

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY  
City Council/Department of City PlanningCOUNCIL DISTRICTS  
2, 4, 5, 10, 11, 12PROJECT TITLE  
Neighborhood Conservation Interim Control Ordinance (ICO) on single-family home construction in 15 neighborhoods.LOG REFERENCE  
CF 14-0656

## PROJECT LOCATION

Valley Village, South Hollywood, La Brea Hancock Neighborhood, The Oaks of Los Feliz, Miracle Mile, Larchmont Heights, Lower Council District 5, Beverlywood, Inner Council District 5, Fairfax Area, Bel Air, Faircrest Heights Neighborhood, Kentwood, Mar Vista/East Venice, and Old Granada Hills.

## DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

An interim ordinance, adopted as an urgency measure pursuant to California Government Code section 65858, prohibiting the issuance of building permits for the construction of one-family dwellings on RA, RE, RS, and R1 zoned lots in designated neighborhoods where the proposed construction does not meet certain neighborhood-specific criteria.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON  
Tom RothmannAREA CODE  
213TELEPHONE NUMBER  
978-1891

EXT.

This is to advise that on  
EXEMPT STATUS: (Check One)

the City of Los Angeles has made the following determinations:

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1
Class 2 Category 15302 (State CEQA Guidelines)		
<input type="checkbox"/> OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)	

## JUSTIFICATION FOR PROJECT EXEMPTION:

The adoption of this ICO is exempt from CEQA, pursuant to Article 19, Section 15302, **Class 2** of the State CEQA Guidelines in that the Project consists of replacement or reconstruction of existing structures and facilities where the new structures will be located on the same sites as the structures replaced and will have substantially the same purpose and capacity as the structures replaced.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE  
 TITLE  
Senior City PlannerDATE  
March 17, 2015

FEE:

RECEIPT NO.

REC'D. BY

DATE

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record

Rev. 03-17-15

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
NARRATIVE:  
CF 14-0656**

**I. PROJECT DESCRIPTION**

The Neighborhood Conservation Interim Control Ordinance (“ICO”) or “Project” proposes to create an urgency ordinance, pursuant to California Government Code Section 65858, establishing temporary restrictions on the size of new single-family dwellings within the Project Area, which consists of 15 neighborhoods, as listed below and shown in the attached maps (Appendix A):

1. Valley Village – Council District 2
2. South Hollywood – Council District 4
3. La Brea Hancock Neighborhood – Council District 4
4. The Oaks of Los Feliz – Council District 4
5. Miracle Mile - Council District 4
6. Larchmont Heights – Council District 4
7. Lower Council District 5 – Council District 5
8. Beverlywood - Council District 5
9. Inner Council District 5 – Council District 5
10. Fairfax Area – Council District 5
11. Bel Air – Council District 5
12. Faircrest Heights Neighborhood - Council District 10
13. Kentwood - Council District 11
14. Mar Vista/East Venice - Council District 11
15. Old Granada Hills - Council District 12

The proposed project establishes new temporary regulations for the construction of single-family residences within the RA, RE, RS, and R1 zones, resulting in one of the following restriction categories being applied to each of the 15 neighborhoods as indicated below:

- A. Defer to Studio City RFA District
  - Valley Village – Council District 2
- B. Teardowns allowed but only 120% of original square footage
  - South Hollywood – Council District 4
  - Larchmont Heights – Council District 4
  - Old Granada Hills - Council District 12
- C. Basements to be included as Residential Floor Area
  - The Oaks of Los Feliz – Council District 4
- D. No exemptions allowed for detached accessory buildings; porches, patios, and breezeways; or over-in-height ceilings for Residential Floor Area and no Floor Area bonuses for green building or architectural features.

- Lower Council District 5 – Council District 5
- Kentwood - Council District 11
- Mar Vista/East Venice - Council District 11

E. No exemptions allowed for detached accessory buildings or over-in-height ceilings for Residential Floor Area and Floor Area bonuses limited to 15% for green building or architectural features.

- Beverlywood - Council District 5
- Inner Council District 5 - Council District 5
- Fairfax Area – Council District 5

F. Import and Export of earth limited to 6,000 cubic yards

- Bel Air - Council District 5

G. Defer to Beverly Grove RFA District

- La Brea Hancock Neighborhood – Council District 4
- Miracle Mile – Council District 4
- Faircrest Heights Neighborhood - Council District 10

A City Council hardship exemption process will be in place to allow projects to proceed that cannot comply with the temporary restrictions because of health or safety reasons.

## **II. PROJECT HISTORY**

On May 16, 2014, Councilmember Koretz introduced a motion requesting that the Department of City Planning prepare an ordinance to address “the counterproductive provisions of the Baseline Mansionization Ordinance to stabilize the conflict of out-of-scale homes that continue to proliferate in entire neighborhoods” and included a set of recommended changes. At its July 29, 2014 meeting, the PLUM Committee requested that the Department of City Planning report back on a proposal to accomplish this request. In response to this request, the Department is proposing an Interim Control Ordinance (ICO) to limit the construction activity on single-family zoned lots within the 15 neighborhoods that comprise the Project Area.

The acreage of single-family zones citywide is over 13 times greater (255,885 acres) than the acreage covered by the Project Area (18,848 acres). The 15 neighborhoods within the Interim Control Ordinance have a higher concentration of construction activity than the rest of the City. The rate of construction activity over the recent past within the proposed Project Area has consistently exceeded that of the citywide rate of construction activity in single-family zones, as shown in Table 1, although the difference between these values has fluctuated year to year according to market demand.

