

**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE  
*SUPPLEMENTAL*  
*CF 18-1156 and CF 18-1156-S1***

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
ZA-2015-1569-ZV-ZAD-2A ZA-2015-1567-ZAD-ZAA-1A	ENV-2015-1568-CE	4
<b>PROJECT ADDRESS:</b>		
3627 West Landa Street 1888 North Lucile Avenue		
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Jack Chiang	(213) 978-0195	<a href="mailto:Jack.Chiang@lacity.org">Jack.Chiang@lacity.org</a>

<b>NOTES / INSTRUCTION(S):</b>	
<p>CF 18-1156 relates to the appeal of a variance entitlement of Case No. ZA-2015-1569-ZV-ZAD-2A, 3637 West Landa Street only.</p> <p>The attached is Planning Department's response (including two attachments) on Council File No. CF 18-1156-S1, which relates to the appeal of Mitigated Negative Declaration and associated California Environmental Quality Act findings for both Case Nos. ZA-2015-1569-ZV-ZAD-2A and ZA-2015-1567-ZAD-ZAA-1A, 3627 West Landa Street and 1888 North Lucile Avenue.</p>	
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Irene Gonzalez, Commission Office Manager for Jack Chiang, Associate Zoning Administrator	June 19, 2018

**ESTINEH MAILIAN**  
INTERIM CHIEF ZONING ADMINISTRATOR

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June 19, 2019

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: Planning and Land Use Management (PLUM) Committee

Dear Honorable Members:

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) APPEAL / 3627 Landa Street and 1888 Lucile Avenue; CF 18-1156-S1; ENV-2015-1568-CE**

Enclosed herein for your consideration in the above CEQA appeal to City Council is a Notice of Exemption (CEQA Guidelines Section 15062), in support of a finding that the proposed project is categorically exempt pursuant to CEQA Guidelines Section 15303, Class 3.

**Project Description**

The proposed project includes the construction, use and maintenance of two single family dwellings with four parking spaces, observing 2,471 square-feet and 1,931 square-feet respectively, located on two adjacent hillside lots at 3267 W. Landa Street and 1888 N. Lucile Avenue. The related entitlements are:

- For the property at 1888 North Lucile Avenue (ZA-2015-1567-ZAD-ZAA), the Project applicant requests a Zoning Administrator's Determination (ZAD) under Los Angeles Municipal Code (LAMC) Section 12.24.X.28 to allow: (1) two off-street parking spaces designated for the property in lieu of the three required parking spaces for the construction of any main building and accessory use exceeding 2,400 square feet in size; (2) three retaining walls in lieu of the maximum permitted two retaining walls. The Project also requires a Zoning Administrator's Adjustment (ZAA) under LAMC 12.28 to allow for an 8-foot- wide passageway from the street to the proposed dwelling in lieu of the 10- foot- wide passageway.

- For the property at 3627 West Landa Street (ZA-2015-1569-ZV-ZAD), the Project applicant requests a ZAD under LAMC Section 12.24.X.28 to allow: (1) the construction of a single-family residence fronting on two Substandard Hillside Limited Streets improved to less than 20 feet wide; and (2) vehicular access by way of the street that is not continuously improved to a minimum 20 feet wide from the driveway apron to the next non-hillside boundary. The Project also requires a Zone Variance (ZV) under LAMC 12.27 to allow off-site parking in a two-car private garage on an adjacent lot at 1888 North Lucile Avenue.

### **Background**

A Mitigated Negative Declaration (MND), as circulated on February 10, 2016, along with mitigation measures and a Mitigation Monitoring Program (ENV-2015-1568-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). This analysis found that the proposed project would result in potentially significant impacts on **Aesthetics** (Hillside Design, Light and Glare), **Air Quality** (Objectionable Odors - Commercial Trash Receptacles), **Geology and Soils** (Erosion/Grading/Short-Term Construction Impacts), **Hazards and Hazardous Materials** (Emergency Evacuation Plan), **Noise** (Increased Noise Levels - Demolition, Grading and Construction Activities), **Public Services** (Fire), **Transportation** (Safety Hazards, Inadequate Emergency Access - Hillside Streets – Construction Activities), which impacts required mitigation measures to reduce them to less than significant.

However, upon further review City staff has determined that the proposed mitigation measures are actually addressed by existing Regulatory Compliance Measures (RCMs) universally applied to all projects within the City. Compliance with the RCMs will reduce any previously identified potentially significant impact to a less than significant level. Therefore, no mitigation measures are required. (Please see attached Dudek memo dated June 18, 2019 – Attachment No. 1).

