

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
DIR-2018-826-SPP-1A	ENV-2018-827-CE-1A	1 – Cedillo
PROJECT ADDRESS:		
462 North Crane Boulevard		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Fernando Ojeda-Rios III	N/A	N/A
<input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Daniel Wright	626-449-4200	fiberflash@gmail.com
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Nicole Sanchez	213-978-3034	nicole.sanchez@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
CE		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

CEQA appeal - CE

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):

N/A

FISCAL IMPACT STATEMENT: Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
Scheduled for November 13, 2019 – Commission did not consider item due to Brown Act noticing requirement violation	N/A
LAST DAY TO APPEAL:	APPEALED:
N/A	CEQA appealed on January 3, 2020
TRANSMITTED BY:	TRANSMITTAL DATE:
Irene Gonzalez Commission Office	January 10, 2020



EAST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
planning4la.org

LETTER OF DETERMINATION

Mailing Date: **DEC 20 2019**

CASE NO. DIR-2018-826-SPP-1A
CEQA: ENV-2018-827-CE
Plan Area: Northeast Los Angeles

Council District: 1 – Cedillo

Project Site: 462 North Crane Boulevard

Applicant: Fernando Ojeda-Rios III

Appellant: Daniel Wright, Crane Boulevard Mitigation Coalition

The appeal of the Director of Planning's Decision in Case No. DIR-2018-826-SPP is deemed to be denied as a result of a procedural failure to act by the East Los Angeles Area Planning Commission (APC) within the time for the appellate decision to be rendered.

The time limit for the APC to act on an appeal is established in Los Angeles Municipal Code Section 11.5.7 C.6(c), which states that the APC "shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the Area Planning Commission." This Section further provides that "[t]he failure of the Area Planning Commission to act within this time period shall be deemed a denial of the appeal."

The appeal was filed on July 31, 2019. The APC's jurisdiction to hear the appeal was originally set to expire within 75 days from the filing of the appeal. The Applicant and the APC agreed to a mutual extension of time for the APC to act until November 13, 2019, and the appeal was subsequently scheduled for that date. After the publication of the agenda for the APC meeting of November 13, 2019, the Appellants objected to the APC hearing the matter on the grounds that the published Agenda for the hearing violated the Brown Act's noticing requirements because the address listed for the project incorrectly referred to the project as "426 North Crane Boulevard" rather than "462 North Crane Boulevard." As such, the APC did not consider the item and requested the Applicant extend time until December 11, 2019 so that the Agenda could be corrected and a new hearing on the appeal rescheduled in compliance with the Brown Act's noticing requirements. Since then, due to the failure to establish a quorum for its meeting on December 11, 2019, the Applicant has elected not to grant the APC any further extension of time to act on the appeal as needed under LAMC 11.5.7 C.6(c).

Therefore, without a further extension of time to act, the APC's jurisdiction has expired as of December 11, 2019. Due the APC's failure to act by **December 11, 2019**, by operation of the "failure to act" provision of LAMC 11.5.7 C.6(c), the appeal is deemed denied.



James K. Williams, Commission Executive Assistant II
East Los Angeles Area Planning Commission

A partial refund of your appeal fee may be available. Please contact City Planner Nicole Sanchez at nicole.sanchez@lacity.org if you have questions about how to request a refund.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Planning Director's Determination Letter dated, July 16, 2019

cc: Jane Choi, Senior City Planner
Nicole Sanchez, City Planner

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

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CALIFORNIA**



ERIC GARCETTI
MAYOR

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**MOUNT WASHINGTON-GLASSELL PARK SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW**

July 16, 2019

Applicant/Owner

Fernando Ojeda-Rios III
137 ½ S. Sweetzer Ave.
Los Angeles, CA 90048

Representative

Simon Storey
Anonymous Architects
1800 S. Brand Blvd., Suite 117
Glendale, CA 91204