*Table 1: Rate of Construction and Demolition Activity*

	Year		2008		2009		2010	
	Sq. Ft.	Acres	Construction Permits per Acre (%)	Demolition Permits per Acre (%)	Construction Permits per Acre (%)	Demolition Permits per Acre (%)	Construction Permits per Acre (%)	Demolition Permits per Acre (%)
<b>Project Area Single Family Zones</b>	821,011,839	18,848	0.56	0.48	0.26	0.2	0.3	0.29
<b>Citywide Single Family Zones</b>	11,146,336,050	255,885	0.28	0.23	0.2	0.19	0.23	0.15

	2011		2012		2013		2014 (Jan - Jun)	
	Construction Permits per Acre (%)	Demolition Permits per Acre (%)	Construction Permits per Acre (%)	Demolition Permits per Acre (%)	Construction Permits per Acre (%)	Demolition Permits per Acre (%)	Construction Permits per Acre (%)	Demolition Permits per Acre (%)
<b>Project Area Single Family Zones</b>	0.33	0.33	0.5	0.5	0.79	0.67	0.35	0.43
<b>Citywide Single Family Zones</b>	0.19	0.18	0.31	0.24	0.35	0.29	0.28	0.16

\*Area calculations exclude streets

This surge of construction activity has generated a proliferation of out-of-scale developments that threaten the cohesion and character of these neighborhoods. The establishment of the Interim Control Ordinance (ICO) would allow for protection of the existing scale characteristic of these single-family neighborhoods by reducing the maximum amount of development permitted within the Project Area. Although the ICO regulations allow for a modest increase in structure size from what is currently built on an individual lot basis, their purpose is to protect the neighborhoods' overall characters. For a two year maximum, the proposed ICO will limit construction activities for new single-family homes that could have otherwise resulted in a significant change in the character and cohesion of the neighborhoods.

**III. EXISTING CONDITIONS**

***A. Project Area***

The properties within the Project Area are those within the proposed ICO boundaries, which include single-family zoned (RE, RS, RA, R1) parcels within the following 15 neighborhoods, also shown in the attached maps: South Hollywood, Valley Village, La Brea Hancock Neighborhood, Miracle Mile, Larchmont Heights, Lower Council District 5, Beverlywood, Inner Council District 5, Fairfax Area, Bel Air, Kentwood, Mar Vista/East Venice, and The Oaks of Los Feliz. The total Project Area is approximately 22,614 acres and contains 38,707 single-family homes. The properties within the Project Area are currently subject to the regulations established by the Baseline Mansionization Ordinance or Baseline Hillside Ordinance.

The proposed Project is located in a fully urbanized area of the city. Because the Project Area is generally built out, most development occurring within the boundaries is infill in nature.

### **B. Baseline Mansionization Ordinance**

The City's Baseline Mansionization Ordinance ("BMO") (Ordinance No.179,883), effective on June 29, 2008, established regulations for Single-Family Residential Zoned Lots (R1, RS, RE9, RE11, RE15, RA, RE20, and RE40) not located in a Hillside Area or Coastal Zone, and created new size and height limitations, as shown in Table 2 and Table 3.

*Table 2: FAR Regulations under Baseline Mansionization Ordinance*

Zone	Lot Size	FAR (% of Lot Size)
R1	5,000 sq-ft min.	50%
	<i>Lots ≥ 7,500 sq-ft</i>	<i>45% or 3,750 sq-ft, whichever is greater</i>
RS	7,500 sq-ft min.	45%
	<i>Lots ≥ 9,000 sq-ft</i>	<i>40% or 4,050 sq-ft, whichever is greater</i>
RE9	9,000 sq-ft min.	40%
	<i>Lots ≥ 15,000 sq-ft</i>	<i>35% or 6,000 sq-ft, whichever is greater</i>
RE11	11,000 sq-ft min.	40%
	<i>Lots ≥ 15,000 sq-ft</i>	<i>35% or 6,000 sq-ft, whichever is greater</i>
RE15	15,000 sq-ft min.	35%
RA	17,500 sq-ft min.	25%
	<i>Lots ≥ 20,000 sq-ft</i>	<i>20% or 5,000 sq-ft, whichever is greater</i>
RE20	20,000 sq-ft min.	35%
RE40	40,000 sq-ft min.	35%

**Table 3: Height Regulations under Baseline Mansionization Ordinance**

Zone	1‡	1L‡	1VL‡	1XL‡	1SS	2	3	4	
RA*§, RE40§, RE20§, RE15§, RE11§	<b>Height</b> Roof ≥25%, 36 ft Roof <25%, 30 ft <b>Stories:</b> n/a <b>FAR</b> See C.5 of each Zone in the LAMC; for Hillside Area, see Section 12.21 C.10 of the LAMC			<b>Height</b> Roof ≥25%, 30 ft Roof <25%, 30 ft <b>Stories:</b> n/a <b>FAR</b> See C.5 of each Zone in the LAMC; for Hillside Area, see Section 12.21 C.10 of the LAMC		<b>Height</b> Roof ≥25%, 18 ft (22 ft in Hillside Area) Roof <25%, 18 ft <b>Stories:</b> n/a <b>FAR</b> See C.5 of each Zone in the LAMC; for Hillside Area, see Section 12.21 C.10 of the LAMC	<b>Height:</b> n/a <b>Stories:</b> n/a <b>FAR:</b> 6:1	<b>Height:</b> n/a <b>Stories:</b> n/a <b>FAR:</b> 10:1	<b>Height:</b> n/a <b>Stories:</b> n/a <b>FAR:</b> 13:1
RE9*§, RS§, R1§	<b>Height</b> Roof ≥25%: 33 ft Roof <25%: 28 ft <b>Stories:</b> n/a <b>FAR</b> See C.5 of each Zone in the LAMC; for Hillside Area, see Section 12.21 C.10 of the LAMC			<b>Height</b> Roof ≥25%: 30 ft Roof <25%: 28 ft <b>Stories:</b> n/a <b>FAR</b> See C.5 of each Zone in the LAMC; for Hillside Area, see Section 12.21 C.10 of the LAMC					

FAR – Floor Area Ratio

\* Prevailing Height in accordance with the 3rd unnumbered paragraphs of Section 12.21.1 of the LAMC may apply.

