

To: Department of City Planning, Department of Public Works, Department of Building and Safety, Bureau of Street Service, Council District # 4

The Hillside Construction Overlay Zone was never to be about some of the issues brought forward in this proposed Draft Ordinance. On the contrary, it was to be added to the already existing list of "Districts" which have special conditions associated with them. In fact, for 25 years, the hillside communities in Los Angeles have implored the Department of City Planning along with Building and Safety and the Department of Public Works to come up with sensible mitigations for areas where ingress and egress is literally a matter of life and death.

Instead, the proposed document does little to change the status quo and does not address the biggest concern for the neighborhoods and hopefully, the City which is **PUBLIC SAFETY**. Those words do not seem to appear in the text of this Draft but does mention Drive Thru fast food restaurants which is **not an issue** in R-1 hillside neighborhoods!

We did not wait 25 years for this and would propose that the Department of City Planning, along with the Department of Public Works, Bureau of Engineering, Bureau of Street Services and the Department of Building and Safety take into consideration the following and come up with an Ordinance that merits the establishment of an "HCR" and the mandate established by Councilman Ryu and Koretz from their motion of Feb. 2016.

We offer the following additions and changes:

#### Section 13.20 - HCR District

##### A. Purpose

This section sets forth procedures and regulations for the establishment of the HCR in residential areas of the City of Los Angeles and which are designated by the City of Los Angeles as 'hillsides' and High Fire Severity Zones.

The purpose of the HCR District is to create standards that are generally addressed in the Los Angeles Municipal Code but due to the negative impacts to public safety and the dangerous conditions present, more restrictive mitigation's need to be implemented due to construction impacts.

##### B. Establishment of District

"The HCR District shall include parcels which may only be separated by streets, ways(?), or alleys or other physical factors.

Precise boundaries are required at the time of application to expand or create an HCR district.

#### C. Relationships to other Zoning Regulations

#### D. Development Regulations

All properties designated by the City of Los Angeles as Single Family homes - i.e. R1 and that are located in a hillside area deemed as a High Fire Severity Zone must comply with each of the following to protect public safety and the ability of first responders to ingress and egress the area safely.

1) Maximum Grading - 1000 cubic yards, the same amount that triggers a haul route hearing by the Department of Building and Safety Commissioners.

2) Maximum Import/and or Export for Hillside areas fronting Substandard Hillside LIMITED streets – 1000 cubic yards and a Haul route hearing by the Department of Building and Safety Commissioners which is already in effect in the LAMC.

FYI: The City of Los Angeles has established a Street Dimension regulations and any requests that vary from the established requirements regarding the size of a Substandard Limited Hillside Street and work on those designated streets, an applicant must obtain a Special Permit from the Department of Public Works who will determine what is required to insure public safety. Streets that are designated as **WITHDRAWN FROM PUBLIC USE by the CITY OF LOS ANGELES** must obtain a Special permit from the Department of Public Works as the City has deemed these streets as dangerous to the public so therefore any application for new construction, remodels and additions including pools and spas and Accessory Dwelling units must obtain a permit before any work commences due to the dangerous conditions that exist and the potential for harm.

3. Hauling/Grading/Concrete Truck trips. A maximum of 2 trucks to be permitted to haul away earth per every 2 hours per project site. The type of trucks referenced are to include hauling trucks, concrete pouring trucks, 10 wheel hauling trucks or any other type of construction related equipment such as cranes, deliveries of building materials or any type of flat bed trucks over 30 feet in length on Substandard Limited Streets.

4.a. A Haul Route approval hearing and letter from the Board of Building and Safety Commissioners for the export or import of over 1000 cubic yards commutatively shall be prominently placed and posted at the construction site along with the following:

- 1) Name of Applicant or Applicant's representative
- 2) Contact information including phone number and website for project

3) Name and phone number of all LADBS personnel associated with the proposed development along with the approval of the LADBS staff report designating the duration of the hauling; the route of the trucks and any other pertinent information.

4) Copy of all of the above to be sent to the Fire Station responsible for that area and to Council District # 4

4.b No grading permit shall be issued prior to an **approved** building permit including a permit to demolish an existing structure.

### Equipment - Hauling/Grading/Construction

a, 10 wheel dump trucks (with a 10 cubic yard capacity) or smaller are the only types of trucks permitted in an HCR District.

b. Trucking companies used must provide to the City of Los Angeles: 1) proof of insurance 2) safety records 3) agree to periodic inspections by the LAPD Commercial Inspection division

c. Size/weight and length of equipment

A. No equipment over 30 feet in length shall be used to traverse the hillside High Fire Severity zones without a Special Permit to allow such equipment which is to be issued by the Department of Public Works.

B. No construction equipment weighing over 6000 lbs as indicated on signage in many hillside areas shall not be used without a Special Permit issued by the Department of Public Works to allow over weight type vehicle to traverse the areas – many of which are narrow and do not allow for 2 cars to pass safely. which would be issued by the Department of Public Works. The signage regarding “No vehicles over 6000 lbs” exists on many of our hillside streets and the signage was undertaken by the CITY OF LOS ANGELES due to the frailty of many of the roadways in and around Substandard Limited streets.

D. Inspections of any construction type vehicles (dump trucks, concrete pouring trucks, Bobcats) may be randomly done by the Los Angeles Police Department's Commercial Division in accordance with their mandate regarding the condition of the trucks in use in the City of Los Angeles

### D. Oversized Hauling

Hauling that meets the following criteria may require an investigation by the Bureau of Engineering in conjunction with the Bureau of Street Services and may require further restrictions as determined by the Departments. They include but are not limited to:

1) Loads in excess of 14 ft in width

- 2) Loads in excess of 40 ft in length
- 3) Loads that are over 6000 lbs.

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d. Log noting the dates and times of hauling activities must be signed off weekly by Inspectors on the projects by LADBS to make sure that the applicant is in compliance with the terms and conditions of the haul route as established by the Board of Building and Safety Commissioners. That information should be made available to the public if asked to the Department of Building and Safety.

(1) Flagpersons shall **be required** for all project sites – without exception - in the HCR Districts and be in compliance with the "West Area Traffic Controls Handbook. Failure to provide adequate flagmen may result in a fine per every day of non compliance to be determined by LADBS.

#### Street Bond

1) A bond shall be imposed upon every applicant at the time a grading permit or building permit is issued to simultaneously repair and protect the street(s) in and around the proposed development project. The amount of the bound - currently approximately \$50,000 - **should be increased to a minimum of \$ 100,000** and upon completion of the project, personnel from the Department of Public Works; Bureau of Street Services should inspect the areas and determine if the applicant has repaired or brought the street up to City standards.

In addition to the mitigation's and requirements mentioned above, LADBS, the Department of Public Works has the jurisdiction to impose additional measures to insure public health and safety which may include additional flag personnel; restriction of construction hours or other measures that may be required.

The City has spent millions of dollars in settling lawsuits regarding 'dangerous conditions' that have caused death and injuries in our City. Our streets are in such poor condition that we have had several street collapses; landslides and other infrastructure failures which in CD# 4 only have cost the City of Los Angeles millions and millions of dollars in just a few years .. many of which might have been avoided if we had real mitigations regarding construction in our hillsides.

Let's get this right as public safety and lives depend on it.

Respectfully submitted,

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