

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**

(California Environmental Quality Act Section 15062)

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

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT 4, 5, 10, 14
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PROJECT TITLE Adoption of the Historic Preservation Overlay Zone (HPOZ) Interim Control Ordinance (ICO).	LOG REFERENCE CF 14-0656
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PROJECT LOCATION
The HPOZ ICO will encompass the following five neighborhoods: Sunset Square, Carthay Square, Holmby-Westwood, Oxford Square, and El Sereno-Berkshire Craftsman District.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
An Interim Control Ordinance, adopted as an urgency measure pursuant to California Government Code Section 65858, establishing a moratorium on the issuance of building and demolition permits for properties within five proposed HPOZs in order to prevent adverse impacts to historic resources.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON Shannon Ryan	AREA CODE 213	TELEPHONE NUMBER 978-1220	EXT.
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EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1

Class 8 Category _____ (City CEQA Guidelines)

OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: The adoption of the Historic Preservation Overlay Zone (HPOZ) Interim Control Ordinance (ICO) is exempt from the California Environmental Quality Act of 1970 (CEQA), pursuant to Article 19, Section 15308, Class 8 of the State's Guidelines in that the Project consists of "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment." The establishment of the HPOZ ICO would allow for the protection of historic resources by preventing the demolition and substantial alteration of properties within the Interim Control Area and in turn would allow for protection of the environment. The proposed Interim Control Ordinance will place a temporary prohibition on construction activities that could result in incompatible alterations, out of scale new construction, or the demolition of irreplaceable historic structures in the proposed Interim Control Area. Without action, the construction activities could jeopardize the continued eligibility of the proposed ICO neighborhoods for Historic Preservation Overlay Zone (HPOZ) status. The temporary action would ensure that the environment is not impaired before the adoption of permanent HPOZs within the Interim Control Area.

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

SIGNATURE 	TITLE Principal City Planner	DATE 12/18/14
FEE:	RECEIPT NO.	REC'D. BY
		DATE

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
NARRATIVE:
CF 14-0656**

The Historic Preservation Overlay Zone (HPOZ) Interim Control Ordinance (ICO) or "Project" proposes to create an urgency ordinance, pursuant to California Government Code Section 65858, establishing a temporary moratorium on the issuance of building and demolition permits for properties within five (5) proposed Historic Preservation Overlay Zones (HPOZs) as shown in the attached mapped Interim Control Area, which shall include:

- (1) Sunset Square – Council District 4
- (2) Carthay Square – Council District 5
- (3) Holmby – Westwood – Council District 5
- (4) Oxford Square – Council District 10
- (5) El Sereno – Berkshire Craftsman District – Council District 14

The adoption of the Historic Preservation Overlay Zone (HPOZ) Interim Control Ordinance (ICO) is exempt from the California Environmental Quality Act of 1970 (CEQA), pursuant to Article 19, Section 15308, **Class 8** of the State's Guidelines in that the Project consists of "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment." The establishment of the HPOZ ICO would allow for the protection of historic resources by preventing the demolition and substantial alteration of properties within the Interim Control Area and in turn would allow for protection of the environment. The proposed Interim Control Ordinance will place a temporary prohibition on construction activities that could result in incompatible alterations, out of scale new construction, or the demolition of irreplaceable historic structures in the proposed Interim Control Area. Without action, the construction activities could jeopardize the continued eligibility of the proposed ICO neighborhoods for Historic Preservation Overlay Zone (HPOZ) status. The temporary action would ensure that the environment is not impaired before the adoption of permanent HPOZs within the Interim Control Area.

Additionally, the use of Categorical Exemption Class 8 from the State CEQA Guidelines for the Interim Control Ordinance is consistent with other California jurisdictions which find that the regulations placed upon historic districts are necessary for the protection of the environment and will make sure that construction activities do not degrade the historic resources.

CEQA Section 15300.2: Exceptions to Categorical Exemptions

As explained below, the Project does not satisfy the criteria for exceptions to the application of Section 15300, Class 8 of the State CEQA Guidelines:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The Project is not exempt under Classes 3, 4, 5, 6 and 11. Furthermore, the Project is located in a typical urbanized area and is not located in a sensitive environment as defined above. This exception does not apply.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The Project will create a freeze on the issuance of building permits that could result in incompatible alterations, out of scale new construction, or the demolition of irreplaceable historic structures within the Interim Control Area. No other freeze on building permits exists in the City and no additional projects that would freeze the issuance of building permits are proposed. As such, the Project does not have any cumulative impacts because it does not involve successive projects of the same type, in the same place over time.

