

DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



City Planning Commission

Date: November 3, 2022
Time: After 8:30 am
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over the COVI-19 pandemic, the CPC meeting would be entirely conducted telephonically by Zoom [thhps://zoom.us/]. The meeting's telephone would be provided on the meeting agenda published at: https://planning.lacity.org/about/commissions_boards-hearings and/or by contacting cpc@lacity.org.

Public Hearing: November 03, 2022
Appeal Status: Not Applicable

Case No.: CPC-2022-6108-ZC-CA
CEQA No.: ENV-2022-6109-CE
Related Cases: CPC-2022-6115-ZC
ENV-2022-6116-CE
Council No.: 1 – Cedillo; 14 – de León
Plan Area: Northeast Los Angeles
Specific Plans: Mt. Washington - Glassell Park, Colorado Boulevard, Avenue 57 Transit Oriented District Glassell Park, Eagle Rock, Historic Highland Park, Arroyo Seco, Greater Cypress Park, Lincoln Heights, Hermon, and LA-32
Certified NC:
GPLU: Residential Single-Family
Zones: A1-1, A1-1-HPOZ, A1-1XL, R1-1, R1-1-CA, R1-1-CDO, R1-1-HPOZ, R1-1VL, R2-1, R2-1-CDO, RA-1, RD1.5-1, RD1.5-1-CDO, RD1.5-1-HPOZ, RD2-1, RD2-1-CDO, RD2-1-HPOZ, RD3-1, RD3-1-HPOZ, RE11-1, RE15-1, RE20-1, RE40-1, RE9-1, RE9-1-CDO, RS-1, [Q]A1-1D, [Q]A1-1XLD, [Q]R1-1D, [Q]R1-1D-HPOZ, [Q]R2-1D, [Q]R2-1D-HPOZ, [Q]RD1.5-1D, [Q]RD2-1D, [Q]RD3-1D, [Q]RD3-1D-HPOZ, [Q]RD4-1D-HPOZ, [Q]RD5-1D, [Q]RD6-1D, [Q]RE20-1D, [Q]RE40-1D, [Q]RE9-1D, [Q]RS-1D, (T)[Q]RD1.5-1D, (T)(Q)RD5-1D, [T][Q]RD6-1D, (T)(Q)RE11-1
Applicant: City of Los Angeles

PROJECT LOCATION: The Project Area consists of various hillside residential neighborhoods throughout the Northeast Los Angeles Community Plan area, as shown in the proposed Ordinance Map.

PROPOSED PROJECT: The Project includes a Code Amendment to amend the existing Hillside Construction Regulation (HCR) Supplemental Use District (SUD) (referred to as the HCR District), which applies specific supplemental development restrictions related to construction, grading quantities, and hauling requirements applicable to the Project Area, and a Zone Change Ordinance to apply the HCR District to parcels within the Northeast Community Plan Area (CPA).

REQUESTED ACTION:

1. Pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15307 (Class 7) and Section 15308 (Class 8), the project is exempt from CEQA, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. Approve a recommendation that the City Council will adopt the proposed **Code Amendment Ordinance**
3. Pursuant to Section 12.32(F) of the Los Angeles Municipal Code (LAMC), approve a recommendation that the City Council adopt a **Zone Change Ordinance** from parcels within the project boundaries identified in the proposed Ordinance Map: A1-1, A1-1-HPOZ, A1-1XL, R1-1, R1-1-CA, R1-1-CDO, R1-1-HPOZ, R1-1VL, R2-1, R2-1-CDO, RA-1, RD1.5-1, RD1.5-1-CDO, RD1.5-1-HPOZ, RD2-1, RD2-1-CDO, RD2-1-HPOZ, RD3-1, RD3-1-HPOZ, RE11-1, RE15-1, RE20-1, RE40-1, RE9-1, RE9-1-CDO, RS-1, [Q]A1-1D, [Q]A1-1XLD, [Q]R1-1D, [Q]R1-1D-HPOZ, [Q]R2-1D, [Q]R2-1D-HPOZ, [Q]RD1.5-1D, [Q]RD2-1D, [Q]RD3-1D, [Q]RD3-1D-HPOZ, [Q]RD4-1D-HPOZ, [Q]RD5-1D, [Q]RD6-1D, [Q]RE20-1D, [Q]RE40-1D, [Q]RE9-1D, [Q]RS-1D, (T)[Q]RD1.5-1D, (T)(Q)RD5-1D, [T][Q]RD6-1D, and (T)(Q)RE11-1 to A1-1-HCR, A1-1-HPOZ-HCR, A1-1XL-HCR, R1-1-HCR, R1-1-CA-HCR, R1-1-CDO-HCR, R1-1-HPOZ-HCR, R1-1VL-HCR, R2-1-HCR, R2-1-CDO-HCR, RA-1-HCR, RD1.5-1-HCR, RD1.5-1-CDO-HCR, RD1.5-1-HPOZ-HCR, RD2-1-HCR, RD2-1-CDO-HCR, RD2-1-HPOZ-HCR, RD3-1-HCR, RD3-1-HPOZ-HCR, RE11-1-HCR, RE15-1-HCR, RE20-1-HCR, RE40-1-HCR, RE9-1-HCR, RE9-1-CDO-HCR, RS-1-HCR, [Q]A1-1D-HCR, [Q]A1-1XLD-HCR, [Q]R1-1D-HCR, [Q]R1-1D-HPOZ-HCR, [Q]R2-1D-HCR, [Q]R2-1D-HPOZ-HCR, [Q]RD1.5-1D-HCR, [Q]RD2-1D-HCR, [Q]RD3-1D-HCR, [Q]RD3-1D-HPOZ-HCR, [Q]RD4-1D-HPOZ-HCR, [Q]RD5-1D-HCR, [Q]RD6-1D-HCR, [Q]RE20-1D-HCR, [Q]RE40-1D-HCR, [Q]RE9-1D-HCR, [Q]RS-1D-HCR, (T)[Q]RD1.5-1D-HCR, (T)(Q)RD5-1D-HCR, [T][Q]RD6-1D-HCR, (T)(Q)RE11-1-HCR.

RECOMMENDED ACTIONS:

1. **Find**, that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15307 (Class 7) and Section 15308 (Class 8), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and ADOPT the Categorical Exemption;
2. **Recommend** that the City Council, pursuant to LAMC Section 12.32, adopt a **Code Amendment Ordinance** amending the **Hillside Construction Regulation Supplemental Use District**.

