

ORDINANCE NO. 184279

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

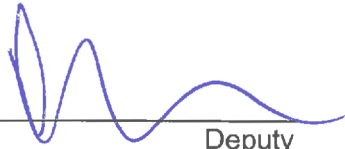
**THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

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


Sec. \_\_\_\_\_. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 04 2016.

HOLLY L. WOLCOTT, City Clerk

By  Deputy

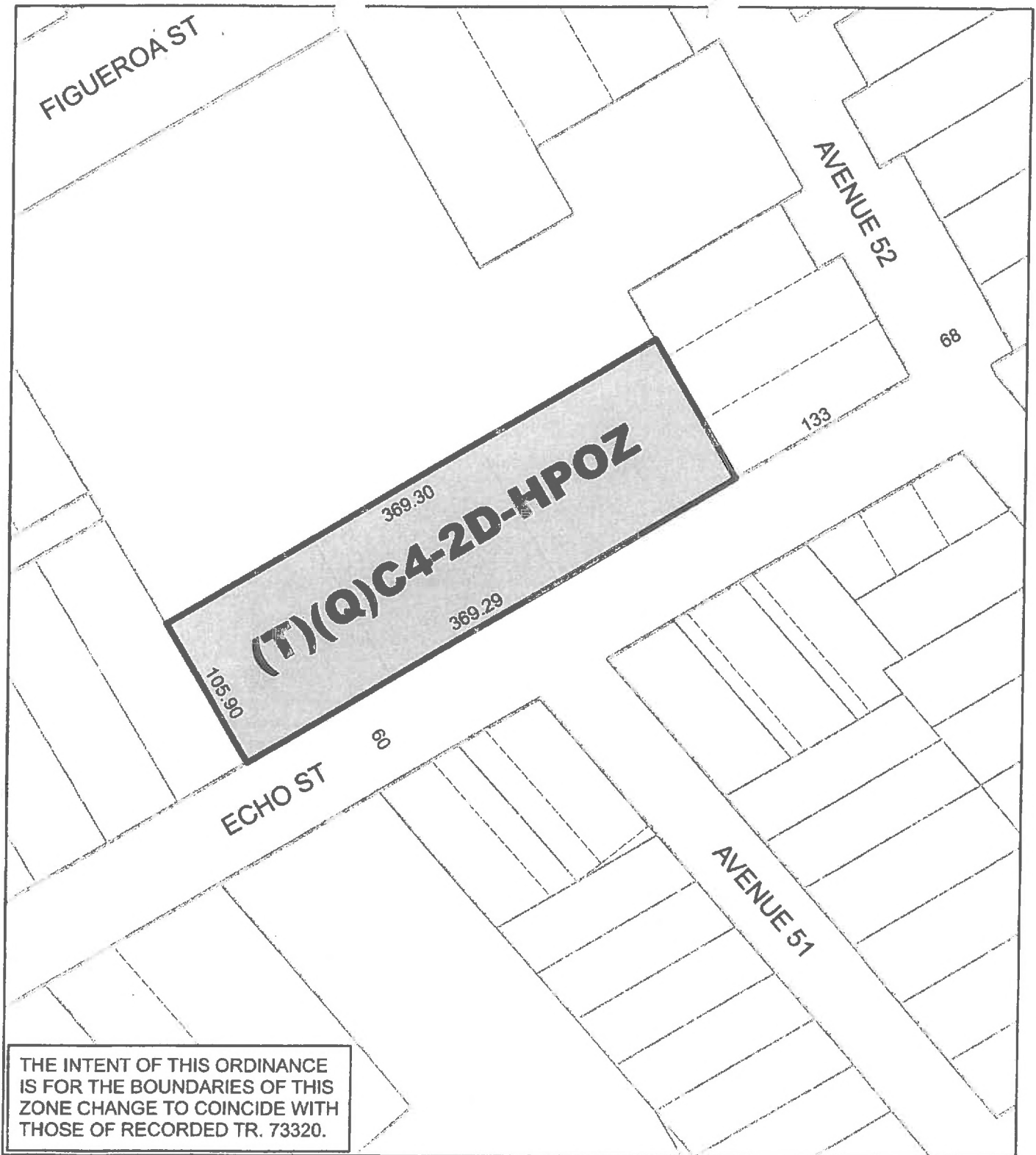
Approved 5/10/16



  
Mayor

Pursuant to Section 558 of the City Charter, the East Los Angeles Area Planning Commission on December 9, 2015, recommended this ordinance be adopted by the City Council.