This is the first Interim Control Ordinance proposed for the Interim Control Area. Though a portion of the Interim Control Area is located near existing Historic Preservation Overlay Zones (HPOZs), the proposed Area has never been a part of an HPOZ or previous ICO. There are currently 29 established HPOZs throughout the City—approximately 19,000 properties or 2% of all properties within the City. As such, HPOZs make up a small fraction of land use regulation in the City as a whole and have no cumulative impact. The ICO will similarly have no cumulative impact.

Furthermore, the Interim Control Area covers small fractions of various parts of the City (approximately 2,500 properties in total) and is not clustered in one expansive area. The neighborhoods included in the ICO range from properties in the Westwood Community Plan Area to the Northeast Community Plan Area, with properties in the Hollywood and Wilshire Community Plan Areas in between. There is no successive implementation of the same Project in the same place over time and therefore this exception does not apply to the proposed ICO.

(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 Project involves the establishment of an Interim Control Ordinance that will allow for the temporary protection of historic resources until permanent Historic Preservation Overlay Zone Ordinances can be adopted and will not have any significant effect on the environment due to unusual circumstances. The ICO will allow for the protection of the environment by preventing adverse impacts to historic resources within the Interim Control Area. It is a typical regulation that falls under a standard regulatory action as permitted by state law (Government Code Section 65858) in order to “protect the public health, safety, and welfare.”

The Interim Control Area is made up of typical urbanized residential districts with no known unusual circumstances or potentially unusual circumstances. The Area is not located near sensitive habitats such as wetlands or endangered species and is not located in extreme hillsides. The temporary freeze on certain types of building permits will not create an unusual circumstance that has a significant effect on the environment because the regulations affect approximately 2,500 out of 880,000 parcels in the City of Los Angeles. This represents less than 1/3 of 1% of properties in the city – not sufficiently substantial to reshape development patterns or real estate market dynamics such that unusual circumstances could occur.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The only designated State Scenic Highway in Los Angeles County is Route 2 from 2.7 miles north of State Route 210 at La Canada to the San Bernardino County Line. The proposed Interim Control Area does not include Route 2 and therefore does not include any State Scenic Highways and will not result in damage to scenic resources including trees, historic buildings, rock outcroppings, or similar resources. Furthermore, the Project will prevent the damage to historic resources within the Interim Control Area, including historic street patterns.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

