

Sustainable Communities Project Exemption Summary

Senate Bill 375 (“**SB 375**”), enacted on September 30, 2008 to incentivize development of environmentally superior residential projects near transit, created a statutory exemption to the California Environmental Quality Act (“**CEQA**”) for transit priority projects that meet rigorous statutory requirements.

A transit priority project is defined as a project that shall:

- (1) contain at least 50 percent residential use; based on total building square footage and, if the project contains between 26 and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;
- (2) provide a minimum net density of at least 20 dwelling units per acre; and
- (3) be within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. Specifically, for a transit priority project to be considered for an exemption, the City Council, after conducting a public hearing, must find that specific environmental criteria, land-use criteria, and one of three affordable housing criteria have all been met.

Pursuant to Public Resources Code, Section 21155.1, a Sustainable Communities Project CEQA Statutory Exemption (“SCPE”) was prepared for the Project. The Department of City Planning recommended that the City Council consider and determine that the Project satisfies all of the SCPE’s criteria, and is therefore exempt from CEQA pursuant to Public Resource Code (PRC) Section 21155.1, as set forth in the SCPE.

On November 6, 2018, after a duly-noticed public hearing and based on the whole of the administrative record, the City Council’s Planning and Land Use Management Committee made a recommendation to the full City Council to determine that the Project is exempt from CEQA pursuant to PRC Section 21155.1 as a Sustainable Communities Project. Notice of the hearing before the Planning and Land Use Management Committee was provided October 2, 2018.

On November 21, 2018, after a duly-noticed public hearing and based on the whole of the administrative record and using its independent judgment, the City Council found that the Project met the criteria for a Sustainable Communities Project exemption and approved the exemption pursuant to PRC Section 21155.1.

An additional requirement of PRC Section 21155.1 (b)(5) requires any applicable mitigation measures or performance standards from prior EIRs be incorporated into the project. On Page 14 of the exemption document, a discussion of prior EIRs and applicability is provided, narrowing the applicable previous EIRs to four. The prior EIRs consist of:

1. Hollywood Redevelopment Project (1986)
2. Hollywood Community Plan (1988)
3. Hollywood Redevelopment Plan Amendment (2003)
4. SCAG 2016 RTP/SCS

For a detailed breakdown of previous EIRs and mitigation measures see the Exemption document, and attachment K.

Below are the applicable previous mitigations measures.

I. Conditions of Approval incorporated from applicable mitigation measures of prior EIRs

In accordance with Public Resources Code Section 21155.1(b)(5) which states the following mitigation measures, performance standards or criteria from Prior EIRs (collectively "Mitigation Measures") have been incorporated as Project Conditions. The agency or agencies responsible for enforcement and monitoring of these Project Conditions are also provided below.¹

A. Noise

COA-NOI-1: The applicant shall retain an acoustical engineer to submit evidence of the application of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Enforcement Agency: Dept. of Building and Safety

Monitoring Agency: Dept. of Building and Safety

Monitoring Phase: Pre-Construction

COA-NOI-2:

- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- Siting of cranes, hoists, or other semi-stationary heavy equipment shall be as far from noise-sensitive uses as is practical, consistent with construction requirements.
- Electrically powered equipment shall be used instead of equipment driven by internal combustion engines where feasible.
- A temporary noise control barrier shall be installed on the property line of the construction site abutting residential and other sensitive uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent residential structures. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in

¹ Note that as set forth in Table K-2 of the Sustainable Communities Project CEQA Exemption, the Project will also implement applicable mitigation measures from the prior EIRs through compliance with regulatory requirements.

place until all windows have been installed and all activities on the project site are complete.