### **Revised Staff Recommendation:**

- 1. Take no action on the MND.**
- 2. Recommended Environmental Action Item:**

*Determine, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15303 (Class 3), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.*

(Please see attached Justification for Project Exemption – Attachment No. 2.)

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

  
JACK CHIANG  
Associate Zoning Administrator

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PLUM Committee  
CF 18-1156-S1  
PAGE 3

Attachments: 1. Dudek Memo dated June 18, 2019  
2. Justification for Project Exemption



## MEMORANDUM

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**To:** Jack Chiang, City of Los Angeles  
**From:** Collin Ramsey, Dudek  
**Subject:** 3627 West Landa Street and 1888 North Lucile Avenue Residential Project  
**Date:** June 18, 2019  
**cc:** Diana Kitching, City of Los Angeles; Tony Russo, Crest Real Estate

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The City of Los Angeles (City) adopted a Mitigated Negative Declaration (MND) in February 2016 for a proposed two-dwelling, single-family residential project (Project) located at 3627 West Landa Street and 1888 North Lucile Avenue (ENV-2015-1569-MND; ZA-2015-1567-ZAD-ZAA; ZA-2015-1569-ZV-ZAD). An Initial Study (IS) based on the City's approved Environmental Checklist was prepared and included with the MND to support the City's adoption of the document. This IS identified mitigation measures that were required in an effort to minimize environmental impacts resulting from implementation of the Project. In all, compliance with mitigation measures was required to reduce impacts related to aesthetics, air quality, geology/soils, hazards/hazardous materials, noise, public services, and transportation/traffic.

A mitigation measure is required when (a) adherence to local, state and federal regulatory/statutory requirements, (b) compliance with a standard condition of approval applied by a lead agency to all projects within its jurisdiction, and/or (c) incorporation of a project design features proposed by the project proponent and shown on approved project plans cannot adequately reduce environmental impacts to less-than-significant levels. In other words, the requirements set forth by a mitigation measure should be above and beyond those impact-reducing abilities already experienced through adhering to existing regulatory/statutory requirements; complying with standard condition of approvals; and/or implementing project design features. Conversely, if an impact can be adequately minimized with adherence to any or all of the above, then incorporation of further mitigation measures should not be warranted.

Based on a thorough review of the adopted MND and the accompanying IS, it is our opinion that all environmental impacts will be reduced to a significance level of less than significant through a combination of the following:

- Complying with existing local, state, or federal regulatory/statutory requirements;
- Adhering to standard condition of approvals; and/or
- Incorporating project design features.

## Aesthetics

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### I-30. Aesthetics (Hillside Site Design, Undeveloped Site)

- Environmental impacts, such as alteration of existing or natural terrain may result from project implementation. However, these impacts will be mitigated to a less than significant level by the following measures:
- Grading shall be kept to a minimum.
- Natural features, such as prominent knolls or ridge lines, shall be preserved.

### 1-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- 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.

### 1-130. Aesthetics (Glare)

- Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted-glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Existing regulatory/statutory requirement.** The Project's grading quantities are regulated by the Los Angeles Municipal Code (LAMC) and the Baseline Hillside Ordinance (Ord 181,624), which states the cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for any one property shall be limited to a base maximum of 1,000 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards.
- **Existing regulatory/statutory requirement.** The Project's use of lighting is regulated by LAMC Chapter 9, Article 3, Section 93.0017, which states "no exterior light source may cause more than two foot-candles of lighting intensity or receive direct glare from the light course." As such, all new exterior lighting is required

to be designed and installed with shielding such that the light source cannot be seen from adjacent residential properties, from the public right-of-way, or from above.

- **Project design feature (location).** Because of the intervening natural topography, mature trees, and manmade structures between any significant natural features of substantial scenic value (such as rugged or prominent terrain, rock outcroppings, knolls, ridgelines, natural bodies of water, and public parks) and the Project site, the Project would not be located within the viewshed of these scenic resources. Further, these same intervening features also block direct views of any scenic resources in the broader Project area, including the surrounding developed foothills areas.
- **Project design feature.** Daytime glare is already reduced based on the fact that the exterior of the proposed single-family residences will be comprised of materials such as non-reflective tinted glass and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

## Air Quality

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### 111-60. Objectionable Odors (Commercial Trash Receptacles)

- Environmental impacts may result from project implementation due to the location of trash receptacles near adjacent residences. However, these impacts will be mitigated to a less than significant level by the following measure:
- Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use.
- Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Project design feature.** Residential trash receptacles used by the future residents would be typical of all other receptacles used in the surrounding area, which are closed receptacles with lids that help to minimize odor impacts.

