

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.

LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT
11

PROJECT TITLE

West Los Angeles Multifamily "Q" Qualifying Conditions

LOG REFERENCE

ENV-2017-3648-CE

CPC-2017-3647-ZC

PROJECT LOCATION

The majority of properties zoned for multifamily residential use in the area roughly bounded by Centinela Ave. to the west, San Vicente Blvd. to the north, I-405 to the east, and La Grange Ave. to the south within the West Los Angeles and the Brentwood – Pacific Palisades Community Plan Areas.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

A proposed ordinance to establish "Q" Qualified Conditions on multifamily properties including development standards for 1) Building Form and Orientation, 2) Vehicle Access and Parking, and 3) Architectural Treatment. The "Q" Conditions will introduce design and development regulations on new multifamily development to improve compatibility of future development with existing buildings, enhance the project area's built environment, and improve the overall pedestrian orientation of new development.

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

CONTACT PERSON

PATRICIA DIFENDERFER

AREA CODE

(213)

TELEPHONE NUMBER

978-1170

EXT.

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

CITY CEQA GUIDELINES

☐ MINISTERIAL☐ Sec. 15268☐ Art. II, Sec. 2b☐ DECLARED EMERGENCY☐ Sec. 15269☐ Art. II, Sec. 2a (1)☐ EMERGENCY PROJECT☐ Sec. 15269 (b) & (c)☐ Art. II, Sec. 2a (2) & (3)☒ CATEGORICAL EXEMPTION☐ Sec. 15308 *et seq.*☐ Art. II, Sec. 2Class 8 Category _____ (City CEQA Guidelines)☒ OTHER: State CEQA Guidelines Section 15061(b)(3) and City of LA CEQA Guidelines Article II, Section 2(m)

JUSTIFICATION FOR PROJECT EXEMPTION: See attached narrative.

Article 19, Section 15308, Class 8 of the State's Guidelines applies to where projects consist of "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment."

State CEQA Guidelines Section 15061(b)(3) applies to an activity that "is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in questions may have a significant effect on the environment, the activity is not subject to CEQA."

City of Los Angeles Environmental Quality Act Guidelines, Article II, Class 2(m) applies to "adoption of ordinances that do not result in impacts on the physical environment."

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

Senior City Planner

DATE

2/12/18

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:**ENV-2017-3648-CE****I. PROJECT LOCATION**

The proposed West Los Angeles "Q" Qualified Conditions encompass select multifamily zoned parcels located in the area generally bounded by Centinela Avenue to the west, San Vicente Boulevard to the north, I-405 to the east, and La Grange Avenue to the south within the West Los Angeles and Brentwood – Pacific Palisades Community Plan Areas (see Figure 1).

II. PROJECT DESCRIPTION

The proposed West Los Angeles "Q" Qualified Conditions are development standards for select multifamily zoned properties in the West Los Angeles and Brentwood – Pacific Palisades Community Plan Areas. The proposed "Q" Qualified conditions include standards for the following:

Building Form and Orientation – Requires that primary pedestrian entrances be accessible from the adjacent public street, be prominent and distinguished through architectural features, and have walkways from the entrance to the sidewalk. Disallows below grade level entrances. Calls for building step backs above three (3) stories on the front façade and requires that a significant recess be placed in buildings longer than 150 feet.

Vehicle Access and Parking – Disallows parking or vehicle circulation in the front of a building. Requires that vehicle access be taken from alleys and side streets where possible. Specifies maximum width and number of driveways. Requires that parking be screened with architectural elements and/or landscaping, when visible from the sidewalk.

Architectural Treatment – Places limitations on the use of stucco unless combined with other materials. Requires that façades facing a public street include horizontal and vertical articulation on buildings with at least 50 feet of frontage. Prohibits windowless facades and flush finish installation facing a public street.

The West Los Angeles "Q" Qualified Conditions is an ordinance that establishes development standards for specific multifamily zoned parcels in the West Los Angeles and Brentwood – Pacific Palisades Community Plan Areas. Specifically, the proposed ordinance would be applied to parcels located in the area generally bounded by Centinela Ave. to the west, San Vicente Blvd. to the north, I-405 to the east, and La Grange Ave. to the south (see Figure 1).

FIGURE 1



The proposed ordinance aims to bring increased consistency and compatibility to residential neighborhoods by introducing development regulations that encourage new infill development to be consistent with the overall character of the area and enhances the pedestrian experience. This ordinance includes development standards for building form and orientation, vehicle access and parking and architectural treatment.

