

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

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| LEAD CITY AGENCY City of Los Angeles Department of City Planning | COUNCIL DISTRICT 4 - Ryu |
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| PROJECT TITLE Hillside Construction Regulation "HCR" Zone Change Ordinance for the areas commonly known as the "Bird Streets" and "Laurel Canyon" neighborhoods | LOG REFERENCE ENV-2018-153-CE and CPC-2017-2864-ZC |
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PROJECT LOCATION: The Project Area consists of the neighborhoods known as "Bird Streets" and "Laurel Canyon" within Council District 4 of the City of Los Angeles. The Bird Streets neighborhood is generally bounded by Trousdale Estates neighborhood of the City of Beverly Hills to the west, Rising Glen Road / Sunset Plaza Drive to the east, Crescent Drive to the north and the City of West Hollywood to the south. The Laurel Canyon neighborhood is generally bounded by the City of West Hollywood to the south, Mulholland Drive / Woodrow Wilson Drive to the north, Nichols Canyon Road to the east, and Rising Glen Road / Sunset Plaza Drive to the west.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The proposed Zone Change Ordinance establishes a Hillside Construction Regulation (HCR) Supplemental Use District (SUD) that applies specific supplemental development restrictions related to construction, grading quantities, and hauling requirements applicable to the Project Area. The proposed ordinance, by itself, does not authorize or expand any development or construction activities, but instead places development restrictions on future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in hillside areas. The regulations would be triggered by application for a building permit for a "project" (defined as the construction, erection, alteration of, or addition to single-family dwelling units located entirely or partially in the Project Area). The Zone Change Ordinance would add the HCR SUD regulations in addition to the base zone (e.g., R1-1-HCR) to restrict the issuance of a building permit for a "project" (as defined above) that is not consistent with the provisions of the HCR SUD. The HCR SUD imposes specific supplemental development restrictions regarding the construction process including: proper identification of hauling vehicles, maximum quantity of allowable grading, and a site plan review process for projects relating to large-scale single-family units in the Project Area.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

City of Los Angeles

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| CONTACT PERSON Giselle Corella | AREA CODE 213 | TELEPHONE NUMBER 978-1357 | EXT. |
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EXEMPT STATUS: (Check One)

- | | STATE CEQA GUIDELINES | CITY CEQA GUIDELINES |
|---|-----------------------------|------------------------------|
| <input type="checkbox"/> MINISTERIAL | ▪ Sec. 15268 | ▪ Art. II, Sec. 2b |
| <input type="checkbox"/> DECLARED EMERGENCY | ▪ Sec. 15269 | ▪ Art. II, Sec. 2a (1) |
| <input type="checkbox"/> EMERGENCY PROJECT | ▪ Sec. 15269 (b) & (c) | ▪ Art. II, Sec. 2a (2) & (3) |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | ▪ Sec. 15308 <i>et seq.</i> | ▪ Art. II, Sec. 2 |
| Class 8 Category: To protect the environment by imposing specific supplemental development restrictions, Sec. 15308 | | |
| <input type="checkbox"/> OTHER: (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision. | | |

JUSTIFICATION FOR PROJECT EXEMPTION: After a review of the whole of the administrative record, we find none of the exceptions in CEQA Guidelines Sec. 15300.2 apply. See attached narrative.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

| | | |
|--|----------------------------------|-------------------|
| SIGNATURE  | TITLE City Planning Associate | DATE 1/12/2018 |
| FEE: | RECEIPT NO. | REC'D. BY |
| | | DATE |

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record Rev. 11-1-03 Rev. 1-31-06

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
NARRATIVE, COUNCIL FILE: 16-1472-S2

State CEQA Guidelines Section 15308

The State California Environmental Quality Act (CEQA) Guidelines section 15308 establishes a categorical exemption for “actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment whether regulatory process involves procedures for protection of the environment (CEQA Guidelines, section 15308).”

