



Building A Better Community

Bel Air Beverly Crest Neighborhood Council
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**RE: Council File# 16-1472-S1 HCR Hillside Construction Regulation Area
CPC-2016-4085-CA & ENV-2016-4086-ND**

Dear Members of the PLUM Committee, Councilmembers Huizar, Harris-Dawson, Englander, Cedillo and Fuentes, Councilmembers Koretz, Ryu, all of City Council, and Mayor Garcetti:

The BABCNC supports the new "Hillside Construction Regulation" Supplemental Use District.

INTRODUCTION

The purpose of the HRC District is to permit grading elements and hauling standards to be more restrictive than permitted by the proposed BHO code.

By setting standards for Import and Export with the yardstick of the proposed BHO, the potential hauling operation is increased, and therefore is not more restrictive. The 6,000 cu. yd. maximum limitation, while appropriate, is not a calculable reduction in hauling with regard to the other various "R" Zones identified on the attached Matrix.

Therefore, the limits for the "By-Right "grading and hauling limits set forth in section 12.21 C.10, effective as of December 1, 2016, are more appropriate and should be reinstated as the Standards for the HRC but should also include the 6,000 cu. yd. limitation and should not provide a bonus based on the size of the lot. Correctly, the application of the 75% limiting factor for substandard streets in the hillside area is appropriate. Import & Export Hauling should be more restrictive than Grading per se.

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Bel Air District

Bel Air Glen District
Beverly Park Estates District
Franklin-Coldwater District
North of Sunset District

OTHER

At-Large Members
Commercial or Office Enterprise Districts
Custodians of Open Space
Faith-Based Institutions
Public & Private Schools

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MATRIX

In an effort to reduce the amount of soil taken out of the hillside and at the same time give landowners a reasonable amount of dirt to haul without creating a safety hazard and a total destruction of these hills.

The attached Matrix illustrates as follows:

1. The 1st column identifies the 2011 Hillside Ordinance & Proposed 2016 Overlay Code.
2. The 2nd column identifies the "R" categories.
3. The 3rd column compares the total amount of "By Right" cubic yards of soil to be graded and hauled out of the ground for each of the 'R' categories, for the 2011 BHO and the proposed new HCR Overlay District.
4. The 4th column represents the maximum amount of "By Right" cubic yards of dirt that can be hauled, the balance to be used for cut & fill.

SUMMARY

The number of hauling trips for each of the categories in a Hillside area where there are R15 category homes next to R20 and R40 is tantamount to a disaster. Two or three projects or more, have a cumulative effect on roads, many without even curbs, and presents a serious danger to the health and safety of the communities. Substandard streets are riddled throughout the Hillside area, creating access problems for months and even years and in many cases, where there are no alternative routes to get down from the hill.

Doubling the number of dump trucks in an area like this is not responsible for many reasons. Health & Safety first and foremost, but the condition of these roads is a minefield of ruts and potholes and asphalt that was never made for this kind of vehicle weight. Literally the abuse of roads created by 65 and 70 thousand pound trucks for 700, 900, up to over 1,600 one-way trips is creating havoc in these neighborhoods. People can't get to and from work, school or just shopping without running into long delays and complete frustration.

With the current proposed 2016 Overlay, the amount of allowable dirt hauling remains excessive. The new proposed Overlay Ordinance, as it stands now, does not accomplish the goals of this Overlay due to the Maximum "By Right" Grading yardstick tied to the BHO, **to the doubling of the cubic yards allowable to export**. The 4th column of the matrix reverses the quantity of hauling back to the 2011 BHO haul limits, which is more consistent with the purpose of this Ordinance.

Therefore to encourage grading and cut and fill on site, the amount of proposed hauling should be restricted in accordance with the proposed Matrix.

CONCLUSION

The conclusions described in the findings are speculative and conjectural without substantiated facts.

Hauling and Grading "By-Right" maximums in hillside areas, in a way that is necessary in order to preserve and maintain the character, scale and safety of existing single-family neighborhoods and to ensure that future development is held to appropriate standards of safety and protection.

The proposed revisions from prior regulations provide new regulations for hauling and grading "By-Right" that is too high and is not based on verifiable information.

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Given the increase of Maximum Grading in zones over the immediately prior standards of maximum grading and hauling, the speculative nature of the conclusions of the proposed ordinance fail to satisfy the requirement of good planning.

CONSTRUCTION VEHICLE FEES

Heavy-duty construction vehicles, mainly dump trucks and cement trucks, need to pay for the streets they damage with a fee levied per truck. **There is no other known alternative to repairing the damaged and torn up streets other than the vehicles that are responsible for the damage to compensate for the street repair.**

SLOPE BANDING

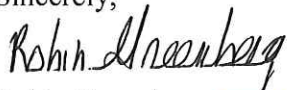
The Slope Banding provisions do not establish a clear cumulative maximum to cap the height of hillside structures at 36 feet as always intended in the Hillside Area.

D. Development Regulations. *The Department of Building and Safety shall not issue grading permit for any single-family home development within a HCR District unless the development complies with the Grading, Hauling and Cement Truck Trips and Hauling Operation Standards set forth in Subsection (1) to (7).*

1. **Maximum Grading.** *The total cumulative quantity of Grading or the total combined value of both Cut and Fill for the Import or Export of earth, or incremental Cut and Fill for Import and Export of earth, for any one lot shall be limited to the "by-right" maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.*
2. **Maximum Import and/or Export for Hillside Areas Fronting Substandard Streets.** *For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75% of the "by-right" maximum pursuant to Section 12.21.C.10 and shall not exceed 4,500 cubic yards.*

Thank you for your consideration the above issues.

Sincerely,



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President, Bel Air Beverly Crest Neighborhood Council

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BEL AIR BEVERLY CREST OVERLAY

CPC-2016-4085-CA CPC-2016-4087-ZC ENV-2016-4086-ND

1

2

3

4

Maximum "By-Right" Grading and Hauling Quantities

STANDARD STREET MATRIX		Import/Export Sec 12.21 C.10	
		Cubic Yards In the Ground	Export limited to 2011 "By Right" Cubic Yards of Hauling
2011 BHO Proposed 2016 Overlay	R1	1,000	1,000
	R1	1,000	1,000
2011 BHO Proposed 2016 Overlay	RS	1,100	1,100
	RS	2,200	1,100
2011 BHO Proposed 2016 Overlay	RE 9	1,200	1,200
	RE 9	2,400	1,200
2011 BHO Proposed 2016 Overlay	RE 11	1,400	1,400
	RE 11	2,800	1,400
2011 BHO Proposed 2016 Overlay	RE 15	1,600	1,600
	RE 15	3,200	1,600
2011 BHO Proposed 2016 Overlay	RE 20	2,000	2,000
	RE 20	4,000	2,000
2011 BHO Proposed 2016 Overlay	RA	1,800	1,800
	RA	3,600	1,800
2011 BHO Proposed 2016 Overlay	RE 40	3,300	3,300
	RE 40	6,000	6,000