Glaser Weil

October 20, 2016

VIA E-MAIL AND HAND DELIVERY

Chairman Jose Huizar & Honorable Members of the Planning and Land Use Committee 200 N. Spring Street, Room 395 Los Angeles, CA 90012 Attn: Patrice.lattimore@lacity.org

Re: Applicant Letter Opposing Appeal in 16-1048/VTT-73704

Honorable PLUM Committee Members:

This firm represents the applicant, UB Valley Village, LLC (the "Applicant"), in the above-referenced case. The Applicant proposes a small lot subdivision consisting of 26 single family homes and 59 parking spaces (the "Project"). Under the existing zoning, 35 units could be developed by right (48 unit with a density bonus). Thus, the Project requests far fewer units than could be developed at the site. The Project does not seek any variances or exceptions from the Zoning Code or the Valley Village Specific Plan, and conforms to all applicable General Plan and Zoning Code requirements.

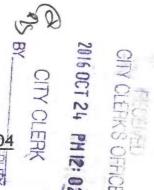
The September 2, 2016 appeal of the South Valley Area Planning Commission's ("APC") decision to affirm the Planning Director's approval of VTT-73704 and DIR-2015-2697-SPP and approve the Mitigated Negative Declaration ("MND") in ENV-2015-2618-MND should be denied. This letter responds to issues raised in the appeal not addressed in our July 5, 2016 and August 3, 2016 letters to the Area Planning Commission, attached respectively as Exhibits A and B hereto.

As an initial matter, although appellant has filed an appeal of DIR-2015-2597-SPP, the City Council does not have jurisdiction to consider an appeal of that matter. The APC is the final decision maker in cases involving a Specific Plan Project Permit Compliance determination not requesting an exception pursuant to the Los Angeles Municipal Code Section 11.5.7. No exception was requested in connection with the Applicant's project and the August 24, 2016 Letter of Determination found the project consistent with the Valley Village Specific Plan and denied the appeal (Exhibit C). In addition, a Notice of Determination for ENV-2015-2618 was filed with the Los Angeles County Clerk on August 29, 2016 (Exhibit D).

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1. Appellants have not raised a fair argument that an EIR is required.

The appeal incorrectly argues that an Environmental Impact Report (EIR) must be prepared for the project. The MND more than satisfies the CEQA requirements related to the project, as discussed in more detail in the staff report for VTT-73704 and the MND itself, both of which are incorporated in their entirety herein. All information raised by appellants is speculative and general in nature and is insufficient grounds to assert that substantial evidence for a fair argument exists such that an EIR should be prepared. "Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence." CEQA Guidelines, § 15384, subd. (a). Appellants have failed to introduce evidence satisfying the legal standard of a fair argument that the Project may result in significant environmental impacts; therefore, an EIR is not required.

2. The Project does not result in parking impacts.

Appellants of the Project claim that it would create significant impacts related to on-street parking. Expert evidence actually demonstrates otherwise.

Overland Traffic Consultants, Inc. prepare a parking study (the "Parking Study") (Exhibit E) for the Project. The Parking study concluded that, although the current demand for on-street parking is high, the Project would not worsen or create any additional on-street parking demand in the neighborhood. Today, the current parking supply for the existing 9 residential units on the Property is one space per unit. If the existing development was compliant with the Los Angeles Municipal Code's (LAMC) parking rules, 14 on-site spaces would have to be provided. Thus, there is an existing dearth of parking, and any household with more than one vehicle per units must seek parking on neighborhood streets. In contrast, the Project would provide 2.27 on-site parking spaces per unit (or 1.27 spaces more per unit than the existing development) as required by the LAMC. Therefore, the Project actually improves the on-street parking conditions because fewer residents need seek on-street parking.

Overland Traffic Consultants also conducted a physical count of cars on 13 street segments abutting or located nearby the Property Study at four different time periods (6:30 am, 8:30 am, 4:00 pm and 7:30 pm). The Parking Study concluded that open spaces were available in the study area at all hours.

Based on the physical and empirical analysis, no significant parking impacts would occur, and no EIR is required.

3. The Project qualifies for an infill exemption for parking and aesthetic impacts under the California Environmental Quality Act.

Even if there were parking impacts, which is not the case, such impacts would not be considered significant. CEQA section 21099(d)(1) (the "Infill Exemption") states that aesthetic and parking impacts shall not be considered significant impacts on the environment if a project is a residential or mixed-use infill project within a Transit Priority Area (TPA). The Project falls within these criteria.

A TPA is defined in CEQA as an area within one-half mile of a major transit stop. PRC § 21099(a)(7). "Major transit stop" is defined in PRC Section 21064.3 as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. An "infill site" is defined as a lot located within an urban area that has been previously developed. PRC § 21099(a)(4).

City of Los Angeles Zoning Information File No. 2452 (ZI 2452) provides guidance regarding identification of TPAs while ZIMAS profiles are in the process of being updated. First, planners are instructed to use the citywide map attached to ZI 2452 to determine whether a project "is clearly within a TPA." If it cannot be determined from the map if a project site is "clearly within" ½ mile of a major transit stop, planners are directed to consult ZIMAS and Navigate LA. By using those resources to measure the distance between the Project Site and nearby transit lines and stops, it is clear that the Property is within a TPA.

The Property is located at the corner of N. Hermitage Avenue and W. Weddington Street, Los Angeles, CA 91607.¹ The Project MND states that the Project Site is in close proximity to several public transit lines:

- Los Angeles County Metro Bus Lines 183, 156/656, and 230 (Line 230 runs along Laurel Canyon Boulevard);
- The Project Site is one block south of the Metro Orange Line Busway with a station at Laurel Canyon (approximately 1,400 feet from the Project Site);
- LADOT provides bus service via the DASH Van Nuys/Studio City Line at the corner of Magnolia and Whitsett (approximately 1,600 feet from the Project Site).²

 $^{^{1}}$ The addresses that make up the Project Site are: 5261, 5263, 5303, 5303 N. Hermitage Ave. and 12300, 12301, 12302 W. Weddington St.

² MND p. 3-149.

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Exhibit F shows the frequency of the local bus lines. Both Metro Line 230 and the Orange Line operate at less than 15 minute intervals during the morning and afternoon peak commute periods (Northbound AM and Southbound AM). Line 230 runs along Laurel Canyon Boulevard and has major stops on Chandler Boulevard at the Orange Line station and Magnolia Boulevard. Both of these stops are both approximately 1,300 feet from the Project Site. Therefore, to the extent that the Orange Line is considered a bus line, the Project Site is within one-half mile (2,640 feet) of an intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, and therefore is in a TPA.

The Orange Line, a Bus Rapid Transit line, is better classified as a rail line, not a bus line. The Orange Line is the only bus service operating on an exclusive right-of-way in Los Angeles County, "and the operations of the traffic signal controlled crossing are similar to other street running light rail operations throughout the County." The route follows part of the Southern Pacific Railroad's former Burbank Branch Line, which historically provided passenger rail and streetcar service. Because it operates more like a railway line than a traditional bus line, Metro has branded the Orange Line in the same category as its rail service. For instance, the Orange Line appears on Metro's "Metro Rail & Busway" map, which is in the "Metro Rail Maps" section of the Metro website. The average travel time in the am and pm peak period for the Orange Line is approximately 15% faster than the travel time for automobiles. Orange Line vehicles (called Metro Liners, not busses) are painted in the silver-and-gray color scheme of Metro Rail vehicles. Likewise, although the Orange Line has been assigned a line number, it is marketed and known by its color designation rather than its line number.

The Project is an infill development. As described more thoroughly in the Project Description for the MND, the Property is currently developed with nine dwelling units. The surrounding area is fully developed and characterized by two and three story multi-family residences. Therefore, the Project meets the Infill Exemption criteria and any aesthetic and parking impacts, even if they did exist, would not be considered significant.

³ Metro Orange Line Speed Evaluation Study, Final Report, Iteris, December 10, 2015, available at https://www.scribd.com/document/293441693/Metro-Orange-Line-Speed-Evaluation-Study, last visited September 8, 2016.

⁴ Id.

4. There was no bias by Commissioner Dierking at the APC hearing.

The appellants contend that Commissioner Dierking's employment with Los Angeles County Metro somehow created a bias or conflict of interest rendering the APC's decision invalid. However, as explained in our August 3, 2016 letter to the APC attached as Exhibit B, no conflict of interest or impermissible bias results from Commissioner Dierking's employment.

5. A street vacation is not required for a street merger.

The appellants suggest that the merger of a portion of Weddington Street triggers additional notice and hearing requirements and warrants additional findings for the Project. This is simply not true. As we explained in our July 5, 2016 letter to the APC attached as Exhibit A, the street merger may be approved in connection with a subdivision without going through vacation proceedings pursuant to State law and the Los Angeles Municipal Code.

For all of the reasons stated herein, we respectfully request that the appeal be denied.

Sincerely yours,

ELISA L. PASTER

of GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

ELP:sp

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July 5, 2016

VIA E-MAIL TO RANDA HANNA

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Re: Applicant's Comments re: Appeal of DIR-2015-2697-SPP and VTT-73704-SL

President Cochran and Members of the South Valley Area Planning Commission:

We are writing on behalf of our client UB Valley Village, LLC ("Applicant"), owner of the property located at 12300-12302 Weddington Street and 5261, 5263, 5303 & 5305 Hermitage Avenue ("Property"), to request that you affirm the May 13, 2016 Director's Determination of Valley Village Specific Plan Project Permit Compliance ("SPPPC Determination") and May 27, 2016 Deputy Advisory Agency approval of Vesting Tentative Tract No. 73704-SL ("VTT Determination"), which collectively authorize the small lot subdivision proposed on the Property ("Project").

As explained more fully below, the Director's Determination and Deputy Advisory Agency Determination should be upheld because the Project:

- Is consistent with the General Plan Housing Element, which identifies small lot subdivisions as part of the City's affordable housing portfolio, and will comply with state and City laws governing removal of affordable rental units from the market;
- Is consistent with the Open Space Plan and related ordinances because it does not remove existing open space, but exceeds the open space requirements for small lot subdivisions and will pay a Quimby fee;
- Is consistent with the Specific Plan and Community Plan because it is a lowdensity, code-compliant residential development designed to complement the neighborhood's character, while providing affordable for-sale housing;

- Provides sufficient, code-compliant parking; and
- State law expressly authorizes the street merger without findings from the City Council.
- 1. The Project is consistent with the General Plan, Valley Village Specific Plan and North Hollywood Valley Village Community Plan.

Appellants claim that the Project is inconsistent with the applicable land use plans based on a misinterpretation of those plans and the legal standard of consistency. It is well-settled law that consistency does not require an exact match between a project and applicable land use plans; instead, a project must be in "harmony" or "agreement" with the plans. See, e.g., Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 717-18; Friends of Lagoon Valley v. City of Vacaville (2007) 154 Cal.App.4th 807, 817. Substantial evidence exists to support the City's determination that the Project is in harmony and agreement with its General Plan (including the Housing Element and Open Space Plan), the Valley Village Specific Plan ("Specific Plan"), and the Valley Village Community Plan ("Community Plan").

A. Housing Element

Appellants claim that the Project is inconsistent with the Housing Element of the General Plan because they interpret the Project as removing and not replacing affordable housing. However, the Project will comply with both the state Ellis Act and the City's Rent Stabilization Ordinance, which require relocation assistance to be provided to tenants who are displaced by a project but do not require construction of replacement rental units on the site. Moreover, elimination of the nine existing units does not result in a significant impact under the California Environmental Quality Act because the City's threshold of significance for an impact is removal of the equivalent of 25 multi-family dwelling units. (VTT Determination, p. 33-34). Moreover, "no units on the property have been specifically protected (either by covenant or other agreement of City approval) for use by very low- or low-income households." (VTT Determination, p. 33-34).

The Small Lot Subdivision is specifically listed in the 2013 Housing Element Update as a tool to increase the supply of affordable housing in Los Angeles. Objective 1.1.3. is to:

"Facilitate the development of small lot subdivisions (Zoning Code Section 12.22 C.27), which permit detached, fee simple home ownership on lots as small as 600 square feet, thus providing more affordable alternative for-sale housing types within commercial and multi-family residential zones."

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The Small Lot Subdivision Ordinance "has resulted in the construction of 629 new homes since January 2005 (and approval of roughly twice that amount)." (2013 Housing Element Update, p. 2-24). "Los Angeles Neighborhood Housing Services, the Enterprise Foundation and the CRA/LA have all used the Small Lot Ordinance to provide affordable home ownership in South Los Angeles and other lower income neighborhoods." (2013 Housing Element Update, p. 3-10).

The Housing Element's conclusions are consistent with the findings of a study released by the California Legislative Analyst's Office: "facilitating more private housing development in the state's coastal urban communities would help make housing more affordable for low-income Californians....Considerable evidence suggests that construction of market-rate housing reduces housing costs for low-income households and, consequently, helps to mitigate displacement in many cases..." (See Exhibit A for the full report.)

Therefore, the Project's use of the Small Lot Subdivision Ordinance is consistent with the Housing Element.

B. Open Space

Appellants incorrectly describe the Project site as "existing open space" and argue that it should be maintained as such. The Project site is currently developed with two duplexes, a triplex and a fourplex, which collectively contain nine units. It is not "open space" as that term is defined in the Open Space Plan ("land which is essentially free of structures and buildings and/or is natural in character" and serves a recreational, scenic, conservation, or similar function). (Open Space Plan, p.1).

Open space requirements for residential developments of six or more units are located in Section 12.21.G. of the Los Angeles Municipal Code ("LAMC"). However, the Project is exempt from the open space requirements of both the Open Space Plan and LAMC Section 12.21.G. because its units are considered single-family and not multi-family. Nevertheless, the Project will provide a small amount of landscaped open space in front of each unit (similar to a small patio or yard) and will pay Quimby fees (Mitigation Measure 44), which will be used by the City to acquire new parkland or fund capital improvements at existing recreational and park facilities. Therefore, the Project is consistent with the City's open space requirements.

C. Specific Plan

The Deputy Advisory Agency determined that the Project is "consistent with the aesthetic elements of the Plan area, including massing, setbacks, height, by complying with the [Specific Plan] provisions related to these elements." (VTT Determination, p. 31; MND, p. 3-3). This finding is supported by substantial evidence in the record. For instance, the VTT Determination provides:

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"the architecture of the homes will be compatible with adjacent properties..., the Project will enhance the preexisting character of the neighborhood by including a minimum 15 foot front yard setback off of Hermitage to fit into the neighborhood context...

The architectural style is mostly of traditional character including architectural elements such as corbels under roof eaves, wood-like siding and multi-pane windows utilizing materials that appropriately respond to neighborhood context, consistent with Design Guidelines for Building Facades and Materials... primary entrances and windows are oriented toward Hermitage Ave., which are design features that 'embrace the street' and are also consistent with Design Guidelines for Site Layout and Circulation." (VTT Determination, p. 41).

Appellants argue that the Specific Plan is intended to protect the neighborhood development of small-lot homes proposed by the Project; however, the Specific Plan was enacted to "afford[] the area protection from the adverse impacts caused by the development of multiple family and commercial properties..." (MND, p. 3-92 - 3-93). Purpose E of the Specific Plan is to "preserve the quality and existing character of the Valley Village area." Appellants interpret this as a moratorium against all future development. But the Specific Plan is not a moratorium on development; instead, it prescribes standards *in anticipation of* development.

D. Community Plan

The Community Plan sets forth several objectives and goals for the Community Plan area, and contains few requirements beyond density. "The Community Plan does not seek to promote nor hinder growth; rather, it accepts the likelihood that growth will take place and must be provided for..." (MND, p. 3-94). The Community Plan encourages development of a variety of housing, as long as new development is compatible with and reflective of the characteristics (i.e., mass, scale, height, etc.) of the existing, surrounding neighborhood.

Because the small lot single-family units constructed by the Project will be priced significantly lower than traditional single-family homes in the area, homeownership will be available to a greater number of people consistent with the Community Plan's purpose of:

"[p]reserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities with compatible new housing" (Community Plan, p. II-2)

¹ In fact, the Community Plan states that it is "intended to guide development..." (Community Plan, p. II-2) and that it "has been designed to accommodate the anticipated growth in population and employment of the community" (Community Plan, p. III-1).

and Community Plan Objective 3, which states in relevant part:

"To make provisions for housing as is required to satisfy the needs and desires of various age, income and ethnic groups of the community, maximizing the opportunity for individual choice."

Ultimately, the Community Plan acknowledges that "[z]oning is the primary legal tool by which the development of private property can be directed toward the implementation of the Plan." (Community Plan, p. IV-3). The MND correctly concludes that the "Project would not conflict with any of the objectives [of the Community Plan]," because the Project proposes a low-density residential development that complies with existing zoning standards. "The Site is zoned for multiple family and medium residential lists a range of 29 to 55 units per acre (Table I in the Community Plan). The Project would be generally consistent with this density (at the low end)." (MND, p. 3-94)

2. The Project is consistent with the neighborhood character of the existing community.

Appellants argue, without any evidence, that the Project is not consistent with the neighborhood character of the community. As discussed thoroughly in the SPPPC Letter of Determination and the VTT Letter of Determination, the Project is consistent with the character of the community.

The Project proposes 26 single-family homes, each three stories and 30 feet in height. "The subject property is bounded on all sides by two (2) and three (3) story apartment buildings." (SPPPC Determination, p. 13). "The proposed 3-story buildings would be comparable to other structures in the area, and thus will not introduce an incompatible scenic element into the community. There are 3-story apartment buildings adjacent to the Site." (MND, p. 3-1). "The buildings would share a datum line with other 3-story buildings." (MND, p. 3-3).

The immediate neighborhood, including Weddington, Hermitage, Bellingham (east of the Project), Magnolia (south of the Project) and Corteen (west of the Project), is largely characterized by two, three and four story apartment buildings. (See Exhibit B, showing some of the nearby three and four story buildings within one block. The significant majority, if not all, of the other buildings within one block are at least two stories). Thus, the Project is consistent with the existing character of the community.

3. State law allows merger of the dead-end portion of Weddington without a vacation.

"The Project includes the merger of Weddington, which is a short dead-end street that would serve the Project through driveway access. All uses [that] currently

South Valley Area Planning Commission July 5, 2016 Page 6

access this portion of Weddington would be incorporated into the Project development." (MND, p. 3-90). The Deputy Advisory Agency found "that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will consented to the merger prior to the recordation of the final map." (VTT Determination, p. 2). The merger is authorized by the Subdivision Map Act, which provides in Cal. Gov. Code Section 66499.20.2:

"The filing of the map shall constitute legal merger and resubdivision of the land affected thereby, and shall also constitute abandonment of all public streets and public easements not shown on the map, provided that a written notation of each abandonment is listed by reference to the recording data creating these public streets or public easements, and certified to on the map by the clerk of the legislative body or the designee of the legislative body approving the map." (Emphasis added).

The merger is also authorized by LAMC Section 17.01.1:

"Subdivided lands may be merged and resubdivided without reverting to acreage by complying with all the applicable requirements for the subdivision of land as provided by this article. The filing of the final map or parcel map shall constitute legal merging of the separate parcels into one parcel and the resubdivision of the parcel. Any unused fees or deposits previously made pursuant to this article pertaining to the property shall be credited pro rata towards any requirements which are applicable at the time of resubdivision. Any streets or easements to be left in effect after the resubdivision shall be adequately delineated on the map. After approval of the merger and resubdivision by the City Council, the map shall be delivered to the County Recorder. The filing of the map shall constitute legal merger and resubdivision of the land affected thereby and shall also constitute abandonment of all streets and easements not shown on the map."

(Emphasis added.)

Appellants incorrectly claim that the merger should be done as a street vacation by the City Council, including adoption of findings related to public use. However, the same City Bureau of Engineering Manual that is selectively quoted by Appellants provides that the Weddington merger can be approved without an action by the City Council: "Pursuant to Section 66499.20 of the California Government Code, a public right-of-way may be merged upon the recordation of a final subdivision tract map or parcel map without going through vacation proceedings." (BOE Manual, Section D 716.2).

Moreover, the facts of Citizens for Responsible Equitable Environmental Development v. City of San Diego (2010) 184 Cal.App.4th 1032 are almost identical to those here. Petitioners in that case claimed that a public right-of-way and easement

South Valley Area Planning Commission July 5, 2016 Page 7

could not be vacated pursuant to the Subdivision Map Act and that the vacation laws in the Streets and Highways Code must be used. The Court flatly rejected that argument: "the Subdivision Map Act provides a separate, lawful manner by which public entities may vacate public rights-of-way and easements. (Govt.Code, § 66434, subdivision (g) ['The filing of the final map shall constitute abandonment of all public streets and public easements not shown on the map'].)." Id. at 1045. Indeed, as the Court noted, the Streets and Highways Code expressly states that its procedures are "alternatives procedures for vacating streets, highways, and public easements," and that the "authority granted in this part is an alternative to any other authority provided by law to public entities." (Sts. & Hy. Code §8311(a).)

Finally, Appellants allege that the merger is a gift of public funds, based on the misconception that no public benefit is exchanged therefor. However, the Project is conditioned to provide significant public benefits: 1) improve Hermitage Avenue with a 5-foot concrete sidewalk; 2) landscape the parkway within the 12-foot wide public sidewalk area; and 3) install two new street lights on Hermitage Avenue.

4. The Project will not result in negative parking-related impacts.

The Project complies with LAMC requirements by providing 59 parking spaces: 52 in two-car garages assigned to each unit and seven total guest spaces (i.e., 2 resident and ¼ guest parking spaces per lot). "This guest parking would replace the 7 parking spaces that are removed with the Weddington Street merger." (MND, p. 2-5). Further, "[a]ll uses [that] currently access this portion of Weddington would be incorporated into the Project development." (MND, p. 3-90). Therefore, the Project will not result in negative parking-related impacts.

The evidence before the Commission supports denial of the appeal and affirmation of the SPPPC and VTT Determinations. Therefore, we respectfully request that you deny the appeal and affirm the determinations.

Sincerely yours,

ELISA PASTER

for GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

Attachments:

Exhibit A -Perspectives on Helping Low-Income Californians Afford Housing, Feb. 9, 2016 (California Legislative Analyst's Office Report)
Exhibit B - Hermitage Avenue Height Context Study

EXHIBIT A LAO REPORT



Perspectives on Helping Low-Income Californians Afford Housing

MAC TAYLOR . LEGISLATIVE ANALYST . FEBRUARY 9, 2016

Summary

California has a serious housing shortage. California's housing costs, consequently, have been rising rapidly for decades. These high housing costs make it difficult for many Californians to find housing that is affordable and that meets their needs, forcing them to make serious trade-offs in order to live in California.

In our March 2015 report, California's High Housing Costs: Causes and Consequences, we outlined the evidence for California's housing shortage and discussed its major ramifications. We also suggested that the key remedy to California's housing challenges is a substantial increase in private home building in the state's coastal urban communities. An expansion of California's housing supply would offer widespread benefits to Californians, as well as those who wish to live in California but cannot afford to do so.

Some fear, however, that these benefits would not extend to low-income Californians. Because most new construction is targeted at higher-income households, it is often assumed that new construction does not increase the supply of lower-end housing. In addition, some worry that construction of market-rate housing in low-income neighborhoods leads to displacement of low-income households. In response, some have questioned whether efforts to increase private housing development are prudent. These observers suggest that policy makers instead focus on expanding government programs that aim to help low-income Californians afford housing.

In this follow up to California's High Housing Costs, we offer additional evidence that facilitating more private housing development in the state's coastal urban communities would help make housing more affordable for low-income Californians. Existing affordable housing programs assist only a small proportion of low-income Californians. Most low-income Californians receive little or no assistance. Expanding affordable housing programs to help these households likely would be extremely challenging and prohibitively expensive. It may be best to focus these programs on Californians with more specialized housing needs—such as homeless individuals and families or persons with significant physical and mental health challenges.

Encouraging additional private housing construction can help the many low-income Californians who do not receive assistance. Considerable evidence suggests that construction of market-rate housing reduces housing costs for low-income households and, consequently, helps to mitigate displacement in many cases. Bringing about more private home building, however, would be no easy task, requiring state and local policy makers to confront very challenging issues and taking many years to come to fruition. Despite these difficulties, these efforts could provide significant widespread benefits: lower housing costs for millions of Californians.

AN LAO BRIEF

VARIOUS GOVERNMENT PROGRAMS HELP CALIFORNIANS AFFORD HOUSING

Federal, state, and local governments implement a variety of programs aimed at helping Californians, particularly low-income Californians, afford housing. These programs generally work in one of three ways: (1) increasing the supply of moderately priced housing, (2) paying a portion of households' rent costs, or (3) limiting the prices and rents property owners may charge for housing.

Various Programs Build New Moderately Priced Housing. Federal, state, and local governments provide direct financial assistance typically tax credits, grants, or low-cost loans-to housing developers for the construction of rental housing. In exchange, developers reserve these units for lower-income households. (Until recently, local redevelopment agencies also provided this type of financial assistance.) By far the largest of these programs is the federal and state Low Income Housing Tax Credit (LIHTC), which provides tax credits to affordable housing developers to cover a portion of their building costs. The LIHTC subsidizes the new construction of around 7.000 rental units annually in the state—typically less than 10 percent of total public and private housing construction. This represents a significant majority of the affordable housing units constructed in California each year.

Vouchers Help Households Afford Housing. The federal government also makes payments to landlords—known as housing vouchers—on behalf of about 400,000 low-income households in California. These payments generally cover the portion of a rental unit's monthly cost that exceeds 30 percent of the household's income.

Some Local Governments Place Limits on Prices and Rents. Some local governments have policies that require property owners charge below-market prices and rents. In some cases, local governments limit how much landlords can increase rents each year for existing tenants. About 15 California cities have these rent controls, including Los Angeles, San Francisco, San Jose, and Oakland. In 1995, the state enacted Chapter 331 of 1995 (AB 1164, Hawkins), which prevented rent control for properties built after 1995 or properties built prior to 1995 that had not previously been subject to rent control. Assembly Bill 1164 also allowed landlords to reset rents to market rates when properties transferred from one tenant to another. In other cases, local governments require developers of market-rate housing to charge belowmarket prices and rents for a portion of the units they build, a policy called "inclusionary housing."

NEED FOR HOUSING ASSISTANCE OUTSTRIPS RESOURCES

Many Low-Income Households Receive
No Assistance. The number of low-income
Californians in need of assistance far exceeds
the resources of existing federal, state, and local
affordable housing programs. Currently, about

3.3 million low-income households (who earn80 percent or less of the median income where they live) rent housing in California, including2.3 million very-low-income households (who earn50 percent or less of the median income where they

live). Around one-quarter (roughly 800,000) of low-income households live in subsidized affordable housing or receive housing vouchers. Most households receive no help from these programs. Those that do often find that it takes several years to get assistance. Roughly 700,000 households occupy waiting lists for housing vouchers, almost twice the number of youchers available.

Majority of Low-Income Households Spend More Than Half of Their Income on Housing.

Around 1.7 million low-income renter households in California report spending more than half of their income on housing. This is about 14 percent of all California households, a considerably higher proportion than in the rest of the country (about 8 percent).

CHALLENGES OF EXPANDING EXISTING PROGRAMS

One possible response to these affordability challenges could be to expand existing housing programs. Given the number of households struggling with high housing costs, however, this approach would require a dramatic expansion of existing government programs, necessitating funding increases orders of magnitude larger than existing program funding and far-reaching changes in existing regulations. Such a dramatic change would face several challenges and probably would have unintended consequences. Ultimately, attempting to address the state's housing affordability challenges primarily through expansion of government programs likely would be impractical. This, however, does not preclude these programs from playing a role in a broader strategy to improve California's housing affordability. Below, we discuss these issues in more detail.

Expanding Assistance Programs Would Be Very Expensive

Extending housing assistance to low-income Californians who currently do not receive it—either through subsidies for affordable units or housing vouchers—would require an annual funding commitment in the low tens of billions of dollars. This is roughly the magnitude of the state's largest General Fund expenditure outside of education (Medi-Cal).

Affordable Housing Construction Requires Large Public Subsidies. While it is difficult to estimate precisely how many units of affordable housing are needed, a reasonable starting point is the state's current population of low-income renter households that spend more than half of their income on housing-about 1.7 million households. Based on data from the LIHTC, housing built for low-income households in California's coastal urban areas requires a public subsidy of around \$165,000 per unit. At this cost, building affordable housing for California's 1.7 million rent burdened low-income households would cost in excess of \$250 billion. This cost could be spread out over several years (by issuing bonds or providing subsidies to builders in installments), requiring annual expenditures in the range of \$15 billion to \$30 billion. There is a good chance the actual cost could be higher. Affordable housing projects often receive subsidies from more than one source. meaning the public subsidy cost per unit likely is higher than \$165,000. It is also possible the number of units needed could be higher if efforts to make California's housing more affordable spurred more people to move to the state. Conversely, there is some chance the cost could be lower if building some portion of the 1.7 million eased competition at the bottom end of the housing market and allowed some low-income families to find

affordable market-rate housing. Nonetheless, under any circumstances it is likely this approach would require ongoing annual funding at least in the low tens of billions of dollars.

Expanding Housing Vouchers Also Would Be Expensive. Housing vouchers would be similarly expensive. According to American Community Survey data, around 2.5 million low-income households in California spend more than 30 percent of their income on rent. These households' rents exceed 30 percent of their incomes by \$625 each month on average, meaning they would require an annual subsidy of around \$7,500. This suggests that providing housing vouchers to all of these households would cost around \$20 billion annually. By similar logic, a less generous program that covered rent costs exceeding 50 percent of household income would cost around \$10 billion annually. There is, however, good reason to believe the cost of expanding voucher programs would be significantly higher than these simple estimates suggest. As we discuss in the next section, a major increase in the number of voucher recipients likely would cause rents to rise. Higher rent costs, in turn, would increase the amount government would need to pay on behalf of low-income renters. This effect is difficult to quantify but probably would add several billion to tens of billions of dollars to the annual cost of a major expansion of vouchers.

