

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
DIR-2025-1863-SPPC-DRB-MSP	ENV-2025-1864-CE-1A	4 - Raman
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
DIR-2025-1863-SPPC-DRB-MSP-1A ☐ N/A	 ☒ N/A	☐ Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) ☒ Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
Latitude: 34.136242, Longitude: -118.487882 (In the Public Right-of-Way adjacent to 3610 North Sapphire Drive)		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Colt Waterbury/ Network Connex ☐ N/A ☐ New/Changed	626-537-0184	cwaterbury@networkconnex.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
☒ N/A		
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Heather Bernstein ☐ N/A	310-876-9993	Heather.w.bernstein@gmail.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
☒ N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jude Hernandez	213-482-7076	Jude.hernandez@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
☐ <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		
CEQA Appeal		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
The decision of the South Valley Area Planning Commission to deny the appeal and uphold the Director of Planning's approval of the Specific Plan Compliance and Design Review Board determination (DIR-2025-1863-SPPC-DRB-MSP-1A) is not further appealable and became effective on the issued date of the commission's Letter of Determination dated June 3, 2026. The APC's decision on the appeal to the Specific Plan Compliance and Design Review Board determination is not advancing for City Council consideration. ☐ N/A		
ITEMS APPEALED:		

Heather Bernstein, aggrieved party, filed an appeal to the California Environmental Quality Act (CEQA) clearance (case number ENV-2025-1864-CE) which was issued for the relocation of an existing power meter to an Above Ground Facility in the public right of way from its current location where it is co-located on a power pole in the public right of way.

The CEQA clearance being appealed is a Categorical Exemption (Class 1 and Class 3) under case number ENV-2025-1864-CE-1A.

☐ N/A

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
☒ Letter of Determination ☒ Findings of Fact ☒ Staff Recommendation Report ☒ Conditions of Approval ☐ T Conditions ☐ Proposed Ordinance ☐ Zone Change Map and Ordinance ☐ GPA Resolution ☐ Land Use Map ☒ Exhibit A – Plans ☒ Mailing List (both Word and PDF) ☐ Interested Parties List ☒ Appeal ☐ Development Agreement ☐ Site Photographs ☐ Other:	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ Categorical Exemption (CE) (Notice of Exemption) ☐ Statutory Exemption (SE) (Notice of Exemption) ☐ Negative Declaration (ND) ☐ Mitigated Negative Declaration (MND) ☐ Environmental Impact Report (EIR) ☐ Mitigation Monitoring Program (MMP) ☐ Sustainable Communities Project Exemption (SCPE) ☐ Sustainable Communities Environmental Assessment (SCEA) ☐ Sustainable Communities Environmental Impact Report (SCEIR) ☐ Appendices ☐ Other:	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

NOTES / INSTRUCTIONS:

Please note what is before the City Council is the CEQA appeal only.

The items transmitted herewith are the materials submitted by the appellant: a copy of the SVAPC determination, the appeal application (Form No. CP13-7840), the appellant's justification for the CEQA appeal (dated 6/15/2026)

☐ N/A

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
☐ 10 days ☐ 15 days ☒ 24 days ☐ N/A / None ☐ Other: [enter here if applicable]	☒ Owner ☒ Applicant ☐ Adjacent/Abutting ☐ 100' radius ☐ 300' radius ☐ 500' radius ☒ Neighborhood Council ☒ Interested Parties ☐ Other: [enter here if applicable]	☐ 10 days ☐ 15 days ☐ 24 days ☒ N/A / None ☐ Other: [enter here if applicable]

FISCAL IMPACT STATEMENT:	
☐ Yes ☒ No *If determination states administrative costs are recovered through fees, indicate "Yes."	
PLANNING COMMISSION:	
☐ City Planning Commission (CPC) ☐ Cultural Heritage Commission (CHC) ☐ Central Area Planning Commission ☐ East LA Area Planning Commission ☐ Harbor Area Planning Commission	☐ North Valley Area Planning Commission ☐ South LA Area Planning Commission ☒ South Valley Area Planning Commission ☐ West LA Area Planning Commission
PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
April 23, 2026	3-0 to deny the appeal and sustained the Directors Determination
LAST DAY TO APPEAL:	DATE APPEALED:
June 18, 2026	June 15, 2026
COUNCIL TIME TO ACT:	TIME TO ACT START:
☐ 30 days ☐ 45 days ☐ 60 days ☒ 75 days ☐ 90 days ☐ 120 days ☐ N/A / None ☐ Other: [enter here if applicable]	☐ Appeal Filing Date ☐ Received by Clerk ☒ Last Day to Appeal ☐ N/A / None ☐ Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Alma Sandoval Commission Executive Assistant I	June 26, 2026



SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JUNE 03, 2026

Case No.: DIR-2025-1863-SPPC-DRB-MSP-1A

Council District: 4 – Raman

CEQA: ENV-2025-1864-CE

Plan Area: Encino – Tarzana

Project Site: Latitude: 34.136242, Longitude: -118.487882 (In the Public Right-of-Way adjacent to 3610 North Sapphire Drive)

Applicant: T-Mobile
Representative: Colt Waterbury, Network Connex

Appellant: Heather W. Bernstein

At its meeting of **April 23, 2026**, the South Valley Area Planning Commission took the actions below in conjunction with the following Project:

The Proposed Project would relocate an existing power meter into a proposed Above Ground Facility (AGF) within the public right of way on Sapphire Drive. The existing power meter is currently co-located on an existing power pole. The proposed AGF resembles a cabinet and would be approximately four feet in height, 17.25 inches in length, and 20.25 inches depth. The proposed is approximately five feet from the nearest adjacent private property (zoned RE15-1-H and developed with a single-family dwelling).

The Project site is located in the Mulholland Specific Plan Outer Corridor and subject to the Baseline Hillside Ordinance. The Project is downslope and Visible from Mulholland Drive. No grading is proposed, and no trees are proposed for removal.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 (Class 1) and Section 15303 (Class 3), and that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Planning Director's determination dated February 5, 2026;
3. **Approved with conditions**, pursuant to Sections 11.5.7 C and 16.50 of the Los Angeles Municipal Code (LAMC) and Section 11 of the Mulholland Scenic Parkway Specific Plan (Ordinance No. 167,943), and based upon the recommendation of the Mulholland Design Review Board, a Project Permit Compliance and Design Review for the removal of an existing power meter co-located on an existing power pole, and the placement of a new Above Ground Facility (AGF). The AGF is a new power meter pedestal along the public right-of-way of Sapphire Drive. The meter pedestal is proposed to have a height of four feet. The Project site is adjacent to an approximately 29,402 square-foot through-lot with an existing single-family dwelling. The Project is located in the Mulholland Specific Plan Outer Corridor and subject to the Baseline Hillside Ordinance. The Project is downslope and visible from Mulholland Drive. No grading is proposed, and no trees are proposed for removal;
4. **Approved with conditions**, pursuant to LAMC Section 62.08. II.B., and based on the recommendation of the Mulholland Design Review Board, an Above Ground Facility that is located within a specific plan;
5. **Adopted** the attached Conditions of Approval; and

6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Barraza
Second: Mather
Ayes: Gourdikian
Absent: Crockett, Karadjian

Vote: 3 – 0

Alma Sandoval

Alma Sandoval, Commission Executive Assistant I
South Valley Area Planning Commission

APPEAL PERIOD- EFFECTIVE DATE

The decision of the South Valley Area Planning Commission is not further appealable and shall become final upon the mailing of this determination letter.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination on the CEQA clearance is an appealable clearance under Section 13F.11.1.F.2. (EIR, ND, MND, SCEA, Exemption/No Project) made by a decisionmaker other than the City Council; all available appeals on the entitlement approval(s) have been taken; and the Determination on the entitlement(s) is final and not further appealable.

WHO CAN FILE AN APPEAL

An applicant or any other person aggrieved by the Decision may file an appeal.

HOW TO FILE AN APPEAL

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day of the appeal period in order to appeal the determination. Should the final day fall on a weekend or a legal City holiday, the time for filing an appeal will be extended to 4:30 PM (PST) on the next following working day. Appeals should be filed early to ensure that the Department of City Planning Development Services Center (DSC) staff have adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



QR Code to
Online Appeal Filing

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

IN- PERSON APPEAL FILINGS

QR Code to Forms for
In-Person Appeal Filing

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

- a. The Department of City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

DEPARTMENT OF CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC Tuesday and Thursday Only	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

Department of City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code (LAMC) provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the LAMC.



QR Code to BuildLA
Appointment Portal for
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination.