As stated above, the adoption of the Hillside Construction Regulation “HCR” Supplemental Use District (SUD) is exempt from CEQA Guidelines Section 15308, as the regulations of the proposed zone change to apply the HCR SUD to the “Project Area,” would provide additional regulations that are more protective to the environment than the current regulations by: further restricting the grading quantity allowed by the RE40 zone; applying standard hauling conditions for the importing and exporting of earth on all projects; and requiring a discretionary site plan review process for homes 17,500 square feet or larger, all of which would allow for the protection of the environment. These new regulations do not authorize or expand any new construction or hauling activities, but instead places development restrictions on future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in hillside areas.

CEQA Section 15300.2 Exceptions to Categorical Exemptions

As explained below, the Project does not satisfy the criteria for exceptions to the application of Section 15300, Class 8 of the State CEQA Guidelines:

Exceptions to Exemptions

The State California Environmental Quality Act (CEQA) Guidelines section 15300.2 outlines five exceptions to the use of a Categorical Exemption:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Classes 3, 4, 5, 6 and 11 are not being considered. Further, the Project does not propose or authorize any development/construction activities, or expand any new or existing land uses. The Project Area mainly consists of single-family homes located in a typical urbanized area and is not located in a sensitive environmental resource of hazardous or critical concern where it has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Therefore, this exception does not apply.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The HCR SUD, by itself, does not propose or authorize any development/construction activities. It does not change any land uses, building heights, densities or intensities. The proposed HCR SUD seeks to implement supplemental development regulations on future construction or hauling practices related to by-right projects in order to be more protective of the environment than the current regulations. These new regulation would require discretionary site planning review of large new single-family developments 17,500 square feet or larger; impose “best practices” or conditions on the import and export of earth; restrict hours of construction and hauling activity; and, limit the allowable grading quantity for the largest zone (RE40). For example, the HCR SUD protects the environment by reducing aesthetic impacts by requiring a discretionary review process for large-scale single-family home development projects. Without the HCR SUD, large-scale single-family home development projects would generally not be reviewed by the Los Angeles Department of City Planning. Additional site-planning and design requirements through the discretionary site plan review process prevents large-scale single-family home developments from degrading the existing visual character and/or quality of the Bird Streets and Laurel Canyon neighborhoods. Additionally, the new restriction on the hours of construction and hauling activity reduces the daily negative air quality and noise impacts potentially caused by construction. By reducing the hours of construction by four hours Monday through Friday and limiting the type of construction on Saturday to interior work from 8 a.m. to 6 p.m., projects are encouraged to be more efficient in transporting of earth and construction rather than inadvertently prolonging hauling and construction activity.

Therefore, the Project is not expected to generate cumulative impacts as its regulations are more protective of the environment than the current underlying zoning. With the application of the HCR SUD, small-scale projects which would otherwise not be subject to hauling “best practices” or conditions on the import or export of earth would be subject to the same standard “best practices” or conditions as large-scale projects. By reducing the air quality impacts typically associated with single-family construction of those smaller-scale projects, the regulations further protect the environment against the cumulative impacts of those previously unconditioned projects. For example, under the HCR SUD, the owner or contractor must control dust caused by grading and hauling as well as secure and cover loads to prevent spillage and dust further reducing impacts to air quality. If other ordinances of a similar nature were enacted, no additional adverse impacts would accumulate. Further, the Project does not promote or incentivize new development as the proposed ordinance would only apply prescriptive regulations and limitations on existing construction and hauling activities for a project that would be typically “by-right.” The Project serves to prevent and reduce the potential for cumulative impacts caused by several “by-right” projects within the confined Project Area. Therefore, an accumulation of similar ordinances to this effect would serve only to further reduce potential adverse environmental impacts. Therefore, this exception does not apply.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances that would create the reasonable possibility that the activity would have a significant effect on the environment. The Project does not authorize or expand any new construction or hauling activities, but instead places additional development restrictions on

