

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2016-4085-CA	ENV-2016-4086-ND	Citywide
<b>PROJECT ADDRESS:</b>		
The area consists of the Bel Air – Beverly Crest community within Council District 5 as shown in the proposed Ordinance Map		
<b>APPLICANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
City of Los Angeles Rep: Christine Saponara  <input type="checkbox"/> New/Changed	(213) 978-1363	<a href="mailto:christine.saponara@lacity.org">christine.saponara@lacity.org</a>
<b>APPELLANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
N/A		
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Christine Saponara	213) 978-1363	<a href="mailto:christine.saponara@lacity.org">christine.saponara@lacity.org</a>
<b>APPROVED PROJECT DESCRIPTION:</b>		
<p>As follow-up to Interim Control Ordinance number 183,497, the proposed code amendment provides tailored and context-sensitive regulations for single family dwelling units within the Bel Air – Beverly Crest Community. The Code amendment will provide more specialized regulation for single-family dwelling units by proposing a new “Hillside Construction Regulation” Supplemental Use District proposed for the Los Angeles Municipal Code. The new “Hillside Construction Regulation” Supplemental Use District represents context sensitive zoning meant to establish hauling operation standards, construction activity standards, grading limits, and discretionary review process for large-scale single-family dwelling units with an area of 20,000 square feet or greater</p>		

**COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)**

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2016-4086-ND ("Negative Declaration"), and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; **Found** the Negative Declaration reflects the independent judgment and analysis of the City; and **Adopted** Negative Declaration
2. **Recommended** the City Council **Adopt** the attached proposed ordinance, provided that the office of the City Attorney review the ordinance as to form and legality;
3. **Adopted** the Department of City Planning Staff Report as the Commission Report; and
4. **Adopted** the attached Findings

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

1. **Recommend** that the City Council **Adopt** the attached proposed ordinance, provided that the office of the City Attorney review the ordinance as to form and legality;
2. **Recommend** that the City Council **Adopt** the Department of City Planning Staff Report; **Recommend** that the City Council **Adopt** the attached Findings

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

N/A

**ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- ☒ Letter of Determination
- ☒ Findings of Fact
- ☒ Staff Recommendation Report
- ☐ Conditions of Approval
- ☒ Ordinance
- ☐ Zone Change Map
- ☐ GPA Resolution
- ☐ Land Use Map
- ☐ Exhibit A - Site Plan
- ☒ Mailing List
- ☐ Land Use
- ☐ Other \_\_\_\_\_

- ☐
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- ☐ Categorical Exemption
- ☒ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Mitigation Monitoring Program
- ☐ Other \_\_\_\_\_

- ☐
- ☐
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- ☐

**NOTES / INSTRUCTION(S):**

<b>FISCAL IMPACT STATEMENT:</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<small>*If determination states administrative costs are recovered through fees, indicate "Yes".</small>	
<b>PLANNING COMMISSION:</b>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> City Planning Commission (CPC)  <input type="checkbox"/> Cultural Heritage Commission (CHC)  <input type="checkbox"/> Central Area Planning Commission  <input type="checkbox"/> East LA Area Planning Commission  <input type="checkbox"/> Harbor Area Planning Commission         </div> <div style="width: 45%;"> <input type="checkbox"/> North Valley Area Planning Commission  <input type="checkbox"/> South LA Area Planning Commission  <input type="checkbox"/> South Valley Area Planning Commission  <input type="checkbox"/> West LA Area Planning Commission         </div> </div>	
<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
December 15, 2016	5-1
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
N/A	N/A
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Rocky Wiles	December 23, 2016



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: DEC 23 2016

Case No.: CPC-2016-4085-CA  
CEQA: ENV-2016-4086-ND  
Plan Area: Citywide

Council District: Citywide

**Project Site:** The area consists of the Bel Air – Beverly Crest community within Council District 5 as shown in the proposed Ordinance Map

**Applicant:** City of Los Angeles  
Representative: Christine Saponara, City Planner

At its meeting of **December 15, 2016**, the Los Angeles City Planning Commission took the actions below in consideration of the following proposed ordinance:

