

FINDINGS (Faircrest Heights)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/ Community Plan Consistency

The proposed zone change ordinance for the Faircrest Heights Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Faircrest Heights Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG and R1V2-RG. The current Single Family "R1" regulations for the Faircrest Heights Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Faircrest Heights Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control

Ordinance 183,497 which requires conformance with the Beverly Grove Residential Floor Area District (RFA). The Beverly Grove RFA has an FAR maximum of 0.50. The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The currently enforced interim control ordinance offers FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. This is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

Wilshire Community Plan

The proposed zone change will promote the objectives, policies and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the Faircrest Heights area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Faircrest Heights community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

- Objective 1-1*** Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.
- Policy 1-1.2*** Promote neighborhood preservation in all stable residential neighborhoods.

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the Faircrest Heights Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of Faircrest Heights and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Faircrest Heights community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Faircrest Heights community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and

most direct way of dealing with the issue of “mansionization” or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Faircrest Heights community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Faircrest Heights Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums,

height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/ Community Plan Consistency

The proposed zone change ordinance for the Faircrest Heights Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Faircrest Heights Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the Faircrest Heights Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Faircrest Heights Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control Ordinance 183,497 which requires conformance with the Beverly Grove Residential Floor Area District (RFA). The Beverly Grove RFA has an FAR maximum of 0.50. The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to

a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The currently enforced interim control ordinance offers FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. This is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

Wilshire Community Plan

The proposed zone change will promote the objectives, policies and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the Faircrest Heights area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Faircrest Heights community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.

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

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the

Faircrest Heights Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of Faircrest Heights and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Faircrest Heights community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Faircrest Heights community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of "mansionization" or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a

legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Faircrest Heights community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Faircrest Heights Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- d) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- e) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums,

height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- f) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Picfair Village)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/ Community Plan Consistency

The proposed zone change ordinance for the Picfair Village Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Picfair Village Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the Picfair Village Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Picfair Village Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control Ordinance 184381 which requires conformance with the Beverly Grove Residential Floor Area

District (RFA). The Beverly Grove RFA has an FAR maximum of 0.50. The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The currently enforced interim control ordinance offers FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. This is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional, non-required setback between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

Wilshire Community Plan

The proposed zone change will promote the objectives, policies and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the Picfair Village area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Picfair Village community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.

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

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the Picfair Village Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of Picfair Village and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Picfair Village community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Picfair Village community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and

most direct way of dealing with the issue of “mansionization” or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Picfair Village community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Picfair Village Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new

Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Wilshire Vista)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/Community Plan Consistency

The proposed zone change ordinance for the Wilshire Vista Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Wilshire Vista Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the Wilshire Vista Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Wilshire Vista Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control Ordinance 184381 which requires conformance with the Beverly Grove Residential Floor Area

District (RFA). The Beverly Grove RFA has an FAR maximum of 0.50. The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The currently enforced interim control ordinance offers FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. This is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

Wilshire Community Plan

The proposed zone change will promote the objectives, policies and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the Wilshire Vista area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Wilshire Vista community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.

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

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the Wilshire Vista Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of Wilshire Vista and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Wilshire Vista community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Wilshire Vista community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and

most direct way of dealing with the issue of “mansionization” or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Wilshire Vista community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Wilshire Vista Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new

Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Crestview)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/Community Plan Consistency

The proposed zone change ordinance for the Crestview Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Crestview Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the Crestview Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Crestview Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is adjacent to two areas regulated by various interim Control Ordinance which both require conformance with the Beverly Grove

Residential Floor Area District (RFA). The Beverly Grove RFA has an FAR maximum of 0.50. The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion of house size to meet modern needs. This also meets the intent of the adjacent Interim Control Ordinances within the adjacent communities of Picfair Village, Wilshire Vista and Faircrest Heights.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The enforced interim control ordinance in adjacent communities of Picfair Village, Wilshire Vista and Faircrest Heights offer FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. This is in keeping with the Interim Control Ordinances of adjacent communities however it is more authoritative in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the Interim Control Ordinance for adjacent communities however it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

For the record, Crestview is substantially similar to the adjacent ICO of Picfair Village, Wilshire Vista and Faircrest Heights communities with regards to the built form, massing and scale.

