

FINDINGS

As amended by the West Los Angeles Area Planning Commission on November 6, 2019

In order for a Coastal Development Permit to be granted, all of the requisite findings maintained in Section 12.20.2 of the LAMC must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

The subject property consists of eight irregular-shaped interior lots (Lots 1 through 8) totaling 64,483 square feet. The subject property is zoned R1-1 and designated for Low Residential land uses in the Brentwood-Pacific Palisades Community Plan Area. The subject property is located in a Single Permit Jurisdiction Area of the Coastal Zone, a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, a Landslide Area, and the Santa Monica Fault. The subject property is characterized by varying topography with the majority of the site sloping slightly and rear portion of the site along the entire easterly rear property line sloping steeply down toward Las Pulgas Canyon. Currently, the subject property is developed with an existing 1,871 square-foot one-story single-family dwelling with an attached two-car garage across Lots 1 and 2; existing 2,100 square-foot one-story single-family dwelling with a 400 square-foot detached two-car garage and swimming pool across Lots 3, 4, 5, 6, and 7; and existing 400 square-foot one-story accessory structure on Lot 8. There is also an existing retaining wall varying from 6 to 12 feet in height developed along the rear property lines of Lots 3 through 8.

The project involves eight separate Coastal Development Permits to allow lot line adjustments to reconfigure the size and shape of Lots 1 through 6; the demolition of the existing structures; the construction of eight new two-story single-family dwellings with attached garages, basements, covered front porches, and swimming pools and/or spas, one on each lot, ranging from 5,503 to 8,365 square feet in floor area and up to 33 feet in height; the construction of a new 12-foot tall retaining wall extension along the rear property lines of Lots 1, 2, and 3; the construction of a new sewer system extension in the public right-of-way from the corner of Lot 8 to the intersection of Marquette Street and Grenola Street; and approximately 6,250 cubic yards of combined grading and the export of approximately 475 cubic yards of earth.

The lot line adjustments will result in the following lot areas:

- Lot 1 – 5,464 square feet and lot width of 59 feet 3 inches
- Lot 2 – 6,291 square feet and lot width of 50 feet 5 inches
- Lot 3 – 7,945 square feet and lot width 50 feet 6 inches
- Lot 4 – 8,756 square feet and lot width of 50 feet 3 inches
- Lot 5 – 9,083 square feet and lot width of 50 feet
- Lot 6 – 8,926 square feet and lot width of 50 feet
- Lot 7 – 8,557 square feet and lot width of 50 feet 9 inches
- Lot 8 – 9,461 square feet and lot width of 55 feet 9 inches

Chapter 3 of the California Coastal Act includes provisions that address the impact of new coastal development on public access, recreation, marine environment, land resources, and existing development. The applicable provisions are as follows:

Section 30244 requires reasonable mitigation measures to reduce potential impacts on archaeological or paleontological resources. The subject property is not located in an area with known archeological resources. If such resources are discovered during grading, the project would need to comply with existing Federal, State, and Local regulations already in place. The subject property has been identified as being located in an area of high paleontological sensitivity. In addition to the Regulatory Compliance Measures, the project is subject to Conditions of Approval addressing paleontological and tribal cultural resources in the event that objects or artifacts that may be paleontological or tribal cultural resources are encountered during the course of ground-disturbing activities.

