

Contact Information

Neighborhood Council: Bel Air-Beverly Crest Neighborhood Council

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The Board approved this CIS by a vote of: Yea(19) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 01/25/2017

Type of NC Board Action: For if Amended

Impact Information

Date: 02/07/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 16-1472-S1

Agenda Date: 01/25/2017

Item Number: 21

Summary: On 01/25/2017, the Bel Air Beverly Crest Neighborhood Council endorsed the enclosed Letter & Matrix submitted by Robin Greenberg on 01/17/2017 to Council File #16-1472-S1 regarding the overlay, with clarification of said letter, requesting that the Planning Department and City Attorney prepare a modification of the proposed Ordinance No. CPC-2016-4085-CA, "the Overlay"; to provide that instead of Paragraph D. Sub Paragraphs 1. Maximum Grading, and 2. Maximum Import and/or Export for Hillside Streets in the Overlay, those subsections be modified to limit the Maximum Import and/or Export of earth for any one lot fronting a Standard Street in the Hillside Area, according to the amounts provided in the (enclosed) Chart, and shall not exceed 6,000 cubic yards for RE-40 lots. For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, or requiring access via a Substandard Street, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75% of the "by-right" Maximum Import/Export pursuant to the (enclosed) Chart.



Building A Better Community



PO Box 252007 Los Angeles, CA 90025

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January 25, 2017

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Community Impact Statement by Board Resolution
Council File #16-1472-S1
Hillside Construction Restrictions (HCR) (Overlay)

We, Robin Greenberg and Nickie Miner, declare that we are the President and Vice President respectively of the Bel Air Beverly Crest Neighborhood Council (BABCNC), and on January 25, 2017, a Brown-Act noticed public meeting was held by the BABCNC. With a quorum of 19 board members present, a vote of 19 yes, 0 no, and 0 abstentions, the Bel Air Beverly Crest Neighborhood Council endorsed the enclosed letter & matrix submitted by Robin Greenberg to Council File, #16-1472-S1 on January 17, 2017, regarding the overlay, to be submitted as a Community Impact Statement by resolution into the City Council File, with expansion and clarification of said letter as follows:

Dear Councilman Koretz,

The Board of the Bel Air Beverly Crest Neighborhood Council, by unanimous vote asks you, as our Councilman, to require the Planning Department and the City Attorney to prepare a modification of the proposed Ordinance No.CPC-2016-4085-CA, "the Overlay".

Provide that instead of Paragraph D. Sub Paragraphs 1. Maximum Grading, and 2. Maximum Import and/or Export for Hillside Streets in the Overlay, those subsections be modified to limit the Maximum Import and/or Export of earth for any one lot fronting a Standard Street in the Hillside Area, according to the amounts provided in the following Chart, and shall not exceed 6,000 cubic yards for RE-40 lots.

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Bel Air District

Bel Air Glen District
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Custodians of Open Space
Faith-Based Institutions
Public & Private Schools

BEL AIR BEVERLY CREST "OVERLAY"

CPC-2016-4085-CA

Sec 12.21 C.10

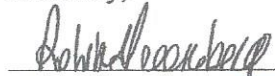
Standard Street Matrix

	Maximum Grading Cubic Yards	Maximum Import/Export Cubic Yards
R1	1000	1000
RS	2200	1100
RE 9	2400	1200
RE 11	2800	1400
RE 15	3200	1600
RE 20	4000	2000
RE 40	6000	6000
RA	3600	1800

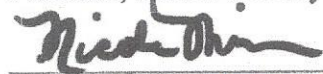
Maximum Import and/or Export for Hillside Areas Fronting Substandard Streets or requiring access via a Substandard Street. For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, or requiring access via a Substandard Street, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75% of the "by-right" Maximum Import/Export pursuant to the forgoing Chart.

Thank you for your attention to this matter.

Sincerely,



Robin Greenberg, rgreenberg@babnc.org
President, Bel Air Beverly Crest Neighborhood Council



Nickie Miner, nminer@babnc.org
Vice President, Bel Air Beverly Crest Neighborhood Council

Enclosure: Letter dated January 17, 2017

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January 17, 2017

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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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RE: Council File# 16-1472-S1 HCR Hillside Construction Regulation Area
CPC-2016-4085-CA & ENV-2016-4086-ND

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.

RE: Council File# 16-1472-S1 HCR Hillside Construction Regulation Area
CPC-2016-4085-CA & ENV-2016-4086-ND

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

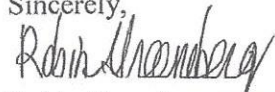
The Slope Banding provisions do not establish a clear cumulative maximum to cap the height of hillside structures at 36 feet as always intended in the Hillside Area.

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,



Robin Greenberg, rgreenberg@babenc.org
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