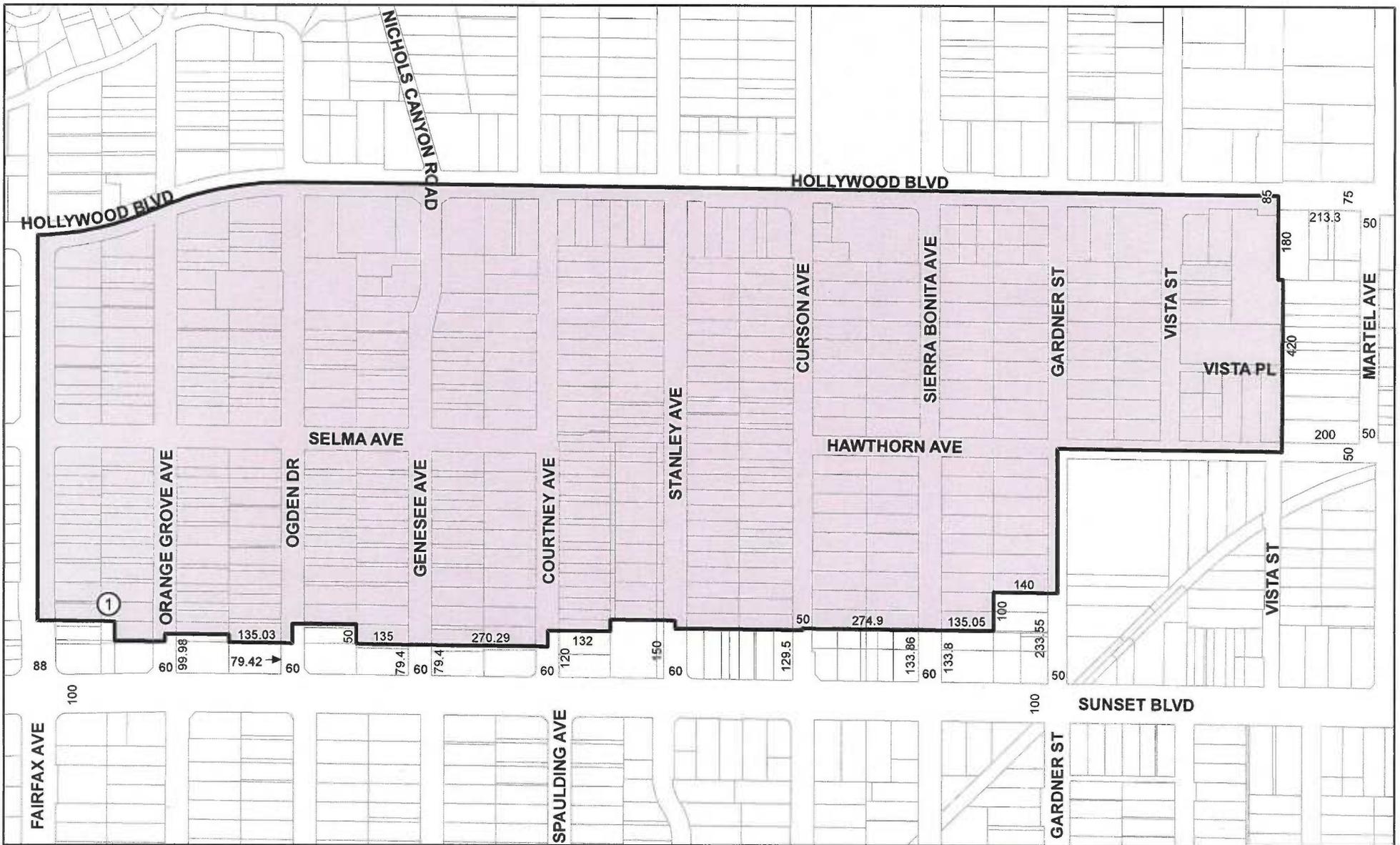
The Project is not located on a site listed pursuant to Section 65962.5 of the Government Code; therefore, the exception does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The proposed Project would not cause an adverse change in the significance of a historical resource; rather, the proposed Project would allow for the protection of identified historic structures through the adoption of the Historic Preservation Overlay Zone Interim Control Ordinance (ICO). The proposed ICO would place a temporary prohibition on construction activities such as alterations, demolition, and new construction that could result in incompatible alterations, new construction, and demolition of irreplaceable historic structures within the Interim Control Area. Without the implementation of the ICO, these structures may be altered in such a way that they would lose their character-defining historic features or be completely demolished. The ICO would prevent out of scale additions, significant alterations, and demolition in order to protect and prevent adverse changes to historic structures.

Interim Control Ordinance Maps

1. Sunset Square – Council District 4
2. Carthay Square – Council District 5
3. Holmby – Westwood – Council District 5
4. Oxford Square – Council District 10
5. El Sereno – Berkshire Craftsman District – Council District 14



