

FINDINGS

The subject property is located within the Hollywoodland Specific Plan. The property is an irregular shaped, 6,832-square-foot upsloping lot on the east side of Lugano Place, a Substandard Hillside Street, towards the end of the cul-de-sac. The project proposes the construction, use, and maintenance of a new 36-foot tall, single-family residence containing 2,710 square feet of residential floor area with a 465-square-foot attached two-car garage and three (3) uncovered parking spaces.

1. **A recommendation was made by the Hollywoodland Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:**

The project complies with LAMC Section 16.50 E.1 in that the applicant submitted the applicable site and floor plans, elevations, photographs, etc., to schedule a review by the Hollywoodland Design Review Board and the Director of Planning.

Pursuant to LAMC Section 16.50 E.3(b)(2), the Hollywoodland Design Review Board held a public hearing for the proposed project on October 5, 2017. The applicant presented the project before the Board, and time was allotted for public comment during which three members of the public provided following comments:

- Will the retaining wall be visible from neighboring properties?
- It is a modern house that is not consistent with the Specific Plan.
- The design needs to keep with the European Village style.
- The house does not fit and is out of character within the neighborhood.

The Board provided the following comments:

- The project is not consistent with the purpose of the Specific Plan.
- It needs a design that represents the European Village style.
- This design could be located anywhere outside of Hollywoodland.
- The design at the rear of the house could be improved.
- The design has made some progress since the preliminary design review meetings.
- Hollywoodland elements should be incorporated into the design.

After review and discussion, the Board voted 5-1 to recommend disapproval of the project.

2. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**

Pursuant to LAMC Section 11.5.7 C.2.(a), the project complies with the applicable regulations, standards and provisions of the Hollywoodland Specific Plan:

7.A. Structural Elements and Appurtenances: *No heating, ventilation or air conditioning equipment installed in a new building or added to an existing building shall be located on the roof of a house or garage, except solar heating panels, receiving antennas and exhaust vents. Any other appurtenances installed on a new building or added to an existing building, except for solar heating panels, receiving antennas and exhaust vents shall be screened from view from any public right-of-way in Hollywoodland.*

Per Exhibit "A" and Condition of Approval, no heating, ventilation or air conditioning equipment will be installed on the roof of the proposed building. No other appurtenances,

except for solar panels, are proposed at this time. Therefore, as proposed and conditioned, the project complies with Section 7.A of the Specific Plan.

7.B. Fences and Walls: *Except for Granite Walls and Granite Stairways, no way fence or new wall or addition to an existing fence or wall shall be permitted closer than three feet from the front lot line. No new fence or new wall or addition to an existing fence or wall shall exceed six feet in height, except as may be required by the Department of Building and Safety.*

As shown in Exhibit "A," the Applicant does not propose any walls or fences within three (3) feet of the front lot line. Therefore, the project complies with Section 7.B of the Specific Plan.

7.C. Parking: *A Project on a street that has a paved roadway width of less than 28 feet shall have two off-street parking spaces, in addition to the requirements in Los Angeles Municipal Code (LAMC) Section 12.21. These additional parking spaces may be uncovered.*

The project site has a paved roadway width of 20 feet according to the Bureau of Engineering Hillside Referral Form, thereby requiring two (2) off-street parking spaces in addition to the number of parking spaces required by the Baseline Hillside Ordinance (BHO) codified in LAMC Section 12.21. The BHO requires two (2) on-site parking spaces for 2,400 square feet of floor area, which must be provided within a private garage, and an additional space for every increment of 1,000 square feet or fraction thereof of floor area, which may be uncovered. The applicant proposes a total residential floor area of 2,775 square feet, including the 2,710-square-foot dwelling and 65 square feet of the 465-square-foot attached garage (of which 400 square feet is exempted per BHO), requiring three (3) spaces per BHO. The applicant proposes two (2) parking spaces within the attached garage and three (3) uncovered parking spaces on the driveway. Therefore, the project complies with Section 7.C of the Specific Plan.

7.D. Landscaping: *Except for area used for required parking pursuant to Subsection C above and LAMC. Section 12.21, at least 50 percent of the required front and side yards of the lot on which a Project is located shall be landscaped.*

As shown in Exhibit "A," more than 50% of the required front and side yards (not including areas used for required parking) will be landscaped with trees, shrubs and groundcover. Therefore, the project complies with Section 7.D of the Specific Plan.

