

## FINDINGS (Code Amendment)

### General Plan/Charter Findings

1. In accordance with Charter Section 556, the proposed ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would establish regulations to reduce impacts related to construction of larger-scaled residential homes in the Hillside.

The proposed ordinance 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:

**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 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.

**Policy 3.5.5** Promote the maintenance and support of special use neighborhoods to encourage a wide variety of these and unique assets within the City

The current single family regulations within the Baseline Hillside Ordinance do not provide regulations for hauling operations and specialized controls for homes of a specific size and provides a "by-right" grading maximum that is too high for some communities. The proposed ordinance aims to regulate large single family developments that are 20,000 square feet or larger, hauling operations and construction activity, and grading "by-right" maximums in hillside areas in a way that is necessary in order to preserve and maintain the character, scale and safety of existing single-family neighborhoods and ensure that future development is held to appropriate standards of safety and protection that are consistent with the scale and scope of the project.

The addition of hauling operations help reduce impacts related to construction related activities along narrow and windy hillside streets. The standards applied by this supplemental use district contain standards required by the Department of Building and Safety for projects with large hauling jobs. However the cumulative effect of several small jobs may exceed the impact of one large hauling job. Therefore, applying hauling regulations and standards provides Hillside communities and the City a tool for managing a variety of smaller projects, while ensuring responsibility of construction crews and developers. These regulations promote the maintenance and support hillside

neighborhoods in a way that encourage the preservation of their unique assets within the City.

Reduction of the grading maximum and regulating new single family homes that exceed 20,000 square feet helps prevent major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. It also places regulations on the bulk and massing of large homes which may interrupt the character of the community. In order to address these issues, while still allowing for reasonable construction and grading activity, the proposed supplemental use district proposes reducing amount of grading allowed on a RE-40 zoned property from 6,600 to 6,000 cubic yards and requires a special review of homes larger than 20,000 square feet. That in combination with the Baseline Hillside Ordinance which newly restricts the building envelope and volume of earth allowed to be imported and exported from a property, including that beneath the footprint of the house, preserves the intent of the General Plan's goals and policies.

2. In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because its measures are needed to regulate single-family residential development in order to avoid the further degrading effects of larger structures in the various hillside neighborhoods throughout the City of Los Angeles as a result of the current Baseline Hillside Ordinances. The measures in the proposed ordinance are needed to avoid the continuing negative impacts upon established neighborhoods around the City created by the current development standards. Relative to the amended Baseline Hillside Ordinance, the supplemental use district provides more fine-grained tools for the City to utilize when creating context-sensitive and tailored regulations for individual Hillside neighborhoods throughout the City.

The proposed ordinance substantially advance a legitimate public interest in that it will further protect single-family residential neighborhoods from development that often leads to structures with proliferation of grading permitted 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. These newer, larger structures often require more grading and hauling of dirt in Hillside areas that contain narrow, windy, often under-improved roads. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character while promoting safe operating procedures in the process. This proposed ordinance accomplishes this requirement.

The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of hauling, overdevelopment and construction impacts in the hillsides. There is a reasonable relationship between a legitimate public purpose which is maintaining existing integrity of hillside communities citywide and the means to effectuate that purpose. Delaying the implementation of this code amendment could result in the continuation of over grading and an accumulation of hauling efforts that in aggregate may impact hillside neighborhoods in a manner which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City.

#### **CEQA Finding**

The Department of City Planning determined that the proposed ordinance would not have a significant impact on the environment. Negative Declaration ENV-2015-4086-ND was prepared for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed will have a negative effect on the environment. The attached Negative Declaration was published in the Los Angeles Times on Thursday, November 24, 2016, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Community Planning Bureau of the Planning Department in Room 750, 200 North Spring Street.

#### **Delegation of City Planning Commission Authority**

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

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