Interim Control Ordinance (ICO)
1. Sunset Square

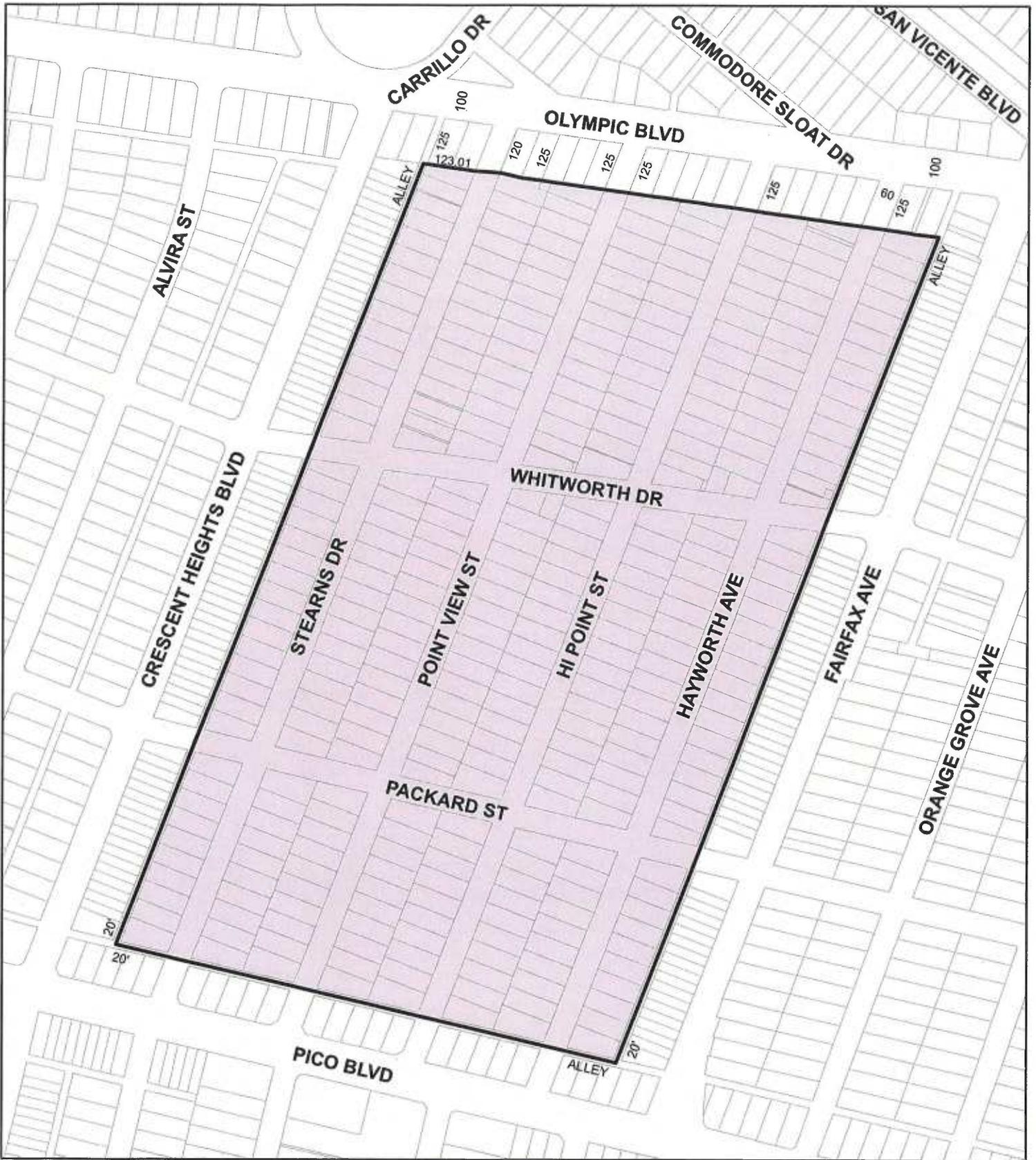
① S'LY LINE OF LOTS 3, 20, 21, & THE W'LY LINE OF THE E'LY 100' OF LOT 21, TR 3390



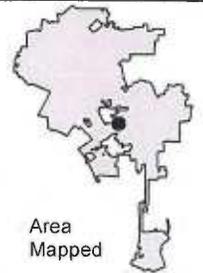
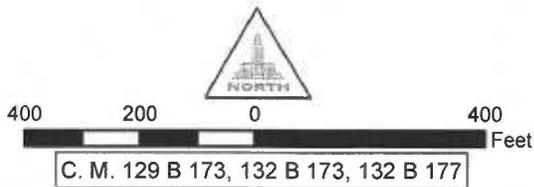
C. M. 147 B 177, 147 B 181