  
Fely C. Pingol, Commission Executive Assistant  
East Los Angeles Area Planning Commission

File No. 116-0197



  
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## (Q) QUALIFIED CONDITIONS OF APPROVAL

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

### Entitlement Conditions

1. **Use.** Use of the subject property shall be limited to the use and area provisions of the C4 zone as defined in Section 12.11.5 of the Municipal Code.
2. **Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development site and elevation plans including complete landscape and irrigation plan by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans in addition shall be in substantial conformance with the architectural plans labeled as Exhibit "A", and exterior color and materials contained in "Exhibit A-1, or as modified by the East Los Angeles Area Planning Commission attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization
3. **Density.** No more than 24 dwelling units can be developed on the subject site.
4. **Height.** The maximum height of each building shall not exceed 39.25 feet as measured from finished grade per Section 12.03. Exceptions permitted per Section 12.21.1 B is allowed as long as they are screened from adjacent properties.

### Environmental Mitigation Conditions

#### 5. **Tree Removal (Non-Protected Trees)**

- a. Prior to issuance of any permit related to development of the Project, a plot plan shall be prepared for the Project, indicating the location, size, type, and general condition of all existing trees on the Project 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 Project 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 planning of any tree in the public right-of-way shall require approval of the Board of Public Works. All trees in the public right-of-way shall be provided in the current standards of the Urban Forestry Division of the Department of Public Works, Bureau of Street Services.
- d. 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 prior to implementation of the Report's recommended measures.

## **6. Tree Removal (Locally Protected Species)**

- a. All protected tree removals require approval from the Board of Public Works.
- b. Contact 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 Tree Report shall be submitted to the Urban Forestry Division of the
- d. 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.
- e. 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.
- f. Bonding (Tree Survival):
  1. 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.
  2. 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.

## **7. Nesting Native Birds**

- a. Conduct vegetation removal associated with construction from September 1st through January 31st, when birds are not nesting. Initiate grading activities prior to the breeding season (which is generally February 1st through August 31st) and keep disturbance activities constant throughout the breeding season to prevent birds from establishing nests in surrounding habitat (in order to avoid possible nest abandonment); if there is a lapse in activities of more than five days, pre-construction surveys shall be necessary as described in the bullet below.

**OR**

- b. Conduct pre-construction surveys for nesting birds if vegetation removal or grading is initiated during the nesting season. A qualified wildlife biologist shall conduct weekly pre-construction bird surveys no more than 30 days prior to initiation of grading to provide confirmation on the presence or absence of active nests in the vicinity (at least 300 to 500 feet around the individual construction site, as access allows). The last survey should be conducted no more than three days prior to the initiation of clearance/construction work. If active nests are encountered, clearing and construction in the vicinity of the nests shall be deferred until the young birds have fledged and there is no evidence of a second attempt at nesting.
  - c. A minimum buffer of 300 feet (500 feet for raptor nests) or as determined by a qualified biologist shall be maintained during construction depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area. Construction personnel should be instructed on the sensitivity of the area.
  - d. A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable state and federal regulations protecting birds shall be submitted to the City and County, depending on within which jurisdiction the construction activity is occurring. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur.
- 8. Public Services –Police.** Building plans shall incorporate 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.

## DECLARATION OF POSTING ORDINANCE

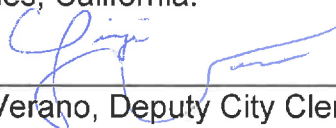
I, JUAN VERANO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

**Ordinance No.184279 – Zone change for property located at 5101-5123 – APCE-2015-0951-ZC-DI-SPP-CCMP** – a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **May 4, 2016**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **May 11, 2016** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **May 11, 2016** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **11th** day of **May 2016** at Los Angeles, California.

  
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Juan Verano, Deputy City Clerk

**Ordinance Effective Date: June 20, 2016**

**Council File No. 16-0197**