Wilshire and West Adams/Baldwin Hills/Leimert Park Community Plan

The proposed zone change area is located within the Wilshire and West Adams/Baldwin Hills/Leimert Park Community Plans. The proposed zone change to R1R2-RG will promote the objectives, policies and goals of the Wilshire and West Adams/Baldwin Hills/Leimert Park Community Plans by continuing to protect the character of the existing single-family neighborhood in the Crestview area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Crestview community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire and West Adams/Baldwin Hills/Leimert Park Community Plans, including the following:

Wilshire Community Plan

Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.

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

West Adams/Baldwin Hills/Leimert Park Community Plan.

Goal (Land Use and Urban Design) Preserve, conserve and enhance the positive characteristics of existing neighborhoods that are the foundation for community identity.

The above listed objective, policy and goal will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the Crestive Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of Crestview and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Crestview community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Crestview community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of “mansionization” or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Crestview community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Crestview Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated

“Hillside Areas,” and eliminate the “Green Building Option” bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney’s Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director’s action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (South Hollywood)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/Community Plan Consistency

The proposed zone change ordinance for the South Hollywood Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the South Hollywood Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the South Hollywood Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the South Hollywood Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control

Ordinance 183,497 which states, “No building permit shall issue for a Project unless the proposed structure's Residential Floor Area does not exceed 120% of the prior or existing structure's Residential Floor Area.” The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion of house size to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures.

Hollywood Community Plan

The proposed zone change will promote the objectives, policies and goals of the Hollywood Community Plan by continuing to protect the character of the existing single-family neighborhood in the South Hollywood area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the South Hollywood community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Hollywood Community Plan, including the following:

Objective 3 To encourage preservation and enhancement of the varied and distinctive residential character of the community, and to protect lower density housing from the scattered intrusion of apartments.

Housing The Plan encourages the preservation and enhancement of well-defined residential neighborhoods in Hollywood through preparation of neighborhood preservation plans which further refine and tailor development standards to neighborhood character.

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the South Hollywood Community, including floor area and analysis of garage orientation, the proposed new

zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of South Hollywood and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the South Hollywood community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the South Hollywood community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of "mansionization" or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood

character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the South Hollywood community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV–2016–2111–ND), which concludes that the proposed zone change for the South Hollywood Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will

have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties

in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (La Brea Hancock)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/Community Plan Consistency

The proposed zone change ordinance for the La Brea Hancock Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the La Brea Hancock Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the La Brea Hancock Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the La Brea Hancock Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control

Ordinance 183,497 which requires conformance with the Beverly Grove Residential Floor Area District (RFA). The Beverly Grove RFA has an FAR maximum of 0.50. The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion of house size to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The currently enforced interim control ordinance offers FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. This is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the Interim Control Ordinance however it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

Wilshire Community Plan

The proposed zone change will promote the objectives, policies and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the La Brea Hancock area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the La Brea Hancock community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

- Objective 1-1*** Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.

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

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the La Brea Hancock Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character La Brea Hancock and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the La Brea Hancock community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the La Brea Hancock community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of “mansionization” or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the La Brea Hancock community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the La Brea Hancock Community (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums,

height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Larchmont Heights)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/ Community Plan Consistency

The proposed zone change ordinance for the Larchmont Heights Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Larchmont Heights Community, bounded within the proposed Ordinance Map, from R1-1 to R1R2-RG. The current Single Family "R1" regulations for the Larchmont Heights Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Larchmont Heights Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control

Ordinance 183,497 which states, “No building permit shall issue for a Project unless the proposed structure's Residential Floor Area does not exceed 120% of the prior or existing structure's Residential Floor Area.” The R1R2-RG zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for a reasonable expansion of house size to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The new building envelope for the proposed zone, R1R2-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties.

Lastly, the new R1R2-RG zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The Rear Garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional buffer between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures.

Wilshire Community Plan

The proposed zone change will promote the objectives, policies and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the Larchmont Heights area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Larchmont Heights community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.