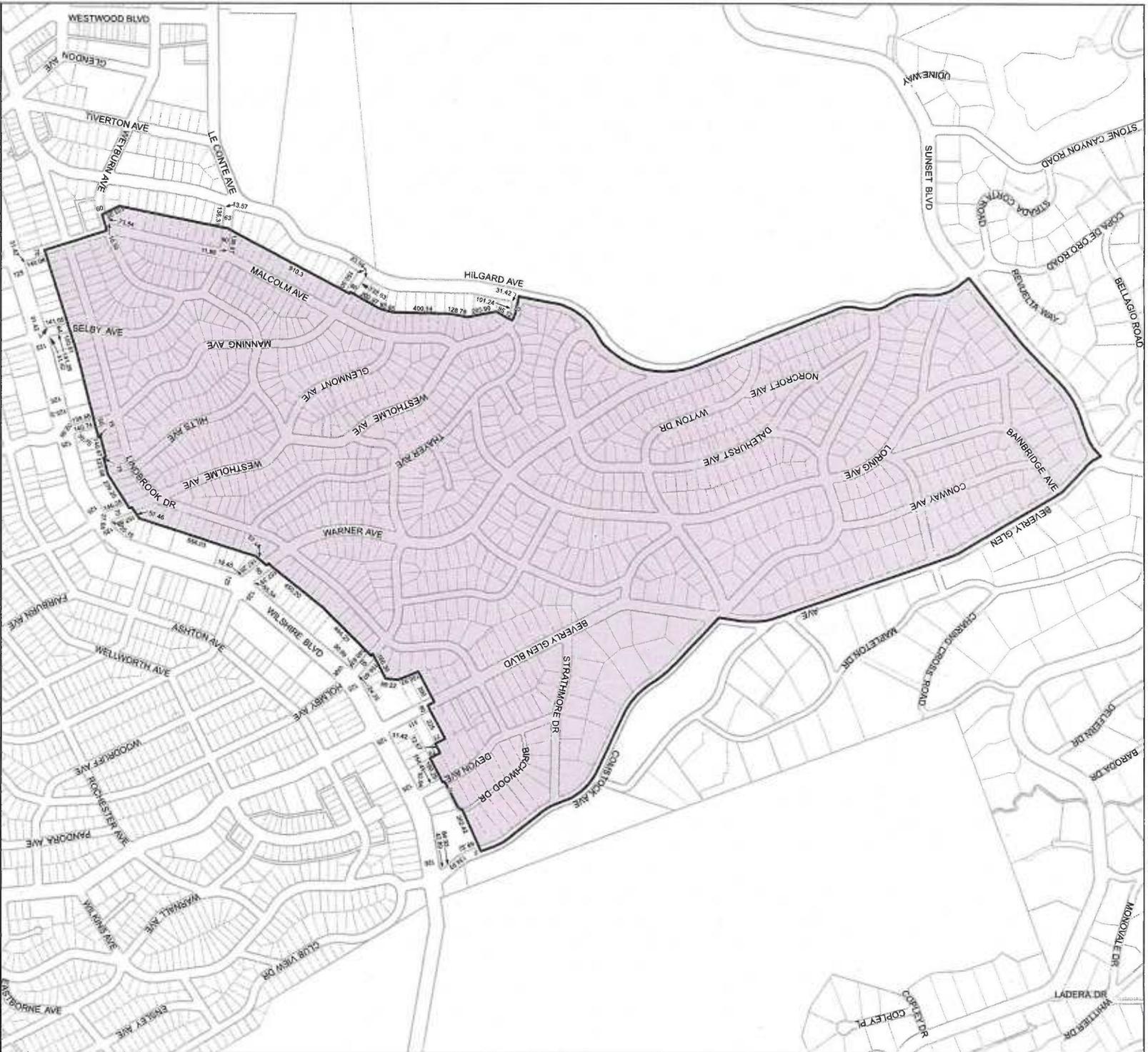


Area Mapped



Interim Control Ordinance (ICO) 2. Carthay Square

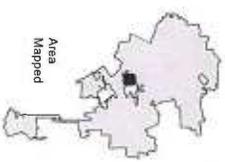




Interim Control Ordinance (ICO) 3. Holmby Westwood



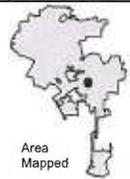
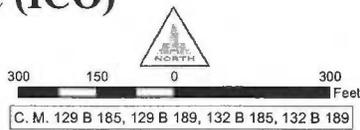
C.M. 144 B 153, 138 B 153, 138 B 157,
153 B 153, 138 B 157, 132 B 153
AAV