Section 30250 states that new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant impact on coastal resources. The project involves the demolition of an existing one-story single-family dwelling with an attached two-car garage, existing one-story single-family dwelling with a detached two-car garage and swimming pool, and existing one-story accessory structure; the construction of eight new two-story single-family dwellings, one on each lot; the construction of a retaining wall extension; the construction of a sewer system extension along the public right-of-way; and the associated grading. The net increase of six new dwelling units in a residential neighborhood is not considered to be significant and is consistent with the density permitted on the eight existing lots. The properties across Marquette Street and those across Las Pulgas Canyon along Bienvenida Avenue are comprised of residential lots similar in size and developed with single-family dwellings ranging from one to three stories in height. The project will be served by existing fire and police stations, schools, parks, and other governmental facilities in the area. The project will be connected to the existing sewer system. In terms of emergency vehicle access, the project will provide a turnaround on Lot 1 that is designed to the satisfaction of the Los Angeles Fire Department. With regards to parking requirements, the project will provide two covered parking spaces in the attached garage of each proposed single-family dwelling. The project will result in multiple curb cuts for the driveways and turnaround; however, parking is currently prohibited on the easterly side of the street where the curb cuts are proposed. This means that no on-street parking spaces will be lost as a result of the project. Furthermore, the subject property is located at a sufficient distance from the coast and coastal recreation areas in an area of varying topography where it can be reasonably foreseen that visitors will not park at or near the subject property and walk to the beach. Thus, the project will not impact public access to the coast. Vehicular access to the project will continue to be provided via Marquette Street and the project will be served by adequate public services. As such, the project will be located in an area able to accommodate and service it and where it will not have a significant impact on coastal resources due to its location.

Section 30251 states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and the scenic areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. The subject property is mostly slightly sloping with a steep easterly-facing slope along the rear down toward Las Pulgas Canyon. The subject property is located approximately 0.5 miles north of the coast and separated from it by residential and commercial development and several streets, including Pacific Coast Highway. The project site is comprised of eight residential lots and lot cuts. The project includes two lot

line adjustments to reconfigure the size and shape of Lots 1 through 6, allowing each lot to maintain frontage on Marquette Street. The lot line adjustments will not alter the existing development pattern or permitted density on the subject property. The project also includes the demolition of an existing one-story single-family dwelling with an attached two-car garage, existing one-story single-family dwelling with a detached two-car garage and swimming pool, and existing one-story accessory structure; the construction of eight new two-story single-family dwellings with attached two-car garages, basements, swimming pools and/or spas, one on each lot, ranging from 5,503 to 8,365 square feet in floor area and up to 33 feet in height; the construction of a retaining wall extension; the construction of a sewer system extension; and the associated grading. The proposed single-family dwellings will have Residential Floor Area (RFA) ranging from 2,700 to 5,232 square feet. The RFA of each proposed single-family dwelling will not exceed the maximum RFA allowed on its respective lot. The proposed single-family dwellings will be two stories tall over a basement. The maximum envelope height allowed in the R1 Zone and Height District No. 1 of a Hillside Area for a structure with a roof with more than 25% slope is 33 feet, which the proposed single-family dwellings will not exceed. The westerly side of Marquette opposite of the subject property is completely built out with similar single-family dwellings. The adjacent structures range in size from 1,025 to 4,077 square feet and are one to three stories tall. The height of the proposed single-family dwellings as viewed from street level along Marquette Street will range from 20 to 27 feet 3 inches. Architecturally, the proposed single-family dwellings will feature covered front porches and second-story balconies, similar to the adjacent structures. The design will feature step backs along the front façades and/or reduced second floors. Although the proposed single-family dwellings are larger in square footage than the adjacent structures, the height and massing is well-proportioned and façades are varied. As such, the mass, scale, and character of the proposed single-family dwellings will be consistent with the neighborhood and will not generate any significant visual impacts.

As previously mentioned, the subject property has an easterly-facing slope along its rear. The proposed single-family dwellings will be supported by conventional foundations, but the proposed retaining wall extension will require the installation of piles for support. The swimming pools are proposed to be installed in ground and will not be exposed. While there is potential for the piles to become exposed over time, the area along the slope is extensively landscaped with mature trees and shrubs. Furthermore, the slope descends toward Las Pulgas Canyon, a privately-owned property with no public access. Las Pulgas Canyon is located at significantly lower elevation and developed only with a single-family dwelling. The visual impacts of the project from Las Pulgas Canyon will be minimal. Given that the piles will only be needed for the proposed retaining wall, the alteration of natural land forms will be insignificant. As such, in conjunction with compliance with all other applicable regulations of the LAMC and the conditions imposed herein, the project will be visually compatible with the character of the surrounding area and have no impact on views to and along the ocean and scenic coastal areas.