Enforcement Agency: Dept. of Building and Safety

Monitoring Agency: Dept. of Building and Safety

Monitoring Phase: Pre-Construction

COA-NOI-3: The Applicant shall complete a structure vibration monitoring during the Project construction as follows:

- Prior to start of construction, the Applicant shall retain the services of a structural engineer to visit the building adjacent to the Project Site's Northern Lot to the south (vibration building V3) to inspect and document (video and/or photographic) the apparent physical condition of the building's readily-visible features.
- The Applicant shall retain the services of a qualified acoustical engineer to develop and implement a vibration monitoring program during the site demolition and grading/excavation capable of documenting the construction-related ground vibration levels at the building adjacent to the Project Site to the south. The vibration monitoring system shall continuously measure (in vertical and horizontal directions) and store the peak particle velocity (PPV) in inch/second. The system shall also be programmed for two preset velocity levels: a warning level of 0.25 inch/second (PPV) and a regulatory level of 0.30 inch/second (PPV). The system shall also provide real-time alert when the vibration levels exceed the two preset levels.
- The vibration monitoring program shall be submitted to the Department of Building and Safety, prior to initiating any construction activities.
- In the event the warning level of 0.25 inch/second (PPV) is triggered, the contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including but not limited to halting/staggering concurrent activities and utilizing lower vibratory techniques.
- In the event the regulatory level of 0.30 inch/second (PPV) is triggered, the contractor shall halt the construction activities in the vicinity of the building and visually inspect the building for any damage. Results of the inspection must be logged. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level. Construction activities may then restart.

Enforcement Agency: Dept. of Building and Safety and Dept. of City Planning

Monitoring Agency: Dept. of Building and Safety and Dept. of City Planning

Monitoring Phase: Pre-Construction

B. Geology and Soils

COA-GEO-1: The applicant shall record a covenant and agreement to ensure building management performs the following:

- Prepare brochures detailing what to do and where to go in the event of a major earthquake shall be prepared and distributed.
- Provide emergency evacuation assembly areas within each new medium- and high-rise building as a condition of project approval. In addition, building managers shall designate such areas in existing medium- and high-rise buildings.
- A program for earthquake education shall be implemented.
- Semi-annual earthquake response drills for employees in all buildings with over 50 occupants shall be required.

Enforcement Agency: Dept. of Building and Safety

Monitoring Agency: Dept. of Building and Safety and Los Angeles Fire Department

Monitoring Phase: Pre-Construction

C. Traffic

COA-TRA-1: A detailed Construction Management Plan, including street closure information, a detour plan, haul routes, and a staging plan, would be prepared and submitted to the City for review and approval. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site what are under construction at the same time, and shall include, but not be limited to, the following elements, as appropriate:

- Advance notification of adjacent property owners and occupants, as well as any nearby schools, of upcoming construction activities, including durations and daily hours of construction.
- Prohibition of construction worker parking on adjacent residential streets.
- Temporary pedestrian and vehicular traffic controls during all construction activities adjacent to Sunset Boulevard, Cahuenga Boulevard and Ivar Avenue to ensure traffic safety on public right of ways. These controls shall include, but are not limited to, flag people trained in pedestrian and student safety.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.

- Parking restrictions on construction-related vehicles parking on surrounding public streets.
- Safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate, including along all identified Los Angeles Unified School District (LAUSD) pedestrian routes to nearby schools.
- Safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate.
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible, and so as to not impede school drop-off and pick-up activities and students using LAUSD's identified pedestrian routes to nearby schools.
- Advanced notification of temporary parking removals and duration of removals.

Enforcement Agency: Dept. of Transportation

Monitoring Agency: Dept. of Transportation and Dept. of Building and Safety

Monitoring Phase: Pre-Construction

D. Cultural Resources

COA-CUL-1: The services of a qualified paleontologist for the City or Los Angeles County, as applicable, shall be retained prior to earthmoving activities associated with construction, in order to carry out a comprehensive Paleontological Resource Management Plan (PRMP). A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques, is knowledgeable in the geology and paleontology of the region, and has worked as a paleontological resource management project supervisor in the region for at least 1 year. It is recommended that a field reconnaissance survey of the Project area be conducted by a qualified paleontologist prior to any earthmoving activities, in order to visually inspect the ground surface for the presence of any exposed paleontological resources and to evaluate any exposed geologic features in the vicinity of the Project.