Existing Housing Shortage Poses Problems for Some Programs

Many housing programs—vouchers, rent control, and inclusionary housing—attempt to make housing more affordable without increasing the overall supply of housing. This approach does very little to address the underlying cause of California's high housing costs: a housing shortage. Any approach that does not address the state's housing shortage faces the following problems.

Housing Shortage Has Downsides Not Addressed by Existing Housing Programs. High housing costs are not the only downside of the state's housing shortage. As we discussed in detail in California's High Housing Costs, California's housing shortage denies many households the opportunity to live in the state and contribute to the state's economy. This, in turn, reduces the state's economic productivity. The state's housing shortage also makes many Californians—not only low-income residents-more likely to commute longer distances, live in overcrowded housing, and delay or forgo homeownership. Housing programs such as vouchers, rent control, and inclusionary housing that do not add to the state's housing stock do little to address these issues.

Scarcity of Housing Undermines Housing Vouchers. California's tight housing markets pose several challenges for housing voucher programs which can limit their effectiveness. In competitive housing markets, landlords often are reluctant to rent to housing voucher recipients. Landlords may not be interested in navigating program requirements or may perceive voucher recipients to be less reliable tenants. One nationwide study conducted in 2001 found that only two-thirds of voucher recipients in competitive housing markets were able to secure housing. This issue likely would be amplified if the number of voucher recipients competing for housing were increased significantly. In addition, some research suggests that expanding housing vouchers in competitive housing markets results in rent increases, which either offset benefits to voucher holders or increase government costs for the program. One study looking at an unusually large increase in the federal allotment of housing vouchers in the early 2000s found that each 10 percent increase in vouchers in tight housing markets increased monthly rents by an average of \$18 (about 2 percent). This suggests that extending vouchers to all of California's low-income

households (a several hundred percent increase in the supply of vouchers) could lead to substantial rent inflation. If this were to occur, the estimates in the prior section of the cost to expand vouchers to all low-income households would be significantly higher.

Housing Costs for Households Not Receiving Assistance Could Rise. Expansion of voucher programs also could aggravate housing challenges for those who do not receive assistance, particularly if assistance is extended to some, but not all low-income households. As discussed above, research suggests that housing vouchers result in rent inflation. This rent inflation not only effects voucher recipients but potentially increases rents paid by other low- and lower-middle income households that do not receive assistance.

Housing Shortage Also Creates Problems for Rent Control Policies. The state's shortage of housing also presents challenges for expanding rent control policies. Proposals to expand rent control often focus on two broad changes: (1) expanding the number of housing units covered—by applying controls to newer properties or enacting controls in locations that currently lack them-and (2) prohibiting landlords from resetting rents to market rates for new tenants. Neither of these changes would increase the supply of housing and, in fact, likely would discourage new construction. Households looking to move to California or within California would therefore continue to face stiff competition for limited housing, making it difficult for them to secure housing that they can afford. Requiring landlords to charge new tenants below-market rents would not eliminate this competition. Households would have to compete based on factors other than how much they are willing to pay. Landlords might decide between tenants based on their income, creditworthiness, or socioeconomic status, likely to the benefit of more affluent renters.

Barriers to Private Development Also Hinder Affordable Housing Programs

Local Resistance and Environmental **Protection Policies Constrain Housing** Development. Local community resistance and California Environmental Quality Act (CEQA) challenges limit the amount of housing-both private and subsidized—built in California. These factors present challenges for subsidized construction and inclusionary housing programs. Subsidized housing construction faces the same, in many cases more, community opposition as market-rate housing because it often is perceived as bringing negative changes to a community's quality or character. Furthermore, subsidized construction, like other housing developments, often must undergo the state's environmental review process outlined in CEQA. This can add costs and delay to these projects. Inclusionary housing programs rely on private housing development to fund construction of affordable housing. Because of this, barriers that constrain private housing development also limit the amount of affordable housing produced by inclusionary housing programs.

Home Builders Often Forced to Compete for Limited Development Opportunities. With state and local policies limiting the number of housing projects that are permitted, home builders often compete for limited opportunities. One result of this is that subsidized construction often substitutes for—or "crowds out"—market-rate development. Several studies have documented this crowd-out effect, generally finding that the construction of one subsidized housing unit reduces market-rate construction by one-half to one housing unit. These crowd-out effects can diminish the extent to which subsidized housing construction increases the state's overall supply of housing.

Other Unintended Consequences

"Lock-In" Effect. Households residing in affordable housing (built via subsidized construction or inclusionary housing) or rent-controlled housing typically pay rents well below market rates. Because of this, households may be discouraged from moving from their existing unit to market-rate housing even when it may otherwise benefit them—for example, if the market-rate housing would be closer to a new job.

This lock-in effect can cause households to stay longer in a particular location than is otherwise optimal for them.

Declining Quality of Housing. By depressing rents, rent control policies reduce the income received by owners of rental housing. In response, property owners may attempt to cut back their operating costs by forgoing maintenance and repairs. Over time, this can result in a decline in the overall quality of a community's housing stock.

MORE PRIVATE HOME BUILDING COULD HELP

Most low-income Californians receive little or no assistance from existing affordable housing programs. Given the challenges of significantly expanding affordable housing programs, this is likely to persist for the foreseeable future. Many low-income households will continue to struggle to find housing that they can afford. Encouraging more private housing development seems like a reasonable approach to help these households. But would it actually help? In this section, we present evidence that construction of new, market-rate housing can lower housing costs for low-income households.

Increased Supply, Lower Costs

Lack of Supply Drives High Housing Costs. As we demonstrate in California's High Housing Costs, a shortage of housing results in high and rising housing costs. When the number of households seeking housing exceeds the number of units available, households must try to outbid each other, driving up prices and rents. Increasing the supply of housing can help alleviate this competition and, in turn, place downward pressure on housing costs.

Building New Housing Indirectly Adds to the Supply of Housing at the Lower End of the Market. New market-rate housing typically is targeted at

higher-income households. This seems to suggest that construction of new market-rate housing does not add to the supply of lower-end housing. Building new market-rate housing, however, indirectly increases the supply of housing available to low-income households in multiple ways.

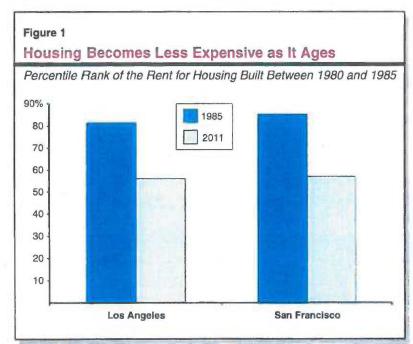
Housing Becomes Less Desirable as It Ages . . . New housing generally becomes less desirable as it ages and, as a result, becomes less expensive over time. Market-rate housing constructed now will therefore add to a community's stock of lower-cost housing in the future as these new homes age and become more affordable. Our analysis of American Housing Survey data finds evidence that housing becomes less expensive as it ages. Figure 1 (see next page) shows the average rent for housing built between 1980 and 1985 in Los Angeles and San Francisco. These housing units were relatively expensive in 1985 (rents in the top fifth of all rental units) but were considerably more affordable by 2011 (rents near the median of all rental units). Housing that likely was considered "luxury" when first built declined to the middle of the housing market within 25 years.

... But Lack of New Construction Can Slow This Process. When new construction is abundant. middle-income households looking to upgrade the quality of their housing often move from older, more affordable housing to new housing. As these middle-income households move out of older housing it becomes available for lowerincome households. This is less likely to occur in communities where new housing construction is limited. Faced with heightened competition for scarce housing, middle-income households may live longer in aging housing. Instead of upgrading by moving to a new home, owners of aging homes may choose to remodel their existing homes. Similarly, landlords of aging rental housing may elect to update their properties so that they can continue to market them to middle-income households. As a result, less housing transitions to the lower-end of the housing market over time. One study of housing costs in the U.S. found that rental housing generally depreciated by about 2.5 percent per year between 1985 and 2011, but that this rate was considerably lower (1.8 percent per year) in regions with relatively limited housing supply.

New Housing Construction Eases Competition Between Middle- and Low-Income Households. Another result of too little housing construction is that more affluent households, faced with limited housing choices, may choose to live in neighborhoods and housing units that historically have been occupied by low-income households. This reduces the amount of housing available for low-income households. Various economic studies have documented this result. One analysis of American Housing Survey data by researchers at the Federal Reserve Bank of New York found that "the more constrained the supply response for new residential units to demand shocks, the greater the probability that an affordable unit will filter up and out of the affordable stock." Other researchers have found that low-income neighborhoods are more likely to experience an influx of higher-income households when they are in close proximity to affluent neighborhoods with tight housing markets.

More Supply Places Downward Pressure on Prices and Rents. When the number of housing units available at the lower end of a community's housing market increases, growth in prices

and rents slows. Evidence supporting this relationship can be found by comparing housing expenditures of low-income households living in California's slow-growing coastal communities to those living in fast-growing communities elsewhere in the country. Between 1980 and 2013, the housing stock in California's coastal urban counties (counties comprising metropolitan areas with populations greater than 500,000) grew by only 34 percent, compared to



99 percent in the fastest growing urban counties throughout the country (top fifth of all urban counties). As figure 2 shows, over the same time period rents paid by low-income households grew nearly three times faster in California's coastal urban counties than in the fastest growing urban counties (50 percent compared to 18 percent). As a result, the typical low-income household in California's costal urban counties now spends around 54 percent of their income on housing, compared to only 43 percent in fast growing counties. This difference—11 percentage points—is roughly equal to a typical low-income household's total spending on transportation.

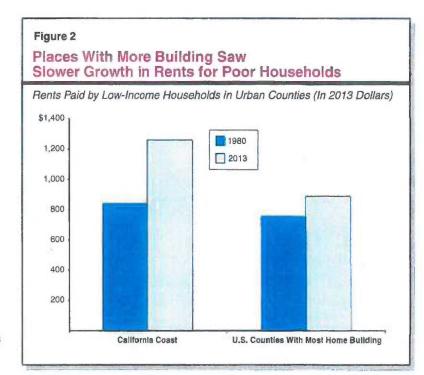
Lower Costs Reduce Chances of Displacement

More Private Development Associated With Less Displacement. As market-rate housing construction tends to slow the growth in prices and rents, it can make it easier for low-income households to afford their existing homes. This can help to lessen the displacement of low-income

households. Our analysis of low-income neighborhoods in the Bay Area suggests a link between increased construction of market-rate housing and reduced displacement. (See the technical appendix for more information on how we defined displacement for this analysis.) Between 2000 and 2013, low-income census tracts (tracts with an above-average concentration of low-income households) in the Bay Area that built the most market-rate housing experienced considerably less displacement. As Figure 3

(see next page) shows, displacement was more than twice as likely in low-income census tracts with little market-rate housing construction (bottom fifth of all tracts) than in low-income census tracts with high construction levels (top fifth of all tracts).

Results Do Not Appear to Be Driven by Inclusionary Housing Policies. One possible explanation for this finding could be that many Bay Area communities have inclusionary housing policies. In communities with inclusionary housing policies, most new market-rate construction is paired with construction of new affordable housing. It is possible that the new affordable housing units associated with increased market-rate development—and not market-rate development itself-could be mitigating displacement. Our analysis, however, finds that market-rate housing construction appears to be associated with less displacement regardless of a community's inclusionary housing policies. As with other Bay Area communities, in communities without inclusionary housing policies, displacement



was more than twice as likely in low-income census tracts with limited market-rate housing construction than in low-income census tracts with high construction levels.

Relationship Remains After Accounting for Economic and Demographic Factors. Other factors play a role in determining which neighborhoods

experience displacement. A neighborhood's demographics and housing characteristics probably are important. Nonetheless, we continue to find that increased market-rate housing construction is linked to reduced displacement after using common statistical techniques to account for these factors. (See the technical appendix for more details.)

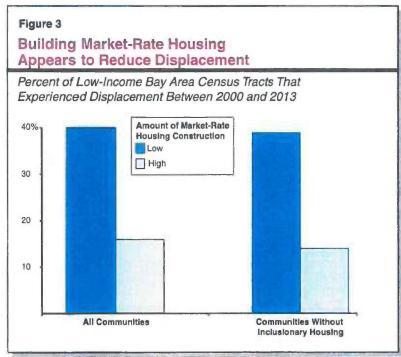
CONCLUSION

Addressing California's housing crisis is one of the most difficult challenges facing the state's policy makers. The scope of the problem is massive. Millions of Californians struggle to find housing that is both affordable and suits their needs. The crisis also is a long time in the making, the culmination of decades of shortfalls in housing construction. And just as the crisis has taken decades to develop, it will take many years or decades to correct. There are no quick and easy fixes.

The current response to the state's housing crisis often has centered on how to improve affordable housing programs. The enormity of California's housing challenges, however, suggests that policy makers look for solutions beyond these programs. While affordable housing programs are vitally important to the households they assist, these programs help only a small fraction of the Californians that are struggling to cope with the state's high housing costs. The majority of low-income households receive little or no

assistance and spend more than half of their income on housing. Practically speaking, expanding affordable housing programs to serve these households would be extremely challenging and prohibitively expensive. In our view, encouraging

more private housing development can provide some relief to low-income households that are unable to secure assistance. While the role of affordable housing programs in helping California's most disadvantaged residents remains important,



AN LAO BRIEF

we suggest policy makers primarily focus on expanding efforts to encourage private housing development. Doing so will require policy makers to revisit long-standing state policies on local governance and environmental protection, as well as local planning and land use regimes.

The changes needed to bring about significant increases in housing construction undoubtedly will be difficult and will take many years to come to fruition. Policy makers should nonetheless consider these efforts worthwhile. In time, such an approach offers the greatest potential benefits to the most Californians.

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TECHNICAL APPENDIX

To examine the relationship between market-rate housing construction and displacement of low-income households we developed a simple econometric model to estimate the probability of a low-income Bay Area neighborhood experiencing displacement.

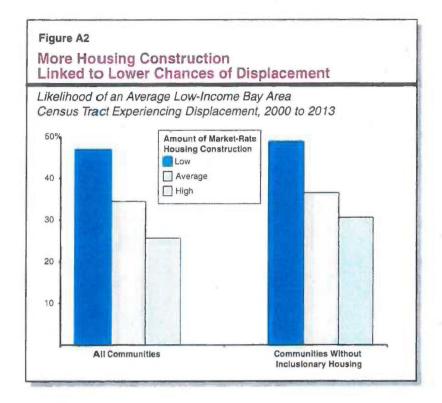
Data. We use data on Bay Area census tracts (small subdivisions of a county typically containing around 4,000 people) maintained by researchers with the University of California (UC) Berkeley Urban Displacement Project. This dataset included information on census tract demographics, housing characteristics, and housing construction levels. We focus on data for the period 2000 to 2013.

Defining Displacement. Researchers have not developed a single definition of displacement. Different studies use different measures. For our analysis, we use a straightforward yet imperfect definition of displacement which is similar to the definition used by UC Berkeley researchers. Specifically, we define a census tract as having experienced displacement if (1) its overall population increased and its population of

low-income households decreased or (2) its overall population decreased and its low-income population declined faster than the overall population.

Our Model. We use probit regression analysis to evaluate how various factors affected the likelihood of a census tract experiencing displacement between 2000 and 2013. This type of model allows us to hold constant various economic and demographic factors and isolate the impact of increased market-rate construction on the likelihood of displacement. The results of our regression are show in Figure A1. Coefficient estimates from probit regressions are not easily interpreted. While the fact that the coefficient for market-rate housing construction is statistically significant and negative suggests that more construction reduces the likelihood of displacement, the magnitude of this effect is not immediately clear. To better understand these results, we used the model to compare the probability that an average census tract would experience displacement when its market-rate construction was low (0 units), average (136 units), and high (243 units). As shown in Figure A2 (see next page), with low construction levels, a census tract's probability of experiencing displacement was 47 percent, compared to 34 percent with average construction levels, and 26 percent with high construction levels

Regression Results Dependent Variable: Did Displacement Occur (Yes=1 and No=0)?		
Number of market-rate housing units built	-0.00237	0.00043
Share of population that is low income	1.74075	0.54137
Share of population that is nonwhite	-0.61213	0.29151
Share of adults over 25 with a college degree	1.90054	0.38599
Population density	-0.00001	0.00000
Share of housing built before 1950	1.16506	0.22569
Constant	-1.45886	0.33420



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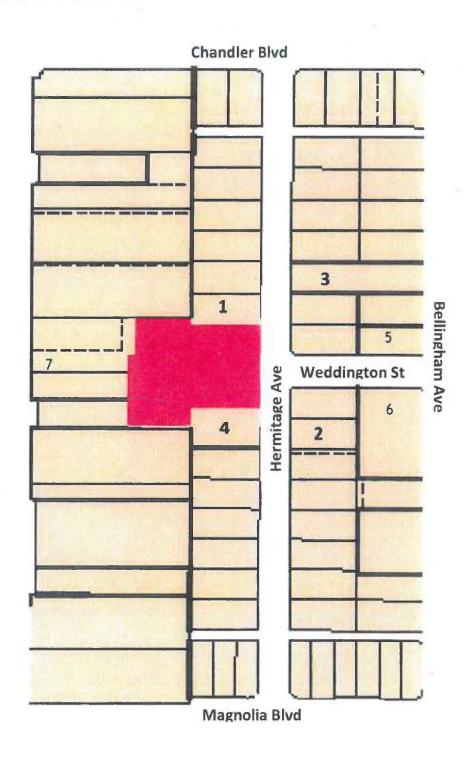
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This brief was prepared by Brian Uhler, and reviewed by Jason Sisney. The Legislative Analyst's Office (LAO) is a nonpartisan office that provides fiscal and policy information and advice to the Legislature.

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EXHIBIT B HEIGHT CONTEXT STUDY

Hermitage Ave- Building Height Context 26 Small Lot Subdivision Valley Village, California





1) 5311 Hermitage —3 stories



2) 5252 Hermitage —3 stories



3) 5312 Hermitage —4 stories



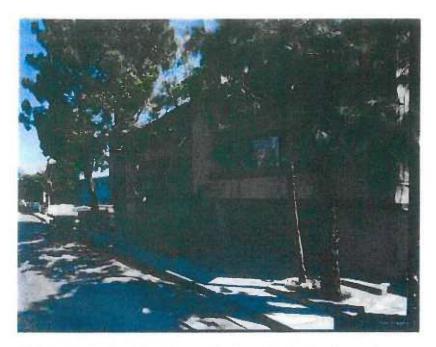
4) 5363 Hermitage —3 stories



5) NW Corner of Bellingham and Weddington - 3 $\frac{1}{2}$ stories



6) SW Corner of Bellingham and Weddington - 3 and 4 stories



7) Corteen Place, directly west of project site - 3 stories

Glaser Weil

August 3, 2016

Re:

VIA E-MAIL AND MESSENGER

City of Los Angeles
Department of City Planning
South Valley Area Planning Commission
200 North Spring Street, Room 532
Attn: Renee Glasco and Felicidad Pingol

VTT-73704-SL/DIR-2015-2697-1A/ENV-2015-2618-MND

Applicant's Response to Appellants' Request for Reconsideration

Honorable Commissioners:

We are writing on behalf of our client, UB Valley Village, LLC ("Applicant"), in response to Appellants' request for reconsideration of the Commission's July 14, 2016 denial of the appeal of VTT-73704-SL and DIR-2015-2697 and adoption of ENV-2015-2618-MND (collectively, the "Project").

No facts support the reconsideration request. Appellants received a fair hearing; the public was afforded ample time to comment, and none of the Commissioners exhibited any prejudgment of the issues or personal interest in the outcome of the appeal. Commissioner Dierking's stated preference for transit-oriented development is a permissible opinion on a matter of community concern and his employment with Los Angeles County Metro (Metro) does not create a conflict of interest because government salaries are exempt from the statutory definition of conflicts. Staff's advice during the hearing did not create confusion or prejudice, but correctly summarized the law: ownership of the Project site is irrelevant and the City's determination that the Project is consistent with the General Plan, Valley Village Specific Plan and the North Hollywood-Valley Village Community Plan is supported by substantial evidence.

Even if a scintilla of evidence supported reconsideration and the Commission voted to reconsider the Project, there is simply not enough time to do so. Rule 29 of the South Valley Area Planning Commission Rules ("Commission Rules") allows it to act only "if the Commission has not lost jurisdiction, or exceeded legal time limits." The Commission lost jurisdiction over VTT-73704-SL on July 14, 2016. The deadline for the Commission to act upon DIR-2015-2697 is August 12, 2016. There is simply not enough time to notice and hold a new hearing. Therefore, we respectfully request that the Commission decline to grant the request for reconsideration.

10250 Constellation Blvd. 19th Floor Los Angeles, CA 90067 310.553.3000 TEL 310.556.2920 FAX Elisa L. Paster

> Direct Dial 310.556.7855 Direct Fax 310.843.2655 Email epaster@glaserweil.com

¹ A Commissioner who previously voted on the prevailing side may move for reconsideration, pursuant to Rule 29 of the Commission Rules.

² Pursuant to LAMC § 17.06.A.3, the Commission's jurisdiction over VTT-73704-SL expired on June 27, 2016; however, the Applicant granted an extension allowing the Commission to consider the Project at its July 14, 2016 regular meeting.

I. There is No Factual Evidence of the Alleged Bias and Conflict of Interest of Commissioner Dierking.

Appellants claim that they did not receive a fair hearing because Commissioner Dierking is biased as a result of his employment with Los Angeles County Metro as a Community Relations Manager. This claim is without merit and is based on speculation and personal belief.

Bias results when a public official stands to <u>personally gain or lose</u> from a decision and acts in furtherance of his or her <u>private</u>, <u>personal interests</u> instead of in the public's interest.³ A claim of bias must be based on fact, not on mere speculation. "A mere suggestion of bias is not sufficient to overcome the presumption of integrity and honesty... Bias and prejudice are not implied and must be clearly established. A party's unilateral perception of bias cannot alone serve as a basis for disqualification." Examples of bias include: a planning commissioner writes an article attacking a project under consideration; or a councilmember votes against a project that has a "direct impact" on the "quality of his own residence" (i.e., his ocean view); or members of a city council become personally embroiled in conflict with the person affected by their decision.

Opinions or preferences do not constitute bias. In *Clark v. City of Hermosa Beach*, the court distinguished impermissible, self-serving bias from permissible preferences for certain types of development:

"Of course, a public official may express opinions on subjects of community concern (e.g., the height of new construction) without tainting his vote on such matters should they come before him. [Citation.] Here, Benz's conflict of interest arose, not because of his general opposition to 35-foot buildings, but because the specific project before the Council, if approved, would have had a direct impact on the quality of his own residence. In addition, Benz's personal animosity toward the Clarks contributed to his conflict of interest; he was not a disinterested, unbiased decisionmaker."

Commissioner Dierking's preference for transit-oriented development ("TOD") is not a self-serving bias; it is an expression of a general preference for a certain type of development and a subject of community concern. The City of Los Angeles (and the State of California) has prioritized TOD as a means to address the City's well-documented, record-setting roadway congestion. ⁹ Therefore,

³ Clark v. City of Hermosa Beach (1996) 48 Cal.App.4th 1152, 1171; Breakzone Billards v. City of Torrance (2000) 81 Cal.App.4th 1205, 1234 (finding that councilmember who appealed the planning commission's decision was not biased or conflicted from participating in appeal hearing and decision).

⁴ Breakzone Billards v. City of Torrance (2000) 81 Cal.App.4th 1205, 1236-37.

⁵ Nasha v. City of Los Angeles (2004) 125 Cal.App.4th 470.

⁶ Clark v. City of Hermosa Beach (1996) 48 Cal.App.4th 1152, 1171-1172.

⁷ Menning v. City Council (1978) 86 Cal.App.3d 341, 351.

⁸ Id. at 1172-1173.

⁹ See, e.g., "Developing and Implementing the City of Los Angeles' Transit Corridors Strategy: Coordinated Action toward a Transit-Oriented Metropolis," Oct. 1, 2012, available at http://cityplanning.lacity.org/PolicyInitiatives/TransitOrientedDistrictPlanning/LATransitCorridorsStrategy_WhiteP

Renee Glasco August 3, 2016 Page 3

Commissioner Dierking's preference is in no way unfair; it is consistent with adopted policy initiatives of the City of Los Angeles and the State of California.

Moreover, there is no evidence that Commissioner Dierking prejudged the case or that the Commission's decision was not based on substantial evidence. Indeed, he explained <u>after considering written and oral</u> comments that his reasons for voting against the appeal were based on a lack of evidence establishing that the City erred in approving the Project.

With respect to Appellant's allegation that Commissioner Dierking's employment with Metro constitutes a conflict of interest requiring recusal, the California Political Reform Act defines a conflict of interest as "a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family," or on a specified interest in any relevant business entity, real property, or income or gift source. Salary received from a governmental agency is specifically excluded, per Gov. Code § 82030(b)(2). Thus, no conflict exists and recusal was not required.

Moreover, Commissioner Dierking's employment with Metro is hardly a secret and is certainly not "new evidence." It was disclosed when he was nominated to serve as a Commissioner, when the City Council considered him nomination, and is readily available public information. Therefore, by stating that he is employed by Metro, Commissioner Dierking did not introduce new evidence and Appellants' due process was not violated.

II. The Advice of the City Attorney and Planning Staff was Proper.

Appellants allege that the Commission was "confused" by the City Attorney's advice that the Commission's decision should not be based on Appellant's new claim that the Project site was not owned by the Applicant. As an initial matter, the ownership challenge was not included in Appellant's statement of appeal, which must specify the reasons for appeal pursuant to LAMC § 11.5.7.C.6(a) and which determines the scope of the appeal hearing. Second, the LAMC does not restrict authorized applicants for land use entitlements to property owners. That is why the City's Zoning Code uses the term "applicant" rather than "owner" throughout. "Applicant" is defined in CEQA Guidelines § 15351 as "a person who proposes to carry out a project which needs a lease, permit, license, certificate, or other entitlement for use or financial assistance from one or more public agencies when that person applies for the governmental approval or assistance." Again, ownership is irrelevant. Finally, ownership has no bearing on the findings that a decisionmaker must make to approve each of the entitlements. Therefore, the City Attorney's advice to the Commission was sound.

Appellants wrongly assert that ownership of the Property site is relevant to whether an area EIR is necessary. Ownership of property is also irrelevant to CEQA review. An EIR is only required if, after conducting an initial study, there is substantial evidence, in light of the whole record before a lead

aper%20Final%20(2012-10-01)%20Carlton.pdf, and www.latno.org, the City Planning website for the City's Transit-Oriented District Planning project.

¹⁰ For instance, grounds for denial of a Tentative Map (LAMC § 17.06.A.2) and Specific Plan Project Permit Compliance (LAMC § 11.5.7.C.2) do not include application by someone other than the property owner.

Renee Glasco August 3, 2016 Page 4

agency, that a project may have a significant effect on the environment.¹¹ After conducting an initial study for the Project, no substantial evidence in the record indicated that the Project would result in a significant effect on the environment. Therefore, an EIR is not required and a decision to require an EIR would be arbitrary, capricious and not supported by substantial evidence.

Moreover, whether or not an EIR should be conducted for the entire Valley Village community area is far beyond the scope of an appeal hearing regarding whether this Project creates any significant environmental impacts. It would be unlawful and a violation of the Applicant's constitutional property rights to disapprove the Project's MND as a pretext to evaluate the environmental impacts of widespread development throughout Valley Village.

Appellants also claim that the Project is inconsistent with certain purpose statements in the Specific Plan and that Dan O'Donnel misled in his statements. This contention is without merit. Courts have acknowledged that policies in land use plans reflect "a range of competing interests;" therefore, "the governmental agency must be allowed to weigh and balance the plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes. A reviewing court's role 'is simply to decide whether the city officials considered the applicable policies and the extent to which the proposed project conforms with those policies.'" 12

The Commission's role with respect to appeals is to "determine if the Zoning Administrator or other official erred or abused his/her discretion in taking the action being appealed, based upon the evidence introduced at the prior hearings." The Director's Determination of Specific Plan compliance contains findings explaining how the Project conforms with the Specific Plan's requirements and clearly shows that the Project's consistency with the applicable land use policies was considered by the City. Similarly, the Planning Director's approval of the subdivision addresses the Project's consistency with applicable land use plans in a section entitled, "Findings of Fact (CEQA): Land Use and Planning." Therefore, the Commission's decision to deny the appeal was based on substantial evidence.

¹¹ CEQA Guidelines, § 15064(a)(1).

¹² Friends of Lagoon Valley v. City of Vacaville (2007) 154 Cal.App.4th 807, 816 (affirming the city's determination of a project's consistency with its General Plan and area-specific Policy Plan) (internal citation omitted).

¹³ Commission Rules, Rules 26.

¹⁴ For instance:

Finding 1(a) states: "Zoning and Land Use. Section 5 of the Specific Plan requires all land uses to be consistent with the North Hollywood - Valley Village Community Plan. The project site is zoned [Q]R3-1 and has General Plan land use designation of Medium Residential, and is therefore consistent."

Finding 1(b) states that a condition of approval will ensure that the Project's exterior lighting will be consistent with section 6.A.2 of the Specific Plan.

Finding 1(c) states that section 6.B1.b of the Specific Plan limits each building in the Project to a maximum height of 30 feet, a requirement with which the Project complies because no building exceeds 30 feet in height.

The Director's Determination provides four additional findings related to Specific Plan consistency and provides further support in its responses to comments on the MND.

¹⁵ May 27, 2016 Letter of Determination, pages 31-32.

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III. The Commission has Lost Jurisdiction Over the Subdivision Map, and the Deadline to Approve the Specific Plan Compliances Precludes Reconsideration.

The Specific Plan compliance determination letter was issued on May 13, 2016, and the last day to file an appeal was May 30, 2016. Pursuant to LAMC § 11.5.7.C.6(c), the last day for the Commission to act is August 12. Because the Commission Rules only allow reconsideration (a) at a meeting following the meeting at which the Commission decides to reconsider and (b) if the Commission has not lost jurisdiction or exceeded legal time limits, the Commission can only reconsider the appeal on Friday, August 12, 2016. However, there is insufficient time to provide the required public notice for, and hold a new hearing just one day after deciding to reconsider.