Section 30252 states that new development should maintain and enhance public access to the coast. The subject property is located approximately 0.5 miles inland and separated from the coast to the south by residential and commercial development and several streets, including a major thoroughfare in Pacific Coast Highway. The use of subject property will remain that of single-family dwellings, the required number of parking spaces will be provided in the attached garages, and no permanent structures will be placed in the public right-of-way. The project will require multiple curb cuts for the driveways and turnaround along the easterly side of Marquette Street. However, no on-street parking

spaces will be lost due to the curb cuts as parking is prohibited on that side of the street. As such, the project will not conflict with any public access policies of the Coastal Act.

Section 30253 requires new development to minimize risks to life and property in areas of high geologic, flood, and fire hazard; minimize impacts along bluffs and cliffs; and protect special communities and neighborhoods that are popular visitor destination points for recreational uses. The subject property is located in a Single Permit Jurisdiction Area of the Coastal Zone, a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, a Landslide Area, and the Santa Monica Fault. The project is required to comply with LADBS and Fire Department standards as it relates to development in seismic and fire hazard areas and other environmentally sensitive areas. The applicant submitted a Geology and Soils Report for the proposed single-family dwellings dated December 19, 2016 and Addendum Report dated March 20, 2017, prepared by Byer Geotechnical, Inc., for the project for review and approval by LADBS. The Geology and Soils Approval Letter (Log No. 96236-01) issued by LADBS dated March 20, 2017 stated that the geotechnical reports are acceptable provided the Conditions of Approval are complied with.

The applicant submitted plans for the proposed sewer system extension and the related geotechnical reports to the Bureau of Engineering, Geotechnical Engineering Division (GED), for review. The proposed sewer system extension, which the project will connect to, was reviewed by GED. An Interdepartmental Correspondence was issued by GED dated January 28, 2019 stating that the proposed sewer system extension is acceptable from a geotechnical standpoint provided the Conditions of Approval are complied with. The proposed sewer system extension is still subject to review and approval by the Bureau of Engineering through the "B" Permit process. The geotechnical reports for the project and proposed sewer system extension found that both the existing and proposed slopes are grossly stable with a factor of safety in excess of 1.5 under static conditions and in excess of 1.0 under pseudo-static (seismic) conditions. Compliance with the requirements of the various City departments will minimize risks to life and property in areas of high geologic, flood, and hazard. It will ensure stability and structural integrity and that the project will not create or contribute significantly to erosion, geological instability, or destruction of the subject property or surrounding area. The subject property is not a popular visitor destination point for recreational use.

The project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development. The subject property is located approximately 0.5 miles north of the coast. The project will neither interfere nor reduce access to the shoreline or along the coast. The project will not adversely impact any recreational uses and activities, the marine environment and other environmentally sensitive habitat areas. The subject property is not located in an area with known archaeological resources and will be required to comply with existing regulations, if discovered. The subject property has been identified to be located in an area of high paleontological sensitivity and will be required to comply with not only the existing regulations, but with the Mitigation Measures that have been made enforceable Conditions of Approval as part of the subject grant. The project will not involve the diking, filling, or dredging of the open coastal waters. The project will be served by existing public facilities and will not degrade the scenic and visual qualities of nor interfere with public access to the coastal area. As conditioned, the project will be in conformity with Chapter 3 of the Coastal Act.

- 2. The development will not prejudice the ability of the City of Los Angeles to prepare**

a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

Currently, the City does not have an approved Local Coastal Program (LCP) for the Brentwood-Pacific Palisades area. In the interim, the Brentwood-Pacific Palisades Community Plan, a portion of the Land Use Element of the City's General Plan, serves as the functional equivalent. The Brentwood-Pacific Palisades Community Plan designates the subject property for Low Residential land uses with the corresponding zone of R1 in Height District No. 1. The use of the subject property for single-family residential purposes will be consistent with the Community Plan land use designation and zoning. The project will meet the Community Plan's objective of developing new housing to meet the needs of the existing residents and projected population of the area. Furthermore, the project is designed to be in conformance with all applicable provisions of LAMC, including, but not limited to, those regulating height, setbacks, density, and parking. As conditioned, the project will not prejudice the ability of the City to prepare a LCP that is in conformity with Chapter 3 of the Coastal Act.