As follow-up to Interim Control Ordinance number 183,497, the proposed code amendment provides tailored and context-sensitive regulations for single family dwelling units within the Bel Air – Beverly Crest Community. The Code amendment will provide more specialized regulation for single-family dwelling units by proposing a new “Hillside Construction Regulation” Supplemental Use District proposed for the Los Angeles Municipal Code. The new “Hillside Construction Regulation” Supplemental Use District represents context sensitive zoning meant to establish hauling operation standards, construction activity standards, grading limits, and discretionary review process for large-scale single-family dwelling units with an area of 20,000 square feet or greater

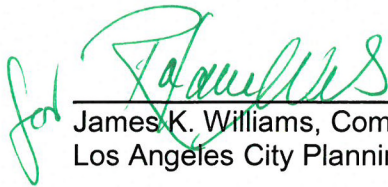
1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2016-4086-ND (“Negative Declaration”), and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; **Found** the Negative Declaration reflects the independent judgment and analysis of the City; and **Adopted** Negative Declaration
2. **Recommended** the City Council **Adopt** the attached proposed ordinance, provided that the office of the City Attorney review the ordinance as to form and legality;
3. **Adopted** the Department of City Planning Staff Report as the Commission Report; and
4. **Adopted** the attached Findings.



This action was taken by the following vote:

Moved: Ambroz  
Seconded: Katz  
Ayes: Padilla-Campos, Dake-Wilson, Millman  
Nays: Ahn  
Absent: Perlman, Mack, Choe

**Vote: 5-1**



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James K. Williams, Commission Executive Assistant II  
Los Angeles City Planning Commission

**The decision of the Los Angeles City Planning Commission is final upon the date of this determination letter and is not appealable.**

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

Attachments: Proposed ordinance, Findings

c: Craig Weber, Principal Planner  
Christine Saponara, City Planner

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

An ordinance amending Section 12.04, 12.32, 13.20, and 16.05 of Chapter the Los Angeles Municipal Code in order to authorize the establishment of a “HCR” Hillside Construction Regulation Area that may be applied to regulate the construction of single-family homes in hillside areas.

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

**SECTION 1.** Subsection D of Section 12.04 of the Los Angeles Municipal Code is hereby amended to read:

D. Certain portions of the City are also designated as being in one or more of the following districts, by the provisions of Article 3 of this chapter.

“O”	Oil Drilling District
“S”	Animal Slaughtering District
“G”	Surface Mining District
“RPD”	Residential Planned Development District
“K”	Equinekeeping District “CA” Commercial and Artcraft District
“POD”	Pedestrian Oriented District
“CDO”	Community Design Overlay District
“MU”	Mixed Use District “FH” Fence Height District
“SN”	Sign District
“RFA”	Residential Floor Area District
“NSO”	Neighborhood Stabilization Overlay District
“CPIO”	Community Plan Implementation Overlay District
“RIO”	River Improvement Overlay District
“CUGU”	Clean Up Green Up Overlay District
“RG”	Rear Detached Garage District
“HCR”	<a href="#">Hillside Construction Regulation District</a>

The “Zoning Map” is amended to indicate these districts and the boundaries of each district.

Land classified in an “O” Oil Drilling District, “S” Animal Slaughtering District, “G” Surface Mining District, “RPD” Residential Planned Development District, “K” Equinekeeping District, “CA” Commercial and Artcraft District, “POD” Pedestrian Oriented District, “CDO” Community Design Overlay District, “MU” Mixed Use District, “FH” Fence Height District, “SN” Sign District, “RFA” Residential Floor Area District, “NSO”, “CPIO” Community Plan Implementation Overlay District, or “RIO” River Improvement Overlay District, “CUGU” Clean Up Green Up Overlay District, “RG” Rear Detached Garage District or [“HCR” Hillside Construction Regulation District](#) is also classified in one or more zones, and land classified in the “P” Automobile Parking Zone may also be classified in an “A” or “R” Zone.