3. **Recommend** that the City Council, pursuant to LAMC Section 12.32, adopt a **Zone Change Ordinance** from A1-1, A1-1-HPOZ, A1-1XL, R1-1, R1-1-CA, R1-1-CDO, R1-1-HPOZ, R1-1VL, R2-1, R2-1-CDO, RA-1, RD1.5-1, RD1.5-1-CDO, RD1.5-1-HPOZ, RD2-1, RD2-1-CDO, RD2-1-HPOZ, RD3-1, RD3-1-HPOZ, RE11-1, RE15-1, RE20-1, RE40-1, RE9-1, RE9-1-CDO, RS-1, [Q]A1-1D, [Q]A1-1XLD, [Q]R1-1D, [Q]R1-1D-HPOZ, [Q]R2-1D, [Q]R2-1D-HPOZ, [Q]RD1.5-1D, [Q]RD2-1D, [Q]RD3-1D, [Q]RD3-1D-HPOZ, [Q]RD4-1D-HPOZ, [Q]RD5-1D, [Q]RD6-1D, [Q]RE20-1D, [Q]RE40-1D, [Q]RE9-1D, [Q]RS-1D, (T)[Q]RD1.5-1D, (T)(Q)RD5-1D, [T][Q]RD6-1D, and (T)(Q)RE11-1, **to** A1-1-HCR, A1-1-HPOZ-HCR, A1-1XL-HCR, R1-1-HCR, R1-1-CA-HCR, R1-1-CDO-HCR, R1-1-HPOZ-HCR, R1-1VL-HCR, R2-1-HCR, R2-1-CDO-HCR, RA-1-HCR, RD1.5-1-HCR, RD1.5-1-CDO-HCR, RD1.5-1-HPOZ-HCR, RD2-1-HCR, RD2-1-CDO-HCR, RD2-1-HPOZ-HCR, RD3-1-HCR, RD3-1-HPOZ-HCR, RE11-1-HCR, RE15-1-HCR, RE20-1-HCR, RE40-1-HCR, RE9-1-HCR, RE9-1-CDO-HCR, RS-1-HCR, [Q]A1-1D-HCR, [Q]A1-1XLD-HCR, [Q]R1-1D-HCR, [Q]R1-1D-HPOZ-HCR, [Q]R2-1D-HCR, [Q]R2-1D-HPOZ-HCR, [Q]RD1.5-1D-HCR, [Q]RD2-1D-HCR, [Q]RD3-1D-HCR, [Q]RD3-1D-HPOZ-HCR, [Q]RD4-1D-HPOZ-HCR, [Q]RD5-1D-HCR, [Q]RD6-1D-HCR, [Q]RE20-1D-HCR, [Q]RE40-1D-HCR, [Q]RE9-1D-HCR, [Q]RS-1D-HCR, (T)[Q]RD1.5-1D-HCR, (T)(Q)RD5-1D-HCR, [T][Q]RD6-1D-HCR, (T)(Q)RE11-1-HCR; and
4. **Adopt** the Findings.

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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978- 1300.

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B – Draft Technical Code Amendments	
C - Initialing Motions (Council File 20-1101 and 16-1472-S7)	
D - Environmental Clearance – Notice of Exemption	

PROJECT ANALYSIS

Project Summary

The proposed project includes two parts: a Zone Change Ordinance to apply the Hillside Construction Regulation Supplemental Use District (HCR District) within the Northeast Los Angeles Community Plan Area that includes Council District 1 and Council District 14, and a Code Amendment to the HCR District that may be applied to single family residences in this area. The HCR District was established as a Supplemental Use District in 2017 to address hauling and construction activity in hillside areas. The HCR District has since been applied to the Bel Air-Beverly Crest Community Plan Area and the Laurel Canyon and Bird Street residential neighborhoods within the Hollywood Community Plan Area.

The existing HCR District regulates maximum grading allowances, hauling operation standards, and construction hours. The HCR District also applies a Site Plan Review procedure wherever a project involves a house that is larger than 17,500 square feet. Site Plan Review provides an opportunity for larger-scale hillside development to be considered within the context of the California Environmental Quality Act (CEQA), allowing for the identification of any potential environmental impacts allowing for the identification of any potential environmental impacts, as well as potential ways to mitigate impacts. The intent of the existing HCR District is to reduce cumulative construction related impacts of large-scale and small-scale hillside developments by requiring standard best practices or conditions for projects of low and high intensity hauling requests. The main development regulation components of the HCR District include:

Maximum Grading Restrictions

- All single-family residential zones are limited to Cut and Fill “by-right” grading quantity maximums not to exceed 6,000 cubic yards.
- All single-family residential zones abutting or accessed by a substandard street are limited to Import or Export 75% of the “by-right” grading quantity maximums not to exceed 6,000 cubic yards.

Hauling Operation Standards and Construction Activity

- Standard conditions typically imposed by the Board of Building and Safety Commissioners during the Haul Route Approval process shall be required for all applicable hauling activity within the HCR District.
- Hauling operations shall be conducted between the hours of 9:00 a.m. and 3:00 p.m. Monday through Friday. Trucks shall not arrive at the site before 9:00 a.m. No hauling operations shall be conducted on weekends or State designated holidays. Trucks shall not arrive or stage before 9:00 a.m.
- Construction activity is permitted between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday. Interior construction work is permitted 8:00 a.m. to 6:00 p.m. on Saturday, exterior construction work on Saturday is strictly prohibited. No illumination of the exterior of the site allowed after 6:00 p.m.

City Planning Discretionary Review of Large Home Construction

- Single-family home developments with a cumulative Residential Floor Area of 17,500 square feet or greater would be required to go through the Site Plan review process with the Department of City Planning.

Application of the HCR District places restrictions on construction or hauling practices related to by-right projects to reduce the potential impacts from development activities in hillside areas. The regulations are 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 proposed Zone Change would add the HCR District regulations 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 District. The HCR District adds specific supplemental development restrictions to the construction process, including proper identification of hauling vehicles, maximum quantity of allowable grading, and a site plan review process for large-scale single-family projects within the Project Area.

Initiation

On June 23, 2020, Council District 1 (Cedillo) introduced a motion to apply the HCR District to the Mt. Washington/Glassell Park Specific Plan area community because of its narrow, often unpaved, and substandard streets. On March 3, 2021, City Council approved the motion (CF #16-1472-S7).

The HCR District was initially adopted in 2017 and has since been applied to the Bel Air and Beverly Crest residential neighborhoods within the Bel Air-Beverly Crest Community Plan Area, and to the Laurel Canyon and Bird Street residential neighborhoods within the Hollywood Community Plan Area. The objective of the HCR District is to regulate the construction of single-family homes in the hillside areas and reduce construction related impacts through more restrictive grading limits and hauling operation standards than what is otherwise permitted by the Los Angeles Municipal Code.