3. **The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.**

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620(b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the Coastal Zone prior to the certification of a LCP. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources." The Regional Interpretive Guidelines address residential development in the Pacific Palisades as it relates to use, parking, density, and public access. They also include special provisions for development on bluffs and hillside areas. The applicable provisions of the Regional Interpretive Guidelines have been reviewed, analyzed, and considered in preparation of these findings. The project involves the demolition of two existing single-family dwellings and an existing accessory structure; the construction of eight new single-family dwellings with attached garages, basements, covered front porches, and swimming pools and/or spas; the construction of a retaining wall extension; the construction of a sewer system extension; and the associated grading. The use of the subject property will remain for residential purposes and the density of the subject property will remain that of one single-family dwelling on each of the eight existing lots, which will range from 5,464 to 9,461 square feet. The required number of parking spaces will be provided in the attached garages. The subject property is located on a canyon bluff, characterized by an easterly-facing slope at its rear that descends toward Las Pulgas Canyon. The slope along Las Pulgas Canyon is extensively landscaped with mature trees and shrubs. The single-family dwelling at the bottom of Las Pulgas Canyon is located at a significantly lower elevation; therefore, the visual impact of the project from there is minimal. The alteration of natural landforms will be insignificant and grading will be subject to the Conditions of Approval set forth by the Department of Building and Safety and Bureau of Engineering. As such, the

project will be in substantial conformance with the applicable provisions of the Regional Interpretive Guidelines.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The project will not conflict with the prior decisions of the Coastal Commission. The Coastal Commission recently approved the following projects in the Pacific Palisades:

- In November 2018, the Coastal Commission approved a Coastal Development Permit to allow the construction of a 7,115 square-foot two-story single-family dwelling with a 4,826 square-foot basement with an 722 square-foot attached four-car garage, swimming pool, and pool pavilion, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 14944 and 14948 West Corona Del Mar and 14937 West Pacific Coast Highway (Application No. 5-18-0255).
- In October 2018, the Coastal Commission approved a Coastal Development Permit to allow the demolition of a 1,963 square-foot single-family dwelling and construction of a 2,812 square-foot one-story single-family dwelling with a 579 square-foot attached two-car garage and swimming pool, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 430 North Puerto Del Mar (Application No. 5-18-0445).
- In October 2018, the Coastal Commission approved a Coastal Development Permit to allow the demolition of a 1,800 square-foot one-story single-family dwelling and construction of a 2,922 square-foot four-story single-family dwelling with 666 square feet of covered parking, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 201 North Entrada Drive (Application No. 5-18-0253).
- In July 2018, the Coastal Commission approved a Coastal Development Permit for the major remodel of and additions to an existing 2,393 square-foot three-story single-family dwelling, resulting in a 2,885 square-foot, 21.8-tall, three-story single-family dwelling with two lower levels, swimming pool, deck, and retaining walls, on two lots located in a Dual Permit Jurisdiction Area of the Coastal Zone at 17616 and 17622 West Posetano Road (Application No. 5-18-0162).
- In July 2018, the Coastal Commission approved a Coastal Development Permit for additions totaling 1,699 square feet to an existing 2,800 square-foot one-story single-family dwelling with a basement, resulting in a 4,500 square-foot, 29.3-foot tall, single-family dwelling with a deck, and a retaining wall, on three lots located in a Dual Permit Jurisdiction Area of the Coastal Zone at 17700, 17708, and 17714 West Tramonto Drive (Application No. 5-18-0177).
- In May 2018, the Coastal Commission approved a Coastal Development Permit for the construction of a new 9,310 square-foot, 36-foot tall, one-story single-family dwelling with a two-level basement, attached three-car garage, and retaining walls, on two lots located in a Dual Permit Jurisdiction Area of the Coastal Zone at 14901

and 14904 West Corona del Mar (Application No. 5-17-0234).

