

## FINDINGS (Brookside)

### General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed zone change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

### General Plan Framework/Wilshire Community Plan Consistency

The proposed zone change ordinance for the Brookside community is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan

#### **General Plan Framework**

The proposed Zone Change Ordinance (Exhibit A) is consistent with the following goals, objectives, and policies of the General Plan Framework:

- Goal 3B**            Preservation of the City's stable single-family residential neighborhoods.
- Objective 3.5**    Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
- Policy 3.5.2**      Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
- Policy 3.5.4**      Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a Zone Change to those parcels lying within the Brookside community, bounded within the proposed Ordinance Map, from R1-1 to R1R3-RG and R1V3-RG. The current Interim Control Ordinance regulations for the Brookside community allow large, box-like structures that may compromise the existing character of the moderate scaled neighborhood, potentially limiting light and air to adjacent buildings. The proposed zone change ordinance for the Brookside community is necessary in order to preserve and maintain the character defining features, such as scale, proportion, building mass and garage orientation that make the existing single-family neighborhood unique.

With regards to scale and proportion, the existing R1 zone allows for a Floor to Area Ratio (FAR) that reaches 0.45. Currently, the area is regulated by an Interim Control Ordinance No. 184,381

which requires conformance with the Beverly Grove Residential Floor Area (RFA) District. The Beverly Grove RFA District has a FAR maximum of 0.50. The R1R3-RG and R1V3-RG zones reduces the allowable FAR from 0.50 to a range that reaches a maximum 0.45 on smaller lots to 0.35 on larger lots. This FAR allowance is more in keeping with the existing FAR makeup of the community, which averages less than 0.30 FAR, while still allowing for reasonable expansions to meet modern needs. It also is in keeping with the intent of the Interim Control Ordinance for the area when it was effectuated prior to the adoption of the new Single-Family Zone Regulations (Ordinance No. 184,802).

Furthermore, the citywide standard R1 zone does not control proportion or building massing. The existing R1 development standards neither limits the maximum FAR for large lots and the setback distance of the upper portions of the walls nor the structure mass. The currently enforced ICO offers FAR bonuses for the inclusion of second story setbacks which encourage a proportional and articulated building envelope. The new building envelope for the proposed zone, R1R3-RG, requires that walls over 12 feet in height at the front of the structure employ an encroachment plane of 45 degrees to a maximum height of 20 feet. In addition, the new zone requires an additional setback of the second story. The combination of the encroachment plane and the additional second story setback curtail the overall massing of the structure, reducing the perception of size and bulk while enhancing the overall visual quality of the street by providing a more unified and low scale appearance and increased light and air for adjacent properties. The R1V3-RG zone is also proposed for portions of the Brookside community where the existing homes have architectural styles that have the second story mass oriented towards the front of the building rather than setback like the R1R3-RG zone. The R1V3-RG zone also employs an encroachment plane but offers flexibility in the location of the second story massing to accommodate the varying building forms of different architectural styles. Both the R1R3-RG and R1V3-RG is in keeping with the intent of adopting an Interim Control Ordinance, however, with the new zoning tools in place, the Beverly Grove Residential RFA Regulations are more permissive than the standard R1 zone or the R1-R3-RG and R1V3-RG zones in that it mandates the preferred building envelope, instead of merely providing an FAR bonus for it.

Lastly, the new Rear Detached Garage “RG” District zone requires the construction of new garages to be detached and in the rear 50% of the property. This requirement reduces the overall bulk of the residential structure by disassociating it from the residential living area. The rear garage requirement also necessitates the development of a vehicular passageway (driveway) to the garage, which creates an additional, non-required setback between structures that facilitates the passage of light and air as well as the overall perception of privacy between neighbors and structures. Again, this is in keeping with the original intent of the Interim Control Ordinance, however, it is more authoritative in that it mandates the preferred garage orientation, instead of merely providing an FAR bonus for it.

### **Wilshire Community Plan**

The proposed zone change will promote the objectives, polices and goals of the Wilshire Community Plan by continuing to protect the character of the existing single-family neighborhood in the Brookside area. By instituting more restrictive development regulations, the proposed regulations require new development to be compatible with neighborhood character. As new houses are developed in conformance with the proposed regulations, and are built with smaller height, floor area and lot coverage envelopes, the overall existing character of the Brookside

community is preserved. The proposed zone changes are consistent with applicable objectives and policies of the Wilshire Community Plan, including the following:

- Objective 1-1** Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area.
- Policy 1-1.2** Promote neighborhood preservation in all stable residential neighborhoods.

The objective and policy listed above will be accomplished through the implementation of the proposed zone changes of R1-1 to R1R3-RG and R1V3-RG. Based on data from the existing housing stock in the Brookside community, including floor area and analysis of garage orientation, the proposed new zones were selected from a range of new single family subzones. The proposed zone requires all new development to be similar in character to the majority of existing houses in the project area. No changes are proposed to the community's residential density – the project area will remain designated for single family development. On the whole, the proposed zone change to R1R3-RG and R1V3-RG act as a refinement of the existing Single Family Development Standards contained in the Los Angeles Municipal Code, tailoring existing types of development regulations to more specifically address the needs of a well-defined community.

#### Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed Zone Change conforms to public necessity, convenience, general welfare, and good zoning practice in the following respects: The proposed single family development standards of the R1R3-RG and R1V3-RG creates guidelines and standards for new development to help protect the character of Brookside and reinforce the neighborhood's scale, prevalent building envelope and garage orientation. The new single family standards within the R1R3-RG and R1V3-RG zones will ensure that new construction is compatible with the existing context; new projects will enhance and reinforce the existing environment; and that the aesthetic and visual quality of the area will be improved and complement the character of the Brookside community.

The proposed zone change began with a desire voiced by the community to preserve the built character of Brookside. Planning staff responded by researching building form in the community, as well as extensive field work and meetings with community members to better understand the issues facing the area. Through this methodology, staff determined that there was an impetus for additional single family development regulations in the Brookside community; the built form of the neighborhood was beginning to change, and that the changes were potentially negatively affecting the character of the community as shown by the need to adopt an Interim Control Ordinance to temporarily restrict certain types of development. The proposed zone, R1R3-RG and R1V3-RG offers protections and methods to preserving the overall character of the community.

The proposed zone change ordinance substantially advances a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed zone change ordinance accomplishes this requirement.

The proposed zone change provides the most direct way of dealing with the issue of “mansionization” or development of homes that are disproportionate in size within their community. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of zone change could result in the continuation of out-of-scale development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the Brookside community.

#### Rear Garage (RG) Supplemental Use District

LAMC Section 12.32(S) requires initiation of a Supplemental Use District on the part of the City Council, City Planning Commission, or the Director of Planning. The establishment of the Rear Garage (RG) District furthers several goals of General Plan Framework and will thus be initiated by the Director of Planning within this proposed Zone Change. In keeping with Goal 3B of the General Plan Framework, the proposed “RG” Supplemental Use District ensures that new developments are consistent with the existing architectural character and setting of the Brookside community.

After a visual analysis of the existing built form, it was found that a majority of properties within this community maintain a rear, detached garage. There are many urban design benefits to maintaining this garage orientation as it relates to the ultimate preservation of neighborhood character. First, this garage orientation disassociates the garage (a required vehicular storage facility) from the front elevation of the single family dwelling, leaving more room for more inviting features such as porches, entryways and gardens. Second, the rear garage necessitates a vehicular passage way, which creates additional buffering between neighbors, facilitating the circulation of light and air between structures. This vehicular passage way may also be decoratively landscaped and/or designed of pervious ground cover conducive to water preservation. Third, this orientation dissociates the mass of the house from the mass of the garage, reducing the overall bulk of the house. Lastly, In addition to these aesthetic benefits, detached garages have functional attributes, such as limiting the amount of noise and pollution that filters into the house.

Based on the above findings, the proposed Rear Garage District is deemed in substantial conformance with the purposes, intent and provisions of the City’s General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC); consistent with public

necessity, convenience, general welfare, and good zoning practice; and in is accordance with the establishment of a Supplemental Use District, satisfies the purposes of the proposed zone change and furthers the overall quest for conservation of the neighborhood character through urban design.

### **CEQA Findings**

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2016-2111-ND), concluding that the Code Amendment to create a new range of R1 One-Family Variation Zones (“R1 Variation Zones”), a Code Amendment to create a “RG” Single-Family Zone Rear Detached Garage Supplemental Use District, and Zone Changes to 20 neighborhoods (the Code Amendments and Zone Changes collectively known as the “Project”) will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from September 29, 2016 to October 19, 2016. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162 and 15164, as supported by the addendum Negative Declaration, No. ENV-2016-2111-ND-REC-1 dated January 2018, no major revisions are required to the Negative Declaration ENV-2016-2111-ND; and no subsequent EIR or Negative Declaration is required for approval of the zone change.

The Final Negative Declaration (ND) for the Project concluded less than significant impacts for the mandatory findings of significance. The Project did not propose or authorize any development by itself. Any development authorized under the Project is anticipated to be additions or replacement of single-family homes. As discussed in the Final ND, a majority of the single-family zones in the project area are built out, therefore, the Project would not impact any endangered flora or fauna, modify and special status species habitat. Further, it would not impact habitat or population levels of fish or wildlife species, nor would it threaten a plant or animal community or a rare endangered plant or animal.

The Final ND disclosed that no significant impacts were identified for the 17 environmental factors as a result of the Project. The Project would not result in any unmitigated significant impacts thus no cumulative impacts would occur. The Final ND determined that there would be no substantial adverse effects on human beings directly or indirectly.

Consistent with the Final ND, the proposed Zone Change Ordinance does not propose or authorize any project by itself. The approval of the Zone Change Ordinance will apply the R1 Variation regulations to the R1 lots in the Brookside neighborhood, an established residential neighborhood that is mostly built out. Thus, new proposed single-family homes and additions approved under the proposed Zone Change Ordinances will not endanger any fauna or flora or modify any special status species or habitat. Lots that exist in the Brookside neighborhood are single-family lots in the R1 zone. Also, the Zone Change Ordinances do not authorize any project in any identified Biological Resource Area. No fish, wildlife species, endangered plant or animals will be impacted by the adoption of the Zone Change Ordinances.

All 17 environmental factors were analyzed in the Addendum and no significant impacts were identified. The proposed Zone Change Ordinance as an Addendum to the Final ND for the Project do not change or alter any of the findings or conclusions disclosed in any of the categories.

Furthermore, the proposed Zone Change Ordinance will not have any substantial environmental effects on humans directly or indirectly.