In addition, various City Council motions (CF’s 16-1472-S3, 16-1472-S4, 16-1472-S6, and 20-1101) have sought a number of amendments to the HCR District in effort to improve the implementation and enforcement of the HCR regulations, and to add new regulations. Given the complexity of many of the amendments sought, the interplay between numerous City Departments, and the expansion of City resources that would likely be needed to implement many of the amendments sought, no substantial amendments to the HCR District regulations are proposed at this time.

Background

In 2014, the Department of City Planning initiated the Neighborhood Conservation work program, which included an amendment to the Baseline Mansionization Ordinance (BMO) and Baseline Hillside Ordinance (BHO); an Interim Control Ordinance for 15 communities; new Historic Preservation Overlay Zones (HPOZs); an ordinance to create a new series of R1 Single Family Zones; rezoning of several communities subject to Interim Control Ordinances; the creation of a tailored zone for the hillside areas (Hillside District); and the application of the HCR District for hillside single-family residential neighborhoods within the Bel Air – Beverly Crest Community Plan Area.

On March 17, 2017, the City Council adopted Ordinance No. 184,802 amending the Single-Family Zones (i.e., RA, RE, RS, R1) and shortly thereafter on March 22, 2017, Ordinance 184,827 was adopted, establishing the HCR District across the Bel Air community. On May 20, 2018, the HCR District was expanded to include the Laurel Canyon and Bird Street areas, and on March 18, 2021, the CPC recommended approval of the HCR District for the Hollywood Hills, as part of the larger update to the Hollywood Community Plan.

During the City’s engagement with stakeholders in Northeast Los Angeles, numerous neighborhood councils and stakeholders expressed their support for an HCR District in their

community. In addition, City Planning considered expanding the HCR District to other areas taking into account equity, protecting natural resources, and applying the HCR District to hillsides with similar features such as topography, substandard streets, and areas designated as a Very High Fire Hazard Severity Zone. Based on feedback and additional analysis, City Planning has recommended inclusionary of all residential hillside areas within the Northeast Los Angeles Community Plan Area, as opposed to only the Mt. Washington/Glassell Park Specific Plan Area, as envisioned by the original initiating Council Motion. This includes communities such as Glassell Park, Cypress Park, Highland Park, El Sereno, Hermon, and Eagle Rock. The Hillside Construction Regulations were developed with the intention that it may be applied to hillside residential neighborhoods within the City where there is a high level of development activity. Since its adoption, several hillside communities, have requested to be added to the HCR District. These regulations allow for a more tailored approach to grading allowances and specialized hauling operation standards to provide for more accountability and protections to ensure public safety. The HCR District regulates large-scale single-family residential projects, the grading maximum permitted in the RE40 zone, hauling operations, and construction activity in hillside residential areas.

City Planning has also recommended a Code Amendment to the HCR District that serves to clarify the types of properties to which the HCR District can be applied. The Code Amendment allows for the inclusion of R2 and RD zoned properties as part of the HCR District (though the provisions apply to the construction of single-family homes), and is beneficial in as much as Northeast Los Angeles hillside areas have a preponderance of co-mingled R1, R2, and RD neighborhoods in hillside areas. The Code Amendment also serves to clarify that the provisions apply to accessory structures, accessory dwelling units, and small-lot subdivision developments. This amendment is consistent with existing implementing practices.

Research and Analysis

Development Patterns

From 2017 to September 2022, the Project Area experienced approximately 1,544,408 square feet of residential development, with roughly 49.7 percent being new construction and 50.3 percent being additions. From 2017 to September 2022, building activity included 250 new homes, 92 new Accessory Dwelling Units (ADUs), and 860 projects involving additions, renovations, conversions, or remodels to single-family homes. The purpose of reporting this information is to demonstrate that construction from new single-family home development projects combined with construction activity for “small-scale” projects such as remodels, additions, and accessory dwelling unit additions, are happening concurrently, and are affecting the quality of life for community members in these hillside communities. The construction activity and associated activity from hauling vehicles on residential streets have generated public safety concerns such as fire truck and emergency vehicle access.

Grading Activity

In the Project Area some haul trips occur on substandard streets that are often 28 feet wide and, in some cases, less than 20 feet wide. In this section “smaller-scale” projects are defined as projects grading less than 1,000 cubic yards and “larger-scale” projects are defined as projects grading 1,000 cubic yards or more. Under current regulations, only larger-scale projects need Haul Route approval in which a public hearing is held by the Board of Building and Safety Commissioners (BBSC) to hear public comments, set hauling operation standards, and require (as-needed) specific conditions for Haul Route approval. Some hauling operation standards are generally the same for each project, including requiring hauling vehicles to display an identification placard showing the project address they are hauling from, requiring hauling activity to occur within a set time frame, and ensuring streets are maintained and cleaned of debris at the end of

each workday, amongst other hauling operation standards for “large-scale” projects. Although the Haul Route approval process requires these hauling operation standards, “smaller-scale” projects may not necessarily follow the same protocol since they are not required to obtain Haul Route approval. While smaller-scale projects are not reviewed and conditioned by BBSC, the cumulative trips generated from multiple smaller-scale projects negatively affect the quality-of-life for residents living in the Northeast Los Angeles Community Plan Area. Furthermore, from 2017 to September 2022, within the proposed Project area included seven (7) project sites with approved haul routes.

As an example, one “smaller-scale” project hauling 500 cubic yards will need approximately 50 10-wheeler dump trucks (with a capacity of 10 cubic yards) to haul 500 cubic yards to or off the project site. Considering the trips needed to import and/or export, the hauling vehicle is making approximately 100 trips, 50 trips to the site and 50 trips off the site. As a result of these smaller-scale and larger-scale grading projects happening simultaneously, in any given year, thousands of hauling vehicles enter and exit the Northeast Los Angeles Community Plan Area. Table 1 provides a summary of grading activity between 2017 and September 2022 within the Project Area:

Table 1
Issued Grading Permits between 2017 and September 2022 within the Project Area

Yearly Summary	Total Permits	Approximate Cumulative Total of Cubic Yards	Total Number of Projects exporting greater than 1,000 cubic yards**
2017	143	35,702	7
2018	120	34,701	4
2019	149	23,070	3
2020	99	19,359	1
2021	85	26,779	6
September 2022*	63	7,567	0

*For 2022, data reflects from January 2022 to September 2022

**Projects may have a pending, outstanding or haul route application in progress

Source: Los Angeles Department of Building and Safety

Table 1 demonstrates the significant amount of earth being hauled away from their hillsides. As Table 1 depicts, there has been mostly tens of thousands of cubic yards being hauled away, year by year. In addition, for projects located in the Northeast Los Angeles Hillside Ordinance (discussed later in the staff report) that propose over 1,000 cubic yards of earth would require a Zoning Administrator’s approval due the Ordinance’s [Q]-Conditions. These permanent [Q] Conditions include limitations on infrastructure, such as not permitting construction materials and equipment to be stored in the public right of way and to restrict construction vehicles from being exempt from the Los Angeles Fire Department’s Reg Flag – No Parking Program. The [Q] Conditions also include regulations on building design, landscaping, retaining walls, and grading. Grading shall be limited to a maximum of 500 cubic yards and a numeric value equal to 5 percent of the total lot size, up to a maximum of 1,000 cubic yards total. Any grading amount beyond these limits shall require a Zoning Administrator’s approval of a Zone Variance.