Case No: DIR-2018-826-SPP

CEQA: ENV-2018-827-CE

Location: 462 North Crane Boulevard

Council District: 1 - Cedillo

Neighborhood Council: Arroyo Seco

Community Plan Area: Northeast Los Angeles

Land Use Designation: Low Residential

Zone: R1-1

Legal Description: Lot FR 109, Tract 5043

Last Day to File an Appeal: July 31, 2019

DETERMINATION

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7 C, and the Mount Washington-Glassell Park Specific Plan Ordinance No. 168,707, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Determine that based on the whole of the administrative record as supported by the justification prepared and found in the case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15303, Class 3, and there is no substantial evidence demonstrating that any exceptions contained in CEQA Guidelines, Section 15300.2 regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, hazardous waste sites, or historical resources applies.

Approve with Conditions a Project Permit Compliance Review to construct a new one (1)-story single-family dwelling that is 41 feet in height and contains 1,050 square feet of floor area and a detached 360-square-foot two (2)-car carport, on a 5,621.9-square-foot lot.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code (LAMC), the project conditions, or the project permit authorization.
2. **Height.** The maximum building shall be 41 feet, as measured per LAMC Sections 12.03 and 12.21.1. Within six (6) feet of the front lot line, the building height shall be limited to 15 feet. Within six (6) feet to 12 feet of the front lot line, the building height shall be limited to 24 feet.
3. **Floor Area.** As defined by the Specific Plan, Floor Area is that area in square feet confined within the exterior walls of a building of a One-Family Project, including the area of stairways, shafts, covered automobile parking areas and basement storage areas, and excluding uncovered outdoor decks. The total gross floor area of all existing and proposed buildings (excluding a carport) shall not exceed 1,050 square feet.
4. **Parking.** The project shall provide parking spaces pursuant to LAMC Sections 12.21 A.4 and 12.21 C.10.
5. **Front Yard Setback.** The project shall observe a minimum front yard setback of five (5) feet.
6. **Landscape Plan:**
 - a. Xeriscape Requirements. The project shall comply with the xeriscape requirements set forth under sections 12.40 through 12.43 of the Los Angeles Municipal Code (LAMC).
 - b. Landform Planting Design. The subject property falls within a Hillside and Special Grading Area. To the extent feasible, the type and placement of landscape materials on graded sloped shall conform to the standards set forth in the Landform Grading Manual.
 - c. Fire Safety. The landscaping and preservation, relocation, and removal of Native and Significant Trees shall not require any planting in violation of applicable fire safety regulations.
 - d. Tree Preservation. According to the Protected Tree Report prepared by Arsen Margossian, Certified Arborist (#WE-7233A) on January 31, 2018, there is one (1) Southern California black walnut tree, which is a Native and Protected Tree. The project does not propose the removal of this Native Protected Tree; therefore, the Native Protected Tree shall not be removed without further review by the Department of City Planning, Central Project Planning Division and in accordance with Ordinance No. 177,404.

NOTE: Attachment "Exhibit B" lists the regulating codes and statutes regarding construction requirements and restrictions.

Administrative Conditions

7. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
8. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
9. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
10. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
11. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code Compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
12. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
13. **Covenant.** Prior to the effectuation of this grant a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the Condition Compliance Unit for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
14. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
 - (a) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of

- subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (b) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (c) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (d) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (e) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

The subject property is comprised of a down-sloped, 5,621.9-square-foot vacant lot with a street frontage of approximately 35 feet on the east side of Crane Boulevard and variable lot depths of approximately 120 and 136 feet. The site is designated for Low Residential land use by the Northeast Los Angeles Community Plan, and zoned R1-1. Crane Boulevard is a Substandard Hillside Limited Street with an existing right-of-way width of 26 feet and roadway width of 24 feet. Per the Bureau of Engineering Preliminary Referral Form dated January 10, 2018, there is a Continuous Paved Roadway at least 20 feet wide from the driveway apron of the subject lot to the boundary of the Hillside Area, and Crane Boulevard has a roadway width of at least 20 feet adjacent to the subject lot. Per the Protected Tree Report prepared by Arsen Margossian, a certified arborist, and dated January 31, 2018, there is one (1) native protected Southern California black walnut tree on-site, which will not be removed as part of the project. The applicant does not propose any export of earth material from the site and proposes to import four (4) cubic yards of dirt. The subject site is within a Hillside Area, Special Grading Area (BOE Basic Grid Map A-13372), a Very High Fire Hazard Severity Zone, Landslide Area, and is approximately 1.8 kilometers from the Raymond Fault.