7.E. Street Improvements: *Every Project application shall agree to complete all required street improvements. In order to assure such compliance, the applicant shall provide a bond or other assurance to the satisfaction of the Bureau of Engineering, prior to the issuance of a building permit. If a Project has frontage on an unimproved public street or involves reopening of a street which has been withdrawn from public use, or if a new Project takes access from a driveway or private street from which four or more dwelling units already take access, then improvements along the entire lot frontage of the Project shall be required. These improvements shall be consistent with those of adjacent improved public street, but shall, in all cases, have a roadway width of at least 28 feet and curbs on both sides. No sidewalk shall be required. These street improvements shall be constructed or guaranteed to the satisfaction of the City Engineer.*

The subject property fronts on Lugano Place, a Substandard Hillside Limited Street. According to the Bureau of Engineering (BOE) Hillside Referral Form, the project satisfies

the minimum width requirement of 20 feet for both continuous paved roadway and the street adjacent to the subject lot. The Referral Form also indicates that a five-foot dedication is required; however, BOE issued a Determination of Dedication Requirements Letter confirming that the five-foot dedication is not required for approval of the building permit at this time due to existing site conditions. Per the Condition of Approval, the applicant is advised that additional dedications and/or improvements may be required to the satisfaction of the City Engineer. Therefore, as conditioned, the project complies with Section 7.E of the Specific Plan.

7.F.1 Front Yards:

a. For any Project on a lot which fronts on a substandard hillside limited street, there shall be a front yard of at least ten feet.

b. Notwithstanding a. above, there shall be a minimum three foot front yard for any detached accessory one-story garage or for that portion of any building which is an attached accessory one-story garage.

Section 3.B of the Hollywoodland Specific Plan states that wherever the Specific Plan contains provisions requiring greater setback regulations as compared with provisions contained in the LAMC Chapter 1, the Specific Plan shall prevail and supersede the other applicable provisions. The Baseline Hillside Ordinance requires a five-foot front yard setback for lots fronting on a Substandard Hillside Street, which is less than the 10-foot front yard setback requirement per the Specific Plan of 10 feet. The new single-family house will be set back 20 feet and the proposed attached garage will be set back more than 20 feet from the front property line. Therefore, as proposed, the project complies with Section 7.F.1 of the Specific Plan.

7.F.2 Side Yards:

a. For any main building, each side yard shall not be less than five feet.

b. For any main building on a lot in RA, RE, RS, R1 and RD Zones, one foot shall be added to the above required five foot width of each side yard for each increment of ten feet or fraction thereof above the first 18 feet of height of the main building.

Section 3.B of the Hollywoodland Specific Plan states that wherever the Specific Plan contains provisions requiring greater setback regulations as compared with provisions contained in the LAMC Chapter 1, the Specific Plan shall prevail and supersede the other applicable provisions. Both of the Baseline Hillside Ordinance (BHO) and the Specific Plan require a minimum five-foot side yard setback in the R1 Zone and one (1) additional foot for each increment of 10 feet or fraction thereof above the first 18 feet of building height. The project is required to provide a minimum seven-foot side yard setback based on the 36-foot building height proposed. The main residence will be set back seven (7) feet from the southerly property line and approximately 21 feet from the northerly property line. Therefore, as proposed, the project complies with Section 7.F.2 of the Specific Plan.

7.G. Height: *No building or structure shall exceed 36 feet in height as measured from the lowest grade adjacent to the exterior wall of the building or structure to the highest point of the roof structure or parapet exterior wall, except that:*

1. When the elevation of the highest adjoining sidewalk or ground surface within a five foot horizontal distance from the exterior wall of the building exceeds the lowest grade adjacent

to the exterior wall of a building by more than 20 feet, then no building or structure shall exceed 45 feet in height.

2. Notwithstanding Paragraph 1 above, within 20 feet in depth from the front lot line of a lot, no Project shall exceed 24 feet in height measured from the highest point of the roof structure or parapet exterior wall to the top of the street curb elevation at the centerline of the front lot line or the street elevation if there is no curb.