## Geology/Soils

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### VI-20. Erosion/Grading/Short-Term Construction Impacts

- Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:
- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Existing regulatory/statutory requirement.** The Project would comply with the applicable requirements of the California Building Code, Los Angeles Uniform Building Code (UBC), and Los Angeles Regional Water Quality Control Board during Project construction and operation. The Project would be required to implement a stormwater pollution prevention plan, which requires adoption of an erosion control plan to reduce the potential for erosion and sedimentation to occur during Project construction.
- **Existing regulatory/statutory requirement.** Ordinance 172.673 of the City's UBC requires that best management practices (BMPs) be incorporated into plan documents to control stormwater pollution from sediments, erosion, and construction materials leaving the construction site.
- **Standard conditional of approval.** Similar to many other development projects proposed throughout the City, the Project will be conditioned to provide signage at the Project site containing contact information for the Street Senior Use Inspector (Department of Public Works), the Senior Grading Inspector, and the hauling or general contractor, so that if evidence of erosion is apparent, the public could contact the appropriate individuals who can address the issue.

## Hazards/Hazardous Materials

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### VIII-70. Emergency Evacuation Plan

- Environmental impacts may result from project implementation due to possible interference with an emergency response plan. However, these potential impacts will be mitigated to a less than significant level by the following measure:



- Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Existing regulatory/statutory requirement.** Prior to obtaining a building or construction permit, the Los Angeles Fire Department (LAFD) Development Services Unit conducts Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing the applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and National codes concerning new construction and remodeling.<sup>1</sup> Additionally, the Development Review Division of the City's Department of Transportation is responsible for reviewing and approving site plans, and roadway and traffic signal plans.<sup>2</sup>
- **Standard conditional of approval.** The City Department of Transportation and LAFD would be responsible for ensuring that future development does not impair or physically interfere with an adopted emergency response or evacuation plan. As part of standard development procedures, Project plans would be submitted to the City Department of Transportation and LAFD for review and approval to ensure that all new development has adequate emergency access and escape routes in compliance with City regulations. Specifically, LAFD would review the site plans and Project ingress/egress, and, if any concerns are raised, LAFD may require that the Project applicant develop an emergency response plan or similar document that identifies mapping of emergency exits, evacuation routes, and the location of nearest hospitals and fire stations.

## Noise

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### XII-20 Increased Noise Levels (Demolition, Grading, and Construction Activities)

- Construction and demolition shall be restricted to the hours of 7:00 am to 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.

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<sup>1</sup> Los Angeles Fire Department. 2019. "Fire Development Services." Accessed May 29, 2019. <https://www.lafd.org/fire-prevention/fire-development-services>.

<sup>2</sup> Los Angeles Department of Transportation, 2019. "Development Review." Accessed May 29, 2019. <https://ladot.lacity.org/what-we-do/planning-development-review/development-review>.



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

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Existing regulatory/statutory requirement.** LAMC Sections 111.0 through 116.01 (City's Noise Ordinance) mandates that construction noise greater than 75 dB(A) at 50 feet is prohibited between the hours of 7 am and 10 pm in or within 500 feet of a residential zone unless compliance is technically infeasible. "Technical infeasibility" is expressly defined and as it is defined would ensure, along with the other measures that the Project would result in less than significant impacts. LAMC Section 112.05 provides "[s]aid noise limitations shall not apply where compliance therewith is technically infeasible shall mean that said noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers and/or other noise reduction devices or techniques during the operation of the equipment."

Noise from demolition or any construction activities shall not exceed 75 dB(A) in any residential zone or within 500 feet thereof in compliance with the City's Noise Ordinance. The following commonly available measures that are used in construction projects in the City are generally considered to be technically feasible:

- All heavy duty construction equipment shall use sound-reducing mufflers.
- Temporary noise barriers, such as noise walls/curtains or equipment enclosures, shall be used if it is determined that they are necessary to keep sound levels below 75 dB(A).

Construction of the Project may incorporate the measures above and/or utilize any other technically feasible measures it identifies. Based upon the City's experience, when a project incorporates these measures and other measures into its construction activities, it is able to comply with the City's noise ordinance. As a result, compliance with the City's noise ordinance would ensure that construction-related noise would be less than significant.

