

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION, and ORDINANCE FIRST CONSIDERATION relative to appeals for property located at 16062-16140 West Chase Street and 8414-8458 North Woodley Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 15-0803 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2014-943-MND] filed on December 2, 2014.
2. ADOPT the FINDINGS of the Planning and Land Use Management (PLUM) Committee, approved on August 11, 2015, including the Environmental Findings, as the Findings of Council.
3. RESOLVE TO GRANT IN PART/DENY IN PART the APPEALS filed by: Debra Francisco and William Larsen, from part of the determination of the Los Angeles City Planning Commission (LACPC), thereby APPROVE the Site Plan Review and the Zoning Administrator's Adjustment for the proposed construction of a 73 single-family dwelling units on 73 separate lots in a small lot subdivision on a 477,223 square foot site, located at 16062-16140 West Chase Street and 8414-8458 North Woodley Avenue, subject to modified Conditions of Approval.
4. ADOPT the accompanying RESOLUTION as recommended by the Mayor and LACPC APPROVING the General Plan Amendment to the Mission Hills-Panorama City-North Hills Community Plan to change land use designation from Low Density Residential to Low Medium Density Residential for property located at 16062-16140 West Chase Street and 8414-8458 North Woodley Avenue.
5. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a Zone Change from RA-1 (suburban zone) to (T)(Q)RD6-1 (restricted density multiple dwelling zone), subject to Conditions of Approval.
6. ADVISE the applicant of Q Qualified classification time limit as described in the Committee report.
7. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. ADVISE the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Eric Borstein, Loren Borstein, BE Residential V. LLC  
Representative: Brad Rosenheim and Associates, Inc.

Appellants: Debra Francisco and William Larsen

Fiscal Impact Statement: The Department of City Planning reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted

**TIME LIMIT FILE - AUGUST 22, 2015**

**(LAST DAY FOR COUNCIL ACTION – AUGUST 21, 2015)**

Summary:

At the public hearing held on August 11, 2015 the PLUM Committee considered appeals relative to a project located at 16062-16140 West Chase Street and 8414-8458 North Woodley Avenue (as stated above). During the discussion of this matter, the Department of City Planning staff provided an overview of the project and addressed related questions. Comments were also provided by the Appellants, Applicant, and the Applicant's Representative. After an opportunity for public comment, the PLUM Committee instructed the Department of City Planning staff to make various modifications to the Conditions as presented by the Applicant's representative, and recommended that Council grant in part/deny in part the appeals.

As indicated in Recommendation No. 6 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

. . . whenever property remains in a Q Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings.

