units. Based on my experience, residential elevator shafts can easily be accommodated by the 5-foot projection allowed by the Zoning Code, and air conditioning units can be accommodated in a variety of ways that do not require a height variance.

Addressing material contained in the applicant's proposed finding number 4, I believe the granting of a variance would be extremely detrimental and create a dangerous precedent. The applicant focuses on the views of neighbors, but does not recognize the importance of the most common view of the proposed site, which will be people driving up Stone Canyon Road and looking east, toward the west wall of the house. The most overheight component of the design is the west wall, which is the one most people will see and notice. This further supports my earlier statements that the house can and should be redesigned to eliminate the need for a height variance.

page 4



Finally, compared to the many projects I have worked on in hillside areas, both in Los Angeles and in other jurisdictions, the relatively flat area created by the applicant's grading between the large retaining wall and Stone Canyon Creek provides a large buildable area which, if designed in a creative, site-sensitive and Code-conscious manner, could result in one of the most attractive estates in Bel Air without the need for any height variance. Further, Stone Canyon Creek is not a hardship, it is an opportunity that if properly incorporated into the site plan and landscape design, could increase the beauty, appeal and value of the property, while maintaining the scale and feel of this neighborhood. Simply put, the project, as designed, is a very clear example of trying to squeeze a square peg into a round (or in this case rectilinear) hole.

Thank you for considering my comments against the zone variance request.

Sincerely,

David Applebaum, Architect



Denied Hartin

CONSULTING ENGINEERS

September 25, 2013

Jim Tokunaga
Associate Zoning Administrator
c/o Marc Woersching
City of Los Angeles Department of City Planning
200 N. Spring Street, 7th Floor
Los Angeles, CA 90012

Re: Case Nos. ZA-2012-1402-ZV-ZAA-ZAD, ENV-2005-8611-MND (10550 Bellagio Road) - Hearing on September 25, 2013

Dear Mr. Tokunaga:

California Energy Designs, Inc. is assisting Mr. Victor Marmon, attorney for Janice and Henri Lazarof, the owners of 333 Copa de Oro, which is immediately east of the property before you today. Mr. Richard Gilbert, P.E., founder and Chief Executive, has over 45 years of experience in design of mechanical systems for large homes and commercial properties. We have engineered many high end multi-story estate homes in Bel Air, with various roof types, and almost all having elevators. Gabriel Gagnon, Project Manager, has over 20 years of experience. Together, and with several other professionals, we form the heart of a company that is well known for providing successful designs and solutions for large estate homes similar to the one before you.

We have reviewed the application for a height variance at 10550 Bellagio Road. In the proposed findings for the height variance submitted by the applicant and attached to the Master Land Use Application, the third paragraph under finding number 1, contains the following sentence: "The reason why a variance is being requested is not to increase the usable square footage of the home, but rather to have the home consistent with the character of the neighborhood and to conceal otherwise the unsightly and unattractive mechanical infrastructure including a ten foot elevator shaft and at least 15 air conditioning units." In this letter to you, we will address this point made by the applicant, in a manner similar to our response for the 360 Stone Canyon height variance request. Please note, however, that the applicant's package for 10550 Bellagio does not contain a site plan, nor does it provide floor plans. In lieu of the usual information, we will make some conservative assumptions that would apply to the general conditions known

about the proposed house. We assume, based on current and past information provided by the applicant, that there will be a large underground parking area and basement. We know from the Master Land Use Application that the proposed square footage of the house is almost 43,000 square feet.

Our first reaction to the request, similar to the 360 Stone Canyon request, was "you don't need this kind of space; something else must be going on". A house like this could have roof-top units placed inconspicuously near the middle of a large, flat roof without attic space in a way that would not be visible from most areas on the property or approaching the property from the road. And, although our firm does not do elevator design work, almost all of the large estates we've worked on in Bel Air have elevators, so we work closely with the architects and elevator companies for coordination of equipment location. We have never seen an elevator shaft for a high-end house in Bel Air protrude at all above a flat-roof.

Our objective here is to show there are other solutions to providing a high-end system other than the one currently proposing to use attic and/or roof space. In our business, there are many ways to accomplish our work along with the goals of the owner and architect. The normal design approach to a house of this size is to include a mechanical engineer at a very early stage. This approach provides the architect and owner with more alternatives and solutions to provide a high-quality HVAC system without having to build outside of zoning restrictions such as height limits.

In reviewing available information for the house from your file (Retaining Wall Exhibit and Elevations -- Exhibit A), we find it unusual that the owner of such a house would put the equipment in an area that would require access through the house. This is not typical of high-end estates these days. Owners want equipment in areas where service personnel do not intrude into personal and living areas. We see many systems installed in basements with some equipment in the yard. To avoid seeing equipment in yards, some clients will disguise the area with landscape and trellises, or build underground vaults, which we have been using a lot lately and are seeing more of in this industry.

We have considered two alternatives; one entirely in the basement, and one with some equipment in both the basement and the yard or a vault. Exhibit B shows the details of several systems that could easily be entirely within the basement of this house, and only utilizing only 400 square feet of space.

<u>Conclusion</u>: A large estate home, such as the one proposed at 10550 Bellagio Road, does not need mechanical equipment on the roof or in an attic. Our analysis shows there are options that will more than adequately serve this particular house using minimal vertical space, and is similar to the design of thousands of our company's past projects. Based on where the work progress is currently, it is clearly not too late to look at other mechanical alternatives and

change the mechanical design with little to no impact on the use of living space within this house.

Respectfully submitted,

CALIFORNIA ENERGY DESIGNS, INC.