§ Height limited to 45 feet in lots in the Coastal Zone not located within the Hillside Area, as defined in Section 12.03 of the LAMC.

A bonus of 20% of the maximum FAR is allowed if the development utilizes the: (1) proportional stories method (each of the upper stories in a multi-story building do not exceed 75% of the area of the base floor); (2) the front façade step-back method (at least 25% of the building width facing the front lot line will be stepped back from the front of the building at least 20% of building depth); or (3) buildings that utilize Tier 1 or higher of the LA Green Building Code.

The regulations established by the BMO also exclude the following areas from the total Residential Floor Area calculation:

1. The first 200 square feet of required covered parking area.
2. Detached accessory buildings not exceeding 200 feet (however the total combined area exempted of all these accessory buildings on a lot shall not exceed 400 square feet).
3. The first 250 square feet of attached porches, patios, and breezeways with a solid roof if they are open on at least two sides.
4. Porches, patios, and breezeways that have an open lattice roof.
5. 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.
6. A basement when the elevation of the upper surface of the floor or roof above the basement does not exceed two feet at any point above the finished or natural grade, whichever is lower.

**C. Baseline Hillside Ordinance**

The City’s Baseline Hillside Ordinance (“BHO”) (Ordinance No. 181624), effective on May 9, 2011, established regulations for Single-Family Residential Zoned lots located in Hillside Areas (as defined in Section 12.03 of the LAMC). To diminish out-of-scale development in Hillside single-family neighborhoods, regulations address:

1. Floor Area Ratio (FAR)

The maximum permitted Residential Floor Area (“RFA”) is calculated according to the Slope Band Method which accounts for the variation in topography of individual Hillside lots. The building and structure size is based on lot size, zone, and steepness of slopes on a property. Each single-family zone has a unique FAR starting point. FAR is gradually reduced for steeper portions of the lot using identified Slope Bands. Thus, each single-family zoned property in a Hillside Area has a uniquely tailored maximum permitted RFA that can be calculated according to Table 4 below.

Table 4: Maximum Residential Floor Area Permitted by BHO

Hillside Area Maximum Residential Floor Area Formula					
Slope Bands (%)	Area (sq-ft)		FAR	=	Residential Floor Area
0 – 14.99	A <sup>1</sup>	x	FAR <sup>1</sup>	=	RFA <sup>1</sup>
15 – 29.99	A <sup>2</sup>	x	FAR <sup>2</sup>	=	RFA <sup>2</sup>
30 – 44.99	A <sup>3</sup>	x	FAR <sup>3</sup>	=	RFA <sup>3</sup>
45 – 59.99	A <sup>4</sup>	x	FAR <sup>4</sup>	=	RFA <sup>4</sup>
60 – 99.99	A <sup>5</sup>	x	FAR <sup>5</sup>	=	RFA <sup>5</sup>
100 +	A <sup>6</sup>	x	FAR <sup>6</sup>	=	RFA <sup>6</sup>
Maximum Residential Floor Area				=	Sum of RFA <sup>1</sup> → RFA <sup>6</sup>

An additional 20% of the maximum FAR is allowed one time if the development utilizes: (1) the proportional stories method (each of the upper stories in a multi-story building do not exceed 75% of the area of the base floor); (2) the front façade step-back method (at least 25% of the building width facing the front lot line will be stepped back from the front of the building at least 20% of building depth); (3) the cumulative side yard setbacks option (combined width of Side Yards will be at least 25% of total Lot Width); (4) 18-foot envelope height option (maximum envelope height of 18 feet); (5) multiple structures option (incentive to reduce mass by splitting a potential larger structure into multiple smaller ones); (6) minimal grading option (total amount of Grading does not exceed 10% of total Lot size); or (7) buildings that utilize Tier 1 or higher of the LA Green Building Code.

2. Height

The regulations utilize a method of calculating height which follows the slope of a lot, referred to in the provisions as “envelope” height, which encourages buildings to step up/down a hillside and result in more aesthetically pleasing development. Envelope height (otherwise known as vertical height or “plumb line” height) is limited to 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. A

summary of height restrictions under various single-family zoning and height districts is represented in Table 5 below.

**Table 5: Maximum Structure Heights Permitted by BHO**

BHO: 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:								
<b>1, 1L, &amp; 1VL</b>	33	33	33	36	36	36	36	36
<b>1XL</b>	30	30	30	30	30	30	30	30
<b>1SS</b>	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:								
<b>1, 1L, &amp; 1VL</b>	28	28	28	30	30	30	30	30
<b>1XL</b>	28	28	28	30	30	30	30	30
<b>1SS</b>	18	18	18	18	18	18	18	18

**3. Grading**

The cumulative quantity of Grading, or the total combined value of both Cut and Fill or incremental Cut and Fill, for any one property is limited to a base maximum of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards. However, the cumulative quantity of Grading shall not exceed the maximum "by-right" Grading quantities outlined by Zone.