Table 1 depicts the total grading permits issued and the cumulative amount of grading approved (by cubic yards) in a year. However, the cumulative total of grading can serve as an indicator of the potential amount of haul trips generated. As shown in Table 1 the majority of grading permits in the Northeast Los Angeles Community Plan Area are associated with “smaller-scale” projects,

which cumulatively yield a significant amount of cubic yards per year. For example, in 2019, the approximate 23,070 cumulative total of cubic yards approved for grading would require 2,307 trips for 10-wheeler dump trucks (with a capacity of 10 cubic yards). Given the amount of development occurring in the Project Area, these haul trips could potentially create added stress on the residential streets.

As demonstrated in Table 1, there was a yearly average of 110 permits issues for grading between 2017-2022, which further demonstrates the need to introduce additional development restrictions on construction or hauling practices related to by-right projects to reduce the potential impacts from development activities in hillside areas throughout the City.

Conclusion

City Planning has recommended expansion of the HCR District to the Project Area. As noted in the staff report, a preponderance of ongoing construction activities, hillside conditions, substandard road widths, and high fire severity risk warrant application of the HCR District. In addition, City Planning is recommending minor amendments to the HCR District ordinance to improve implementation, enforcement, and compliance with the Housing Crisis Act (SB 330).

FINDINGS (Code Amendment)

The proposed Code Amendment is to apply the Hillside Construction Regulation Supplemental Use District (referred to as HCR District) to the hillsides with single-family zoning in the Northeast Los Angeles Community Plan Area. The intent of an HCR District is to protect hillside residential areas from construction-related impacts by requiring operational limits, setting maximum grading quantity limits for single-family residential projects, and to require a site plan review process, which is a discretionary approval, for single-family residential developments with a cumulative floor area of 17,500 square feet or larger. Specifically, the operational limits include limiting the number of hauling trips allowed per hour per project site and to limit construction activity hours on the weekdays and Saturdays based on whether the construction includes exterior work or interior work.

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed Code Amendment is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework, Conservation Element, and Northeast Los Angeles Community Plan Consistency

The proposed Code Amendment Ordinance for the Northeast Los Angeles Community Plan area communities are consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan.

General Plan Framework

The proposed Code Amendment Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

- | | |
|---------------------|--|
| Goal 3B | Preservation of the City's stable single-family residential neighborhoods. |
| Policy 3.5.5 | Promote the maintenance and support of special use neighborhoods to encourage a wide variety of these and unique assets within the City. |

Conservation Element: Land Form and Scenic Vistas

Section 15 of the Conservation Element encourages the retention of existing land forms and natural terrain and the protection of scenic features.

The current Baseline Hillside regulations do not provide the fine-grained tools required to regulate construction, hauling operations and other impacts that can be associated with large-home construction. Application of the HCR District aims to address the construction impacts associated with single family developments that are 17,500 square feet or larger, hauling operations and construction activity, and grading "by-right" maximums in hillside areas in a way that is necessary in order to preserve and maintain the character, scale and safety of existing single-family neighborhoods and ensure that future development is held to appropriate standards of safety and protection that are consistent with the scale and scope of the project.

Applying the HCR District to address hauling operations will help reduce impacts related to construction related activities along substandard hillside streets. The HCR District includes standards required by the Department of Building and Safety for projects with large hauling jobs. Applying hauling regulations and standards provides this community the appropriate tool for managing the varying scales of smaller and larger projects, while ensuring that construction crews and developers are responsible. These regulations help to preserve the natural environment of the Northeast Los Angeles Community Plan Area.

Reducing the grading maximum and regulating new single-family homes of a certain size helps prevent the following: major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increases of drainage impacts to the community, off-site impacts, and increases to loads on under-improved hillside streets during construction within the Northeast Los Angeles Community Plan Area. It also places regulations on the bulk and massing of large homes which may interrupt the character of the community. In order to address these issues, while still allowing for reasonable construction and grading activity in these areas, the proposed zone change proposes reducing the amount of grading allowed on a RE-40 zoned property from 6,600 to 6,000 cubic yards, with additional quantity limits for substandard streets, and requires a special review of homes larger than 17,500 square feet in all applicable zones. These regulations combined with the Baseline Hillside Ordinance, which restricts the building envelope and volume of earth allowed to be imported and exported from a property, including that beneath the footprint of the house, preserves the intent of the General Plan's goals and policies.

This Code Amendment is requested considering minor technical amendments that it will provide more specialized regulation for single family dwelling units by proposing a new HCR District for the Northeast Los Angeles Community Plan Area in R2 and RD zoned lots. These minor technical code amendments apply to the HCR District citywide and to any accessory structures, accessory dwelling units, and small-lot subdivision developments not previously described.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice because the HCR District measures are needed to regulate single-family residential development in order to avoid the further degrading effects of continuous construction in the Northeast Los Angeles Community Plan Area. The measures in the proposed ordinance are needed to preserve the topography, high fire severity risk, and mitigate construction activities within this community. Applied concurrently with the amended Baseline Hillside Ordinance, the HCR District provides more fine-grained tools for the Northeast Los Angeles Community Plan Area to protect the community's built and natural environment. In addition, this Code Amendment is making minor technical amendments that will provide more specialized regulation for single family dwelling units by proposing a new HCR District for R2 and RD zoned lots. These minor technical code amendments apply to the HCR District citywide and to any accessory structures, accessory dwelling units, and small-lot subdivision developments not previously described.

The HCR District is in conformity with public necessity, convenience, general welfare and good zoning practice because the construction-related limits and the site plan review process addresses the preservation of single-family residential neighborhoods and the conservation of land forms. The proposed Code Amendment helps address general welfare issues by reducing or limiting hauling truck trips and construction activity and expands the protections of the HCR to a greater portion of the Northeast Los Angeles Community Plan Area. It is good zoning practice to establish grading limits and to reduce hauling truck trips in the hillsides to protect from construction-related impacts.