Sabriel Gagnon Project Manager Richard L. Gilbert, P.E. Chief Executive Officer



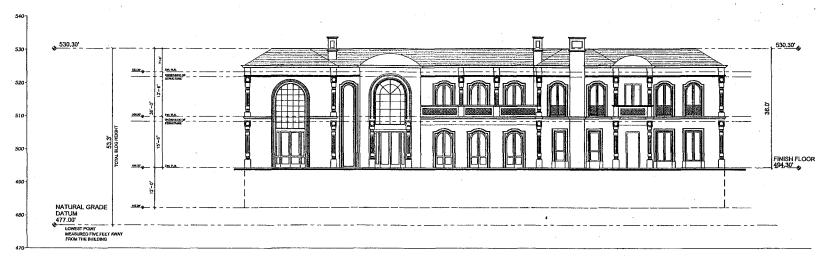
Liehard Filler

NET SITE AREA PROJECT ADDRESS:

84,567 SQUARE FEET (1.94 ACRES) 10550 BELLAGIO ROAD LOS ANGELES, CALIFORNIA 90077 1418153 BEL AIR NONE

DISTRICT MAP: TRACT: BLOCK:

LEGAL DESCRIPTION:
PARCELS A AND B OF PARCEL MAP NUMBER 2005-3998 AS RECORDED IN PARCEL MAP BOOK 359 AT PAGES 44 AND 45 OF OFFICIAL RECORDS OF LOS ANGELES COUNTY IN THE STATE OF CALIFORNIA.



A NORTH ELEVATION
SCALE: 1/8"+ 1"-9"

NET SITE AREA PROJECT ADDRESS:

84,567 SQUARE FEET (1.94 ACRES) 10550 BELLAGIO ROAD LOS ANGELES, CALIFORNIA 90077 1418153 BEL AIR NONE

DISTRICT MAP: TRACT: BLOCK:

LEGAL DESCRIPTION:

PARCELS A AND 8 OF PARCEL MAP NUMBER 2005-3998 AS RECORDED IN PARCEL MAP 800K 369 AT PAGES 44 AND 45 OF OFFICIAL RECORDS OF LOS ANGELES COUNTY IN THE STATE OF CALIFORNIA.



B WEST ELEVATION

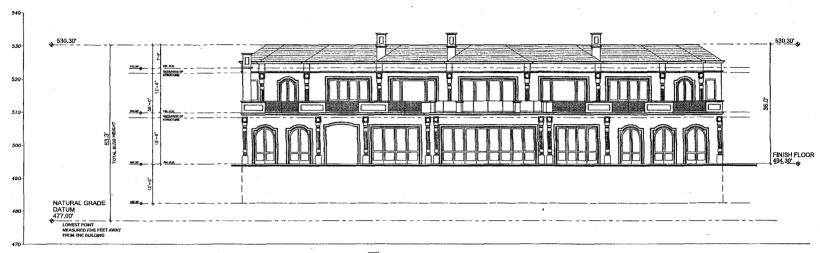
NET SITE AREA PROJECT ADDRESS:

84,567 SQUARE FEET (1.94 ACRES) 10550 BELLAGIO ROAD LOS ANGELES, CALIFORNIA 90077 1418153 BEL AIR NONE

DISTRICT MAP: TRACT: BLOCK:

LEGAL DESCRIPTION:

PARCELS A AND B OF PARCEL MAP NUMBER 2005-3998 AS RECORDED IN PARCEL MAP BOOK 369 AT PAGES 44 AND 45 OF OFFICIAL RECORDS OF LOS ANGERES COUNTY IN THE STATE OF CALIFORNIA.



C SOUTH ELEVATION

NET SITE AREA PROJECT ADDRESS:

84,567 SQUARE FEET (1.94 ACRES) 10550 BELLAGIO ROAD LOS ANGELES, CALIFORNIA 90077 141B153 BEL AIR NONE

DISTRICT MAP: TRACT: BLOCK:

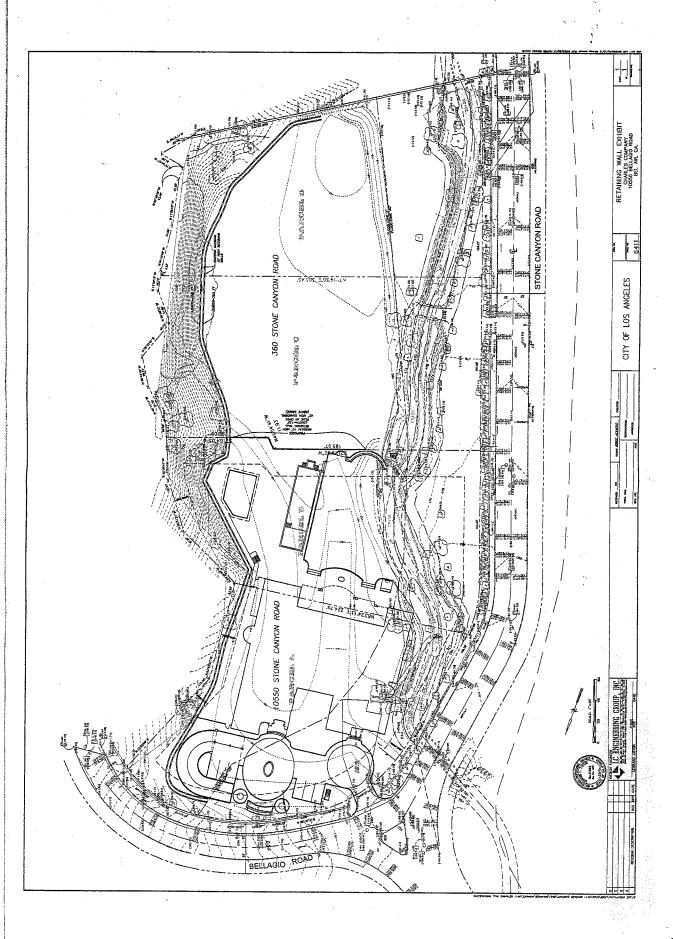
LEGAL DESCRIPTION:

PARCELS A AND 8 OF PARCEL MAP NUMBER 2005—3988 AS RECORDED IN PARCEL MAP 800K 369 AT PACES 44 AND 45 OF OFFICIAL RECORDS OF LOS ANGELES COUNTY IN THE STATE OF CALIFORNIA.