Prior to earthmoving activities, a qualified paleontologist shall develop a site-specific PRMP to be implemented during construction activities. During Project planning and construction, the PRMP shall be implemented under a qualified professional paleontologist (as defined above). The plan shall specify the level and types of monitoring and treatment efforts, based on the types and depths of earthmoving activities and the geologic and paleontological settings of the Project area. If artificial fill, significantly disturbed deposits, or younger deposits (too recent to contain paleontological resources) are encountered during construction, the Project paleontologist may reduce or curtail monitoring in the affected areas, after consultation with the Project proponent and the City.

Enforcement Agency: Dept. of City Planning and Dept. of City Planning

Monitoring Agency: Dept. of Building and Safety and Dept. of City Planning

Monitoring Phase: Pre-Construction

COA-CUL-2: A qualified professional paleontologist should attend any pre-construction meetings, to consult with grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. Communication protocols will be established to ensure that all relevant earthmoving activities are monitored and assessed to comply with the PRMP.

A paleontological monitor should be on-site at all times during the original cutting of previously undisturbed deposits of high paleontological resource potential (e.g., Quaternary old alluvial fan deposits), to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor will work under the direction of a qualified professional paleontologist. Because of the potential for recovering small fossil remains (e.g., isolated small mammal teeth, foraminifera, or otoliths), screen washing may be required onsite at the discretion of the paleontological monitor or qualified professional paleontologist.

If paleontological resources are discovered during construction, the monitor will have the authority to temporarily divert or direct ground-disturbing activities in the immediate vicinity around the find until they are assessed for scientific significance and recovered (i.e., collected). Often fossil salvage will be completed relatively quickly. However, some fossil specimens (e.g., large skeletons) may require an extended salvage period. Such extended salvage activities rarely (if ever) stop construction activities at a project site but may require some period during which construction activities in the immediate area are redirected.

Enforcement Agency: Dept. of City Planning and Dept. of Building and Safety

Monitoring Agency: Dept. of Building and Safety and Dept. of City Planning

Monitoring Phase: Pre-Construction

COA-CUL-3: Paleontological resources collected during monitoring will be prepared in a properly equipped fossil-preparation laboratory. Preparation will include the removal of rock matrix from fossil materials as well as the stabilization, consolidation, and repair of specimens, as necessary. Fossil preparation will be done to the point that specimens are ready for curation. Specimens will be identified to the finest taxonomic level that is reasonably possible before being sorted and catalogued as part of the monitoring and treatment program.

Once prepared, fossils should be deposited (as a donation) with an appropriate public, nonprofit scientific institution with permanent paleontological collections (such as a natural-history museum), along with copies of all pertinent field notes, photographs, and maps. The cost of curation and accession of fossil specimens at such a repository will be the responsibility of the Project owner and is required for compliance with the PRMP.

Enforcement Agency: Dept. of City Planning and Dept. of Building and Safety

Monitoring Agency: Dept. of Building and Safety and Dept. of City Planning

Monitoring Phase: Pre-Construction

COA-CUL-4: Following the conclusion of all monitoring, laboratory work, and curation, a final summary report will be completed that describes the results of the paleontological resource monitoring and treatment program. This report will include an overview of the methods and procedures used during the monitoring and treatment program, describe the stratigraphy exposed and the fossils collected during construction activities, and discuss the significance of recovered fossil finds. If monitoring efforts during the monitoring program produce fossil remains, then a copy of the final report will be provided to the designated scientific institution where the fossil specimens are deposited.

Enforcement Agency: Dept. of City Planning and Dept. of Building and Safety

Monitoring Agency: Dept. of Building and Safety and Dept. of City Planning

Monitoring Phase: Pre-Construction