The parcels surrounding the project site to the northwest and west are designated for Low Residential land use, zoned R1-1, and improved with single-family dwellings and a duplex. The parcels adjoining the site to the north and east are designated for Low Residential land use, zoned R1-1 and currently vacant. The adjoining parcel to the south is designated for Minimum Residential land use, zoned A1-1-HPOZ, and occupied by Southwest Museum of the American Indian and its surface parking lot.

The project is the construction of a new one (1)-story single-family dwelling that is 41 feet in height and contains 1,050 square feet of floor area and a detached 360-square-foot two (2)-car carport.

The proposed project is subject to the requirements of the Mount Washington-Glassell Park Specific Plan and footnotes contained in Northeast Los Angeles Community Plan, where applicable. The applicant will be required to follow the Standard Construction Regulations as outlined in attachment Exhibit B. The proposed residential project meets the requirements of Section 6 of the Mount Washington-Glassell Park Specific Plan for single-family project standards and LAMC 11.5.7, as follows:

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

a. Floor Area

The Mount Washington-Glassell Park Specific Plan requires the proposed project to not exceed the Floor Area Ratio (FAR) that is determined by the formula for lots greater than or equal to 5,000 square feet in size, but less than 10,000 square feet in size. Based on this formula, the FAR for the 5,621.9-square-foot lot is 0.487 to 1, which will allow a maximum floor area of 2,741 square feet. The total floor area of the proposed project will be 1,050 square feet. The project also proposes a new 360-square-foot detached two (2)-car carport which is not included in the total floor area. The project does not exceed the maximum floor area allowance and therefore complies with Section 6.a. of the Mount Washington-Glassell Park Specific Plan.

b. Building Height and Stepback Distances

The proposed building will have a maximum building height of 41 feet which complies with the 45-foot height limit imposed by the Mount Washington-Glassell Park Specific Plan. The Specific Plan also limits building and structure heights within a 6-foot and a

12-foot setback distances as measured from the front property boundary. The proposed detached carport will not exceed the height limits within the setback distances. The proposed single-family residence is not located within the setback distances. As proposed, the building height and setback distances are in compliance with Section 6.b of the Mount Washington-Glassell Park Specific Plan.

c. Prevailing Front Yard Setback

The prevailing front yard setback is two (2) inches; however, the project fronts on a Substandard Hillside Limited Street and is therefore required to observe a minimum front yard setback of five (5) feet per LAMC Section 12.21 C.10(a). The proposed project observes a five (5)-foot front yard setback. Therefore, the project is in compliance with Section 6.c of the Mount Washington-Glassell Park Specific Plan.

d. Off-street Automobile Parking Requirements

The Mount Washing-Glassell Park Specific Plan regulates off-street automobile parking spaces for projects proposing an addition to or remodeling of an existing One-Family Project. The project proposes the construction of a new single-family dwelling, and therefore is not subject to the parking requirements in Section 6.D. of the Mount Washington/Glassell Park Specific Plan. The project must comply with the parking requirements of LAMC Section 12.21 C.10(g), which requires at least two (2) covered parking spaces for each single-family dwelling with a residential floor area of 2,400 square feet or less. The project proposes two (2) parking spaces within an detached carport for the single-family dwelling containing 1,050 square feet of floor area. Therefore, the project complies with LAMC Section 12.21 C.10(g).

e. Public Health and Safety

Haul routes are required only when the removal of earth from on-site exceeds 1,000 cubic yards. The project does not propose to export any cubic yards of soil from the subject site and proposes to import four (4) cubic yards of dirt. Therefore, the project is compliant with Section 6.E of the Mount Washington-Glassell Park Specific Plan and the LAMC.