These classifications are indicated on the "Zoning Map," with a combination of symbols, e.g., R2-2-O, C2-4-S, M1-3-G, M1-1-P and R2-O, C2-G, etc., where height districts have not been established.

**SECTION 2.** Subsection S of Section 12.32 of Article 2 of Chapter 1 of the Los Angeles Municipal Code shall be amended to add a new "HCR" Hillside Construction Regulation Supplemental Use District.

2. Districts. In order to carry out the provisions of this article the following districts are established:

"O"	Oil Drilling District
"S"	Animal Slaughtering District
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District "CA" Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District "FH" Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"CPIO"	Community Plan Implementation Overlay District
"RIO"	River Improvement Overlay District
"CUGU"	Clean Up Green Up Overlay District
"RG"	Rear Detached Garage District
"HCR"	<u>Hillside Construction Regulation District</u>

**SECTION 3.** The first unnumbered list at the beginning of Section 13 of Article 3 of the Los Angeles Municipal Code shall be amended as follows:

Section

- 13.01 "O" Oil Drilling Districts.
- 13.02 "S" Animal Slaughtering Districts.
- 13.03 "G" Surface Mining Operations Districts.
- 13.04 "RPD" Residential Planned Development Districts.
- 13.05 "K" Equinekeeping Districts.
- 13.06 Commercial and Artcraft Districts.
- 13.07 Pedestrian Oriented District.
- 13.08 "CDO" Community Design Overlay District.
- 13.09 Mixed Use District.
- 13.10 Fence Heights District.
- 13.11 "SN" Sign District.
- 13.12 "NSO" Neighborhood Stabilization Overlay District.
- 13.13 "RFA" Residential Floor Area District.
- 13.14 "CPIO" Community Plan Implementation Overlay District.

- 13.15 "MPR" Modified Parking Requirement District.
- 13.16 "HS" Hillside Standards Overlay District.
- 13.17 "RIO" River Improvement Overlay District.
- 13.18 "CUGU" Clean Up Green Up Overlay District.
- 13.19 "RG" Rear Detached Garage District
- 13.20 "HCR" Hillside Construction Regulation District
- ~~13.20~~ 13.21 Violation.

**SECTION 4.** Section 13.20 of the Los Angeles Municipal Code shall be renumbered to Section 13.21 and a new Section 13.20 shall be included as follows:

~~SEC.13.20~~ SEC.13.21. **VIOLATION.** The violation of any condition imposed by a Zoning Administrator, Director of Planning, the Area Planning Commission, City Planning Commission or City Council in approving the site requirements, methods of operation, development plans or other actions taken pursuant to the authority contained in this article shall constitute a violation of this Code.

**SEC.13.20. "HCR" HILLSIDE CONSTRUCTION REGULATION DISTRICT.**

**A. Purpose.** This section sets forth procedures and guidelines for the establishment of Hillside Construction Regulation "HCR" District in residential areas of the City. The purpose of the "HCR" District is to permit grading limits and hauling operation standards to be more restrictive than normally permitted by this Code in areas where the proposed district will further reduce construction impacts and where these changes will be consistent with the policies and objectives set forth in the applicable Community Plan.

**B. Establishment of the District.** The procedures set forth in Section 12.32 S. of this Code shall be followed, however, each "HCR" Hillside Construction Regulation District shall include only properties in a residential zone. Boundaries shall be along Street Frontages and shall not split parcels. A "HCO" Hillside Construction Overlay District may encompass an area, which is designated, in whole or in part, as a Historic Preservation Overlay Zone and/or Specific Plan. The "HCR" Hillside Construction Regulation District shall include contiguous parcels, which may only be separated by public Streets, ways or alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for, or initiation of, an individual overlay.

**C. Relationship to other Zoning Regulations.** Wherever the provisions of the HCR District is silent the base zone regulations shall prevail pursuant to Sections 12.03, 12.04, 12.05, 12.07.01, 12.07.1, 12.08, 12.21, 12.23 and 12.32. Where the provisions of a HCR District conflict with those of a Specific Plan or Historic Preservation Overlay Zone (HPOZ), then the provisions of the Specific



Plan or HPOZ shall prevail. If provisions of the HCR District conflict with any other City-wide regulations in the L.A.M.C. or supplemental use districts other than the Specific Plan or HPOZ, then the requirements of the HCR shall prevail.