The proposed building will have a maximum overall building height of 36 feet, which complies with the height limit set forth in the Specific Plan. In addition, the Project does not propose any structures within 20 feet of the front lot line, as the main residence with an attached garage is set back 20 feet from the front lot line. Therefore, the project complies with Section 7.G of the Specific Plan.

7.H. Lot Coverage:

1. No Project, including main and accessory buildings, shall cover more than 30 percent of the area of a lot.

3. Except for required parking, pursuant to Subsection C above and LAMC Section 12.21, no more than 50 percent of the area of a lot shall be covered by the combination of all buildings and paved surfaces.

The footprint of the main residence and attached garage is 1,455.83 square feet, which covers approximately 22 percent of the 6,832-square-foot lot. The proposed buildings and paved surfaces will have an area of 2,917.12 square feet, which covers approximately 43 percent of the lot. Therefore, as proposed, the project complies with Section 7.H of the Specific Plan.

8.A. Fire Protection: *Notwithstanding any other provisions of this Code to the contrary, any new construction of a one-family dwelling or detached accessory building shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code. This provision shall not apply to accessory structures such as gazebos, pergolas, or storage sheds provided these structures are not supported by or attached to any portion of a dwelling or accessory building and do not exceed 200 square feet in floor area.*

Exhibit "A" does not indicate the proposal of an automatic fire sprinkler system. However, the project is conditioned to install an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code. Therefore, as conditioned, the project complies with Section 8.A of the Specific Plan.

8.B. Sewer Connection: *A sewer connection shall be provided for any new dwelling unit on a lot located 200 or fewer feet from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer.*

As conditioned, the project will be required to provide a sewer connection to the satisfaction of the City Engineer, thereby fulfilling this requirement.

8.C. Grading: *The Natural Elevation of a Ridgeline shall not be altered by more than 5 feet and shall be retained in its natural state to the greatest extent possible. Of altered or graded, the principal ridges shall be relandscaped utilizing landform planting techniques, as*

described in the Los Angeles City Planning Department's Landform Grading Manual (located in City Council File No. 82-0557), in order to create the appearance of ridgeline and shelf configurations, to the satisfaction of the Department of Building and Safety and the City Planning Department.

The proposed project is not located on a ridgeline. Therefore, Section 8.C of the Specific Plan does not apply.

9.A. Requirement: *No building permit shall be issued for a Project unless a Project Design Approval has been issued in accordance with this Section. A Project Design Approval shall only be issued for a Project which is consistent with the character of Hollywoodland. The Director, and the City Planning Commission and City Council on appeal, shall make that determination based on the design criteria and point system established in the Hollywoodland Design Guidelines approved by the City Planning Commission.*

The Hollywoodland Design Guidelines require a minimum of 35 points for projects located on an upsloping lot. As per Exhibit "A," the project has received a total of 54 points, which exceeds the threshold established in the Hollywoodland Design Guidelines. The Director has determined that the proposed single-family dwelling meets the design criteria and point system established in the Hollywoodland Design Guideline. Therefore, the project complies with Section 9.A of the Specific Plan.

9.B.2. Procedure and Authority of the Director of Planning: *In making the initial determination on a Project Design Approval, the Director shall utilize the point system contained in the Hollywoodland Design Guidelines approved by the City Planning Commission which establishes a threshold number of points that must be attained in order to receive a Project Design Approval. If the Director receives a recommendation by the Design Review Advisory Board as described below in C 1, the Director may make a further determination regarding the Project Design Approval application, granting it, denying it, or granting it with modifications.*

The project went through two (2) preliminary design review sessions under Case No. DIR-2017-1001-DRB-SPP-P and a public hearing under Case No. DIR-2017-1001-DRB-SPP. The applicant made revisions to incorporate comments received from the Design Review Board during the preliminary design review sessions. The Board voted 5-1 to recommend disapproval of the project stating that the proposed design is inconsistent with the character of Hollywoodland and the purpose of the Specific Plan.