Respectfully Submitted,



PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR	ABSENT
HARRIS-DAWSON	YES
ENGLANDER	YES
CEDILLO	YES
FUENTES	YES

ORDINANCE NO. \_\_\_\_\_

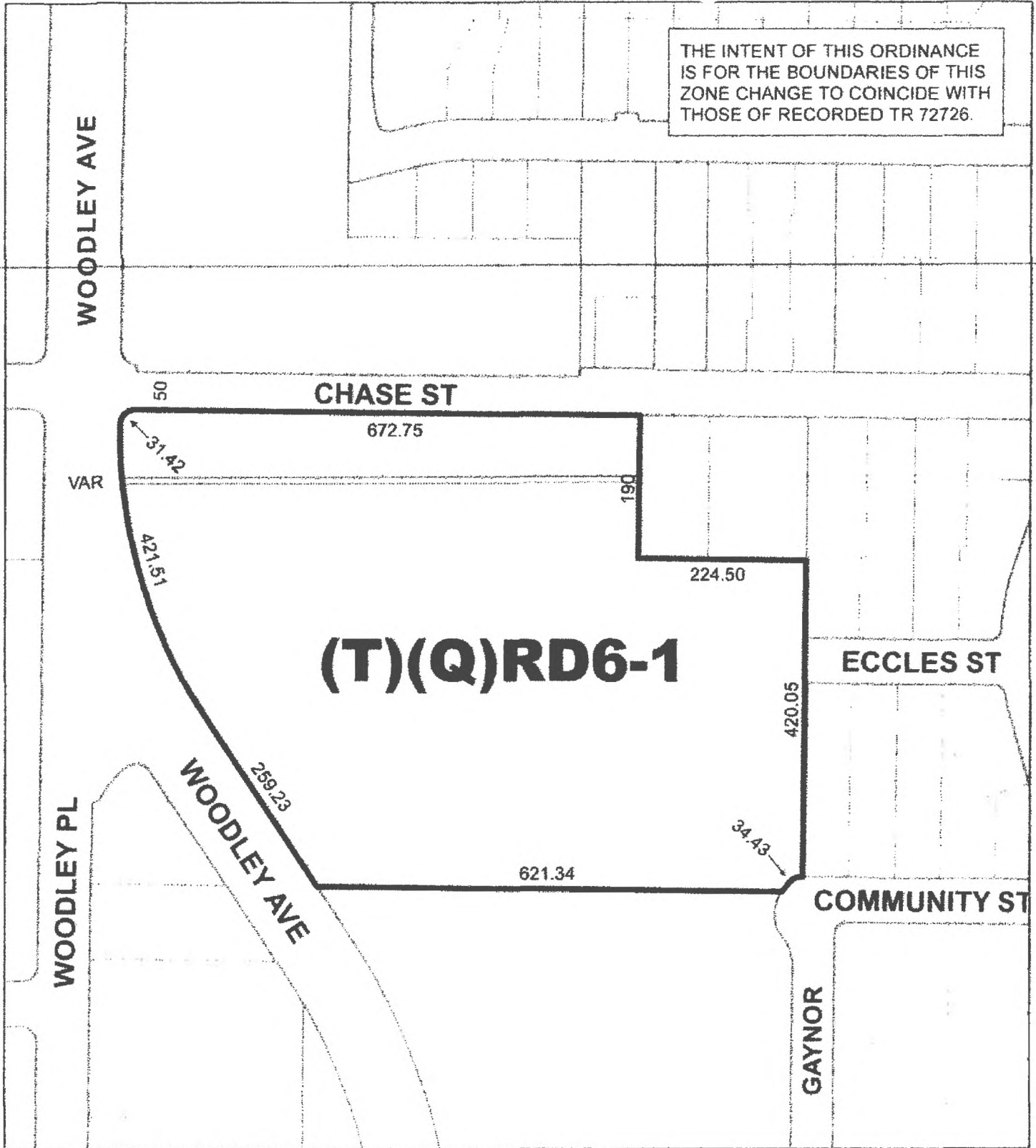
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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

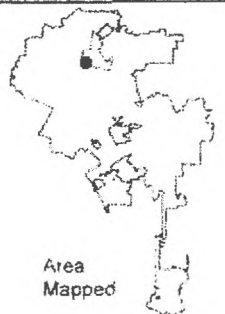
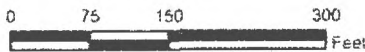
---

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

THE INTENT OF THIS ORDINANCE IS FOR THE BOUNDARIES OF THIS ZONE CHANGE TO COINCIDE WITH THOSE OF RECORDED TR 72726.