The subdivision determination letter was issued on May 27, 2016 and the last day to file an appeal was June 6, 2016. Pursuant to LAMC § 17.06.A.3, the last day for the Commission to act was Monday, June 27. The Applicant agreed to extend that date to July 14, 2016. The Commission cannot reconsider VTT-73704-SL because the deadline to act expired on July 14, 2016.

For all of these reasons, we respectfully request that the Commission decline to reconsider.

Sincerely yours,

ELISA L. PASTER

The PA

for GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

ELP:sp

CC: Karo Torossian, Deputy Director of Planning and the Environment, City of Los Angeles, Council District 2

South Valley Area Planning Commission



200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300 www.planning.lacity.org

Determination Letter mailing date:

Case No. DIR-2015-2697-SPP-1A CEQA: ENV-2015-2618-MND

Location: 5261, 5263, 5303 and 5305- North Hermitage Avenue; 12300, 301 and 302 West

Weddington Street District: 2 - Krekorian

Plan Area: North Hollywood - Valley Village

Zone: [Q]R3-1

Applicant: UB Valley Village, LLC

Representative: Steve Nazemi, DHS Associates, Inc.

Appellant: Valley Village Residents for Fair Government/Jed Fuchs

At its meeting on July 14, 2016, the following action was taken by the South Valley Area Planning Commission:

Denied the Appeal;

- 2. Sustained the Director's Determination of Conditional Approval of Project Permit Compliance with the Valley Village Specific Plan, including all the Conditions of Approval, pursuant the Los Angeles Municipal Code Section 11.5.7 C.6.
- 3. Adopted the Findings of the Director of Planning.
- 3. Adopted Mitigated Negative Declaration No. ENV-2015-2618-MND, and the corresponding Mitigation Monitoring Program (MMP) as the project's environmental clearance pursuant to the California Environmental Quality Act (CEQA) and Section 21082.1(c)(3) of the California Public Resources Code.

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

This action was taken by the following vote:

Moved:

Commissioner Dierking

Seconded: Commissioner Kim

Ayes:

Commissioner Cochran

Naves:

Commissioner Beatty, and Commissioner Mather

Vote:

3 - 2

Effective Date

Effective upon the mailing of this notice

Appeal Status

Not Further Appealable

Renee Glasco, Commission Executive Assistant I

South Valley Area Planning Commission

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

Attachments: Conditions of Approval, and Findings

Notification List Daniel P. O'Donnell Kevin Jones

FINDINGS

PROJECT BACKGROUND

The Project site is located at 5261, 5263, 5303 and 5305 North Hermitage Avenue, and 12300, 12301 and 12302 West Weddington Street, on the west side of Hermitage Avenue at Weddington Street in the community of Valley Village. The Project site consists of three (3) parcels with a total lot area of 34,321 square feet, and will also include 8,111 square feet of Weddington Street west of Hermitage Avenue, which is proposed to be vacated and merged with the site through Vesting Tentative Tract Map No. 73704, for a total of 42,342 square feet of land area.

The project proposes the construction of 26 single-family homes, with a total of 59,548 square feet of floor area, in a small lot subdivision configuration, each with two (2), covered, off-street parking spaces, and each 30 feet in height. A total of seven (7) guest parking spaces will also be provided.

The project includes the demolition of nine (9) residential units. The site contains no protected trees onsite. There are 24 existing trees onsite; six (6) trees would remain, three (3) would be relocated and 15 would be removed. Seven (7) trees would be replaced on a 1:1 ratio onsite, and the eight (8) remainder replacement trees will be handled through the City Plants Program.

The property is zoned [Q]R3-1L and has a General Plan Land Use Designation of Medium Residential within the North Hollywood – Valley Village Community Plan area. The Project site is located within the boundaries and is subject to the applicable regulations of the Valley Village Specific Plan. Per the [Q] Qualified Condition under Ordinance No. 165108, the allowable number of units is 1 per 1,200 square feet of lot area, for a total of 35 permitted units. The project would include 26 units. The allowable FAR is 3:1; the proposed FAR is approximately 1.4:1.

Surrounding properties are all within the [Q]R3-1 zone, and are characterized by generally level topography and improved streets. The subject property is bounded on all sides by two (2) and three (3) story apartment buildings.

VALLEY VILLAGE SPECIFIC PLAN PROJECT PERMIT COMPLIANCE FINDINGS

1. The project substantially complies with the applicable regulations, standards, and provisions of the specific plan.

The project complies with all applicable development requirements (regulations, standards, and provisions) of the Valley Village Specific Plan, as follows:

- a. Zoning and Land Use. Section 5 of the Specific Plan requires all land uses to be consistent with the North Hollywood – Valley Village Community Plan. The Project site is zoned [Q]R3-1 and has General Plan land use designation of Medium Residential, and is therefore consistent.
- b. Exterior Lighting. Exhibit A does not indicate that any new exterior lighting will be incorporated into the project. In the event that exterior light is incorporated into the project, a condition has been added to ensure lighting complies with Section 6.A.2 of the Specific Plan.

- c. Building Height. Because the project consists of 26 one-family buildings, Section 6.B.1.b of the Specific Plan limits each building to a maximum of 30 feet in height. Since each building does not exceed 30 feet in height, the project is in compliance with the Specific Plan with regard to building height.
- d. **Signs.** No signs are proposed as part of this project application. In the event new signage is proposed, the project is conditioned to prohibit any commercial off-site signs, sign support structures, and roof signs. As conditioned, the project complies with the sign requirements of the Specific Plan.
- e. Landscaping Requirements. As a one-family home subdivision, the project is not subject to the multi-family nor commercial building landscape requirements of the Specific Plan. Landscaping for the project has been conditioned to be in substantial conformance with the submitted landscape plan, including the retention and relocation of those existing trees shown on the plan. Although no protected trees exist on-site, the project has been conditioned to retain, relocate or replace all existing 24 on-site trees.
- f. Street Trees and Planting Requirements. The project is conditioned to comply with the street tree and planting requirements outlined in Section 9.D of the Specific Plan. Installation of street trees shall be to the satisfaction of the Bureau of Street Services, Urban Forestry Division.
- g. Public Right-of-Way, Dedications and Roadway Improvements. In the event the project requires public right-of-way dedication or roadway improvements, the project has been conditioned to require that improvements such as street trees, sidewalk, driveway cuts, and roadway improvements be to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department, Metropolitan Transit Authority (and other responsible City, regional and federal government agencies, as may be necessary).
- The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

A Mitigated Negative Declaration, ENV-2015-2618-MND, and corresponding Mitigation Monitoring Program were prepared for the proposed project. On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Project Planning Section of the Planning Department's Valley office in Room 430, 6262 Van Nuys Blvd, Van Nuys.

As defined by Section 15050 of the CEQA Guidelines, the City of Los Angeles Planning Department is the Lead Agency for the Project. The Mitigated Negative Declaration (MND) for Environmental Case No. ENV-2015-2618-MND, Related Case No. VTT-73704-SL, DIR2015-2697-SPP was released with a Notice of Availability published in the Los Angeles Times on February 18, 2016 and the public review period was February 18, 2016 to March 9, 2016, for a 20-day review period. The MND was available online at http://planning.lacity.org/eir/publication/Pub 021816.htm#2618 and at Van Nuys Planning Office, 6262 Van Nuys Blvd., Room 430, Van Nuys, CA 91401. Comments on the MND were received during the comment period, and those comments are responded to here.

List of Commenters

All original comment letters are attached to the subject case file. The City of Los Angeles Department of City Planning received comments from the following parties (individuals, groups):

- 1. Andrea Wilks, March 1, 2016
- 2. Anne Koch, February 19, 2016
- 3. Babette Wilk, February 25, 2016
- 4. Bill Strathern, March 8, 2016
- 5. Carlyn Lampert, February 19, 2016
- 6. Carol Cetrone, March 8, 2016
- 7. Charles Fisher, March 9, 2016
- 8. Daniel Pagel, March 6, 2016
- 9. Debra McCormick, March 6, 2016
- 10. Dogstar@greenmail.net, February 24 and March 1, 2016
- 11. Donna Gooley, March 6, 2016
- 12. Edgar Padilla, February 22, 2016
- 13. Ellen Wilheim, Match 8, 2016
- 14. Friends of Studio City, March 3, 2016
- 15. Jake Starrow, March 1, 2016
- 16. Jed Fuchs, March 8, 2016
- 17. Jennifer Getz, March 28, 2016
- 18. Jennifer Granger, March 7, 2016
- 19. Jerome S. Baruck, March 7, 2016
- 20. Joan M., February 29, 2016
- 21. John Salzmann, March 9, 2016
- 22. Karen Kaysing, March 3, 2016
- 23. Laura Dicterow, March 8, 2016
- 24. Layla Jacobson, March 9, 2016

- 25. Lucky Mister, February 19, 2016
- 26. Melanie Parsons, March 3, 2016
- 27. Patrick Rozenfeld, March 9, 2016
- 28. Phoenix Bonin, March 5, 2016
- 29. Samir Assi, March 9, 2016
- 30. Saul Rosenthal, March 8, 2016
- 31. Save Valley Village, March 6, 2016
- 32. Steven Stevenson, March 9, 2016

Purpose of Responses

There is no statutory requirement for preparing responses to comments for an MND. However, these responses below were prepared to ensure the decision makers consider the MND and any comments received during the public review process, per CEQA Guidelines Section 15074(b). The purpose of a response to a comment is to address the significant environmental issue(s) raised by each comment. This typically requires clarification of points contained in the MND. CEQA Guidelines Section 15088(c) of the CEQA Guidelines describes the evaluation that CEQA requires in the response to comments. It states that:

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the lead agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers and states:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation

recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Written comments made during the public review of the MND intermixed points and opinions relevant to project approval/disapproval with points and opinions relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval, and discuss as necessary the points relevant to the environmental review. The response "comment noted" is often used in cases where the comment does not raise a substantive issue relevant to the review of the environmental analysis. Such points are usually statements of opinion or preference regarding a project's design or its presence as opposed to points within the purview of an MND: environmental impact and mitigation. These points are relevant for consideration in the subsequent project approval process. In addition, the response "comment acknowledged" is generally used in cases where the commenter is correct.

Note that there may be spelling and/or grammar errors in the Comment Letters. These are replicated here exactly as they were delivered to the City.

Species and Habitat

Wilks comments that the project should not be approved as proposed because it "would jeopardize existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of those species." Koch comments that "it will require further destruction of mature trees, plant life, and the animal life that dwells in the area." Gooley comments that "there are three endangered species that habitat the property and community gardens." Getz comments that a kestrel was observed on the site "a couple of weeks ago" and requested the record to acknowledge that "there are also threatened, sensitive & possible endangered species frequently on the property."

The comments do not provide any substantial evidence that the discussions of potential impacts on sensitive species and habitat in the MND are inadequate or that the evidence upon which the MND reaches its conclusions is flawed. As stated on page 3-31 of the MND, a significant impact would occur if the Project were to remove or modify habitat for any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS). The Project site contains residential uses and is completely paved and landscaped, and there are no City or county significant ecological areas on the Project site or near the Project site's vicinity. Also, as stated on page 3-33, no riparian or other sensitive habitat areas are located on or adjacent to the Project site; nor are any federally protected wetlands located on or near the Project site. Therefore, no impact will occur to riparian habitat or any other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS, or to any federally protected wetlands.

Furthermore, the Project site is not immediately adjacent to undeveloped natural open space containing native vegetation, nor does the Site serve as a buffer between existing development and more natural habitat areas. Due to existing urban development on the Site and in the adjacent surroundings, the Site does not function as a corridor for the movement

of native or migratory animals. Additionally, no native wildlife nurseries are located in the project area.

The project will result in the removal of vegetation and disturbances to the ground, and therefore has the potential to result in take of nesting native bird species. However, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). However, with Mitigation Measure 4-1, which implements these code protections, impacts will be less than significant.

Getz provides pictures of ducks at her swimming pool on the Project site, which is not a threatened, sensitive or endangered species, and there is no proof that kestrels visited the Site. Regardless, the requirements of the MBTA and the bird mitigation referenced above would ensure that less-than-significant impacts on migratory bird species, such as ducks or kestrels, would result.

Disagreement with Environmental Impact Analysis

Koch comments that they "disagree with the environmental impact analysis report" and "that this will have significant detrimental impacts to the community on the basis of air quality, water usage, traffic, emissions, and school crowding." Cetrone comments that "an EIR should be mandated for a project of this size and scope." Pagel comments that "there has been no substantial evidence submitted into the record that demonstrate there is no significant impact." McCormick comments that the conclusion of the MND "is not an accurate assessment." Wilheim comments that the City reviewer previously worked for the developer and "has a conflict of interest". Starrow comments that the impact "requires a full EIR."

The comments do not provide any substantial evidence that the discussion of environmental impacts in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. The commenters disagree with the conclusions in the MND that the Project will not result in any significant impacts related to air quality, water usage, traffic, emissions, and school crowding. However, each of these environmental categories was analyzed in the MND, and regulatory compliance and mitigation measures were applied, as appropriate, to ensure that impacts of the Project would be less than significant. The comments do not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts to support any claim that the Project would result in a significant impact on the environment. Therefore, pursuant to Section 15204(c) of the CEQA Guidelines, no revisions to the MND are required.

Comments from Pagel include copies of the State CEQA Guidelines with various sections highlighted. However, merely highlighting these sections without explanation as to why the environmental impact analysis in the MND related to these sections is flawed, does not provide substantial evidence to argue that the Project may have a significant impact on the environment. In his comments, Pagel attaches documents from the EPA (although the specific document names and dates are not included), which also have highlights showing that buildings and development projects, in general, have environmental and health impacts. Again, however, no specific evidence is presented that this particular Project would result in significant impacts, as defined under CEQA or per the significance thresholds applied in the MND.

Under CEQA, only those projects with the potential to cause a significant and unavoidable environmental impact require the preparation of an EIR. An MND is appropriate if the Project can mitigate all of its impacts to less-than-significant levels, which is the case for this Project. Calling for a "full" EIR (presumably, as opposed to an MND) is only warranted when substantial evidence is presented in the record to support a fair argument that the project may have a significant environmental effect, per Public Resource Code Section 21082. As mentioned above, the comments do not present such evidence; therefore, no potentially significant environmental impacts have been identified, and the MND is the appropriate environmental clearance document. The existence of controversy over the effects of a project does not, in and of itself, require preparation of an EIR when there is no "fair argument" of a potentially significant impact.

The MND adequately evaluated Project impacts related to construction air emissions and noise and applies existing regulatory compliance measures and mitigation measures to ensure that impacts are reduced to less than significant levels. As stated on page 3-24 of the MND, Mitigation Measures 3-1 through 3-5 would substantially reduce on-site PM2.5 and PM2.5 emissions during the construction process, particularly during the site preparation and grading phases, and as a result, construction of the Project is not expected to produce any local violation of air quality standards or contribute substantially to an existing or projected air quality violation. Also, as stated on page 3-111 of the MND, Mitigation Measures 12-1 through 12-5 would minimize construction-related noise increases at the nearby receptors below the threshold of significance.

Alleged Conflict of Interest

Some commenters claim that one of the City Planning Department staff members who reviewed the MND is biased in her analysis due to her previous employment with the developer. However, the staff member in question was never an employee of the Project applicant, UB Valley Village, LLC. Her former employer, a land use consulting firm, was hired by the Project applicant to assist in the processing of an entitlement request for an unrelated housing proposal in the Silver Lake area of the City. Her sole involvement with the subject Project was as a reviewer of the proposed MND for the City of Los Angeles, which does not in and of itself grant any entitlement. Furthermore, the MND was also reviewed by the staff member's first and second level supervisors in the City Planning Department, who have authority to make recommendations to the ultimate decision makers regarding the adequacy of the MND. The staff member's involvement in the case ended with the publication of the proposed MND, and she had no part in the decisions regarding this case. The issue is not an environmental concern that would change the findings of the MND.

Removal of Existing Housing

Koch comments that the project "further degrades access to affordable housing which is becoming a crisis in our neighborhood." Wilk comments on "ever decreasing affordable housing." Strathern comments that the "area is filled with existing affordable housing we had been assured would be well preserved." Lampert comments that the "most concerning is the taking away of affordable housing" and "that there are rules governing homes built before 1978 stating they cannot be demolished due to their affordability." Centrone comments that "it will destroy existing affordable housing." McCormick comments on "the destruction of affordable housing, the displacement of the current residents, and the profound change to our neighborhood." Wilheim comments that the "development will have a negative impact for the residents now living in this neighborhood who will loose [sic] their affordable housing." Friends

of Studio City comment provides a slide stating "Why Preserve At-Risk Affordable Housing." Granger comments that "we will lose existing rent-control buildings."

The comments do not provide any substantial evidence that the discussions of potential impacts related to the removal of housing in the MND are inadequate or that the evidence upon which the MND reaches its conclusions is flawed. As explained below, existing units on the Property are subject to the City's Rent Stabilization Ordinance (RSO) and its rent control provisions. The Project must comply with applicable State and local laws related to the removal of this particular type of housing from the rental market, and the Project will comply with these regulations, including the requirements to provide relocation assistance to tenants who have been removed as a result of the Project. These regulations do not require the applicant to provide affordable housing to replace the rental units that will be removed.

The Project site contains nine (9) rental units that will be removed as a result of the Project (MND, page 2-4), and all units are subject to the RSO and its rent control provisions. The State Ellis Act (California Government Code §7060 et seq.) establishes the right of landlords to permanently withdraw existing dwelling units from the rental market and allows local jurisdictions to adopt regulations controlling the withdrawal process. To protect occupants of rent-controlled units, the City has adopted special Ellis Act implementation provisions, which are codified as part of the RSO. These regulations include specific procedures for withdrawing units from the market and for providing relocation assistance to the tenants (LAMC §§151.22-151.28). Per Section 151.28, newly constructed rental units on the Project site would continue to be regulated by the RSO's rent control provisions; however, newlyconstructed for-sale housing units are not subject to future regulation under the RSO.

Neither the Ellis Act nor the City's implementation regulations require the applicant to construct or set aside affordable housing to replace the rental units that will be demolished, and the Project is completely consistent with applicable regulations regarding the loss of these units. Therefore, impacts related to the loss of these units can be characterized as economic. CEQA generally does not require analysis of potential economic impacts of a project unless those impacts cause physical impacts on the environment (Public Resources Code Section 21080(e)(2) ('evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment' are beyond the scope of CEQA); see also Public Resources Code Section 21082.2(c); Guidelines Section 15384]. The economic impacts of a project are only subject to CEQA if those impacts cause physical impacts. The commenters listed above do not equate the economic impact (of removing affordable housing) to a physical environmental impact.

With respect to the removal of rental housing, CEQA requires an analysis of whether the Project will displace a substantial number of existing housing (and people). As stated on pages 3-124 and 3-125 of the MND, a significant impact may occur if a project would result in the displacement of existing housing units, necessitating the construction of replacement housing elsewhere. The City's threshold is whether a project would result in a net loss of housing equal to or greater than one-half block equivalent of habitable housing units, through demolition, conversion, or other means. One half block is generally equivalent to 15 single family homes or 25 multi-family dwelling units. The Project would remove only nine (9) housing units and construct 26 housing units, for a net increase of 17 units. Therefore, the Project does not represent a displacement of substantial numbers of existing housing.

An additional question, as explained in the City of Los Angeles CEQA Thresholds Guide p. J.2-3, is whether the Project would result in a net loss of any existing housing units affordable to very low- or low-income households through demolition, conversion, or other means. To determine whether the loss would be significant, the CEQA document should evaluate whether the project would be consistent with applicable affordable housing policies and regulations. As stated above, the nine (9) units on the Project site are subject to the rent control provisions of the RSO. However, no units on the property have been specifically protected (either by covenant or other agreement or City approval) for use by very low- or low-income households. Also, as stated above, the Project will comply with all applicable State and City regulations regarding removal of these RSO-regulated units, including the payment of relocation assistance to current tenants. The RSO does not require replacement of these units with affordable housing, nor are future for-sale housing units subject to continuing authority under the RSO. Therefore, the Project is consistent with these regulations. Also, the Small Lot units constructed by the Project will be priced significantly lower when compared to traditional single-family homes in the area-this will provide home ownership opportunities to a greater number of people than would otherwise be available. Based on the foregoing, impacts resulting from removing the rental housing units would not be significant.

Trees

Koch comments that "it will require further destruction of mature trees, plant life, and the animal life that dwells in the area." Centrone comments that the "project plans to remove up to 3 dozen massive, established trees and is in conflict with local policies which protect biological resources." Dogstar comments that "the report lacks the listing of more than 16 trees and other environmental information". Gooley comments "that the trees and their root system will be damaged by the construction". Wilheim comments that "dozens of mature trees will be chopped down, with only a few being saved."

Please see the "Species and Habitat" response above regarding potential destruction of animal life.

The comments related to tree removal do not provide any substantial evidence that the discussion of environmental impacts in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. The MND contains a tree report which lists and maps the trees on the Site. Some comments erroneously claim that the Project would remove "up to 3 dozen" trees, including camphor trees. The site contains no protected trees onsite. There are 24 existing trees onsite. The Project shall retain the two camphor trees and there will be a tree protection plan that applies to these camphor trees only (included as Appendix B-2 to the MND) in place according to Mitigation Measure 4-4. Six trees would remain, three would be relocated and 15 would be removed. Seven trees would be replaced on a 1:1 ratio onsite and eight remainder replacement trees will be handled with the City Plants Program.¹ Of the 24 trees, nine are street trees on the City sidewalk along Weddington and Hermitage. If the Project were to impact these trees due to the loss of trees in the public right-of-way, the implementation of tree replacement Mitigation Measures 4-2 and 4-3, would reduce this impact to a less than significant level.

¹ Tree Report, Harmony Gardens, July 3, 2015.

There was a Historic-Cultural Monument (HCM) nomination submitted for the "Hermitage Trees" located at 5303 Hermitage and 12301 Weddington.² As described in the nomination, the proposed HCM included two Camphor trees, a Mulberry tree, a Crape Myrtle tree, Japanese Hackberry trees, and American Sweetgum Trees. SWCA Environmental Consultants (SWCA) conducted a peer review to assess whether the 2015 HCM nomination for the Hermitage Trees had adequately addressed the potential significance of the subject trees in consideration of the eligibility criteria for individual listing as an HCM. After reviewing the nomination, completing a field survey, and conducting independent background research, SWCA found that the Hermitage Trees did not meet the criteria for HCM designation. The nomination presented information that was vague and not substantiated by primary and secondary resources as required by the City's Office of Historic Resources (OHR),³ The nomination failed to identify how the Hermitage Trees met the criteria required for HCM designation.

The nomination further suggested that the two Camphor trees were the oldest on the block and that they were located on a property (the Hermitage Property) that was believed to be historically significant, and which acted as a nucleus of the neighborhood. The nomination, however, provided no documentation to support either of these claims. Additionally, both OHR and the Cultural Heritage Commission (CHC) had already determined that the

Hermitage Property did not possess the important associations or integrity required to satisfy HCM criteria, and no information was presented to suggest that the trees embody any additional significance that was not previously considered by OHR or the CHC. Finally, the significance statement failed to address how the trees embodied the characteristics of an architectural-type specimen inherently valuable for a study of a period, style, or method of construction. On November 19, 2015, the CHC conducted a meeting in which they voted to deny the HCM nomination for the Hermitage Camphor Trees and not declare the property an HCM.⁴

Vacation of Weddington Street

Cetrone comments that the project "plans to vacate Hermitage Street for private use".

The comments do not provide any substantial evidence that the discussions of potential impacts due to the proposed street merger analyzed in the MND are inadequate or that the evidence upon which the MND reaches its conclusions is flawed. Some comments erroneously indicate a plan to vacate Hermitage Avenue for private use, which is the incorrect street. The Project would actually include a street merger of approximately 100 feet of Weddington Avenue (west of Hermitage) as part of the tract map.

A portion of the street merger would become a driveway and fire lane to access the interior unit garages. The Project would provide 7 parking spaces for guests as surface parking within the Site. This guest parking would replace the 7 parking spaces that would be removed due to the Weddington Street merger. This portion of Weddington provides access to the Project site parcels only and would not impede access to any offsite parcels. It would be converted to

² Architectural History Peer Review for the Hermitage Trees, SWCA, September 9, 2015.

³ Los Angeles Department of City Planning, Office of Historic Resources / Cultural Heritage Commission,

Historic-Cultural Monument Nomination Information Guide, updated August 2014.

Declination of Request, Hermitage Camphor Trees, Cultural Heritage Commission, November 19, 2015.

a driveway and lane to access the proposed development. The street portion to be merged is not a typical block-long street, which would generally range between 300 and 600 feet long in the Project area. The merger of Weddington would not change scenic vistas as the street currently ends at a gated wall with existing structures that largely block any further views. All uses that currently access this portion of Weddington would be incorporated into the Project development. The Project would be built on an existing urban infill site currently improved with structures. As such, no impact related to physical division of an established community will occur due to the street vacation.

Related Projects

Cetrone comments that the "immediate area is already burdened with seven proposed projects, a total of 31 new homes."

The comments do not provide any substantial evidence that the discussion of related projects in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. As stated on p. 3-165 of the MND, the Project will not combine with related projects to create a cumulatively significant impact in any of the environmental issue areas analyzed in the MND.

The related projects include past, present, and reasonably foreseeable future projects and are described in Table 3.16-6. These projects involve a variety of land uses, including approximately 3,078 residential units; 1,769,911 square feet of retail; 2,050 square feet of restaurant (coffee shop); 1,488,100 square feet of office; 491 students school expansion; 2,350 seats in theaters, and 94 hotel rooms. Each issue area includes a cumulative scenario, which combines the impacts of the Project with the related projects. In determining the cumulative impacts related to Traffic, an ambient growth factor of 1% per year (as required by LADOT) was added to account for and traffic volumes from other planned development in the area that may not be accounted for in the related projects.

The nearest related projects to the Project site is 5258 Hermitage Avenue, across from the Project site, previously contained two single-family homes that were demolished in June 2015 to be replaced with a 5-unit condominium development. It was evaluated as part of ENV-2014-2510-MND and found that all impacts would be reduced to less than significance, with mitigation measures. None of the other related projects is in close proximity (0.25 miles) to the Project site. Some of these related projects would be subject to their own CEQA analysis to evaluate potential impacts and provide mitigation measures where appropriate. Others could be exempt as they are considered by-right projects without discretionary actions and thus can be built with ministerial permits. The project at 5258 Hermitage is approximately 60 feet away, a distance that exceeds the adjacent sensitive receptors (residential uses) that were evaluated for air and noise impacts. All other related projects have several intervening buildings and major roadways/freeway in between, and are at least 5 blocks away or more, which will ensure that any other localized impacts of the related project would not combine with the Project.

Valley Village Specific Plan Compatibility

Koch comments that the "aesthetics of Valley Village is not compatible with such a development." Strathern comments that the "project completely falls outside the scope of the neighborhood and its Specific Plan." Cetrone comments that the "project is in no way compatible with the Valley Village Specific Plan." Dogstar comments that the Specific Plan

"was initiated to protect us from projects exactly like this one from ever having the ability to be considered." Gooley comments that the project "is against the specific and community plan." Starrow comments that the Specific Plan has an issue with "inconsistent incremental development". Granger comments that it "is not compliant with the Valley Village Specific Plan, Open Space Element or Recreation Plan."

The comments do not provide any substantial evidence that the discussion of compatibility with land use plans in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. Also, it is important to understand that the legal standard for consistency determinations is that a project must only be in "harmony" with the applicable land use plan to be consistent with that plan. (See Seguoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 717-18 [upholding a city's determination that a subdivision project was consistent with the applicable general plan]). As the Court explained in Seguoyah, "state law does not require an exact match between a proposed subdivision and the applicable general plan." To be "consistent" with the general plan, a project must be "compatible with the objectives, policies, general land uses, and programs specified in the applicable plan," meaning, the project must be "in agreement or harmony with the applicable plan." (see also Greenebaum v. City of Los Angeles (1984) 153 Cal.App.3d 391, 406; San Franciscans Upholding the Downtown Plan, supra, 102 Cal.App.4th at p. 678.) Further, "[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment," (Friends of Lagoon Valley v. City of Vacaville (2007) 154 Cal.App.4th 807, 817.) Courts also recognize that general plans "ordinarily do not state specific mandates or prohibitions," but instead provide "policies and set forth goals." (Friends of Lagoon Valley).

As stated on page 3-07 of the MND, the Project is consistent with the General Plan, the North Hollywood Community Plan and the Valley Village Specific Plan, as well as the Small Lot Ordinance. As such, impacts with respect to applicable land use plans, policies and zoning would be less than significant. With respect to the Valley Village Specific Plan, because the Project is seeking Project Permit Compliance for the Specific Plan and no Exceptions from the Plan are being sought, the Project will not result in any deviations from the development standards and requirements of the Specific Plan. The Project would also be consistent with the aesthetic elements of the Plan area, including massing, setbacks, height, by complying with the Valley Village Specific Plan provisions related to these elements. The Project will also comply with the general provision for lighting of the Valley Village Specific Plan (Section 6.A.2) and it will comply with Section 6.B (Building Heights) because it shall not exceed 30 feet in height.

In addition, the Project will provide residential parking to code, with 2 spaces per unit for a total of 52 spaces. The Project is required to provide guest parking at a rate of 1 space per 4 units for a total of 7 spaces per the City of Los Angeles Small Lot Design Guidelines (2014). The Project will provide 7 parking spaces for guests as surface parking within the Site. This guest parking will replace the 7 parking spaces that will be removed due to the Weddington Street merger. Guest parking will be identifiable, accessible to guests, and not tandem, as required by the Specific Plan.

Historic Resources

Cetrone comments that the project would destroy "the historic nature of the community." Fisher comments that the houses and apartment buildings "may meet the definition as historic resources at the level of a potential district, when taken in context with other properties in the

neighborhood." Fisher also comments that the properties "still need to be evaluated as potential historic resources under (CEQA), whether they are designated or not." Gooley comments that the property is significant.