D EAST ELEVATION
SCALE: 1/8"= 1"-0"

ELEVATION SHEET 4 OF 4





This exhibit demonstrates how much equipment space is needed to house the air conditioning / heating systems for a 43,000 square foot luxury home. The evaluation for this project is based on our design experience that includes some of the largest residential projects in Southern California.

This includes a familiarity with different systems that vary from lite-duty residential systems (furnace / condenser combinations and gas/electric roof-top systems)) to commercial 4-pipe chiller systems and geothermal water-source heat pumps. A trend we've pioneered here in Los Angeles is the use of heavy-duty Japanese VRV (variable refrigerant volume) systems to condition these luxury homes.

Our analysis will be based on the HVAC system that most likely needs the most vertical height. Here is our system breakdown:

- a) Rooftop packaged gas/electric units: We can safely say, based on our experience that this client probably does not want large mechanical equipment on the roof. It would be almost impossible to totally silence these units, difficult to hide them and equipment on the roof would mean service access at the 2nd Floor level.
- b) Commercial 4-pipe chiller systems and geothermal water-source heat pumps. These systems are very expensive to design, install and maintain. They are built to condition a large commercial building. The installers are union shops and the maintenance contracts run in the thousands per year. We have more flexibility to mold our system around the client's needs, but the complexity and high cost is not worth it. It would be extremely unlikely for this system to be installed on any project under 50,000 square feet.
- c) Mitsubishi City-Multi and Daikin VRV-III Heat Recovery systems:

 These 21st Century HVAC systems are known as the "chiller-killers" here in North America. They've been in use in Asia and Europe for over 20 years and are now just starting to make an impact here in North America. These advanced systems utilize computer-controlled inverter compressors that continuously adjust the system's power usage to match the client's thermostat settings and are tailor made for large buildings that are replacing chillers and perfect for these large estates. We can connect up to 64 fan-coils to (1) outdoor condenser and each can operate independently. The only setback is the HVAC installation cost doubles and these large systems need 3-phase power

d) Furnace / Condenser split-systems: These systems are light-residential models and are still the most commonly used in homes of all sizes. They cost the least, are relatively easy to install, easy to maintain and there's no need for a large union shop to install them. The biggest downside is that for each HVAC zone we need a furnace/condenser and for a house of this size, it's hard to find real estate for 18-20 outdoor condensers. It's also no secret to the engineers / installers that the indoor furnaces with the connected coil, filter, plenums and vent pipes are by far the most bulky, cumbersome and need more space than any other of the indoor models. Based on that, I'll base my analysis for space requirements on this system.

Required Tonnage: The total square footage of this project is 43,000 square feet and we're estimating approximately 11,000 square foot of the Basement is conditioned space.

Our estimation for the required tonnage and number of systems is as follows:

Basement: 11,000 square feet/550 sqft/ton= 20 tons of air conditioning.

1st Floor: 16,000 square feet / 400 sqft/ton=40 tons of air conditioning.

2nd Floor: 16,000 square feet/450 sqft/ton=35 tons to air conditioning.

Total: 95 tons of air conditioning

Basement estimated number of zones/systems: 4 split-systems (average size of a/c per/zone: 5 tons

1st Floor estimated number of zones/systems: 8 split-systems (average size of a/c per/zone: 5 tons

2nd Floor estimated number of zones/systems: 7 split-systems (average size of a/c per zone: 5 tons

<u>Furnace locations</u>: The 1st floor a/c systems, which are typically in the basement, can be co-located with the 2nd floor a/c systems within the basement. This option requires dedicated shafts that connect the Basement to the 2nd Floor attic.

Attached (exhibit C) is the specification of a York 98% efficiency gas-fired furnace and is closely related to the other manufacturer's furnaces. The 2010 CMC requires 30" on the electrical side of the system for access, but references the manufacturer's physical data to provide enough height to properly service and remove the furnace if necessary. If installed horizontally, the height of this unit is only 21" and if it's within 10 feet of sink, the unit only needs an additional

3" for the condensate drain slope. We always hang the furnace from the roof joist using 1/8" rods with spring isolators; this adds about 12" on average. This all adds up to a vertical space requirement of only **36**" for these furnaces.

<u>Condenser Locations:</u> These condensers are 39.5" in height, require a 6" platform and if installed on the roof usually sit on 5" Mason spring isolators. This adds up to a 50.5" added height. As I mentioned in item A, it's rare to see 13 condensers all located on the roof because there is no way to totally silence them or hide them from view. These units would most likely be installed in the backyard.

<u>Duct sizes/types:</u> A 4-ton system in an attic will have most likely have (3) 12" supply ducts and (1) 18" return duct. In the attic flexible ducts are usually specified because of low cost, ease of installation and sound absorbtion qualities. The ducts that supply the 1st floor would most likely be in the parking Garage and are made of 24 gage sheet metal that is usually rectangular in nature and has an average height of 10".

<u>Conclusion:</u> A large estate home, such as the one proposed at 10550 Bellagio Road, does not need mechanical equipment on the roof. Our analysis shows there are options that will more than adequately serve this particular house using minimal vertical space, and is similar to the design of thousands of our company's past projects. Based on where the work progress is currently, it is clearly not too late to look at other mechanical alternatives and change the mechanical design with little to no impact on the use of living space within this house.

Respectfully submitted,

CALIFORNIA ENERGY DESIGNS, INC.

Gabriel Gagnon

Project Manager

Richard L. Gilbert, P.E.
Chief Executive Officer





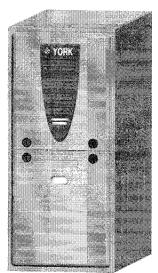
Heating and Air Conditioning

TECHNICAL GUIDE

UP TO 98%
MODULATING (ECM MOTOR)
GAS-FIRED RESIDENTIAL
MULTI-POSITION GAS FURNACES

MODELS: YP9C

NATURAL GAS 60 - 120 MBH INPUT















Due to continuous product improvement, specifications are subject to change without notice.