**(T)(Q)RD6-1**



C.M. 192 B 141      CPC-2014-942-GPA-ZC-ZAA-SPR

CFI

040115

Area Mapped

## (Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

### A. Development Conditions:

1. **Permitted Uses.** The property shall be limited to the use and area provisions of the RD6 zone as defined in Section 12.09.1 of the Los Angeles Municipal Code, and as permitted in this grant.
2. **Density.** The project shall be limited to a maximum density of seventy-three (73) dwelling units.
3. **Open Space Lots.** Pursuant to the site plan (**Exhibit B.1**) dated **September 17, 2014**, the project shall provide a minimum of two (2) Open Space Lots (Lots "A" and "B") that shall be accessible to all residents of the development. Lot "C" shall remain undeveloped and shall be landscaped and utilized as a water quality basin. Lot "C" shall only be accessible as passive open space if permitted by the applicable public agencies and deemed safe for such purposes by said agencies. No building or structure, as defined by LAMC Section 12.03, shall be permitted on these Open Space Lots. (Exception: Non-habitable recreational spaces or other equipment shall be permitted including, but not limited to: play equipment, pagodas, gazebos, and pergolas.)
4. **Private Open Space.** Pursuant to the site plan (**Exhibit B.1**) dated **September 17, 2014**, each individual lot with a dwelling unit shall maintain a minimum of 200 square feet of private open space.
5. **Height:** The project shall not exceed two (2) stories and 30'-0" in height from finished grade, as defined by Section 12.21.1 B.3 of the LAMC.
6. **Balconies, Decks, Patios or Similar Outdoor Spaces.** No unenclosed or uncovered balconies, decks, patios or similar outdoor spaces shall be permitted above the first floor on the portion of any structure abutting any existing single-family dwellings. Exception: Unenclosed or uncovered balconies shall be permitted which do not exceed 5 feet in depth and 10 feet in width.
7. **Roofs.** The roof pitch of any roof on any structure shall be a minimum 4:12 (18.43 degrees). Additionally, the project shall integrate varied roof lines and elevation styles between structures in the development through the use of sloping roofs, modulated building heights, gables, dormers, or other innovative architectural solutions.
8. **Parking (Resident).** The project shall provide parking in accordance with LAMC Section 12.21-A.4(a) (two covered, off-street parking spaces per unit).
9. **Parking (Guest).** Per the applicant's plans, each lot within the project shall be designed so the driveways of each dwelling unit provide for a minimum of two (2) additional guest parking spaces per dwelling unit. Additionally, the applicant shall provide an additional 20 guest parking spaces on the internal common access easements with these spaces individually marked for guest parking.

10. **Exterior Windows.** All exterior windows shall be constructed with dual-pane glass with a U-Factor of 0.30 or better.
11. **Los Angeles County Metropolitan Transportation Authority (LACMTA).** Prior to the commencement of construction of the project, the applicant and/or owner should contact LACMTA's Metro Bus Operations Control Special Events Coordinator at (213) 922-4632 regarding construction activities that may impact Metro bus lines.

---

**B. Environmental Conditions.**

1. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the Department of City Planning.
2. **Aesthetics (Landscape Buffer).** A minimum 5'-0" wide landscape buffer shall be planted adjacent to the currently existing residential use.
3. **Aesthetics (Outdoor Lighting).** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties and shall be downward facing.
4. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
5. **Air Pollution (Demolition, Grading, and Construction Activities).** During the demolition, construction and/or grading activities on the subject property, the applicant shall do the following mitigations:
  - a. 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.
  - b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
  - c. All clearing, 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.
  - d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
  - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

- g. All construction equipment including vehicles and trucks having no current hauling activity shall not idle but be turned-off.
6. **Tree Report.** Prior to the issuance of a grading or building permit, the applicant shall prepare and submit a Tree Report, prepared by a Tree Expert as defined in Section 17.02, indicating the location, size, type, and condition of all existing trees on the site. Such report shall also contain a recommendation of measures to ensure the protection, relocation, or replacement of affected trees during grading and construction activities.
- 
7. **Tree Preservation (Grading Activities).** "Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (trunk diameter of 8 inches or greater) non-protected trees, or as may be recommended by the Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.
8. **Tree Removal (Non-Protected Trees).** The removal of any non-protected species of trees shall do the following:
- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
  - b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
  - c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
9. **Tree Removal (Locally Protected Species).** The removal of any locally protected species of trees shall do the following:
- a. All protected tree removals require approval from the Board of Public Works.
  - b. A Tree Report shall be submitted to the Urban Forestry Division of the Bureau of Street Services, Department of Public Works, for review and approval (213-847-3077), prior to implementation of the Report's recommended measures.
  - c. A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division.
  - d. The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.

10. **Bonding (Tree Survival).** For all trees which are to be preserved, the following shall apply:

- a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.
- b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

11. **Cultural Resources (Archaeological).** If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:

- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to: SCCIC Department of Anthropology, McCarthy Hall 477, CSU Fullerton, 800 North State College Boulevard, Fullerton, CA 92834.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

12. **Cultural Resources (Paleontological).** If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:



- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

---

- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

**13. Cultural Resources (Human Remains).** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner: 1104 N. Mission Road, Los Angeles, CA 90033. 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays).
- b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance.
- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- g. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