Exempted on-site grading activity is not counted towards the maximum permitted grading. The exempt grading activity consists of: (1) Grading underneath the footprint of a Structure(s) (such as foundations, understructures including Basements or other completely subterranean spaces – not including pools and sports courts), 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) Grading, 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 the LAMC as recommended in a Geotechnical Investigation Report, prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of the LAMC, and approved by the Department of Building and Safety - Grading Division.



The regulations established by the BHO also exclude the following areas from the total Residential Floor Area calculation:

1. The first 200 square feet of required covered parking area.
2. Detached accessory buildings not exceeding 200 feet (however the total combined area exempted of all these accessory buildings on a lot shall not exceed 400 square feet).
3. 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.
4. Porches, patios, and breezeways that have an open lattice roof.
5. 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.
6. 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.

#### **IV. ENVIRONMENTAL REVIEW UNDER CEQA**

The adoption of the Neighborhood Conservation ICO is exempt from the California Environmental Quality Act of 1970 (CEQA). Staff has concluded that the following CEQA exemption is appropriate for the proposed Project:

*State CEQA Guidelines, Article 19, Section 15302, **Class 2** consists of "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced."*

#### **Class 2 Exemption Analysis**

As stated above, the Project must meet the following three requirements:

*replacement or reconstruction of existing structures and facilities;  
where the new structure will be located on the same site as the structure replaced;  
and  
will have substantially the same purpose and capacity as the structure replaced.*

### Replacement and Reconstruction

The Project (the ICO) will establish regulations that only apply to the replacement or reconstruction of "one-family dwellings on RA, RE, RS and R1 zoned lots in designated neighborhoods where the proposed construction does not meet certain neighborhood-specific criteria." The scope of the Project is limited to "the construction, erection, alteration of or addition to a structure in a residentially zoned lot located wholly or partly within the [ICO boundaries]." As described in the Existing Conditions section of this document, the Project Area is an urbanized region and the construction anticipated is of the in-fill type.

### Located on Same Site

The proposed Project is not proposing any subdivision of property, and only establishes regulations for properties which are already in place. An impact could be generated if an applicant were to subdivide properties (creating new density). However, this would trigger a discretionary action which would require a separate environmental clearance. Therefore, the regulations of the project only apply to construction activity that takes place on the same site as the previously existing single-family home.

### Substantially the Same Purpose

The General Plan Land Use Designation for the parcels affected by the ICO (Appendix B) is strictly Residential Single Family, and this purpose, i.e. land use designation, will not change. The underlying zoning (R1, RS, RE, and RA) determines the primary use that is allowed on each lot, which is limited to a one-family dwelling per lot for the parcels affected by the ICO. Structures such as duplexes, triplexes, or multi-family apartment buildings are not permitted under the ICO and base zoning (LAMC sections 12.07, 12.07.01, 12.07.1 and 12.08 A). Therefore, the Neighborhood Conservation ICO only applies to where the new structure will have substantially the same purpose as the structure replaced.

Although the limitations on development potential vary for each respective neighborhood covered by the ICO, the Zoning Code limits the occupancy of one-family dwelling to one family (LAMC section 12.03). Only on lots zoned for multiple family uses can there be more than one family occupying a dwelling. The ICO maintains the limitation of occupancy to one family per one-family dwelling. Therefore, there will be no change of use or zoning that occurs as a result of the Project. Any change in zoning or General Plan Land Use Designation would require a General Plan Amendment and a Zone Change, and would require its own environmental review.

### Substantially the Same Capacity

Because the nature of the Neighborhood Conservation ICO is a regulatory action rather than a site-specific development, the basic unit of analysis is each of the 15 neighborhoods rather than individual structures.

The following table (Table 6) is intended to show the reasonably foreseeable amount of rebuilds in relation to the existing conditions for each ICO neighborhood. This analysis is based on past construction permit and GIS data provided by the Department of Building and Safety. For all analyses, the assumption is that the total number of single-family zoned lots in each neighborhood accurately reflects the number of single-family homes. The total number of new construction permits granted over the past 6.5 years was used to inform the expected rate of construction over the lifetime of the ICO (up to 2 years). However, to

account for the fluctuations in market conditions during the recession, the new construction permit data from only the past 2.5 years were used to assume the highest anticipated rate of new construction activity in each neighborhood. This “high estimate” was used to calculate the total number of anticipated rebuilds in each neighborhood. To illustrate the minimal impact of these reasonably foreseeable rebuilds at the neighborhood scale, the table also represents the number of rebuilds as a percentage (anticipated number of rebuilds ÷ total number of single-family homes × 100 = % new homes built under ICO).

*Table 6: Anticipated Rate of New Construction and Amount of Rebuilds by Neighborhood*

Neighborhood	Total # of single-family zoned lots	Total # of new construction permits (2008- June 2014)	Approx. avg rate of construction permits per year (2008- June 2014)*	Approx. avg rate of construction permits per year (2013- June 2014)*	Anticipated number of rebuilds per neighborhood for next 2 years	Anticipated amount of rebuilds (%) for next 2 years
Valley Village	2,618	17	3	3	6	0.23%
South Hollywood	76	12	2	3	6	7.89%
Larchmont Heights	656	2	0	1	2	0.30%
Old Granada Hills	1211	9	2	3	6	0.50%
The Oaks of Los Feliz	774	4	1	2	4	0.52%
Council District 5**	14,717	328	55	66	132	0.90%
Kentwood	3,389	11	2	0	0	0%
Mar Vista / East Venice	8,429	73	13	14	28	0.33%
Bel Air	5,440	106	18	13	26	0.48%
La Brea Hancock	264	11	2	4	8	2.76%
Miracle Mile	556	2	0	1	2	0.36%
Faircrest Heights	577	7	3	3	6	1.03%

\* Values are rounded up to nearest whole number.