- **Standard conditional of approval.** In addition to compliance with the City's noise ordinance, the following standard conditions of approval shall also be applied to the Project.
  - Project construction activities shall be restricted to the hours of 7:00 a.m. – 9:00 p.m., Monday through Friday, 8:00 a.m. – 6:00 p.m. Saturdays.
  - Construction activities shall be prohibited on Sundays and all federal holidays.

## Public Services

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### XIV-10. Public Services (Fire)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a less than significant level by the following measure:
- 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.

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Existing regulatory/statutory requirement.** Prior to obtaining a building or construction permit, the Los Angeles Fire Department (LAFD) Development Services Unit conducts Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing the applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and National codes concerning new construction and remodeling. Additionally, the Development Review Division of the City's Department of Transportation is responsible for reviewing and approving site plans, and roadway and traffic signal plans.
- **Standard conditional of approval.** During the plan check phase, the LAFD would review the site plans to ensure that all applicable recommendations previously made by LAFD staff relative to fire safety have been incorporated into the building plans. This review by LAFD includes submittal of a plot plan for approval by the LAFD either prior to the recordation of a final map or the approval of a building permit. LAFD requires that the plot plan include the minimum design features, including but not limited to fire lane widths, distances to the nearest approved fire hydrant, and distances between dwelling unit entrances to the closest improved street or approved fire lane. In addition, the Project applicant would submit a request to City of Los Angeles Department of Water and Power (LADWP) to determine whether the pressure in the Project area is sufficient. If it is not, then the Project applicant shall be required to make on-site or off-site upgrades to the existing infrastructure as determined necessary by LADWP and LAFD.

## Transportation/Traffic

The following mitigation measures as identified in the 2016 MND are no longer required to reduce impacts to less than significant for the reasons stated below:

### XVI-40. Safety Hazards

- Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:
- 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.

### XVI-50. Inadequate Emergency Access

- Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a less than significant level by the following measure:
- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

### XVI-60. Inadequate Emergency Access (Hillside Streets - Construction Activities)

- No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

Mitigation measures are no longer required because all environmental impacts would be reduced to less than significant because of the following regulatory compliance measures:

- **Existing regulatory/statutory requirement.** Prior to obtaining a building or construction permit, the LAFD Development Services Unit conducts Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing the applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and National codes concerning new construction and remodeling. Additionally, the Development Review Division of the City's Department of Transportation is responsible for reviewing and approving site plans, and roadway and traffic signal plans.
- **Existing regulatory/statutory requirement.** Construction parking will be contained to the Project site. Nonetheless, if any intermittent on-street parking is necessary, construction parking would comply with Sections 80.72, 80.76.2, and 89.60 of Chapter VIII of the LAMC, which prohibits or limits parking on streets

within the Very High Fire Hazard Severity Zone on Red Flag Alert Days. Further, all demolition and construction materials will be stored on-site within a staging/laydown area and not within the public right-of-way during demolition, hauling, and construction operations.

- **Standard condition of approval.** The Project would be required to submit final driveway plans and internal circulation plans to the City Department of Public Works for review and approval, ensuring that site driveway access and internal site vehicular movement are designed in accordance with City design requirements related to emergency vehicle access. As previously discussed, the Project would be required to submit final driveway plans and internal circulation plans to the City Department of Public Works Bureau of Engineering and the Department of Transportation for review and approval, ensuring that site driveway access and internal site vehicular movement are designed in accordance with City design requirements. During this review, City staff may require additional measures be implemented on and/or adjacent to the Project site should any concerns arise regarding roadway hazards. Such measures may include, but are not limited to, installing signage around the Project site to ensure pedestrian, bicycle, and vehicle safety and preparing a parking and driveway plan that incorporates design features that reduce accidents.

COUNTY CLERK'S USE

CITY OF LOS ANGELES  
OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 395  
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**NOTICE OF EXEMPTION**  
(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

ZA-2015-1567-ZAD-ZAA-1A/Appeal of Zoning Administrator's Determination and Zoning Administrator's Adjustment Approvals  
ZA-2015-1569-ZV-ZAD-1A/Appeal of Zone Variance and Zoning Administrator's Determination Approvals

LEAD CITY AGENCY

**City of Los Angeles (Department of City Planning)**

CASE NUMBER

ENV-2015-1568-CE

PROJECT TITLE

Lucile and Landa Single Family Homes

COUNCIL DISTRICT

4

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

1888 North Lucile Avenue and 3627 West Landa Street

Map attached.

