

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

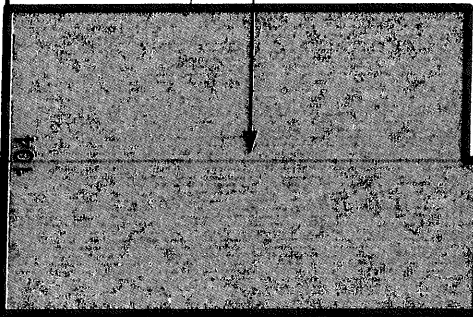
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

MAGNOLIA BLVD

(T)(Q)RAS3-1VL

ALLEY

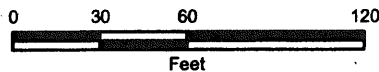


COLFAX AVE

HARTSOOK ST

52

60

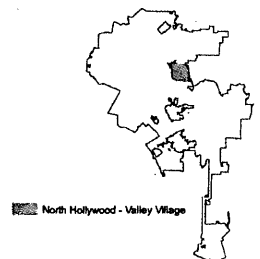


APCSV-2016-0120-ZC-SPPA-SPP

AAV/af

121416

City of Los Angeles



QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Los Angeles Municipal Code (LAMC), the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Development Conditions:

1. **Use.** The property shall comply with the use, restrictions/limitations, and area provisions of the RAS3 Zone, pursuant to LAMC Section 12.10.5, unless modified by herein conditions or subsequent action.
2. **Density.** A maximum of twelve (12) Small Lot homes.
3. **Height.** No building or structure shall exceed 32 feet, 9 3/8 inches in height, as defined by Section 12.21.1 of the LAMC, and as shown on the project plans dated August 18, 2017, and labeled "**Exhibit A**", attached to the subject case file.
4. **Site Development. Plot/Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development plans, including site and elevation plans, and including complete landscape and irrigation plans prepared by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans submitted to the Department of Building and Safety shall be revised in conformance with this approval, and shall be in substantial conformance with the plans dated August 18, 2017, and labeled "**Exhibit A**", attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
5. **Off-street Parking.** Automobile and bicycle parking shall be provided on-site as required by L.A.M.C. Sections 12.21 A.4 and 12.21 A.16, respectively. Four (4) guest automobile parking spaces shall be provided, in accordance with the requirement imposed by Vesting Tentative Tract No. VTT-74024-SL.
6. **Landscaping (Open Areas).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The front, side, and rear yard landscaping shall be provided as identified on Sheet L1 of the Plan set labeled Exhibit A and dated August 18, 2017.
7. **Living Roof.** A landscaped living roof shall be provided on the roof deck of each Small Lot home, as identified on Sheet L2 of the Plan set labeled Exhibit A and dated August 18, 2017.

8. **Entrances.** Locate the primary entrance of the Small Lot homes located on lots 6 and 12 facing the street (Colfax Avenue), and provide a pedestrian access gate and walkway leading from the public right-of-way along Colfax Avenue to each home fronting along Colfax Avenue. Place entrances for all Small Lot homes at grade level, or slightly above, and provide a porch for each entrance.
9. **Access.** Resident and guest vehicular access (i.e., automobile) shall be prohibited from Colfax Avenue, and shall be provided only off the alley at the rear (west side) of the subject property. Vehicular access (i.e., automobile) off of Colfax Avenue shall be limited to Fire Department emergency vehicles only, via a crash gate equipped with a knock box, and shall be provided to the satisfaction of the Fire Department. In the event the Fire Department does not require a curb cut along Colfax Avenue, none shall be provided.
10. **Architectural Treatments.** Architectural treatments shall include the use of smooth, hardi-panel siding with reveals, horizontal wood railing, anodized bronze aluminum window moldings, stained wood lap siding, wood garage doors, standing seam metal roof, wood entry doors with steel pulls, overhangs with metal fascia and tongue-and-groove wood, as shown on Sheet A0.3 of the Plan set dated August 18, 2017.
11. **Guest Parking.** Locate guest parking toward the rear of the site, adjacent to the alley.
12. **Pedestrian Paths.** Provide distinguishable pedestrian paths having a minimum width of 2 feet 6 inches and delineated by contrasting paving materials to connect the guest parking area adjacent to the alley, and the sidewalk along Colfax Avenue, to each individual home. The pedestrian walkways may be located within the 20-foot wide common access driveway.
13. **Permeable Pavers.** Permeable pavers shall be used for all pedestrian pathways and driveways, in lieu of concrete or asphalt.
14. **Front Yard Fence Height.** The height of the front yard fence along Colfax Avenue shall not exceed 3.5 feet.
15. **Guard Railing Setback.** The guard railing located on the rooftop decks of the Small Lot homes closest to the alley (lots 1 and 7) shall be located at least 25 feet 2 5/8 inches from the westerly property lines. The guard railing located on the rooftop decks of the Small Lot homes on lots 1-6 shall be located a minimum of eight (8) feet 6 inches from the northerly property lines. The guard railing located on the rooftop decks of the Small Lot homes on lots 7-12 shall be located a minimum of eight (8) feet 6 inches from the southerly property lines.