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Attachments: Director or Planning Determination dated February 5, 2026

cc: Blake Lamb, Principal City Planner
Claudia Rodriguez, Senior City Planner
Renata Ooms, City Planner
Jude Hernandez, Planning Assistant

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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CALIFORNIA**



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MAYOR

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**MULHOLLAND SCENIC PARKWAY SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE & DESIGN REVIEW**

Date: 2/5/2026

Applicant/Representative

T-Mobile
c/o Colt Waterbury
Network Connxt
655 N. Central Avenue,
Unit 1520
Glendale, CA 91203

Case No. DIR-2025-1863-SPPC-DRB-
MSP

CEQA: ENV-2025-1864-CE

Location: Latitude: 34.136242,
Longitude: -118.487882
(approximate location, closest
address: 3610 North
Sapphire Drive)

Council District: 4 – Raman

Community Plan Area: Encino – Tarzana

Land Use Designation: Low II Residential

Zone: RE15-1-H

Legal Description: Lot: 42; Block: None; Tract:
TR 23521; ARB: None

Last Day to File an Appeal: 2/20/2026

DETERMINATION

Pursuant to LAMC Sections 11.5.7 C and 16.50, and Section 11 of the Mulholland Scenic Parkway Specific Plan (Ordinance No. 167,943), and based upon the recommendation of the Mulholland Design Review Board, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Determine, based on the whole of the administrative record, that substantial evidence supports that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies.

Approve with Conditions a Project Permit Compliance and Design Review for the removal of an existing power meter co-located on an existing power pole, and the placement of a new Above Ground Facility (AGF). The AGF is a new power meter pedestal adjacent to the power pole along the public right-of-way of Sapphire Drive. The meter pedestal is proposed to have a height of 4 feet. The project site is adjacent to an

approximately 29,402 square-foot through-lot with an existing single-family dwelling. The project is located in the Mulholland Specific Plan Outer Corridor and subject to the Baseline Hillside Ordinance. The project is downslope and Visible from Mulholland Drive. No grading is proposed, and no trees are proposed for removal.

Pursuant to LAMC Section 62.08. II.B, and based on the recommendation of the Mulholland Design Review Board, I hereby **Approve with Conditions** an Above Ground Facility that is located within a specific plan.

The project approval is subject to the attached Conditions of Approval, and is based upon the attached findings:

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, labeled Exhibit "A," and attached to the subject case file. No change to the plans shall be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Height.** The Power Pedestal containment shall be limited to 4 feet in height
3. **Grading.** The project is not proposing any grading

Design Review Conditions

4. **Exterior Colors.** All exterior colors shall be chosen from the Santa Monica Mountains color wheel or be 25% grayscale or greater except white and emphasize a color palette that is consistent with the Santa Monica Mountains. Colors shall also not be reflective.

Administrative Conditions

5. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
6. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
7. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
8. **Certification of Landscape Installation.** Prior to obtaining a Certificate of Occupancy, the project architect, landscape architect, or engineer shall certify in a letter to the Department of City Planning and to the Department of Building and Safety that the approved landscape plan has been implemented.
9. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
10. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications

to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

11. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning through the enforcement of the Department of Building and Safety.
12. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
13. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
 - Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (818) 374-9918.
 - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 30 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
 - The Applicant shall implement the tribe's recommendations if a qualified archaeologist and by a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by the Applicant

and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.

- The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South-Central Coastal Information Center (SCCIC) at California State University, Fullerton.

14. **Human Remains Inadvertent Discovery.** In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:

- Stop immediately and contact the County Coroner: 1104 N. Mission Road Los Angeles, CA 90033 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
- If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
- The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

15. **Archaeological Resources Inadvertent Discovery.** In the event that any subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5. At which time the applicant shall notify the City and consult with a qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If

avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

16. **Paleontological Resources Inadvertent Discovery.** In the event that any prehistoric subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.
17. **Indemnification and Reimbursement of Litigations Costs.** Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

The proposed project is for the removal of an existing power meter co-located on an existing power pole, and the placement of a new above ground facility power meter pedestal adjacent to the power pole along the public right-of-way. The meter pedestal is proposed to have a height of 4 feet. The project site is adjacent to an approximately 29,402 square-foot private property. The project is located in the Mulholland Specific Plan Outer Corridor and subject to the Baseline Hillside Ordinance. The project is downslope and Visible from Mulholland Drive. No grading is proposed, and no trees are proposed for removal.

1. A recommendation was made by the Mulholland Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:

The proposed project is subject to the design review process because it is located within the boundaries of the Mulholland Scenic Parkway Specific Plan and is not subject to exemptions of Section 11.J.

The Design Review Board met on November 5, 2025, where the board convened a quorum of 5 members. The vote was (5-0) recommending approval as submitted for the project since the project will substantially comply with Section 16.50, Subsection E of the Los Angeles Municipal Code as well as the relevant design guidelines and development provisions of the Plan. The conditions recommended by the board were:

2. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

Based on a review of the plans submitted with the application, marked Exhibit "A," DIR-2025-1863-SPPC-DRB-MSP, the Director of Planning makes the following findings in

accordance with the applicable design review criteria of the Mulholland Scenic Parkway Specific Plan, Ordinance No. 167,943, effective June 29, 1992:

Section 6.A: Uses

The project proposes the use of existing above ground facilities along the public right-of-way, which is a permitted use and as such, the project use complies with Section 6.A of the Specific Plan.