\*\*Council District 5 includes the following neighborhoods: Lower Council District 5, Beverlywood, Inner Council District 5, and Fairfax Area. At the time of analysis, neighborhood-specific data was unavailable; however, the total area (and corresponding permit data) covered by these contiguous neighborhoods is accounted for.

Based on this analysis, the highest percentage of new home construction is 7.89% in South Hollywood neighborhood. For all the remaining neighborhoods, the percentage of new home construction ranges from 0% to 2.76%, with the majority falling below 1.0%. These low percentages demonstrate the minimal impact on a neighborhood scale that could result from new home construction during the ICO.

The Project substantially maintains the capacity of the 15 neighborhoods as a whole for up to a two year time period. The neighborhoods regulated by the ICO have varying lot sizes,

lot widths, home sizes, and number of stories. However, as shown above in Table 4, the total number of rebuilds expected will have a limited impact. As such, even if individual replacement homes are larger than the homes replaced, the neighborhood as a whole would retain substantially the same character at the end of the ICO period. Consequently, the ICO will result in neighborhoods with substantially the same capacity.

By applying the previously stated regulations to the 15 neighborhoods within the Project Area, the proposed Neighborhood Conservation ICO will ensure that any construction activity within these areas will result in replacement or reconstruction of the existing structures (i.e., single-family homes) where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

## **V. EXCEPTIONS TO THE USE OF CATEGORICAL EXEMPTIONS**

### **CEQA Section 15300.2: Exceptions to Categorical Exemptions**

As explained below, the Project does not satisfy the criteria for exceptions to the application of Section 15300, Class 2 of the State CEQA Guidelines:

*a. Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

Classes 3, 4, 5, 6 and 11 are not being analyzed in this narrative. Furthermore, the Project is not located in a sensitive environment as defined above. This exception does not apply.

*b. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

There are no successive projects of the same type planned in the neighborhoods affected by the Neighborhood Conservation ICO. This is the first ICO proposed for the Project Area. Moreover, the three existing zoning overlays in the vicinity of the proposed Project Area that regulate the size of single-family homes – i.e., Studio City Residential Floor Area (RFA) Supplemental Use District, Sunland-Tujunga RFA District, and Beverly Grove RFA District -- do not result in cumulative impacts in combination with the project. There are no plans to create additional regulations that would limit the size of single-family homes in the reasonably foreseeable future. However, even if a multitude of surrounding neighborhoods within the Project Area adopted regulations that restricted the size of single-family homes, there would be no impact on net housing supply, aesthetics, and the environment when taken into consideration with the proposed ICO.

The parcels affected by the ICO are currently zoned as single-family (i.e., RA, RE, RS, and R1) and have already been built out to the maximum zoning capacity as single-family

neighborhoods. The project does not include any changes to the underlying zoning, and thus the cumulative impact of the ICO on development of single-family homes within the Project Area is insignificant. Since the ICO would reduce the maximum amount of potential development permitted within the twelve neighborhoods, the ICO would disincentivize the large, out-of-scale development of single-family homes that is currently allowed within the Project Area. The ICO will not result in an increase in the scale of development in the neighborhood, creating no additional adverse environmental impacts.

*c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The Project Area is made up of typical urbanized residential districts with no known unusual circumstances or potentially unusual circumstances. The types of development affected by this proposed project are single-family homes located only on single-family zones, where the underlying zoning (and therefore density) will not be changed as a part of this ICO. Rather, the project is expected to reduce aesthetic impacts on the environment due to the concerns of unregulated, large box-like homes degrading the visual quality of these neighborhoods. Additionally, to ensure that the project will not have any significant impacts due to unusual circumstances that has not been considered, Planning Staff evaluated all categories on the Initial Study Checklist including: Aesthetics, Agricultural, Air Quality, Biological, 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, and Mandatory Findings of Significance.

*d. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

The only designated State Scenic Highway in Los Angeles County is Route 2 from 2.7 miles north of State Route 210 at La Canada to the San Bernardino County Line. The Project Area does not include Route 2 and therefore does not include any State Scenic Highways and will not result in damage to scenic resources including trees, historic buildings, rock outcroppings or similar resources. Even if there were a State Scenic Highway located within the Project Area, the Project limits the import and export of earth in Hillside residential neighborhoods, which in turn reduces the amount of potential damage to natural topography and scenic views that could occur.

*e. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The Department of Toxic Substances Control (DTSC) has not listed any single-family zoned residential parcel within the Project Area as a hazardous material site (Envirostor Database); therefore, the exception does not apply.

*f. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The Project would not cause a substantial adverse change in the significance of a historical resource. None of the twelve neighborhoods that are proposed to be regulated by the Interim Control Ordinance are located within a Historic Preservation Overlay Zone (HPOZ), nor contain structures that have been deemed as historic or culturally significant monuments by the City's Cultural Heritage Commission. If any structures within the Project Area have the potential to be designated as a historical resource, separate regulatory processes exist for the exclusive oversight of historic resources. In fact, five other single-family neighborhoods were identified and placed on a separate ICO to specifically address this issue. Therefore, the project would not cause a substantial adverse change in the significance of historical resources, including but not limited to, historical buildings, landmarks, monuments, or similar resources.