16. **Prior to submitting final plans to Building and Safety**, revised plans shall be submitted to the Planning Department for approval demonstrating compliance with the following:

- a. **Lighting.** All guest parking areas and pedestrian walkways shall be illuminated with ornamental low-level lighting.
- b. **Lighting Fixtures.** Lighting fixtures shall be installed to accent and complement the Small Lot homes' architectural details at night, utilizing uniform, and glare-free lighting, such as dark-sky compliant fixtures, to avoid uneven light distribution, harsh shadows, and light spillage.
- c. **Walls.** Vines shall be planted to screen walls along the northerly and southerly property lines. Walls shall be decorative and include a change in color, material and texture.
- d. **Pedestrian Access.** In addition to the front yard access gates provided for the Small Lot homes located on lots 6 and 12, provide a separate pedestrian access gate (adjacent to the Fire Department crash gate) for pedestrians accessing the development from Colfax Avenue.
- e. **Decorative Gates.** Establish a continuous visual presence at the street level by providing decorative gates for side yard and pedestrian access along the Colfax Avenue frontage.
- f. **Utility Location.** Utilities such as gas, electric, and water meters shall be placed in side yard setbacks or in landscaped areas and out of the line-of-sight from or sidewalks. Utilities such as power lines and transformers shall be placed underground, or on rooftops appropriately screened by a parapet.
- g. **Mechanical/Electrical Equipment.** Mechanical or electrical equipment not located within a building shall be buffered by planting materials.
- h. **Rooftop Equipment.** Rooftop equipment such as air conditioning units, antennas and communication equipment, mechanical equipment, and vents shall be screened from the public right-of-way.
- i. **Trash Enclosures.** Trash enclosures shall be screened using vine pockets planted along walls facing guest parking spaces, designed to be consistent with the architectural character of the Small Lot homes, and located adjacent to the alley so that they are out of the line-of-sight from sidewalks.
- j. **Windows.** Windows shall either project, or be inset from the exterior building walls.

B. Environmental Conditions (ENV-2016-121-MND):

17. Aesthetic (Light)

Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

18. Tree Removal (Non-Protected Trees)

Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

-Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

19. Green House Gas Emissions

Low and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.

20. Increased Noise Levels (Demolition, Grading and Construction Activities)

Construction and demolition shall be restricted to the hours of 7:00 am and 6:00 pm, Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

21. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway)

All exterior windows having a line of sight of a Major Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

The applicant, as an alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

22. Public Services (Fire)

The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

23. Public Service (Police – Demolition / Construction Sites)

Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

24. Public Services (Police)

The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department, Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

25. Public Services (Construction Activity Near School)

The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.

Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets adjacent to the school hours.

The developer and contractors shall maintain ongoing contact with the administrator of North Hollywood High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project

site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

26. **Safety Hazards**

The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.

The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

27. **Transportation/Traffic**

Applicant shall plan construction and construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.

Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.

Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

28. **Tribal Cultural Resources**

Impacts to cultural resources from the proposed project shall be mitigated through the salvage and disposition of tribal resources that result from all ground-disturbing activities. Ground-disturbing activities include, but are not limited to, drilling, excavation, and trenching. The applicant shall retain one Native American Monitor who shall be present during all ground-disturbing activities. Should a tribal cultural resource be encountered, a qualified archeologist shall be contacted to assess the find.

C. Administrative Conditions:

29. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
30. **Code Compliance.** The area, height and use regulations of the (T)(Q)RAS3-1VL zone classification of the subject property shall be complied with, except where conditions herein are more restrictive.
31. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
32. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
33. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
34. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

35. **Indemnification.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and

attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

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

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

36. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.

Sec. XX. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 558 of the City Charter, the South Valley Area Planning Commission on 10-26-2017 recommends this ordinance **BE ADOPTED** by the City Council.

By 
Renee Glasco
Commission Executive Assistant I

File No. _____

I hereby certify that the foregoing ordinance was passed by a **vote of not less than two-thirds of all its members** by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____