Other Findings

State Law Restrictions on Zoning Actions under Housing Crisis Act SB 330 and SB 8

On October 9, 2019, Governor Newsom signed into law SB 330, the Housing Crisis Act of 2019. The act amends existing state laws and creates new regulations around the production, preservation and planning of housing. The bill has been in effect since January 1, 2020, and sunsets on January 1, 2025. On September 16, 2021, Governor Newsom signed into law SB 8, which extends provisions of SB 330 to January 1, 2030, along with additional clarifications and protections. The goal of SB 330 and SB 8 is to create certainty in the development of housing projects, speeding up the review of these projects. SB 330 and SB 8 also prevent zoning actions that reduce the capacity of housing. Zoning actions that result in a net downzoning or otherwise reduce housing and population (except for specified reasons involving health and safety, affordable housing and voter initiatives) are prohibited. Moratoriums on housing development, or limits on approval, permits, or housing units cannot not be imposed by local jurisdictions. This does not apply to zoning efforts that reduce intensity for certain parcels as long as density is increased on other parcels and therefore results in no net loss in zoned housing capacity or intensity. SB 330 defines “less intensive use” as “...reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing”. The proposed Code Amendment to apply the HCR District would not result in creating a “less intensive use,” and language has been proposed to be added to the HCR District provisions to ensure that any future use of the Site Plan Review process for large homes would remain consistent with Government Code 66330 (i.e. SB 330).

The proposed Code Amendment ordinance to apply the HCR District does not reduce height, density, floor area ratio, open space, lot size, setback, frontage, lot coverage requirements, or anything that would lessen the intensity of housing. The intent of the HCR District is to impose more restrictive grading limits and hauling operation standards than what is generally permitted by the Zoning Code, thus reducing construction impacts. Reducing construction impacts through additional grading standards will help protect the natural resources and the environment. Specifically, it will help preserve riparian areas running along canyons, natural landforms, topography, and vegetation to reduce surface erosion, soil instability, landslides, and/or site disturbance by limiting grading on steep slopes. In order to limit the amount of grading that can take place in the HCR District, development for any single family residential project is limited to the “by-right” maximum pursuant to Los Angeles Municipal Code (LAMC) Section 12.21 C.10. and shall not exceed 6,000 cubic yards and 75 percent of the “by-right” maximum pursuant to Section 12.21 C.10 on a substandard street. The proposed Code Amendment proposes to reduce the amount of grading allowed on a RE40 zoned property from 6,600 to 6,000 cubic yards and lots on substandard streets. While the grading limit only applies to limited lots in this Code Amendment Ordinance, construction and grading activity would still be permitted in these zones. In addition, the LAMC exempts on-site grading activity to further not preclude the use of single-family dwelling. For example, grading activities associated with foundation systems (such as caisson and piles), remedial grading, and water storage tanks are exempted from the grading limitations. The HCR District also includes additional grading limitations, which further protects the City’s natural resources and environment by maintaining the natural topography and preserving natural landforms located in the hillsides. Exempted on-site grading activity to further not preclude the use of single-family dwellings also apply in lots fronting substandard streets.

Another component of the proposed HCR District is to add a new threshold for projects that require Site Plan Review. Site Plan Review, established in Section 16.05 of the LAMC, exists to “promote orderly development, evaluate and mitigate significant environmental impacts, and promote public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, traffic circulation, sewers, other infrastructure and

environmental setting; and to control or mitigate the development of projects which are likely to have a significant adverse effect on the environment as identified in the City's environmental review process, or on surrounding properties by reason of inadequate site planning or improvements". The HCR District, with its supplemental findings, allows for development projects to be altered or conditioned to have less of an environmental impact through the Site Plan Review process. The proposed HCR District will require large-scale houses of 17,500 square feet or larger to apply for a Site Plan Review before the issuance of related permits. Development projects that are proposing large quantities of remedial grading, or that are adding new, large residential structures, have the potential to have a greater impact on the environment than smaller projects. The Site Plan Review process helps to ensure that projects are properly related to their sites, environmental settings, and traffic circulations. The Site Plan Review process may also help mitigate the development of projects that potentially have environmental effects that should be disclosed, and where possible, mitigated. Furthermore, language has been proposed to be added to the HCR District provisions, specifying that the Site Plan Review process may not be used to reduce height, density, floor area ratio, open space, lot size, setback, frontage, or lot coverage requirements, or anything that would lessen the intensity of housing. Site Plan Review promotes orderly development and reduces environmental impacts and does not reduce the development potential of a property.

As such, the proposed Code Amendment Ordinance to apply HCR District regulations to these residential hillside neighborhoods would not result in a decrease in zoned housing capacity or create a "less intensive use" and therefore the Project complies with the requirements of SB 330 and SB 8.

CEQA Findings

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061, that based on the whole of the administrative record, as supported by the justification prepared and found in the environmental case file, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15307, Class 7, and Section 15308, Class 8, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

FINDINGS (Zone Change)

The proposed Zone Change is to apply the Hillside Construction Regulation Supplemental Use District (HCR District) to the hillsides with single-family zoning in the Northeast Los Angeles Community Plan Area. The intent of an HCR District is to protect hillside residential areas from construction-related impacts by requiring operational limits, setting maximum grading quantity limits for single-family residential projects, and to require a site plan review process, which is a discretionary approval, for single-family residential developments with a cumulative floor area of 17,5000 square feet or larger. Specifically, the operational limits include limiting the number of hauling trips allowed per hour per project site and to limit construction activity hours on the weekdays and Saturdays based on whether the construction includes exterior work or interior work.

General Plan/Charter Findings

In accordance with Charter Sections 556 and 558, the proposed Zone Change is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework, Conservation Element and Northeast Los Angeles Community Plan Consistency

The proposed Zone Change Ordinance for the Northeast Los Angeles Community Plan Area communities are consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan.

General Plan Framework

The proposed Zone Change Ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework:

- | | |
|---------------------|--|
| Goal 3B | Preservation of the City's stable single-family residential neighborhoods. |
| Policy 3.5.5 | Promote the maintenance and support of special use neighborhoods to encourage a wide variety of these and unique assets within the City. |

Conservation Element: Land Form and Scenic Vistas

Section 15 of the Conservation Element encourages the retention of existing land forms and natural terrain and the protection of scenic features.

