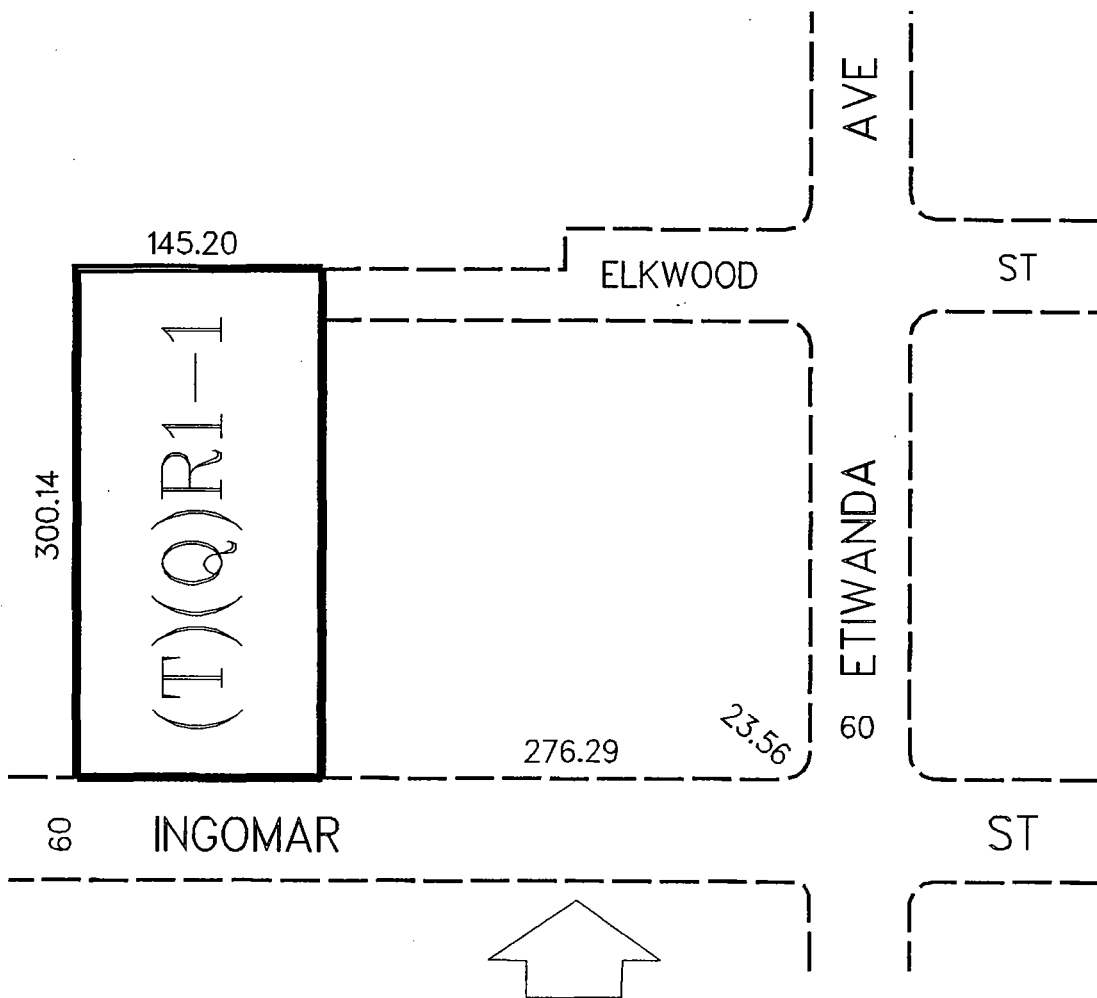


ORDINANCE NO. 176671

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the Zoning map shall be as follows:



NOT TO SCALE

C.M. 189 B 125	APCSV 2004-5409 ZC SM
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AE/SS

**(Q) CONDITIONS OF APPROVAL**

1. **Density.** Project shall comply with all provisions of the R1 zone.
2. **Plan:** The use and development of the property shall be in substantial conformance with the proposed Tentative Tract submitted with the application and marked Exhibit "E-3", dated **November 12, 2004**.
3. **Height:** The project shall not exceed 30-feet in height.
4. **Wall:** A 6-foot-high solid decorative masonry wall or wood fence adjacent to any single-family use shall be constructed if no such wall exists.

**Environmental**

5. **Landscaping:** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained including an automatic irrigation plan.
6. **Bonding (Oak Tree Survival)**  
That the developer shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Street Tree Division and Advisory Agency (or other decision-maker) guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership will require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.  
  
The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Street Tree Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.
7. **Seismic:** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
8. **Severe Noise Levels (Aircraft Noise - Residential):** All exterior windows shall be constructed with double-pane glass. Before the granting of a building permit, an acoustical engineer must specify the CNEL contour within which the building will be located and, based on such CNEL contours, the measures necessary to achieve an interior noise level which will not exceed 45 dBA in any habitable room. The applicant may submit other evidence stating that the interior noise levels shall not exceed 45 dba in any habitable room. This evidence shall be to the satisfaction of the Department of City Planning.
9. **Public Services (Street Improvements Not Required By DOT):** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that

will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

10. **Inadequate Emergency Access:** Submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that shall provide code-required emergency access.
11. **Public Services (Schools):** The project is subject to any applicable school fees (Los Angeles Unified School District) to offset the impact of additional student enrollment at schools serving the project area.
12. **Safety Hazards:** Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
13. **Tree Removal (Non-Oaks)**
  - a. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall provided per the current Street Tree Division standards.
  - b. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675

14. **Erosion/Grading/Short-Term Construction Impacts:** Short-term air quality, grading and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

#### Air Quality

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent
- b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts

of dust.

- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

#### Noise

- g. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- h. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- i. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- j. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- k. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

#### Grading

- l. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- m. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- n. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

#### General Construction

- o. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- p. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- q. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- r. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- s. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- t. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

- 15. **Explosion/Release (Asbestos Containing Materials):** Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and

Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

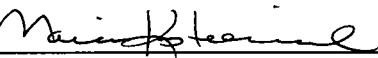
**Administrative:**

16. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
17. **Code Compliance.** Area, height and use regulations of the **R1** zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
18. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
19. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
20. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
21. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

Section 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 10 2005.

J. MICHAEL CAREY, City Clerk

By   
Deputy

Approved ~~MAY 23 2005~~

  
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By \_\_\_\_\_  
\_\_\_\_\_ City Attorney

Pursuant to Sec. 559 of the City Charter, **approval** of this ordinance recommended for the City Planning Commission.....

April 26, 2005

See attached report

  
Director of Planning

File No. C.F. 05-0339  
CPC 04-5409

**DECLARATION OF POSTING ORDINANCE**

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176671 - Zone change for property at 18343 West Ingomar Street - APCSV 2004-5409 ZC SM - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on May 10, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on May 25, 2005, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on May 25, 2005 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 25th day of May 2005 at Los Angeles, California.

  
\_\_\_\_\_  
Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: July 4, 2005 Council File No. 05-0339