The comments do not provide any substantial evidence that the discussion of Historic Resources in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. Another comment claims that there are character and cultural measures, which could be taken to protect the corner property at Hermitage and Weddington. However no substantial evidence is provided to support the claim that this property is a historic resource. In fact, impacts related to Historic Resources were analyzed in the MND (see page 3-42) and found that there are no Historic Preservation Overlay Zones (HPOZs) in the area.5 In addition, the house at 5303 Hermitage Avenue and the duplex at 12301 Weddington Street were not identified as a historic resource in the SurveyLA Historic Resources Survey Report. There is no evidence that the main building or any other building on the site has historic significance. According to the building permit record described in the MND, the first building to be constructed on the lot was a one-story residence by owner Clinton J. Lathrop. There is no evidence that the Lathrop family and their activities have any historic significance. While the family lived in the house for decades, that is not sufficient to designate the buildings as historic. A City of Los Angeles Historic Cultural Monument (HCM) nomination was filed for the building on January 15, 2015, and the buildings and site at 5303 Hermitage Avenue and 12301 Weddington Street do not meet the criteria to be designated as an HCM.6 The decision was based on a staff report prepared by the City's Office of Historic Resources. The City's Cultural Heritage Commission denied the property for possible declaration as a Historic Cultural Monument.7

In addition, the entire site was evaluated by SWCA. Three properties (5303 Hermitage Avenue 12302 Weddington Street, and 5261 Hermitage Avenue) were recorded and evaluated for the National Register of Historic Places (NRHP) and California Register of

Historical Resources (CRHR), as well as local designation as a City of Los Angeles HistoricCultural Monument or contributors to any potential Historic Preservation Overlay Zone. All three properties appear ineligible for the NRHP, CRHR, or for local designation (status code 6Z).

Traffic

Wilk comments on "out of control traffic". Gooley comments that the "project traffic patterns will be greatly and negatively affected." Granger comments that it "imposes a significant increase in traffic on small neighborhood streets."

The comments do not provide any substantial evidence that the discussion of Traffic impacts in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. LADOT reviewed the traffic evaluation prepared for the Project, which demonstrates that the proposed use of the Project site will not significantly impact vehicular, bicycle, or pedestrian traffic in the surrounding area. Table 3.16-7 displays the results of the Future without Project and With Project analysis, and no significant traffic impacts have been identified. As stated on page 3-147 of the MND, the two signalized study intersections identified in the MND would continue to experience the same LOS without or with the Project,

⁵ http://preservation.lacity.org/hpoz/la

⁶ Assessment of Potential Historic Significance, Kaplan Chen Kaplan, April 28, 2015.

Cultural Heritage Commission, May 22, 2015.

and no LADOT impact thresholds are exceeded. The one unsignized location does not warrant a new traffic signal with the Project traffic added to the future conditions. The immediate surrounding roadways may experience a minor increase in traffic volumes as a result of the Project. However, the increase of project trips through the intersections studied during the peak periods only minimally increase the volumes through the intersection. The LOS does not change nor does the increase in traffic volume create any significant traffic impacts. The project is not expected to increase traffic in a substantive amount in relation to the surrounding roadway network to create any significant traffic impacts. Therefore, impacts will be less than significant and no mitigation is required.

Emergency Response

Gooley comments that the traffic patterns "will slow down emergency response vehicles".

The comment does not provide any substantial evidence that the discussion of impacts in the MND related to emergency vehicle response is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. As stated on page 3-80 of the MND, a significant impact may occur if a project were to interfere with roadway operations used in conjunction with an emergency response plan or emergency evacuation plan, or would generate sufficient traffic to create traffic congestion that would interfere with the execution of such a plan. There are no identified Selected Disaster Route along the Site. Construction of the Project will not substantially impede public access or travel on public rights-of-way, and would not interfere with any adopted emergency response plan or emergency evacuation plan. The Project will attempt to park and stage for construction on-site as much as possible. The future traffic conditions with the Project show that none of the study intersections or roadway segments would have a significant impacts. Therefore, a less than significant impact would occur.

In terms of emergency access as relate to fire protection, page 3-128 of the MND notes that the routes from the fire stations to the Project site would likely pass through several of the study intersections. The future traffic conditions with the Project show that none of the study intersections would have a significant impact. All circulation would be in compliance with the Fire Code, including any access requirements of the LAFD. Additionally, emergency access to the Project site will be maintained at all times. Therefore, impacts related to emergency access would be less than significant. The merger of Weddington would not affect fire service, as the merger would be used as a common access driveway to provide LAFD access into the Site.

Schools

Padilla comments that this "will potential bring more families to our already overpopulated neighborhood schools."

The comment does not provide any substantial evidence that the discussion of schoolrelated impacts in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. California Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirements against any construction within the boundaries of the district, for the purposes of funding the construction or reconstruction of school facilities. The LAUSD School Facilities Fee Plan has been prepared to support the school district's levy of the fees authorized by California Education Code Section 17620. The Leroy F. Greene School Facilities Act of 1998 (SB 50) sets a maximum level of fees a developer may be required to pay to mitigate a

project's impacts on school facilities. The maximum fees authorized under SB 50 apply to zone changes, general plan amendments, zoning permits and subdivisions. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA, or other state or local law (Government Code Section 65996). Furthermore, per Government Code Section 65995.5-7, LAUSD has imposed developer fees for commercial/industrial and residential space. Overall, the payment of school fees in compliance with SB 50 would be mandatory and would provide full and complete mitigation of school impacts for the purposes of CEQA. Therefore, impacts related to schools will be less than significant.

Drought Conditions

Padilla comments that "we are going through a severe drought in our state and asked to cut back on water usage."

The comment was made that the State is in a drought scenario but it does not provide any substantial evidence that the discussion of drought-related impacts in the MND, such as those related to water supply, is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. Drought conditions were discussed in the MND on pages 3-158 through 3-160. On January 17, 2014, Governor Jerry Brown officially declared

California in a drought emergency. LADWP has activated the Water Conservation Response Unit in order to implement the mandatory Emergency Water Conservation Plan Ordinance - Phase 2.89 The 2010 Urban Water Management Plan takes into account drought conditions.9 On April 1, 2015, Governor Brown signed Executive Order B-29-15 which provides actions that will save water, increase enforcement to prevent wasteful water use, streamline the state's drought response, and invest in new technologies to make California more drought resilient. The Executive Order provides water savings by directing the State Water Resources Control Board to implement mandatory water reductions in cities and towns to reduce water usage by 25% or approximately 1.5 million acre-feet. The Executive Order calls for local water agencies to implement conservation pricing to discourage water waste.10

In its discussion of impacts related to water supply, the MND explains that the Project will use approximately 5.3 acre-feet per year (see calculation in the MND's Table 3.17.2). The

2010 Urban Water Management Plan projects a supply of 614,800 AFY in 2015 and rising to 652,000 in 2020¹¹ Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, LA aqueduct) is offset with MWD purchases to rise to the level of demand. Overall, any project that is consistent with the General Plan has been taken into account in the planned growth in water demand. As set forth above, the Project is consistent with the General Plan. In addition, regulatory compliance measures requiring sustainable landscaping practices, and compliance with the City's Green

⁸ LADWP, Drought Information:

 $https://www.ladwp.com/ladwp/faces/ladwp/aboutus/a-water/a-wconservation/a-w-c-droughtbusters?_adf.ctrl-state=nviecbhak_4\&_afrLoop=932704326968157$

⁹ Urban Water Management Plan, Los Angeles, pg. 46:

http://www.water.ca.gov/urbanwatermanagement/2010uwmps/Los%20Angeles%20Department%20of%20Water%2 0and%20Power/LADWP%20UWMP 2010 LowRes.pdf, September 4, 2015.

California Governor: http://gov.ca.gov/news.php?id=18910

Building code and Low Impact Development Ordinance, would ensure that impacts related to the project's water demand remain less than significant.

Noise

Wilheim comments that "the streets will become more crowded and noisier."

The comments do not provide any substantial evidence that the discussion of Noise impacts in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. As shown in the MND, trip generation would not produce a significant traffic impact. (Please see the "Traffic" response above for a discussion of the traffic impacts.) With regard to off-site construction-related noise impacts, as discussed on page 3-111, implementation of Mitigation Measures 12-1 through 12-5 would minimize ambient noise increases at the nearby receptors below the 5 dBA threshold of significance. Although haul trucks and vehicle activity associated with construction workers, vendor trips, and other onroad vehicles could generate noise, the addition of any truck trips would only marginally increase ambient noise along haul route roadways, as truck deployment onto local streets would not happen simultaneously, but rather be phased over the course of site preparation, grading, and construction phases. Therefore, a less-than-significant impact related to construction noise is anticipated, including construction noise related to traffic.

The majority of operational noise impacts would be from indirect noise impacts associated with the 207 net new vehicle trips each weekday. The project traffic study found that there were no significant impacts related to local traffic congestion, and there is similarly not expected to be a significant increase in ambient noise levels. As stated on page 3-117 of the MND, mobile noise generated by the Project would not cause the ambient noise level measured at the property line of the affected uses to rise to the "normally unacceptable" or "clearly unacceptable" category as defined by the 2003 California General Plan Guidelines or result in any 5 dBA or more increase in noise level. As a result, these inaudible, off-site vehicular noise impacts would be considered a less-than-significant impact. Operational noise impacts, including those related to traffic generation, would be less than significant, and no mitigation measures are required.

Greenhouse Gas Emissions

Friends of Studio City's comment cites the California Natural Resources Agency Final Statement of Reasons for Regulatory Action (December 2009) regarding greenhouse gas emissions and climate change. The comments also cite SB 375 which will help the state to achieve its climate goals under AB 32.

The comments do not provide any substantial evidence that the discussion of Greenhouse Gas Emissions in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. The comments merely submit the referenced documentation without an explanation as to how it relates to the impact discussion in the MND. As stated in the MND

^{11 2010} Urban Water Management Plan, Los Angeles, pg. 20: http://www.water.ca.gov/urbanwatermanagement/2010uwmps/Los%20Angeles%20Department%20of%20Wat er%2 0and%20Power/LADWP%20UWMP 2010 LowRes.pdf, September 4, 2015.

Overland Traffic Consultants, Inc. "Technical Traffic Evaluation for the Proposed Small Lot Subdivision Residential Project at Hermitage & Weddington." October 16, 2015

on page 3-69, The Project will comply with the City of Los Angeles' Green Building Ordinance, reduce emissions beyond a "Business-as-Usual" scenario, and will be consistent with the AB 32 Scoping Plan's recommendation for communities to adopt building codes that go beyond the State's codes. Under the City's Los Angeles Green Building Code, the Project must incorporate several measures and design elements that reduce the carbon footprint of the development. These are included as LAMC Article 9, Division 4, Section 99.04. Also, the Project is an infill development that reuses a developed site and increases the density (FAR) from approximately 0.28:1 to approximately 1.4:1. Thus, the Project provides a more efficient use of the land per acre, especially in an area with transit opportunities. There would be bicycle parking, a Low Impact Development plan (LID) for runoff potential, and all vehicle parking will be on-site in integrated garages for each unit, and guest parking. The lighting will be designed to reduce light pollution and intrusion to the nearby residential area. The Project would meet Title 24 energy standards and all City of Los Angeles Green Building Codes. This would reduce water usage through efficient fixtures. Landscaping is expected to be minimal given the size constraints at ground level. Demolition, construction, and operation will recycle materials to the extent feasible.

In terms of the Project's cumulative contribution to climate change, AB 32 Scoping Plan provides the basis for policies that will reduce cumulative GHG emissions within California to 1990 levels by 2020. As a result, the Project is judged in terms of its consistency with the AB 32 Scoping Plan to determine whether it will result in a significant cumulative impact. As shown in Table 3.7-4 of the MND, the Project would be consistent with all feasible and applicable strategies recommended in the Scoping Plan. As a result, the Project's generation of GHG emissions would not make a cumulatively considerable contribution to GHG emissions and impacts would be less than significant.

Parking

Dogstar comments that the Project "utilized street for parking which continues to be an issue on our streets." Granger comments that there is "not enough parking."

The commenter does not raise an environmental concern that would change the findings of the MND. Parking deficits that are merely an inconvenience to drivers, but that do not result in any physical impacts on the environment, are not required to be analyzed under CEQA. Some comments claim that streets in the area do not have enough parking and that the removal of seven (7) parking spaces due to the proposed merger of Weddington Street may exacerbate this problem. However, no evidence is provided to support a claim that the removal of these parking spaces would result in a physical effect on the environment. Furthermore, the Project would provide residential parking to code, with two (2) spaces per unit for a total of 52 spaces. The Project will also provide guest parking at a rate of one (1) space per four (4) units for a total of seven (7) spaces per the City of Los Angeles Small Lot Design Guidelines (2014). As stated on page 3-149 of the MND, the Project will provide 7 parking spaces for guests as surface parking off of an interior access way system that intersects with Hermitage Avenue approximately at the terminus of Weddington Street. This is approximately the current location of Weddington, which will be merged onto the site as a common access—and therefore, the Project will essential replace the 7 spaces that are removed with 7 new spaces for guests in the same location. Guest parking will be identifiable, accessible to guests, and not tandem, in compliance with the Specific Plan. Therefore, no parking impacts will result.

Open Space

Wilk comments on the "elimination of green space". Dogstar comments on the "last remaining small square of open and green space." Gooley comments on the recreation in the area. Friends of Studio City comment include slides on "Why parks matter." Granger comments that it "is not compliant with the Valley Village Specific Plan, Open Space Element or Recreation Plan."

The comments do not provide any substantial evidence that the discussion of Open Space in the MND is inadequate or that the evidence upon which the MND reaches its conclusions is flawed. The Open Space Element (1973) and the Public Recreation Plan include standards intended to provide a basis for satisfying the needs for neighborhood and community recreational sites and open space. The Project would comply with the provisions of City Code for the amount of required open space it must provide and it would comply with any applicable fee payments, appropriate for this type of development.

As a small lot subdivision, the Project functions as single family units (not multi-family). Therefore, as stated on page 3-136 of the MND, the Open Space requirements for Multiple Family Projects (Section 6.C) of the Valley Village Specific Plan do not apply to the Project, nor do the Open Space provisions of LAMC Section 12.21.G. The Project would provide each unit with small amount of landscaped open space in front of each unit, and the residents would likely use nearby parks and recreation facilities. However, the City requires developers of for-sale housing units to dedicate parkland or pay applicable fees in lieu of parkland dedication. When the proposed onsite open space and recreation facilities do not fully satisfy the above requirements, the developer is required to pay Recreation and Park Fees to the City to satisfy the balance of its obligations. Therefore, with payment of fees (i.e., "Quimby" fees) pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, impacts to parks and recreation centers from the Project would be less than significant.

Discretionary Request

Baruck comments that the Project "involves getting variances so that the project can be accomplished less expensively and further erode the Village."

The commenter does not raise an environmental concern that would change the findings of the MND. The Project is seeking a vesting tentative tract for a subdivision (a legal mechanism to separate lots) and a merger of an underutilized street that only serves current parcels on the Project site so that it will become the future driveway for the Site. The Project also requires Project Permit Compliance approval for the Valley Village Specific Plan, due to its location within the Plan area. The Project is not seeking variances or adjustments from any applicable regulations; nor is it seeking and exceptions to the Specific Plan.

Density and Character

Wilk comments on "impractical density". Lampert comments on "shoving in as many small lots or multi-residential/mixed use buildings as they possibly can". Cetrone comments on the "massive, out-of-scale project in Valley Village." Granger comments that the project "will completely change the identify and character of the neighborhood." Joan M comments that the Project would take away the character of the Village. Save Valley Village cites the Valley Village Specific Plan to "preserve the quality and existing character of the Valley Village area." The comments do not provide any substantial evidence that the Project analyzed in the MND

is excessive in terms of density or compatibility with the neighborhood or that the evidence upon which the MND reaches its conclusions is flawed. The commenters claim that the Project is too dense and too large for the Site. However, Hermitage Avenue, from Weddington to Chandler is entirely developed with multifamily residential buildings. As stated in the MND on page 3-96, the Qualified (Q) Condition imposed by Ordinance No. 165108, limits the allowable number of units on the Project site to 1 per 1,200 square feet of lot area, for a total of 35 units. The Project would include just 26 units. The allowable FAR is 3:1, and the proposed FAR is approximately 1.4:1.13 Even without counting the merger area on Weddington, the allowable number of units is 28. Again, the Project includes 26 units, which is lower than the allowable density.

Save Valley Village acknowledges that multi-family and commercial developments are allowed by current zoning but raises general concerns regarding traffic and parking impacts and changes to views. However, these issues are analyzed in the MND. As described on page 3-1 of the MND, there are no unique views of any scenic resource in the vicinity. Due to existing development in the area, there are no substantial viewpoints through the Site. As stated above, the Project is of a scale and density that is allowed on the Site and it is compatible with adjacent buildings and uses on Hermitage.

Other comments cite Valley Village Specific Plan Purpose E, which states that one of the purposes of the Specific Plan is "[t]o preserve the quality and existing character of the Valley Village area." The comments suggest that demolishing the existing buildings and constructing a new project would be contrary to this purpose. However, nowhere in the Specific Plan is there a prohibition against such development. In fact, other purposes described in the Plan specifically apply to new development projects, including Purpose C, which states the Specific Plan should "provide coordinated and comprehensive standards for height, design, building massing, open space, and landscaping for new projects so that multiple residential and commercial projects are harmonious with adjacent single-family neighborhoods." Also Purpose F involves minimizing "adverse environmental effects of development." Although community character is not defined in CEQA, the Project, as a small lot subdivision project built to a density that is below the maximum allowed, helps to strike a balance between the surrounding multi-family and single-family uses. Furthermore, as stated in the MND on page 3-97, the Project complies with the City's Small Lot Design Guidelines goals to create high qualify living environments; enhance the public realm; provide home ownership to a greater number of people; provide infill housing; and to design and configure the parcel to be compatible with the existing neighborhood context and to prioritize livability over density. Therefore, no impacts to the character of the community would result from the Project

Piecemealing

Save Valley Village comments that "Piecemealization refers to the practice of focusing on each project without any regard for the cumulative impacts which many such projects are having on the goals and purposes of VV Specific Plan." Further that "Such piecemeal approvals of subsequent projects, where each one standing alone, does violate the VV Specific Plan, operates as a de facto amendment to the VV Specific Plan. Furthermore, the piecemealing makes VV Specific Plan de facto in conflict with the general principles of the General Plan."

The comments do not provide any substantial evidence that the Project analyzed in the MND has been "piecemealed" to avoid disclosure of significant impacts or that the evidence upon which the MND reaches its conclusions is flawed. An agency is generally not permitted to "segment" or "piecemeal" a project into small parts if the intent is to avoid full disclosure of environmental impacts. This rule arises from the definition of 'project' under CEQA which includes the phrase "whole of the action." This phrase has been interpreted to mean that it is generally inappropriate to chop a project into small segments to avoid preparing an EIR for the full scope of the project. A "project" refers to the entire activity being approved and environmental review is not just limited to analyzing the impacts of individual discretionary permits required to approve the entire activity. Here, there is no piecemealing of the Project because the MND prepared for the Project analyzes all proposed components of the Project. Also, the MND analyzes impacts of the Project in combination with past, present or reasonably foreseeable future projects in the area in its cumulative project analysis, which is in full compliance with CEQA's requirements. (Please see the "Related Projects" response above regarding cumulative impacts.). Therefore, the Project has not been split to avoid disclosure of certain significant impacts.

Applicability of Public Resource Code

Save Valley Village cites Public Resources Code Section 21102 which prohibits the approval of a project "if there are feasible alternatives... available which would substantially lessen the significant environmental effects of such projects."

The comments do not provide any substantial evidence that the discussions of potential impacts of the Project in the MND are inadequate or that the evidence upon which the MND reaches its conclusions is flawed. The comment is actually citing Section 21002 (not 21102) which applies if the Project creates significant and unavoidable impacts. The MND applies mitigation measures that will reduce impacts of the Project to less than significant levels.

Control of the Site

Dogstar comments that there is a "current lis pendens filed against this property as well." Stevenson comments that the developer "does not own all of the properties in question" and "there is currently a lis pendens on one of the properties while pending litigation matters that will no doubt affect the outcome of this case."

Comment claims that the applicant, Urban Blox does not own all the properties on the Site and that there is a *lis pendens* on one of the properties. The commenter does not raise an environmental concern that would change the findings of the MND.

VALLEY VILLAGE SPECIFIC PLAN - RELATIONSHIP TO OTHER PROVISIONS OF CHAPTER 1 OF THE LAMC

The regulations of the Valley Village Specific Plan are in addition to those set forth in provisions of the LAMC and do not convey any rights not otherwise granted under such other provisions, except as specially provided in the Specific Plan.

Wherever the Specific Plan contains provisions which require different commercial land uses, building heights, stepback requirements, landscaping requirements, yard setbacks, parking requirements, or other provisions which differ from those provisions contained in Chapter 1 of the LAMC, the Specific Plan shall prevail and supersede the applicable provisions of the LAMC.

TIME LIMIT - OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The approval grant herein is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the

Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.cityplanning.lacity.org.

Planning Department public offices are located at:

Downtown Office
Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Valley Office
Marvin Braude Constituent Service Center
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at http://cityplanning.lacity.org. The applicant is further advised to notify any consultant representing you of this requirement as well.

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

CONDITIONS OF APPROVAL

1. Site Development. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans shall be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.

Valley Village Specific Plan Project Permit Compliance Conditions

- Lighting (Specific Plan Section 6.A.2). All lighting for the project shall be low-illumination, safety lighting of a color similar to incandescent light, which is shielded and directed onto the property on which the project is located.
- 3. Building Height (Specific Plan Section 6.B.1). No one-family building shall exceed 30 feet in height.
- 4. Signs (Specific Plan Section 7). No commercial off-site sign, sign support structure, or roof sign shall be erected within the Specific Plan Area.
- 5. Landscape Plan (Specific Plan Sections 9.A and 9.E). The Project site shall be landscaped in substantial conformance with the landscape plan, stamped "Exhibit B," dated January 20, 2016 and attached to the subject case file. As shown on the landscape plan, of the 24 existing, non-protected trees on-site, six (6) trees shall remain in place, and three (3) trees shall be relocated as street trees. Trees removed from the site shall be replaced on a 1:1 basis with a minimum 24-inch box size tree, with seven (7) replacement trees planted on-site, and eight (8) replacement trees shall be handled through the City Plants Program.
- 6. Street Trees (Specific Plan Section 9.D). Shade-producing street trees shall be planted at a ratio of at least one (1) tree for each 30 lineal feet of street frontage when no obstructions are present. The minimum size for street trees shall be 10 feet in height and two (2) inches in caliper at the time of planting. Installation of street trees shall be to the satisfaction of the Bureau of Street Services, Urban Forestry Division.
- 7. Public Right-of-Way, Dedications and Roadway Improvements (Specific Plan Section 10). Prior to the issuance of any building permits, public improvements and dedications for streets and other rightsofway adjoining the subject property shall be guaranteed as required by the Bureau of Engineering, Department of Transportation, Fire Department, Metropolitan Transit Authority (and other responsible City, regional and federal government agencies, as may be necessary).

Environmental Mitigation Conditions

- 8. Aesthetics (Signage on Construction Barriers).
 - a. The applicant shall affix or paint a plainly visible sign, on publicly accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - b. Such language shall appear at intervals of no less than 25 feet along the length of the publicly accessible portions of the barrier.

c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence. Authorized signage shall be allowed.

9. Air Quality (Demolition, Grading and Construction Activities).

- a. The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - 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.
 - 3. 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.
 - 4. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - 5. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - 6. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - 7. Trucks having no current hauling activity shall not idle but be turned off.
- b. In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- c. In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.
- d. The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.
- e. All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 emission standards, where available, to reduce NOx, PM10, and PM2.5 emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- f. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NOx emissions requirements.

- g. At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.
- h. Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at:

http://www.aqmd.gov/home/programs/business/businessdetail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades.

- i. Construction activities shall comply with SCAQMD Rule 403, including the following measures:
 - 1. Apply water to disturbed areas of the site three times a day.
 - 2. Require the use of a gravel apron or other equivalent methods to reduce mud and dirt trackout onto truck exit routes.
 - 3. Appoint a construction relations officer to act as a community liaison concerning onsite construction activity including resolution of issues related to p.m. generation.
 - 4. Limit soil disturbance to the amounts analyzed in the Final MND.
 - 5. All materials transported off-site shall be securely covered.
 - 6. Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
 - 7. Traffic speeds on all unpaved roads to be reduced to 15 mph or less.

10. Biological Resources (Habitat Modification – Nesting Native Birds, Non-Hillside or Urban Areas)

- a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture of kill (Fish and Game Code Section 86).
- b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - 1. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the Project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - 2. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
 - 3. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt

- at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- 4. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.
- 11. Biological Resources (Tree Protection Plan). The Project shall comply with the recommendations contained within the tree protection plan that applies to the two camphor trees to be retained on the Site only, included as an Appendix to the Project MND.

a. General Requirements

- 1. Contractor to review Tree Preservation Plan to determine which trees are to be protected.
- No equipment is to be operated or parked under a tree, or is any material to be stored within the dripline of a tree or leaned against a tree truck. Do not pile or compact soil within a dripline.
- 3. In areas of construction, protect soil surface from traffic compaction with 3" of mulch or overlapping 3/4" plywood sheets. Apply mulch six inches away from tree trucks to help prevent diseases from flourishing. Remove weeds before spreading mulch.
- 4. No surface irrigation shall be installed within the dripline of a tree.
- 5. No chemical herbicides are to be used within 100 feet of a tree's dripline.
- 6. Do not nail grade stakes or anything else to trees.
- 7. Encroachment from paving or structures within the dripline of a tree shall be permitted only with written authorization from the Owner's Agency Arborist. No encroachment within 10' of a tree trunk will be permitted under any circumstances.
- 8. Do not strip topsoil around trees. Any vegetation to be removed should be removed by cutting at ground level rather than pulling out by equipment.
- Use a pneumatic drill to excavate under woody roots larger than 2" in diameter. Do not
 cut any root larger than 2" diameter. If roots must be severed, cuts are to be made by
 an arborist and soil backfilled immediately.
- b. Typical Work Procedures. All work around any existing oak trees and all trees designated to remain and to be protected shall follow this work procedures program. This program has been developed to minimize the impacts to each tree and protect them from unscheduled damage.
 - 1. All work within a tree's root zone shall follow the Los Angeles City DRP Tree Care
 - 2. The extent of all work affecting any protected tree shall be staked by field survey and reviewed with the Owner's Agent Arborist prior to construction.
 - 3. Owner's Agent Arborist shall approve any pruning of protected trees prior to the start of construction. Any recommended pruning to be done by a licensed arborist only, not be construction or maintenance personnel.
 - 4. Hand dig the vertical trench at the final cut line and to the final grade; cleanly cut roots behind torn ends. There is no need to apply any kind of pruning seal, since roots will form their own internal barriers to decay.
 - Tree protection fencing as per plan and details in Appendices A and B (of the Tree Protection Plan included as Appendix B-2 of this MND) shall be constructed at the limit

- of approved work to protect the trees from unauthorized damage prior to the beginning of construction. It shall remain in place until landscape work commences.
- 6. No further work within the root zone shall be done beyond that which was approved without obtaining written approval from the Owner's Agent Arborist, prior to proceeding.
- 7. The area within the chain link fence shall not be used for material or equipment storage, or parking during construction.
- 8. During construction, the impacted trees shall be monitored for symptoms of shock. The contractor shall provide temporary water to irrigate and if needed, wash dust from foliage. Irrigation should wet the top 2-3 feet of soil to replicate similar volumes and normal seasonal distribution and trees typical irrigation pattern. Contact the Owner's Agent Arborist if a decline in tree condition is noted.
- 9. The watering of trees shall be done around and beyond the dripline, not near the trunk. Water infrequently and deep to encourage a deep root system. Examine trees regularly for symptoms of water stress. For young trees and matures trees showing drought stress, form a basin by creating a berm of soil several inches high that encompasses the dripline of the tree; fill basin with water. Probe the soil to a depth of three feet to monitor soil moisture within dripline; daily and weekly for younger trees and monthly to bimonthly for the mature trees. Irrigate trees early morning or just before dawn. Install sprinklers outside the dripline and direct sprinklers away from trunks and canopy. Do not install sprinklers within the dripline. Avoid sprinklers wetting tree trunks and canopies, especially trees susceptible to fungal disease.

c. Schedule of Meetings

- 1. Construction Manager to meet with Owner's Agent Arborist prior to construction to review requirements for tree protection onsite. Construction Manager to review location of trees in light of construction and inform Owner's Agent Arborist of any potential hazards of construction equipment or construction practices to protected trees. Required digging and trenching around tree should be planned ahead to minimize the root loss. When roots must be severed, clean cuts shall be made and sealed by an arborist. The soil shall then be backfilled immediately to minimize drying of the roots.
- Construction Manager to be available to meet with Owner's Agent Arborist once a month during construction to review the health of the tree and the construction practices.
- 3. Construction Manager to inform Owner's Agent Arborist of any breach or potential breach to tree protection zone, above requirements or work procedures and to be available to meet with Owner's Agent Arborist to review plan for mitigation.
- 12. **Archaeological**. If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the proposed Modified Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.
- 13. Paleontological. If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified

immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, time frame, and extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

- 14. Human Remains. If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. 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. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
- c. The NAHC 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 owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

15. Geology and Soils.

- The Project shall comply with the recommendations contained within the geotechnical report.
- b. The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the Project, and as they may be subsequently amended or modified.

16. Hazards and Hazardous Materials.

a. Explosion/Release (Existing Toxic/Hazardous Construction Materials)

- (Asbestos). Prior to the issuance of any permit for the demolition or alteration of the
 existing structure(s), the applicant shall provide a letter to the Department of Building
 and Safety from a qualified asbestos abatement consultant indicating that no
 Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found
 to be present, it will need to be abated in compliance with the South Coast Air Quality
 Management District's Rule 1403 as well as all other applicable State and Federal
 rules and regulations.
- (Lead Paint). Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint

materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

17. Hydrology and Water Quality.

- a. Low Impact Development Plan. Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City of Los Angeles Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.
- b. Develop Best Management Practices. The Best Management Practices shall be designed to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period, in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect confirming that the proposed Best Management Practices meet this numerical threshold standard shall be provided.