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

The objective and policy listed above will be accomplished through the implementation of the proposed zone change to R1R2-RG. Based on data from the existing housing stock in the Larchmont Heights Community, including floor area and analysis of garage orientation, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in

the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R2-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R2-RG creates guidelines and standards for new development to help protect the character of Larchmont Heights and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R2-RG Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Larchmont Heights community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Larchmont Heights community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1R2-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of "mansionization" or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family

residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Larchmont Heights community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Larchmont Heights (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new

Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Beverlywood)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/ Community Plan Consistency

The proposed zone change ordinance for the Beverlywood Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Beverlywood Community, bounded within the proposed Ordinance Map, from R1-1 to R1VNew. The current Single Family "R1" regulations for the Beverlywood Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Beverlywood Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control Ordinance 183,497 which states, "Notwithstanding any section of the LAMC, no building permit

shall issue for a Project in Beverlywood area unless the proposed structure's Residential Floor Area—without exceptions for detached accessory buildings and over-in-height ceilings—does not exceed the base Residential Floor Area set forth in the Zoning Code. Residential Floor Area bonuses permitted by the Zoning Code shall be limited to 15% of the maximum Residential Floor Area.” The R1VNew zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.55 on smaller lots to a minimum 0.45 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages 0.30 FAR, while still allowing for a reasonable expansion of house size to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area, which proposed modest reductions.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The new building envelope for the proposed zone, R1VNew, requires that walls over 20 feet in height employ an encroachment plane of 45 degrees to a maximum height of 30 feet. The encroachment plane curtails the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance which increases light and air circulation.

West Los Angeles Community Plan

The proposed zone change will promote the objectives, policies and goals of the West Los Angeles Community Plan by continuing to protect the character of the existing single-family neighborhood in the Beverlywood area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of Beverlywood community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the West Los Angeles Community Plan, including the following:

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

Policy 1-1.2 Promote neighborhood preservation in all residential neighborhoods

The policies listed above will be accomplished through the implementation of the proposed zone change to R1VNew. Based on data from the existing housing stock in the Beverlywood Community, including floor area and analysis of building typologies, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1VNew act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1VNew create guidelines and standards for new development which help protect the character of Beverlywood and reinforce the neighborhood's scale. The new single family standards within the R1VNew Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Beverlywood community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Beverlywood community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1VNew offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of "mansionization" or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Beverlywood (as bounded by the Proposed Ordinance Map) will

result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Kentwood)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/Wilshire Community Plan Consistency

The proposed zone change ordinance for the Kentwood Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Kentwood Community, bounded within the proposed Ordinance Map, from R1-1 to R1V2. The current Single Family "R1" regulations for Kentwood Community allow large, box-like structures that may compromise the existing character of the smaller scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Kentwood Community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio that reaches 0.60 for net livable space. Currently, the area is regulated by an interim Control Ordinance 183,497 which states, "Notwithstanding any section of the LAMC, no building permit shall issue for a Project in Kentwood unless the proposed structure's Residential Floor Area—

without exceptions for detached accessory buildings; porches, patios and breezeways; and over-in-height ceilings—does not exceed the base Residential Floor Area set forth in the Zoning Code. No Residential Floor Area bonus shall be allowed for green building, proportional stories, or front façade articulation.” The R1VNEW zone reduces the allowable FAR from 0.60 to a range that reaches a maximum 0.45 on smaller lots to a minimum 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages 0.25 FAR, while still allowing for a reasonable expansion of house size to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area, which proposed reductions.

Furthermore, the current R1 is inadequate as it does not control building massing. The existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The new building envelope for the proposed zone, R1VNew, requires that walls over 20 feet in height employ an encroachment plane of 45 degrees to a maximum height of 30 feet. The encroachment plane curtails the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance which increases light and air circulation.

Westchester- Playa Del Rey Community Plan

The proposed zone change will promote the objectives, policies and goals of the Westchester – Playa Del Rey Community Plan by continuing to protect the character of the existing single-family neighborhood in the Kentwood area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of Kentwood community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Westchester – Playa Del Rey Community Plan, including the following:

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

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

The policies listed above will be accomplished through the implementation of the proposed zone change to R1VNEW. Based on data from the existing housing stock in the Kentwood Community, including floor area and analysis of building typologies, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community’s residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1VNew act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles City Charter Section 558 and LAMC Section 12.32(C)(7) require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1VNew create guidelines and standards for new development which help protect the character of Kentwood and reinforce the neighborhood's scale. The new single family standards within the R1VNew Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Kentwood community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Kentwood community; it was true that the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community. The proposed zone, R1VNew offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of "mansionization" or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), which concludes that the proposed zone change for the Kentwood (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction) of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.
- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or

authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

FINDINGS (Pacific Palisades)

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework/Wilshire Community Plan Consistency

The proposed zone change ordinance for the Pacific Palisades Community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

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

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Pacific Palisades Community, bounded within the proposed Ordinance Map, from R1-1 to R1V1 for areas designated as "Flat" and R1H1 for areas designated as "Hillside" in the Los Angeles Municipal Code.