## **VI. ADDITIONAL FACTUAL SUPPORT**

Planning staff considered all categories on the Initial Study Checklist to demonstrate that no CEQA exceptions apply to the proposed Neighborhood Conservation Interim Control Ordinance.

### **Aesthetics**

The proposed project applies primarily to single-family zoned lots that are not located in Hillside Areas, and therefore will not have substantial adverse effects on scenic vistas. In addition, the allowable height and number of stories for single-family homes will not increase as a result of the proposed ICO, and therefore views will not be affected.

This project is intended to guide development in single-family zones, and is not expected to directly impact scenic highways. For the two Hillside neighborhoods that are located near scenic highways, the limitation on import and export of earth for single-family home construction is more restrictive than what is allowed through the underlying zoning. Therefore, the project will result in reduced potential for adverse aesthetic impact in these Hillside homes near scenic resources because the overall size and massing would be scaled down, allowing for greater visibility of scenic vistas. When necessary, potential impacts on scenic resources from individual projects will be captured in project-specific environmental assessments.

If adopted, the Neighborhood Conservation ICO would have a net positive impact on the visual character of single-family residential neighborhoods by directly addressing the massing of buildings in single-family residential zones. By limiting the development potential of structures within single-family zones, the project will prevent the large box-like homes that are out-of-scale with surrounding single-family homes and protect from the degradation of existing visual character.

The establishment of the proposed project would not in itself result in new construction that could introduce a new source of substantial light; rather, it is expected to potentially reduce

new sources of light or glare because it will indirectly result in a decrease in square footage for construction and additions to single-family homes.

### **Agricultural**

There is no existing zoning for agricultural uses in the project area. Consequently, the proposed project does not contain any farmland or agricultural land that could potentially be impacted.

### **Air Quality**

The proposed project would not conflict with or obstruct the implementation of the SCAQMD or congestion management plan, violate any air quality standard, or contribute substantially to an existing or projected air quality violation. The proposed project applies only to single-family residential properties which are not considered substantial sources of pollution or air quality violations. The ICO 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. Additionally, the proposed project would not expose any sensitive receptors to substantial pollutant concentrations, nor create any odors. The proposed project applies only to single-family residential properties which are not considered substantial point sources of objectionable odors. Development that would occur under the proposed project would occur otherwise. The proposed project simply places regulations on exterior design. Therefore, any individual development proposal subject to discretionary approval would still require project-specific environmental analysis. As a result, potential impacts from these projects would be captured through this analysis and mitigated accordingly.

### **Biological Resources**

The proposed project is located in fully urbanized areas of the City. There will be no changes in conditions that could yield an incremental increase in potential impacts to any species identified as a candidate, sensitive, or special status species. There are no biological resources, including riparian habitat, other sensitive natural community or federally protected wetlands, native resident or migratory fish/wildlife species that would be impacted. The proposed project would not result in direct removal, filling, or hydrological interruption to any resource and there are no known local policies, habitat conservation plans, or ordinances protecting biological resources in the proposed project area. Thus, the proposed project would not affect any biological resources.

### **Cultural Resources**

The proposed project would not cause an adverse change in the significance of cultural or historical resources as defined in State CEQA 15064.5. The ICO only regulates the size of single-family homes within the Project Area. It would not change the status of or affect any known existing historic or culturally significant resources. The ICO would not preclude the applicability of existing regulations involving historical and cultural resources.

The proposed project will not cause an adverse change in significance of an archaeological resource, paleontological resource, site, or unique geologic feature, or any human remains. Any individual project with a potential impact to archaeological or paleontological resources would be required to conduct project-specific environmental analysis.

### **Geology and Soils**

The proposed project in and of itself will not pose any risks of human injury and property damage due to potential regional earthquakes. As is common in the Southern California region, there will be continued risks of human injury and property damage because of potential regional earthquakes, but none posed specifically by the proposed Neighborhood Conservation ICO. No Alquist-Priolo special study zone areas, designated by the state of California Geological Survey, are located within the project area (ZIMAS). While generally the potential exists for geologic hazards due to geologic and seismic conditions in the project area, this specific project proposes no changes that would alter these conditions.

The proposed project is not located in a state-designated liquefaction area (ZIMAS). The project proposes no land use changes and thus there would be no changes in topography or surface relief features beyond what would otherwise occur. Moreover, the project area is an urbanized area and the majority of the land is developed and consequently, would not result in substantial soil erosion or loss of topsoil. The proposed Neighborhood Conservation ICO is not located within any areas that are considered to be a geologic unit or have unstable soil. All parcels within the proposed boundaries have access to sewers and wastewater disposal.

#### **Hazards and Hazardous Materials**

The proposed project would not result in the routine transport, use, production, or disposal of hazardous materials. The proposed Neighborhood Conservation ICO would merely impose design regulations and would not involve the use of potentially hazardous materials that could create a significant public hazard through the accidental release of hazardous materials into the environment. Any individual project involving hazardous materials would be subject to project-specific environmental analysis and would be mitigated accordingly. The Department of Toxic Substances Control (DTSC) has not listed any residential parcels in the project area as a hazardous material site (Envirostor Database). While some properties are located within a methane zone or methane buffer zone, the proposed project is regulatory in nature and would further limit development potential, therefore there would not be an impact as a result of location within a methane zone or methane buffer zone. Rather, individual development proposals would be subject to project-specific environmental analysis and any potential methane impacts would be evaluated at that time. The proposed project includes some single-family neighborhoods within two miles of local airports or private airstrips. However, the project will neither result in an increase in construction of single-family homes adjacent to existing public airports or private airstrips, nor result in an increased safety hazard for people residing or working in these areas. The proposed project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project is located in a fully urbanized area and would not expose people or structures to wildland fires.