Visit us on the web at www.york.com for the most up-to-date technical information.

Additional efficiency rating information can be found at www.gamanet.org.

DESCRIPTION

These compact units employ induced combustion, reliable hot surface ignition and high heat transfer aluminized tubular heat exchangers. The units are factory shipped for installation in upflow or horizontal applications and may be converted for downflow applications.

These furnaces are designed for residential installation in a basement, closet, alcove, attic, recreation room or garage and are also ideal for commercial applications. All units are factory assembled, wired and tested to assure safe dependable and economical installation and operation.

These units are Category IV listed and may be vented either through side wall or roof applications using approved plastic combustion air and venr piping.

WARRANTY

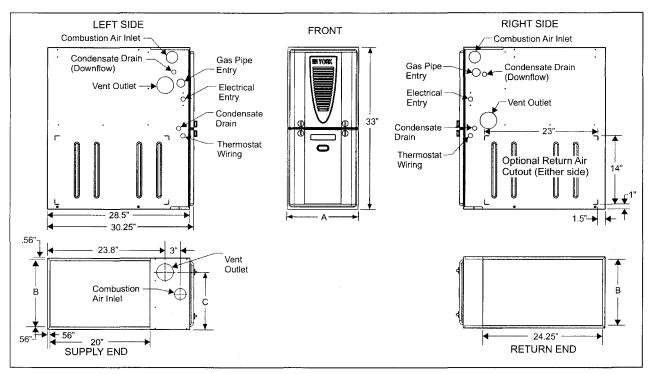
Lifetime limited warranty on both heat exchangers to the original purchaser; a 20-year limited warranty from original installation date to subsequent purchaser.

10-year warranty on the heat exchanger in commercial applications.

5-year limited parts warranty.

FEATURES

- · Modulating heating operation includes:
 - Modulating gas valve, inducer and circulating blower
 - Modulating operation from 100% input to 35% input in 1% increments
- Easily applied in upflow, horizontal left or right, or downflow installation with minimal conversion necessary.
- · Compact, easy to install, ideal height 33" tall cabinet.
- ECM variable speed motor for cooling SEER enhancement and continuous fan options for IAQ performance.
- · Easy access to controls to connect power/control wiring.
- · Built-in, high level self diagnostics with fault code display.
- Low unit amp requirement for easy replacement application.
- All models are convertable to use propane (LP) gas.
- Electronic Hot Surface Ignition saves fuel cost with increased dependability and reliability.
- 100% shut off main gas valve for extra safety.
- 24V, 40 VA control transformer and blower relay supplied for add-on cooling.
- · Hi-tech tubular aluminized steel primary heat exchanger.
- Blower door safety switch.
- · Solid removable bottom panel allows easy conversion.
- Airflow leakage less than 1% of nominal airflow for ductblaster conditions.
- No knockouts to deal with, making installation easier.
- Movable duct connector flanges for application flexibility.
- Quiet inducer operation.
- Inducer rotates for easy conversion of venting options.
- Fully supported blower assembly for easy access and removal of blower.
- External air filters used for maximum flexibility in meeting customers IAQ needs.
- Venting applications may be installed as a common vent with other gas-fired appliances.
- Insulated blower compartment for quiet operation.
- 1/4 turn knobs provided for easy door removal.



Cabinet and Duct Dimensions

Models	Nominal	Cabinet Size	Cabinet Dimensions (Inches)			Approximate Operating Weights	
	CFM (m³/min)		Α	В	С	Lbs	
YP9C060B12MP11	1200	В	17 1/2	16 3/8	13 1/4	122	
YP9C080B12MP11	1200	В	17 1/2	16 3/8	14 3/4	126	
YP9C080C16MP11	1600	С	21	19 7/8	16 1/2	136	
YP9C100C16MP11	1600	С	21	19 7/8	18 1/4	142	
YP9C100C20MP11	2000	С	21	19 7/8	18 1/4	145	
YP9C120D20MP11	2000	D	24 1/2	23 3/8	21 3/4	156	

Ratings & Physical / Electrical Data

Models	Input Max/Min	Output Max/Min	Nominal Airflow	Total Unit Amps	AFUE	Air Temp. Rise Max Input	Air Temp. Rise Min Input	Max Over-Current Protect	Min. wire Size (awg) @ 75 ft one way	Max. Outlet Air Temp
	MBH	MBH	CFM	7 (11)		°F	°F		0.10 1.0,	°F
YP9C060B12MP11	60/21	58/20	1200	7.0	97.5	40-70	20-50	15	14	170
YP9C080B12MP11	80/28	77/27	1200	7.5	97.5	45-75	25-55	15	14	175
YP9C080C16MP11	80/28	77/27	1600	10.0	97.7	45-75	25-55	15	14	175
YP9C100C16MP11	100/35	97/34	1600	10.0	97.7	45-75	25-55	15	14	175
YP9C100C20MP11	100/35	97/34	2000	12.0	97.7	50-80	30-60	20	12	180
YP9C120D20MP11	120/42	116/40	2000	12.0	98.0	50-80	30-60	20	12	180

Annual Fuel Utilization Efficiency (AFUE) numbers are determined in accordance with DOE Test procedures.

Wire size and over current protection must comply with the National Electrical Code (NFPA-70-latest edition) and all local codes.

FILTER PERFORMANCE

The airflow capacity data published in the "Blower Performance" table represents blower performance WITHOUT filters.

All applications of these furnaces require the use of field installed air filters. All filter media and mounting hardware or provisions must be field installed external to the furnace cabinet. DO NOT attempt to install any filters inside the furnace.

NOTE: Single side return above 1800 CFM is approved as long as the filter velocity does not exceed filter manufacturer's recommendation and a transition is used to allow use of a 20 x 25 filter.