As discussed above, the project was evaluated per Section 9.A of the Hollywoodland Specific Plan. The project complies with all applicable provisions of the Specific Plan. Additionally, the project has received a total of 54 points which exceeds the threshold of 35 points for upsloping lots established in the Hollywoodland Design Guidelines. Therefore, the project complies with the Specific Plan and meets the point system contained in the Hollywoodland Design Guidelines approved by the City Planning Commission which establishes a threshold number of points that must be attained in order to receive a Project Design Approval.

- 3. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Mitigation measures are not necessary as there are no potentially significant negative environmental effects associated with the Project. The Director of Planning has determined that the Project is Categorically Exempt from the environmental review pursuant to City of Los Angeles CEQA Guidelines, Section 3, Article II, Class 3, Category 1 for the construction of a single-family residence not in conjunction with the building of two or more units and State CEQA Statutes and Guidelines, Article 19, Section 15332, Class 32 for an in-fill development, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

There are six (6) Exceptions which the City is required to consider before finding a project exempt under Class 15303 and 15332: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

While the subject site is located within the Hollywood Fault Zone, Very High Fire Hazard Severity Zone, and Bureau of Engineering (BOE) Special Grading Area, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include compliance with the California Building Code seismic standards, Landform Grading Manual guidelines, and conditions of approval in the Los Angeles Department of Building and Safety's (LADBS) Geology and Soils Report Approval Letter Log #97079, dated March 21, 2017 and subsequent amendments thereof. These RCMs have been historically proven to work to the satisfaction of LADBS and BOE to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location.

There are two (2) new single-family residences proposed within 500 feet of the subject property: (1) a 2,399-square-foot residence located at 3225 N. Ledgewood Dr. and (2) a 3,082-square-foot residence located at 3217 N. Ledgewood Dr. While there is a succession of three (3) known projects of the same type and in the same place, the proposed construction of a new single-family residence is not expected to have a significant cumulative impact, as they do not exceed the threshold for a traffic impact study, established by the Los Angeles Department of Transportation's (LADOT), and all projects will provide the required number of parking spaces per the Baseline Hillside Ordinance (BHO) and Hollywoodland Specific Plan. In addition, the project requires an export of less than 1,000 cubic yards of soil, which does not trigger a haul route approval by the Board of Building and Safety Commissioners. As previously mentioned, the project is subject to the conditions listed in the LADBS Geology and Soils Report Approval Letter Log #97079 and subsequent amendments thereof. Furthermore, the subject property is zoned R1-1 and designated for Low II Residential. The project proposes the construction of a single-family residence in an area zoned and designated for such development. All neighboring lots are either developed with single-family residences or vacant, and the subject site is of a similar size and slope to nearby properties. The proposed development is not unusual for the vicinity of the subject site, and similar in scope to other existing single-family homes in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

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. The subject property is located approximately 25 miles east of State Route 27 and therefore would not have any potential impact on the State Scenic Highway.

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 is currently vacant and 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.

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 site is zoned R1-1 and has a General Plan Land Use Designation of Low II Residential. The project is for the construction of a new 2,710-square-foot single-family residence with a 465-square-foot attached two-car garage on a 6,832-square-foot (or 0.16 acres) lot, which is consistent with the Hollywood Community Plan.

The project is consistent with the objectives of the Hollywood Community Plan to encourage the preservation and enhancement of the varied and distinctive residential character of the Community and retain the natural terrain by minimizing grading. The project is also consistent with the zoning regulations and the Hollywoodland Specific Plan provisions. The site is currently vacant and has not been developed. However, the subject property is not located in a significant ecological area. Furthermore, a majority of the surrounding properties are developed with single-family residences. The project site therefore is not, and has no value as, a habitat for endangered, rare or threatened species. According to a Tree Inventory/Identification Letter dated May 4, 2017 and prepared by a registered consulting arborist, no protected tree species were observed on the subject property, and two (2) significant trees were identified. The avocado tree is dead, and the Acacia tree is to be preserved in place.

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. The project site will be adequately served by all public utilities and services. Therefore, the project meets all of the Criteria for the Class 32 CE.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at www.planning.lacity.org.

Planning Department public offices are located at:

Downtown Office
Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Valley Office
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
Development Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center through the Department of City Planning website at <http://planning.lacity.org> either by calling (213) 482-7077, (818) 374-5050, or (310) 231-2901. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:



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