

## ZONE CHANGE FINDINGS

### A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan and is designated for Low Residential land uses, with corresponding zones RE9, RS, R1, and RU. The proposed Zone Change to RS-1 is consistent with the land use designation on the plan map and is therefore in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.
2. **General Plan Text.** The City of Los Angeles General Plan Framework, an element of the City of Los Angeles General Plan, the Housing Element, the Plan for Healthy LA Element, and the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan includes the following relevant land use goals, objectives, policies and programs:

The Citywide Design Guidelines are an implementing tool of the Framework Element. However, these Guidelines address only Multi-Family Residential and Commercial Mixed-Use, Commercial, and Industrial projects. As such, no citywide design guidelines for single family residential projects which are not a small lot development currently exist. However, the proposed project includes design elements that can be found in both the Multiple Family and Mixed Use Residential Guidelines such as avoiding large blank elevation walls through the use of varied building materials, window openings, and the use of landscaping in key locations to soften the exterior building façade. Therefore, the recommended development meets the objectives of the Community Plan, is permitted in the RS Zone, and is consistent with the general plan land use designation.

The subject property is subject to ZI-2427 Freeway Adjacent Advisory Notice. The proposed project will further the purposes of the following General Plan policies from the Housing Element, and the Plan for Health LA, as they related to applicable to freeway adjacent uses:

**Housing Element Policy 4.1.9** Whenever possible, assure adequate health-based buffer zones between new residential and emitting industries.

**Housing Element Policy 2.1.2** Establish standards that enhance health outcomes.

**Plan for Healthy LA Policy 1.5** Plan for Health: Improve Angelenos' health and well-being by incorporating a health perspective into land use, design, policy, and zoning decisions through existing tools, practices, and programs.

**Plan for Healthy LA Policy 5.2** People: Reduce negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions.

**Plan for Healthy LA Policy 5.4** Noxious activities: Protect communities' health and well-being from exposure to noxious activities (for example, oil and gas extraction) that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapors, and others.

**Plan for Healthy LA Policy 5.7** Land use planning for public health and GHG emission reduction: Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.

As shown in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan, the proposed project is located within an area planned and zoned for single-family residential uses and is not located proximate to any industrial use which would emit pollutants. The proposed project demonstrates conformity with the following project design and program concepts identified in ZI-2427 Freeway Adjacent Advisory Notice, which may reduce air pollution exposure and associated health risks, and contribute to well-being:

1. Sensitive uses including schools, day care facilities and senior care centers are not proposed on the subject property.
2. Occupied open space areas (play areas, courtyards, patios, balconies, etc.) are located to the rear of Parcels A, B, C, and D, and furthest from the freeway sources as possible given the lot configuration and orientation.
3. Proposed landscape including shrubbery and trees is located within the front yard area of Parcels B, C, and D, screening the proposed single-family homes.

The Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan includes land use goals, objectives, policies, and programs for consideration when evaluating the proposed zone change. In general, the Community Plan has identified the need to preserve the residential character of existing single family neighborhoods, to foster good site planning and urban design, and to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects. Specifically, the Community Plan includes the following relevant land use goals, objectives, policies and programs:

**GOAL 4A:** An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

**Policy 4.1.7** Establish incentives for the development of housing units appropriate for families with children and larger families.

**GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.**

**Policy 1-1.1** Designate land for single and multi-family residential development.

**Policy 1-5.1** Promote greater individual choice in type, quality, and location of housing.

The proposed project will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs, matching the density that was envisioned for this area by the Community Plan's Low Residential land use designation. The site is located adjacent to other RS-zoned single-family lots of similar size to the north, south and west. Specifically, the lots along W. Pierce Street are approximately 7,500 square feet in size, while the lots along Hunnewell Avenue average approximately 9,500 square-feet in size. The proposed RS (Surburban) zone would permit development of three (3) new single-family homes on Parcels B, C, and D, with one existing home to remain on Parcel A, all on lots which range in size from approximately 8,355 to 10,151 net square feet in size. The subject property is located in an area transitioning from agricultural (A2) zoning to suburban (RS) zoning, in keeping with the property's Low Residential land use designation. The proposed zone change to the RS (Surburban) zone together with the approved 4-lot parcel map (AA-2016-71-PMLA) would permit development that is consistent and compatible with this surrounding RS zoned pattern of zoning and development. In addition, the site is not

subject to any Plan footnotes that affect this project, and is not otherwise located within any other specific plan or special land use district.