Both the West Los Angeles and Brentwood – Pacific Palisades Community Plans contain goals and objectives regarding the stabilization of multifamily zoned areas. The proposed ordinance would implement the following relevant goals and objectives of the Community Plans:

West Los Angeles Community Plan

- Goal 1: A safe, secure, and high quality residential environment for all economic, age and ethnic segments of the community. (CP p. III-2)
 - Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010. (CP p. III-2)
 - Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods. (CP p. III-3)
 - Policy 1-3.1: Require architectural compatibility and adequate landscaping for new multifamily residential development to protect the character and scale of existing residential neighborhoods. (CP p. III-3)

Brentwood – Pacific Palisades Community Plan

- Goal 1: A safe, secure, and high quality residential environment for all economic, age and ethnic segments of the community. (CP p. III-1)
 - Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010. (CP p. III-1)

The proposed ordinance would enhance the built environment of the Project area through development standards that implement the goals and policies of both the West Los Angeles and Brentwood- Pacific Palisades Community Plans for the purpose of creating an enhanced pedestrian character and infill development that aligns with the character of the existing community.

The proposed regulations do not propose or authorize any development. Nor do they change any land uses, building heights, densities or intensities. Through the implementation of supplemental development regulations, the proposed “Q” Qualified Conditions intend to better guide multifamily development within the project area and would be more protective of the environment than the current regulations by:

- 1) Regulating the visual character and design of new multifamily development;
- 2) Imposing additional development requirements that buildings be oriented to the street to improve the pedestrian experience;
- 3) Regulating building massing and other architectural features; and,
- 4) Imposing requirements for the design of parking structures to ensure pedestrian safety and to improve visual character.

The proposed ordinance is consistent with Senate Bill 743, which added Section 21099 (d)(1) of the Public Resources Code to state that a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if: 1) the project is a residential, mixed-use residential, or employment center project, and 2) the project is located on an infill site within a Transit Priority Area (TPA). Approximately 70% of the Project Area is located within a Transit Priority Area (TPA), and the projects that would be developed within this area would be considered residential projects on an infill site. Therefore, pursuant to Public

Resources Code, section 21099(d), aesthetic and parking impacts associated with such projects located within a TPA are deemed to be less than significant.

The West Los Angeles Multifamily "Q" Qualified Conditions project area would not permit land uses of greater height or density than permitted by the Community Plans or previously analyzed in the Final Mitigated Negative Declarations (MND) for the Community Plans. Future development within the boundaries of the Project area would be required to conform to the development standards and other regulations of the City of Los Angeles, and would be subject to review on a project-by-project basis to determine project-specific compliance with CEQA.

III. CEQA DETERMINATION

The project does not change any land uses, building heights, densities, or intensities, and does not proposed or authorize new development. Instead the project aims to enhance the built environment through design standards applicable to new development. Therefore it is determined that the project is exempt pursuant to State CEQA Guidelines Section 15308 (Class 8) for actions taken by regulatory agencies for protection of the environment. The application of this categorical exemption is not barred by one of the exceptions set forth in Section 15300.2. Additionally the project is exempt under the "general rule" exemption in State CEQA Guidelines Section 15061(b)(3).

A. *State CEQA Guidelines Section 15308 and City of Los Angeles CEQA Guidelines Article III, Section 1, class (h).*

The State California Environmental Quality Act (CEQA) Guidelines section 15308 (Class 8) states the following:

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

The purpose of the proposed ordinance is to improve and enhance the urban design and aesthetics of the multifamily zoned parcels within the West Los Angeles and Brentwood – Pacific Palisades Community Plan Areas and thereby enhancing and protecting the aesthetic environment. The standards within the proposed ordinance would be more protective of the environment than the current regulations by establishing standards for building massing, vehicular access, and architectural treatment beyond what is required by the underlying zoning. The "Q" Qualified Conditions are intended to enhance and ensure compatibility of the built environment of West Los Angeles. The proposed ordinance would additionally implement goals and policies (see above) adopted in the Community Plans pertaining to improving the visual character of the built environment.

Further, the proposed ordinance is not expected to create any additional impacts to any environmental resources and does not propose or authorize any development or construction activities. It does not change any land uses, building heights, densities or intensities. Therefore, it would not create or enable any additional impacts by itself or cumulatively when reasonably foreseeable development occurs in accordance with the new standards. As further elaborated below, even if any of the threshold circumstances were found to exist for an exception to an exemption (e.g., scenic highway, sensitive environment, historic resource, unique circumstance, etc.), the project will not foreseeably result in a significant impact to the environment.

B. *Exceptions to Exemptions*

The State California Environmental Quality Act (CEQA) Guidelines section 15300.2 outlines 5 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.*

This subsection is not applicable as the proposed West Los Angeles Multifamily "Q" Qualified Conditions is categorically exempt pursuant to the Class 8 categorical exemption, not Classes 3, 4, 5, 6, or 11.