- In May 2018, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing 920 square-foot single-family dwelling and construction of a new 4,320 square-foot, 28-foot tall, two-story single-family dwelling with an attached 475 square-foot attached two-car garage, swimming pool, and rooftop deck, on two lots located in a Dual Permit Jurisdiction Area of the Coastal Zone at 17878 and 17884 West Castellammare Drive (Application No. 5-17-0666).
- In March 2018, the Coastal Commission approved a Coastal Development Permit for the demolition an existing one-story single-family dwelling and construction of a new 1,438 square-foot, 32.5-foot tall, three-story single-family dwelling with roof deck, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 211 North Entrada Drive (Application No. 5-17-0830).
- In February 2018, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing one-story single-family dwelling and construction of a new 6,236 square-foot two-story, 24-foot tall, single-family dwelling with an attached two-car garage, basement, and swimming pool/spa, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 15425 West Via De Las Olas (Application No. 5-16-1095).
- In December 2017, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing two-story single-family dwelling and construction of a new 6,816 square-foot, 30-foot tall, three-story single-family dwelling with a 652 square-foot attached three-car garage, 3,589 square-foot basement, and swimming pool, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 14901 West Corona Del Mar (Application No. 5-17-0772).
- In November 2017, the Coastal Commission approved a Coastal Development Permit for the demolition of a shed and swimming pool and the construction of a new 3,325 square-foot, 28-foot tall, two-story single-family dwelling with a 370 square-foot attached two-car garage, covered patios totaling 100 square feet, a 674 square-foot deck, retaining wall, and a swimming pool, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 204 North Coperto Drive (Application No. 5-17-0401).
- In October 2017, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing one-story single-family dwelling and swimming pool and construction of a new 8,884 square-foot, 32-foot tall, two-story single-family dwelling with 3,100 square-foot basement, a 2,070 square-foot subterranean four-car garage, and swimming pool, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 14914 West Corona Del Mar (Application No. 5-17-0541).
- In October 2017, the Coastal Commission approved a Coastal Development Permit for the construction of a new 13,194 square-foot, 30-foot tall, two-story single-family dwelling with a 3,159 square-foot basement, 2,038 square-foot subterranean four-car garage, and swimming pool, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 14930 West Corona Del Mar (Application

No. 5-17-0542).

- In March 2011, the Coastal Commission approved a Coastal Development Permit for the demolition of a 3,420 square-foot single-family dwelling and garage and construction of a 6,554 square-foot single-family dwelling with basement and 700 square-foot detached garage, on a lot located in a Single Permit Jurisdiction Area of the Coastal Zone at 356 North Grenola Street (Application No. 5-11-001).
- In July 2007, the Coastal Commission approved a Coastal Development Permit for the construction of a retaining wall and two rows of soldier piles for slope protection for a hillside single-family dwelling and construction of a 624 square-foot deck extended above the wall and lower row of piles, supported by columns, on a lot located in a Single Permit Jurisdiction Area of the Coastal Zone at 515 North Muskingum Avenue (Application No. 5-06-488).
- In January 2004, the Coastal Commission approved a Coastal Development Permit for the replacement of a 40 to 50 year old deteriorating sewer line with a new 2,750 feet of gravity fed sewer line ranging in diameter from 8 to 16 inches at a depth of between 5 and 50 feet in a Dual Permit Jurisdiction Area of the Coastal Zone at Las Pulgas Canyon (Application No. A-5-PPL-01-446/5-01-423).
- In January 2001, the Coastal Commission approved a Coastal Development Permit for the construction of a two six-foot to twelve-foot high retaining walls, each approximately 110 linear feet long, with 990 cubic yards of fill, to protect an eroding canyon below an existing single family home, on a lot located in a Single Permit Jurisdiction Area of the Coastal Zone at 560 North Marquette Street (Application No. 5-00-361).

As such, this decision of the permit-granting authority has been guided by the applicable decisions of the Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which states that the prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act.

5. **The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

Section 30210 of the Coastal Act states the following in regards to public access:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners, and natural resources from overuse.

