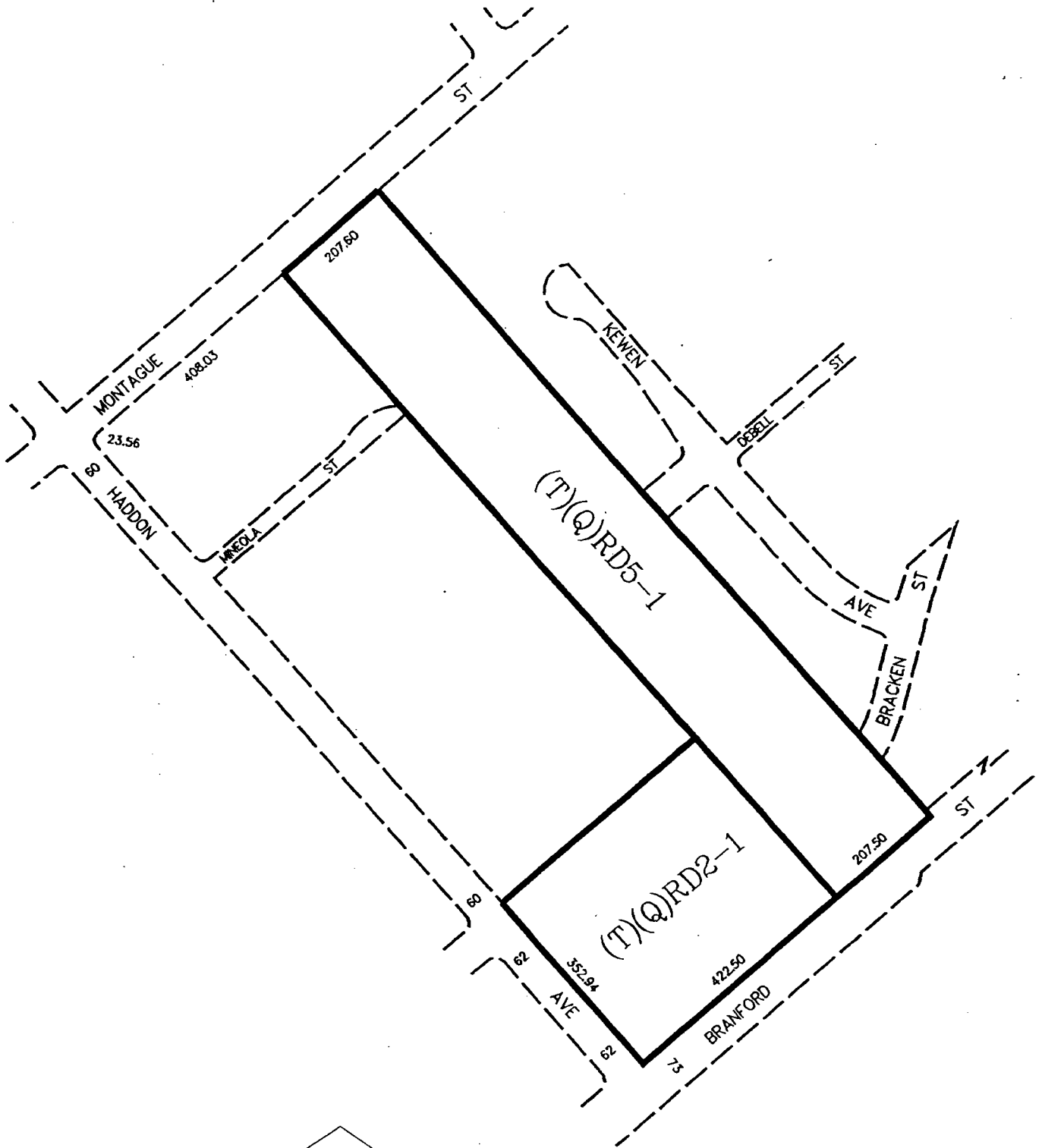


ORDINANCE NO. **177455**

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. 201 B 161, 198 B 161	CPC 2004-5919 ZC ZAA ZAD SPR
---------------------------	------------------------------

AE/Deob

12/13/05

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Entitlement Conditions

1. **Use.** Use of the property shall be limited to the use and area provisions of the RD5-1 and RD2-1 zones, except as varied by the Yard and Area Adjustments and Wall Height Determination, pursuant to CPC 2004-5919-ZC-ZAA-ZAD-SPR.
2. **Density.** Not more than 57 dwelling units may be constructed in the RD5-1 zone, and not more than 68 dwelling units may be constructed in the RD2-1 zone on the subject property.
3. **Plans.** Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department. Minor deviations may be allowed in order to comply with provisions of the Municipal Code or as granted in this approval, the subject conditions.
4. **Height.** The height of all buildings and structures on the subject property shall not exceed 25 feet, as defined by Sections 12.03 and 12.21.1B 3 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
5. **Parking.** Residential parking shall be provided pursuant to Los Angeles Municipal Code Sections 12.21 A 4 and any amendment thereto. One-half parking space per dwelling unit shall be required for guest parking in addition to the required tenant parking. The following shall also apply:
 - a. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.
 - b. Guest parking sign(s) shall be clearly posted at building entrance(s). The sign(s) shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.
 - c. If any guest parking is located behind security gates, the following shall apply:
 - 1) A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
 - 2) An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles

and to the units served by the secured guest parking.