18. Noise.

- a. 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.
- b. The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.
- c. Two weeks prior to commencement of construction, notification shall be provided to the off-site residential and school uses within 500 feet of the Project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period.
- d. Temporary sound barriers, capable of achieving a sound attenuation of at least 10 dBA (e.g., construction sound wall with sound blankets) at 50 feet of distance, and capable of blocking the line-of-sight to the adjacent residences shall be installed as feasible.
- e. All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA at 50 feet of distance.
- f. All construction areas for staging and warming-up equipment shall be located as far as possible from adjacent residences.
- g. Portable noise sheds for smaller, noisy equipment, such as air compressors, dewatering pumps, and generators shall be provided where feasible.
- h. Route haul trucks, construction equipment and other sources of on-road vibration away from Hermitage Avenue, Weddington Street, and Corteen Place, as feasible, to avoid significant vibration impacts on the residences in that neighborhood.

19. Public Services (Fire Protection).

- a. Fire Water Flow. The Project Applicant shall consult with the LADBS and LAFD to determine fire flow requirements for the Proposed Project, and will contact a Water Service Representative at the LADWP to order a Service Advisory Report (SAR). This system hydraulic analysis will determine if existing LADWP water supply facilities can provide the proposed fire flow requirements of the Project. If water main or infrastructure upgrades are required, the Applicant would pay for such upgrades, which would be constructed by either the Applicant or LADWP.
- b. Plot Plan. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

20. Public Services (Police).

- a. Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- b. The plans shall incorporate a design that enhances the 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, and location of toilet facilities or building entrances in high-foot traffic areas. 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.
- c. Upon completion of the Project, the North Hollywood Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.
- 21. Parks. (Subdivision) Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
- 22. Transportation and Traffic (Safety Hazards). The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.
- 23. Utilities and Service Systems (Wastewater Service). As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity. If street closures for construction is required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

24. Utilities and Service Systems (Wastewater Service). As part of the normal construction/building permit process, the Project Applicant shall confirm with the LADWP Water Service Organization (WSO) that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. If the water infrastructure has insufficient capacity, then the Project Applicant shall be required to build water lines to a point in the system with sufficient capacity. If street closures for construction is required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

25. Utilities and Service Systems (Drought Conditions).

- a. 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).
- b. The Project shall implement all applicable mandatory measures within the LA Green Building Code that would have the effect of reducing the Project's water use.
- c. 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).
- d. The Project shall comply with the City of Los Angeles Low Impact Development Ordinance (City Ordinance No. 181,899) and to implement Best Management Practices that have stormwater recharge or reuse benefits for the Project (as applicable and feasible).
- e. In order to meet the diversion goals of the California Integrated Waste Management Act and the City of Los Angeles, which will total 70 percent by 2013, the Applicant shall salvage and recycle construction and demolition materials to ensure that a minimum of 70 percent of construction-related solid waste that can be recycled is diverted from the waste stream to be landfilled. Solid waste diversion would be accomplished though the on-site separation of materials and/or by contracting with a solid waste disposal facility that can guarantee a minimum diversion rate of 70 percent. In compliance with the Los Angeles Municipal Code, the General Contractor shall utilize solid waste haulers, contractors, and recyclers who have obtained an Assembly Bill (AB) 939 Compliance Permit from the City of Los Angeles Bureau of Sanitation.

Administrative Conditions

26. Final Plans. Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

- 27. **Notations** on **Plans**. Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
- 28. **Approval**, **Verification and Submittals**. Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
- 29. **Code Compliance**. Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 30. Department of Building & Safety. The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
- 31. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 32. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including <u>but not limited to</u>, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

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"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.



South Valley Area Planning Commission

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801 (213) 978-1300 www.planning.lacity.org

AUG 2 4 2016 Determination Letter Mailing Date:

CASE: VTT-73704-SL-1A

CEQA: ENV-2015-2618-MND

Location: 5261, 5263, 5303, 5305 Hermitage Ave

12300, 12301, 12302 Weddington Street

Council District: 2 - Krekorian

Plan Area: North Hollywood-Valley Village

Zone: [Q]R3-1

Applicant: UB Valley Village, LLC

Representative: Steve Nazemi, UB Valley Village LLC, & Edwards Trust

Appellants: Valley Village Residents for Fair Government; San Fernando Valley Neighborhood

Coalition (SFVNC); Hollywoodians Encouraging Logical Planning (HELP); Friends of Valley Village, save Valley Village (sVV); Common Sense Committee-VV (CSC-

VV); Coalition of Squeaky Wheels (CSW)

At its meeting on July 14, 2016, the South Valley Area Planning Commission took the following action:

1. Denied the appeal:

- Sustained the findings and conditions of the Deputy Advisory Agency; and
- Revised the decision letter for VTT-73704-SL to make the following corrections:
 - a. Page 2 Bureau of Engineering Condition No. 1 change to revised map stampdated February 1, 2016
 - b. Page 5 Department of City Planning Site Specific Condition No. 15f delete in its entirety.
 - c. Page 8 Condition No. 16 correct the Setback Matrix Table for Lot 9 West cell to read 19.8'
 - d. Page 32 CEQA findings No. 6 (Noise) remove the number 9 typographic error located on the last line of said page number.
 - e. Page 41 Replace the language that reads "Guidelines for Building Facades and Martials" to read "Guidelines for Building Facades and Materials.
- Adopted ENV-2015-2618-MND and the accompanying Mitigation Monitoring Program

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

This action was taken by the following vote:

Moved:

Commissioner Dierking

Seconded: Commissioner Kim

Aves:

Commissioner Cochran

Nayes:

Commissioner Beatty and Commissioner Mather

Vote:

3 - 2

Renee Glasco, Commission Executive Assistant I South Valley Area Planning Commission

Effective Date/Appeals: This action of the South Valley Area Planning Commission will be final within 10 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at www.planning.lacity.org.

Final Appeal Date: SEP 0 6 2015

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

Attachment: Deputy Advisory Agency Decision dated May 27, 2016 with modification

cc: Notification List

Nelson R. Rodriguez

DEPARTMENT OF CITY PLANNING

200 N. Spring Street, Room 525 Los Angeles, CA 90012-4801 AND

6262 VAN NUYS BLVD., SUITE 351 VAN NUYS, CA 91401

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ PRESIDENT

RENEE DAKE WILSON VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
SAMANTHA MILLMAN
DANA M. PERLMAN
MARTA SEGURA

JAMES K. WILLIAMS COMMISSION EXECUTIVE ASSISTANT II (213) 978-1300 CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT J. BERTONI DIRECTOR (213) 978-1271

LISA M. WEBBER, AICP DEPUTY DIRECTOR (213) 978-1274 JAN ZATORSKI DEPUTY DIRECTOR (213) 978-1273

FAX: (213) 978-1275

INFORMATION http://planning.lacity.org

Decision Date:

May 27, 2016

Appeal End Date:

June 6, 2016

UB Valley Village, LLC (A/O) 8150 Beverly Boulevard. #100 Los Angeles, CA 90048

Steve Nazemi (R) DHS & Associates 275 Centennial Way #205 Tustin, CA 92780 RE: Vesting Tentative Tract No. 73704-SL

Related Case: DIR-2015-2697-SPP

Address: 12300-12302 Weddington Street & 5261, 5263, 5303 & 5305 Hermitage Avenue Plan Area: North Hollywood-Valley Village

Zone:

[Q]R3-1

D.M. :

171-B-165

C.D. :

2

CEQA:

ENV-2015-2618-MND

Legal:

Frac. Lots 6,7,8&9,

Tracts 9237 &1487

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Mitigated Negative Declaration ENV-2015-2618-MND as the environmental clearance and approved Vesting Tentative Tract No. 73704-SL, located at 12300-12302 Weddington Street and 5261, 5263, 5303 & 5305 Hermitage Avenue, for a maximum 26-lots, pursuant to the Small Lot Subdivision Ordinance No. 176,354 as shown on the map stamp-dated February 1, 2016, in the North Hollywood-Valley Village Community Plan. This unit density is based on the [Q]R3-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property) The Advisory Agency's approval is subject to the following conditions:

NOTE(S) on clearing condition*ns: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

The approved Small Lot Subdivision is not vested to the provisions of Section12.22-C.27 until a final map is recorded. Building permit applications prior to the recordation of a final map must comply with all of the provisions of the Los Angeles Municipal Code (LAMC) including but not limited to setbacks, access width, open space, and passageway unless the Planning Department has granted approval of deviations from the provisions of said LAMC Section.

(Amended by SVAPC) BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

- 1. That portion of the Weddington Street within the tract property and as shown on the vesting tentative map stamp dated July 13, 2015 February 1, 2016 be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

- 2. That any surcharge fee in conjunction with the street merger request be paid.
- That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
- 4. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
- That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley District Engineering District Office.
- 6. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

7. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

- a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
- b. Provide a copy of DIR case DIR-2015-2697-SPP. Show compliance with all the conditions/requirements of the DIR case as applicable.
- c. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication. Front yard requirements shall be required to comply with current code as measured from new property lines after dedications.
- d. Show street merger as approved by BOE.
- e. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress for the small lot subdivision on the final map.

Notes:

Comply with the 30' height limit per the Valley Village Specific Plan Area.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements, with respect to the proposed property line. Compliance shall be to the satisfactory of LADBS at the time of plan check.

Backup space for parking space with less than 26'-8" shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

8. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

- 9. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

DEPARTMENT OF WATER AND POWER

10. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

11. Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

12. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(d).)

INFORMATION TECHNOLOGY AGENCY

13. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will

be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code (LAMC) Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 978-0856.

DEPARTMENT OF RECREATION AND PARKS

14. That the Quimby fee be based on the R3 Zone.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

- 15. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the proposed development to a maximum of 26 lots.
 - b. Provide a minimum of two (2) covered parking spaces per dwelling unit and guest parking at ¼ spaces per unit for the Small Lot Subdivision site.
 - c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

(Deleted by SVAPC)

 That prior to issuance of any permit, any guardrails proposed for the balcony shall be solid and not transparent.

g. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

(i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property

- damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, of if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

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- h. A Community Maintenance Agreement shall be created, composed of all property owners, to maintain all common areas such as trees, landscaping, the open space and common easement area in Lot 49, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
- i. Prior to the recordation of the final map the subdivider shall prepare a revised map with the delineation of an open space or common easement area on the eastern 49 feet of Lot 26. The delineated common easement area shall be labeled as "open space" and a statement shall be added stipulating the following: "This open space area shall be accessible to all residents of the subdivision" and also showing two large, mature Camphor trees on the eastern 49 feet being preserved.
- j. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
- k. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tract No. 73704-SL shall not be issued until after the final map has been recorded.

(Amended by SVAPC)

16. **Note to City Zoning Engineer and Plan Checker.** The Advisory Agency has approved the following variations from the LAMC as it applies to this small lot subdivision and the proposed development on the site. Submit a revised matrix for seven lots:

Lot No.	North	South	East	West
1.	35'5"	0,	15'	10'
2.	0'	0'	15'	10'
3.	0'	0,	15'	10'
4.	0'	5'	15'	10'
5.	0,	5'	10'	5'
6.	0'	0'	10'	5'
7.	0'	0'	10'	5'

Lot No.	North	South	East	West
8.	35'5"	0'	10'	4'
9.	13'	0'	5'	19'8" to read 19.8'
10.	0'	0'	2'	17'
11.	0'	0'	5'	10'
12.	0'	0,	5'	10'
13.	0'	5'	5'	10'
14.	0'	5'	10'	5'
15.	0'	0'	10'	5'
16.	0'	0'	10'	5'
17.	3'	0'	10'	5'
18.	0,	0'	2'	5'
19.	0'	0'	10'	5'
20.	0'	0'	10'	5'
21.	5'	0'	10'	5'
22	5'	13'	0'	0'
23.	5' 5'	13'	0'	0'
24.	5'	13'	0'	0'
25.	5'	13'	0,	0'
26.	5'	13'	45'	0'

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 17. That prior to recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No(s). 18, and 19 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
- 18. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

Aesthetics (Signage on Construction Barriers).

- MM-1 The applicant shall affix or paint a plainly visible sign, on publicly accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- MM-2 Such language shall appear at intervals of no less than 25 feet along the length of the publicly accessible portions of the barrier.

MM-3 The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence. Authorized signage shall be allowed.

Air Quality (Demolition, Grading and Construction Activities).

- MM-4 The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - 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. Wetting could reduce fugitive dust by as much as 50 percent.
 - 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.
 - 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. Trucks having no current hauling activity shall not idle but be turned off.
- MM-5 In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- MM-6 In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compressionignition engines shall meet specified fuel and fuel additive requirements and emission standards.

MM-7 The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.

Air Quality

- MM-8 All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 emission standards, where available, to reduce NOx, PM10, and PM25 emissions at the project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what would be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- MM-9 Require the use of 2010 and newer diesel haul trucks (e.g. material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained, the lead agency shall require trucks that meet U.S. EPA 2007 model year NOx emissions requirements.
- MM-10 At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided.
- MM-11 Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate cleanup off off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at http://www.aqmd.gov/home/programs/business/business-detail? title=off-road-diesel-engines&parent=vehicle-engine-upgrades.
- MM-12 Construction activities shall comply with SCAQMD Rule 403, including the following measures:
 - A. Apply water to disturbed areas of the site three times a day.
 - B. Require the use of a gravel apron or other equivalent methods to reduce mud and dirt tracked out onto truck exit routes.
 - C. Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to p.m. generation.
 - D. Limit soil disturbance to the amounts analyzed in the Final MND.
 - E. All materials transported off-site shall be securely covered.

- F. Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- G. Traffic speeds on all unpaved roads to be reduced to 15 mph or less.

Habitat Modification (Nesting Native Birds, non-Hillside or Urban Areas)

- MM-13 Proposed Project activities (including disturbances to native and nonnative vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1 — August 31 (as early as February 1 for raptors) to avoid taking (including disturbances which would cause abandonment of active nests containing eggs and/or young). Taking means to hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Wildlife Code Section 86).
- MM-14 If project activities cannot feasibly avoid the breeding bird season beginning thirty days prior to the disturbance of suitable nesting habitat the applicant shall:
 - A. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - B. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
 - C. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
 - D. The applicant shall record the results of, the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the

case file for the associated discretionary action permitting the project.

Tree Removal (Non-Protected Trees)

- MM-15 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.
- MM-16 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 on 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.
- MM-17 Remainder replacement trees shall be handled with the City Plants Program.
- MM-18 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, Bureau of Street Services, Department of Public Works.

Tree Removal (Public Right-of-Way)

- MM-19 Removal of trees in the public right-of-way requires approval by the Board of Public Works
- MM-20 The required Tree Report shall include the location, size, type and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213 847-3077).
- MM-21 The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- MM-22 All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Tree Protection Plan

MM-23 The project shall comply with the recommendations contained within the tree protection plan that applies to the two camphor trees to be retained on the site only, included as an Appendix to this MND.

A. General requirements

- 1. Contractor to review the Tree Preservation Plan to determine which trees are to be protected.
- No equipment is to be operated or parked under a tree, or is any material to be stored within the dripline of a tree or leaned against a tree trunk. Do not pile or compact soil within a dripline.
- In areas of construction, protect the soil surface from traffic compaction with 3" of mulch or overlapping ¾" plywood sheets. Apply mulch six inches away from tree trunks to help prevent diseases from flourishing. Remove weeds before spreading mulch.
- 4. No surface irrigation shall be installed within the dripline of a tree.
- 5. No chemical herbicides are to be used within 100 feet of a tree's dripline.
- 6. Do not nail grade stakes or anything else to trees.
- 7. Encroachment from paving or structures within the dripline of a tree shall be permitted only with written authorization from the Owner's Agency Arborist. No encroachment within 10' of a tree trunk will be permitted under any circumstances.
- Do not stop topsoil around trees. Any vegetation to be removed should be removed by cutting at ground level rather than by pulling out by equipment.
- Use a pneumatic drill to excavate under woody roots larger than 2' in diameter. Do not cut any root larger than 2" in diameter. If roots must be severed, cuts are to be made by an arborist and soil backfilled immediately.

B. Typical Work Procedures.

All work around any existing oak trees and all trees designated to remain and to be protected shall follow this work procedures program. This program has been developed to minimize the impacts to each tree and protect them from unscheduled damage.

- 1. All work within a tree's root zone shall follow the Los Angeles DRP Tree Care Manual.
- 2. The extent of all work affecting any protected tree shall be staked by a field survey and reviewed with the Owner's Agent Arborist prior to construction.
- The Owner's Agent Arborist shall approve any pruning of protected trees prior to the start of construction. Any recommended pruning is to be done by a licensed arborist only, not by construction or maintenance personnel.
- 4. Hand dig the vertical trench in the final cut line and to the final grade; cleanly cut roots behind torn ends. There is no need to apply any kind of pruning seal, since roots will form their own internal barriers to decay.
- 5. Tree protection fencing as per plan and details in Appendices A and B (of the Tree Protection Plan included in Appendix B-2 of this MND) shall be constructed at the limit of approved work to protect the trees from unauthorized damage prior to the beginning of construction. It shall remain in place until landscape work commences.
- No further work within the root zone shall be done beyond that which was approved without obtaining written approval from the owner's Agent Arborist, prior to proceeding.
- 7. The area within the chain link fence shall not be used for Material or equipment storage, or parking during construction.
- 8. During construction, the impacted trees shall be monitored for symptoms of shock. The contractor shall provide temporary water to irrigate and if needed, wash dust from foliage. Irrigation shall wet the top 2-3 feet of soil to replicate similar volumes and normal seasonal distribution and trees typical irrigation pattern. Contact the owner's Agent Arborist if a decline in a tree's condition is noted.
- 9. Watering of trees shall be done around and beyond the dripline, not near the trunk. Water infrequently and deep to encourage a deep root system. Examine trees regularly for symptoms of water stress. For young trees and mature trees showing drought stress, form a basin by creating a berm of soil several inches high that encompasses the dripline of the tree; fill the basin with water. Probe the soil to a depth of three feet to

monitor soil moisture within the dripline, daily and weekly for younger trees and monthly to bimonthly for the mature trees. Irrigate trees early morning or just before dawn. Install sprinklers outside the dripline and direct sprinklers away from trunks and canopy. Do not install sprinklers within the dripline. Avoid sprinklers wetting tree trunks and canopies, especially trees susceptible to fungal disease.

C. Schedule of Meetings

- 1. The Construction Manager to meet with Owner's Agent Arborist prior to construction to review requirements for tree protection onsite. The Construction Manager to review the location of trees in light of construction and inform Owner's Agent arborist of any potential hazards of construction equipment or construction practices to protected trees. Required digging and trenching around a tree should be planned ahead to minimize the root loss. When roots must be severed, clean cuts shall be made and sealed by an arborist. The soil shall then be backfilled immediately to minimize drying of the roots.
- 2. The Construction Manager to be available to meet with Owner's Agent Arborist once a month during construction to review the health of a tree and the construction practices.
- The Construction Manager to inform Owner's Agent Arborist of any breach or potential breach to a tree protection zone, above requirements or work procedures and to be available

Archaeological

MM-24 If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the proposed Modified Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

Paleontological

MM-25 If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site.

The paleontologist shall determine the location, time frame, and extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

- MM-26 Human Remains. If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. 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. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
 - C. The NAHC 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 owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

MM-27 Geology and Soils.

- A. The Project shall comply with the recommendations contained within the geotechnical report.
- B. The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the Project, and as they may be subsequently amended or modified.
- MM-28 Hazards and Hazardous Materials. (Explosion/Release Existing Toxic/Hazardous Construction Materials)

- A. (Asbestos). Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- B. (Lead Paint). Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

Hydrology and Water Quality.

- MM-29 Low Impact Development Plan. Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City of Los Angeles Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.
- MM-30 Develop Best Management Practices. The Best Management Practices shall be designed to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period, in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect confirming that the proposed Best Management Practices meet this numerical threshold standard shall be provided.

Noise.

- MM-31 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.
- MM-32 The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at

the construction site prior to the start of construction and displayed in a location that is readily visible to the public.

Increased Noise Levels (Demolition, Grading and Construction Activities)

- MM-33 Two weeks prior to commencement of construction, notification shall be provided to off-site residential and school uses within 500 feet of the Project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of construction period.
- MM-34 Temporary sound barriers, capable of achieving a sound attenuation of at least 10 dBA (e.g., construction sound wall with sound blankets) at 50 feet of distance, and capable of blocking the line-of-sight to the adjacent residences shall be installed as feasible.
- MM-35 All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dba at 50 feet of distance.
- MM-36 All construction areas for staging and warming-up equipment shall be located as far as possible from adjacent residences.
- MM-37 Portable noise sheds for smaller, noisy equipment, such as air compressors, dewatering pumps, and generators shall be provided where feasible.
- MM-38 Route haul trucks, construction equipment and other sources of on-road vibration away from Hermitage Avenue, Weddington Street and Corteen Place, as feasible, to avoid significant vibration impacts on the residences in the neighborhood.

Public Services (Fire)

- MM-39 Fire Water Flow. The Project Applicant shall consult with the LADBS and LAFD to determine fire flow requirements for the Proposed Project, and will contact a Water Service Representative at the LADWP to order a Service Advisory Report (SAR). This system hydraulic analysis will determine if existing LADWP water supply facilities can provide the proposed fire flow requirements of the Project. If water main or infrastructure upgrades are required, the Applicant would pay for such upgrades, which would be constructed by either the Applicant or LADWP.
- MM-40 Plot Plan The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design

features: fire lanes, where required, shall be a <u>minimum</u> of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Public Services (Police)

- MM-41 Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- MM-42 The plans shall incorporate a design that enhances 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 and location of toilet facilities or building entrances in high-foot traffic areas. Please refer to Design out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at 100 W. 1st Street, #2*50, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
- MM-43 Upon completion of the Project, the North Hollywood Area commanding shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.

Parks

MM-44 (Subdivision) Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.

Transportation and Traffic (Safety Hazards

MM-45 The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.

Utilities (Wastewater)

MM-46 As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build

sewer lines to a point in the sewer system which sufficient capacity. If street closures for construction is required, the Project Applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

Utilities (Water)

MM-47 As part of the normal construction/building permit process, the Project Applicant shall confirm with the LADWP Water Service Organization (WSO) that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. If the water infrastructure has insufficient capacity, then the Project Applicant shall be required to build water lines to a point in the system with sufficient capacity. If street closures for construction are required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

Utilities and Service Systems (Drought Conditions).

- MM48 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).
- MM-49 The Project shall implement all applicable mandatory measures within the LA Green Building Code that would have the effect of reducing the Project's water use.
- MM-50 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).
- MM-51 The Project shall comply with the City of Los Angeles Low Impact Development Ordinance (City Ordinance No. 181,899) and to implement Best Management Practices that have stormwater recharge or reuse benefits for the Project (as applicable and feasible).
- MM-52 In order to meet the diversion goals of the California Integrated Waste Management Act and the City of Los Angeles, which had totaled 70 percent by 2013, the Applicant shall use salvage and recycle

construction and demolition materials to ensure that a minimum of 70 percent of construction-related solid waste that can be recycled is diverted from the waste stream to be landfilled. Solid waste diversion would be accomplished though the on-site separation of materials and/or by contracting with a solid waste disposal facility that can guarantee a minimum diversion rate of 70 percent. In compliance with the Los Angeles Municipal Code (LAMC), the General Contractor shall have utilized solid waste haulers, contractors, and recyclers who have obtained an Assembly Bill (AB) 939 Compliance Permit from the City of Los Angeles Bureau of Sanitation.

- 19. Construction Mitigation Conditions Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.
 - Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
 - Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
 - CM-2 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - CM-3 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.
 - CM-4 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.

- CM-5 All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-6 All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8 Trucks having no current hauling activity shall not idle but be turned off.
- CM-9 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.
- CM-10 The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- CM-11 Chapter IX, Division 70 of the Los Angeles Municipal Code (LAMC) 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 applicant of BMPs includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- CM-12 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.
- CM-13 Sediments carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- CM-14 Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

- CM-15 All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major requires shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- CM-16 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-17 Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- CM-18 (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing service(s) to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- CM-19 (Construction/Demolition) To facilitate on-site separation and recycling of demolition and construction related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS

- SF-1 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
 - Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and offstreet parking. The sales office must be within one of the model buildings.
 - All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.
- SF-2 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by both the Council District 2 and the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1 (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
 - (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
 - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
 - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2 That the following provisions be accomplished in conformity with the improvements constructed herein:
 - (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid <u>prior to recordation of the final map</u>.
- S-3 That the following improvements are either constructed <u>prior to recordation of the final map</u> or that the construction is suitably guaranteed:
 - (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - a. Construct two (2) new lights on Hermitage Avenue.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - Improve Hermitage Avenue cross Weddington Street being merged (Close Weddington Street) by the construction of a new 5.5 foot wide concrete sidewalk and landscaping of the parkway within the 12-foot wide public sidewalk area including any necessary removal and reconstruction of the existing improvements.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2015-2618-MND on March 9, 2016. The Committee found that potential negative impact could occur from the projects implementation due to:

Air Quality (Construction)
Biology (Habitat, Tree Removal)
Noise (Construction)
Transportation (Construction Safety) – check these two.
Transportation and Traffic (Safety Hazards)
Public Services (Fire, Police)
Utilities (Water)

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2015-2618-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No(s). 18, 19 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 17.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure

appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

In addition, the Deputy Advisory Agency finds that there are no significant impacts or the impacts have been mitigated for the following environmental categories:

 Endangered Species. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The Project Site contains residential uses and is completely paved and landscaped, and there are no City or County significant ecological areas on the Project Site or near the Project Site's vicinity. Also, as stated on page 3-33, no riparian or other sensitive habitat areas are located on or adjacent to the Project Site; nor are any federally protected wetlands located on or near the Project Site. Therefore, no impact will occur to riparian habitat or any other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS, or to any federally protected wetlands.

Furthermore, the Project Site is not immediately adjacent to undeveloped natural open space containing native vegetation, nor does the Site serve as a buffer between existing development and more natural habitat areas. Due to existing urban development on the Site and in the adjacent surroundings, the Site does not function as a corridor for the movement of native or migratory animals. Additionally, no native wildlife nurseries are located in the project area.

The project will result in the removal of vegetation and disturbances to the ground, and therefore has the potential to result in take of nesting native bird species. However, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit the take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). However, with Mitigation Measure 4-1, which implements these code protections, impacts will be less than significant.

2. <u>Tree Preservation</u> Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?

The MND contains a tree report which lists and maps the trees on the Site. The Site contains no protected trees onsite. There are 24 existing trees onsite. The Project will retain the two camphor trees and there will be a tree protection plan that applies to these camphor trees only (included as Appendix B-2 to the MND) in place according to Mitigation Measure 4-4. Six trees will remain, three will be relocated and 15 will be removed. Seven trees will be replaced on a 1:1 ratio onsite and eight remaining replacement trees will be handled with the City Plants

Program.¹ Of the 24 trees, nine are street trees on the City sidewalk along Weddington and Hermitage. If the Project were to impact these trees due to the loss of trees in the public right-of-way, the implementation of tree replacement Mitigation Measures 4-2 and 4-3, will reduce this impact to a less than significant level.

There was a Historic-Cultural Monument (HCM) nomination submitted for the "Hermitage Trees" located at 5303 Hermitage and 12301 Weddington.² As described in the nomination, the proposed HCM included two Camphor trees, a Mulberry tree, a Crape Myrtle tree, Japanese Hackberry trees, and American Sweetgum Trees. SWCA Environmental Consultants (SWCA) conducted a peer review to assess whether the 2015 HCM nomination for the Hermitage Trees had adequately addressed the potential significance of the subject trees in consideration of the eligibility criteria for individual listing as an HCM. After reviewing the nomination, completing a field survey, and conducting independent background research, SWCA found that the Hermitage Trees did not meet the criteria for HCM designation. The nomination presented information that was vague and not substantiated by primary and secondary resources as required by the City's Office of Historic Resources (OHR).³ The nomination failed to identify how the Hermitage Trees met the criteria required for HCM designation.

The nomination further suggested that the two Camphor trees were the oldest on the block and that they were located on a property (the Hermitage Property) that was believed to be historically significant, and which acted as a nucleus of the neighborhood. The nomination, however, provided no documentation to support either of these claims. Additionally, both OHR and the Cultural Heritage Commission (CHC) had already determined that the Hermitage Property did not possess the important associations or integrity required to satisfy HCM criteria, and no information was presented to suggest that the trees embody any additional significance that was not previously considered by OHR or the CHC. Finally, the significance statement failed to address how the trees embodied the characteristics of an architectural-type specimen inherently valuable for a study of a period, style, or method of construction. On November 19, 2015, the Cultural Heritage Commission conducted a meeting in which they voted to deny the HCM nomination for the Hermitage Camphor Trees and not declare the property an HCM.⁴

3. <u>Cultural Resources</u> Cause a substantial adverse change in significance of a historical resource as defined in *State CEQA Guidelines 15064.5*?

Impacts related to Historic Resources were analyzed in the MND (see page 3-42) and found that there are no Historic Preservation Overlay Zones (HPOZs) in the

Tree Report, Harmony Gardens, July 3, 2015.

Architectural History Peer Review for the Hermitage Trees, SWCA, September 9, 2015.

Los Angeles Department of City Planning, Office of Historic Resources / Cultural Heritage Commission,

Historic-Cultural Monument Nomination Information Guide, updated August 2014.