**D. Development Regulations.** The Department of Building and Safety shall not issue a grading and/or building 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 Subsections (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 and 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 6,000 cubic yards.
- 3. Hauling and Cement Truck Trips.** A maximum of four trucks is permitted to haul per hour per project site. A grouping or convoy of hauling and cement vehicles shall be not be allowed, only one hauling or cement vehicle per haul route is permitted at any one time.
- 4. Hauling and Cement Truck Operations.** As conditions of project approval for the issuance of a grading or building permit, the following hauling operation standards shall be met:
  - a) A copy of the approval letter, the approved haul route, and the approved grading plans from the City, shall be posted prominently on the job site at all times.
  - b) No grading shall be performed within any areas designated “hillside” unless a copy of the grading permit is prominently posted on the job site at all times.
  - c) All hauling and cement vehicles must be identified by a unique placard identifying the project address and prominently displayed on said hauling and/or cement vehicle.



**5. Equipment.** As conditions of project approval for the issuance of a grading or building permit, the following equipment standards shall be met:

- a) 10-Wheeler Dump trucks with a 10 cubic yard capacity are the only type of trucks permitted for hauling of earth in excess of 1,000 cubic yards. The Board of Building and Safety Commissioners may permit other types of hauling vehicles as deemed necessary.
- b) Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.

**6. Operating Hours and Construction Activity.** As conditions of project approval for the issuance of a grading or building permit, the following practices shall be met:

- a) Hauling operations shall be conducted between the hours of 9:00 a.m. and 3:00 p.m. Monday through Saturday. Hauling operations on Sundays or State designated holidays is strictly prohibited.
- b) Haul trucks shall be staged off-site and outside of the HCR District. As deemed necessary, the Board of Building and Safety Commissioners may permit staging on-site or staging on any street adjacent to the project by special condition during the Haul Route Approval process.
- c) Construction activity is permitted between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday. Interior construction work is permitted 8:00 a.m. to 6:00 p.m. on Saturdays. Exterior construction work on Saturday is strictly prohibited. Excess exterior illumination of the site is strictly prohibited after 6:00 p.m. through the use of flood lights and similar lighting devices.
- d) A log noting the dates of hauling activity and the number of hauling and cement truck trips per day shall be available on the job site at all times.
- e) The owner or contractor shall control dust caused by grading and hauling and provide reasonable control of dust caused by wind at all times. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department.

- f) Loads shall be secured by trimming and shall be covered to prevent spillage and dust. Haul trucks are to be contained at the export site to prevent blowing of dirt and are to be cleaned of loose earth at the export site to prevent spilling.
- g) Streets shall be cleaned of spilled materials at the termination of each workday.
- h) "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
- i) For projects requiring Haul Route approval, flag persons shall be required. Flag persons with radio control and warning signs shall be in compliance with the latest Edition of "Work Area Traffic Control Handbook." Flag persons provided at the job site shall assist trucks in and out of the project area. Flag persons with radio controls are required at specific location(s) during hauling operations as determined by the Board of Building and Safety Commissioners.

**7. Review Procedures for single-family home developments larger than 17,500 square feet.** The construction, erection, addition to, enlargement of or reconfiguration of any one-family dwelling that has a cumulative Residential Floor Area of 17,500 square feet or larger shall submit an application for a Site Plan Review before the issuance of related permits and entitlements. Application procedures and processing of the application shall be pursuant to Section 16.05 of the Los Angeles Municipal Code (L.A.M.C.).

**SECTION 5. URGENCY CLAUSE.** The City Council finds that without the provisions of expiring Interim Control Ordinance 183,497, the proliferation of towering, out-of-character structures in certain residential neighborhoods will threaten the public welfare, including degradation of neighborhood character, loss of neighbors' privacy, curtailment of development potential, negative impacts to aesthetics, and general quality of life; and that without a context sensitive R1 zone adopted before the expiration of Interim Control Ordinance 183,497 would result in a threat to the public welfare.