f. Landscaping and preservation, relocation, and removal of Native and Significant Trees

Per the Protected Tree Report prepared by Arsen Margossian, a certified arborist, dated January 31, 2018 and stamped by the Urban Forestry Division on April 20, 2018, there is one (1) native Protected Southern California black walnut tree on-site, which will not be removed as part of the project. The existing landscaping and trees on site will be retained. There is no relocation or removal of native or Significant Trees proposed.

g. The architectural design elements of the front and rear building elevations vary from the adjacent buildings.

The Mount Washington-Glassell Park Specific Plan requires variation of design including façade articulation and design of differing materials, architectural details and location of windows, doors, columns, and balconies, facades that modulate with offsets or curves, insets and use of a variety of roof treatments, including roof type, shape and pitch and that such variation distinguishes it from homes on either side. The architectural plans attached to the subject file indicate that the architectural design elements will vary from the adjacent buildings based on the requirements of Section 8 for single-family design variation outlined in the Specific Plan.

As proposed, the architectural elevations and sections, attached as Exhibit "A" are in conformance with the Design Variation standards contained in Section 8.C. of the Mount Washington-Glassell Park Specific Plan.

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

The Department of City Planning determined that the State Guidelines for the implementation of the California Environmental Quality Act of 1970 designate the subject project as Categorically Exempt under Article 19, Section 15303, Class 3.

The project is for the construction of a new one (1)-story 1,050-square-foot single-family dwelling and a new detached 360-square-foot two (2)-car carport on a 5,621.9 square-foot interior lot located within the Mount Washington-Glassell Park Specific Plan.

The site is zoned R1-1 and has a General Plan Land Use Designation of Low Residential. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.13 acres. Lots adjacent to the subject site to the north and west are developed with single-family dwellings, while lots to the south and east are undeveloped. Protected Trees are defined in Protected Tree Ordinance (No. 177,404) as either Oak Trees, including the Valley Oak and California Live Oak or any other Oak indigenous to California but excluding the Scrub Oak, the Southern California Black Walnut, the Western Sycamore and the California Bay, which measure four inches or more in cumulative diameter. Significant Trees are defined in the Mt. Washington-Glassell Park Specific Plan as any tree which measures 12 inches or more in diameter at four and one-half feet above the natural grade at the base of the tree and/or more than 35 feet in height. There is one Protected Black Walnut Tree on site, and no Significant Trees, as identified in the Tree Report prepared by Arsen Margossian, Consulting Arborist (#WE-7233A) on January 31, 2018. No trees are proposed to be removed as part of the project, and the existing Protected Tree will be preserved per the Tree Report stamped by the Urban Forestry Division on April 20, 2018. 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 the Los Angeles Department of Transportation (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 the addition will be on a site developed with an existing single-family dwelling and surrounded by other developed properties.

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.

While the subject site is located within an Urban Agriculture Incentive Zone, Very High Fire Hazard Severity Zone, a Landslide Area and Special Grading Area (BOE Basic Grid Map A-13372), specific RCMs in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. RCMs include requirements to conform to the California Building Code and the City's Landform Grading Manual (see attached Regulatory Compliance Measures). These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location. There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes the construction of 1,050-square-foot single family dwelling in an area zoned and designated for such development. Adjacent lots to the north and west are developed with single-family dwellings. The subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of .19:1 on a site that is permitted to have a maximum FAR of .487:1. The proposed total floor area of 1,050 square feet and the proposed building height of 41 feet are 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. 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 22.1 miles east of Topanga Canyon State Scenic Highway. Therefore the subject site will not create any impacts within a designated State Scenic Highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply. Additionally, the adjoining parcel to the south is occupied by Southwest Museum of the American Indian, which is designated a National Register of Historic Places and a Los Angeles Historic-Cultural Monument; however, the applicant does not propose any construction on this adjoining parcel. Therefore, the project will not have a significant impact on the historical resource.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