On July 14, 2016, the amendments to the Baseline Mansionization Ordinance and Baseline Hillside Ordinance (BMO/BHO) were approved by the City Planning Commission. The intention of the amendments to BMO/BHO was to address the proliferation of large, often out-of-scale, and new houses citywide. This amendment was a broad brushed approach to address issues on a citywide level. The Department subsequently created R1 Variation zones, a more fine grained approach, which creates more tailored individual zoning solutions for specific Communities where the Baseline did not provide development standards with the appropriate scale, proportion and

massing. In the case of Pacific Palisades, the overall character of the community is not in keeping with the proposed amendment to the BMO and BHO and more in keeping with the regulations of the existing BMO and BHO.

The Pacific Palisades community consists of several different components which include a Coastal Jurisdiction Area as well as a Non-Coastal Jurisdiction Area. Further the community is split between Hillside and Flat designation by the Los Angeles Municipal Code. The combination of these components create the following regions within Pacific Palisades: Hillside Coastal, Flat Coastal, Hillside Non-Coastal and Flat Non-Coastal. Within each of these regions, single family development standards vary with regards to the allowable maximum height and FAR. For example, current provision for "Flat Coastal" properties allow a 3:1 FAR and maximum height of 45 feet but that is reduced to an FAR of 0.60 and height of 33 feet in the "Non-Coastal Flats." While properties in the "Flat Coastal" areas may never be built to the maximum provisions of the Code, as they are also required to comply with more stringent State Coastal Development Standards which regulate for biological/ecological impacts and view protections, developments built in the Coastal Regions are similar in scale and size to the current BMO and BHO. The proposed Zone Change for the Pacific Palisades community aims to preserve consistency of the single family development standards between the Coastal and Non Coastal Areas. In doing that, the proposed ordinance also maintains the specific character defining features, scale and proportion, that make this community unique.

As such, the R1V1 zone is proposed for flat lots and R1H1 zone is proposed for lots with a Hillside Designation within the Los Angeles Municipal Code. The Proposed R1V1 zone permits a variable building envelope that requires a 45 degree encroachment plane for any portion of a structure that exceed 22 feet and an FAR scale that starts at 0.65 FAR, for lots smaller or equal to 6,000 square feet, to 0.55 FAR, for lots larger or equal to 10,000 square feet. The proposed R1H1 zone permits a variable building even elope determined by the Baseline Hillside Ordinance and an FAR scale that starts at 0.65 FAR, for portions of the lot with slope less than 15%, to 0.45 FAR, for portions of the lots with slope from 60 -99%.

As described above, the new zone permits a maximum development capacity of 0.65 FAR while the existing BMO/BHO has a maximum of 0.60 FAR. This increase is intended to provide an FAR "credit" for the exemptions in the current BMO/BHO that have either been removed or modified in the amended BMO/BHO. The amendments include a reduced exemption of 200 square feet for the garage if it is built in the front along with removal of a 100 square feet exemption for over-in-height ceilings and 250 square feet exemption for porches/patios/breezeways. In exchange for permitting the FAR "credit" however, the proposed zone change creates limitations that reduce the overall massing of the structure. This is intended to maintain the development of a lower profile structure that allows circulation of light and air between structures.

Existing R1 development standards neither limits the setback distance of the upper portions of the walls nor the structure mass. The new building envelope for the proposed zone, R1V1, requires that walls over 22 feet in height employ an encroachment plane of 45 degrees to a maximum height of 30 feet. The encroachment plane curtails the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance which increases light and air circulation.

The proposed zone change will promote the objectives, policies and goals of the **Brentwood - Pacific Palisades** Community Plan by continuing to protect the character of the existing single-family neighborhood in the Pacific Palisades area. By instituting the new R1V1 and R1H1 development regulations, new development would be compatible with the existing neighborhood character of Pacific Palisades. As new houses are developed in conformance with the proposed regulations, and are built within the proposed height, floor area and lot coverage restrictions, the overall existing character of Pacific Palisades community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the **Brentwood - Pacific Palisades**, including the following:

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

Policy 1-1.46 The City should promote neighborhood conservation, particularly in existing single-family neighborhoods, as well as in areas with existing multiple-family residences.