## **B. Entitlement Findings**

### **3. Zone Change, L.A.M.C. Sec. 12.32 F: The requested zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.**

The project is convenient in location to several major streets, such as Gladstone Avenue and the Interstate 210 Foothill Freeway, and as an infill project will have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the project will create more opportunity for home ownership in the vicinity. Properties in the immediate neighborhood primarily consist of single family RS zoned lots to the north, south, and west of the subject property, with only a few remaining A2 (Agricultural) zoned properties to the east. A zone change from A2-1 to (T)(Q)RS-1 and the construction of three new single-family homes on an approved 4-lot subdivision would be compatible with the use and size of existing adjacent developments. In regards to any equine keeping uses on the adjacent property to the east, and consistent with the provisions of LADBS Information Bulletin P/ZC 2014-018 regarding Equine keeping, even if a building permit is granted to construct a dwelling unit within the required 35-foot buffer distance, legally established equine uses shall be allowed to be continued. Of note is that “**Exhibit A**” shows the three proposed single family homes are located approximately 30 feet from the rear property line, and the ZIMAS aerial photo shows that the potential equine keeping uses on the adjacent property to the east are also setback from the property line, consistent with the 35-foot buffer requirement. Further, Q Condition No. 1 requires that the use of the subject property be limited to those uses as shown on “**Exhibit A**”, including all yards. As such, legally established equine keeping uses on the adjacent A2-1 zoned property to the east would be protected. Therefore, the proposed zone change is in conformance with public necessity, convenience, and general welfare of the neighborhood. Furthermore, the subject zone change will be in good zoning practice by providing a harmonious density and land use activity consistent with development in the surrounding community.

The site is presently an approximately 1-acre property and one of the last remaining lots in the area zoned A2-1. As conditioned, the proposed project will be consistent with the use, height, yard, and area requirements of the RS-1 zone. The proposed zone change is more in keeping with the surrounding RS-1 zone pattern for the surrounding neighborhood, allowing the subject property to be zoned consistent with its existing Low Residential land use, as designated in the Sunland – Tujunga – Lake View Terrace – Shadow Hills – La Tuna Canyon Community Plan.

The recommended zone change has been made contingent upon compliance with the “Q” and “T” conditions imposed herein. Such limitations are necessary to protect the best interests of, and to assure developments and improvements more compatible with, surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

### **4. Q Condition Findings**

**a. *The Q limitations are necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.***

The proposed Q conditions contain provisions regarding site development; limit the use and building height; provide for on-site landscaping and in-home air filters; require protocols for protected and non-protected trees; reduce construction noise impacts; and require noise reduction construction materials. As such, the Q limitations serve to protect the best interests of the proposed development and the community as a whole.

***b. The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.***

To ensure that the development is in harmony with the General Plan, the proposed Q conditions contain provisions regarding site development; limit the use and building height; provide for on-site landscaping and in-home air filters; require protocols for protected and non-protected trees; reduce construction noise impacts; and require noise reduction construction materials. As such, the Q limitations serve to secure an appropriate development in harmony with the objectives of the General Plan.

***c. The Q limitation is necessary to prevent or mitigate adverse environmental effects of the zone change.***

Under Case No. ENV-2016-0072-MND, adopted on May 11, 2017, mitigation measures are imposed on the subject project to reduce impacts to a less than significant level in the areas of Air Quality, Biological Resources, and Noise. The Q limitations imposed herein address provisions for mitigation including construction equipment emissions limits and standards, protected and non-protected tree replacement requirements and protection protocols, and require construction noise minimization measures and use of noise reduction construction materials, in response to the analysis of environmental impacts and the mitigation monitoring program under Case No. ENV-2016-0072-MND. As such, the proposed Q conditions prevent or mitigate adverse environmental impacts from the project.

**5. T Condition Finding**

***Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.***

The current action, as recommended, has been made contingent upon compliance with “T” conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These T Conditions ensure appropriate and necessary public and private easements, sanitary sewer, private street naming, street improvements on W. Pierce Street, construction of drainage facilities, adequate driveway and parking area plans, payment of fees to the Department of Transportation, compliance with LADWP water system rules and procedures, compliance with street tree protocols, compliance with Fire Department requirements, confirmation of payment for all applicable Recreation and Parks and Bureau of Engineering fees, and assure construction of required public improvements. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site.

### **C. CEQA Findings**

Based on the independent judgement of the decision-maker (Deputy Advisory Agency), after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. ENV-2016-0072-MND, adopted on May 11, 2017 by the Deputy Advisory Agency in connection with AA-2016-0071-PMLA and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required. In response to the applicants project description change to retain at least two existing on-site trees, including one protected oak (*Quercus agrifolia*) tree, mitigation measure No. 8 [Tree Removal (Locally-Protected Species)] has been revised to require installation of orange staked construction fencing around the drip line of the one protected oak (*Quercus agrifolia*) tree located on Parcel A, consistent with the Department of Urban Forestry standards. As such, potential biological impacts would be less than significant and reduced, when compared to the potential impacts of the originally analyzed project in Mitigated Negative Declaration, No. ENV-2016-0072-MND, and none of the circumstances that would warrant the preparation of a Subsequent MND pursuant to Section 15162 of the CEQA Guidelines exists.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 90012.