Recommended Filter Sizes

CFM	Cabinet Size	Side (in)	Bottom (in)
1200	В	16 x 25	16 x 25
1600	С	16 x 25	20 x 25
2000	D	(2) 16 x 25	22 x 25

NOTES:

- Air velocity through throwaway type filters may not exceed 300 feet per minute (91.4 m/min). All velocities over this require the use of high velocity filters.
- Do not exceed 1800 CFM using a single side return and a 16x25 filter. For CFM greater than 1800, you may use two side returns or one side and the bottom or one return with a transition to allow use of a 20x25 filter.

Unit Clearances to Combustibles

Application	Upflow	Downflow	Horizontal	
Тор	1"	0"	0"	
Vent	0"	0"	0"	
Rear	0"	0"	0"	
Side	0"	0"	1"	
Front ¹	0"	0"	0"	
Floor	Combustible	Combustible ²	Combustible	
Closet	Yes	Yes	Yes	
Line Contact	No	No	Yes	

- Line contact only permitted between lines formed by the intersection of the rear panel and side panel (top in horizontal position) of the furnace jacket and building joists, studs or framing.
- 2. For combustible floors only when used with special sub-base.
- All furnaces approved for alcove and attic installation.

ACCESSORIES

PROPANE (LP) CONVERSION KIT -

1NP0680 - All Models

This accessory conversion kit may be used to convert natural gas (N) units for propane (LP) operation.

CONCENTRIC VENT TERMINATION -

S1-1CT0302 (2")

S1-1CT0303 (3")

For use through rooftop, sidewall. Allows combustion air to enter and exhaust to exit through single common hole. Eliminates unslightly elbows for a cleaner installation.

SIDEWALL VENT TERMINATION KIT -

S1-1HT0901 (3")

S1-1HT0902 (2")

For use on sidewall, two-pipe installations only. Provide a more attractive termination for locations where the terminal is visable on the side of the home.

CONDENSATE NEUTRALIZER KIT - 1NK0301

Neutralizer cartridge has a 1/2" plastic tube fittings for installation in the drain line. Calcium carbonate refill media is also available from the Source 1 Parts (p/n 026-30228-000).

SIDE RETURN FILTER RACKS -

1SR0200 - All Models

1SR0402 - All Models

1SF0101 - All Models

BOTTOM RETURN FILTER RACKS -

1BR0517 or 1BR0617 - For 17-1/2" cabinets

1BR0521 or 1BR0621 - For 21" cabinets

1BR0524 or 1BR0624 - For 24-1/2" cabinets

1BR05xx series are galvanized steel filter racks. 1BR06xx are pre-painted steel filter racks to match the appearance of the furnace cabinet.

COMBUSTIBLE FLOOR BASE KIT -

For installation of these furnaces in downflow applications directly onto combustible flooring material, These kits are required to prevent potential overheating situations. These kits are also required in any applications where the furnace in installed in a downflow configuration without an evaporator coil, where the combustible floor base kit provides access for combustible airflow.

1CB0517 - For 17-1/2" cabinets

1CB0521 - For 21" cabinets

1CB0524 - For 24-1/2" cabinets

EAC TRANSITION KITS -

For installation of EAC accessories with these furnaces to provide easy transition of return airflow through the EAC to get the proper sealing and reduced airflow leakage.

1TK1001 - For all models using side return

1TK1017 - For 17-1/2" cabinets using bottom return

1TK1021 - For 21" cabinets using bottom return

1TK1024 - For 24-1/2" cabinets using bottom return

HIGH ALTITUDE - No high altitude kits are required.

ROOM THERMOSTATS - A wide selection of compatible thermosets are available to provide optimum performance and features for any installation.

1H/1C, manual change-over electronic non-programmable thermostat.

1H/1C, auto/manual changeover, electronic programmable, deluxe 7-day, thermostat.

1H/1C, auto/manual changeover, electronic programmable.

* For the most current accessory information, refer to the price book or consult factory.

Blower Performance CFM - Any Position

		High / Low Spe	ed Cooling CFM			
060	A12	080	B12	Jumper Settings		
Hi Cool	Lo Cool	Hi Cool	Lo Cool	COOL Jumper	ADJ Jumper	
1305	850	1290	840	A	В	
1100	715	1090	710	В	В	
1065	690	1015	660	A	Α	
1000	650	1000	650	В	Α	
960	625	960	625	A	С	
760	495	760	495	С	В	
900	585	900	585	В	С	
660	430	660	430	D	В	
690	450	680	445	С	А	
600	400	600	400	D	Α	
620	400	620	400	С	С	
550	400	540	400	D	С	
	 	High / Low Spe	ed Cooling CFM			
080	C16	100	C16	Jumper Settings		
Hi Cool	Lo Cool	Hi Cool	Lo Cool	COOL Jumper	ADJ Jumper	
1670	1085	1655	1075	A	В	
1295	840	1275	820	В	В	
1385	900	1345	875	A	. А	
1175	765	1160	755	В	A	
1245	810	1210	785	A	С	
995	645	1000	650	С	В	
1055	685	1045	680	В	С	
935	605	955	620	D	В	
905	590	910	590	С	Α	
850	550	870	565	D	А	
815	530	815	530	С	С	
765	500	785	510	D	C	
	L.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	High / Low Spe	ed Cooling CFM		nt-ot	
100	100C20		C20	Jumper Settings		
Hi Cool	Lo Cool	Hi Cool	Lo Cool	COOL Jumper	ADJ Jumper	
2215	1440	2180	1415	A	В	
1765	1145	1760	1140	В	В	
1820	1180	1800	1170	A	Α	
1605	1040	1595	1035	В	А	
1635	1060	1620	1050	A	С	
1270	825	1255	815	С	В	
1445	940	1435	935	В	С	
1055	685	1050	680	D	В	
1155	750	1160	755	С	Α	
960	620	960	615	D	A	
1040	675	1035	670	С	С	
860	560	840	545	D	С	

All CFM's are shown at 0.5" w.c. external static pressure. These units have variable speed motors that automatically adjust to provide constant CFM from 0.0" to 0.6" w.c. static pressure. From 0.6" to 1.0" static pressure, CFM is reduced by 2% per 0.1" increase in static. Operation on duct systems with greater than 1.0" w.c. external static pressure is not recommended.