The current Baseline Hillside regulations do not provide the fine-grained tools required to regulate construction, hauling operations and other impacts that can be associated with large-home construction. Application of the HCR District aims to address the construction impacts associated with single family developments that are 17,500 square feet or larger, hauling operations and construction activity, and grading "by-right" maximums in hillside areas in a way that is necessary in order to preserve and maintain the character, scale and safety of existing single-family neighborhoods and ensure that future development is held to appropriate standards of safety and protection that are consistent with the scale and scope of the project.

Pursuant to Section 12.32(F) of the Los Angeles Municipal Code this proposal is for a zone change to those parcels lying within the Northeast Los Angeles Community Plan areas, bounded

within the proposed Ordinance Map, from A1-1, A1-1-HPOZ, A1-1XL, R1-1, R1-1-CA, R1-1-CDO, R1-1-HPOZ, R1-1VL, R2-1, R2-1-CDO, RA-1, RD1.5-1, RD1.5-1-CDO, RD1.5-1-HPOZ, RD2-1, RD2-1-CDO, RD2-1-HPOZ, RD3-1, RD3-1-HPOZ, RE11-1, RE15-1, RE20-1, RE40-1, RE9-1, RE9-1-CDO, RS-1, [Q]A1-1D, [Q]A1-1XLD, [Q]R1-1D, [Q]R1-1D-HPOZ, [Q]R2-1D, [Q]R2-1D-HPOZ, [Q]RD1.5-1D, [Q]RD2-1D, [Q]RD3-1D, [Q]RD3-1D-HPOZ, [Q]RD4-1D-HPOZ, [Q]RD5-1D, [Q]RD6-1D, [Q]RE20-1D, [Q]RE40-1D, [Q]RE9-1D, [Q]RS-1D, (T)[Q]RD1.5-1D, (T)(Q)RD5-1D, [T][Q]RD6-1D, and (T)(Q)RE11-1, to A1-1-HCR, A1-1-HPOZ-HCR, A1-1XL-HCR, R1-1-HCR, R1-1-CA-HCR, R1-1-CDO-HCR, R1-1-HPOZ-HCR, R1-1VL-HCR, R2-1-HCR, R2-1-CDO-HCR, RA-1-HCR, RD1.5-1-HCR, RD1.5-1-CDO-HCR, RD1.5-1-HPOZ-HCR, RD2-1-HCR, RD2-1-CDO-HCR, RD2-1-HPOZ-HCR, RD3-1-HCR, RD3-1-HPOZ-HCR, RE11-1-HCR, RE15-1-HCR, RE20-1-HCR, RE40-1-HCR, RE9-1-HCR, RE9-1-CDO-HCR, RS-1-HCR, [Q]A1-1D-HCR, [Q]A1-1XLD-HCR, [Q]R1-1D-HCR, [Q]R1-1D-HPOZ-HCR, [Q]R2-1D-HCR, [Q]R2-1D-HPOZ-HCR, [Q]RD1.5-1D-HCR, [Q]RD2-1D-HCR, [Q]RD3-1D-HCR, [Q]RD3-1D-HPOZ-HCR, [Q]RD4-1D-HPOZ-HCR, [Q]RD5-1D-HCR, [Q]RD6-1D-HCR, [Q]RE20-1D-HCR, [Q]RE40-1D-HCR, [Q]RE9-1D-HCR, [Q]RS-1D-HCR, (T)[Q]RD1.5-1D-HCR, (T)(Q)RD5-1D-HCR, [T][Q]RD6-1D-HCR, (T)(Q)RE11-1-HCR. The current Baseline Hillside regulations for the Northeast Los Angeles Community Plan Area do not provide the fine-grained tools required to regulate construction, hauling operations and other impacts that can be associated with large-home construction.

Applying the HCR District to address hauling operations will help reduce impacts related to construction related activities along substandard hillside streets. The HCR District includes standards required by the Department of Building and Safety for projects with large hauling jobs. Applying hauling regulations and standards provides this community the appropriate tool for managing the varying scales of smaller and larger projects, while ensuring that construction crews and developers are responsible. These regulations help to preserve the natural environment of the Northeast Los Angeles Community Plan Area.

Reducing the grading maximum and regulating single family homes of a certain size helps prevent the following: major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increases of drainage impacts to the community, off-site impacts, and increases to loads on under-improved hillside streets during construction within the Northeast Los Angeles Community Plan Area. In order to address these issues, while still allowing for reasonable construction and grading activity in these areas, the proposed zone change proposes reducing the amount of grading allowed on a RE-40 zoned property from 6,600 to 6,000 cubic yards, with additional quantity limits for substandard streets, and requires a special review of homes larger than 17,500 square feet in all applicable zones. These regulations combined with the Baseline Hillside Ordinance, which restricts the building envelope and volume of earth allowed to be imported and exported from a property, including that beneath the footprint of the house, preserves the intent of the General Plan's goals and policies.

Northeast Los Angeles Community Plan

The proposed Zone Change will promote the objectives, polices and goals of the Northeast Los Angeles Community Plan by continuing to protect the character of the many existing single-family hillside neighborhoods within this area. By instituting more restrictive development and hauling regulations, the proposed Zone Change would require new development to be compatible with neighborhood character and preserve the unique hillside assets this community provides the rest of the City. As new houses are developed and constructed in conformance with the proposed regulations, the overall existing character and construction practices in the proposed zone change area is preserved. The proposed Zone Change is consistent with applicable objectives and policies of the Northeast Los Angeles Community Plan, including the following:

Objective 1 - 1 To preserve and enhance existing residential neighborhoods.

Objective 1 - 5 To limit the intensity and density of development in hillside areas.

In the Northeast Los Angeles Community Plan Area, there has been and continues to be a need to minimize grading, limit land use intensity, and preserve natural topography in hillside areas. On December 10, 2008, in response to the Northeast Los Angeles Hillside Interim Control Ordinance (No. 2004-7068-ICO), which was in response to a significant increase in development projects and excessive grading in hillside communities, a Zone Change was adopted to involve the addition of D-limitations and permanent [Q] conditions to select zones in the Northeast Los Angeles Community Plan Area. Adopted as the Northeast Los Angeles Hillside Ordinance (Ordinance No. 180,403), the Zone Change's purpose was to address the protection of natural resources, vegetation and wildlife, neighborhood character, identity and scale, environmental impacts associated with hillside developments, emergency access and adequate infrastructure. The Ordinance itself did not require a General Plan Amendment because it maintained the existing General Plan/Community Plan land use designations of Open Space, Public Facilities, Minimum Facilities, Minimum Residential, Very Low Residential, Low Residential, Low Medium I and II, Medium Residential and General Neighborhood Commercial.