Declination of Request, Hermitage Camphor Trees, Cultural Heritage Commission, November 19, 2015.

area.⁵ In addition, the house at 5303 Hermitage Avenue and the duplex at 12301 Weddington Street were not identified as a historic resource in the Survey LA Historic Resources Survey Report. There is no evidence that the main building or any other building on the site has historic significance. According to the building permit record described in the MND, the first building to be constructed on the lot was a one-story residence by owner Clinton J. Lathrop. There is no evidence that the Lathrop family and their activities have any historic significance. While the family lived in the house for decades, that is not sufficient to designate the buildings as historic. A City of Los Angeles Historic Cultural Monument (HCM) nomination was filed for the building on January 15, 2015, and the buildings and site at 5303 Hermitage Avenue and 12301 Weddington Street do not meet the criteria to be designated as an HCM.⁶ The decision was based on a staff report prepared by the City's Office of Historic Resources. The City's Cultural Heritage Commission denied the property for possible declaration as a Historic Cultural Monument.⁷

In addition, the entire Site was evaluated by SWCA. Three properties (5303 Hermitage Avenue 12302 Weddington Street, and 5261 Hermitage Avenue) were recorded and evaluated for the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR), as well as local designation as a City of Los Angeles Historic-Cultural Monument or contributors to any potential Historic Preservation Overlay Zone. All three properties appear ineligible for the NRHP, CRHR, or for local designation (status code 6Z).

4. <u>Greenhouse Gas Emissions</u> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

As stated in the MND on page 3-69, the Project will comply with the City of Los Angeles' Green Building Ordinance, reduce emissions beyond a "Business-as-Usual" scenario, and will be consistent with the AB 32 Scoping Plan's recommendation for communities to adopt building codes that go beyond the State's codes. Under the City's Los Angeles Green Building Code, the Project must incorporate several measures and design elements that reduce the carbon footprint of the development. These are included as LAMC Article 9, Division 4. Section 99.04. Also, the Project is an infill development that reuses a developed site and increases the density (FAR) from approximately 0.28:1 to approximately 1.4:1. Thus, the Project provides a more efficient use of the land per acre. especially in an area with transit opportunities. There would be bicycle parking, a Low Impact Development plan (LID) for runoff potential, and all vehicle parking will be on-site in integrated garages for each unit, and guest parking. The lighting will be designed to reduce light pollution and intrusion to the nearby residential area. The Project would meet Title 24 energy standards and all City of Los Angeles Green Building Codes. This would reduce water usage through efficient fixtures. Landscaping is expected to be minimal given the size constraints at ground level. Demolition, construction, and operation will recycle materials to the extent feasible.

⁵ http://preservation.lacity.org/hpoz/la

Assessment of Potential Historic Significance, Kaplan Chen Kaplan, April 28, 2015.

⁷ Cultural Heritage Commission, May 22, 2015.

In terms of the Project's cumulative contribution to climate change, AB 32 Scoping Plan provides the basis for policies that will reduce cumulative GHG emissions within California to 1990 levels by 2020. As a result, the Project is judged in terms of its consistency with the AB 32 Scoping Plan to determine whether it will result in a significant cumulative impact. As shown in Table 3.7-4 of the MND, the Project would be consistent with all feasible and applicable strategies recommended in the Scoping Plan. As a result, the Project's generation of GHG emissions would not make a cumulatively considerable contribution to GHG emissions and impacts would be less than significant.

5. <u>Land Use and Planning</u> Conflict with an applicable land use plan, policy or regulation of an agency that has jurisdiction over the project (including but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

As stated on page 3-07 of the MND, the Project is consistent with the General Plan, the North Hollywood Community Plan and the Valley Village Specific Plan, as well as the Small Lot Ordinance. As such, impacts with respect to applicable land use plans, policies and zoning would be less than significant. With respect to the Valley Village Specific Plan, because the Project is seeking Project Permit Compliance for the Specific Plan and no Exceptions from the Plan are being sought, the Project will not result in any deviations from the development standards and requirements of the Specific Plan. The Project would also be consistent with the aesthetic elements of the Plan area, including massing, setbacks, height, by complying with the Valley Village Specific Plan provisions related to these elements. The Project will also comply with the general provision for lighting of the Valley Village Specific Plan (Section 6.A.2) and it will comply with Section 6.B (Building Heights) because it shall not exceed 30 feet in height.

Hermitage Avenue, from Weddington to Chandler is almost entirely developed with multifamily residential buildings. As stated in the MND on page 3-96, the Qualified (Q) Condition imposed by Ordinance No. 165108, limits the allowable number of units on the Project site to 1 per 1,200 square feet of lot area, for a total of 35 units. The Project would include just 26 units. The allowable FAR is 3:1, and the proposed FAR is approximately 1.4:1.8 Even without counting the merger area on Weddington, the allowable number of units is 28. Again, the Project includes 26 units, which is lower than the allowable density.

In addition, the Project will provide residential parking to code, with 2 spaces per unit for a total of 52 spaces. The Project is required to provide guest parking at a rate of 1 space per 4 units for a total of 7 spaces per the City of Los Angeles Small Lot Design Guidelines (2014). The Project will provide 7 parking spaces for guests as surface parking within the Site. This guest parking will replace the 7 parking spaces that will be removed due to the Weddington Street merger. Guest parking will be identifiable, accessible to guests, and not tandem, as required by the Specific Plan.

^{59,548} floor area / 42,342 sf lot area = 1.4.

Purpose E. of the Valley Village Specific Plan states that one of the purposes of the Specific Plan is "[t]o preserve the quality and existing character of the Valley Village area." It may appear that demolishing the existing buildings and constructing a new project would be contrary to this purpose. However, nowhere in the Specific Plan is there a prohibition against such development. And other purposes described in the Plan specifically apply to new development projects. including Purpose C, which states the Specific Plan should "provide coordinated and comprehensive standards for height, design, building massing, open space, and landscaping for new projects so that multiple residential and commercial projects are harmonious with adjacent single-family neighborhoods." Purpose F involves minimizing "adverse environmental effects of development." Although community character is not defined in CEQA, the Project, as a small lot subdivision project built to a density that is below the maximum allowed, helps to strike a balance between the surrounding multi-family and single-family uses. Furthermore, as stated in the MND on page 3-97, the Project complies with the City's Small Lot Design Guidelines goals to create high qualify living environments; enhance the public realm; provide home ownership to a greater number of people; provide infill housing; and to design and configure the parcel to be compatible with the existing neighborhood context and to prioritize livability over density. Therefore, no impacts to the character of the community would result from the Project.

The legal standard for consistency determinations is that a project must only be in "harmony" with the applicable land use plan to be consistent with that plan. (See Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 717-18 [upholding a city's determination that a subdivision project was consistent with the applicable general plan]). As the Court explained in Sequoyah, "state law does not require an exact match between a proposed subdivision and the applicable general plan." To be "consistent" with the general plan, a project must be "compatible with the objectives, policies, general land uses, and programs specified in the applicable plan," meaning, the project must be "in agreement or harmony with the applicable plan." (see also Greenebaum v. City of Los Angeles (1984) 153 Cal.App.3d 391, 406; San Franciscans Upholding the Downtown Plan, supra, 102 Cal.App.4th at p. 678.) Further, "[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (Friends of Lagoon Valley v. City of Vacaville (2007) 154 Cal.App.4th 807, 817.) Courts also recognize that general plans "ordinarily do not state specific mandates or prohibitions," but instead provide "policies and set forth goals." (Friends of Lagoon Valley).

6. <u>Noise</u> Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

(Amended by SVAPC)

The majority of operational noise impacts would be from indirect noise impacts associated with the 207 net new vehicle trips each weekday. The project traffic study found that there were no significant impacts related to local traffic

congestion, and there is similarly not expected to be a significant increase in ambient noise levels. As stated on page 3-117 of the MND, mobile noise generated by the Project would not cause the ambient noise level measured at the property line of the affected uses to rise to the "normally unacceptable" or "clearly unacceptable" category as defined by the 2003 California General Plan Guidelines or result in any 5 dBA or more increase in noise level. As a result, these inaudible, off-site vehicular noise impacts would be considered a less-than-significant impact. Operational noise impacts, including those related to traffic generation, would be less than significant, and no mitigation measures are required.

With regard to off-site construction-related noise impacts, as discussed on page 3-111, implementation of Mitigation Measures 12-1 through 12-5 would minimize ambient noise increases at the nearby receptors below the 5 dBA threshold of significance. Although haul trucks and vehicle activity associated with construction workers, vendor trips, and other on-road vehicles could generate noise, the addition of any truck trips would only marginally increase ambient noise along haul route roadways, as truck deployment onto local streets would not happen simultaneously, but rather be phased over the course of site preparation, grading, and construction phases. Therefore, a less-than-significant impact related to construction noise is anticipated, including construction noise related to traffic.

7. <u>Population and Housing</u> Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere? Displace substantial number of people, necessitating the construction of replacement housing elsewhere?

Existing units on the Property are subject to the City's Rent Stabilization Ordinance (RSO) and its rent control provisions. The Project must comply with applicable State and local laws related to the removal of this particular type of housing from the rental market, and the Project will comply with these regulations, including the requirements to provide relocation assistance to tenants who have been removed as a result of the Project. These regulations do not require the applicant to provide affordable housing to replace the rental units that will be removed.

The Project Site contains nine (9) rental units that will be removed as a result of the Project (MND, page 2-4), and all units are subject to the RSO and its rent control provisions. The State Ellis Act (California Government Code §7060 et seq.) establishes the right of landlords to permanently withdraw existing dwelling units from the rental market and allows local jurisdictions to adopt regulations controlling the withdrawal process. To protect occupants of rent-controlled units, the City has adopted special Ellis Act implementation provisions, which are codified as part of the RSO. These regulations include specific procedures for withdrawing units from the market and for providing relocation assistance to the tenants (LAMC §§151.22-151.28). Per Section 151.28, newly constructed rental units on the Project Site would continue to be regulated by the RSO's rent control

provisions; however, newly-constructed for-sale housing units are not subject to future regulation under the RSO.

Neither the Ellis Act nor the City's implementation regulations require the applicant to construct or set aside affordable housing to replace the rental units that will be demolished, and the Project is completely consistent with applicable regulations regarding the loss of these units. Therefore, impacts related to the loss of these units can be characterized as economic. CEQA generally does not require analysis of potential economic impacts of a project unless those impacts cause physical impacts on the environment (Public Resources Code Section 21080(e)(2) ('evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment' are beyond the scope of CEQA); see also Public Resources Code Section 21082.2(c); Guidelines Section 15384]. The economic impacts of a project are only subject to CEQA if those impacts cause physical impacts. The commenters listed above do not equate the economic impact (of removing affordable housing) to a physical environmental impact.

With respect to the removal of rental housing, CEQA requires an analysis of whether the Project will displace a substantial number of existing housing (and people). As stated on pages 3-124 and 3-125 of the MND, a significant impact may occur if a project would result in the displacement of existing housing units, necessitating the construction of replacement housing elsewhere. The City's threshold is whether a project would result in a net loss of housing equal to or greater than one-half block equivalent of habitable housing units, through demolition, conversion, or other means. One half block is generally equivalent to 15 single family homes or 25 multi-family dwelling units. The Project would remove only nine (9) housing units and construct 28 housing units, for a net increase of 19 units. Therefore, the Project does not represent a displacement of substantial numbers of existing housing.

An additional question, as explained in the City of Los Angeles CEQA Thresholds Guide p. J.2-3, is whether the Project would result in a net loss of any existing housing units affordable to very low- or low-income households through demolition, conversion, or other means. To determine whether the loss would be significant, the CEQA document should evaluate whether the project would be consistent with applicable affordable housing policies and regulations. As stated above, the nine units on the Project Site are subject to the rent control provisions of the RSO. However, no units on the property have been specifically protected (either by covenant or other agreement or City approval) for use by very low- or low-income households. Also, as stated above, the Project will comply with all applicable State and City regulations regarding removal of these RSO-regulated units, including the payment of relocation assistance to current tenants. The RSO does not require replacement of these units with affordable housing, nor are future for-sale housing units subject to continuing authority under the RSO. Therefore, the Project is consistent with these regulations. Also, the Small Lot units constructed by the Project will be priced significantly lower when compared to traditional single-family homes in the area—this will provide home ownership opportunities to a greater number of people than would otherwise be available.

Based on the foregoing, impacts resulting from removing the rental housing units would not be significant.

8. <u>Schools</u>. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public schools?.

California Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirements against any construction within the boundaries of the district, for the purposes of funding the construction or reconstruction of school facilities. The LAUSD School Facilities Fee Plan has been prepared to support the school district's levy of the fees authorized by California Education Code Section 17620. The Leroy F. Greene School Facilities Act of 1998 (SB 50) sets a maximum level of fees a developer may be required to pay to mitigate a project's impacts on school facilities. The maximum fees authorized under SB 50 apply to zone changes, general plan amendments, zoning permits and subdivisions. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA, or other state or local law (Government Code Section 65996). Furthermore, per Government Code Section 65995.5-7, LAUSD has imposed developer fees for commercial/industrial and residential space. Overall, the payment of school fees in compliance with SB 50 would be mandatory and would provide full and complete mitigation of school impacts for the purposes of CEQA. Therefore, impacts related to schools will be less than significant.

9. <u>Transportation and Traffic</u> Would the project conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrians and bicycle paths and mass transit?

The Department of Transportation reviewed the traffic study prepared for the Project, which demonstrates that the proposed use of the Project Site will not significantly impact vehicular, bicycle, or pedestrian traffic in the surrounding area. Table 3.16-7 of the Mitigated Negative Declaration (MND) displays the results of the Future without Project and With Project analysis, and no significant traffic impacts have been identified. As stated on page 3-147 of the MND, the two signalized study intersections identified in the MND would continue to experience the same LOS without or with the Project, and no LADOT thresholds for a significant traffic impact are exceeded. The one unsignalized location does not warrant a new traffic signal, even with the Project traffic added to the future conditions. The immediate surrounding roadways may experience a minor increase in traffic volumes as a result of the Project. However, the increase of project trips through the intersections studied during the peak periods only

minimally increase the volumes through the intersection. The intersection level of service does not change nor does the increase in traffic volume create any significant traffic impacts. The project is not expected to increase traffic in a substantive amount in relation to the surrounding roadway network to create any significant traffic impacts. Therefore, impacts will be less than significant and no mitigation is required.

The portion of Weddington Street to be vacated and merged with the proposed project would become a driveway and fire lane to access the interior unit garages. It would not impede access to any offsite parcels. The street portion to be merged is not a typical block-long street, which would generally range between 300 and 600 feet long in the Project area.

Parking deficits that are merely an inconvenience to drivers, but that do not result in any physical impacts on the environment, are not required to be analyzed under CEQA. The Project will provide residential parking to code, with two (2) spaces per unit for a total of 52 spaces. The Project will also provide guest parking at a rate of one (1) space per four (4) units for a total of seven (7) spaces, which will replace the 7 parking spaces that would be removed due to the Weddington Street vacation and merger. Guest parking will be identifiable, accessible to guests, and not tandem, in compliance with the Specific Plan. Therefore, no parking impacts will result.

10. Emergency Response Will the project result in inadequate emergency access?

As stated on page 3-80 of the MND, a significant impact may occur if a project were to interfere with roadway operations used in conjunction with an emergency response plan or emergency evacuation plan, or would generate sufficient traffic to create traffic congestion that would interfere with the execution of such a plan. There are no identified Selected Disaster Route along the Site. Construction of the Project will not substantially impede public access or travel on public rights-of-way, and would not interfere with any adopted emergency response plan or emergency evacuation plan. The Project will attempt to park and stage for construction on-site as much as possible. The future traffic conditions with the Project show that there will not be a significant impact on any of the study intersections or roadway segments. Therefore, a less than significant impact would occur.

In terms of emergency access as relate to fire protection, page 3-128 of the MND notes that the routes from the fire stations to the Project Site would likely pass through several of the studied intersections. The future traffic conditions with the Project show that none of the studied intersections would have a significant impact. All circulation would be in compliance with the Fire Code, including any access requirements of the LAFD. Additionally, emergency access to the Project Site will be maintained at all times. Therefore, impacts related to emergency access would be less than significant. The merger of Weddington would not affect fire service, as the merger would be used as a common access driveway to provide LAFD access into the Site.

11. <u>Water Supplies</u> Will sufficient water supplies be available to serve the project from existing entitlements or are new or expanded entitlements needed?

In its discussion of impacts related to water supply, the MND explains that the Project will use approximately 5.3 acre-feet per year (see calculation in the MND's Table 3.17.2). The 2010 Urban Water Management Plan projects a supply of 614,800 AFY in 2015 and rising to 652,000 in 2020⁹ Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, LA aqueduct) is offset with MWD purchases to rise to the level of demand. Overall, any project that is consistent with the General Plan has been taken into account in the planned growth in water demand. As set forth above, the Project is consistent with the General Plan. In addition, regulatory compliance measures requiring sustainable landscaping practices, and compliance with the City's Green Building code and Low Impact Development Ordinance, would ensure that impacts related to the project's water demand remain less than significant.

The drought conditions in California during the past four years were discussed in the MND on pages 3-158 through 3-160. On January 17, 2014, Governor Jerry Brown officially declared California in a drought emergency. LADWP has activated the Water Conservation Response Unit in order to implement the mandatory Emergency Water Conservation Plan Ordinance - Phase 2.¹⁰ The 2010 Urban Water Management Plan takes into account drought conditions.¹¹ On April 1, 2015, Governor Brown signed Executive Order B-29-15 which provides actions that will save water, increase enforcement to prevent wasteful water use, streamline the state's drought response, and invest in new technologies to make California more drought resilient. The Executive Order provides water savings by directing the State Water Resources Control Board to implement mandatory water reductions in cities and towns to reduce water usage by 25% or approximately 1.5 million acre-feet. The Executive Order calls for local water agencies to implement conservation pricing to discourage water waste.¹²

12. <u>Cumulative Impacts</u> Does the project have impacts which are individually limited but cumulatively considerable?

As stated on p. 3-165 of the MND, the Project will not combine with related projects to create a cumulatively significant impact in any of the environmental issue areas analyzed in the MND.

The related projects include past, present, and reasonably foreseeable future projects and are described in Table 3.16-6. These projects involve a variety of

^{9 2010} Urban Water Management Plan, Los Angeles, pg. 20: http://www.water.ca.gov/urbanwatermanagement/2010uwmps/Los%20Angeles%20Department%20of%20Water%2 0and%20Power/LADWP%20UWMP 2010 LowRes.pdf, September 4, 2015.

LADWP, Drought Information: https://www.ladwp.com/ladwp/faces/ladwp/aboutus/a-water/a-w-conservation/a-w-c-droughtbusters?_adf.ctrl-state=nviecbhak_4&_afrLoop=932704326968157

^{11 2010} Urban Water Management Plan, Los Angeles, pg. 46: http://www.water.ca.gov/urbanwatermanagement/2010uwmps/Los%20Angeles%20Department%20of%20Water%2 0and%20Power/LADWP%20UWMP 2010 LowRes.pdf, September 4, 2015.

California Governor: http://gov.ca.gov/news.php?id=18910

land uses, including approximately 3,078 residential units; 1,769,911 square feet of retail; 2,050 square feet of restaurant (coffee shop); 1,488,100 square feet of office; 491 students school expansion; 2,350 seats in theaters, and 94 hotel rooms. Each issue area includes a cumulative scenario, which combines the impacts of the Project with the related projects. In determining the cumulative impacts related to Traffic, an ambient growth factor of 1% per year (as required by LADOT) was added to account for and traffic volumes from other planned development in the area that may not be accounted for in the related projects.

The nearest related projects to the Project Site is 5258 Hermitage Avenue, across from the Project Site, previously contained two single-family homes that were demolished in June 2015 to be replaced with a 5-unit condominium development. It was evaluated as part of ENV-2014-2510-MND and found that all impacts would be reduced to less than significance, with mitigation measures. None of the other related projects is in close proximity (0.25 miles) to the Project Site. Some of these related projects would be subject to their own CEQA analysis to evaluate potential impacts and provide mitigation measures where appropriate. Others could be exempt as they are considered by-right projects without discretionary actions and thus can be built with ministerial permits. The project at 5258 Hermitage is approximately 60 feet away, a distance that exceeds the adjacent sensitive receptors (residential uses) that were evaluated for air and noise impacts. All other related projects have several intervening buildings and major roadways/freeway in between, and are at least 5 blocks away or more, which will ensure that any other localized impacts of the related project would not combine with the Project. .

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 73704-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The project is located within the North Hollywood-Valley Village Community Plan, a part of the Land Use Element of the City's General Plan, which designates the subject property Medium Residential with a corresponding zone of R3. The subject property consists of a lot totaling 0.972 net-acres or 42,342 square-feet after street merger. The project site is zoned [Q]R3-1, which requires 1,200 square feet of land per dwelling units and which will permit the 26 lots proposed by this subdivision. The 26 lots approved for this project will be consistent with the Medium designation of the General Plan and the [Q]R3 zone for the project site.

The North Hollywood-Valley Village Community Plan states the following goal and policies relevant to the current project:

Objective 3: To make provisions for housing as is required to satisfy the needs and desires of various age, income and ethnic groups of the community, maximizing the opportunity for individual choice.

The project will meet the intent of the aforementioned Community Plan language and will provide much needed new home ownership opportunities for the North Hollywood-Valley Village Community Plan area in the form of single-family dwellings rather than residential condominiums. The Small Lot Ordinance allows for the creation of fee simple parcels without the need to establish a homeowners association, making the project more attractive to prospective buyers. The ordinance also allows for single-family dwellings to be constructed on smaller parcels of land, making the project more affordable. As such, the Advisory Agency concludes that the proposed tract map is consistent with the intent and purpose of the General Plan.

The project is located within the Valley Village Specific Plan area. Section 5 of the Specific Plan, Zoning and Land Use, requires "[a]ll land uses shall be consistent with the North Hollywood Community Plan and with the additional regulations as specified in this Specific Plan." The Community Plan's land use designation for the Subject Property is Medium Residential, which includes a corresponding zone of R3. As stated above, the Project will comply with all zoning requirements of the R3 Zone, as well as the [Q] Condition imposed on the underlying zone, which limits density to one dwelling unit per 1,200 square feet of lot area. Furthermore, the Project will comply with all applicable development regulations of the Specific Plan, including those related to height (30' height limit) and parking. Also, as required by Section 6.A.2 of the Specific Plan, the Project's exterior lighting "shall be low-illumination safety lighting of a color similar to incandescent light which is shielded and directed onto the property on which the Project is located."

The project's landscaping is designed to be visually interesting, sustainable and to require low maintenance by specifying water conserving plant material and irrigation systems. No protected trees currently exist on the Subject Property, but selected existing trees will be preserved. In addition, three trees will be relocated on site in order to further preserve the existing vegetation. As a result, the Project is in compliance with the landscaping standards of the Specific Plan, which require "[a]II landscaped areas shall be equipped with an automatic sprinkler or drip irrigation system designed to conserve water (Section 9.A.5)" and "[a]II plants and trees shall be drought-resistant (Section 9.A.6)." Furthermore, the Project is consistent with the Design Guidelines for Front and Common Areas, which recommend that "[I]andscaping should be visually interesting, sustainable, and relatively easy to maintain. Turf grass should be used sparingly. Use water-conserving plant materials and irrigation systems..."

For the above-mentioned reasons, the Project substantially complies with the applicable regulations, findings, standards and provisions of the Specific Plan as well as the Design Guidelines.

The proposed map is consistent with the Cultural and Historic Section of the Conservation Element of the General Plan. The house at 5303 Hermitage Avenue and the duplex at 13201 Weddington Street were not identified as a historic resource in the Survey LA Historic Resources Survey Report for the North Hollywood-Valley Village Community Plan area. A Historic Cultural Monument nomination was filed for the buildings in January 15, 2015. On May 12, 2015, based on a staff report prepared by the Office of Historic Resources, the Cultural Heritage Commission disapproved the designation of the buildings as a Historic Cultural Monument.

The proposed map is consistent with the Policies and Objectives of the Housing Element of the General Plan. The proposed map will create 26 single family homes in a Small Lot Subdivision, providing home ownership opportunities in Valley Village at a price that is relatively affordable, which is consistent with Objective 1.1 of the Housing Element, *Produce an adequate supply of rental and ownership housing in order to meet current and project needs*, and Policy 1.1.1. Expand affordable home ownership opportunities and support current homeowners in retaining their homeowner status.

The proposed map is consistent with the Policies of Open Space Element of the General Plan. A 2,700 square foot open space area is designated at the northeast corner of the tract map which will preserve two large, mature Camphor trees. This is consistent with two policies; *Private development should be encouraged to provide ample landscaped spaces, malls, fountains, rooftop green areas and other aesthetic features which emphasize open space values and The provision of malls, plazas, green spaces, etc., in structures or building complexes and the preservation and provision of parks shall be encouraged.*

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

The design and improvement of the proposed subdivision are consistent with the North Hollywood-Valley Village Community Plan and the Valley Village Specific Plan requirements.

For the purposes of approving a small lot subdivision, the "design" of the tract map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. The project was reviewed by various city agencies that have the authority to make improvement recommendations. Staff received recommendations from the Bureau of Engineering. The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. The portion of the Weddington Street within the tract property is permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code. The portion of Weddington Street to be merged with the proposed project would become a driveway and fire lane to access the interior unit garages. It would not impede access to any offsite parcels. As a condition of approval, the subdivider is required to make improvements on Hermitage

Avenue (a Local Street) in order to meet current street standards. The Bureau of Street Lighting is requiring two new street lights on Hermitage Avenue. In addition, all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. Therefore, as conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan. The Department of Transportation reviewed the traffic study prepared for the Project, which demonstrates that the proposed use of the Project Site will not significantly impact vehicular, bicycle, or pedestrian traffic in the surrounding area.

(Amended by SVAPC)

In addition, the architecture of the homes will be compatible with adjacent properties in the Specific Plan area and consistent with the recommendations of the City's Small Lot Design Guidelines. As stated above, the Project will enhance the preexisting character of the neighborhood by including a minimum 15 foot front yard setback off of Hermitage to fit into the neighborhood context. As such, the Project is consistent with Design Guidelines for Relationship to the Street, which state: "[w]hen designed well, small lot developments can enhance the preexisting character of a good street or improve a fragmented one. Therefore, small lot developments should embrace, rather than ignore, the street. Although there are no requirements for front setbacks, neighborhood context shall provide direction for setting buildings back from the street." The architectural style is mostly of traditional character including architectural elements such as corbels under roof eaves, wood-like siding and multi-pane windows utilizing materials that appropriately respond to neighborhood context, consistent with Design Guidelines for Building Facades and Martials Materials. Enhanced paving marks the pedestrian pathways around the site to provide a sense of arrival, and primary entrances and windows are oriented toward Hermitage Ave., which are design features that "embrace the street" and are also consistent with Design Guidelines for Site Layout and Circulation.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

Surrounding properties along Weddington Street and Hermitage Avenue consist of apartments, condominiums, some triplexes and single family homes zoned [Q]R3-1. The project site is flat and currently developed with two duplexes, a triplex and a fourplex constructed in 1931 and 1953, to be demolished. The Office of Historic Resources conducted an investigation of the structure but did not consider it as a significant historic resource under Survey Los Angeles. The subject site is designated Medium Residential by the North Hollywood-Valley Community Plan with a corresponding zone of R3.

The project site is not located in a hillside grading, landslide area or on an earthquake fault. However, it is in an area subject to liquefaction during a major

earthquake and is located 4.25 kilometers from the nearest fault, the Hollywood Fault. The site is an in-fill lot in a substantially developed urban area. The 26 lots created by this subdivision will comply with area requirements of the R3 zone.

The Environmental Review conducted by the Department of City Planning, as indicated in Case No. ENV-2015-2618-MND. (Mitigated Negative Declaration), established that the physical characteristics of the site and surrounding area are consistent with existing development and the suburban character of the surrounding community. The physical implementation of the project would not cause substantial impacts beyond baseline conditions. Potentially significant impacts identified in the Mitigated Negative Declaration will be mitigated via implementation of the required mitigation measures as identified under the Conditions of Approval for this project.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The site is one of the few under improved properties in the vicinity. The development of this tract is an infill of an otherwise mixed multi-family residential neighborhood along Weddington Street and Hermitage Avenue. The proposed development of 26 single-family homes is consistent with and less than the maximum unit density permitted by the [Q]R3 zone and is compatible with the surrounding neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The proposed project would provide an appropriate infill development between the multi- family dwellings to the east and west. The proposed project will comply with all LAMC and Specific Plan requirements, and conditioned, the proposed tract map is physically suitable for the proposed density of the development.

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

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. On March 9, 2016, the Department of City Planning issued Mitigated Negative Declaration ENV-2015-2618-MND. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and identifies no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned.

Furthermore, the project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)
 - In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.
 - Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.
 - 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
 - 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
 - In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tract No. 73704-SL.

Vincent P. Bertoni, AICP Director of Planning

JOSE CARLOS ROMERO-NAVARRO Deputy Advisory Agency

VPB:JC:NR:mkc

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza 201 North Figueroa Street 4th Floor Los Angeles, CA 90012 (213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

*Please note the cashiers at the public counters close at 3:30 PM.

Appeal forms are available on-line at www.planning.lacity.org.

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

ORIGINAL FILED

AUG 29 2016

LOS ANGELES, COUNTY CLERK **Notice of Determination** Appendix D To: From: Public Agency: CITY OF LOS ANGELES Office of Planning and Research Address: 200 N. SPRING STREET, ROOM 532 U.S. Mail: Street Address: P.O. Box 3044 1400 Tenth St., Rm 113 Contact: DAN O'DONNELL Sacramento, CA 95812-3044 Sacramento, CA 95814 Phone:818-374-9907 County Clerk County of: LOS ANGELES Lead Agency (if different from above): Address: 12400 IMPERIAL HIGHWAY NORWALK, CA 90650 Address: Contact: Phone: SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code. State Clearinghouse Number (if submitted to State Clearinghouse):_ Project Title: VALLEY VILLAGE SMALL LOT SUBDIVISION DIR-2015-2697-SPP/ENV-2015-2618-MND Project Applicant: UB VALLEY VILLAGE, LLC Project Location (include county): 12300, -01, -02 W. Weddington; 5261, 5263, 5303, 5305 N. Hermitage, LA (LA) Project Description: The Project site is located on the west side of Hermitage Ave. at Weddington St. on 0.972 acres. The Project is a 26unit small lot subdivision with a total of 56,548 square feet of floor area. It would include a street merger of approximately 100 feet of Weddington Ave. (west of Hermitage) as part of the tract map. A portion of the street merger would become a driveway and fire lane to access the interior unit garages. The Project will require the following discretionary approvals: 1) Vesting Tentative Tract Map; 2) Merger of public street as part of the Tract Map; 3) Project Permit Compliance for Valley Village Specific Plan; and 4) any additional necessary or desirable actions. This is to advise that the CITY OF LOS ANGELES has approved the above (X Lead Agency or ☐ Responsible Agency) described project on 08/24/2016 and has made the following determinations regarding the above (date) described project. 1. The project [will will not] have a significant effect on the environment. 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures [X] were were not made a condition of the approval of the project. 4. A mitigation reporting or monitoring plan [X] was \(\square\) was not] adopted for this project. 5. A statement of Overriding Considerations [was 🗵 was not] adopted for this project. 6. Findings [X] were were not made pursuant to the provisions of CEQA. This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: 200 N. SPRING STREET, Room 532 Signature (Public Agency):

Date Received for filing at OPR:

Authority cited: Sections 21083, Public Resources Code. Reference Section 21000-21174, Public Resources Code.