NOTE: At some settings, LOW COOL airflow may be lower that what is required to operate an airflow switch on certain models of electronic air cleaners. Consult the instructions for the electronic air cleaner for further details.

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410821-YTG-A-0708 Supersedes: Nothing



Heating and Air Conditioning

TECHNICAL GUIDE

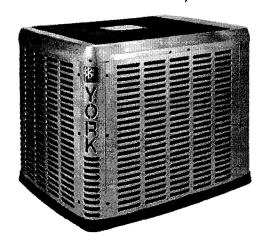
AFFINITY

SPLIT-SYSTEM HEAT PUMPS

13 SEER - R-410A

MODELS: YZB018 THRU ((60*(C))

(1.5 THRU 5 NOMINAL TONS)





Due to continuous product improvement, specifications are subject to change without notice.

Visit us on the web at www.york.com

Additional rating information can be found at <u>www.ahridirectory.org</u>

WARRANTY

Standard 5-year limited parts warranty. 10-year limited compressor warranty.

Extended 10-year limited parts warranty when product is registered online within 90 days of purchase for replacement or closing for new home construction.

DESCRIPTION

The 13 SEER Series unit is the outdoor part of a versatile climate system. It is designed with a matching indoor coil component from Johnson Controls Unitary Products. Available for typical applications this climate system is supported with accessories and documents to serve specific functions.

FEATURES

- Superior Coil Protection A stamped decorative metal coil guard completely protects coil from debris and other large damaging material while a polymer mesh further protects the coil against smaller particles.
- Isolated Compressor Compartment A molded composite bulkhead isolates the compressor from the rest of the unit reducing sound and vibration.
- Protected Compressors Each compressor is protected against high and low pressure as well as excessive temperature. This is accomplished by the simultaneous operation of a high pressure relief valve and temperature sensors which protect the compressor if undesirable conditions occur.
- Environmentally Friendly Refrigerant Next generation refrigerant R-410A delivers environmentally friendly performance, with zero ozone depletion.
- Durable Finish Automotive quality finish provides the ultimate protection from harmful U.V. rays as well as rust creep ensuring long-lasting high quality appearance. A powder-paint topcoat is applied over a baked-on primer, using a galvanized, zinc coated steel base material. The result is a finish that has been proven in testing to provide 33% greater durability than conventional powder-coat finishes.
- Lower Installed Cost Designed to provide enhanced instability by featuring a slide-down control compartment allowing easy access to control components along with angled service valves to reduce overall installation time and cost.
- Low Operating Sound Levels A fan design boasting technology adapted from aeronautic and defense engineering provides for whisper quiet operation by allowing airflow to flow smoothly and efficiently across the fan tips.
- Filter-Drier A factory installed, solid core liquid line filterdrier filters harmful debris and moisture from the system.
- Easy Service Access A full end, full service, access panel with handle makes for easy entry to internal components.
- Long Lasting Operation Strong and durable composite base pan provides added strength while resisting rust and corrosion as well as reducing sound and vibration.
- Complete System Control These heat pumps utilize the unique microprocessor defrost control system to provide optimal comfort as well as monitor the overall system for reliable operation. The defrost control system continuously monitors the space environment to maintain optimum efficiency. It initiates defrost only when necessary to further reduced heating costs and improve reliability. Supplemental heat can only operate below the balance point and then only upon need. In the event improper operating conditions occur (high temperature and/or high pressure), the will automatically shut the system down to extend the life of the heat pump. Rapid cycling is prevented by use of an internal anti-recycle timer. The defrost control features an internal memory to aid the technician in troubleshooting, reducing service time and cost.
- Agency Listed U.L. and C.U.L. listed approved for outdoor application. The unit is certified in accordance with the Unitary Small Equipment certification program, which is based on ARI Standard 210/240.

New Phy 3

FROM THE DESK OF JON PERICA 10338 ETIWANDA AVE, NORTHRIDGE, CA, 91326

September 25, 2013

BY HAND DELIVERY AND/OR EMAIL

Office of Zoning Administration Jim Tokunaga, Zoning Administrator 200 N. Spring Street, Room 763 Los Angeles, Ca 91002

RE: PLANNING DEPARTMENT FILE -- JUSTIFICATION TO DENY PROJECT REQUEST - ZA 2012-1402-ZV-ZAA-ZAD.

Dear Mr. Tokunaga

My name is Jon Perica and I am a retired City Zoning Administrator. I am assisting Victor Marmon on behalf of the owners of 333 Copa de Oro Road, which is adjacent to the subject property.

In the 35 years that I worked in the Planning Department, I acted on over 2,500 Planning Department cases and I know what supportable Zone Variance Findings are. A Variance can only be approved if all the required five findings can be made to support the project. Even the failure to make just one required finding means you cannot approve the project. None of the five findings can be justified by the facts in this Case.

Finding #1: The strict application of the provisions of the zoning ordinance would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

This finding requires facts that the **City's Zoning Ordinance** caused the applicant practical difficulties or unnecessary hardships that are inconsistent with the purpose and intent of the city's zoning regulations -- in essence that the City caused the applicant practical difficulties or unnecessary hardships that justify the applicant's over-height house request. Here, however, it is the applicant that chose the shape of its lot (I will refer to "lot" throughout because the applicant has tied Parcels A and B for the purpose of developing its house.), it is the applicant who chose the grade of its lot when it put up its almost 20-foot retaining walls and graded this lot and the property to the south, and it is the applicant that chose the design and site of its house -- in short, if there were anything that could be called a practical difficulty or unnecessary hardship, which there is not, it would be the applicant that created it. There is no reason not to comply with the

City's height limitations. The applicant has the legal right to build a 30-foot tall house with a flat roof or a 36-foot tall house with a sloped roof on its 1.94 acre site hillside property that it, not the City, created from a larger parcel. That by-right house can be built to any square footage size as along as the required setbacks, slope formula limits and other zoning regulations are followed. The applicant is not content with building a huge 42,409 square foot house at 36-feet in height but it wishes instead to build a house that measures 53.3 feet in height according to the latest information. A 53.3-foot height house as proposed by the applicant would be over 77% taller in height than the permitted 30-foot height for a flat roofed house.