The D-Limitations, or Development Limitations, as part of the Northeast Los Angeles Hillside Ordinance, include limitations on height, maximum residential floor area, and regulations to proposed structures within proximity to ridgelines. The permanent [Q] Conditions include limitations on infrastructure, such as not permitting construction materials and equipment to be stored in the public right of way and to restrict construction vehicles from being exempt from the Los Angeles Fire Department's Reg Flag – No Parking Program. The [Q] Conditions also include regulations on building design, landscaping, retaining walls, and grading. Grading shall be limited to a maximum of 500 cubic yards and a numeric value equal to 5 percent of the total lot size, up to a maximum of 1,000 cubic yards total. Any deviations beyond these limits shall require a Zoning Administrator's approval of a Zone Variance. Although there are some existing [Q] Conditions from this Ordinance that help mitigate construction impacts, many of the aforementioned communities in the Northeast Los Angeles Community Plan area do not avail of these [Q] Conditions. Regarding grading, compared to the HCR District, the Northeast Los Angeles Hillside Ordinance's permanent [Q] Conditions are more restrictive. For example, any project requesting over 1,000 cubic yards in this area would require a Zoning Administrator's approval, whereas the HCR District permits up-to 6,600 cubic yards in the RE40 Zone by-right. Site Plan Review, another measure included in the HCR District for new construction projects greater than 17,500 square feet, may also not be as effective for R-Zoned properties in this area given that there are not many, if any, lots of this size in Northeast Los Angeles.

Despite the differences in grading limitations and Site Plan Review between the Northeast Los Angeles Hillside Ordinance and the HCR District, there is benefit to applying the HCR District to the Northeast Los Angeles Community Plan Area because its development regulations regarding construction provide more detailed measures in the hauling operation standards and construction activity that could better mitigate the impacts to this community's quality of life. By including these development regulation practices not previously detailed, the Zone Change Ordinance provides additional mitigation measures for properties impacted by these projects and ultimately protects the community from the effect of the aggregate of those smaller projects within a community with narrow, under-improved hillside streets.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles **City Charter Section 558** and **LAMC Section 12.32(C)(7)** require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice because the HCR

District measures are needed to regulate single-family residential development in order to avoid the further degrading effects of continuous construction in the Northeast Los Angeles Community Plan Area. The measures in the proposed ordinance are needed to preserve the topography, high fire severity risk, and mitigate construction activity for this community within the Northeast Los Angeles Community Plan Area. Applied concurrently with the amended Baseline Hillside Ordinance, the HCR District provides more fine-grained tools for the Northeast Los Angeles Community Plan Area to protect the community's built and natural environment.

The HCR District is in conformity with public necessity, convenience, general welfare and good zoning practice because the construction-related limits and the site plan review process addresses the preservation of single-family residential neighborhoods and the conservation of land forms. The proposed Zone Change helps address general welfare issues by reducing or limiting hauling truck trips and construction activity and expands the protections of the HCR to a greater portion of the Northeast Los Angeles Community Plan Area. It is good zoning practice to establish grading limits and to reduce hauling truck trips in the hillsides to protect from construction-related impacts.

Other Findings

State Law Restrictions on Zoning Actions under Housing Crisis Act SB 330 and SB 8

On October 9, 2019, Governor Newsom signed into law SB 330, the Housing Crisis Act of 2019. The act amends existing state laws and creates new regulations around the production, preservation and planning of housing. The bill has been in effect since January 1, 2020, and sunsets on January 1, 2025. On September 16, 2021, Governor Newsom signed into law SB 8, which extends provisions of SB 330 to January 1, 2030, along with additional clarifications and protections. The goal of SB 330 and SB 8 is to create certainty in the development of housing projects, speeding up the review of these projects. SB 330 and SB 8 also prevent zoning actions that reduce the capacity of housing. Plans that result in a net downzoning or otherwise reduce housing and population (except for specified reasons involving health and safety, affordable housing and voter initiatives) are prohibited. Moratoriums on housing development, or limits on approval, permits, or housing units cannot not be imposed by local jurisdictions. This does not apply to zoning efforts that reduce intensity for certain parcels as long as density is increased on other parcels and therefore results in no net loss in zoned housing capacity or intensity. SB 330 defines "less intensive use" as "...reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing". The proposed Zone Change to apply the HCR District would not result in creating a "less intensive use," and language has been proposed to be added to the HCR District provisions to ensure that any future use of the Site Plan Review process for large homes would remain consistent with Government Code 66330 (i.e. SB 330).

The proposed Zone Change Ordinance to apply the HCR District does not reduce height, density, floor area ratio, open space, lot size, setback, frontage, lot coverage requirements, or anything that would lessen the intensity of housing. The intent of the HCR District is to impose more restrictive grading limits and hauling operation standards than what is generally permitted by the Zoning Code, thus reducing construction impacts. Reducing construction impacts through additional grading standards will help protect the natural resources and the environment. Specifically, it will help preserve riparian areas running along canyons, natural landforms, topography, and vegetation to reduce surface erosion, soil instability, landslides, and/or site disturbance by limiting grading on steep slopes. In order to limit the amount of grading that can take place in the HCR District, development for any single family residential project is limited to the "by-right" maximum pursuant to Section 12.21 C.10. and shall not exceed 6,000 cubic yards and 75 percent of the "by-right" maximum pursuant to Section 12.21 C.10 on a substandard street.

The proposed Zone Change proposes to reduce the amount of grading allowed on a RE40 zoned property from 6,600 to 6,000 cubic yards and lots on substandard streets. While the grading limit only applies to limited lots in this Zone Change Ordinance, construction and grading activity would still be permitted in these zones. In addition, the LAMC exempts on-site grading activity to further not preclude the use of single-family dwelling. For example, grading activities associated with foundation systems (such as caisson and piles), remedial grading, and water storage tanks are exempted from the grading limitations. The HCR District also includes additional grading limitations, which further protects the City's natural resources and environment by maintaining the natural topography and preserving natural landforms located in the hillsides. Exempted on-site grading activity to further not preclude the use of single-family dwellings also apply in lots fronting substandard streets.