Objective 1-3 To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Policy 1-3.1 Seek a higher degree of architectural compatibility and landscaping for new development to protect the character and scale of existing residential neighborhoods.

The policies listed above will be accomplished through the implementation of the proposed zone change to R1V1 and R1H1. Based on data from the existing housing stock in the Pacific Palisades Community, including floor area and analysis of building typologies, the proposed new zone was selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1V1 and R1H1 act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1V1 and R1H1 create guidelines and standards for new development which help protect the character of Pacific Palisades and reinforce the neighborhood's scale. The new single family standards within the R1V1 and R1H1 Zone will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Community.

The proposed zone change began with a desire voiced by the community to preserve the built character of the Pacific Palisades community. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Pacific Palisades community. The proposed zone, R1V1 and R1H1 offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods with unique regional circumstances. The regional divides within the Pacific Palisades are not readily realized in the built community, meaning they exist by law but are not relevant in the built environment. Creating consistency between such jurisdictional regions is Good Zoning Practice. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of existing neighborhood character. The proposed zone change ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of “Neighborhood Conservation” or development of homes that are consistent in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City where a Zone Change has been proposed.

CEQA Findings

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV–2016–2111–ND), which concludes that the proposed zone change for the Pacific Palisades (as bounded by the Proposed Ordinance Map) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2015 and will be complete by October 19, 2015. We will address comments as they are submitted and will have a final response to comments by second City Planning Commission hearing on November 10, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a) Based on the analysis in this Initial Study, the proposed zone changes would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project does not propose or authorize any new development. Further, development (e.g., additions, new construction)

of single-family units that occurs pursuant to the proposed project would not impact any endangered fauna or flora, modify any special status species habitat, and would only occur on lots zoned for single-family development. Due to the highly urbanized nature of the project area and the surrounding area, construction activities and operation of future development would not impact the habitat or population in the Project Area. In addition, the proposed project does not propose or authorize any new development in any identified Biological Resource Areas. The proposed project would not impact the habitat or population level of fish or wildlife species, nor would it threaten a plant or animal community, nor impact the range of a rare endangered plant or animal. Furthermore, impacts to Cultural Resources and related archaeological and paleontological resources would be less than significant following the implementation of the regulatory compliance measures.

- b) No significant impacts were identified for the 17 environmental factors analyzed within the Initial Study. Currently, a proposed Code amendment to the 2008 Baseline Mansionization Ordinance (BMO) and the 2011 Baseline Hillside Ordinance (BHO) are undergoing similar environmental review that could be viewed in connection to the proposed Project. The proposed Code amendment to the BHO/BMO specifically amends the existing BMO and BHO to establish more stringent development standards for properties zoned R1, modify RFA calculations, adjust grading provisions for single-family lots located in designated "Hillside Areas," and eliminate the "Green Building Option" bonus for properties zoned RA, RE, and RS, and eliminate all bonuses in the R1 zones that currently permit additional RFA in exchange for the inclusion of particular building features.

As mentioned throughout, the proposed Code amendment would establish variations of the existing R1 Zone that are tailored to meet the varying character and design of single-family neighborhoods throughout the City. These zones regulate lot coverage maximums, height, placement of bulk, and size. The proposed Project would also create a new Supplemental Use District that mandates garages to be detached from the main building and located at the rear of a property. The proposed Project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.

The proposed Code amendment to the BMO/BHO (i.e. Related Project) would further apply specific requirements related to form and massing to single-family zoned properties in the area. The Related Project applies specific requirements related to form and process, triggered by an application for a building and/or grading permit in any single family zoned lot (RA, RE, RS, R1). The combination of the proposed Project and the Related Project is not expected to incentivize any new construction; rather, these projects together would in effect address concerns of perceived out-of-scale construction in single-family neighborhoods and help regulate form in residential zones. It is also important to note that no significant impacts were identified for the Related Project.

Thus the proposed Project in combination with Related Projects would not result in a cumulatively considerable effect

- c) A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and regulatory compliance measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.