The applicant's justification for the excessive, over 77% house height increase and alleged unnecessary hardship is that the house is "consistent with the aesthetic goals of the BHO". First, this wording is not required by the language of Finding #1 which requires the applicant to show proof of a City imposed practical difficulty or unnecessary hardship. Second, the BHO was designed to address building mass visible from a public right of way, to discourage tall, boxy structures, and to encourage terraced structures so that the mass of buildings is broken up. The applicant's tall, boxy house is not consistent with neighborhood character, and it is not consistent with the aesthetic goals of the BHO.

"Neighborhood character" includes not building too tall of a home for a lot based on the limiting features of the lot. A large house consistent with other house sizes in the vicinity constructed at the 30-foot limit for a flat roof or the 36-foot limit for a sloped roof can legally be built and would be consistent with the intent of the Baseline Hillside Ordinance. No one is guaranteed a certain over-height house just because they want to build an extremely tall house.

The applicant also attempts to justify the over-height variance as a better design to conceal 15 air conditioning units and a 10-foot elevator shaft. First, these claimed reasons are not justifiable as shown by the letter from David Applebaum to you dated September 24, 2013, and the letter from California Energy Designs to you dated September 25, 2013. Second, these claimed reasons do not address a City created practical difficulty or unnecessary hardship. The City does not tell an applicant where to place his air conditioning units, and air conditioning units can be built at grade level or the units can go in a basement location. Further, the City already permits a more than ample 5-foot projection for elevator housings.

The applicant claims that the way the City measures height in hillside areas causes a hardship. As noted above, the applicant chose the shape and slope of its lot, and the applicant chose the design and location of its house. The City did not make any of these decisions. There could have been alternative decisions made on all of these choices that would have allowed the applicant to have a by-right home. The City did not make the applicant come up with the particular house features that are part of this variance request.

Finally, the applicant incorrectly states that the intent of Baseline Hillside Ordinance is, "to limit structures on hillsides from looming out of the ground". Actually, the BHO was designed to limit "looming structures" by ensuring that the mass of buildings is broken up and that that box-like structures such as the applicant's house have lowered height. Also, the BHO was carefully thought out to cover houses on ridge lines or in areas on the lower parts of hills. The choice to build an over height house in a lower hillside area does not get treated differently under the BHO

and it should not be treated differently in determining whether a required variance finding can be made. All Hillside over height variances are treated the same.

What is the City created hardship that prevents the applicant from building its house on this very large site? The simple answer is that there is **no** City imposed hardship. Having already been allowed to build a 36-foot house with a sloped roof or a 30-foot house with a flat roof, the applicant now simply wants a variance for a 53.3-foot high house when it doesn't need one to have a similar square foot house (assuming that the square footage meets the BHO's requirements). (See Mr. Applebaum's letter.) The house could have been designed differently on a by-right basis, but it was not. Now the applicant wants a special privilege to build an overheight house box-like house that the BHO was designed to discourage.

This is an **applicant** created situation; it is not a City-imposed hardship. The City is not permitted to bailout the poor design of the house with a variance when the applicant has so many options as to how and where to build a new home on this site. The facts don't justify a height variance. Variances are not granted as a "convenience" or special favor but for genuine practical difficulties or unnecessary hardships caused by the City which could not have been avoided by proper planning and design by the applicant. There are many ways for the applicant to build a code-compliant house that do not require a zone variance, so there is **no City** imposed hardship.

Finding #2: There are NOT special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

This finding requires the identification of special circumstances involving the property that do not generally apply to other properties in the same zone and vicinity.

The subject site is in a Hillside area and has a sloping terrain like the other lots in the same zone and vicinity. This site and the other lots in the same zone and vicinity are irregular in shape and size. Stone Canyon Creek runs through many of the lots in the same zone and vicinity.

The applicant asserts that special circumstances applying to its property are "the flood zone, the narrowness of the property, the water channel that traverses through the property, the flood plain buffer and set back requirements." As Mr. Mike Piszker demonstrates in his letter to you of September 25, 2013, there is no flood zone issue with the property, since the 100 year flood level as proven by the applicant's own civil engineer, is within the banks of Stone Canyon Creek. As Mr. Applebaum's letter to you demonstrates, the property is more than adequate in size for a house of the size proposed by the applicant to be placed on the property (not a special circumstance) and Stone Canyon Creek (the applicant's "water channel") and its vegetation buffer are not impediments to development. The applicant asserts, but does not provide any evidence of any "flood plain buffer". Finally, normal property setbacks applicable to this property are not special circumstances -- they are applicable to other properties in the same zone and vicinity.

The applicant has therefore identified no significant special circumstances that justify this finding.

Because there are no special circumstances for this lot, the applicant is forced to try and argue a non-existent significant characteristic for Finding 2 -- the applicant's false argument is that under the Baseline Hillside Ordinance, the house **has** "to be consistent with the neighborhood", which the applicant then defines as "sizeable front yard, back yard, amenities that are expected on large properties such as a pools and possibly a tennis court." The applicant goes on to say that "[i]f the property doesn't have these characteristics, this is in itself a hardship. There are no standard "sizeable" front yards and back yards in this zone and vicinity and there are no standard amenities. Further no applicant is guaranteed any "standard" or other set of amenities regardless of which lot in the same zone and vicinity is developed. Any lot may have amenity features **depending** on whether or not the features can be placed on the lot by right in conformity with the Zoning Codes.

There is no City requirement to approve a height variance to allow an applicant to have amenity features similar to what other homes in the local area may have. If the requested height variance is not approved, some amenity features may not be added to the lot. (However, see Mr. Applebaum's letter showing that with different designs the house and amenities could be provided and still meet the height requirements.) The applicant is confusing what it "wants to have" on the lot with a variance and what is allowed by right. There is not a City guaranteed approval for all the amenities, house size and lot conditions that existing homes have in the local community. Each lot has it own justifications for particular amenities which may or may not justify having room for every amenity an applicant may want.