**14. Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

- 15. Grading (20,000 Cubic Yards, or 60,000 Square Feet of Surface Area or Greater).** Impacts will result from the alteration of natural landforms due to extensive grading activities. However, this impact will be mitigated to a less than significant level by designing the grading plan to conform to the City's Landform Grading Manual guidelines, subject to approval by the Department of City Planning and the Department of Building and Safety's Grading Division. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
- a. A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.
  - b. "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
  - c. "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
  - d. Movement and removal of approved fencing shall not occur without prior approval by LADBS.
- 16. Geotechnical Report.** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- 17. Hazardous Materials Site.** Prior to the issuance of any use of land, grading, or building permit, the applicant shall obtain a sign-off from the Fire Department indicating that all on-site hazardous materials, including contamination of the soil and groundwater, have been suitably remediated, or that the proposed project will not impede proposed or on-going remediation measures.
- 18. Increased Noise Levels (Landscape Buffer).** A minimum five-foot wide landscape buffer shall be planted adjacent to the currently existing residential use. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.

19. **Increased Noise Levels (Demolition, Grading, and Construction Activities).** 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. The following shall apply:
- a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
  - b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
20. **Public Services (Fire).** The 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.
21. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
22. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
23. **Public Services (Schools).** The project is located within 1,600 feet radius of **Parthenia Street Elementary School** located at **16825 Napa Street, North Hills**. Based upon this location, the applicant shall do the following:
- a. The developer and contractors must maintain ongoing contact with administrator(s) of **Parthenia Street Elementary School**. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (and assure that safe and convenient pedestrian and bus routes to the school be maintained).

- b. Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
  - c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- 
- d. Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on the streets adjacent to the school during school hours.
  - f. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

**24. Recreation (Increase Demand for Parks or Recreational Facilities – Zone Change).** Pursuant to Section 12.33 of the Los Angeles Municipal Code, the applicant shall pay the applicable fees for the construction of dwelling units.

**25. Safety Hazards.** Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- c. Pursuant to DOT's revised letter dated, March 5, 2015, the project shall install a signal at their Woodley Avenue entrance subject to final approval by DOT.

**26. Utilities (Local Water Supplies - Landscaping).** The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season). In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

- a. Weather-based irrigation controller with rain shutoff.
- b. Matched precipitation (flow) rates for sprinkler heads.
- c. Drip/micro spray/subsurface irrigation where appropriate.
- d. Minimum irrigation system distribution uniformity of 75 percent.

- e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials.
- f. Use of landscape contouring to minimize precipitation runoff

27. **Utilities (Local Water Supplies - All New Construction).** The following mitigations shall be imposed to mitigation the impact of the cumulative increase in demand on the City's water supplies resulting from the project.

---

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gallons per flush), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- e. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- f. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

C. Administrative Conditions:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
  5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
- 
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
  7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans.
  8. **Mitigation Monitoring.** Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act, the applicant and any future owners, successors, heirs or assigns shall provide the Planning Department with status reports for assessing and ensuring the efficacy of the mitigation measures (environmental conditions) required herein.
    - a. Within 30 days of the effective date of this land use entitlement and prior to any Planning Department clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Planning Department which defines specific reporting and/or monitoring requirements to be enforced during project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s), the applicable enforcement agency, the applicable monitoring agency and applicable phase of project implementation as follows:
      - i. Pre-construction (prior to issuance of a building permit);
      - ii. Construction (prior to certificate of occupancy); and
      - iii. Post-construction / maintenance (post-issuance of certificate of occupancy).In some cases, a specific mitigation measure may require compliance monitoring during more than one phase of project implementation. Such measures shall be noted within the discussion of the specific mitigation measure in the MMRP.
    - b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Planning Department and the applicable enforcement agency prior to issuance of a building permit or certificate of occupancy, and, as applicable, provide periodic status reports to the Planning Department regarding compliance with post-construction / maintenance conditions.

- c. If the environmental conditions include post-construction / maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
  - d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Planning Department for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.
- 
9. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Section \_\_\_\_ 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 the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of \_\_\_\_\_.

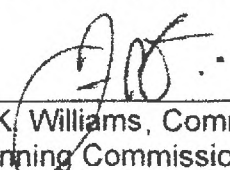
\_\_\_\_\_  
Holly L. Wolcott, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Pursuant to Section 558 of the City Charter,  
the City Planning Commission on March 26, 2015  
recommended this ordinance be adopted by the City Council.

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

File No. \_\_\_\_\_