#### **Hydrology and Water Quality**

The proposed project does not involve any change in density or incentives for increased construction activity; therefore, it would not violate any water quality standards or waste discharge requirements, nor would it have a substantial impact on groundwater supplies or recharge. The proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge. Moreover, the proposed project would not substantially alter the existing drainage pattern of the area. The proposed project would not create or contribute to runoff water or substantially degrade water quality. The proposed project 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, Flood Insurance Rate Map, or the Flood Hazard Delineation Map. The Ordinance will regulate construction of single-family homes or additions to existing single family homes which are already zoned for single-family residential use. Therefore the proposed project does not place structures that would impede or redirect flows within a one hundred year flood plain.

The Mulholland Dam is located near a portion of the proposed project; however, the project is regulatory in nature and would not direct construction to areas that could expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of this dam. As the project affects homes that are primarily in flat areas and at least a mile inland from the coast, it is not expected to make future residential development in the affected areas more susceptible to inundation by a seiche, tsunami or mudflow. Individual development projects that could impact hydrology or water quality would be subject to project-specific environmental analysis and mitigated accordingly.

### **Land Use and Planning**

The primary objective of the Neighborhood Conservation ICO is to establish more effective regulations as they pertain to the size and scale of single-family development on properties which are zoned R1 within the proposed Neighborhood Conservation Initiative Areas. The project would result in a limitation of development potential for replacement structures (i.e. single-family homes) to better fit the community's character and scale.

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. The eight relevant Community Plans for this project are: the Wilshire Community Plan, Hollywood Community Plan, Granada Hills - Knollwood Community Plan, North Hollywood - Valley Village Community Plan, Bel Air - Beverly Crest Community Plan, West Los Angeles Community Plan, Westchester - Playa del Rey Community Plan, and Westwood Community Plan.

### General Plan

The proposed project 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.

Wilshire Community Plan (La Brea Hancock Neighborhood, Miracle Mile, Faircrest Heights, and Larchmont Heights)

*Objective 1-3:* Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Hollywood Community Plan (South Hollywood and The Oaks of Los Feliz)

**Objective 3:** To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice. To encourage the preservation and enhancement of the varied and distinctive residential character of the Community, and to protect lower density housing from the scattered intrusion of apartments.

**Features:** The Plan encourages the preservation and enhancement of well-defined residential neighborhoods in Hollywood through (1) application of Historic Preservation Overlay Zones where appropriate, and/or (2) preparation of neighborhood preservation plans which further refine and tailor development standards to neighborhood character.

Granada Hills - Knollwood Community Plan (Old Granada Hills)

**Objective 4:** To encourage the preservation and enhancement of the varied and distinctive residential character of the Community.

North Hollywood - Valley Village (Valley Village)

**Objective 3-a:** To encourage the preservation and enhancement of the varied and distinctive residential character of the community, and to preserve the stable single-family residential neighborhoods.

**Objective 8:** To improve the visual environment of the community and, in particular, to strengthen and enhance its image and identity. To discourage the distasteful array of signs and billboards located along the major arteries of the community.

Bel Air - Beverly Crest (Bel Air)

**Objective:** The Plan encourages preservation of low density, single-family residential areas and the conservation of open lands for environmental protection and park and recreational use. 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.

**Features:** The Plan proposes that the low-density residential characteristics of Bel Air-Beverly Crest be preserved, and that predominantly single-family residential neighborhoods be protected from adjacent uses of other types by landscaping and other buffering devices commensurate with other Plan proposals.

West Los Angeles (Lower Council District 5, Beverlywood, Inner Council District 5, and Fairfax Area)

**Goal 1:** A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

**Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

**Policy 1-1.1:** Protect existing single family residential neighborhoods from new out-of-scale development and other incompatible uses.

**Policy 1-1.2:** Promote neighborhood preservation in all residential neighborhoods.

Westchester - Playa del Rey (Kentwood)

**Goal 1:** Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Westchester-Playa del Rey community.

*Objective 1-1:* Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Westchester-Playa del Rey Community Plan Area to the year 2025.

*Policy 1-1.1:* Protect existing stable single family and low density residential neighborhoods, such as Kentwood, from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

*Policy 1-1.2:* The City should promote neighborhood preservation, particularly in existing single family neighborhoods, as well as in areas with existing multiple family residences.

#### Westwood (Lower Council District 5)

**Goal 1:** A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

*Objective 1-1:* To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

*Policy 1-1.1:* Protect existing single family residential neighborhoods from new out-of-scale development and other incompatible uses.

*Policy 1-1.2:* Protect the quality of residential environment and promote the maintenance and enhancement of the visual and aesthetic environment of the community.

One of the main objectives of the Citywide Framework Element is to preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods, and that most of the Community Plans in the City of Los Angeles include the objective of ensuring that the character and scale of stable single-family residential neighborhoods are maintained. This project, as proposed, would help to maintain the scale and character of existing single-family neighborhoods by directly addressing the massing and scale of single-family homes.

