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## JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2017-1617-CE

On October 10<sup>th</sup>, 2017, the Department of City Planning determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article III, Section 1 and Class 32, Case No. ENV-2017-1617-CE.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The project is for the City-initiated ordinance to correct the zoning of private properties located at 4500 N Woodman Avenue and 4464, 4465, 4469, 4470, and 4471 N Ventura Canyon Avenue that were omitted from zone changes in 1989 to implement AB 283. At the time the zoning for these parcels was R1-1, though the land use designation was and remains Medium Residential, for which the corresponding zone would be R3. Later, in 2014, the River Improvement Overlay District was applied to the subject properties, changing the zone to R1-1-RIO. The proposed lots and neighboring lots are all part of an existing unified multi-family apartment complex, which was built in 1969. The complex covers several parcels, some of which are zoned R1-1-RIO and some of which are zoned R3-1-RIO. The use of the lots and parts of the structure are legally non-conforming under the current zoning.

The existing apartment complex was approved in 1968 through a variance, ZA-19347, which stated that a zone change for these lots from R1 to R3 would be appropriate to bring them into line both with the Land Use designation and the existing and surrounding development. At the time, the portions of the complex that are today zoned R3-1-RIO and front on Woodman Avenue were zoned R4-1. The portions that are today zoned R1-1-RIO were at the time zoned R1-1. The one lot in the east-central portion of the complex that is today zoned R3-1-RIO and did not border on Woodman Avenue was zoned R3-1. The decision letter for ZA-19347 indicates that the expectation was that the R1-1 portions of the site would later be changed to R3-1. Nevertheless, no zone change for the apartment complex was initiated until 1985, when case CPC-1985-657-

GPC was initiated to bring zoning across the community plan into consistency with the General Plan, to implement AB-283. Preliminary maps for the case, as approved by the City Planning Commission, included the entire apartment complex within the boundaries of Subarea 112 of the consistency case, changing areas zoned R1-1 and R4-1 to R3-1. The map and text approved by the City Council, however, as Ordinance 164,341 and effective February 28, 1989, reduced the boundaries of Subarea 112 to specifically exclude the portions of the apartment complex zoned R1-1, and only change the portions zoned R4-1 along Woodman Avenue to R3-1. The reasons for exclusion of the R1-1 area from the AB-283 are not known, and research into the case files and history of the site did not provide any particular insight into why the boundaries of Subarea 112 were changed.

The proposed action includes changing the zone from R1-1-RIO to R3-1-RIO, consistent with the current use of the subject area and surrounding development and will make the structure conforming to the zoning. The proposed zone change does not include the demolition, remodel, construction, or alteration of existing structures. As the project is viewed as a correction by the City that will make the zoning consistent with the land use designation and current residential use of the subject area, and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The site is zoned R1-1-RIO and has a General Plan Land Use Designation of Medium Residential. As shown in the case file, the project is consistent with the applicable Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 2.59 acres. Lots adjacent to the subject site are developed with the following urban uses: multi-family residential and concrete-lined flood control channel. The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. The project site has been already landscaped, and no tree removal is proposed. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds as no construction is proposed. The project site is adequately served by all public utilities and services given that the correction by the City that will make the zoning consistent with the land use designation will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32 Categorical Exemption.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes a correction initiated by the City that will make the zoning consistent with the land use designation and current residential use of the subject area in an area zoned and designated for such development. All adjacent lots are developed with multi-family residential and concrete-lined flood control channel, and the subject site is of a similar size and slope to nearby properties. The project proposes no change to the 3:1 Floor Area Ratio (FAR). It is not unusual for the vicinity of the subject site, and is similar in scope to other existing Medium Residential in the area. Thus, there are no unusual circumstances which may lead to a significant

effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. Subject site is located about 10 miles east of the Topanga Canyon State Scenic Highway, State Route 27. Therefore the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.