## FINDINGS (Code Amendment)

### General Plan/Charter Findings

1. In accordance with Charter Section 556, the proposed ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would establish regulations to reduce impacts related to construction of larger-scaled residential homes in the Hillside.

The proposed ordinance 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:

- |                      |   |
|----------------------|---|
| <b>Goal 3B</b>       | Preservation of the City's stable single-family residential neighborhoods.  |
| <b>Objective 3.5</b> | 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. |
| <b>Policy 3.5.4</b>  | Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.   |
| <b>Policy 3.5.5</b>  | Promote the maintenance and support of special use neighborhoods to encourage a wide variety of these and unique assets within the City   |

The current single family regulations within the Baseline Hillside Ordinance do not provide regulations for hauling operations and specialized controls for homes of a specific size and provides a "by-right" grading maximum that is too high for some communities. The proposed ordinance aims to regulate large single family developments that are 20,000 square feet or larger, hauling operations and construction activity, 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 ensure that future development is held to appropriate standards of safety and protection that are consistent with the scale and scope of the project.

The addition of hauling operations help reduce impacts related to construction related activities along narrow and windy hillside streets. The standards applied by this supplemental use district contain standards required by the Department of Building and Safety for projects with large hauling jobs. However the cumulative effect of several small jobs may exceed the impact of one large hauling job. Therefore, applying hauling regulations and standards provides Hillside communities and the City a tool for managing a variety of smaller projects, while ensuring responsibility of construction crews and developers. These regulations promote the maintenance and support hillside



neighborhoods in a way that encourage the preservation of their unique assets within the City.

Reduction of the grading maximum and regulating new single family homes that exceed 20,000 square feet helps prevent major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. It also places regulations on the bulk and massing of large homes which may interrupt the character of the community. In order to address these issues, while still allowing for reasonable construction and grading activity, the proposed supplemental use district proposes reducing amount of grading allowed on a RE-40 zoned property from 6,600 to 6,000 cubic yards and requires a special review of homes larger than 20,000 square feet. That in combination with the Baseline Hillside Ordinance which newly restricts the building envelope and volume of earth allowed to be imported and exported from a property, including that beneath the footprint of the house, preserves the intent of the General Plan's goals and policies.

2. In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because its measures are needed to regulate single-family residential development in order to avoid the further degrading effects of larger structures in the various hillside neighborhoods throughout the City of Los Angeles as a result of the current Baseline Hillside Ordinances. The measures in the proposed ordinance are needed to avoid the continuing negative impacts upon established neighborhoods around the City created by the current development standards. Relative to the amended Baseline Hillside Ordinance, the supplemental use district provides more fine-grained tools for the City to utilize when creating context-sensitive and tailored regulations for individual Hillside neighborhoods throughout the City.

The proposed ordinance substantially advance a legitimate public interest in that it will further protect single-family residential neighborhoods from development that often leads to structures with proliferation of grading permitted 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. These newer, larger structures often require more grading and hauling of dirt in Hillside areas that contain narrow, windy, often under-improved roads. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character while promoting safe operating procedures in the process. This proposed 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 hauling, overdevelopment and construction impacts in the hillsides. There is a reasonable relationship between a legitimate public purpose which is maintaining existing integrity of hillside communities citywide and the means to effectuate that purpose. Delaying the implementation of this code amendment could result in the continuation of over grading and an accumulation of hauling efforts that in aggregate may impact hillside neighborhoods in a manner 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.

### **CEQA Finding**

The Department of City Planning determined that the proposed ordinance would not have a significant impact on the environment. Negative Declaration ENV-2015-4086-ND was prepared for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed will have a negative effect on the environment. The attached Negative Declaration was published in the Los Angeles Times on Thursday, November 24, 2016, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Community Planning Bureau of the Planning Department in Room 750, 200 North Spring Street.

### **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.