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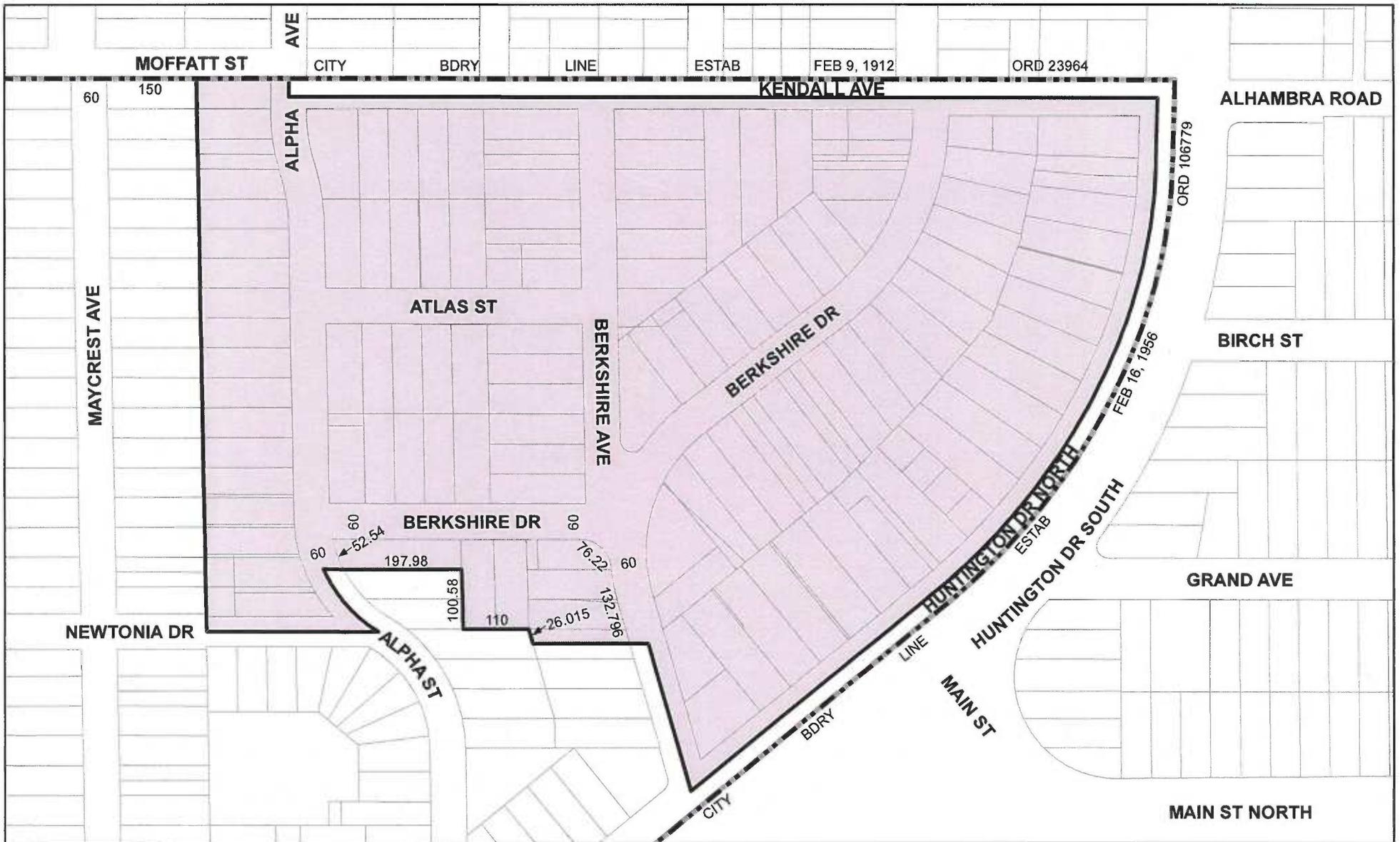
Area
Mapped



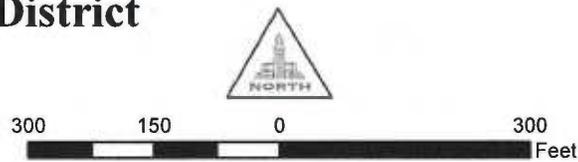
Interim Control Ordinance (ICO)
4. Oxford Square



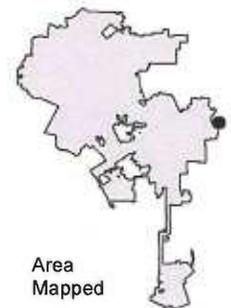
Area Mapped



**Interim Control Ordinance (ICO)
5. El Sereno Berkshire Craftsman District**



C. M. 147 A 239



Area Mapped