Furthermore, the proposed project would merely impose development regulations intended for the protection and preservation of the existing character of the five single-family neighborhoods. The establishment of this ICO does not, in any way, impose any physical changes on any community and therefore would not physically divide the community neither within itself, nor from the surrounding communities.

#### **Mineral Resources**

The project area does not contain any known mineral resources and the project would not result in the loss of availability of a known mineral resource or locally-important mineral resource recovery site. All individual development proposals would be subject to project-specific environmental analysis and any mineral resource impacts would be evaluated at that time.

### **Noise**

The proposed project would not result in the exposure of persons to or generation of noise levels in excess of standard levels. Furthermore, the proposed project would not result in the exposure of people to or generation of excessive ground borne vibration or ground borne noise levels or creates a substantial periodic or permanent increase in ambient noise levels. The proposed Neighborhood Conservation Initiative Areas are not located within any airport land use plan or in the vicinity of a private airstrip. Thus, there would not be impacts on any noise levels as a result of this project. Rather, individual projects would be subject to project-specific environmental analysis and any noise impacts would be evaluated at that time.

### **Population and Housing**

The proposed project 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 new home construction; or directly result in a zone change or change of land use. The ICO would neither induce nor prevent population growth, and it would not direct population growth to new areas. The scope of the project is limited to regulating the massing and scale of buildings on lots zoned for single-family residential use.

The proposed project 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 ICO 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 ICO and it is unlikely that residents would be displaced or that the construction of replacement housing elsewhere would be required.

### **Public Services**

The proposed project would not result in any new or physically altered governmental facilities and thus there would be no impacts associated with the provision of such facilities. All individual development proposals would be subject to project-specific environmental analysis and any impacts to public services facilities would be evaluated at that time.

### **Recreation**

The project does not affect or include recreational facilities because the project is not proposing the construction or expansion of such facilities. Additionally, the project will not result in a population increase, and therefore will not result in increased demand for existing recreational facilities. All individual development proposals would be subject to project-specific environmental analysis and any recreational facilities would be evaluated at that time.

### **Transportation/Circulation**

The proposed project 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 ICO 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.

The proposed project would not exceed a level of service standard established by the county congestion management agency for designated roads or highways nor result in a change in air traffic patterns. Since the proposed project applies only to single-family homes, it would not affect street design, which could potentially increase traffic hazards. Moreover, the proposed ICO does not regulate use and thus, would not promote incompatible uses that could also increase traffic hazards. Emergency access and parking requirements would be subject to the provisions of the Los Angeles Municipal Code. Consequently, the proposed project would not supersede these code requirements and would not result in inadequate emergency access or parking capacity. All individual development proposals would still be subject to project-specific environmental analysis and any impacts to transportation or traffic would be evaluated at that time. The proposed HPOZ and preservation plan does not regulate any public thoroughfare and does not include any guidelines that would conflict with adopted policies, plans or programs supporting alternative transportation.

### **Utilities**

The proposed project would not encourage construction, but rather regulate the design of construction that would otherwise occur to ensure its compatibility with the neighborhood. Furthermore, the proposed project is not expected to result in an increase in the potential for new home construction, or a redirection of population growth. Therefore, the proposed project would not impact utilities and service systems. The proposed project would not exceed wastewater treatment requirements of the applicable regional water quality control board, nor require the construction of new water or wastewater treatment facilities. The proposed project would not require the construction of new stormwater drainage facilities or expansion of existing facilities. The proposed project would not have an effect on water supplies, nor affect wastewater treatment. Moreover, the proposed project would not have any solid waste disposal needs or generate any solid waste disposal itself.

### **Mandatory Findings of Significance**

If adopted, the Neighborhood Conservation ICO will apply to single-family homes primarily within heavily urbanized areas. Currently, single-family home construction in the City occurs predominantly on in-fill sites. The proposed ICO 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 Ordinance 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 project would not, on its face, have the potential to degrade the quality of the environment, or threaten rare or endangered flora or fauna.

The project will not introduce new residential development which affects the habitat of any fish or wildlife species within the plan area. Most single-family development is concentrated in areas that are not ecologically sensitive. Furthermore, single-family homes within the Coastal Zone will not be affected by this Ordinance; therefore, it is unlikely that the adoption of this ICO – a regulatory action - will directly cause a native fish or wildlife population to drop below self-sustaining levels. Additionally, the project is 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.

The proposed project would not substantially degrade environmental quality, substantially reduce fish or wildlife habitat, 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.

The proposed project would not have an impact which is individually limited but cumulatively considerable. The Neighborhood Conservation ICO would only impact single-family zones that are already developed to capacity (i.e., one dwelling unit) -- this is not a cumulatively considerable impact. Moreover, the proposed ICO will only affect the size and scale of new construction by limiting development potential. The project does not affect the underlying zoning, nor does it include any direct development as a part of the temporary regulations. Thus, it is still possible to maximize the underlying zoning under the proposed ICO while not producing impacts that are incrementally considerable.

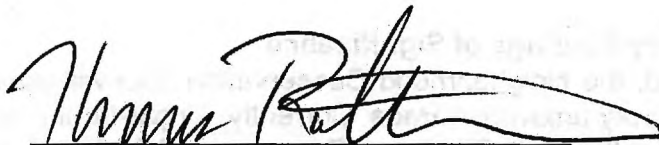
The proposed project would not have environmental effects which could cause substantial adverse effects on human beings, either directly or indirectly as outlined before. Individual development projects would still be subject to environmental review and any potential environmental effects adverse to human beings, either directly or indirectly would be evaluated at that time.

**PREPARED BY:**

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