future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in hillside areas. The Project also does not change heights, or densities. The Project will not foreseeably result in a significant impact to the environment as described in the subsequent sections. Therefore, this exception does not apply.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The Project is not located along or near a state designated scenic highway. Currently, the only portion of a scenic highway officially designated by the California Department of Transportation (Caltrans) within the City of Los Angeles is a six mile portion of the Pasadena Freeway (also known as the Arroyo Seco Historic Parkway). The Project Area is not located along or near the Arroyo Seco Historic Parkway, so it will not result in damage to scenic resources and is reasonably expected to further protect potential damage to scenic resources. Therefore, this exception does not apply.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The Project does not authorize or expand any new construction or hauling activities, but instead places development restrictions on future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in hillside areas. In addition, the Project does not change land use, heights, or densities. A review of the Envirostor website showed that there are two California Department of Toxic Substances Control (DTSC) cleanup sites and no permitted facilities in the Project Area. One of the cleanup sites includes the Wonderland Elementary School located on a [Q]PF-1XL zoned lot. The current cleanup status of the Wonderland Elementary School site is "Inactive – Withdrawn as of 2/20/2013." The school proposed an addition which included a removal of an existing art storage building, a seismic monitoring well, and construction for a three-story classroom and parking structure. However, after a Phase 1 Environmental Site Assessment reviewed by DTSC, the structure was determined to potentially contain asbestos and/or lead-based paint. Since the DTSC determination, it appears that the school has withdrawn their proposal for an addition and thus no cleanup is needed as the asbestos and lead-based paint in the structure would not be disturbed.

The second cleanup site is classified as "Formerly Used Defense Sites" (FUDS) meaning that there are confirmed or unconfirmed releases and DTSC is involved in investigation and/or remediation. The cleanup status of the site is "Inactive – Needs Evaluation as of 7/1/2005" on an undeveloped RE15-1-H zoned lot. An "Inactive – Needs Evaluation" status identifies non-active sites where DTSC has determined a Preliminary Endangerment Assessment (PEA) or other evaluation is required. The Project does not specifically result in the development of the site and no specific development is proposed, thus would not disturb the site and create a hazard to the public or the environment.

It is considered unlikely that the Project would cause any impact causing a significant risk to the public. The Project places development restrictions on future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in

hillside areas. Further, any future development that occurs in the Project Area would be required to comply with existing regulations related to hazardous materials. Therefore, this exception does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The Project will not cause a substantial adverse change in the significance of a historical resource, as the Project does not propose or authorize any development/construction activities. The Project instead places development restrictions on future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in hillside areas. It does not change any land uses, building heights, densities or intensities. The proposed ordinance does not propose any regulations which would create greater impacts to these resources.

There are several Historic Cultural Monuments (HCM) located within the Project Area as listed in the table below. Any current and future projects which are designated a HCM would need to comply with the HCM regulations, processes and procedures for any demolitions, alterations, and/or additions to the building in addition to complying with the regulations of the HCR SUD and other applicable ordinances and provisions of the Los Angeles Municipal Code. The Project would establish the HCR SUD over the Project Area which will require specific requirements related to construction, grading quantities, and a discretionary review process for large-scale new construction or additions applicable to the hillside areas within the Project Area. Therefore, development standards of the HCR SUD add additional protection to the environment and could not be reasonably foreseen to create greater impacts to the integrity of historic resources.

| Historic Cultural Monument Name | Site Address |
|-------------------------------------|--|
| <i>Bird Streets</i> | |
| Hillside House by Carl Maston | 8707 St. Ives Drive |
| <i>Laurel Canyon</i> | |
| Bailey House – Case Study House #21 | 9038 Wonderland Park Ave. |
| Zieger House | 8941 Wonderland Park Ave. |
| Wonderland Air Force Base | 8953 Wonderland Ave. |
| 1513 Forest Knoll Drive Residence | 1513 Forest Knoll Dr. |
| Wolf Residence | 8530 West Hedges Place |
| Polito House | 1650 North Queens Rd. |
| Chateau Marmont | 8225 Marmont Ln.; 8215-8221 Sunset Blvd. and 8244 Monteel Rd. |
| Stahl House – Case Study House #22 | 1635 Woods Dr. |
| Storer House | 8161 Hollywood Blvd. |
| Kun Residence | 7960 Fareholm Dr. |

Source: City of Los Angeles Department of City Planning and Department of Building and Safety

Therefore, the Project does not meet any of the exceptions as specified by CEQA Guidelines, Section 15300.2 and thus the Project qualifies for the above stated exemptions per CEQA.