Section 6.B: Environmental Protection Measures

Section 6.B of the Specific Plan refers back to Section 5.B, stating that all measures required for the Inner Corridor are to be complied with for properties in the Outer Corridor. The subject property is not defined as a "prominent ridge" as per the definition in Section 4 since no ridgeline appears near the property on the map of the Specific Plan Area: Map 6 of 12. As such, the project is not subject to Sections 5.B.1.a and 5.B.1.b, which limit grading and visibility on the defined Prominent Ridges in the Plan area. Furthermore, according to the same map and <http://zimas.lacity.org> the project is further than 100 feet from a watercourse and is not subject to Section 5.B.2, which limits grading within 100 feet of a stream bank. Additionally, the project is further than 200 feet from a public parkland and is not subject to Section 5.B.3, which limits construction and grading within 200 feet of public parkland. The project does not propose to remove, move, or alter any protected or native trees, which include Oak trees, in accordance with Section 5.B.4. Finally, should the applicant encounter any archeological or paleontological resources while grading for the project, the applicant will need to follow the necessary notification procedures pursuant to California Health and Safety Code Sections 7000 et sequentia to appropriately handle these resources, fulfilling the intent of Section 5.B.5 that seeks to protect these resources. As such, the project complies with Section 6.B of the Specific Plan.

Section 6.C: Grading

The project is not proposing any grading at this time.

Section 6.D: Building Standards

The project height for the above ground facility power pedestal is limited to 4 feet, which complies with the height limit identified in subdivision 6.D for structures visible from Mulholland Drive of 40 feet. However, per Section 3.B of the Specific Plan, where the Los Angeles Municipal Code (LAMC) has a lower height requirement, the LAMC prevails and as such, the project is also subject to the envelope height requirements of the Baseline Hillside Ordinance.

Section 11.I.3: Design Review Criteria

Based on a review of the project proposal, and in consideration of the recommendation of the Design Review Board, the proposed above ground facility is compatible with the surrounding homes and the parkway environment in terms of design, massing, materials, and color and as such complies with Section 11.I.3 of the Plan.

3. **The project substantially complies with the applicable regulations, findings, standards, and provisions for Above Ground Facilities Installations in the Public Right-of-Way in a Specific Plan area.**

Based on the recommendation of approval from the Mulholland Design Review Board, the above ground facility was reviewed by the City Planning Department and is conditionally approved pursuant to LAMC 62.08. II.B.

4. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Based on the whole of the administrative record, the Project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15301, Class 1, and there is no substantial evidence demonstrating that an exception to a categorical exemption applies pursuant to CEQA Guidelines, Section 15300.2 applies.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEALS

WHO CAN FILE AN APPEAL

An applicant or any other person aggrieved by the Decision may file an appeal.

HOW TO FILE AN APPEAL

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day of the appeal period in order to appeal the determination. Should the final day fall on a weekend or a legal City holiday, the time for filing an appeal will be extended to 4:30 PM (PST) on the next

following working day. Appeals should be filed early to ensure that the Department of City Planning Development Services Center (DSC) staff have adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

QR Code to
Online Appeal Filing

IN- PERSON APPEAL FILINGS



Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

- a. The Department of City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

QR Code to Forms
for In-Person Appeal
Filing

DEPARTMENT OF CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

Department of City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California

Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

DETERMINATION EFFECTIVE DATE

This determination will become effective after the end of the appeal period date on the first page of this document unless an appeal is filed with the Department of City Planning.

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS



QR Code to BuildLA
Appointment Portal for
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination.

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Note of Instruction Regarding the Notice of Exemption: Applicant is hereby advised to file the Notice of Exemption for the associated categorical exemption after the issuance of this letter. If filed, the form shall be filed with the County of Los Angeles, 12400 Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). More information on the associated fees can be found online here: <https://www.lavote.net/home/county-clerk/environmental-notices-fees>. The best practice is to go in person and photograph the posted notice in order to ensure compliance. Pursuant to Public Resources Code Section 21167 (d), the filing of this notice of exemption 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, **and the possibility of a CEQA appeal**, being extended to 180 days.

VINCENT P. BERTONI, AICP
Director of Planning

Reviewed & Approved by:



Claudia Rodriguez, Senior City Planner

Prepared by:


Jude Hernandez, Planning Assistant
jude.hernandez@lacity.org

cc: Council Office, District 4
Adjoining Property Owners