Finally, the applicant in essence claims that its desired "big box" house design determines what height it must be permitted to get with a variance. On the contrary, the applicant is permitted to build what the City zoning code permits to be done by right. The applicant's wanting an excessively tall house does not justify the City granting a height variance. The tail does not wag the dog.

Finding #3: The variance is NOT necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

Since at least 1970, the Planning Department Office of Zoning Administration has interpreted the "same vicinity" as being within a 500-foot radius of the subject property. Thus, the Planning Department requires all zone variance applications to submit a 500-foot radius map showing all the surrounding uses. This 500-foot distance is the standard City defined distance to review any zone variance case according to the City's interpretations of the vicinity requirements in Finding #3.

The applicant has previously cited 5 possible over-height precedent approvals as justifications for Finding # 3. Four of these cases are too far away to be in the vicinity of this property (2 are over three and eight miles away), and two are not in the same zone as this property. Also, these cases involve lots significantly different in size from the subject property, one lot being 70% larger, or involve measuring house height from an adjacent structure (two involve measurements from an adjacent below grade (tennis court and parking structure under a tennis court) an underground parking area under a tennis court) attached to the house, and not from the house itself. The compared properties are required to have similar physical constraints resulting in special circumstances. Further, citing 5 cases that are not applicable (see above) does not provide evidence of a property right generally possessed by other property in the same zone and vicinity.

The applicant does not cite in its newly submitted proposed findings any precedent approvals that are similar to this request because it knows that there are no valid examples. It argues instead about "many of the approvals" for over-height homes under the earlier Hillside Ordinance which would somehow justify this variance request. Just because other over height homes were approved under the earlier, less restrictive Hillside Ordinance does not justify this grant if the specific details of past grants do not meet the particular characteristics of this lot. Again, on Finding #3, the applicant has not provided evidence that justifies this variance request.

Lastly, the applicant argues that the "home could not have been expanded outward to increase the footage rather than built higher because of the physical characteristics of the property" The applicant has submitted no evidence to support this statement. On the contrary, Mr. Applebaum shows in his letter that the house could have been designed in many different ways to accommodate the square footage desired (if it would otherwise comply with the BHO) and still comply with the height limit. Further, even if the particular characteristics of this lot could not accommodate such a large house and related amenities and still meet the height limit, the applicant could always have designed a smaller square footage house.

Finding #4: The granting of the variance WILL be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

A grant of this height request will set a terrible precedent for other homes to be built beyond the by-right limit of 30 feet for a flat roofed house and 36 feet for a sloped roof under the Baseline Hillside Ordinance. The difference between 53.3 feet and 30 feet is a huge impact on visibility and scale. People driving up Stone Canyon will see a huge boxy house facing them that will be out of scale with houses in the same zone and vicinity.

If this request for excessive height is approved, many other future homes would cite this height approval and ask for a similar height.

An additional adverse impact of an approval would be that this lot could be subdivided into 4 lots so it really is an issue of 4 over-height homes that could be built on this current lot. The same applicant also owns the two lots to the south, and there is enough room for at least one

additional lot to be subdivided from those two lots. Therefore, between this site and the adjacent lots, 5 future lots could be created and all 5 of the houses on these lots could have over height 50-foot plus homes built on them. Other developers in hillside areas would no doubt cite a variance on this lot to justify additional over height homes in the future. Once the floodgates of development are opened, it is very hard to close them.

As a justification for this Finding, the applicant claims that the project is consistent with the Baseline Hillside Ordinance because views are not blocked. But views would be blocked by this over height house as demonstrated in Mr. Piszker's letter. Further, the applicant's proposed over height house would not meet Finding 4 because it is detrimental to the Baseline Hillside Ordinance's purposes which encourage terracing of houses that are more in line with natural contours of the land. Further, views from public rights of way would be harmed by the structure proposed. A terraced house that meets the height limit and works with, not against, the contour of the land, rather than the boxy, bulky over-height house proposed, is far more consistent with the purposes and objectives of the Baseline Hillside Ordinance.

Finding #5: The granting of the variance WILL adversely affect any element of the General Plan.

The Land Use Element of the City's General Plan divides the city into Community Plans. The local Bel Air-Beverly Crest Community Plan provides that new residential development is to be "compatible" with adjacent properties.

Chapter 2 (Purpose of the Community Plan) of the Bel Air-Beverly Crest Community Plan provides the following purposes:

- Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities with compatible new housing.
- Preserving and enhancing the positive characteristics of existing uses which provide the foundation for Community identity, such as scale, height, bulk, setbacks, and appearance.

Chapter 3 of the Bel Air-Beverly Crest Community Plan also provides the following Residential Land Use Policies:

The intensity of land use in the mountain and hillside areas and the density of the population which can be accommodated thereon should be limited in accordance with the following:

- The compatibility of proposed developments with existing adjacent development.
- Design should minimize adverse visual impact on neighboring single family uses.

The granting of a 50-foot height variance for the subject property will adversely affect the purpose and policies of preserving and enhancing the positive characteristics of the existing residential neighborhood as follows:

- The proposed height is excessive and not compatible with existing uses and appearances.
- The proposed height does not minimize adverse visual impact on neighboring uses.
- Granting the proposed height variance will set a precedent that will adversely affect the
 positive characteristics of the existing neighborhood.

Further, granting the requested height variance would start a trend locally to have over-height homes as the new standard and that would fundamentally change the character of the local community. Granting this height variance request sets a bad precedent and opens the door for excessive height homes not consistent with existing community scale. For "consistency" sake, this request must be denied.

Conclusion - Since the factual findings cannot be made for any of the required five findings, the applicant's zone variance request cannot be legally approved. We therefore respectfully request that you deny this zone variance request.

Jon Perica

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