FINAL PLAN SIGN OFF AND APPROVAL

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, the Marvin Braude Building in the San Fernando Valley, or the West Los Angeles Development Services Center. In order to assure that you receive services without waiting, applicants are encouraged to schedule an appointment with the Development Services Center by calling (213) 482-7077 (Figueroa Plaza) or (818) 374-5050 (Marvin Braude Building) San Fernando Valley or (310) 231-2901 (West LA) or through the Department of City Planning website at <http://planning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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

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

APPEAL PERIOD - EFFECTIVE DATE

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

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

Planning Department public offices are located at:

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

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

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

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

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

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:



Jane Choi, AICP, Senior City Planner

Reviewed by:



Nicole Sánchez, City Planner

Prepared by:



Nuri Cho, City Planning Associate
(213) 978-1177
Nuri.cho@lacity.org

“Exhibit B”

Regulating Codes and Statutes Regarding Construction Requirements and Restrictions.

The Applicant or Owner shall be responsible for implementing all regulating Codes and Statutes in regards to construction regulations. All departments listed below are within the City of Los Angeles unless otherwise noted. As shown on the following table, each required regulating Codes and Statutes for the proposed project is listed and categorized by area, with accompanying enforcement agencies and contact numbers:

Construction Requirements		Enforcement Agency*	Contact
1	When temporarily blocking portions of streets for deliverers of construction materials please provide flag persons to assist with pedestrian and vehicular traffic. LAMC 62.46	BOSS	(800) 996-2489
2	Street closures shall not take place during peak traffic hours. Any street, sidewalk, or other improvement work shall be in conformance with the latest Manual on Work Area Traffic Control. LAMC 62.1-07	BOSS	(800) 996-2489
3	Care should be taken to not overfill concrete trucks during deliveries. If spills occur it is the responsibility of the concrete company to immediately provide clean up. LAMC 62.130.	BOSS	(800) 996-2489
4	Construction noise should be kept to a minimum with consideration of the surrounding neighbors and to be excess noise only during hours permitted. Unnecessary noise shall be kept below legal levels. LAMC 112.01, 112.03, 112.04, 112.05 (City of Los Angeles Noise Ordinance No. 144,331 and 161,574)	LAPD, LADBS, BOSS	311 or (323) -344-5701 (non-emergency) (800)-996-2489
5	Streets and sidewalks adjacent to construction sites shall be swept and free of construction debris at all times. LAMC 62.45 through 62.54.	BOSS	(800) 996-2489
6	Care should be taken to not interfere with trash pick-up by the Bureau of Sanitation. Construction and delivery vehicles are subject to trash pick-up parking restrictions. LAMC 80.69.	LADOT	(213) 485-4184
7	If building materials are to be stored in public right of way, it shall be by permit from the Department of Public Works, Bureau of Street Services, Investigations and Enforcement Division and shall conform to all applicable rules. LAMC 62.45 through 62.54.	BOSS	(800) 996-2489

8	Comply with the following Permitted Construction/Demolition Hours. LAMC 41.40 Monday- Friday 7AM – 9 PM Saturday or National Holiday 8 AM – 6 PM Sunday No Work Permitted.	LAPD BOSS	(323) -344-5701 (800) 996-2489
9	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.	LADBS	311
10	Compliance with provisions of the Southern California Air Quality Management District Rule 403 for dust and air pollution from construction activities.	SCAQMD	1-800-CUT SMOG
11	The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.	SCAQMD	1-800-CUT SMOG
12	In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.	SCAQMD	1-800-CUT SMOG

NOTE: Report a haul route violation online using this link:

<http://ladbs.org/services/core-services/inspection/inspection-special-assistance/haul-route-monitoring-program/haul-route-monitoring-program-complaint-form>

KEY:

- LADBS—Los Angeles Department of Building and Safety
- BOSS----Bureau of Street Services
- LADOT--- Los Angeles Department of Transportation
- LAPD--- Los Angeles Police Department
- SCAQMD--- Southern California Air Quality Management District