Section 30211 of the Coastal Act states the following in regards to public recreation policies:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The subject property is located approximately 0.5 miles inland in a residential neighborhood developed with similar single-family dwellings. The subject property is not directly connected to any of the major thoroughfares that provide main access to the coast and any visitor and recreational facilities. The required number of parking spaces will be provided in the attached garages, which can be accessed via Marquette Street. The project will result in multiple curb cuts along the easterly side of Marquette Street for the driveways and emergency access turnaround. However, parking is currently prohibited on the easterly side of Marquette Street; as a result, no on-street parking spaces will be lost. No permanent structures will be placed within the public right-of-way. The subject property is not located between the nearest public road and sea or shoreline of any body of water. As such, the project will not conflict with any public access or public recreation policies of Chapter 3 of the Coastal Act.

6. **An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

A Categorical Exemption, ENV-2017-1259-CE, has been prepared for the proposed project consistent with the provisions of the CEQA Guidelines. The project proposes two lot line adjustments to reconfigure the size and shape of Lots 1 through 6; the demolition of an existing 1,871 square-foot one-story single-family dwelling with an attached two-car garage, existing 2,100 square-foot one-story single-family dwelling with a 400 square-foot detached two-car garage and swimming pool, and existing 425 square-foot one-story accessory structure; the construction of eight new two-story single-family dwellings with attached garages, basements, swimming pools and/or spas, one on each lot, ranging from 5,503 to 8,365 square feet in floor area and up to 33 feet in height; the construction of a new 12-foot tall retaining wall extension; and approximately 6,250 cubic yards of combined grading and the export of approximately 475 cubic yards of earth, all on a property, consisting of eight lots. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15332 (Class 32).

The Class 1 Categorical Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 Categorical Exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designated for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project includes the demolition of two single-family dwellings and two accessory structures.

The Class 32 Categorical Exemption allows for projects characterized as in-fill

development meeting 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. The subject property is zoned R1-1 and has a General Plan land use designation of Low Residential. The proposed uses of the subject property as single-family dwellings are consistent with the zone and land use designation. The proposed construction of the single-family dwellings meets the objective of the Brentwood-Pacific Palisades Community Plan through “the development of new housing to meet the diverse economic and physical needs of the existing residents and project population of the Plan area...” (Goal 1, Objective 1-1). The proposed project complies with the regulations of the zoning code, including those related to setbacks, density, floor area, height, etc. As shown in the case file, the proposed project is consistent with all the applicable Brentwood-Pacific Palisades Community Plan designation and policies and all applicable zoning designations 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. The subject property is approximately 1.48 acres and located wholly in the City of Los Angeles. Lots surrounding the subject property are developed with similar single-family dwellings.
- (c) The project site has no value as habitat for endangered, rare or threatened species. The subject property has been previously disturbed and is surrounded by development and, therefore, is not, and has no value as, a habitat for endangered, rare, or threatened species. There are two protected trees on the subject property. They are coast live oak trees, one with a 30” diameter at breast height (DBH) and height and spread of 50’ by 40’ and one with a 24” DBH and a height and spread of 35’ by 30’ at 572 North Marquette Street (Lot 6) as identified in the Tree Report prepared by The Tree Resource on April 4, 2017. The protected trees are outside of the construction areas. They will be retained and will not be impacted by the proposed project. A Biological Assessment was prepared by SWCA Environmental Consultants (January 2018) for the project site. The report determined the property is not located in a wildlife corridor and did not identify any endangered, rare, or threatened species. Furthermore, the project is subject to local and federal requirements (RCMs) that regulate the removal of protected trees and the protection of nesting birds.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed project will be subject to RCMs that 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 that the proposed project will not have significant impacts on noise and water. Furthermore, the proposed project does not exceed the threshold criteria established by the Department of Transportation for preparing a traffic study. Interim thresholds were developed by Department of City Planning Staff based on CalEEMod model runs relying on reasonable assumptions, consultants with Air Quality Management District Staff, and surveys of published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

- (e) The site can be adequately served by all required utilities and public services. The subject property will be adequately served by all public services given that proposed single-family dwellings will be on a site that has been previously developed and with a density permitted by the R1-1 zone and Low Residential land use designation. The proposed project will be connected to the existing sewer system.