- 3) If there is a security gate, then it shall be set back from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.
 - 4) Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.
6. **Balconies (RD5-1 Zone, Adjacent to Single Family Dwellings).** For dwelling units located within the RD5-1 zone, above the first floor there shall be no balconies which have a line of sight to any adjacent existing single-family use.
 7. **Wall and Landscaped Buffer.** A 6-foot high solid decorative masonry wall shall be constructed along the property line adjacent to any residential use, if no such wall exists. This wall shall contain along its length a landscaped buffer. The buffer shall include fast growing plant materials that will provide buffer for adjacent residential properties.
 8. **Light.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
 9. **Trash.** If trash storage areas are installed, they shall be fully enclosed by a solid decorative masonry wall, a minimum of 6 feet in height. There shall be no openings except for gates. Trash receptacles shall be located at least 50-feet distant from the property line of adjacent residential properties.
 10. **Graffiti.** Every existing building, structure, or portion thereof shall be maintained in a safe and sanitary condition and good repair. The premises of every building or structure shall be maintained in good repair and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all privately owned buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

B. Environmental Conditions

11. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared consistent with the landscape provisions of Sections 12.40 through 12.43 of the Municipal Code by a licensed landscape architect to the satisfaction of the Planning Department.
12. **Landscaping (Surface Parking).** A minimum of one 24-inch box tree (minimum trunk diameter of 2 inches and a height of 8 feet at the time of planting) shall be

planted for every 4 new surface parking spaces. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. An automatic irrigation plan shall be approved by the Department of City Planning.

13. **Air Pollution (Stationary).** The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.
14. **Tree Removal (Non-Oaks).** Prior to the issuance of a grading permit, a plot plan shall be prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site, and shall be submitted for approval to 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 comply with the current standards of the Street Tree Division. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Tree replacement by 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 Department of City Planning. (**Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact the Street Tree Division at 213-485-5675).
15. **Construction (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.
 - b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction 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 the generation of excessive amounts 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 the generation of excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
16. **Construction (Noise).** The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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.

- a. Construction 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.
- b. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment.

17. General Construction.

- a. 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 and wastes shall be removed to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- b. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- d. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- e. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- f. 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.

18. Explosion/Release (Former Agricultural Land). A soils analysis shall be prepared by a licensed geologist. If contamination is found, remediation measures will be developed with the appropriate State agencies. Prior to issuance of grading and building permits, a letter from the appropriate state agency (Department of Toxic Substance Control or the Regional Water Quality Control Board) certifying that the remediation is complete shall be submitted to the Department of City Planning.

19. Groundwater Quantity. The Department of Building and Safety shall require, when feasible, that the structural design of a building be modified so as not to need a permanent dewatering system. When a permanent dewatering system is necessary, the Department of Building and Safety shall require: (a) pumping water to a beneficial use on site (such as landscape irrigation, decorative fountains or lakes, toilet flushing, cooling towers); (b) returning water to the groundwater basin

by an injection well.

20. **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.

21. **Single Family Dwelling (10+ Home Subdivision/Multi Family)**The project shall comply with the following:

- a. Ordinance Nos. 172,176 and 173,494 (Stormwater and Urban Runoff Pollution Control), which require the application of Best Management Practices (BMPs).
- b. Chapter IX, Division 70 of the Municipal Code, which addresses grading, excavations, and fills.
- c. The Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board (A copy of the SUSMP can be downloaded at <http://www.swrcb.ca.gov/rwqcb4/>).
- d. Applicable requirements associated with the National Pollutant Discharge Elimination System Permit regulations. The developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to the issuance of any building or grading permits. A General Permit for Stormwater Discharge shall be obtained from the Southern California Regional Water Quality Board, in accordance with NOI instructions.
- e. Stormwater BMPs shall be incorporated to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the *Development Best Management Practices Handbook Part B Planning Activities*. A signed certificate shall be required from a California licensed civil engineer or licensed architect that the proposed BMPs comply with this numerical threshold standard.
- f. A Stormwater Pollution Prevention Plan shall be prepared by a California licensed civil engineer or licensed architect, to the satisfaction of the Stormwater Management Division of the Bureau of Sanitation, that shall include the following:
 - 1) Identifies the sources of sediments and other pollutants that affect the quality of storm water discharge;
 - 2) A monitoring program and reporting plan for the construction period.

The Stormwater Pollution Prevention Plan shall be retained at the construction site.

- g. Appropriate erosion control and drainage devices 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.

- h. Any connection to the sanitary sewer shall be required to receive authorization by the Bureau of Sanitation.
 - i. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
 - j. The owner shall record a covenant and agreement satisfactory to the Department of City Planning binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
 - k. Design an efficient irrigation system to minimize runoff including: (1) drip irrigation for shrubs to limit excessive spray; (2) shutoff devices to prevent irrigation after significant precipitation; and (3) flow reducers.
22. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Department of City Planning to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.

C. Other Conditions

23. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
24. **Construction-related Parking.** Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owners base of operations.
25. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.
26. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

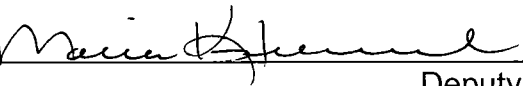
D. Administrative Conditions

27. **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.
28. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
29. **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 assigns. The agreement shall 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.
30. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
31. **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.
32. **Building Plans.** Page 1 of the grant 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.
33. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.


Sec. 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 at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 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 this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all of its members, at its meeting of MAR 28 2006

Frank T. Martinez, City Clerk

By 
Deputy

Approved APR 07 2006


Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

Pursuant to Sec. 559 of the City Charter, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend NOT to be adopted.....

By _____

City Attorney

March 20, 2006

See attached report


Director of Planning 

File No. CF 06-0209
CPC 2004-5919

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. 177455 - Zone change for property at 9582 Haddon Avenue, 12810-16 Montague Street, and 12661 Branford Street - CPC 2004-5919 ZC ZAA ZAD SPR

- a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on March 28, 2006, 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 April 11, 2006, 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 located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located 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 April 11, 2006 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 11th day of April 2006 at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: May 21, 2006 **Council File No.** 06-0209