Another component of the proposed HCR District is to add a new threshold for projects that require Site Plan Review. Site Plan Review, established in Section 16.05 of the LAMC, exists to "promote orderly development, evaluate and mitigate significant environmental impacts, and promote public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, traffic circulation, sewers, other infrastructure and environmental setting; and to control or mitigate the development of projects which are likely to have a significant adverse effect on the environment as identified in the City's environmental review process, or on surrounding properties by reason of inadequate site planning or improvements". The HCR District, with its supplemental findings, allows for development projects to be altered or conditioned to have less of an environmental impact through the Site Plan Review process. The proposed HCR District will require large-scale houses of 17,500 square feet or larger to apply for a Site Plan Review before the issuance of related permits. Development projects that are proposing large quantities of remedial grading, or that are adding new, large residential structures, have the potential to have a greater impact on the environment than smaller projects. The Site Plan Review process helps to ensure that projects are properly related to their sites, environmental settings, and traffic circulations. The Site Plan Review process may also help mitigate the development of projects that potentially have environmental effects that should be disclosed, and where possible, mitigated. Furthermore, language has been proposed to be added to the HCR District provisions, specifying that the Site Plan Review process may not be used to reduce height, density, floor area ratio, open space, lot size, setback, frontage, or lot coverage requirements, or anything that would lessen the intensity of housing. Site Plan Review promotes orderly development and reduces environmental impacts and does not reduce the development potential of a property.

As such, the proposed Zone Change Ordinance to apply HCR District regulations to these residential hillside neighborhoods would not result in a decrease in zoned housing capacity or create a "less intensive use" and therefore the Project complies with the requirements of SB 330 and SB 8.

CEQA Findings

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061, that based on the whole of the administrative record, as supported by the justification prepared and found in the environmental case file, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15307, Class 7, and Section 15308, Class 8, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

PUBLIC COMMUNICATIONS

Public Outreach/Community Meetings

In the months of May and July 2022, the Department of City Planning held virtual meetings with various community members to hear and discuss the construction related issues facing their community. Each virtual meeting included a presentation about the existing HCR District, the proposed new HCR District boundaries, answering questions about the existing ordinance, and receiving feedback from the community members about the proposed boundaries and about improvements to the existing ordinance. Meeting dates are noted in the table below:

Northeast Los Angeles Community Plan Area	
Date	Neighborhood Council/Organization
May 12	Glassell Park Improvement Association
May 17	Glassell Park Neighborhood Council
May 19	Mount Washington Homeowners Association
June 6	Greater Cypress Park Neighborhood Council
June 13	Arroyo Seco Neighborhood Council
June 21	Historic Highland Park Neighborhood Council
July 6	LA-32 Neighborhood Council
July 7	Lincoln Heights Neighborhood Council
July 14	Hermon Neighborhood Council
July 19	Eagle Rock Neighborhood Council

Due to the large size of the Northeast Los Angeles Community Plan Area, staff met with community members on 10 separate occasions, including meeting with the eight neighborhood councils within the proposed expanded HCR District geography and two neighborhood organizations. Additionally, community members continued to engage via individual telephone calls and conference calls with staff and the Council Office.

Stakeholder Correspondence and Public Hearing

Notices were mailed to the owners and occupants within a 500 foot radius of the Northeast Los Angeles Community Plan Area's Project Area (as shown on the draft ordinance map) regarding the Hillside Construction Regulation Supplemental Use District (HCR District). From May 2022 to October 20, 2022, approximately 81 written comments were received. Of the 81 written comments, four comments were against the proposed HCR District for this area, while 77 written comments in favor, with 29 of those generally supportive while also requesting stricter HCR District provisions.

Forty-six individuals provided public testimony at the noticed Public Hearing on October 20, 2022. During the Public Hearing, those 41 testimonies were in favor of the HCR District, with 24 of those comments generally supportive, while also requesting the addition of extra considerations and stricter regulations in an effort to protect the hillsides from over development, construction activities, and regulation enforcement issues. Of those 41 testimonies, four generally concerning comments provided were against the HCR District regulations.

The majority of verbal comments made at the public hearing expressed support for implementing the HCR District within Northeast Los Angeles Community Plan Area, with many commenters expressing concerns about the nature of construction activities taking place, citing instances of roadway collapses, roadways regularly blocked by truck convoys or construction equipment, and

the implications of emergency vehicle access and evacuation, construction-related soil instability, damage caused to neighboring properties related to grading and ground-disturbance, among others.

Many comments noted a need to better address the enforcement of the HCR District provisions, which may be carried out by various City Departments, including the Department of Building and Safety, The Department of Transportation, and Bureau of Engineering (City Planning does not conduct enforcement activities). Comments noted that a requirement for project applicants to post signage on-site that informs members of the public who to reach out to, in order to address various enforcement issues such as blocked roadways, grading violations, tree removals, noise, and construction hours. Planning Staff have added provision language to Section 6.j of the Code Amendment that would necessitate the posting of such signage, which can also serve to better direct complaints to appropriate City Departments, reducing the time and coordination that can be required by City staff to appropriately address potential violations.

Several other comments conveyed a desire to see additional new regulations added to the HCR District, such as a mandate to bond with the City when using roadways for major construction projects, or a need to better regulate the conveyance of large construction equipment. However, given the urgency with which most stakeholders have sought to move forward with the HCR District designation, and the need to coordinate major new regulations with the multitude of other HCR District neighborhoods as well as City Departments, additional regulations are not recommended at this time, but may be considered through future City Planning work efforts.



Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

November 1, 2022

TO: City Planning Commission

FROM: Craig Weber, Principal City Planner

ADDITIONAL INFORMATION/TECHNICAL MODIFICATION/CORRECTION TO THE STAFF RECOMMENDATION REPORT FOR CASE NO. CPC-2022-6108-ZC-CA;

Transmitted herewith, are two technical corrections pertaining to Agenda Item 9 to be considered at the City Planning Commission meeting of November 3, 2022:

1. Exhibit A: Proposed Northeast Los Angeles Community Plan Area Code Amendment and Zone Change Map Ordinance and Map.

The exhibit should be renamed Northeast Los Angeles Community Plan Area Zone Change Map ("Code Amendment" omitted), and the ordinance map should be inserted between Section 2 and Section 3 of the draft ordinance.

2. Exhibit B: Draft Technical Code Amendments

Section 1.D.7 should have the following language added (shown in underline):

Review Procedures for single-family home developments larger than 17,500 square feet. The construction, erection, addition to, enlargement of or reconfiguration of any one-family dwelling that has a cumulative Residential Floor Area of 17,500 square feet or larger shall submit an application for a Site Plan Review before the issuance of related permits and entitlements. Application procedures and processing of the application shall be pursuant to Section 16.05 of the Los Angeles Municipal Code. If applied outside of a Very High Fire Hazard Severity Zone, the Site Plan Review process may not be used to reduce the height, density, or floor area of a project, nor may it be used to impose new increased obligations with respect to open space, lot size, setbacks, minimum frontage, or maximum lot coverage.