Date: 8.25.16

State of California—Natural Resources Agency CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE 2016 ENVIRONMENTAL FILING FEE CASH RECEIPT

CITY OF LOS ANGELES COUNTY/STATE AGENCY OF FILING LOS ANGELES PROJECT TITLE VALLEY VILAGE SMALL LOT SUBDIVISION DIR-2015-2697-SPP/ENV-2015-2618-MND PROJECT APPLICANT NAME DAN CO'DONNELL PROJECT APPLICANT ADDRESS ZOD N. SPRING STREET ROOM 532 LOS ANGELES CA 90012 PROJECT APPLICANT (Check appropriate box): [Local Public Agency	2010 LIVINORIMENT	ALTILINO I LL ONO	THE VEH 1		RECEIPT # 201608291			
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Overland Traffic Consultants 952 Manhattan Beach BI, #100 Manhattan Beach, CA 90266 Phone (310) 545-1235 E-mail: liz@overlandtraffic.com

Parking Study for 26-unit Residential Project at 5261, 5263, 5303 & 5305 Hermitage Avenue & 12300, 12301& 12302 Weddington Street

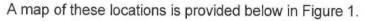
Introduction

The proposed project at 5261, 5263, 5303, 5305 Hermitage Avenue and 12300, 12301 and 12302 Weddington Street will replace 9 units of housing (two duplexes, one triplex and one fourplex) with a combined total of 9 legal parking spaces (an average of 1 per unit) with a 26-unit small lot subdivision with 59 parking spaces (2.27 per unit). The new project will include a merger of Weddington Street west of Hermitage Avenue. Parking along the streets in the community is widely used. This analysis has been conducted to determine the current parking demand and evaluate the influence the proposed project will have on the parking in the community.

Current Parking Demand

A parking demand count of the number of parking spaces along the streets in the community was conducted on Wednesday, August 17 at 6:30 AM, 8:30 AM, 4:00 PM and 7:30 PM. The number of vehicles parked and the number of spaces open sufficient to provide an additional parking space were counted. The parking demand was counted along:

- o Hermitage Avenue between Chandler Boulevard & Weddington Street,
- Hermitage Avenue between Weddington Street and Magnolia Boulevard,
- Bellingham Avenue between Chandler Boulevard & Weddington Street,
- Bellingham Avenue between Weddington Street and Magnolia Boulevard,
- Vantage Avenue between Chandler Boulevard & Weddington Street,
- Vantage Avenue between Weddington Street and Magnolia Boulevard,
- Weddington Street west of Hermitage Avenue,
- Weddington Street between Hermitage Avenue and Bellingham Avenue,
- Weddington Street between Vantage Avenue and Laurel Canyon Boulevard,
- South side of Chandler Boulevard between Hermitage Avenue and Bellingham Avenue,
- South side of Chandler Boulevard between Bellingham Avenue and Vantage Avenue,
- North side of Magnolia Boulevard between Hermitage Avenue and Bellingham Avenue and,
- North side of Magnolia Boulevard between Bellingham Avenue and Vantage Avenue.



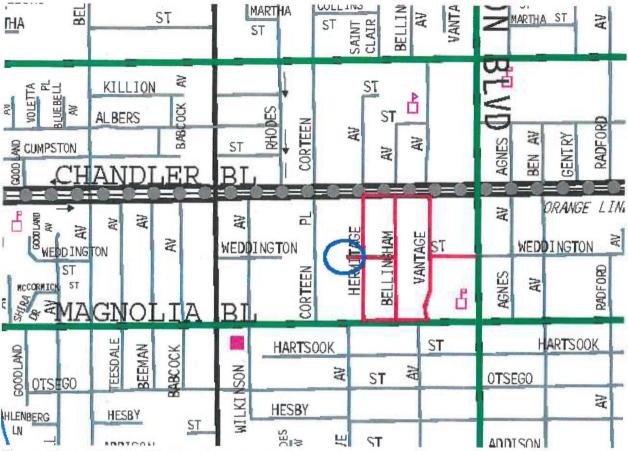


Figure 1: Locations of Parking Demand Counts with Portion to be merged circled in blue

The area evaluated had street sweeping signs restricting parking for two hours mid-day on one day mid-week. Vantage Avenue had 2-hour time limited parking on the east side of the street north of Magnolia Boulevard for approximately 150 feet which was not included in this analysis since it would not be used for full day parking. Table 1 on the following page provides a summary of the findings for the number of vehicles parked and the number of open parking spaces for each of the time periods in the area and along the portion to be merged (Weddington Street, west of Hermitage Avenue). The full count is provided in Attachment 1. Note that the total number of parked and open parking spaces varies dependent on the parking efficiency including the spacing between vehicles, the space left between the vehicle and the driveways and the size of the vehicles parked.



Table 1 Summary Area Parking Demand

Time	Total # of Vehicles <u>Parked</u>	Total # of Open Parking Spaces	Weddington St West of Hermitage <u>Parked</u>	Weddington St West of Hermitage Open Spaces
6:30 AM	233	61	10	0
8:30 AM	190	104	7	3
4:00 PM	164	137	7	2
7:30 PM	237	64	7	2

The project area is one in which there are predominately multi-family dwelling units that, it appears, lack ample on-site parking for the residents and their guests. The counts indicated a high demand for parking in the study area during the morning at 6:30 AM and evening 7:30 PM time periods but open spaces available. It was noted that at 6:30 AM there were a few people in vehicles in the process of leaving and at 7:30 PM people in vehicles arriving to the area. It would not be unlikely that it could be difficult to find parking in the area if an event was hosted by one of the residents in the area.

Existing Site Parking

Parking for the existing multi-family residential uses on the site was constructed at a time when fewer parking spaces were required per unit. The 9 residential units provide 9 on-site legal parking spaces. The current City of Los Angeles Municipal Code (LAMC) 12.21A.4.(a) requires the number of parking spaces dependent on the number of habitable rooms or bedrooms. Table 2 displays the location of the current residential units that will be removed and the number of rooms per unit. Table 3 displays the number of parking spaces that would be required if the residences were to be built today.

Table 2
Existing Structures # of Bedrooms

Address	# of units		Size
5261, 5263 Hermitage	3 units	1 unit 2 units	is a One Bedroom are Two Bedrooms
12300 Weddington	2 units	1 unit 1 unit	is a Two Bedrooms is a Four Bedrooms
12301 Weddington	4 units	3 units 1 unit	are One Bedroom is a Two Bedroom



Table 3
Summary Area Parking Demand

Land Use	Size	Requirement	Required Parking Spaces	# of Spaces Provided	# of Spaces Deficient
Existing Residential					
One Bedroom	4 unit	One & 1/2 spaces per unit	6		
Two Bedroom	3 unit	Two spaces per unit	6		
Four Bedroom	1 unit	Two spaces per unit	2		
		TOTAL	14	9	5

The current parking supply for the existing 9 residential units on the project site provides a total of one parking space per unit. These existing structures would be required to provide a combined total of 14 on-site parking spaces. Per LAMC, a total of 5 spaces more would be required. With the currently supply of parking, any household with more than one vehicle per unit must seek parking on the neighborhood streets. No guest parking is included in the LAMC code for rental units.

Proposed Use Parking

The proposed 26-unit residential project will provide two parking spaces per unit within garages and an additional 7 on-site parking spaces for guests. These 59 parking spaces (26 X 2 + 7) are anticipated to accommodate the new residents and their guests without creating a demand for off-site parking. The proposed project will provide a total of 2.27 parking spaces per unit. This is a total of 1.27 spaces per unit more than the existing residences.

Future Neighborhood Parking Conditions

The City of Los Angeles has determined that, based on parallel parking dimensions, the existing street parking on Weddington Street west of Hermitage Avenue provides 7 legal parking spaces. The merger of Weddington Street west of Hermitage Avenue will result in the loss of 7 existing legal on-street parking spaces (dependent on the spacing, efficiency, size, and infringement on driveway aprons). The existing 9 units of residential housing with an average of 1 parking space per unit creates a demand for on-street parking. The current parking on-site is 5 fewer spaces than would be required by current code. This is without any guest parking which likely creates a greater demand for on-street parking. The construction of 26 residential units with 2 private garage parking spaces per unit and 7 guest



parking spaces at 2.27 parking spaces per unit has been designed to create no demand for on-street parking.

Summary & Conclusions

- o The current on-street parking demand in the immediate neighborhood is high.
- The vacation of Weddington Street west of Hermitage Avenue will result in the removal of 7 on-street parking spaces.
- The residential units that will be removed provide parking at an average of 1 space per unit with no guest parking. This creates a demand for on-street parking in the area.
- The new project will provide parking at a rate of 2 spaces per unit plus 7 guest parking spaces. This is a total of 1.27 spaces per unit more than the existing residences. The new project has been designed to meet LAMC so as not to create any on-street parking demand.
- O The proposed project is not expected to worsen or create any additional on-street parking demand in the neighborhood.

		HERMI	TAGE AV	100 100		BELLIN	GHAM AV			VANT	AGE AV	3700	1	WEDDIN	IGTON ST		CHANDI	LER BL	MAGNO	LIA BL
TIME PERIOD 6:30 - 7:00 AM	WES SID # Parked	E	EAS SID # Parked	E	WES SID # Parked	E	EAS SID # Parked	E	WES SID # Parked	E	EAS SID # Parked	E	NOR SID # Parked	E	SOU SID # Parked	E	SOU SID # Parked	ITH DE	NOR SID # Parked	RTH DE
Btwn Chandler & Weddington	17	4	17	2	14	2	17	5	15	5	12	6			T					9,001
Btwn Weddington & Magnolia	14	4	16	2	15	4	15	5	4	3	8	3								
West of Hermitage													5	0	5	0				
Btwn Hermitage & Bellingham													9	1	9	0	10	0	6	0
Btwn Bellingham & Vantage																	10	3	4	2
Btwn Vantage & Laurel Cyn													7	3	4	7				
SUBTOTAL	31	8	33	4	29	6	32	10	19	8	20	9	21	4	18	7	20	3	10	2
																	Parked	20	Parked	10
TOTAL	Parked	64	Open	12	Parked	61	Open	16	Parked	39	Open	17	Parked	39	Open	11	Open	3	Open	2

Note that number of parking spaces vary throughout the day due to parking efficiency (space between vehicles)

	-	HERMIT	AGE AV			BELLIN	GHAM AV			VANT	AGE AV		V	WEDDIN	IGTON ST		CHANDI	ER BL	MAGNO	LIA BL
TIME PERIOD 8:30 - 9:00 AM	WES SIDE # Parked		EA SII # Parked		WES SID # Parked	DE	SI	ST DE I Open	WES SID # Parked	E	EA: SII # Parked	DE	NOR SIDI # Parked	E	SI	UTH DE d Open	SOU SID # Parked	E	NOR SIE # Parked	E
Btwn Chandler & Weddington	16		11		14		10		4		13									
Btwn Weddington & Magnolia	13		7		11		12		9		9									
West of Hermitage													5		4		1			
Btwn Hermitage & Bellingham													8		7		8		4	
Btwn Bellingham & Vantage																	9		0	
Btwn Vantage & Laurel Cyn													6		10					
SUBTOTAL	29	10	18	19	25	10	22	20	13	14	22	7	19	6	21	4	17	6	4	8
																	Parked	17	Parked	4
TOTAL	Parked	47	Open	29	Parked	47	Open	30	Parked	35	Open	21	Parked	40	Open	10	Open	6	Open	R

Open spaces based on number of vehicles that could have parked in the 6:30 to 7:00 am time period

		HERMI	TAGE AV		fall Gura	BELLIN	GHAM AV			VANT	AGE AV		WE	DDIN	GTON ST		CHAND	LER BL	MAGNO	LIA BL
TIME PERIOD 4:00 - 4:40 PM	WE SII # Parked	DE	EA SII # Parked	DE	WE SII # Parked	DE	SI	ST DE 1 Open	WES SID # Parked	E	EA SII # Parked	DE	NORTH SIDE # Parked O		SII		SI	JTH DE I Open	NOF SID # Parked	DE
Btwn Chandler & Weddington	8		12		12		9		8		10									
Btwn Weddington & Magnolia	13		12		13		11		5		6									
West of Hermitage													4		3					
Btwn Hermitage & Bellingham													7		8		3		0	
Btwn Bellingham & Vantage																	3		1	
Btwn Vantage & Laurel Cyn													7		9					
SUBTOTAL	. 21	17	24	15	25	12	20	27	13	14	16	13	18	7	20	5	6	13	1	14
																	Parked	6	Parked	1
TOTAL	Parked	45	Open	32	Parked	45	Open	39	Parked	29	Open	27	Parked 38		Open	12	Open	13	Open	14

Open spaces based on number of vehicles that could have parked in the 7:30 to 8 pm time period

		HERMI	TAGE AV	7 / / / /	II E	BELLIN	GHAM AV			VANT	AGE AV		1	WEDDIN	IGTON ST		CHANDL	ERBL	MAGNO	LIA BL
TIME PERIOD	WES SIE	DE	EAS SID	E	WES SID	E	EAS SID	E	WES SIDI		EAS SID	E	NOR SID	E	SOU	E	SOU	E	NOR SID	RTH DE
7:30 - 8:00 PM	# Parked	Open		Open	# Parked		T				# Parked		# Parked	Upen	# Parked	Open	# Parked	Open	# Parked	Open
Btwn Chandler & Weddington	18	U	19	7	16	0	22	2	12	6	11	8								
Stwn Weddington & Magnolia	16	4	17	2	18	3	19	4	6	3	6	4			1					
West of Hermitage													4	1	3	1				
Stwn Hermitage & Bellingham													10	0	10	0	7	2	5	3
Btwn Bellingham & Vantage																	5	5	2	5
Stwn Vantage & Laurel Cyn													7	3	4	7				
SUBTOTAL	34	4	36	3	34	3	41	6	18	9	17	12	21	4	17	8	12	7	7	8
																	Parked	12	Parked	7
TOTAL	Parked	70	Open	7	Parked	75	Open	9	Parked	35	Open	21	Parked	38	Open	12	Open	7	Open	8

Ellective Jun 24 2016

Northbound Al Norte [Approximate Times / Tiempos Aproximados]

STUDIO CITY	NORTH HOLLYWOOD	SUN VALLEY	PACRIMA	SYLMAR	
	@	3	0	5 Henri 1000 2 Henri	6
Ventura Place & Ventura	Laurel Canyon Orange Line Station	Laurel Canyon & Roscoe	Laurel Canyon & Van Nuys	Sylmar Station	Hubbard & Eldridge (Mission College)
5:00A 5:43 6:26 6:43 	5:09A 5:52 6:35 6:52 — 7:05 7:22 7:37 7:54 8:14 8:38 8:58 9:27 10:01 10:35 11:09 11:42 12:18P 12:53 1:28 2:02 2:37 2:53 3:11 3:24 3:32 3:52 4:12 4:32 4:52 5:12 5:32 5:52 6:17 6:57 7:37 8:37 9:37 10:37	5:23A 6:06 6:50 7:07 A7:16 7:20 7:37 7:54 8:11 8:30 8:54 9:14 9:43 10:17 10:51 11:25 11:59 12:36P 1:11 1:45 2:21 2:56 3:12 3:30 3:43 3:50 4:10 4:30 4:52 5:12 5:52 6:11 6:35 7:15 7:54 8:53 9:52 10:51	5:34A 6:19 7:04 7:22 7:31 7:35 7:52 8:08 8:25 8:44 9:08 9:28 9:57 10:31 11:05 11:39 12:14P 12:50 2:36 3:11 3:27 3:44 3:57 4:04 4:24 4:44 5:06 6:25 6:48 7:28 8:06 9:03 11:01	5:48A 6:35 7:23 7:41 7:50 7:54 8:10 8:25 8:42 9:01 9:25 9:45 10:14 10:48 11:22 11:56 12:33P 1:09 1:43 2:19 2:55 3:29 3:44 4:01 4:14 4:21 4:42 5:02 5:24 5:43 6:03 6:23 6:41 7:04 7:44 8:22 9:20 10:19 11:15	5:56A 6:46 7:34 7:52 8:01 8:05 8:20 8:35 8:52 9:11 9:35 9:55 10:24 10:58 11:32 12:06P 12:43 1:19 1:53 2:30 3:06 3:40 — 4:12 4:25 4:32 4:53 5:13 5:35 5:54 6:14 6:34 6:52 7:15 7:54 8:32 9:30 10:28

Southbound Al Sur (Approximate Times / Tiempos Aproximados)

SYLMAR		PACOIMA	SUN VALLEY	NORTH HOLLLYWOOD,	STUDIO CITY
6	5		3	@	0
Hubbard & Eldridge (Mission College)	Sylmar Station	Laurel Canyon & Van Nuys	Laurel Canyon & Roscoe	Laurel Canyon Orange Line Station	Ventura Place & Ventura
5:46A	4:51A 5:28 6:01 6:21 6:31 6:43 6:55 7:06 7:20 7:43 8:00 8:21 8:48 9:16 9:45 10:19 10:53 11:26 11:58 12:35P 1:10 1:43 2:07 2:26 2:46 — 3:08 3:30 3:52 4:14 4:36 4:58 5:40 6:24 7:24 8:24 9:26 10:26	5:05A 5:42 6:17 6:37 6:47 6:59 7:13 7:24 7:37 7:59 8:16 8:37 9:04 9:33 10:02 10:36 11:10 11:43 12:17P 12:53 1:28 2:01 2:25 2:44 3:04 ©3:23 3:25 3:48 4:10 4:32 4:54 5:16 5:58 6:41 7:38 8:38 9:38 10:40	5:16A 5:55 6:30 6:50 7:00 7:13 7:27 7:39 7:53 8:12 8:29 8:50 9:17 9:46 10:15 10:49 11:23 11:56 12:30P 1:06 1:41 2:14 2:38 2:57 3:19 3:37 3:37 3:39 4:02 4:24 4:46 5:08 5:30 6:12 6:53 7:49 8:48 9:48 9:48	5:30A 6:11 6:47 7:08 7:18 7:47 7:59 8:11 8:29 8:46 9:06 9:34 10:03 10:32 11:06 11:40 12:13P 12:47 1:58 2:55 3:54 3:54 3:55 4:19 4:40 5:03 5:25 5:47 6:30 7:11 8:05 9:01 10:02 11:04	5:36A 6:17 6:53 7:15 7:25 7:38 7:54 8:08 8:20 8:38 8:55 9:13 9:41 10:11 10:40 11:14 11:48 12:21P 12:55 1:31 2:06 2:39 3:03 3:22 3:47 4:04 4:06 4:29 4:48 5:11 5:33 5:55 6:38 7:18 8:11 9:07 10:08 11:10

Northbound Al Norte (Approximate Times / Tiempos Aproximados)

Symmoun'	MORTH HOLETWOOD	SUN VALLEY	PACOIMA	SVEKAR
1	0	0	0	0
Ventura Place & Ventura	Laurel Canyon Orange Line Station	Laurel Canyon & Roscoe	Laurel Canyon & Van Nuys	Sylmar Station
5:14A 5:54 6:30 7:02 7:36 8:10 8:44 9:17 9:52 10:27 11:02 11:37 12:12P 12:47 1:57	5:23A 6:03 6:39 7:11 7:46 8:20 8:54 9:27 10:02 10:37 11:12 11:47 12:22P 12:57 1:32 2:07	5:35A 6:15 6:51 7:25 8:00 8:35 9:10 9:45 10:20 10:55 11:30 12:05P 12:40 1:15 1:50 2:25	5:45A 6:26 7:02 7:38 8:13 8:48 9:23 9:58 10:33 11:08 11:43 12:18P 12:53 1:28 2:03 2:38	5:58A 6:39 7:16 7:53 8:28 9:03 9:39 10:14 10:49 11:24 11:59 12:34P 1:09 1:44 2:19
2:32 3:07 3:42 4:17 4:52 5:28 6:06 6:41 7:21 8:25 9:23 10:24	2:42 3:17 3:52 4:27 5:02 5:38 6:15 6:50 7:30 8:33 9:31	3:00 3:35 4:10 4:45 5:20 5:56 6:31 7:06 7:46 8:47 9:45	3:13 3:48 4:23 4:58 5:33 6:08 6:43 7:18 7:58 8:58 9:56	3:29 4:04 4:39 5:14 5:49 6:24 6:59 7:34 8:14 9:10 10:07 11:07

Salarenin

230

Southbound Al Sur [Approximate Times / Tiempos Aproximados]

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5 12 17 16 16 17 17 1	0	3	@	0
Sylmar Station	Laurel Canyon & Van Nuys	Laurel Canyon & Roscoe	Laurel Canyon Orange Line Station	Ventura Place & Ventura
5:21A	5:35A	5:45A	5:58A	6:03A
5:57	6:11	6:21	6:34	6:39
6:32	6:46	6:57	7:10	7:15
7:04	7:19	7:30	7:46	7:53
7:38	7:53	8:05	8:21	8:28
8:13	8:28	8:40	8:56	9:03
8:46	9:03	9:16	9:31	9:38
9:21	9:38	9:51	10:06	10:13
9:56	10:13	10:26	10:41	10:48
10:31	10:48	11:01	11:16	11:23
11:05	11:22	11:35	11:51	11:59
11:38	11:56	12:10P	12:26P	12:34P
12:13P	12:32P	12:45	1:01	1:09
12:48	1:07	1:20	1:36	1:44
1:22	1:41	1:54	2:11	2:19
1:58	2:16	2:29	2:46	2:54
2:33	2:51	3:04	3:21	3:29
3:08	3:26	3:39	3:56	4:04
3:43	4:01	4:14	4:31	4:39
4:18	4:36	4:49	5:06	5:14
4:55	5:13	5:26	5:41	5:48
5:30	5:48	6:01	6:17	6:23
6:11	6:27	6:39	6:55	7:01
6:51	7:07	7:19	7:33	7:39
7:30	7:45	7:57	8:11	8:17
8:30	8:45	8:55	9:09	9:15
9:30	9:45	9:55	10:09	10:15

Special Notes

- Operates on school days only. Contact Metro for days of operation.
- Departs Mission College and serves San Fernando High School, except Tuesdays.
- Trip originates at Laurel Canyon Blvd. & Fox St. nine minutes before time shown and operates school Tuesdays only.
- D Operates school days only, except Tuesdays.
- Trip originates at Laurel Canyon & Ventura 10 minutes before time shown.

Avisos especiales

- Opera dias de escuela solamente. Favor de hablar a Metro para dias de operacion.
- Sale de Mission College y brinda servicio a San Fernando High School, menos los martes.
- Viaje comienza en Laurel Canyon Bl y Fox St nueve minutos despues de la hora mostrada y opera los martes dias de escuela solamente.
- Opera los dias de escuela, menos los martes.
- Viaje comienza en Laurel Canyon y Ventura 10 minutos antes de la hora mostrada.

Northbound Al Norte (Approximate Times / Tiempos Aproximados)

Su allo suis	экі ети ногиумары	SUNYALLEY	EXECUMA .	THE RESERVE
0	2	6	ST CONTRACTOR STATES AND ASSESSMENT	0
	Laurel Canyon			
Ventura Place & Ventura	Orange Line Station	Laurel Canyon & Roscoe	Laurel Canyon & Van Nuys	Sylmar Station
	■7:11A	7:26A	7:38A	7:52A
(s) (s)	国7:46	8:01	8:13	8:28
_	⊞ 8:21	8:36	8:48	9:03
_	■8:56	9:11	9:23	9:38
_	■ 9:31	9:46	9:58	10:13
	■ 10:06	10:21	10:33	10:48
_	国 10:41	10:56	11:08	11:23
	国11:16	11:31	11:43	11:58
-	国 11:51	12:06P	12:18P	12:33P
	■12:26P	12:41	12:53	1:08
-	©1:01	1:16	1:28	1:43
100	国 1:36	1:51	2:03	2:18
parties	国2:11	2:26	2:38	2:53
_	国 2:46	3:01	3:13	3:28
	国 3:21	3:36	3:48	4:03
3:47P	3:56	4:11	4:23	4:38
4:22	4:31	4:46	4:58	5:13
4:57	5:06	5:21	5:33	5:48
5:32	5:41	5:56	6:08	6:23
6:07	6:16	6:30	6:42	6:56
6:42	6:51	7:05	7:16	7:29
7:18	7:27	7:41	7:52	8:05
8:13	8:22	8:36	8:47	9:00
9:11	9:20	9:34	9:45	9:58
10:11	10:20	10:34	10:45	10:58

Sunday and Holiday

230

Southbound Al Sur (Approximate Times / Tiempos Aproximados)

WINAR F	24C2(10)	St08 Vac1459	800000 (6) 28 (40000)	STUMBERS IN	is who have
5	0	3	2		
Sylmar Station	Laurel Canyon & Van Nuys	Laurel Canyon & Roscoe	Laurel Canyon Orange Line Station	Ventura & Laurel Canyon	Ventura Place & Ventura
6:32A	6:45A	6:55A	7:08A	7:21A	_
7:06	7:19	7:30	7:43	7:56	-
7:40	7:53	8:05	8:19	8:34	
8:14	8:28	8:40	8:54	9:09	Person
8:49	9:03	9:15	9:29	9:44	-
9:24	9:38	9:50	10:04	10:19	
9:59	10:13	10:25	10:39	10:54	
10:33	10:47	10:59	11:14	11:29	
11:08	11:23	11:35	11:49	12:04P	-
11:42	11:58	12:10P	12:24P	12:39	
12:17P	12:33P	12:45	12:59	1:14	-
12:52	1:08	1:20	1:34	1:49	
1:27	1:43	1:55	2:09	2:24	
2:02	2:18	2:30	2:44	2:59	_
2:37	2:53	3:05	3:19	-	3:27P
3:10	3:26	3:38	3:54		4:02
3:45	4:01	4:13	4:29	-	4:37
4:20	4:36	4:48	5:04	_	5:12
4:56	5:12	5:24	5:40	-	5:48
5:33	5:49	6:01	6:16		6:22
6:11	6:25	6:37	6:52	I - I	6:58
6:48	7:02	7:14	7:29	_	7:35
7:28	7:42	7:53	8:07	_	8:13
8:15	8:28	8:38	8:52		8:58
9:15	9:28	9:38	9:52	I -	9:58

Holiday Schedule

Horarios en los días feriados

Sunday & Holiday schedule in effect on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Los horarios de domingos y días festivos serán en New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day y Christmas Day.

Nextrip

Nextrip

Text "metro" and your intersection or stop number to 41411 (example: metro vignes&cesarchavez or metro 1563). You can also visit m.metro.net or call 511 and say "Nextrip".

Envíe un mensaje de texto con "Metro" y la intersección de la calle o el número de su parada al 41411. Nextrip le enviará un mensaje de texto con la próxima llegada de cada autobús en esa parada. También puede visitar m.metro.net or llamar al 511 y decir "Nextrip".