- (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.*

As stated above, the proposed ordinance does not propose or authorize any development, construction or change any land uses, building heights, densities or intensities. The proposed West Los Angeles Multifamily "Q" Qualified Conditions seek to implement supplemental development standards which are intended to better shape development within the project area and would be more protective of the environment than the current regulations.

Since allowable land uses, densities, and intensities are not changing and additional standards to regulate the visual character of new buildings would be enacted, reasonably foreseeable development in the Project area using the new standards would be less impactful to the environment than what is allowable under current regulations.

Therefore, the proposed ordinance would not be expected to generate cumulative impacts as it is intended to provide additional regulations related to design if and when such development occurs on the properties that are subject to the new regulations. In addition, if other ordinances of similar nature were enacted, no additional adverse impacts would accumulate. The ordinance serves to reduce adverse environmental impact and so an accumulation of similar ordinances would serve only to further reduce adverse environmental impacts.

- (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. To the contrary, the proposed ordinance is more protective of the environment than current regulations. It does not propose or authorize any specific new development or construction, and does not propose to change land use, heights, or densities. The Project Area is a built-out, urbanized area already developed with similar land uses, heights, and densities. Additionally, the Project Area is relatively flat and is not considered a "hillside" area by the City. Therefore, this ordinance would not cause reasonably foreseeable impacts due to unusual circumstances.

- (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.*

This exception is not applicable, as the Proposed Project is not located in a designated state scenic highway. It will not result in damage to scenic resources and is reasonably expected to enhance and improve the visual quality of the adjacent right of way.

- (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.*

This exception is not applicable, as the Proposed Project is not located on a hazardous waste site and none of the properties within the plan area are located on any list compiled pursuant to Section 65962.5 of the Government Code.

- (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.*

Several properties within or adjacent to the Project area were identified as potential resources according to the City's historic resource survey, SurveyLA. None of these buildings have been designated as a Historic Cultural Monument. As stated previously, the proposed ordinance does not approve any particular development. Finally, the proposed ordinance does not allow for increased building height, intensity or density of development than what is permitted in the West Los Angeles or Brentwood – Pacific Palisades Community Plans. As such, the proposed ordinance does not create any new incentives that would encourage the demolition of existing buildings, including potentially historically significant buildings. Therefore, even with the identification of buildings and structures that are potentially historically significant, the development standards would not cause reasonably foreseeable environmental impacts to those buildings.

Pursuant to the above, the proposed 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 exemption.

C. *State CEQA Guidelines Section 15061(b)(3) and City of Los Angeles CEQA Guidelines Article II, Section 2, class (m)*

The State California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) establishes the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In addition, the City's CEQA Guidelines, Article II, Section 2, class (m) also exempt ordinances that do not result in an impact on the physical environment.

Senate Bill 743, modified Section 21099 (d)(1) of the Public Resources Code to state: *Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.* Given the residential nature of the project area, the City can determine that any potential aesthetic or parking impacts of the West Los Angeles Multifamily "Q" Qualified Conditions would be less than significant in accordance with Public Resources Code, Section 21099(d)(1).

Further, the West Los Angeles Multifamily "Q" Qualified Conditions is not expected to create any additional impacts to other environmental resources. The Multifamily "Q" Qualified Conditions do not propose or authorize any development or construction. They do not change any land uses, building heights, densities or intensities. Therefore, it would not create or enable any additional impacts by itself or when reasonably foreseeable development according to the new standards occurs. Thus, it can be seen with certainty that the "Q" Qualified Conditions will not have a significant impact on the environment and is not subject to CEQA per Section 15061(b)(3) of the State Guidelines and Article II, Section 2, class (m) of the City's Guidelines.

IV. Conclusions

The proposed West Los Angeles Multifamily "Q" Qualified Conditions area would result in the establishment of a project area with supplemental development regulations. The proposed ordinance does not propose or authorize any development. It does not change any land uses, building heights, densities or intensities. The proposed West Los Angeles Multifamily "Q" Qualified Conditions seek to implement supplemental development standards that are intended to better shape multifamily development within in the area and would: be more protective of the environment than the current regulations; regulate the visual character and design of new multifamily development; require buildings to be oriented to the street; regulate building massing and other architectural features; and, regulates the design of parking and vehicular access.

As discussed above, the proposed West Los Angeles Multifamily "Q" Qualified Conditions qualify for categorical exemptions under Sections 15308 and 15061 of the State CEQA Guidelines and Article II, Section 2, class (m) of the City of Los Angeles CEQA Guidelines, and does not trigger any of the exceptions to categorical exemptions outlined in Section 15300.2 of the State CEQA Guidelines. Further, it would not result in any new significant impacts in any impact areas. Therefore, the proposed ordinance is categorically exempt from the provisions of CEQA.

PREPARED BY:

CITY OF LOS ANGELES, DEPARTMENT OF CITY PLANNING

2/12/18

DATE

BY 