Therefore, the proposed project meets the criteria for the Class 32 Categorical Exemption.

Furthermore, the exceptions outlined in CEQA Guidelines Section 15300.2 do not apply to the proposed project.

- (a) Location. This exception only applies to Classes 3, 4, 5, 6, and 11.
- (b) Cumulative Impact. The proposed project is consistent with the type of development permitted for the area, which is zoned R1-1 and designated for Low Residential land uses. The proposed project will not exceed thresholds identified for impacts to the area (i.e., traffic, noise, etc.) and will not result in a significant cumulative impact.
- (c) Significant Effect. A Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical to a residential neighborhood. Thus, there are no unusual circumstances that may lead to a significant effect on the environment.
- (d) Scenic Highways. The only State Scenic Highway in 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 two miles east of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources in a State Scenic Highway.
- (e) Hazardous Waste Sites. According to EnviroStor, the State of California's database of Hazardous Waste Sites, neither the subject property nor any property in the area is identified as a hazardous waste site.
- (f) Historical Resources. The structures on the subject property have not been identified as historic resources by local or state agencies; have 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 were not found to be potential historic resources based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the structures on the subject property as historic resources.

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measures. No alternatives of the proposed project were evaluated. The appropriate environmental clearance has been granted.

Mello Act Compliance Review

Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act, all Conversions, Demolitions, and New Housing Developments must be identified in order to determine if any Affordable Residential Units are onsite and must be maintained, and if the project is subject to the Inclusionary Residential Units requirement. Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman concerning implementation of the Mello Act in the Coastal Zone portions of the City of Los Angeles, the Findings are as follows:

7. Demolitions and Conversions (Part 4.0)

The project involves the demolition of two existing single-family dwelling, one at 620 and 614 North Marquette Street and another at 608, 600, 578, 572, and 566 North Marquette Street. A Mello Act Determination issued by the Los Angeles Community Investment Department (HCIDLA) dated July 12, 2017 states that no affordable units exist on 620 and 614 North Marquette Street. HCIDLA collected data from March 2014 through March 2017. The existing single-family dwelling was occupied by tenants from February 2016 through November 2016 for an average rent of \$3,903, which is greater than the amount identified in the 2016 Income and Rent Limits – Mello Schedule II Maximum Allowable Rent Level for a Moderate Level Household. The existing single-family dwelling was vacated in December 2016. Based on Department of Water and Power bills from December 2016 through March 2017, HCIDLA established that there was minimal water and electrical usage. HCIDLA concluded that no affordable units exists at 620 and 614 North Marquette Street based on this information.

A Mello Act Determination issued by HICLDA dated March 28, 2017 states that no affordable units at 608, 600, 578, 572, and 566 North Marquette Street. HCIDLA collected data from February 2014 through February 2017. Based on the determination issued by the Rent Stabilization Ordinance (RSO) Unit at HCIDLA dated March 23, 2017 stating that the existing single-family dwelling is not subject to the City's RSO and Property Tax Statements from 2014 through 2016 submitted by the applicant, HCIDLA concluded that no affordable units exists at 608, 600, 578, 572, and 566 North Marquette Street due to owner-occupancy of the existing single-family dwelling. Therefore, no Affordable Existing Residential Units are proposed for demolition or conversion and the applicant is not required to provide any Affordable Replacement Units.

8. Small New Housing Developments (Part 2.4)

The project proposes the development of eight new Residential Units. Pursuant to 2.4.2 of the Interim Administrative Procedures, however, developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of eight Residential Units is found to be categorically exempt.

ADDITIONAL MANDATORY FINDING

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone D, areas of undetermined, but possible, flood hazards. The eastern edge of Lots 1, 2, and 3 are

located in Zone A, areas of 100-year flood. The project is subject to the standards and requires outlined in the Flood Hazard Management Specific Plan.