PROJECT DESCRIPTION:

The Project is the construction, use and maintenance of two single family dwellings with a total of four parking spaces, observing 2,471 square-feet and 1,931 square-feet respectively, located on two adjacent hillside lots at 3267 W. Landa Street and 1888 N. Lucile Avenue, fronting on two Substandard Hillside Limited Streets situated within Silver Lake – Echo Park – Elysian Valley Community Plan area. As a project characterized as in-fill development of two single family homes, the Project qualifies for the Class Categorical Exemption (CEQA Guideline Section 15303).

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Thomas A Porter

CONTACT PERSON (If different from Applicant/Owner above)

Tony Russo, Crest Real Estate

(AREA CODE) TELEPHONE NUMBER

(408) 655-0998

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) \_\_\_\_\_

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) 15303 (Class 3)  
0

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b) )  
\_\_\_\_\_

JUSTIFICATION FOR PROJECT EXEMPTION:

Additional page(s) attached

See attached.

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

**CITY STAFF USE ONLY:**

CITY STAFF NAME AND SIGNATURE

STAFF TITLE

ENTITLEMENTS APPROVED

FEE:

RECEIPT NO.

REC'D. BY (DCP DSC STAFF NAME)

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019



**ASSOCIATE ZONING ADMINISTRATORS**

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CALIFORNIA



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DEPUTY DIRECTOR

## JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2015-1568-CE

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On June 19, 2019, the Planning Department determined that the State Guidelines for the implementation of the California Environmental Quality Act of 1970 designate the subject Project as Categorical Exempt under Article 19, Section 15303, Class 3(a) (New Construction or Conversion of Small Structures).

A Project qualifies for a Class 3 Categorical Exemption if it meets the following criteria:

- a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

### Project Description

The Project is for the construction, use and maintenance of two single family dwellings with a total of four parking spaces, observing 2,471 square-feet and 1,931 square-feet respectively, located on two adjacent hillside lots at 3267 W. Landa Street and 1888 N. Lucile Avenue, fronting on two Substandard Hillside Limited Streets situated within Silver Lake – Echo Park – Elysian Valley Community Plan area. As a project which is characterized as in-fill development of two single family homes, the Project qualifies for the Class 3(a) Categorical Exemption.

The site is zoned R1-1VL and has a General Plan Land Use Designation of Low Residential. As shown in the case file, the Project is consistent with the applicable Silver Lake – Echo Park – Elysian Valley 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 involving two contiguous lots that is approximately 0.23 acre. Lots adjacent to the subject site are developed with existing single-family dwellings already. There are no Protected or Significant trees on site, and no significant trees are being removed as part of the project. 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 regulations; 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 South Coast Air Quality

Management District (SCAQMD) 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 given that the construction of a new single-family dwelling will be on a site located by other properties previously developed. Therefore, the Project meets all of the criteria for the Class 3(a).

### Exceptions

There are six (6) Exceptions which must be considered in order to find a project exempt under 15303 (Class 3): (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

1. **Location** - The project site is zoned R1-1VL for both lots, and located within the Silver Lake – Echo Park – Elysian Valley Community Plan area. Although the project site is within a mapped Very High Fire Severity Zone, this map is not intended to protect “environmental resources,” but rather is a map focused on preventing economic loss and matters of health and safety. *Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31 Cal.App.5th 880 (Court found that an Alquist-Priolo Earthquake Fault Zone and a potential landslide map did not trigger the location exception.) Further, the City has adopted Regulatory Compliance Measures (RCMs) that regulate construction, including grading and excavation, to ensure the proposed project will not result in any impacts. Furthermore, the project is required to be reviewed by the Fire Department prior to issuance of building permits. Therefore, this exception does not apply.
2. **Cumulative Impacts** - There is no succession of known projects of the same type and in the same place as the subject Project. Therefore, this exception does not apply.
3. **Significant Effect** - All adjacent lots are developed with existing single family dwellings. The subject site is of a similar size and slope to nearby properties. The proposed total floor area of and the proposed building height of is not unusual for the vicinity of the subject site, and is similar in scope to other existing Low Residential land uses in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Therefore, this exception does not apply.
4. **Scenic Highways** - 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. The subject site is located 16.5 miles east of Topanga Canyon State Scenic Highway. Therefore, the subject site will not create any impacts within a designated State Scenic Highway. Therefore, this exception does not apply.
5. **Hazardous Waste Sites** - 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. Therefore, this exception does not apply.
6. **Historic Resources** - 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.