DASTI VAN NUYS/STUDIO CITY

	EN EL S	ENTIDO	CLOCK DE LAS N		LAS DEL	RELOJ	
	Leaves/ Sale Laurel Cyn & Ventura	Moorpark & Coldwater	&	Sylvan & Sylmar	Fulton & Hatteras	Whitsett & Magnolia	Arrives/ Llega Laurel Cyn & Ventura
		MONDA	-FRIDAY	LUNES-VI	ERNES		
FIRST BUS/ EL PRIMERO AUTOBÚS	-	-	_	6:55AM	7:05	7:14	7:23
	7:00AM	7:07	7:15	7:25	7:35	7:44	7:53
then every/	:30	:37	:45	:55	:05	:14	:23
entonces cada	:00	:07	:15	:25	:35	:44	:53
minutes until/	5:00PM	5:07	5:15	5:25	5:35	5:44	5:53
LAST BUS/ EL ÚLTIMO AUTOBÚS	5:30PM	5:37	5:45	5:55	_	-	-
		S.	ATURDAY	SÁBADO			
FIRST BUS/ EL PRIMERO AUTOBÚS				8:55AM	9:05	9:14	9:23
	9:00AM	9:07	9:15	9:25	9:35	9:44	9:53
then every/	:30	:37	:45	:55	:05	:14	:23
entonces cada	:00	:07	:15	:25	:35	:44	:53
minutes until/ minutos hasta	5:00PM	5:07	5:15	5:25	5:35	5:44	5:53
LAST BUS/ EL ÚLTIMO AUTOBÚS	5:30PM	5:37	5:45	5:55	×=	-	_

	Leaves/ Sale Laurel	Whitsett	Fulton	Sylvan	Hazeltine	Moorpark	Arrives/ Llega
	Cyn & Ventura	& Magnolia	& Hatteras	& Sylmar	& Riverside	& Coldwater	Laurel Cyr
	(a)	G	0	0	6	0	0
		MONDAY	-FRIDAY/	LUNES-VI	ERNES		
FIRST BUS/ EL PRIMERO AUTOBÚS	-		-	7:00AM	7:09	7:18	7:25
	7:00AM	7:10	7:18	7:28	7:37	7:46	7:53
then every/	:30	:40	:48	:58	:07	:16	:23
entonces cada	:00	:10	:18	:28	:37	:46	:53
minutes until/ minutos hasta	5:00PM	5:10	5:18	5:28	5:37	5:46	5:53
LAST BUS/ EL ÚLTIMO AUTOBÚS	5:30PM	5:40	5:48	5:58	-	-	-
		S	ATURDAY.	/SÁBADO			
FIRST BUS/ EL PRIMERO AUTOBÚS	-	-		8:58AM	9:07	9:16	9:23
then every/	9:00AM	9:10	9:18	9:28	9:37	9:46	9:53
entonces cada	:30	:40	:48	:58	:07	:16	:23
minutes until/ minutos hasta	:00	:10	:18	:28	:37	:46	:53
LAST BUS/ EL ÚLTIMO AUTOBÚS	5:30PM	5:40	5:48	5:58	6:07	6:16	6:23

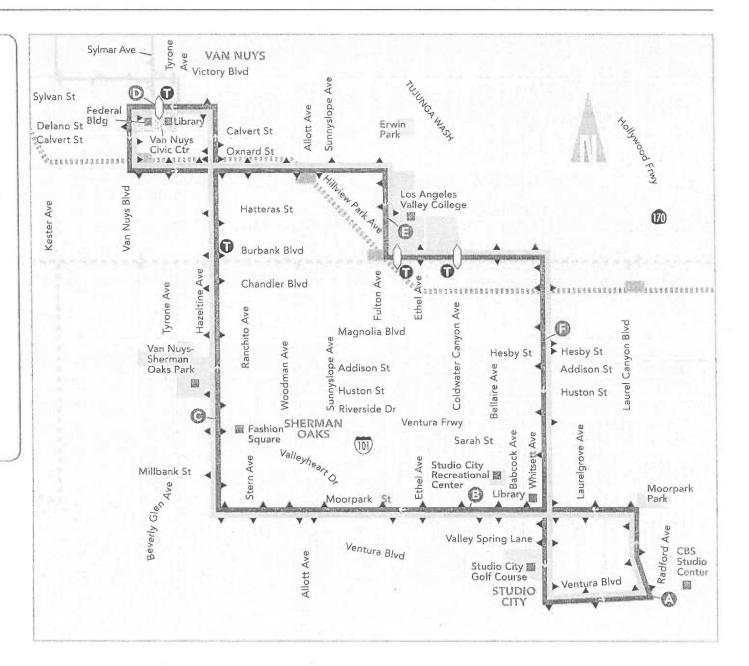
Note: Schedules are subject to traffic, weather and other conditions. Please be patient as these conditions are out of the control of the driver and LADOT. Also remember to allow sufficient time to make transfers to other services./Nota: Los horarios están sujetos al tráfico, el clima y a otras condiciones. Favor de ser paciente porque dichas condiciones están fuera del control del conductor y de LADOT. Recuerde el darse suficiente tiempo para hacer transbordes a otros servicios.

LACCI

City of Los Angeles Department of Transportation

(213, 310, 323 or/o 818) 808-2273 www.ladottransit.com

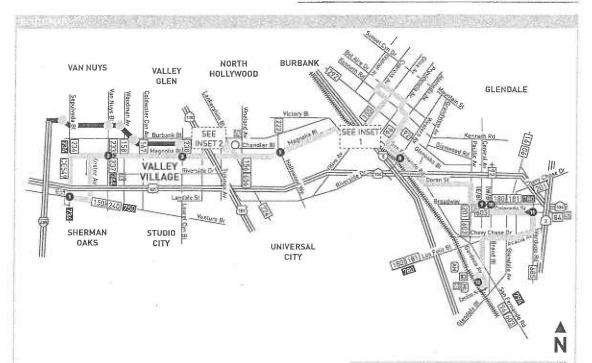
- DASH Van Nuys/Studio City -Clockwise Route (Ruta en el Sentido de las Manecillas del Reloj)
- DASH Van Nuys/Studio City -Counterclockwise Route (Ruta en el Sentido Opuesto de las Manecillas del Reloj)
- DASH Panorama City/Van Nuys
- Commuter Express Route 549
- Metro Orange Line
- ▲ Bus Stop (Parada de Autobús)
- Multiple Route Stop (Parada de Rutas Múltiples)
- Points of Interest (Puntos de Interés)
- (Punto Clave de Horario)
- Transfer Point (Punto de Transbordo)
- Metro Orange Line Station





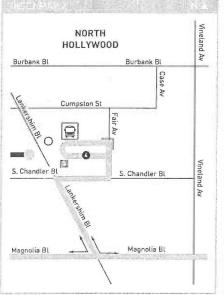
City of Los Angeles Department of Transportation

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- Sherman Oaks Galleria
- Sherman Oaks Fashion Square
- North Hollywood Red &
 Orange Line Stations
 Metro 152, 154, 156, 162, 183, 224,
 353, 656 Owl, Orange Line; BB Media
 District, BB NoHo/Airport; CE549;
 SC757
- Glendale Galleria
- Eagle Rock Plaza
- Glendale Station Metro 183, GB1, 2, 11, 12; Metrolink Antelope Valley Line, Ventura County Line; Amtrak



- Route of Line 183
- Route of Orange Line
- # Local Stop Timepoint
- Local Stop Timepoint Single Direction Only
- Transit Center
- AM Amtrak Station
- ML Metrolink Station
- O Metro Rail Station
- Metro Orange Line Station
- BB Burbank Bus
- CE LADOT Commuter Express
- GB Glendale Beeline
- SC Santa Clarita Transit

INSET MAP 1 LEGEND

Route of Burbank Shortline turnaround at 1st St & Angeleno Av

0	2	0	- Comme	STATE (S) NORTH A	DANSONS (A) SUMMERS		CORNE (C) - CORNEC	9	
Sepulvoda & Yentura	Magnolia & Yan Huys	Magnolia & Laurel Canyon	North Hellywood Stallon (Lankershim & Chandler)	Magnolia & Itollywood Way	Olive & San Fernando	First & Angeleno	San Fernando & Westorn	Broadway & Central	Glendale Station
5:10A	5:16A	5:25A	5:33A	5:42A	5:51A	- 1	6:05A	6:17A	6:36A
6:05	6:11	6:20	6:28	6:37	6:47	- 1	7:01	7:14	7:35
6:47	6:54	7:04	7:13	7:23	7:34	7:38A	_		
7:14	7:21	7:32	7:43	7:54	8:06	-	8:23	8:36	B:57
7:49	7:56	8:06	8:17	B:2B	8:40	8:44	-	_	
8:15	8:22	8:32	8:42	8:54	9:06	- 1	9:23	9:37	9:58
9:07	9:14	9:24	9:34	9:46	9:58	- 1	10:15	10:29	10:51
10:07	10:14	10:24	10:34	10:46	10:58	- 1	11:14	11:28	11:51
11:08	17:14	11:23	11:34	11:47	11:59	_	12:16P	12:31P	12-54F
12:08P	12:14P	12:23P	12:34P	12:48P	1:01P	-	1:18	1:33	1:57
1:10	1:17	1:28	1:39	1:53	2:06	- 1	2:23	2:38	3:02
2:10	2:17	2:28	2:39	2:53	3:06	- 1	3:23	3:38	4:02
3:15	3:22	3:33	3:44	3:58	4:11	-	4:28	4:43	5:07
3:40	3:47	3:5B	4:09	4:23	4:36	4:40P	-		-
4:18	4:25	4:36	4:47	5:01	5:14	-	5:32	5:48	6:11
4:42	4:49	5:00	5:11	5:25	5:37	5:41	-	-	_
5:28	5:35	5:46	5:57	6:11	6:23	-	6:39	6:53	7:14
6:24	6:31	6:42	6:53	7:06	.7:17	- 1	7:33	7:46	8:07
7:20	7:27	7:36	7:46	7:58	8:08	8:12		-	-
8:17	8:23	B:32	B:40	8:50	9:00	9:04	_	_	_
9:14	9:20	9:29	9:37	9:47	9:56	10:00	Makes .	1000	000

Westbound Al Oeste | Approximate Times / Tiempos Aproximados)

AND FO							MATTER!		
On-	0	0	0	0	6	9	0	0	0
Glendale Stallon	Vordugo & Cotorado	Broadway & Brand	San Fernando & Westera	First & Angulano	Ollvs & San Fernando	Magnolia & Hollywood Way	Korth Hotlywood Station (Lankorshim & Chandlor)	Magnolia & Laurel Canyon	Seputveda & Ventura
5:12A	5:25A	5:32A	5:42A	- 1	5:56A	6:04A	6:13A	6:21A	6:37A
6:00	6:13	6:20	6:32	-	6:47	6:56	7:07	7:15	7:39
	-	-		7:05A	7:08	7:17	7:28	7:36	B:01
7:04	7:18	7:27	7:40	-	7:57	8:08	8:19	8:27	8:49
-	-	- 1	-	8:25	8:28	8:38	8:49	8:57	9:14
8:05	8:19	8:28	8:41	- 1	8:58	9:08	9:18	9:26	9:43
		- ;	_	9:29	9:32	9:43	9:53	10:01	10:17
9:10	9:24	9:33	9:46	- 1	10:03	10:14	10:25	10:33	10:49
10:10	10:24	. 10:34	10:48	-	11:05	11:16	11:27	11:35	11:52
11:07	11:21	11:31	11:45	-	12:03P	12:15P	12:26P	12:34P	12:52P
12:04P	12:18P	12:31P	12:45P	-	1:03	1:15	1:26	1:34	1:52
1:05	1:20	1:32	1:46	-	2:04	2:16	2:28	2:37	2:55
2:12	2:27	2:38	2:52	- 1	3:10	3:23	3:35	3:44	4:02
-	-	-	-	3:37P	3:40	3:53	4:05	4:14	4:32
3:19	3:35	3:46	4:01	-	4:19	4:32	4:44	4:53	5:11
_ !			- · ·	4:50	4:54	5:07	5:19	5:28 · ·	5:46
4:20	4:36	4:47	5:02	- 1	5:20	5:33	5:46	5:55	6:13
-	-		-	5:51	5:55	6:08	6:21	6:30	6:47
5:20	5:35	5:46	6:00	- 1	6:18	6:31	6:43	6:52	7:09
6:22	6:37	6:48	7:01	- i	7:18	7:29	7:40	7:47	8:03
7:28	7:42	7:52	8:04	- 1	8:19	8:28	8:38	8:45	9:00

Eastbound Al Este (Approximate Times / Tiempos Aproximados)

0	0	0	0	0	0	Ð
Sepulveda & Ventura	Magnolia & Van Nuys	Magnolia & Laurel Canyon	North Hollywood Station (Lankershim & Chandler)	Magnolia & Kollywood Way	Olive & San Fernando	First & Angeleno
6:55A	7:00A	7:08A	7:16A	7:26A	7:36A	7:40A
7:53	7:58	8:07	8:15	8:25	8:36	8:40
B:53	8:58	9:07	9:16	9:26	9:37	9:41
9:47	9:53	10:02	10:12	10:23	10:34	10:38
10:48	10:55	11:04	11:14	11:26	11:38	11:42
11:42	11:49	11:59	12:09P	12:21P	12:33P	12:37P
12:49P	12:56P	1:05P	1:16	1:28	1:40	1:44
1:49	1:56	2:05	2:16	2:28	2:40	2:44
2:52	2:59	3:07	3:17	3:29	3:40	3:44
3:51	3:57	4:06	4:16	4:27	4:38	4:42
4:53	4:59	5:08	5:16	5:27	5:37	5:41
5:54	6:00	6:08	6:16	6:26	6:36	6:40
6:54	7:00	7:08	7:16	7:26	7:36	7:40
7:54	B:00	8:08	8:16	8:25	8:33	8:37

Westbound Al Oeste |Approximate Times / Tempos Aproximados|

LUII TO THE	The second second second	State and the second state of	SERVICE STREET	STATE OF THE PARTY	
	0	0	0	0	0
First & Angeleno	Olive & San Fernando	North Hollywood Station (Lankershim & Chandler)	Magnolia & Laurel Cenyon	Magnolia & Van Nuys	Sepulveda & Ventura
6:56A	6:59A	7:17A	7:24A	7:32A	7:38A
7:55	7:58	8:16	8:23	8:32	8:38
B:53	8:56	9:15	9:22	9:31	9:38
9:51	9:54	. 10:16	10:23	10:33	10:40
10:46	10:49	11:11	11:18	11:28	11:34
11:50	11:53	12:16P	12:25P	12:35P	12:41P
12:48P	12:51P	1:15	1:24	1:34	1:41
1:52	1:55	2:18	2:27	2:37	2:44
2:52	2:55	3:18	3:27	3:37	3:43
3:52	3:55	4:17	4:25	4:35	4:41
4:51	4:54	5:16	5:24	5:33	5:39
5:52	5:55	6:16	6:23	6:32	6:39
6:54	6:57	7:16	7:23	7:32	7:38
7:56	7:59	8:16	8:23	8:32	8:38
8:56	B:59	9:16	9:23	9:31	9:37

Sunday and Holiday Schedules

Horarios de domingo y días feriados

Sunday and Holiday Schedule in effect on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Horarios de domingo y días feriados en vigor para New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day y Christmas Day

Eastbound Al Este (Approximate Times / Tiempos Aproximados)

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Sepulveda & Ventura	Magnolia & Van Nuys	Magnolia & Laurel Canyon	North Hollywood Station (Lankershim & Chandler)	Magnolia & Hollywood Way	Olive & San Fernando	First & Angeleno	
6:53A	6:58A	7:06A	7:13A	7:22A	7:31A	7:35A	
7:52	7:57	8:05	8:13	8:24	8:33	8:37	
8:49	8:55	9:04	9:13	9:24	9:34	9:38	
9:49	9:55	10:04	10:13	10:24	10:34	10:38	
10:49	10:55	11:04	11:13	11:24	11:35	11:39	
11:48	11:54	12:03P	12:13P	12:25P	12:35P	12:39P	
12:48P	12:54P	1:03	1:13	1:25	1:35	1:39	
1:49	1:55	2:04	2:14	2:26	2:36	2:40	
2:49	2:55	3:04	3:14	3:26	3:36	3:40	
3:48	3:54	4:03	4:13	4:25	4:35	4:39	
4:49	4:55	5:04	5:12	5:23	5:33	5:37	
5:48	5:54	6:03	6:11	6:21	6:30	6:34	
6:48	6:54	7:02	7:10	7:20	7:29	7:33	
7:49	7:55	8:03	8:10	8:19	8:27	8:31	

Sunday and Haliday

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Westbound Al Oeste (Approximate Times / Tiempos Aproximados)

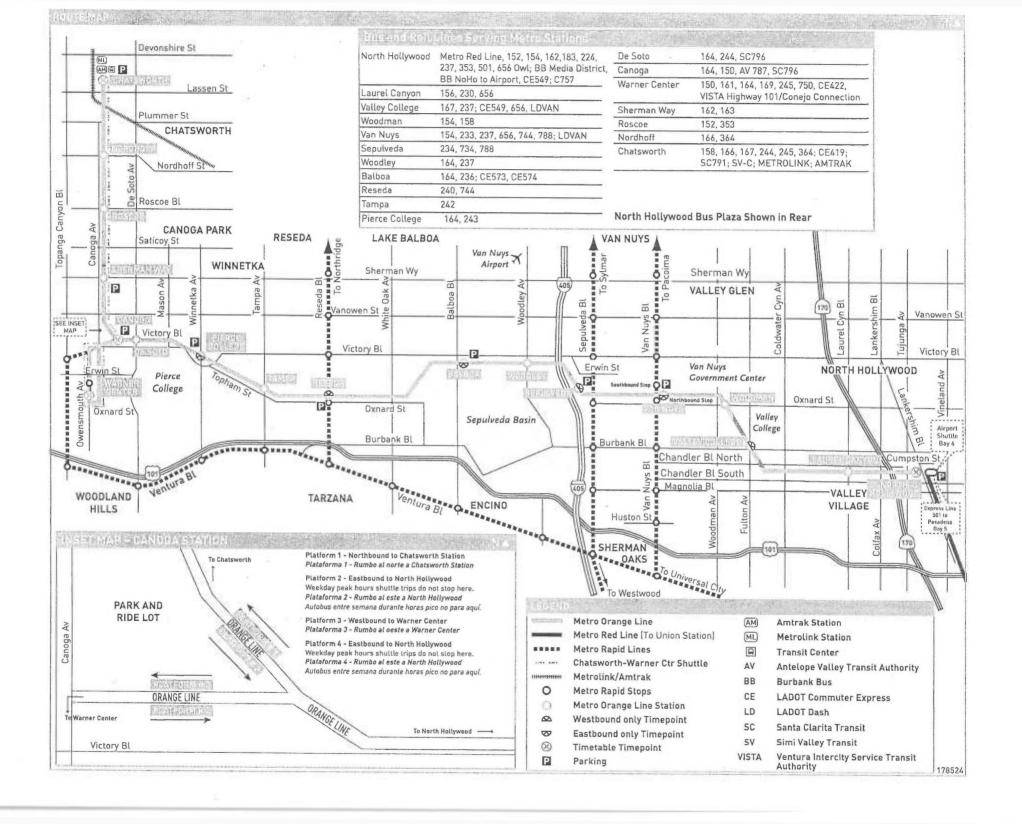
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First & Angeleno	Olive & San Fernando	North Hollywood Station (Lankershim & Chandler)		Magnolia & Van Nuys	Sepulveda & Ventura
7:54A	7:57A	8:16A	8:23A	8:32A	8:39A
8:53	8:56	9:16	9:23	9:32	9:39
9:53	9:56	10:16	10:23	10:32	10:39
10:53	10:56	11:16	11:23	11:32	11:39
11:53	11:56	12:16P	12:23P	12:32P	12:39P
12:52P	12:55P	1:16	1:24	1:34	1:40
1:52	1:55	2:16	2:24	2:34	2:40
2:52	2:55	3:16	3:24	3:34	3:40
3:50	3:53	4:15	4:23	4:32	4:39
4:51	4:54	5:14	5:22	5:31	5:38
5:50	5:53	6:13	6:20	6:29	6:36
6:51	6:54	7:13	7:20	7:29	7:36
7:51	7:54	8:13	8:20	8:29	8:36

Nextrip

Nextrip

Text "metro" and your intersection or stop number to 41411 (example: metro vignes&cesarchavez or metro 1563). You can also visit m.metro.net or call 511 and say "Nextrip".

Envíe un mensaje de texto con "Metro" y la intersección de la calle o el número de su parada al 41411. Nextrip le enviará un mensaje de texto con la próxima llegada de cada autobús en esa parada. También puede visitar m.metro.net or llamar al 511 y decir "Nextrip".



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Chaisworth - Warner Cester Shutte Weeklay Pask Hours Only

Matro Drange Line

Eastbound (Approximate Times)

Westbound (Approximate Times)

Chatsworth Station	Canoga Station	Warner Center Station	Warner Center Station	Canoga Station	Chatsworth Station
5:35A	5:47A	5:52A	6:00A	6:04A	6:16A
6:05	6:17	6:22	6:30	6:34	6:46
6:29	6:41	6:46	6:4B	6:52	7:04
6:54	7:06	7:11	7:13	7:17	7:29
7:12	7:24	7:29	7:31	7:35	7:47
7:44	7:56	8:01	8:03	8:07	8:19
7:56	8:08	8:13	8:16	B:20	B:32
B:39	8:51	8:56	9:02	9:06	9:18
8:55	9:07	9:12	9:15	9:19	9:31
SHUTTL	E TRIPS DO NOT OPERATE	MIDDAY	SHUTTLI	TRIPS DO NOT OPERATE	MIDDAY
2:00P	2:13P	2:18P	2:25P	2:29P	2:41P
2:52	3:05	3:10	3:14	3:18	3:30
3:19	3:32	3:37	3:54	3:58	4:10
3:42	3:55	4:00	4:06	4:10	4:22
4:23	4:36	4:41	4:43	4:47	4:59
4:40	4:53	4:58	5:03	5:07	5:19
5:11	5:24	5:29	5:31	5:35	5:47
5:33	5:46	5:51	6:08	6:12	6:24
4:00	6:13	6:18	6:23	6:27	6:39

During midday when shuttle is not in operation, passengers traveling between Warm Center and Chaisworth Station may board regular Orange Line trips and transfer at Canoga Station

Durante el mediodía cuando el servicio de enlance no opera, usuarios viajando entre las estaciones Warner Cir y Chalsworth pueden abordar Metro Orange Line con servicio regular y transbordar en la estación Canoga.

Sunday and Holiday Schedules

Horarios de domingo y días feriados

Sunday and Holiday Schedule in effect on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Horarios de domingo y días feriados en vigor para New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day y Christmas Day

Special Notes

Avisos especiales

- Trips departing Warner Ctr will stop at Platform 4 at Canoga. Trips departing from Chatsworth will stop at Platform 2 at Canoga. See Inset Map
- Trips terminating at Warner Ctr will stop at Platform 3 at Canoga. Trips terminating at Chatsworth will stop at Platform 1 at Canoga. See Inset Map.
- Shaded trips operate between Chatsworth Station and North Hollywood Station via Warner Ctr. Trips will serve both stops at Canoga Station.
- Viajes saliendo de Warner Ctr pararán en la plataforma 4 en Canoga. Viajes saliendo de Chatsworth pararán en la plataforma 2 en Canoga. Vea el mapa.
- Viajes terminando en Warner Ctr pararán en la plataforma 3 en Canoga. Viajes terminando en Chatsworth pararán en la plataforma 1 en Canoga. Vea el mapa.

Viajes bajo columnas sombreadas operarán entre las estaciones Chatsworth y North Hollywood a lo largo de Warner Ctr. Viajes servirán ambas paradas en la estación Canoga.

Friday Late Night and Saturday Late Night Only

Metro Orange Line

Eastbound (Approximate Times)

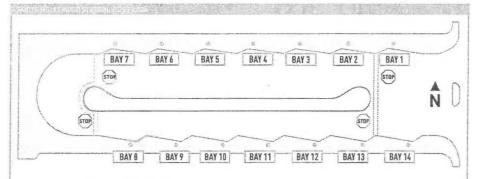
				HERON MA		The same of the sa
Chatsworth Station	Warner Center Station	Canoga Station 🖪	Pierce College Station	Balboa Station	Van Nuys Station	North HollywoodStation
12:11A	12:27A	12:31A	12:34A	12:44A	12:52A	1:05A
12:31	12:47	12:51	12:54	1:04	1:12	1:25
12:51	1:07	1:11	1:14	1:24	1:32	1:45
1:11	1:27	1:31	1:34	1:44	1:52	2:05
1:31	1:47	1:51	1:54	2:04	2:12	2:25
1:51	1 2-07	2:11	2:16	2-24	2.32	2:45

Friday Late Night and Saturday Late Night Onl

Metro Orange Line

Westbound (Approximate Times)

North Hollywood Station	Valley College Station	Sepulveda Station	Reseda Station	Canoga Station 🗈	Warner Center Station	Chatsworth Station
1:19A	1:28A	1:37A	1:46A	1:56A	2:00A	2:16A
1:39	1:48	1:57	2:06	2:16	2:20	2:36
1:59	2:08	2:17	2:26	2:36	2:40	2:56
2:19	2:28	2:37	2:46	2:56	3:00	3:16
2:39	2:48	2:57	3:06	3:16	3:20	3:36
2:59	3:08	3:17	3:26	3:36	3:40	3:56



10000	Supering 1		
Bay 1	Burbank Bus - Media Center	Bay 8	154
Bay 2	152-353	Bay 9	156
Bay 3	152-353	Bay 10	183
Bay 4	501	Bay 11	Layover
Bay 5	501	Bay 12	Layover - Line 162
Bay 6	Burbank Bus - Airport	Bay 13	Layover - Line 224
Bay 7	Discharge Only	Bay 14	Layover - SC Line 757

Eastbound (Approximate Times)

natsworth Station	Warner Center Station	Canoga Station 🖪	Pierce College Station	Balboa Station	Van Nuys Station	North Hollywood Statio
3:52A	3:45A	3:49A 4:03	3:52A 4:08	4:02A 4:18	4:10A 4:26	4:23A 4:39
4:24	4:17	4:21 4:35	4:24 4:40	4:34	4:42 4:58	4:55 5:11
-	4:44	4:48	: 4:51	4:50 5:01	5:09	5:22
4:49	5:12	5:00 5:16	5:05 5:19	5:15 5:29	5:23 5:37	5:36 5:50
5:18	5:40	5:29 5:44	5:34 5:47	5:44 5:57	5:52 6:06	6:05 6:19
5:44	6:05	5:55 6:09	6:00 6:12	6:11 6:23	6:20 6:32	6:33 6:45
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6:28	6:28	6:32 6:40	6:35 6:45	6:46 6:57 7:08	6:55 7:06	7:09 7:20
6:50	6:49	6:53 7:02	6:56 7:07	7:08 7:19	7:17 7:28	7:31 7:42
_	7:11	7:15	7:18	7:30	7:39	7:53
7:12	7:33	7:24 7:37	7:29 7:40	7:41 7:52	7:50 8:01	8:04 8:15
7:34	7:55	7:46 7:59	7:51 8:02	8:03 8:14	8:12 8:23	8:26 8:37
7:56	8:17	8:08 8:21	8:13 8:24	8:25 8:36	8:34 8:45	8:48 8:59
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8:37	8:37	8:41 8:49	8:44 8:54	8:56 9:06	9:06 9:16	9:21 9:31
8:57	8:57	9:01 9:09	9:04 9:14	9:16 9:26	9:26 9:36	9:41 9:51
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-	4:17	4:21 4:29	4:24 4:34	4:36 4:46	4:46 4:56	5:01 5:11
4:16	4:37	4:41	4:44	4:56	5:86	5:21
4:36	4:57	4:49 5:01	4:54 5:04	5:06 5:16	5:16 5:26	5:31 5:41
4:56	5:17	5:09 5:21	5:14 5:24	5:26 5:36	5:36 5:46	5:51
5:16	- 1	5:29	5:34	5:46	5:56	6:01 6:11
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6:01	6:00	6:04 6:14	6:07 6:19	6:19 6:31	6:29 6:41	6:44 6:56
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9:26	9:42	9:46	9:49	10:01	10:10	10:25
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	12:03A		12:10A			

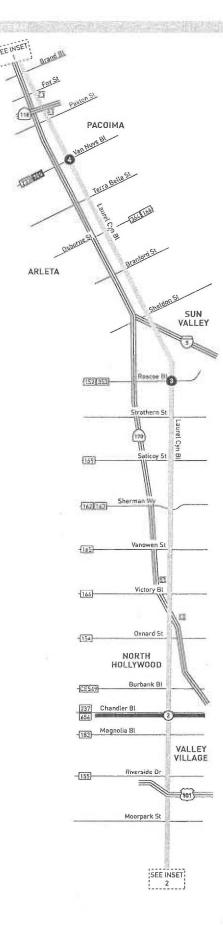
Service continues on Saturday nights only. See Late Night section.

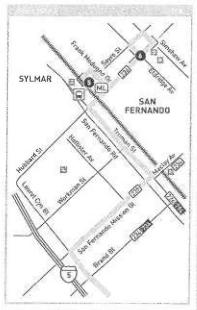
Westbound (Approximate Times)

rth Hollywood Station	Valley College Station	Sepulveda Station	Reseda Station	Canoga Station 🖪	Warner Center Station	Chatsworth Statio
4:32A	4:41A 4:57	4:49A 5:05	4:58A 5:14	5:08A 5:24		5:20A 5:36
4:48 5:04	5:13	5:21 ;	5:30	5:41	5:45A	6:09
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7:43	7:52	8:01	8:11 8:23	8:22 8:33	8:26	8:46
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6:02 6:12	6:11 6:21	6:20 6:30	6:30 6:40	6:41 6:51	6:55	6:54
6:22 6:33	6:31 6:42	6:40 6:51	6:50 7:01	7:01 7:12	7:16	7:14
6:45	6:54	7:03	7:13	7:23 7:35	7:39	7:36 7:56
6:57 7:09 7:21 7:32	7:06 7:18	7:15 7:27	7:25 7:37	7:47	7:51	8:08
7:21 7:32	7:30 7:41	7:39 7:50	7:49 8:00 8:13	7:59 8:10	8:03 8:14	8:20 8:31
7:45 7:58	7:54 8:07	8:03 8:16	8:26	8:10 8:23 8:36 8:49	8:27 8:40	8:44 8:57
9.11	8:20	8:29 8:42	8:39 8:52	8:49 9:02	8:53 9:06	9:10
8:39	8:33 8:48	8:57	9.07	9:17	9:21	9:23 9:38 9:53
8:54 9:09	9:03 9:18	9:12 9:27	9:22 9:37	9:32 9:47	9:36 9:51 10:06	9:53 10:08
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	10:03	10:12	10:21	10:16 10:31 10:46 11:01	10:35	10:51 11:06
10:09	10:18 10:33	10:27 10:42	10:36 10:51	11:01	11:05	11:21
10:09 10:24 10:39 10:59 11:19	10:48 11:08	10:57 11:17	11:06 11:26	11:16	10:35 10:50 11:05 11:20 11:40 11:59	11:36 11:56
11:19	11:28 11:48	11:37 11:57	11:46 12:06A	11:56 12:16A	11:59 12:20A	12:16A 12:36
11:39 11:59	12:08A	12:17A ;	12:26	12:36 12:56	12:40 1:00	12:56
12:19A 12:39	12:28 12:48	12:37 12:57	12:46 1:06	1:16	1:20	1:36

Service continues on Saturday nights only. See Late Night section.









- El Cariso Regional Park
- Mission College
- Sylmar Station
 Metro 230, 236, 239, 292, 734, 794 (94)
 Weekends Only); CE574; Metrolink
 Antelope Valley Line
- 🖾 Las Palmas Park
- San Fernando Courthouse and City Hall
- San Fernando High School
- Richie Valens Park
- Valley Plaza
- ☑ Laurel Plaza
- **Ⅲ** CBS Studio Center
- Farmers Market (Sundays)

Route of Line 230

Route of Orange Line
Local Stop Timepoint

Metro Orange Line Station & Timepoint

Transit Center

ML Metrolink Station
CE LADOT Commuter Express

----- Farmers Market Detour -Sundays 6:00a.m. - 3:00p.m. Los Angeles River